

**ASSEMBLY BILL**

**No. 2298**

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**Introduced by Assembly Members Hart, Bennett, and Connolly**  
**(Coauthors: Assembly Members Addis and Davies)**  
(Coauthor: Senator Blakespear)

February 12, 2024

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An act to add Section 35618 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2298, as introduced, Hart. Coastal resources: voluntary vessel speed reduction and sustainable shipping program.

Existing law establishes the Ocean Protection Council in state government to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Existing law requires the council to develop and implement a voluntary sustainable seafood promotion program for the state, to consist of specified components, including a competitive grant and loan program for eligible entities, including, but not limited to, fishery groups and associations, for the purpose of assisting California fisheries in qualifying for certification to internationally accepted standards for sustainable seafood.

This bill would require the council, on or before January 1, 2027, in coordination and in consultation with various entities, including the State Air Resources Board, to implement a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast in order to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts. The bill would require the program to expand a certain existing program and would authorize

the program to include specified components, including incentives to program participants based on a percentage of distance traveled by a participating vessel at a reduced speed, as provided. The bill would limit application of the program to vessels that are 300 gross tons or greater. The bill would require the council, on or before December 31, 2027, to submit a report to the Legislature regarding the implementation of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) California’s seaports are North America’s primary intermodal  
4 gateway to Asia and Transpacific trade. Maritime industry activities  
5 at California’s public seaports are responsible for employing more  
6 than 500,000 people in the state. Nationwide, more than 2,000,000  
7 jobs are linked to maritime industry business conducted at  
8 California’s public seaports, contributing to California having the  
9 largest state economy in the United States.

10 (b) Every year, the world’s largest container ships and auto  
11 carriers make thousands of transits along the California coast, with  
12 an estimated 120 tons per day of nitrogen dioxides, an ozone  
13 precursor, being emitted within 100 nautical miles of the coast.  
14 These emissions negatively affect the public health of coastal  
15 communities and cause some areas of the coast to be in  
16 nonattainment with the national ambient air quality standards for  
17 ozone and particulate matter.

18 (c) Since 2014, the Santa Barbara County Air Pollution Control  
19 District, the Ventura County Air Pollution Control District, and  
20 the Bay Area Air Quality Management District, with the federal  
21 Office of National Marine Sanctuaries, marine sanctuary  
22 foundations, and environmental groups, have administered and  
23 promoted the Blue Whales and Blue Skies Program, a voluntary  
24 vessel speed reduction program off the Santa Barbara, Ventura,  
25 and Bay Area coasts to encourage transit speeds of 10 knots or  
26 less to reduce air pollution, the risk of harmful whale strikes, and  
27 the level of ocean noise.

1 (d) Since its inception, through 2021, the Protecting Blue Whales  
2 and Blue Skies Program has provided small incentives and  
3 publicity to program participants and has achieved 526,211 slow  
4 speed miles, a reduction of more than 2,300 tons of nitrogen oxides,  
5 a reduction of over 76,000 metric tons of regional greenhouse gas  
6 emissions, and an estimated 50 percent decreased risk of whale  
7 strikes during prime migration season in the affected coastal areas.

8 (e) This highly cost-effective voluntary pollution reduction  
9 program benefits public health, protects the marine ecosystem,  
10 and showcases the beneficial partnership between shipping  
11 companies, public health agencies, marine sanctuaries, and  
12 environmental organizations.

13 (f) Creation of a statewide vessel speed reduction program and  
14 expansion to other areas of the California coast, including the San  
15 Diego and Monterey coasts and the North Coast, would yield  
16 additional public health and ecosystem benefits.

17 SEC. 2. Section 35618 is added to the Public Resources Code,  
18 to read:

19 35618. (a) On or before January 1, 2027, the council shall, in  
20 coordination with air pollution control districts and air quality  
21 management districts along the coast and in consultation with the  
22 federal Office of National Marine Sanctuaries, the federal  
23 Environmental Protection Agency, the United States Navy, the  
24 United States Coast Guard, the State Air Resources Board, and  
25 maritime industry, implement a statewide voluntary vessel speed  
26 reduction and sustainable shipping program for the California coast  
27 in order to reduce air pollution, the risk of fatal vessel strikes on  
28 whales, and harmful underwater acoustic impacts.

29 (b) The program shall expand the existing Protecting Blue  
30 Whales and Blue Skies Program and may include all of the  
31 following components developed in a manner that is consistent  
32 with how the program components were developed for the  
33 Protecting Blue Whales and Blue Skies Program:

34 (1) A marketing program to engage cargo owners and other  
35 commercial interests to promote voluntary vessel speed reduction  
36 and sustainable shipping, and an acknowledgment of the program's  
37 participants.

38 (2) Data collection on ship speeds along the California coast in  
39 order to analyze the program for future refinement, expansion, or  
40 both.

- 1 (3) Data collection on underwater acoustic impacts or fatal  
2 vessel strikes on whales, to the extent data is available.
- 3 (4) Data collection on the regional air quality impacts on the  
4 coast and impacts to air quality in coastal disadvantaged  
5 communities from oceangoing vessel traffic, as collected and  
6 provided by the regional air pollution control districts and air  
7 quality management districts.
- 8 (5) Incentives to program participants based on a percentage of  
9 distance traveled by a participating vessel at a reduced speed,  
10 including speed zones at 10 knots or less, to the extent that local  
11 or federal funding is available.
- 12 (6) Development of vessel speed reduction zones along the coast  
13 that take into account navigational safety, protected marine  
14 mammal migration and breeding seasons, federal marine  
15 sanctuaries and state marine protected areas, shipping lanes, and  
16 any other relevant variables.
- 17 (7) Seasonality of the program.
- 18 (8) Description of covered vessels.
- 19 (c) The program shall exclude any ocean territories that are  
20 covered by any vessel speed reduction program other than the  
21 Protecting Blue Whales and Blue Skies Program or a memorandum  
22 of understanding entered into before January 1, 2025
- 23 (d) The program shall only apply to vessels that are 300 gross  
24 tons or greater.
- 25 (e) The council may impose additional qualifying criteria on  
26 program participants in order to receive incentives under the  
27 program, including, but not limited to, individual transit speeds,  
28 such as maximum speed in transit or maximum transit average  
29 speed.
- 30 (f) (1) On or before December 31, 2027, the council shall submit  
31 a report to the Legislature regarding the implementation of the  
32 program.
- 33 (2) The report required in paragraph (1) shall be submitted in  
34 compliance with Section 9795 of the Government Code.
- 35 (3) Pursuant to Section 10231.5 of the Government Code, the  
36 requirement for submitting a report imposed by paragraph (1) is  
37 inoperative on December 31, 2031.
- 38 (g) The program, each component of the program, and actions  
39 taken by the council to implement the program are based upon  
40 voluntary actions initiated by entities pursuant to this section and

1 are not regulations as defined in Section 11342.600 of the  
2 Government Code, and shall not be implemented in a way that  
3 conflicts with federal law and regulations.

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