

AMENDED IN SENATE JULY 9, 2015
AMENDED IN SENATE JUNE 16, 2015
AMENDED IN ASSEMBLY MAY 5, 2015
AMENDED IN ASSEMBLY APRIL 20, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1482

**Introduced by Assembly Member Gordon
(Coauthors: Assembly Members Bloom, Rendon, and Mark Stone)**

February 27, 2015

An act to amend Section 75125 of, and to add Part 3.7 (commencing with Section 71150) to Division 34 of, the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

AB 1482, as amended, Gordon. Climate adaptation.

Existing law establishes the Natural Resources Agency, comprised of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources.

Existing law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities.

This bill would require the agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy, as provided. The bill would require the agency, in coordination with the council, to

address the impacts of climate change and climate adaptation by reviewing and coordinating existing grants and programs to maximize specified objectives, including, among others, establishing policy, guidelines, and guidance at the state level to inform planning decisions and ensuring that state investments consider climate change impacts, as well as promote the use of natural systems and natural infrastructure, whenever feasible, when developing physical infrastructure to address adaptation. The bill would require the Office of Planning and Research, by July 1, 2019, to update the state’s Five-Year Infrastructure Plan to take current and future climate impacts into account in all infrastructure projects.

This bill also would expand the duties of the council to include aiding the Natural Resources Agency in overseeing and coordinating state agency actions to adapt to climate change and *in* identifying and pursuing opportunities for state agencies to collaborate with federal or local agencies in their climate adaptation efforts.

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, the economy, and public and
- 5 private property in the state. The increasing frequency of extreme
- 6 weather events, including floods and heat waves, fires, rising sea
- 7 levels, and changes in hydrology, including diminishing snowpacks
- 8 and more frequent droughts, among other climate change impacts,
- 9 will touch every part of residents’ lives in the next century and
- 10 beyond. Planning appropriately for these impacts will help us be
- 11 better prepared for the future.
- 12 (b) The impacts of climate change, including longer droughts,
- 13 extended floods, prolonged fire seasons with larger and more
- 14 intense fires, heat waves, and sea level rise, are already creating
- 15 challenges for public health and safety and causing destructive
- 16 property damage.
- 17 (c) Climate change poses a threat not just to the lives and health
- 18 of residents but also to the state’s economy and to the financial
- 19 health of our state and local governments.

1 (d) According to the Natural Resources Agency’s report,
2 “Safeguarding California: Reducing Climate Risk,” state-of-the-art
3 modeling shows that a single extreme winter storm in California
4 could cost on the order of \$725,000,000,000, including total direct
5 property losses of nearly \$400,000,000,000 and devastating impacts
6 to residents, the economy, and natural resources.

7 (e) Adapting to climate change, in addition to reducing the
8 impacts of climate change on California’s natural resources and
9 infrastructure, is essential to protecting the state’s environment
10 and economy over time and will require coordination across all
11 state departments and agencies.

12 (f) Given the potential impacts and the long-term nature of
13 effective planning, California needs to take action now.

14 SEC. 2. Part 3.7 (commencing with Section 71150) is added
15 to Division 34 of the Public Resources Code, to read:

16
17 PART 3.7. CLIMATE CHANGE AND CLIMATE
18 ADAPTATION

19
20 71150. For purposes of this part, the following terms have the
21 following meanings:

22 (a) “Agency” means the Natural Resources Agency.

23 (b) “Council” means the Strategic Growth Council.

24 71152. It is the intent of the Legislature to prioritize the state’s
25 response to the impacts resulting from climate change by ensuring
26 all state departments and agencies prepare for and are ready to
27 respond to the impacts of climate change, such as extreme weather
28 events, the urban heat island effect, habitat loss, wildfire, sea-level
29 rise, and drought. It also is the intent of the Legislature that the
30 agency consider developing policies to address the impacts of
31 climate change and climate adaptation with a focus on people,
32 places, and water and that actions taken to address climate
33 adaptation should be consistent with the Safeguarding California
34 Plan.

35 71153. (a) By July 1, 2017, and every three years thereafter,
36 the agency shall update the state’s climate adaptation strategy, the
37 Safeguarding California Plan. As part of the update, the agency
38 shall ~~do~~ *coordinate with other state agencies to identify a lead*
39 *agency or group of agencies to lead adaptation efforts in each*

1 sector. The updates to the Safeguarding California Plan shall
2 include all of the following:

3 (1) ~~Identify vulnerabilities~~ Vulnerabilities to climate change by
4 ~~sector~~ sector, as identified by the lead agency or group of agencies,
5 and regions, including, at a minimum, the following sectors:

- 6 (A) Water.
- 7 (B) Energy.
- 8 (C) Transportation.
- 9 (D) Public health.
- 10 (E) Agriculture.
- 11 (F) Emergency services.
- 12 (G) Forestry.
- 13 (H) Biodiversity and habitat.
- 14 (I) Ocean and coastal resources.

15 (2) ~~Identify priority~~ Priority actions needed to reduce risks in
16 those ~~sectors~~ sectors, as identified by the lead agency or group
17 of agencies.

18 ~~(3) Identify a lead agency or group of agencies to lead adaptation~~
19 ~~efforts in each sector and ensure the provisions of Safeguarding~~
20 ~~California Plan are implemented.~~

21 ~~(4) Report~~

22 (b) The agency shall report to the Legislature, pursuant to
23 Section 9795 of the Government Code, on actions taken to
24 implement the Safeguarding California Plan.

25 ~~(b)~~

26 (c) By July 1, 2019, the Office of Planning and Research shall
27 update the state’s Five-Year Infrastructure Plan to take current and
28 future climate change impacts into account in all infrastructure
29 projects.

30 71154. To address the impacts of climate change and climate
31 adaptation, the agency, in coordination with the council, shall
32 review and coordinate existing grants and programs to maximize
33 the following objectives:

34 (a) Educating the public about the consequences of climate
35 change, such as sea-level rise, extreme weather events, the urban
36 heat island effect, habitat loss, wildfire, and drought.

37 (b) Ensuring there is a continued repository for scientific data
38 on climate change and climate adaptation in the state in order to
39 facilitate educated state and local policy decisions and to help

1 identify primary risks from climate change to residents, property,
2 communities, and natural systems across the state.

3 (c) Establishing policy, guidelines, and guidance at the state
4 level, through *the* implementation of the Safeguarding California
5 Plan, to inform planning decisions and ensure that state investments
6 consider climate change impacts, as well as promote the use of
7 natural systems and natural infrastructure, whenever feasible, when
8 developing physical infrastructure to address adaptation.

9 (d) Encouraging regional collaborative planning efforts to
10 address regional climate change impacts and adaptation strategies.

11 (e) Promoting a water supply, delivery, and capture system that
12 is coordinated and can withstand a multiyear drought scenario.
13 Establishing both drought preparation programs, which will help
14 create sustainable water systems in the future, and immediate
15 drought response programs, which will reduce water demand or
16 increase supply within one to five years of any declared drought.

17 (f) Building resilient communities by developing urban greening
18 projects that reduce air pollution and heat reflection in urban areas
19 and create livable, sustainable communities in urban cores to
20 promote infill development and reduce vehicle miles traveled.

21 (g) Protecting and enhancing habitat, species strongholds, and
22 wildlife corridors that are critical to the preservation of species
23 that are at risk from the consequences of climate change.

24 71156. For the purposes of implementing the objectives of this
25 part, the agency, to the extent feasible and in coordination with
26 the council, shall identify and coordinate opportunities among its
27 departments in expending moneys from all of the following:

28 (a) The Greenhouse Gas Reduction Fund, created pursuant to
29 Section 16428.8 of the Government Code.

30 (b) The Water Quality, Supply, and Infrastructure Improvement
31 Act of 2014, approved by the voters as Proposition 1 at the
32 November 4, 2014, statewide general election.

33 (c) Other state funds.

34 71158. The agency shall assess and coordinate across all state
35 departments and agencies to identify opportunities that increase
36 the ability for state and local infrastructure, people, and habitat
37 and wildlife to adapt to the impacts of climate change.

38 SEC. 3. Section 75125 of the Public Resources Code is
39 amended to read:

40 75125. The council shall do all of the following:

1 (a) Identify and review activities and funding programs of
2 member state agencies that may be coordinated to improve air and
3 water quality, improve natural resource protection, increase the
4 availability of affordable housing, improve transportation, meet
5 the goals of the California Global Warming Solutions Act of 2006
6 (Division 25.5 (commencing with Section 38500) of the Health
7 and Safety Code), encourage sustainable land use planning, and
8 revitalize urban and community centers in a sustainable manner.
9 At a minimum, the council shall review and comment on the
10 five-year infrastructure plan developed pursuant to Article 2
11 (commencing with Section 13100) of Chapter 2 of Part 3 of
12 Division 3 of Title 2 of the Government Code and the State
13 Environmental Goals and Policy Report developed pursuant to
14 Section 65041 of the Government Code.

15 (b) Recommend policies and investment strategies and priorities
16 to the Governor, the Legislature, and to appropriate state agencies
17 to encourage the development of sustainable communities, such
18 as those communities that promote equity, strengthen the economy,
19 protect the environment, and promote public health and safety,
20 consistent with subdivisions (a) and (c) of Section 75065.

21 (c) Provide, fund, and distribute data and information to local
22 governments and regional agencies that will assist in developing
23 and planning sustainable communities.

24 (d) Manage and award grants and loans to support the planning
25 and development of sustainable communities, pursuant to Sections
26 75127, 75128, and 75129. To implement this subdivision, the
27 council may do all of the following:

28 (1) Develop guidelines for awarding financial assistance,
29 including criteria for eligibility and additional consideration.

30 (2) Develop criteria for determining the amount of financial
31 assistance to be awarded. The council shall award a revolving loan
32 to an applicant for a planning project, unless the council determines
33 that the applicant lacks the fiscal capacity to carry out the project
34 without a grant. The council may establish criteria that would allow
35 the applicant to illustrate an ongoing commitment of financial
36 resources to ensure the completion of the proposed plan or project.

37 (3) Provide for payments of interest on loans made pursuant to
38 this article. The rate of interest shall not exceed the rate earned by
39 the Pooled Money Investment Board.

1 (4) Provide for the time period for repaying a loan made
2 pursuant to this article.

3 (5) Provide for the recovery of funds from an applicant that fails
4 to complete the project for which financial assistance was awarded.
5 The council shall direct the Controller to recover funds by any
6 available means.

7 (6) Provide technical assistance for application preparation.

8 (7) Designate a state agency or department to administer
9 technical and financial assistance programs for the disbursing of
10 grants and loans to support the planning and development of
11 sustainable communities, pursuant to Sections 75127, 75128, and
12 75129.

13 (e) Provide an annual report to the Legislature that shall include,
14 but need not be limited to, all of the following:

15 (1) A list of applicants for financial assistance.

16 (2) Identification of which applications were approved.

17 (3) The amounts awarded for each approved application.

18 (4) The remaining balance of available funds.

19 (5) A report on the proposed or ongoing management of each
20 funded project.

21 (6) Any additional minimum requirements and priorities for a
22 project or plan proposed in a grant or loan application developed
23 and adopted by the council pursuant to subdivision (c) of Section
24 75126.

25 (f) Aid the Natural Resources Agency in overseeing and
26 coordinating state agency actions to adapt to climate change.

27 (g) Aid the Natural Resources Agency in identifying and
28 pursuing opportunities for state agencies to collaborate with federal
29 or local agencies in their climate adaptation efforts.