

AMENDED IN ASSEMBLY JULY 2, 2014

AMENDED IN SENATE MAY 27, 2014

AMENDED IN SENATE MAY 7, 2014

AMENDED IN SENATE APRIL 21, 2014

AMENDED IN SENATE APRIL 10, 2014

SENATE BILL

No. 1217

**Introduced by Senator Leno
(Coauthors: Senators Jackson and Pavley)**

February 20, 2014

An act to add Section 12805.4 to the Government Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

SB 1217, as amended, Leno. Climate change: preparedness.

Existing law establishes the Natural Resources Agency and requires the Secretary of the Natural Resources Agency to develop a strategic vision for the Department of Fish and Wildlife and the Fish and Game Commission that includes reforms necessary to take on the challenges of the 21st century, including, among other things, climate change and adaptation. Existing law establishes the Strategic Growth Council and requires the council to, among other things, identify and review activities and funding programs of its member state agencies that may be coordinated to, among other things, meet the goals of the California Global Warming Solutions Act of 2006.

This bill would require the Natural Resources Agency, ~~in consultation with other appropriate state agencies and departments,~~ on or before ~~January 1, 2019;~~ *July 1, 2018*, and every ~~5~~ *3* years thereafter, to prepare

~~a climate change strategy that evaluates climate change risks to the state. The bill would require the strategy to identify mitigation measures that increase climate change resiliency. The bill would require the Natural Resources Agency to identify possible funding for mitigation measures identified in the strategy. The bill would require the council, on or before January 1, 2020, and every 5 years thereafter, in consultation with the Natural Resources Agency, the California Environmental Protection Agency, and other appropriate state agencies and departments, to take specified actions with regard to reviewing the impacts of climate change and identifying capital outlay and public infrastructure projects. California climate risk assessment that provides original research on regionally appropriate climate risk vulnerabilities, risk management options, and other needed scientific research to support California's development of informed climate policy and actions to address climate change. The bill would require the Natural Resources Agency, on or before January 1, 2019, and every 5 years thereafter, to update the Safeguarding California Plan to reduce risks to California from the impacts of climate change. The bill would require the Office of Planning and Research on or before January 1, 2016, and every 5 years thereafter, to develop Infrastructure Resilience Guidelines to integrate climate risks into capital outlay and infrastructure planning and investment. The bill would require the council Strategic Growth Council to report its specified findings and provide a description of major projects relating to climate change to the appropriate state agencies, departments, commissions, and boards that make decisions related to capital funding. The bill would also require the council to report to the Legislature on those findings so that the Legislature may consider further action that may be necessary to address climate change in the state.~~

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 all of the
- 2 following:
- 3 (a) California's climate is changing, posing an escalated threat
- 4 to public health, the environment, and public and private property
- 5 in the state. The increasing frequency of extreme weather events,
- 6 rising sea levels, and changes in hydrology, including diminishing

1 snowpack, among other climate change impacts, will touch every
2 part of Californians’ lives in the next century *and beyond*, and
3 planning appropriately for these impacts will help us be better
4 prepared for the future.

5 (b) The impacts of climate change, including longer droughts,
6 extended floods, prolonged fire seasons with larger and more
7 intense fires, heat waves, and sea level rise are already creating
8 challenges for public health *and safety* and causing destructive
9 property damage.

10 (c) Climate changes pose a threat not just to the lives and health
11 of the state’s residents, but to the financial health of our state and
12 local governments.

13 (d) According to the Natural Resources Agency’s draft report,
14 entitled “Safeguarding California: Reducing Climate Risk,”
15 state-of-the-art modeling shows that a single extreme weather
16 event in California could cost approximately \$725 billion dollars,
17 with total direct property losses of nearly \$400 billion dollars, the
18 effects of which could cause devastating impacts on the state’s
19 residents, economy, and natural resources.

20 (e) Reducing the impacts of climate change on California’s
21 natural ~~and agricultural~~ resources *and infrastructure* is essential
22 to ~~building the state’s resiliency~~ *protecting the state’s environment*
23 ~~and ensuring its capacity to support its economy over time.~~

24 (f) Given the potential impacts and *the* long-term nature of
25 effective planning, California needs to ~~consider and prepare for~~
26 ~~these climate change impacts~~ *take action now.*

27 ~~(g) Without appropriate planning to make the state more resilient~~
28 ~~to the identified impacts of climate change, in addition to~~
29 ~~addressing the human and social costs of the effects of climate~~
30 ~~change, California could face billions of dollars per year in direct~~
31 ~~costs, and expose trillions of dollars of assets in the state to~~
32 ~~collateral risk.~~

33 *(g) California has developed a strong climate science assessment*
34 *program, which has built a comprehensive body of information*
35 *about the climate risks in California; impacts on specific sectors,*
36 *populations, and regions; projected costs of climate risks and*
37 *impacts on the economy; and barriers to efforts to prepare for*
38 *climate risks. These assessments have served as a basis for the*
39 *development of the state’s Safeguarding California Plan (2009*
40 *Climate Adaptation Strategy and 2013 Safeguarding California*

1 *Plan) and other climate policy documents, including the*
2 *development of the Assembly Bill 32 Scoping Plan. The*
3 *Safeguarding California Plan provides guidance for state*
4 *decisionmakers regarding needed actions to reduce climate risk*
5 *and ensure greater resilience for California communities. The*
6 *climate science assessment and the Safeguarding California Plan*
7 *should continue to be updated, on a regular basis, to ensure that*
8 *the state has the appropriate information and strategies as it plans*
9 *for climate change.*

10 *(h) It is in the best interest of the state for it to use both the*
11 *climate science assessment and the Safeguarding California Plan*
12 *to prepare guidelines that assist state agencies in incorporating*
13 *climate risk, resiliency, and readiness into the capital outlay and*
14 *public infrastructure project planning and investment process.*

15 SEC. 2. Section 12805.4 is added to the Government Code, to
16 read:

17 12805.4. (a) ~~On~~ *On or before July 1, 2018, and every three*
18 *years thereafter, the Natural Resources Agency, in consultation*
19 *with other appropriate state agencies and departments, shall*
20 *prepare a California climate risk assessment that provides original*
21 *research on regionally appropriate climate risk vulnerabilities,*
22 *risk management options, and other needed scientific research to*
23 *support California's development of informed climate policy and*
24 *actions to address climate change.*

25 *(b) On or before January 1, 2019, and every five years thereafter,*
26 *the Natural Resources Agency, in consultation with the Climate*
27 *Action Team and other appropriate state agencies and departments,*
28 ~~shall prepare a climate change strategy that evaluates climate~~
29 ~~change risks to the state and in coordination with local, regional,~~
30 ~~state, and federal public and private entities, shall update the~~
31 *Safeguarding California Plan to reduce risks to California from*
32 *the impacts of climate change. The plan and updates shall include*
33 *a summary of the best known science on climate change impacts*
34 *affecting California, and assess California's vulnerability to the*
35 *identified impacts, including, but not limited to, sea level rise,*
36 *drought and flooding, impacts on wildlife habitats, increasing*
37 *temperatures, increased occurrence of extreme weather events,*
38 *and increased wildland fire risk. The ~~strategy plan and updates~~*
39 *shall also identify mitigation measures that increase climate*
40 *resiliency. The Natural Resources Agency shall identify possible*

1 funding for mitigation measures identified in the ~~strategy~~. *plan*
2 *and updates.*

3 ~~(b) (1) On or before January 1, 2020, and every five years~~
4 ~~thereafter, the Strategic Growth Council shall, in consultation with~~
5 ~~the Natural Resources Agency, the California Environmental~~
6 ~~Protection Agency, and other appropriate state agencies and~~
7 ~~departments, do all of the following:~~

8 ~~(A) Review the impacts of climate change in the state with~~
9 ~~regard to capital outlay and public infrastructure projects, including,~~
10 ~~but not limited to, the impacts described in subdivision (a).~~

11 ~~(B) Identify and prioritize climate resiliency projects of major~~
12 ~~significance that would benefit essential public infrastructure and~~
13 ~~that would provide near-term and longer-term climate change~~
14 ~~resiliency to the state.~~

15 ~~(C) Identify possible funding sources for the projects described~~
16 ~~in subparagraph (B).~~

17 *(c) (1) On or before January 1, 2016, and every five years*
18 *thereafter, the Office of Planning and Research, in consultation*
19 *with the Strategic Growth Council and all state agencies that invest*
20 *in infrastructure, shall develop guidelines that shall be known as*
21 *the Infrastructure Resilience Guidelines, to integrate climate risks*
22 *into capital outlay and public infrastructure planning and*
23 *investment. The guidelines are not intended to preclude any project,*
24 *but rather to provide guidance to state agencies on incorporating*
25 *climate risk, resiliency, and readiness into the infrastructure*
26 *project planning and investment process. The guidelines shall*
27 *include, at a minimum, all of the following:*

28 *(A) Climate risks to be considered in capital outlay and public*
29 *infrastructure planning.*

30 *(B) Relevant timeframes for considering climate impacts.*

31 *(C) Potential climate risks and options for managing and*
32 *reducing those risks, including, where feasible, both of the*
33 *following:*

34 *(i) The magnitude of expected climate impacts and risks.*

35 *(ii) References for finding climate science resources.*

36 *(2) The Office of Planning and Research shall conduct public*
37 *workshops to solicit input on the Infrastructure Resilience*
38 *Guidelines, and shall consider and incorporate comments received*
39 *during the public workshops on the guidelines. Before finalization*
40 *of the guidelines, the Office of Planning and Research shall present*

1 *the guidelines to the Strategic Growth Council to solicit its*
2 *comments and recommendations.*

3 *(d) State agencies and departments shall use the Infrastructure*
4 *Resilience Guidelines to inform their capital outlay and public*
5 *infrastructure planning and investment. State agencies and*
6 *departments may seek consultation and guidance from the Strategic*
7 *Growth Council.*

8 *(e) (1) The Strategic Growth Council, in consultation with the*
9 *Office of Planning and Research, and other appropriate state*
10 *agencies and departments, shall do all of the following:*

11 *(A) Use the Infrastructure Resilience Guidelines developed*
12 *pursuant to subdivision (c) to review the state's investments in*
13 *capital outlay and public infrastructure projects with regard to*
14 *the impacts of climate change, including, but not limited to, the*
15 *impacts described in subdivision (a).*

16 *(B) Identify where capital outlay and infrastructure projects*
17 *may be needed to further incorporate the Infrastructure Resilience*
18 *Guidelines and provide recommendations to state agencies*
19 *responsible for those projects.*

20 *(C) Identify any capital outlay and infrastructure projects that*
21 *should receive priority for implementation because the projects*
22 *offer the state important protection from the impacts of climate*
23 *change.*

24 *(D) Whenever possible, identify potential funding sources for*
25 *the projects described in subparagraph (B).*

26 (2) (A) The Strategic Growth Council shall report its findings
27 ~~and provide a description of major projects identified in~~ *under*
28 *paragraph (1) to the appropriate state agencies, departments,*
29 *commissions, and boards that make decisions related to capital*
30 *funding.*

31 (B) (i) The Strategic Growth Council shall also report to the
32 Legislature on its findings regarding climate change under
33 paragraph (1) so that the Legislature may consider further action
34 that may be necessary to address climate change in the state.

35 (ii) A report submitted to the Legislature pursuant to this
36 subparagraph shall comply with Section 9795 of the Government
37 Code.