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**SENATE COMMITTEE ON ENVIRONMENTAL QUALITY**

**Senator Allen, Chair**

**2021 - 2022 Regular**

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**Bill No:** AB 1384  
**Author:** Gabriel  
**Version:** 2/19/2021  
**Urgency:** No  
**Consultant:** Rylie Ellison

**Hearing Date:** 7/12/2021  
**Fiscal:** Yes

**SUBJECT:** Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022

**DIGEST:** This bill would require the Strategic Growth Council (SGC) to develop and coordinate a strategic resiliency framework (framework) that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts, among other goals.

**ANALYSIS:**

Existing law:

- 1) Establishes SGC, consisting of the Director of the Governor's Office of Planning and Research (OPR), the Secretary of the California Natural Resources Agency (CNRA), the Secretary of the Environmental Protection Agency (CalEPA), the Secretary of Transportation, the Secretary of Health and Human Services (HHS), the Secretary of Business, Consumer Services, and Housing, the Secretary of the California Department of Food and Agriculture (CDFA), and three members of the public. Directs SGC to: (PRC §75121)
  - a) Identify and review activities and funding programs of member state agencies that may be coordinated to improve air and water quality, improve natural resources protection, increase the availability of affordable housing, improve transportation, meet the state's GHG emissions reduction goals, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner;
  - b) Recommend policies and investment strategies to the Governor, Legislature, and appropriate state agencies to encourage the development of sustainable communities;
  - c) Provide, fund, and distribute data and information to local governments and regional agencies that will assist in developing and planning sustainable communities; and,
  - d) Manage and award grants and loans to support the planning and development of sustainable communities.

- 2) Establishes the Integrated Climate Adaptation and Resilience Program (ICARP), administered by OPR, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change. Requires ICARP to: (PRC §71354)
  - a) Pursue an emphasis on climate equity across sectors and strategies that benefit both greenhouse gas (GHG) emissions reductions and adaptation efforts;
  - b) Work with and coordinate local and regional efforts for climate adaptation and resilience;
  - c) Assist the Office of Emergency Services (OES)—in coordination with CNRA—with coordinating regular reviews and updates to the Adaptation Planning Guide (APG); and,
  - d) Maintain a continued data clearinghouse on climate change and climate adaptation for the purposes of facilitating educated state and local policy decisions.
  
- 3) Requires CNRA to, by July 1, 2017 and every three years thereafter, update the Safeguarding California Plan, and as part of the update, to coordinate with other state agencies to identify a lead agency or group of agencies to lead adaptation efforts in each sector, and dictates that the updates include: (PRC §71153)
  - a) Vulnerabilities to climate change by sector, as identified by the lead agency or group of agencies, and regions, including, at a minimum, the following sectors: water, energy, transportation, public health, agriculture, emergency services, forestry, biodiversity and habitat, ocean and coastal resources; and,
  - b) Priority actions needed to reduce risks in those sectors, as identified by the lead agency or group of agencies.

This bill:

- 1) Makes findings and declarations regarding the monetary and human costs associated with the direct impacts from climate change and that the state should shift planning efforts for adaptation into action.
  
- 2) Declares that it is the intent of the Legislature to prioritize the state's response to the impacts resulting from climate change by ensuring that all state agencies

collaboratively prepare for and are ready to respond to the impacts of climate change, with a focus on people, places, and water.

- 3) Requires the SGC to develop and coordinate a strategic resiliency framework that does all of the following:
  - a) Makes recommendations and identifies actions, including, but not limited to, workshops that are necessary to prepare the state for the most significant climate change impacts modeled for 2025, 2050, and beyond;
  - b) Identifies and provides for special protections for vulnerable communities and industries that are disproportionately impacted by climate change;
  - c) Develops timetables and metrics to measure progress in achieving the framework; and,
  - d) Establishes actions for community and economic resiliency for various specified ecosystems.
- 4) Requires each state agency identified in the framework to do the following:
  - a) Collaboratively engage with regional entities, including local agencies and communities, to enhance policy and funding coordination and promote regional solutions; and,
  - b) Proactively engage vulnerable communities whose planning and project development efforts have been disproportionately impacted by climate change to ensure benefits to these regions while preventing potentially unintended consequences from land use and community development decisions.
- 5) Authorizes the Treasurer to assist state agencies by leveraging public and private capital investment to help with loans and other incentives to attain the goals established by the framework.

## **Background**

- 1) *Climate risks to California.* California is particularly susceptible to the harmful effects of climate change, including an increase in extreme heat events, drought, wildfire, sea level rise, and more. According to the Fourth California Climate Change Assessment, by 2100, the average annual maximum daily temperature is projected to increase by 5.6-8.8 °F, water supply from snowpack is projected to decline by two-thirds, the average area burned in wildfires could increase by 77%, and 31-67% of Southern California beaches may completely

erode without large-scale human intervention, all under business as usual and moderate GHG reduction pathways.

California is already experiencing the effects of climate change now. For example, eight out of the past ten years have had significantly below average precipitation. As of September 2020, the state has experienced a degree of wildfire activity that California's Fourth Climate Change Assessment initially forecasted to not occur until 2050. We can expect effects such as these as well as extreme weather events to increase over time until global emissions are significantly reduced.

Climate change comes with a huge price tag for the State. California's 2018 wildfires, less than half the size of the 2020 conflagrations, cost \$148.5 billion in damages (about two thirds of California's pre-COVID 2020 state budget), with \$27.7 billion (19%) in capital losses, \$32.2 billion (22%) in health costs and \$88.6 billion (59%) in indirect losses, with a majority of those far from the actual wildfire footprint. The cost of water and energy is predicted to increase significantly as well, especially in the Western United States. The Natural Resources Defense Council (NRDC) estimates that under a business-as-usual scenario, between the years 2025 and 2100, the cost of providing water to the western states in the US will increase from \$200 billion to \$950 billion per year, nearly an estimated 1% of the United States' gross domestic product.

- 2) *Climate adaptation.* Adaptation can help safeguard against some of the worst impacts, costs, and risks associated with climate change. While climate change is a global issue, it is felt on a local scale. Cities, counties, and states are at the frontline of adaptation.

According to the 2014 report on Climate Change Impacts, Adaptation and Vulnerability from the United Nations Intergovernmental Panel on Climate Change (IPCC), governments at various levels are also getting better at adaptation. Climate change is starting to be factored into a variety of development plans: how to manage the increasingly extreme disasters we are seeing and their associated risks, how to protect coastlines and deal with sea-level encroachment, how to best manage land and forests, how to deal with and plan for reduced water availability, and how to protect energy and public infrastructure.

Adaptation is especially important for vulnerable and disadvantaged communities. In 2018, ICARP published a resource guide called *Defining Vulnerable Communities in the Context of Climate Adaptation*. The guide defines vulnerable communities as those that “experience heightened risk and

increased sensitivity to climate change and have less capacity and fewer resources to cope with, adapt to, or recover from climate impacts. These disproportionate effects are caused by physical (built and environmental), social, political, and/or economic factor(s), which are exacerbated by climate impacts. These factors include, but are not limited to, race, class, sexual orientation and identification, national origin, and income inequality.” People living in poverty, tribal communities, immigrants and the elderly are some of the groups expected to suffer disproportionately from problems caused by a changing climate. While affluent Californians have resources to shield themselves from some of climate change’s impacts, many impoverished communities face threats that are intensified by climate change. For example, they frequently live in areas already vulnerable to pollution and natural disasters, yet may lack insurance and other economic means to recover from health problems or disasters. Investing in adaptation efforts in vulnerable and disadvantaged communities can improve public health, quality of life, and economic opportunity in California’s most burdened populations.

- 3) *Existing state climate adaptation strategies.* California’s adaptation efforts can be traced back to 2008, when Governor Schwarzenegger ordered the CNRA, through the Climate Action Team, to coordinate with local, regional, state, federal, public, and private entities to develop the state’s Climate Adaptation Strategy in order to assess California’s vulnerability to climate change impacts and outline solutions that can be implemented to promote resiliency (EO S-13-08). The state’s Climate Adaptation Strategy, released in 2009, proposes a comprehensive set of recommendations designed to inform and guide California decision makers as they begin to develop policies that will protect the state, its residents, and its resources from a range of climate change impacts.
  - a) *Safeguarding California.* In July of 2014, CNRA released an update to the California Climate Adaptation Strategy called *Safeguarding California: Reducing Climate Risk*. This is the state's roadmap for everything state agencies are doing and will do to protect communities, infrastructure, services, and the natural environment from climate change impacts. *Safeguarding California* primarily covers state agencies’ programmatic and policy responses across different policy areas, but it also discusses the ongoing related work to with coordinated local and regional adaptation action and developments in climate impact science.

AB 1482 (Gordon, Chapter 603, Statutes of 2015) required updates to the plan every three years, which was done last in 2018. CNRA is partnering with ICARP to develop the 2021 Climate Adaptation Strategy.

- b) *Integrated Climate Adaptation and Resilience Program*. SB 246 (Wieckowski, Chapter 606, Statutes of 2015) established ICARP within OPR to develop a cohesive and coordinated response to the impacts of climate change across the state. They coordinate tools, resources, and technical assistance to local and regional governments to aid in their adaptation and resilience planning. ICARP has multiple parts, including the Technical Advisory Council (TAC), which is made up of representatives from state agencies, local, regional, and tribal governments, non-profits, academia, and the private sector to support OPR in its goal to facilitate coordination among state, regional and local adaptation and resiliency efforts, with a focus on opportunities to support local implementation actions. Another part is the adaptation clearinghouse, an online database for adaptation tools and examples of adaptation projects.
  - c) *General Plans*. A General Plan is each local government's blueprint for meeting the community's long-term vision for the future. SB 379 (Jackson, Chapter 608, Statutes of 2015) requires all cities and counties to include climate adaptation and resiliency strategies in the Safety Elements of their General Plans beginning in 2017. OPR updates the General Plan Guidelines and provides technical advice to help draft and update General Plans.
  - d) *Climate-Safe Infrastructure Working Group*. Last year, AB 2800 (Quirk, Chapter 118, Statutes of 2016) implemented the Climate-Safe Infrastructure Working Group (CSIWG) to bring together scientific experts, engineers and architects from multiple scientific and infrastructure disciplines to examine how climate change impacts can be included in infrastructure planning, design, and implementation processes. CSIWG released a report called *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California* in 2018. AB 2800 requires state agencies to take into account planning for state infrastructure.
- 4) *The Strategic Growth Council*. The SGC implements several programs across the state to promote sustainability, health, and equity across the state, including the Transformative Climate Communities Program (TCC), the Affordable Housing and Sustainable Communities Program (AHSC), the Climate Change Research Program, and the Community Assistance for Climate Equity Program (CACE). They focus on offering grants and on-the-ground implementation of climate projects, especially for low-income and disadvantaged communities.

## Comments

- 1) *Purpose of Bill.* According to the author, “The effects of the climate crisis are hitting California hard. In the past few years, the state has seen rising average temperatures, destructive fires, higher sea levels, and severe drought and floods. Already many lives, and even whole communities, have been lost or destroyed. Important species, iconic trees, agriculture, and entire ecosystems on which Californians depend for vital resources are on the brink of collapse.

“The state has taken bold thought leadership to create the Safeguarding California Plan and other adaptation frameworks that offer policy principles and recommendations. However, California still lacks governance on critical priority actions and timelines to achieve those protections.

“Given the breadth, complexity, pervasiveness, persistence and danger of climate change, it is important to have a clear framework in place to guide the state over the coming decades to ensure we have a thoughtful set of goals, coordinated government actions, and innovative funding mechanisms in place.”

- 2) *Turning planning into action?* As this bill raises, thus far, much of the state climate adaptation planning in California has not yet been turned into action. Existing law requires CNRA to report annually to the Legislature on actions taken by each applicable agency to implement Safeguarding California. In the 2018 update, CNRA committed to reporting that would include, at minimum:

- A status update on each next step identified in this 2018 update by the appropriate agency or agencies; and,
- A description of any next steps or commitments not detailed in the 2018 update included with status updates under the most appropriate recommendation.

Further, the 2018 update noted that CNRA would:

“Conduct an analysis of all the actions identified in the 2009, 2014, and 2016 adaptation plans to document all pending and completed actions. While these documents were consulted as references and sources for this update, it will be important to show the State’s progress, as well as extant opportunities and needs, ten years after California’s first executive order on climate change adaptation.”

Aside from one report in 2019 that highlighted some examples of strategies funded by state agencies, the analysis and reporting have not happened. Without regular, detailed reporting, it is difficult to assess the state’s progress

implementing prior plans. This is further compounded by the fact that many of the goals and actions in prior plans are not measurable and lack deadlines, making it difficult for an outsider to conduct an assessment.

- 3) *Which agency should lead on climate adaptation implementation?* CNRA has taken the lead on planning the state adaptation efforts through the multiple iterations of the State Adaptation Plan. After it was established in 2015, ICARP has also joined in the planning of the forthcoming plan that will be released later this year. The stated goal is to deliver a strategy that outlines the state's key climate resilience priorities, includes specific and measurable steps, and serves as a framework for action across sectors and regions in California. Currently, SGC does not have any programs specifically focused on addressing climate adaptation. At this time, CNRA, with the assistance of OPR and ICARP, is most equipped to continue the work on statewide climate adaptation planning, with more direction from the Legislature to achieve sensible, equitable, and measurable outcomes.
- 4) *Overlap with existing state adaptation planning.* AB 1384 directs SGC to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions needed to prepare the state for the most significant climate change impacts, identifies responsible state agencies to implement those actions, develops timetables and metrics to measure progress in implementing the framework, and establishes community and economic resiliency actions. This is very similar to the Safeguarding California mandates which direct CNRA to update the state's adaptation strategy, in coordination with identified lead agencies, every three years. The state adaptation plan must include vulnerabilities to climate change by sector and priority actions needed to reduce risks in those sectors, as specified. Both the bill and the Safeguarding California statutes include further direction to state agencies on implementation.

The 2018 update also included a new chapter on climate justice and a new feature to show linkages between adaptation actions across sectors. It also incorporated public comments received through workshops held across the state and letters from stakeholders.

To avoid duplication of adaptation planning, rather than create a brand new climate adaptation framework, the Committee may wish to consider amending the bill to add new requirements to the existing climate adaptation framework (i.e. Safeguarding California) to address the perceived gaps in the adaptation planning and execution as follows:

*Direct CNRA and OPR, as part of future updates to Safeguarding California, to:*

- *Center equity:*
  - *Add equity to the purpose statement of Safeguarding California.*
  - *Require OPR, through ICARP, to identify vulnerabilities to climate change and special protections for vulnerable communities and industries that are disproportionately impacted by climate change.*
  - *Require state agencies, in addressing the vulnerabilities identified in the plan, prioritize protecting vulnerable communities with the least ability to weather the impacts of climate change.*
- *Use the best available science:*
  - *In identifying vulnerabilities to each sector and in vulnerable communities, be informed by the most recent California Climate Change Assessment, as well as other specified state reports and peer-reviewed climate science research relevant to California.*
- *Add metrics and timetables:*
  - *Require the lead agencies to create an operational definition for “climate resilience” for each sector and for vulnerable communities, so that total costs, funding plans, and other strategies are analyzed and reported.*
  - *Include priority actions needed to reduce risks and achieve “climate resilience” in those sectors and in vulnerable communities, with an emphasis on maximizing risk mitigation for the greatest number of people living in those vulnerable communities.*
  - *Include timetables, for short-term, mid-term, and long-term timescales, and metrics to measure the state’s progress in implementing the goals of the state’s adaptation plan.*

## **Related/Prior Legislation**

AB 897 (Mullin 2021) would require OPR to facilitate the creation of regional climate networks and create standards for the development of a regional climate adaptation action plan to support the implementation of regional climate adaptation efforts. AB 897 is before the Senate Natural Resources and Water Committee.

AB 2371 (Friedman, 2020) would have established a climate science advisory team as a working group of ICARP, with specified duties including producing a list of recommended adaptation projects, and provide input to improve climate adaptation and hazard mitigation across state agencies. AB 2371 was held in the Senate Environmental Quality Committee, due to the COVID-19 pandemic.

AB 839 (Mullin, 2019) would have required the Secretary of the CNRA to review the state's climate adaptation strategy and develop a strategic resiliency framework. AB 839 was held on suspense in the Senate Appropriations Committee.

**SOURCE:** Author

**SUPPORT:**

350 Silicon Valley  
California State Parks Foundation  
Center for Environmental Health  
Climate Reality Project, San Fernando Valley  
Community Nature Connection  
Elders Climate Action, Norcal and Socal Chapters  
Friends of The LA River  
Greenbelt Alliance  
Land Trust of Santa Cruz County  
Los Angeles Neighborhood Land Trust  
Midpeninsula Regional Open Space District  
National Stewardship Action Council  
Pacoima Beautiful  
San Fernando Valley Chapter of Climate Reality Project  
Socal 350 Climate Action  
The River Project

**OPPOSITION:**

None received

-- **END** --