

Senate Bill No. 1066

CHAPTER 611

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

[Approved by Governor September 27, 2012. Filed with
Secretary of State September 27, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1066, 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 address the impacts and potential impacts of climate change on resources within its jurisdiction, giving priority to projects that maximize public benefits.

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

SECTION 1. The Legislature finds and declares the following:

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

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

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

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

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

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

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

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

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

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

(k) The conservancy can further contribute to the improvement 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 migration of plant and animal species as they move 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:

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

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