

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 13, 2015

SENATE BILL

No. 246

Introduced by Senator Wieckowski

February 18, 2015

An act to add Part 4.5 (commencing with Section 71350) to Division 34 of the Public Resources Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 246, as amended, Wieckowski. ~~Climate Action Team. Climate change adaptation.~~

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. An executive order establishes a climate action team consisting of specified ex officio members and requires the team to make a specified biannual report to the Legislature and Governor.

~~This bill would create the Climate Action Team, under the direction of the Secretary for Environmental Protection and consisting of representatives from specified state agencies, and would require the~~

~~team to be responsible for coordinating the state's climate policy to achieve the state's climate change goals. The bill would require the team Natural Resources Agency, no later than January 1, 2019, and every 5 years thereafter, to update the 2009 California Climate Adaptation Strategy, as specified. The bill also would require the team and the Office of Planning and Research, no later than January 1, 2017, and every 5 years thereafter, to update the Adaptation Planning Guide, as specified. The bill would establish an advisory council, as specified, to the team. support those goals of the Office of Planning and Research.~~

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. Part 4.5 (commencing with Section 71350) is
2 added to Division 34 of the Public Resources Code, to read:

3
4 ~~PART 4.5. CLIMATE ACTION TEAM~~ *CHANGE ADAPTATION*
5

6 71350. The Legislature finds and declares:

7 (a) The state has been a leader in climate mitigation efforts.
8 However, the state's efforts alone will not prevent global climate
9 change from occurring, as noted in the update to the 2009
10 California Climate Adaptation Strategy issued in July 2014. Due
11 to the inevitability of climate change impacts on the state, the state
12 must invest in building resiliency and strengthening adaptation
13 efforts at the state, regional, and local levels using the
14 best-available science.

15 (b) Improved coordination of existing adaptation planning efforts
16 and funding by the state, as well as increased implementation and
17 support of adaptation programs, can directly protect the state's
18 infrastructure, communities, environmental quality, public health,
19 natural resources, and economy from the unavoidable impacts of
20 climate change for decades to come.

21 (c) It is the intent of the Legislature, therefore, that adaptation
22 strategies to build resiliency to the risks and impacts from climate
23 change be integrated in state policies, projects, and permitting
24 processes.

25 ~~(d) Furthermore, the California Global Warming Solutions Act~~
26 ~~of 2006 (Division 25.5 (commencing with Section 38500) of the~~

~~Health and Safety Code) directs the Climate Action Team established by the Governor to coordinate the overall climate policy as provided in Executive Order S-3-05 and directs all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. Given the Climate Action Team's experience in coordinating climate change research, vulnerability assessments, and resiliency and adaptation planning documents, it is well-suited to lead the collaborative efforts across state government to enhance the state's planning, investment, and implementation of adaptation and resiliency guidelines and programs.~~

~~71352. (a) The Climate Action Team is hereby established in state government and shall consist of the following members:~~

~~(1) The Secretary for Environmental Protection, who shall serve as the chairperson of the Climate Action Team, who shall coordinate oversight of the efforts made to meet the greenhouse gas emissions reduction targets established pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), and who shall coordinate the state's adaptation efforts to increase California's resiliency to climate change impacts.~~

~~(2) The Secretary of the Natural Resources Agency.~~

~~(3) The Chair of the State Air Resources Board.~~

~~(4) The Chair of the State Energy Resources Conservation and Development Commission.~~

~~(5) The President of the Public Utilities Commission.~~

~~(6) The Secretary of Transportation.~~

~~(7) The Secretary of Food and Agriculture.~~

~~(8) The Secretary of State and Consumer Services.~~

~~(9) The Secretary of California Health and Human Services.~~

~~(10) The Director of the Office of Planning and Research.~~

~~(11) The Secretary of Labor and Workforce Development.~~

~~(12) The Director of Emergency Services.~~

~~(b) Upon the determination of the Secretary for Environmental Protection, ex officio representatives from other state departments may be added to the Climate Action Team as necessary to provide assistance and expertise in particular subject areas.~~

~~(c) The Climate Action Team may establish multiagency staff working groups to provide technical support for the work of the team.~~

1 ~~71354. The Climate Action Team, under the direction of the~~
2 ~~Secretary for Environmental Protection, shall coordinate the climate~~
3 ~~policy of the state to achieve the state's climate change goals and~~
4 ~~all of the following:~~

5 ~~(a) The coordination of climate change policies with state~~
6 ~~agencies and departments, other states, the federal government,~~
7 ~~and other nations to identify the most effective strategies and~~
8 ~~methods to reduce greenhouse gases, adapt to ongoing and future~~
9 ~~climate change, coordinate climate change research efforts, and~~
10 ~~facilitate the development of integrated and cost-effective regional,~~
11 ~~national, and international climate change programs.~~

12 ~~(b) The coordination and efficient use of existing state resources,~~
13 ~~programs, and funds, as well as the recommendation of additional~~
14 ~~policies and investment strategies, to achieve the requirements of~~
15 ~~this part.~~

16 ~~(c) The consideration of climate change impacts and~~
17 ~~incorporation of mitigation and adaptation strategies, where~~
18 ~~appropriate, in state planning and policies.~~

19 ~~(d) The identification and dissemination of information to local~~
20 ~~governments and regional bodies that will assist in meeting the~~
21 ~~requirements of this section.~~

22 ~~71356.~~

23 ~~71352. No later than January 1, 2019, and every five years~~
24 ~~thereafter, the Climate Action Team, the Natural Resources~~
25 ~~Agency, in coordination with relevant public and private entities,~~
26 ~~shall update the 2009 California Climate Adaptation Strategy, for~~
27 ~~which the first update was titled Safeguarding California: Reducing~~
28 ~~Climate Risk, to incorporate advances in climate science and risk~~
29 ~~management options regarding regional and statewide climate~~
30 ~~change impacts and vulnerabilities and recommended adaptation~~
31 ~~strategies.~~

32 ~~71358.~~

33 ~~71355. (a) No later than January 1, 2017, and every five years~~
34 ~~thereafter, the Climate Action Team and the Office of Planning~~
35 ~~and Research, in coordination with all relevant public and private~~
36 ~~entities, shall update the Adaptation Planning Guide to provide~~
37 ~~tools and guidance to regional and local governments and agencies~~
38 ~~in creating and implementing climate adaptation and community~~
39 ~~resiliency plans and projects. The Adaptation Planning Guide~~
40 ~~updates shall be informed by the scientific assessments and~~

1 recommendations in the most recent update prepared pursuant to
2 ~~Section 71356.~~ 71352. The Adaptation Planning Guide updates
3 shall include, at a minimum, all of the following:

4 (1) Information concerning funding opportunities for adaptation
5 research, planning, and projects.

6 (2) Regionally prioritized best-practice adaptation projects that,
7 where appropriate, integrate efforts to reduce greenhouse gas
8 emissions across the state.

9 (3) Recommended metrics and indicators to track the progress
10 and success of adaptation efforts locally, regionally, and statewide.

11 (4) Adaptation planning templates for use by local governments
12 and regional collaboratives.

13 (5) Guidelines for coordinating adaptation activities among state
14 and local governments and regional collaboratives.

15 (b) As part of updating the Adaptation Planning Guide, the
16 ~~Climate Action Team~~ and the advisory council created pursuant
17 to Section 71360 shall hold public meetings and workshops at least
18 annually in the northern, southern, and central regions of the state
19 to obtain input from the public and leaders in local and regional
20 climate preparedness.

21 71360. (a) An advisory council to the ~~Climate Action Team~~
22 *Office of Planning and Research* is hereby established. The
23 advisory council shall be comprised of 15 members from a range
24 of disciplines ~~within the purview of the Climate Action Team~~ in
25 order to provide scientific and technical support, as well as regional
26 and local perspectives, to support the *Office of Planning and*
27 *Research's* goals ~~of the Climate Action Team, and to assist the~~
28 ~~members and working groups in their research and planning~~
29 ~~activities identified in Section 71355.~~

30 (b) Members of the advisory council shall be appointed based
31 on their expertise in the intersection of climate change and areas
32 that include, but need not be limited to, any of the following:

33 (1) Public health.

34 (2) Environmental quality.

35 (3) Environmental justice.

36 (4) Agriculture.

37 (5) Transportation and housing.

38 (6) Energy.

39 (7) Natural resources and water.

40 (8) Planning.

1 (9) Recycling and waste management.

2 (10) Local or regional government.

3 (c) Five members of the advisory council shall be appointed by
4 the ~~Climate Action Team~~ *Governor*, five members shall be
5 appointed by the Speaker of the Assembly, and five members shall
6 be appointed by the Senate Committee on Rules. All members
7 shall be appointed to four-year terms with the possibility of
8 reappointment.

9 (d) The advisory council shall meet with the ~~Climate Action~~
10 ~~Team and related working groups and councils~~ *Office of Planning*
11 *and Research* as needed but not less than three times a year.

12 (e) The members of the advisory council shall serve without
13 compensation but shall be reimbursed for necessary expenses
14 incurred in the performance of their duties.