

AMENDED IN ASSEMBLY JUNE 27, 2012

AMENDED IN SENATE MAY 29, 2012

AMENDED IN SENATE APRIL 9, 2012

AMENDED IN SENATE MARCH 26, 2012

SENATE BILL

No. 1066

Introduced by Senator Lieu
(Coauthor: Senator Pavley)

February 13, 2012

An act to add Section 31113 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1066, as amended, Lieu. Coastal resources: climate change.

Existing law establishes the State Coastal Conservancy, which serves as a repository for coastal lands. Existing law authorizes the conservancy to, among other things, undertake projects and award grants for the purposes of restoration of areas of the coastal zone that are adversely affecting the coastal environment or are impeding orderly development.

This bill would authorize the conservancy to fund and undertake projects to address climate change *on resources within its jurisdiction*, giving priority to projects that maximize public benefits.

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 the following:

1 (a) California’s coastal waters, waterfronts, wetlands, harbors,
2 estuaries, bays, ports, marinas, riparian areas, beaches, and
3 agricultural resources are important environmental and economic
4 resources to the state.

5 (b) The coastal economy contributes \$46 billion annually to the
6 State of California.

7 (c) Eighty percent of California’s 38 million residents live within
8 30 miles of the coast.

9 (d) Sea level rise, combined with storm-driven waves, poses a
10 direct risk to the state’s coastal resources, including public and
11 private real property and infrastructure. Rising marine waters
12 threaten sensitive coastal areas, habitats, the survival of threatened
13 and endangered species, beaches and other recreation areas, and
14 urban waterfronts.

15 (e) Commercial fisheries and fishing harbors, ports, production
16 of seafood, and related jobs will suffer adverse impacts if steps
17 are not taken to protect them.

18 (f) The desirability of natural areas, riparian areas, beaches,
19 parks, and urban areas as tourist destinations, and their concomitant
20 economic benefit to the state, depends on protection of their scenic
21 and recreational qualities.

22 (g) The economic and environmental health of human and
23 natural coastal communities depends on their resilience—their
24 ability to survive and rebound from adverse effects.

25 (h) Improving the health of coastal rivers, wetlands, beaches,
26 harbors, ports, urban waterfronts, fisheries, and agricultural
27 resources in advance of threats can contribute to their resiliency.

28 (i) Extensive cooperation between governmental and private
29 entities is needed to respond adequately to the effects of climate
30 change.

31 (j) For well over 30 years, the State Coastal Conservancy, a
32 nonregulatory agency established under Division 21 (commencing
33 with Section 31000) of the Public Resources Code, has worked
34 with public and private entities to protect, restore, and enhance
35 coastal and marine resources and habitats, has addressed
36 deteriorating urban waterfronts and poorly designed coastal
37 development, and has provided public recreation facilities and
38 access to the coast and urban waterfront areas.

39 (k) The conservancy can further contribute to the improvement
40 and management of the state’s invaluable public and private coastal

resources, and, in so doing, lessen the degradation and destruction from future effects of a changing climate on natural and built resources and related jobs.

(l) Projects that protect coastal resources from climate change impacts can provide additional valuable public benefits, including, but not limited to, flood protection, improved water quality, and increases in fish and wildlife for food and recreation.

(m) Existing law does not expressly authorize the State Coastal Conservancy to address climate change or its impacts, despite the anticipated adverse effects on the coast.

(n) It is the intent of the Legislature that, in implementing Division 21 (commencing with Section 31000) of the Public Resources Code, the conservancy have adequate authority to work with local governments and private entities to address the effects of climate change on coastal resources, public and private, natural and built, including, but not limited to, coastal beaches, ports, urban waterfronts, infrastructure, the ocean, riparian areas and watersheds, fisheries, forests, wetlands, and public and private real property.

(o) The conservancy's participation in addressing adverse effects on coastal resources can help to maintain property values for individuals and businesses, aid the tourist industry, and promote business and jobs by facilitating the development and protection of visitor-serving commercial facilities and amenities attractive to skilled and educated workers.

(p) The conservancy's participation in addressing climate change can help to produce construction and other jobs for Californians, both directly, through conservation and development activities, and indirectly, through increased recreational, business, and tourist use.

(q) The conservancy's participation can contribute to the resiliency of the natural and built environments, including habitat, beaches, ports, and urban waterfronts, and can facilitate assisted migration of plant and animal species that lack adequate ability to adapt.

(r) To the extent that this act assists the conservancy in obtaining federal and other funds, it may help reduce demand on the General Fund for coastal improvement and resilience activities.

SEC. 2. Section 31113 is added to the Public Resources Code, to read:

1 31113. (a) In implementing this division, the conservancy is
2 authorized to address the impacts and potential impacts of climate
3 change on ~~coastal~~ resources *within its jurisdiction*. Pursuant to this
4 authorization, the conservancy may undertake ~~coastal~~ projects
5 *within its jurisdiction*, including, but not limited to, those that
6 reduce greenhouse gas emissions, address extreme weather events,
7 sea level rise, storm surge, beach and bluff erosion, salt water
8 intrusion, flooding, and other coastal hazards that threaten coastal
9 communities, infrastructure, and natural resources.

10 (b) The conservancy may award grants to public agencies and
11 nonprofit organizations for activities authorized pursuant to
12 subdivision (a). In awarding the grants, the conservancy shall, to
13 the extent allowed, prioritize projects that maximize public benefits,
14 including, but not limited to, reducing emissions of greenhouse
15 gases, reducing hazards to harbors and ports, preserving and
16 enhancing coastal wetlands and natural lands, conserving
17 biodiversity, and providing recreational opportunities.