

Date of Hearing: January 10, 2024

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 1000 (Reyes) – As Amended January 3, 2024

SUBJECT: Qualifying logistics use projects.

SUMMARY: Prohibits specified public agencies within the Counties of San Bernardino and Riverside from approving the development or expansion of a “qualifying logistics use” (generally, a warehouse of 100,000 square feet or more) within 1,000 feet of a sensitive receptor, as defined. A public agency may approve a qualifying logistics use between 500 and 1,000 feet from a sensitive receptor if the qualifying logistics use imposes specified mitigation measures. Specifically, **this bill:**

- 1) Establishes the “Good Neighbor Policy.”
- 2) Prohibits a public agency from approving the development or expansion of any qualifying logistics use that is within 1,000 feet of a sensitive receptor, except as provided below.
- 3) Allows a public agency to approve development or expansion of a qualifying logistics use that is greater than 500 feet and within 1,000 feet from the property line of a sensitive receptor, if a qualifying logistics use meets the following:
 - a) All heavy-duty vehicles domiciled on site shall be a model year 2014 or later from the start of operations.
 - b) All heavy duty vehicles shall be zero-emission by December 31, 2028 or when commercially available for intended application, whichever is later.
 - i) Zero-emission vehicle (ZEV) means a vehicle commercially available for the intended purpose and is included in the California Hybrid and Zero Emission Truck and Bus Voucher Incentive Project (HVIP).
 - ii) If a vehicle does not comply with the deadline by December 31, 2028 then the owner shall demonstrate to the public agency that the ZEVs needed for a purpose are not commercially available. A public agency shall not determine that ZEVs are commercially unavailable unless the operator demonstrates an inability to obtain the required electric vehicles or equipment needed within six months, as specified.
 - iii) An owner, operator, or tenant of a qualifying facility shall use a clean fleet of medium duty vehicles. All medium duty vehicles on-site shall be 100% zero emission by December 31, 2028.
 - c) All onsite equipment used at the warehouse shall be zero emission with necessary charging or fueling stations.
 - d) All off-road construction equipment used for the warehouse development project shall be zero emission (where available) or hybrid electric diesel. All diesel-fueled off-road construction equipment engines must be compliant with standards set by the California Air Resources Board (CARB), as specified.

- e) A qualifying logistics use shall construct electric plugs for electric transport refrigeration units at every dock door and requires truck operators with transport refrigeration units to use the electric plugs at loading docks. An owner of a property is exempt if the owner records a covenant on the title of the underlying property that ensures the property shall not be used to provide refrigerated warehouse space.
 - f) A qualifying logistics use shall install solar photovoltaic systems with companion battery storage on the project site that generates greater than or equal to the building's projected needs, as specified.
 - i) A project site may satisfy this requirement by installing a community renewable energy project that provides broader grid and community-based benefits.
 - ii) If a project site cannot accommodate enough solar panels to produce the operations' base or anticipated use, an owner or operator shall demonstrate how all available space has been maximized for photovoltaic and battery energy storage system use.
 - g) Prohibit trucks from idling for more than five (5) minutes and requires drivers to turn off the engine when not in use.
 - h) Prohibit heavy duty off-road construction equipment from idling for more than five (5) minutes.
 - i) A qualifying logistics shall do at least one of the following:
 - i) Install zero emission truck charging or fueling stations proportional to the number of dock doors at the project and run conduit to designated locations for future zero-emission truck charging stations.
 - ii) Contract with a third party for one year or longer to charge or fuel the zero-emission vehicles at an offsite location.
- 4) Defines terms for the purposes of this bill:
- a) "Development or expansion of any qualifying logistics use" to mean the development of any qualifying logistics use, the expansion of any existing qualifying logistics use, or the expansion of any existing logistics use, where the logistics use after the expansion would be a qualifying logistics use.
 - b) "Heavy-duty vehicles" to mean an on-road vehicle with a gross vehicle weight rating that is 26,001 or more pounds.
 - c) "Logistics use" to mean any land use for the movement or storage of cargo goods or products for later distribution to business or retail customers, including any land use serving heavy-duty vehicles involved in such movement of cargo, goods, or products.
 - d) "Public agency" to mean:
 - i) the County of Riverside,
 - ii) the County of San Bernardino,

- iii) any city located within the County of Riverside or San Bernardino,
- iv) Any agency, board, or commission, any county, city and county, charter city, joint powers authority, regional agency, public district, or redevelopment agency, or any other political subdivision that is located within the County of Riverside or San Bernardino.
- e) “Qualifying logistics use” to mean any logistics use with 100,000 or more square feet of building space including, but not limited to, warehouses.
- f) “Sensitive receptors” to mean one or more of the following:
 - i) A residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, retirement home, or shelter.
 - ii) A school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1-12.
 - iii) A daycare facility, including, but not limited to, in-home daycare.
 - iv) A health care facility, including but not limited to, any hospital, medical clinic, community clinic, medical center, nursing home, long-term care facility, hospice, convalescent facility, or similar live-in housing.
 - v) A community center.
 - vi) An established place of worship.
 - vii) An incarceration facility, including, but not limited to a, prison or jail.
 - viii) A public playground, public recreation field, or public recreation center.
- 5) Provides that a minimum setback measurement pursuant to the requirements of this bill shall be made from the property line of the sensitive receptor to the property line of the qualifying logistics use by using a straight-line method.
- 6) States that an individual affected by the violation of this bill or the Attorney General may bring an action to enjoin a violation of this bill.
- 7) Clarifies that this bill does not relieve a public agency from complying with the California Environmental Quality Act (CEQA).
- 8) Finds and declares that Section 1 of this bill addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this bill applies to all cities, including charter cities.
- 9) Finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the significant need to protect homes, schools, daycare facilities, and other sensitive receptors in the Counties of Riverside and San Bernardino, and in the cities located within those counties, or under the jurisdiction of any agency, board, or commission,

any county, city and county, charter city, joint powers authority, regional agency, public district, or redevelopment agency, or any other political subdivision that is located within those counties, from the potential harm created by large warehouses and other logistics uses.

- 10) Provides that no reimbursement is required by this bill pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill, as specified.

EXISTING LAW:

- 1) Requires each city and county to prepare, adopt, and administer a general plan for its jurisdiction, which must include a housing element, to shape the future growth of its community (Government Code § 65300 – 65404).
- 2) Establishes CEQA, which requires lead agencies with the principal responsibility for carrying out or approving a proposed project to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (Public Resources Code § 21000, et seq.).

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Author’s Statement.** “Local governments throughout the Inland Empire have been approving large industrial warehouse projects at a rapid rate over the past twenty years. This has been contributing to declining air quality as there are now 4,000 individual warehouses occupying about 1 billion square feet in the region that generate approximately 600,000 truck trips a day which is equivalent to 50 million pounds of carbon dioxide. While CEQA exists to ensure environmental issues are addressed through the planning process, we are seeing projects be approved that still cause environmental and public health issues to our community. In the community of Bloomington, 6 out of the 8 schools are located within 1,000 feet of a warehouse. This is not sustainable land use for the community.

“The Attorney General has sued local governments for failing to meet CEQA and not incorporating mitigation issues when approving warehouse projects. Most recently the City of Fontana in 2021 and the City of Stockton in 2022. The Attorney General has also put out a guidance memo for warehouse development that lists out mitigation measures for developers to consider adopting to align their projects with CEQA. That same memo cites that e-commerce has led to growth in the logistics sector over the past few years and that the Central Valley will likely see a growth in warehouse development over the next few years because of the available land in that area. This is clearly an issue that will continue and requiring additional mitigation measures when these projects are approved is the best way to frontload benefits for communities. A setback is necessary as proximity to pollution is the biggest factor for communities who live near warehouses, mitigation measures ensures that they will be clean if they get sited closer than 1,000 feet.

“AB 1000 establishes the Good Neighbor Policy by requiring local governments to have a 1,000 foot buffer zone when siting warehouses over 100,000 square feet next to schools, homes, healthcare facilities, and other sensitive receptors. It would allow warehouses to be

sited 500 feet away from sensitive receptors if the project adopts [ZEV] for all classes of vehicles, zero-emission energy to power the facility, zero-emission equipment, and restricts idling and queuing for vehicles & equipment.

“We are seeing that warehouses are often sited next to vulnerable communities over the objection of local residents. We have had residents who have had warehouses sited as close as 60 feet away from their homes. There are quality of life issues with having a massive industrial facility that close to homes and schools. It contributes to asthma, heart disease, cancer and other public health issues. [CARB] and the California Attorney General have recommend 1,000 feet as a buffer zone because it reduces exposure to diesel particulate matter by 80%. Warehouses & logistics are a pivotal part of the Inland Empire economy however industry needs to be good neighbors to the community that has to live next to these massive industrial facilities.”

- 2) **Bill Summary.** This bill prohibits local agencies in Riverside and San Bernardino Counties from approving warehouse facilities that are larger than 100,000 square feet within 1,000 feet of a sensitive receptor. However, this bill allows a local agency to approve a warehouse of this size up to 500 feet from a sensitive receptor if it requires the developer to comply with certain environmental criteria. Specifically, a warehouse that is larger than 100,000 square feet may be located within 500-1,000 feet of a sensitive receptor if the warehouse meets a number of conditions.

The warehouse must:

- a) Comply with electric fleet requirements.
- b) Comply with off road construction equipment requirements.
- c) Provide access to zero emission truck charging and fueling stations.
- d) Install solar panels and battery storage.
- e) Prohibit idling of trucks and construction equipment.

The setback requirement of this bill is measured from the property lined of the sensitive receptor to the property line of the warehouse. This bill allows an individual affected by a violation of its provisions, or the Attorney General, to bring an action to enjoin a violation.

This bill is sponsored by the Center for Community Action and Environmental Justice.

- 1) **Logistics Development in California.** The proliferation of e-commerce and consumer expectations for rapid shipping contributed to a boom in warehouse development in California. The Environmental Justice Bureau at the Department of Justice (DOJ) notes that in the Inland Empire alone, 150 million square feet of new industrial space was developed from 2009-2019, and that 21 of the largest 100 logistics leases signed in 2019 were located in the Inland Empire.
- 2) **Measuring Warehouses.** This bill and AB 1748 (Ramos) both seek to establish minimum setback requirements on new warehouse developments in Riverside and San Bernardino Counties. The provisions of AB 1748 would affect any proposed warehouse development or

expansion in the identified jurisdictions that include more than 400,000 square feet of building space, while this bill would apply to all warehouses developments and expansions that include 100,000 or more square feet of building space.

Researchers at the Redford Conservancy at Pitzer College and Radical Research LLC prepared a database of existing and proposed warehouses located in San Bernardino and Riverside Counties. The tool can be used to estimate the total number of warehouses in San Bernardino and Riverside Counties that meet the size criteria of each bill. In order to determine the number of warehouses that meet the criteria of each bill, the tool applies lot coverage (floor area ratio) estimates to parcels developed with warehouses. Lot coverage for warehouses varies, but several jurisdictions in Riverside and San Bernardino assume a warehouse will cover between 50 and 60 percent of the total parcel. This means that a 100,000 square foot warehouse will typically be located on a lot totaling between 165,000 and 200,000 square feet, while a 400,000 square foot warehouse typically requires a lot that is between 670,000 square feet and 800,000 square feet.

The chart below provides an estimate of the total number of warehouses in San Bernardino and Riverside Counties (5,404) and estimates of how many of those warehouses exceed 100,000 square feet and 400,000 square feet based on assumed lot coverage ratios. The larger lot coverage estimate increases the number of existing warehouses that are assumed to be larger than 100,000 and 400,000 square feet, as it increases the number of parcels that can accommodate a development of that size. The inverse is true when the smaller lot coverage is used, as it decreases the number of parcels that can accommodate warehouses of that size.

Warehouse size	Number of Warehouses		Total Warehouse area in square feet	
	50% Lot Coverage	60% Lot Coverage	50% Lot Coverage	60% Lot Coverage
Less than 100,000 square feet	3,164	2,794	113,000,000	95,000,000
Between 100,000 and 400,000 square feet.	1,757	1,987	326,000,000	370,000,000
More than 400,000 square feet.	483	683	355,000,000	488,000,000

The data suggests that 41 percent to 49 percent of all warehouses built in San Bernardino and Riverside Counties are larger than 100,000 square feet, with those warehouses accounting for 85 percent to 90 percent of all warehouse space located in the two counties. Approximately 9 percent to 12.5 percent of all warehouses built in San Bernardino and Riverside Counties

exceed 400,000 square feet in size, but those warehouses account for 44 percent to 51 percent of all warehouse space located in the two counties.¹

- 3) **Best Practices and Mitigation Measures.** DOJ adopted a guidance memo titled *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*, last updated September 2022. The memo identifies best practices for avoiding and mitigating impacts associated with warehouse development. The memo relies heavily on research prepared by the CARB. Among the recommendations proposed in the memo related to the siting and design of warehouses, the memo notes that a best practice includes “Per CARB guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.” The underlying data the memo cites in support of this recommendation found an 80 percent drop off in the concentration of diesel particulate matter emissions from distribution centers at approximately 1,000 feet. CARB and the South Coast Air Quality Management District analyses indicate that providing a separation of 1,000 feet would substantially reduce diesel particulate matter concentrations and public exposure downwind of a distribution center.²
- 4) **CEQA and Local Approval.** CEQA requires public agencies to study and mitigate, to the extent feasible, the environmental impacts of proposed projects, providing a key protection for the environment and residents of California. Under CEQA, a local agency carrying out a discretionary project must first determine if the project may have a significant effect on the environment. Projects can include jurisdiction-wide efforts such as the update of a general plan, approval of jurisdiction-wide contracts (e.g., waste hauling contracts or water service), and zoning ordinance amendments. A project can also include individual development actions such as the approval of warehouses, stadiums, gas storage facilities, and other types of developments. In the case of any discretionary project, if a local agency finds that the potential for significant environmental impacts exists, CEQA requires the agency to prepare and certify the completion of an EIR.

CEQA places the burden on the approving agency to affirmatively show that it has considered feasible mitigation and alternatives that can lessen or avoid identified impacts through a statement of findings for each identified significant impact. The CEQA Guidelines provide direction on the content of the statement of the findings, and states that one or more of the following findings must be identified for each impact:

- a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

¹ Robert Redford Conservancy and Radical Research LLC: Warehouse CITY.
<https://radicalresearch.shinyapps.io/WarehouseCITY/>

² Department of Justice: Bureau of Environmental Justice. *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*. (Updated September 2022).

- c) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

A lead agency may approve a project with unavoidable (unmitigated) adverse environmental impacts. When doing so, CEQA requires the agency to make a statement in the record of its views on the ultimate balancing of the merits of approving the project despite the environmental impacts in a “statement of overriding considerations.”

Approval of discretionary projects such as warehouse facilities is subject to CEQA and the lead agency must prepare an EIR if the project may have potentially significant environmental impacts. However, CEQA authorizes lead agencies to prepare a statement of overriding considerations and approve a project with unmitigated or unavoidable impacts. In practice, cities and counties may exercise this authority to approve projects that may significantly impact local residents. For example, the City of Perris prepared a Statement of Facts and Findings and Overriding Considerations for a proposed logistics development involving more than 1.7 million square feet of warehouse space. The City found in the Final EIR that the proposed project, located 300 feet from existing residents, would create long-term operational emission and cumulative criteria pollutants that constituted significant and unavoidable impacts. However, the City found such unmitigated effects were acceptable in view of specified overriding considerations. Among the overriding considerations cited were the creation of 685 new jobs and an estimated increase of \$215,000 in additional city tax revenue.

- 5) **Stockton and Fontana Warehouse Settlement Agreements.** In 2022, DOJ reached two separate settlement agreements with the City of Fontana and the City of Stockton relative to their approval of warehouse developments. In both settlements, DOJ intervened during the CEQA process where the city was acting as the lead agency approving a warehouse development. In the City of Fontana, DOJ filed a lawsuit against the city in July of 2021 challenging its approval of the project and arguing that Fontana’s limited environmental review violated CEQA.³ In the City of Stockton, DOJ submitted letters to the city outlining concerns that its environmental review of the proposed warehouse project failed to adopt all feasible mitigation measures as required by CEQA.⁴ In April of 2022, DOJ announced a settlement agreement with the City of Fontana, the warehouse developer, and other litigants in the case. In December of 2022, DOJ announced a settlement agreement with the City of Stockton regarding its approval of warehouse developments.
- 6) **Settlement Agreement Terms.** The settlement agreements between DOJ and each city impose similar mitigation measures relative to warehouse developments and include standards and conditions that are unique to each agreement. Both agreements require each

³ *Attorney General Bonta Announces Innovative Settlement with City of Fontana to Address Environmental Injustices in Warehouse Development.* California Department of Justice, April 18, 2022. Bureau of Environmental Justice. <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-innovative-settlement-city-fontana-address>.

⁴ *Attorney General Bonta Announces Agreement with City of Stockton to Address Environmental Impacts from Continued Warehouse Development.* California Department of Justice, December 6, 2022. Bureau of Environmental Justice. <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-agreement-city-stockton-address-environmental>.

city to adopt a land use ordinance establishing strict standards for citing new warehouse developments within their respective jurisdictions. The City of Fontana adopted a new warehouse-citing ordinance in April 2022. The Stockton Agreement required Stockton to propose a warehouse ordinance no later than December 31, 2023.

Warehouse siting design requirements are embedded in the Fontana Ordinance. The Stockton Agreement outlines warehouse siting design requirements to be incorporated in the Stockton Ordinance. With respect to siting design, the settlement agreements require both cities to impose standards on new warehouse developments that are adjacent to sensitive receptors via ordinance. The ordinances include or are required to include standards related to:

- a) Minimum setbacks.
- b) Onsite landscaped buffers.
- c) Decorative buffer walls at specified heights.
- d) Entry gate and loading dock orientation.
- e) Vehicle circulation.
- f) Signage relative to truck idling.

The siting design terms in both agreements are largely similar but vary in some key areas. For example, both agreements establish comparable landscaping, truck dock and truck entry orientation, and signage requirements. The Fontana Ordinance applies some of its provisions to warehouses that are 50,000 square feet or larger, some provisions to warehouses that are 200,000 square feet or larger, and other requirements only to warehouses that are 400,000 square feet or larger. With respect to the setback requirements, which are a key provision of this bill and AB 1748 (Ramos), the Fontana Ordinance requires warehouses that are 400,000 square feet or larger to establish a setback of 300 feet from the property line of the nearest sensitive receptor. The Stockton Agreement applies to logistics use projects with a building or buildings totaling 100,000 square feet. The Stockton Agreement requires that logistics uses and their associated loading docks are no closer than 300 feet from sensitive receptors, and requires the City to consider the public health and safety benefits of requiring a larger buffer, up to 1,000 feet. In Fontana, the setbacks are measured from the property line of the sensitive receptor to the nearest dock door at the logistics use facility. In Stockton the agreement stipulates setbacks established by Stockton's ordinance will be measured from the loading dock or any building edge, whichever is closer, to the property line of any nearby sensitive receptors.

The agreements also included a series of requirements that are not related to the warehouse siting and design. The Fontana Agreement imposed 26 separate requirements and sub-requirements directly on the warehouse development that was the subject of DOJ's lawsuit. This includes requirements for electric vehicle fleets, solar power, construction fleets, construction operating hours, and the establishment of a community benefit fund providing amenities to residents and the local school district. The Stockton Agreement requires the city to propose ordinance provisions that are similar to the standards that the Fontana Agreement imposed directly on the operator. The agreement includes a requirement that the proposed

ordinance establish requirements for electric vehicle fleets, solar power, construction fleets, and other requirements for new warehouse developments larger than 100,000 square feet.

- 7) **CARB Clean Truck Rules.** In 2020, CARB adopted the Advanced Clean Truck (ACT) regulation to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles from Class 2b to Class 8. One component of the regulation is a manufacturer sales requirement. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.

To further the transition to a zero-emission fleet, at the end of 2020, Governor Newsom issued Executive Order (EO) N-79-20, which requires 100% of medium- and heavy-duty vehicles in the state be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks. EO N-79-20 charges CARB with developing and proposing medium- and heavy-duty vehicle regulations requiring increasing volumes of new zero-emission trucks and buses sold and operated in the state towards that goal. CARB has finalized the Advanced Clean Fleet regulation, which sets a schedule for light-duty, medium-duty, and heavy-duty vehicles to meet zero-emission goals.

- 8) **South Coast Indirect Source Rule (ISR).** In 2021, the South Coast Air Quality Management District (SCAQMD) adopted the Warehouse ISR, which requires warehouses greater than 100,000 square feet to directly reduce nitrogen oxide (NOx) and diesel particulate matter (PM) emissions, or to otherwise reduce emissions and exposure of these pollutants in nearby communities.

According to SCAQMD, warehouses are a key destination for heavy-duty trucks and have other sources of emissions like cargo handling equipment, all of which contribute to local pollution, including toxic emissions, to the communities that live near them. Emissions from sources associated with warehouses account for almost as much NOx emissions as all the refineries, power plants, and other stationary sources in the South Coast Air Basin combined. Those living within a half mile of warehouses are more likely to include communities of color, have higher rates of asthma and heart attacks, and a greater environmental burden.

As part of the rule, warehouse operators will need to earn a specified number of points annually. These points can be earned by completing actions from a menu that includes acquiring and using natural gas near-zero and/or zero-emission on-road trucks, zero-emission cargo handling equipment, solar panels, or zero-emission charging and fueling infrastructure and more. As alternatives to the points system, warehouse operators can prepare and implement a custom plan specific to their site or choose to pay a mitigation fee. Funds from mitigation fees will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities near the warehouse that paid the mitigation fee.

- 9) **Policy Considerations.** As a matter of state policy, California has established that by 2042 all vehicles operating will be zero-emission. *The Committee may wish to* consider the relevancy of this bill, if it were to become law, after 2042 and the impacts to a local government's decision making power if threats to public health have been sufficiently addressed through the adoption of zero-emission technologies.

10) **Related Legislation.** AB 1748 (Ramos), requires specified local agencies to impose a 300-foot setback requirement on parcels that are adjacent to sensitive receptors and includes additional policies on warehouses that are larger than 400,000 square feet unless the local agency adopts specified alternative policies. AB 1748 is pending in Assembly Appropriations Committee.

11) **Previous Legislation.** AB 2840 (Reyes) of 2022, among other provisions, would have prohibited public agencies from siting warehouse developments within 1,000 feet of a sensitive land use. This bill was held in the Senate Governance and Finance Committee.

AB 1547 (Reyes) of 2021, among other provisions, would have prohibited public agencies from siting warehouse developments within 3,000 yards of a sensitive land use. This bill was held in the Assembly Natural Resources Committee.

12) **Double-Referral.** This bill is double-referred to the Natural Resources Committee, where it passed on an 8-3 vote on April 17, 2023.

13) **Arguments in Support:** The Center for Community Action and Environmental Justice and a coalition of organizations write in support, "...The Inland Empire is the epicenter of warehousing in the United States, with over 4,000 warehouses that cover 40 square miles and over 1 billion square feet. Another 600 million square feet are approved, under construction, or in environmental planning phases. The proliferation of these warehouses comes with enormous truck traffic which generates approximately 600,000 truck trips a day – an equivalent to 50 million pounds of carbon dioxide. The logistics industry is the largest contributor to ozone air pollution in San Bernardino and Riverside Counties, which experience the highest levels of ozone in the United States. Local residents have argued that they are seeing higher levels of asthma and other negative public health impacts. In addition to the public health impacts and degraded quality of life, homes and even neighborhoods are being bought by developers and demolished to make room for more warehouses in the midst of a housing crisis. The Inland Empire is often working-class Latino and Black communities – some of which are primarily Spanish speaking households. These communities are seeing a decline in their quality of life because facilities are sited next to their homes, schools, parks, and other sensitive receptors. Predatory zoning for warehouses adjacent to homes is controlled by local jurisdictions receiving monetary donations from out-of-state and out-of-county developers.

"Placing harmful land-uses next to homes and schools isn't a NIMBY issue - it is an environmental racism issue. AB 1000 protects communities from conflicting land-use policies, improving quality of life for San Bernardino and Riverside County residents."

14) **Arguments in Opposition.** The California Chamber of Commerce and a coalition of organizations writes in opposition, "AB 1000 is still far too prescriptive and will lead to the elimination of high paying jobs, quash critically needed housing associated with mixed use developments in the region, increase vehicle miles traveled for heavy duty vehicles coming from California ports, incentivize frivolous litigation with a new private right of action in California law, and exacerbate supply chain issues that will increase the costs to move goods, thereby increasing the cost of living on all Californians..."

"AB 1000's most recent amends arguably make the bill worse. Like prior versions, the bill maintains its one-size fits all approach to the region by stripping local governments of their

land use autonomy and prohibiting all new or expanded logistic-use facilities within 1,000 feet of a sensitive receptor. It continues to be too prescriptive and fails to address the flexibility needs of local governments. The bill as amended now requires all buffers to be made from the property line of the sensitive receptor to the property line of the qualifying logistics use by using a straight-line method the perimeter of the parcels while prior versions of the bill were less prescriptive...

“... CARB has adopted the Advanced Clean Fleets Rule which will require that large public and private fleets be 100% zero emission by 2042 and drayage fleets of any size by 2035. Under that rule, CARB plans to ban the registration of any new non-zero emission vehicle from California’s ports and intermodal railyards after 2023. CARB has updated its Transportation Refrigeration Unit (TRU) Rules to require lower particulate emissions from all TRUs and certain types of TRUs to transition to zero emissions starting in 2024.”

REGISTERED SUPPORT / OPPOSITION:**Support**

Center for Community Action and Environmental Justice (Sponsor)
American Lung Association in California
Ban Sup (Single Use Plastic)
California Environmental Voters (formerly Clcv)
Calstart
Clean Water Action
Coalition for Clean Air
Coalition for Humane Immigrant Rights (CHIRLA)
Democratic Club of The Inland Valley
EJCW (environmental Coalition for Water Justice)
Fair Ontario
Inland Coalition for Immigrant Justice
League of Women Voters Riverside
Lutheran Office of Public Policy - California
Move LA
Natural Resources Defense Council (NRDC)
Redlands Area Democratic Club
Riverside Neighbors Opposing Warehouses
Robert Redford Conservancy At Pitzer College
San Bernardino Community Service Center, INC
San Bernardino County Medical Society
Sierra Club California
Sierra Club, San Gorgonio
South Fontana Concerned Citizens Coalition
The Greenlining Institute
Union of Concerned Scientists
Vote Solar

Support to Prior Version (As Amended 03.30.2023)

Center for Community Action and Environmental Justice [SPONSOR]

350 Humboldt: Grass Roots Climate Action
350 Riverside
American Academy of Pediatrics
Amigos De Los Rios
Asian Pacific Environmental Network (APEN)
California Climate Action
California Environmental Justice Alliance (CEJA) Action
California Nurses Association
California Nurses for Environmental Health and Justice
Center on Race, Poverty & the Environment
Central California Asthma Collaborative
Cleaneearth4kids.org
Climate Action California
Climate Center; The
Concerned Neighbors of Bloomington
Democratic Club of Claremont
Disability Rights California
Earthjustice
Elders Climate Action, Norcal and Social Chapters
Environment California
Flo Services USA
Friends Committee on Legislation of California
Greenlining Institute
Grow Fontana
Inland Congregations United for Change
Inland Empire United
Inland Equity Partnership
Just San Bernardino
League of United Latin American Citizens (LULAC) of Riverside Council 3190
Let's Green Ca!
Loma Linda University for a Sustainable Future
People's Collective for Environmental Justice
Physicians for Social Responsibility - San Francisco Bay Area Chapter
Pink Panthers
Pomona Economic Opportunity Center
Puente Latino Association
R-now
Safe Routes Partnership
Santa Cruz Climate Action Network
Sisterswe Community Gardening Projects
Sunrun INC.
The Inland Empire Immigrant Youth Collective
United Food and Commercial Workers Local 1167
United Food and Commercial Workers, Western States Council
Voices for Progress
Warehouse Worker Resource Center
Western Center on Law & Poverty

Opposition

Agricultural Council of California
Anaheim Chamber of Commerce
Antelope Valley Chambers of Commerce
Associated General Contractors of California
Bay Area Council
BNSF Railway
Brea Chamber of Commerce
Brentwood Chamber of Commerce
Building Owners and Managers Association of California (BOMA)
California Beer and Beverage Distributors
California Building Industry Association (CBIA)
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Family Beer Distributors
California Farm Bureau
California League of Food Producers
California Manufacturers & Technology Association
California Restaurant Association
California Retailers Association
California Short Line Railroad Association
California State Council of Laborers
California Taxpayers Association
California Trucking Association
Can Manufacturers Institute
Carlsbad Chamber of Commerce
Carson Chamber of Commerce
Chino Valley Chamber of Commerce
Coalition of California Chambers – Orange County
Corona Chamber of Commerce
Folsom Chamber of Commerce
Fontana Chamber of Commerce
Fontana; City of
Fremont Chamber of Commerce
Fresno Chamber of Commerce
Garden Grove Chamber of Commerce
Gateway Chambers Alliance
Glendora Chamber of Commerce
Greater Coachella Valley Chamber of Commerce
Greater Conejo Valley Chamber of Commerce
Greater High Desert Chamber of Commerce
Greater Irvine Chamber of Commerce
Greater Riverside Chambers of Commerce
Greater San Fernando Valley Chamber of Commerce
Huntington Beach Chamber of Commerce
Imperial Valley Regional Chamber of Commerce
Industrial Environmental Association

Inland Action
Inland Empire Economic Partnership (IEEP)
LA Canada Flintridge Chamber of Commerce
LA Verne Chamber of Commerce
Lake Elsinore Valley Chamber of Commerce
League of California Cities
Livermore Valley Chamber of Commerce
Lodi District Chamber of Commerce
Long Beach Chamber of Commerce
Los Angeles Area Chamber of Commerce
Los Angeles County Business Federation (BIZFED)
Maersk
Murrieta Wildomar Chamber of Commerce
NAIOP California
New California Coalition
Newport Beach Chamber of Commerce
Norwalk Chamber of Commerce
Oceanside Chamber of Commerce
Orange County Business Council
Pacific Merchant Shipping Association
Palm Desert Area Chamber of Commerce
Palos Verdes Peninsula Chamber of Commerce
Rancho Cordova Area Chamber of Commerce
Redondo Beach Chamber of Commerce
Sacramento Metropolitan Chamber of Commerce
San Juan Capistrano Chamber of Commerce
San Manuel Band of Mission Indians
San Pedro Chamber of Commerce
Santa Barbara South Coast Chamber of Commerce
Santa Clarita Valley Chamber of Commerce
Santa Maria Valley Chamber of Commerce
Santa Paula Chamber of Commerce
South Bay Association of Chambers of Commerce
Southern California Leadership Council
Southwest California Legislative Council
State Building and Construction Trades
Torrance Area Chamber of Commerce
Tri County Chamber Alliance
Tulare Chamber of Commerce
Union Pacific Railroad
United Chamber Advocacy Network
Vacaville Chamber of Commerce
Valley Industry and Commerce Association (VICA)
West Ventura County Business Alliance
Western Growers Association
Western States Petroleum Association
Wine Institute
Yorba Linda Chamber of Commerce

Opposition to Prior Version (As Amended 03.30.2023)

Association of Western Employers
AV Edge (Antelope Valley Economic Development & Growth Enterprise)
Building Industry Association of Southern California
California Association for Local Economic Development (CALED)
California Hotel & Lodging Association
California State Council of Laborers Local 67
California State Council of Laborers Local 73
California State Council of Laborers Local 89
California State Council of Laborers Local 185
California State Council of Laborers Local 220
California State Council of Laborers Local 261
California State Council of Laborers Local 294
California State Council of Laborers Local 300
California State Council of Laborers Local 304
California State Council of Laborers Local 324
California State Council of Laborers Local 345
California State Council of Laborers Local 585
California State Council of Laborers Local 652
California State Council of Laborers Local 724
California State Council of Laborers Local 792
California State Council of Laborers Local 1130
California State Council of Laborers Local 1184
California State Council of Laborers Local 1414
District Council of Iron Workers of the State of California and Vicinity
Institute of Real Estate Management (IREM)
LIUNA! Pacific Southwest Regional Office
Otay Mesa Chamber of Commerce
Otay Mesa Property Owners Association
Rebuild Social Partnership
San Bernardino County
San Pedro Chamber of Commerce
Santa Barbara South Coast Chamber of Commerce
South Bay Association of Chambers of Commerce
Southern California District Council of Laborers
The Chamber Newport Beach
United Contractors

Analysis Prepared by: Angela Mapp / L. GOV. / (916) 319-3958, Linda Rios / L. GOV. / (916) 319-3958