April 8th, 2026

Senator Blakespear (Chair)
Senate Environmental Quality Committee
California State Senate
1021 O Street Sacramento, CA 95814

Re: SB 1097 (Wiener) — SUPPORT IF AMENDED

Dear Chair Blakespear and Committee Members:

SPUR writes to express **support if amended** for SB 1097 (Wiener). We urge the author to remove thermal energy facilities using non-fossil fuels, including biomass combustion plants, landfill gas-to-energy facilities, and waste-to-energy facilities, from the bill's streamlined review provisions.

Why Faster Permitting for Clean Energy and Transmission Is Urgently Needed

California faces an energy affordability and reliability crisis that demands urgent action. PG&E rates rose nearly 40% between 2022 and 2025, and the state now carries the second-highest residential electricity costs in the nation. Meeting California's clean energy goals of 90% clean electricity by 2035 and economywide carbon neutrality by 2045 will require tripling current clean energy generation capacity, and an unprecedented buildout of renewable generation, storage, and transmission infrastructure at a pace far exceeding historical deployment. Yet in 2024, new projects in the CAISO interconnection queue waited an average of 9.2 years, the longest of any ISO in the country.

These delays have disproportionate consequences. Every year that solar, wind, battery storage, and transmission projects remain in permitting queues is a year that fossil fuel plants continue operating, extending the air quality and health burdens borne by communities already overburdened by pollution. High energy costs function as a regressive tax, falling hardest on lower-income households. Renewable energy and transmission infrastructure requires coordinated deployment across hundreds of jurisdictions and thousands of miles of corridor; a delay in any one component can cascade into multi-year setbacks for entire interconnected systems. Without significantly faster and more predictable approvals, California risks falling short of its own mandates, turning climate targets into unattainable goals, locking in fossil generation and undermining our state’s leadership in the fight against climate change.

We are mindful that streamlining CEQA review for clean energy is not a universally popular position in the environmental community, and requires deep engagement and research in and of itself. But we believe excessive local veto power over infrastructure that is aligned with an environmentally just future is itself a source of harm and that California's ambitious climate goals cannot be met without permitting reform. Solar, wind, battery storage, and grid transmission upgrades are the right targets for the CEQA reforms in SB 1097. We strongly support those provisions.

Why Thermal Energy Facilities Using Biomass Should Be Excluded

The scientific and regulatory record on local air pollution from thermal energy facilities that do not burn fossil fuels is substantial and consistent. These facilities, including biomass combustion plants, landfill gas-to-energy facilities, and biogas digesters, generate significant quantities of particulate matter (PM2.5), nitrogen oxides (NOx), carbon monoxide, volatile organic compounds, and hazardous air toxics including benzene, formaldehyde, dioxins, and furans. Their local air quality impacts bear no resemblance to the near-zero operational emissions of solar panels, wind turbines, or battery storage, nor do they make up as meaningful a share of California's clean energy generation. In 2024, biomass represented about 5,394 Gwh, or 1.94%, of California's total system electric generation.[1] Treating them identically under CEQA streamlining conflates fundamentally different technologies.

In California, the problem is particularly acute. Biomass power plants are among the largest stationary sources of PM2.5 and NOx in the state. In the Sacramento Valley Air Basin, seven of the ten worst NOx polluters were biomass power plants in 2022.[2] In the San Joaquin Valley, four of the five active biomass plants are located in disadvantaged communities, including Rio Bravo Fresno, sited less than half a mile from Malaga Elementary School in a majority-Hispanic neighborhood with a pollution burden score of 100. A 2023 peer-reviewed study published in *Renewable Energy* (Tran, Juno & Arunachalam, UNC Chapel Hill) found that despite accounting for only approximately 1% of total U.S. energy capacity, biomass-to-electricity facilities contribute 3–17% of the energy sector's total pollutant emissions and that emissions from wood pellet production facilities are potentially underestimated by a factor of two in existing regulatory inventories. [3]

Landfill gas facilities present their own distinct risks. Landfill gas contains halogenated hydrocarbons, chlorine, bromine, and fluorine compounds, that can generate dioxins and furans during combustion, as confirmed by the Scholl Canyon case in Glendale, where an initially-approved Mitigated Negative Declaration failed to account for anhydrous ammonia hazards and toxic dioxin releases that were only revealed through full EIR review. Biogas systems, including anaerobic digesters, emit NOx from combustion and ammonia from digestate storage, which contributes to secondary aerosol formation in surrounding communities.

There are documented instances where abbreviated CEQA review would have allowed facilities to proceed with materially inaccurate environmental baselines, and where full EIR processes produced concrete protections: corrected health risk assessments, pollution controls, fuel source limitations, and fire safety requirements. The Freer-Smith et al. systematic review published in *GCB Bioenergy* (UC Davis, 2023), funded by the California Air Resources Board, confirms that not all non-fossil energy pathways achieve co-benefits for both GHG reduction and

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[1] https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2024-total-system-electric-generation

[2] https://www.biologicaldiversity.org/campaigns/debunking_the_biomass_myth/pdfs/Forest-Bioenergy-Briefing-March-2021-Book-3-Polluting-Communities.pdf

[3] https://www.researchgate.net/publication/366651175_Emissions_of_Wood_Pelletization_and_Solid_Bioenergy_Use_in_the_United_States

local air quality.[4] Many biomass combustion pathways that improve on wildfires in absolute terms still impose significant localized criteria pollutant burdens, particularly when compared to true zero-emission alternatives.

It is also worth noting that SB 1097, unlike AB 205, does not establish a 50 MW minimum threshold for streamlining. This means smaller facilities, which are more likely to be sited in disadvantaged communities, less likely to deploy the best available pollution controls, and less likely to have the capitalization to respond to community challenges, would receive the same relaxed CEQA treatment as utility-scale solar. The equity implications of this gap are significant.

Our Request

We urge the author to amend SB 1097 to:

1. **Remove from the bill's streamlined review provisions** all thermal energy facilities that are biomass combustion plants (regardless of feedstock), landfill gas-to-energy facilities, waste-to-energy facilities, and biogas combustion facilities.
2. **Restore standard CEQA review thresholds**, including the "fair argument" standard, for these facility types, consistent with the protections that have yielded critical health safeguards in documented California cases.

These amendments would not meaningfully impede the bill's core objective of accelerating the deployment of solar, wind, battery storage, and transmission infrastructure, which make up a larger share of California's clean energy portfolio. They would, however, ensure that CEQA reform does not become a vehicle for weakening the public health protections that disadvantaged communities most depend upon.

California cannot achieve its climate goals without moving faster on clean energy and transmission, and SPUR supports SB 1097's central purpose and the urgency animating it. But speed must be calibrated to the actual risks involved. Streamlining review for solar panels and transmission reconductoring is sensible policy; extending that same treatment to combustion facilities that are among the largest sources of criteria pollutants in the state's most polluted air basins is not. With the amendments described above, SB 1097 can be a durable, defensible piece of climate legislation that accelerates the build-out Californians need without deepening the air quality burdens that environmental justice communities are already carrying.

SPUR respectfully urges the committee to move the bill forward **with these amendments**.

Sincerely,

Colleen Corrigan
Sustainability and Resilience Policy Manager
SPUR

[4] https://onlinelibrary.wiley.com/doi/10.1111/gcbb.13101