

AMENDED IN ASSEMBLY APRIL 12, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2800

Introduced by Assembly Member Quirk

February 19, 2016

An act to add Section 71155 to the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

AB 2800, as amended, Quirk. Climate change: infrastructure planning.

Existing law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors.

This bill would require the Natural Resources Agency, by July 1, 2020, and every 5 years thereafter, to establish and update guidelines for effectively incorporating the effects of climate change into state infrastructure planning and investment decisions. The bill would require the agency to establish a science advisory panel with expertise in climate change impacts in California and state infrastructure engineering. state agencies to take into account the expected impacts of climate change when planning, designing, building, and investing in state infrastructure. The bill, by July 1, 2017, would require the agency to establish a Climate-Safe Infrastructure Working Group for the purpose of examining how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, as prescribed. The bill would require the working group to consist of professional

engineers with relevant expertise from the Department of Transportation, the Department of Water Resources, and the Department of General Services and scientists with certain expertise from the University of California and the California State University systems. The bill, by July 1, 2018, would require the working group to recommend to the Legislature a process for integrating scientific knowledge of projected climate change impacts into state infrastructure design and addressing information gaps in a timely manner.

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) The impacts of climate change are already being felt in*
 4 *California and include record-breaking drought, wildfires,*
 5 *flooding, sea level rise, coastal erosion, and heat waves. These*
 6 *impacts are projected to worsen with a future punctuated by what*
 7 *are now considered extreme weather events.*
 8 *(b) As the climate warms, California will need to design and*
 9 *maintain infrastructure, including, but not limited to, roads,*
 10 *bridges, buildings, and water systems, to withstand increasingly*
 11 *severe impacts.*
 12 *(c) The scientific community is developing sound scientific*
 13 *understanding of projected impacts from climate change. The*
 14 *engineers responsible for overseeing, designing, and building state*
 15 *infrastructure must consider the influence of climate change*
 16 *impacts on siting and design standards and specifications.*
 17 *(d) As California spends billions of dollars on infrastructure,*
 18 *expecting it to last many decades, state engineers should be*
 19 *provided with information on projected climate change impacts*
 20 *that they should consider when establishing standards and planning*
 21 *and designing structures that are critical to California's economy*
 22 *and public safety.*
 23 *(e) Prolonged heat waves, extreme precipitation events, severe*
 24 *drought, increasing wildfires, and other potentially dangerous*
 25 *climate change impacts will require significant changes in*
 26 *designing and building projects, such as roads, bridges, buildings,*

1 *and water infrastructure, and require planning for the resilience*
2 *and restoration of natural systems.*

3 *(f) There is a significant body of climate science being developed*
4 *and continually updated to inform decisionmakers and provide*
5 *guidance on the predicted impacts. Infrastructure project planning*
6 *and design must incorporate design standards and specifications*
7 *for climate change impacts.*

8 *(g) Due to Executive Order B-30-15, current efforts by state*
9 *agencies provide built-in resources, processes, and expertise that*
10 *can be utilized to provide coordination between scientists and*
11 *those responsible for designing, building, and overseeing critical*
12 *state infrastructure.*

13 *SEC. 2. Section 71155 is added to the Public Resources Code,*
14 *to read:*

15 *71155. (a) State agencies shall take into account the expected*
16 *impacts of climate change when planning, designing, building,*
17 *and investing in state infrastructure.*

18 *(b) (1) By July 1, 2017, the agency shall establish a*
19 *Climate-Safe Infrastructure Working Group for the purpose of*
20 *examining how to integrate scientific data concerning projected*
21 *climate change impacts into state infrastructure engineering,*
22 *including oversight, investment, design, and construction.*

23 *(2) The working group shall consist of the following:*

24 *(A) Professional engineers with relevant expertise in state*
25 *infrastructure design from the Department of Transportation, the*
26 *Department of Water Resources, and the Department of General*
27 *Services.*

28 *(B) Scientists from the University of California and the*
29 *California State University systems with expertise in climate*
30 *change impacts in California, including scientists who produce*
31 *publicly available climate data concerning California and its*
32 *regions.*

33 *(3) The working group shall work in coordination with other*
34 *climate adaptation planning efforts and shall consider and build*
35 *upon existing information produced by the state, among other*
36 *resources.*

37 *(c) The working group may wish to consider and offer*
38 *recommendations on the following issues:*

39 *(1) The current barriers to integrating projected climate change*
40 *impacts into state infrastructure design.*

1 (2) *The development of practicable guidelines for planning and*
2 *designing infrastructure that is more resilient to the expected*
3 *impacts of climate change.*

4 (3) *The identification of gaps in the critical information that*
5 *engineers responsible for infrastructure design and construction*
6 *need to address climate change impacts.*

7 (4) *Consideration of the appropriate engineering design for*
8 *multiple projected scenarios for future climate change.*

9 (5) *Consideration of a platform or process to facilitate*
10 *communication between climate scientists and infrastructure*
11 *engineers.*

12 (d) *By July 1, 2018, the working group shall recommend to the*
13 *Legislature a process for integrating scientific knowledge of*
14 *projected climate change impacts into state infrastructure design*
15 *and for addressing the information gaps in a timely manner.*

16 (e) *For the purposes of this section, “infrastructure” has the*
17 *same meaning as defined in Section 13101 of the Government*
18 *Code.*

19 ~~SECTION 1. Section 71155 is added to the Public Resources~~
20 ~~Code, to read:~~

21 ~~71155. (a) (1) By July 1, 2020, the agency shall establish~~
22 ~~guidelines for effectively incorporating the effects of climate~~
23 ~~change into state infrastructure planning and investment decisions.~~
24 ~~The agency shall coordinate with the California Environmental~~
25 ~~Protection Agency, the Transportation Agency, the Office of~~
26 ~~Emergency Services, the Office of Planning and Research, and~~
27 ~~other relevant state agencies to develop guidelines for each sector~~
28 ~~specified in paragraph (1) of subdivision (a) of Section 71153.~~

29 ~~(2) The agency shall update the guidelines every five years~~
30 ~~thereafter.~~

31 ~~(b) By January 1, 2020, and every five years thereafter, the~~
32 ~~agency shall release the draft guidelines or draft updates, as~~
33 ~~appropriate. Between the release of the draft and the establishment~~
34 ~~of the guidelines or updates pursuant to subdivision (a), the agency~~
35 ~~shall hold public hearings for purposes of providing an opportunity~~
36 ~~for the public to review and provide written and oral comments~~
37 ~~on the guidelines or updates, as appropriate.~~

38 ~~(c) In developing the guidelines and the updates, the agency~~
39 ~~shall establish a science advisory panel that, at a minimum, has~~

- 1 ~~expertise in climate change impacts in California and state~~
- 2 ~~infrastructure engineering.~~

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