
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: AB 2238
Author: Luz Rivas, et al.
Version: 3/23/2022
Urgency: No
Consultant: Eric Walters

Hearing Date: 6/8/2022
Fiscal: Yes

SUBJECT: Extreme heat: statewide extreme heat ranking system

DIGEST: This bill requires the California Environmental Protection Agency (CalEPA), in coordination with the Integrated Climate Adaptation and Resiliency Program (ICARP) and the California Department of Insurance (CDI), to develop a statewide extreme heat ranking system.

ANALYSIS:

Existing law:

- 1) Establishes the Office of Planning and Research (OPR) to serve the Governor as staff for long-range planning and research including management of state planning grants and coordination of federal grants for environmental goals. (Government Code (GOV) §65040)
- 2) Establishes within OPR the Integrated Climate Adaptation and Resiliency Program (ICARP) to develop a cohesive and coordinated response to the impacts of climate change across the state. The program includes the State Adaptation Clearinghouse which serves as a centralized source of information and resources for planning and implementing climate adaptation projects. (Public Resources Code (PRC) §71350-71360)
- 3) Requires the commissioner of the California Department of Insurance (CDI), under SB 30 (Lara, Chapter 614, Statutes of 2018), to convene a working group to identify, assess, and recommend risk transfer market mechanisms that promote investment in natural infrastructure to reduce the risks of climate change related to catastrophic events. (Insurance Code § 12922.5)

This bill:

- 1) Directs CalEPA to, in coordination with ICARP and CDI, on or before January 1, 2024, develop a statewide extreme heat ranking system, as specified.

- 2) Requires CDI to, on or before January 1, 2024, report to the Legislature, CalEPA, and ICARP, their findings from a study of insured and uninsured costs related to past extreme heat events, as specified.
- 3) Directs CalEPA to, in coordination with ICARP and CDI, on or before January 1, 2024, develop a statewide extreme heat ranking system, as specified, considering information included in the CDI report above.
- 4) Requires ICARP to, once the extreme heat ranking system is finalized, to develop a public communication plan, recommended partnerships to prepare for extreme heat events, and recommend specific heat adaptation measures that could be triggered by the ranking system.

Background

- 1) *Extreme heat kills, but how many?* Record-breaking heatwaves and increasing temperatures pose a direct threat to public health; however, there is little information available about the number of heat-related deaths in the state. Various reports have found that heat-related deaths are significantly underreported and that the information that is available lags, sometimes by years, making it impossible for public agencies to respond to heat emergencies in a timely manner. The state does not collect real-time data on heat illness from hospitals or require counties to track and report incidents of heat illness. Research has shown that heat-related health impacts almost exclusively affect lower income and disadvantaged communities, persons with disabilities and seniors. Wealthier Californians who have access to air conditioning in their cars, homes and offices do not generally suffer the most serious effects of extreme heat. A 2021 study by the Luskin Center for Innovation identified significant policy gaps and fragmented state regulation of extreme heat. There is no state entity responsible for managing extreme heat and little coordination of the various departments that administer the state's extreme heat policies.

In 2013, the state issued guidance and more than 40 recommendations to better prepare the state for extreme heat events, but the state did little to implement the recommendations.

- 2) *Taking action in California.* Last year, the state renewed its efforts to combat the impacts of extreme heat. The 2021 Climate Adaptation Strategy released by the California Natural Resources Agency includes an Extreme Heat Action Plan (Plan), which serves as an update to the 2013 report. The Plan includes

“strategic and comprehensive” state actions that can be taken to address extreme heat, including:

- Implementing a statewide public health monitoring system to identify heat illness events early, monitor trends, and track illnesses and deaths;
- Cooling schools in heat-vulnerable communities and support climate smart planning;
- Accelerating heat readiness and protection of low-income households and expanding tree canopy in communities most impacted by extreme heat;
- Protecting vulnerable populations through increased heat risk-reduction strategies and codes, standards, and regulations;
- Building a climate smart workforce through training partnerships and apprenticeships in jobs and careers that address extreme heat;
- Increasing public awareness to reduce risks posed by extreme heat;
- Supporting local and regional extreme heat action;
- Protecting natural systems, including fish and wildlife, from the impacts of extreme heat.

The state adopted a \$15 billion climate package in 2021 to combat the climate crisis, including \$800 million over three years to address the impacts of extreme heat and \$300 million over two years to support the implementation of the Plan. Programs to address the impacts of extreme heat include urban greening, energy assistance for low-income families, community resilience centers, and low-income weatherization. The Governor’s proposed 2022-23 budget includes approximately \$175 million in the second year of investments for extreme heat programs.

A 2021 study by UCLA’s Luskin Center for Innovation identified significant policy gaps and fragmented state regulation of extreme heat. The authors point out that there is no state entity responsible for managing extreme heat, and little coordination of the various departments that administer the state’s extreme heat policies. The study notes that in addition to the obvious health impacts, heat also affects mental health, makes it harder for students to learn, and harder for workers to do their jobs safely. The report’s main findings include:

- Most existing California heat-exposure standards are inadequate or have limited compliance;
- Most existing state programs do not make investments that explicitly target heat-vulnerable places or quantify heat risk-reduction benefits;
- Local planning efforts may not prepare cities adequately for extreme heat; and,
- Improving thermal comfort in public spaces and reducing urban heat island effects rely largely on voluntary state guidance.

The Climate Insurance Report, developed by the California Climate Insurance Working Group, identifies four key elements of resilience – risk assessment, risk communication, risk reduction, and risk transfer. Risk assessment and risk communication support community preparation and enable public policies to anticipate events. Early investment in risk reduction reduces future losses, and the expansion of risk transfer options could lead to more affordable and effective insurance concepts. The report applies these elements of risk to three impacts of climate change: wildfire, flood, and extreme heat. The report provides specific recommendations for preventing and managing the risks associated with these impacts, to reduce climate risks to communities.

The report includes a recommendation to rank heat waves to provide a statewide early warning system to communities and avoid deaths and significant costs, which are often uninsured.

Comments

Purpose of Bill. According to the author, “California’s most vulnerable communities disproportionately suffer from the impacts of climate change, and extreme heat events. To better help local governments and residents prepare for these life-threatening weather events, early and advanced warning is needed. Much like the ranking of severe storms, a ranking system for extreme heat waves would provide a clear communication tool for warning vulnerable communities of impending and dangerous heat events. A heat wave ranking system would help local and state governments better target resources and prepare their response efforts.

“Advance warnings provide local governments the opportunity to properly deploy their response efforts and provide a window of opportunity for protecting property, avoiding harm, and ultimately saving lives. For example, early warning of an approaching hurricane often prompts boarding up windows and placing sandbags. California’s “red flag” warnings for wildfire conditions and the National Oceanic and Atmospheric Association’s tropical storm and hurricane naming system could serve as templates for the state to rank heat waves

“California is uniquely positioned to lead the nation in establishing the first ever-ranking system for heat waves, a system that will be used to proactively protect people’s lives and property.”

- 1) *Conflicting timelines.* This bill has two components that both must be completed by January 1, 2024: the report from CDI and the ranking system from CalEPA. However, the bill also requires the latter to incorporate findings from the former. Thus, having these due the same date does not make sense.

The committee may wish to consider amending the bill to delay the release of the extreme heat ranking system by six months to provide time to include the findings from the CDI report in the ranking system from CalEPA.

- 2) *Committee amendments. Staff recommends the committee adopt the bolded amendment contained in comment 2 above.*

Related/Prior Legislation

AB 2076 (L. Rivas) establishes the Extreme Heat and Community Resilience Program (Program) to coordinate state efforts and support local and regional efforts to prevent or mitigate the impact of and public health risks of heat. Requires the Department of Public Health (DHP) to establish and maintain an Extreme Heat Hospitalization and Death Reporting System (System) for the purpose of assisting local interventions and identifying and protecting heat-vulnerable or other at-risk populations. This bill is currently before this committee.

AB 585 (L. Rivas, 2021) would have established the Extreme Heat and Community Resilience Program through the ICARP to coordinate the state's efforts to address extreme heat and the urban heat island effect and to provide financial and technical assistance to local or regional entities for improving resilience to extreme heat and urban heat island effects. This bill was held in the Senate Appropriations Committee.

SOURCE: California Insurance Commissioner, Ricardo Lara

SUPPORT:

AARP

Adrienne Arsht - Rockefeller Foundation Resilience Center

Audubon California

California Labor Federation, Afl-cio

Clean Power Alliance of Southern California

Climate Resolve

Environmental Defense Fund

Los Angeles City Councilmember, Paul Krekorian

Los Angeles Urban Cooling Collaborative
Neighborhood Legal Services of Los Angeles County
Nextgen California
Treepeople
20 individuals

OPPOSITION:

None received

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