



BOARD OF SUPERVISORS  
AGENDA LETTER

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**

**Submitted on:**  
**(COB Stamp)**

**Department Name:** County Executive Office  
**Department No.:** 012  
**Agenda Date:** December 9, 2025  
**Placement:** Administrative Agenda  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

**TO:** Board of Supervisors  
**FROM:** Department Director(s): Mona Miyasato, County Executive Officer  
Contact: Brittany Odermann, Deputy County Executive Officer  
**SUBJECT:** Polluters Pay Climate Superfund Legislation – Assembly Bill 1243 and Senate Bill 684

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt the attached resolution in support of “Polluters’ Pay Climate Superfund” Legislation; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because it consists of the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

At its September 8<sup>th</sup>, 2025 meeting, the Legislative Committee recommended that the Board adopt the attached resolution in support of State [Assembly Bill \(AB\) 1243](#) and [Senate Bill \(SB\) 684](#), both titled “Polluters Pay Climate Superfund Act of 2025.” These bills were originally introduced in the 2025 legislative session but will be considered further in the 2026 legislative session. Although these bills align with the principle in the County Legislative Platform regarding Climate Stability, Resilience and Adaptation, given the scale and impact of AB 1243 and SB 684, these bills merit consideration by the Board of Supervisors.

**Discussion:**

Introduced in the 2025 legislative session, AB 1243 and SB 684 would create a new fund for climate damage mitigation projects in California. The two bills have minor, non-substantive differences. The key points of both bills include:

- **Create the Polluters Pay Climate Superfund Program** – Administered by the California Environmental Protection Agency, requiring major fossil fuel companies to pay for climate-related damages.
- **Covered period defined (1990–2024)** – Responsibility applies to emissions from fossil fuel extraction, refining, sale, or combustion during this timeframe.
- **Climate cost study required** – The agency must quantify past and future climate damages (1990–2045), update the study at least every 5 years, and base it on best available peer-reviewed science.
- **Cost recovery assessments** – Companies responsible for over 1 billion metric tons of emissions must pay a proportionate share of total damages, with funds deposited into the Climate Superfund.
- **Use of funds for climate response** – Money collected goes to projects that mitigate or adapt to climate change impacts (e.g., disaster preparedness, clean energy, resilience, workforce support), with at least 40% benefiting disadvantaged communities.

The purpose of the legislation is to redistribute a portion of the income obtained by fossil fuel companies to projects throughout the State that address climate-related damages, with a focus on disadvantaged communities that have experienced the most significant impacts from climate change.

*County Legislative Platform*

The 2025 County Legislative Platform includes a principle of Climate Sustainability, Resilience, and Adaptation. It highlights that the County has adopted a Climate Action Plan that aims to reduce greenhouse gas emissions 50% below 2018 levels by 2030. The Platform also includes the following language that relates to “Polluters Pay” legislation:

- Support efforts to catalyze community renewal, redevelopment and reinvestment.
- Support initiatives that recognize that climate change is increasing the frequency, duration, and intensity of natural disasters.
- Support efforts to direct resources and benefits to populations and communities that are more vulnerable to climate change as a result of being historically marginalized and underinvested.
- Advocate for resources to assist local governments and communities in developing and implementing comprehensive climate adaptation plans and projects.
- Facilitate partnerships between government agencies, non-profit organizations, and private sector stakeholders to address climate-related challenges.

*County Action*

Given the existing Platform language related to climate sustainability, staff recommend a support position on the concepts included in the AB 1243 and SB 684 2025 legislation through adoption of a

resolution.

*Bill Status and Future Direction*

Both AB 1243 and SB 684 were held in their chamber of origin earlier in the 2025 legislative session, and both were converted to two-year bills, meaning they can be reconsidered in the 2026 legislative session. The authors may instead choose to introduce new bills that are similar, which allows more time to proceed through the process.

On September 8, 2025 the Legislative Program Committee voted to support this legislation through adoption of a resolution and refer that recommendation to the full Board of Supervisors for a vote.

**Fiscal and Facilities Impact:**

There is no fiscal impact with this item. AB 1243 and SB 684 would require fossil fuel companies to comply with the requirements stated in the legislation, including associated costs; the program would be administered by the State.

**Special Instructions:**

Please return one copy of the executed Resolution to Brittany Odermann, [bodermann@countyofsb.org](mailto:bodermann@countyofsb.org).

**Attachments:**

Attachment A – Resolution of the Board

**Contact Information:**

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