



SB-1015 California Climate Resiliency Program. (2017-2018)

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CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

No. 1015

**Introduced by Senator Allen
(Principal coauthor: Senator Dodd)
(Coauthor: Senator Stern)**

February 07, 2018

An act to add Division 46 (commencing with Section 80200) to the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

SB 1015, as amended, Allen. California Climate Resiliency Program.

Existing law establishes the Wildlife Conservation Board and prescribes the membership and functions and duties of the board with regard to the preservation and protection of natural lands and wildlife habitat. The California Global Warming Solutions Act of 2006 requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and be available, upon appropriation by the Legislature, for greenhouse gas emissions reduction activities.

This bill would establish the California Climate Resiliency Program to increase resiliency to climate change impacts in urban and rural communities throughout the state and to fund the planning and implementation of projects that improve and enhance the climate change resiliency of natural systems, natural and working lands, and developed areas. The bill would require that the program be developed and implemented by the Wildlife Conservation Board, in coordination with any participating state conservancies, as defined. The bill would require that moneys from the Greenhouse Gas Reduction Fund, bonds, settlements, and other revenue sources, upon appropriation in the annual Budget Act, be transferred to the California Climate Change Resiliency Fund (fund), which the bill would create. The bill would require that the board and any participating state conservancies, by June 30, 2019, jointly develop a schedule for the allocation of moneys transferred to the fund pursuant to those provisions. The bill would require that the schedule *be determined based on the geographical scope and population of a jurisdictional area, as prescribed, and* be updated not less than once every ~~5-years-or, as-deemed~~

~~necessary by the board and any participating state conservancies, to include additional participating state conservancies that elect to participate in the program.~~ *years, as prescribed.* The bill would require that any allocations of moneys from the fund that are included in the schedule be based on the geographical scope and population of an area covered by a climate resiliency program ~~implemented by the board or a participating state conservancy for that area.~~ *with consideration given to the population served by a jurisdictional area even if all or a portion of the population served by the jurisdictional area resides outside of the jurisdictional area.* The bill would require that the board and any participating state conservancies expend moneys from the fund for purposes of the program, as prescribed. The bill would also require the board to expend a portion of those moneys to fund projects located in disadvantaged communities, as described, and low-income communities, as defined.

The bill would require the board, in collaboration with ~~any participating state conservancies,~~ *state conservancies that are considering participating in the program,* no later than January 1, 2020, after a public hearing or other public process, to develop criteria and guidelines for the implementation of the program. The bill would require that, to be eligible to receive moneys transferred to the fund pursuant to the bill, ~~a~~ *the board and any* participating state agency adopt a climate ~~change-resilience~~ *resiliency* program covering its jurisdiction that is ~~geographically appropriate and~~ consistent with specified objectives and ~~priorities.~~ *priorities and geographically appropriate features, as specified.* The bill would authorize the board and any participating state conservancies to award grants to specified public entities and ~~nonprofit organizations~~ *nongovernmental organizations* for projects that are consistent with the program. The bill would require the board and any participating state conservancies to each prepare an annual public report on projects undertaken pursuant to the program during the year prior to preparation of the report, as prescribed.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

- (a) California is experiencing documented adverse impacts as a result of climate change and it is predicted that these impacts will accelerate.
- (b) California's devastating fire season is getting longer and more intense, as evidenced by destructive October fires in northern California and December fires in southern California.
- (c) This decade produced the worst drought in California's history, which ended with the second wettest rain and snow season on record.
- (d) Climate change is driving longer and hotter heat waves, along with increasingly higher average temperatures, which exacerbate the urban heat island effect.
- (e) All of these climate-change-driven impacts are having detrimental effects on California's people, communities, and natural resources.
- (f) California needs to strategically invest in regional projects that enhance the state's resiliency to climate change, reduce greenhouse gas emissions, and protect and restore California's natural resources and systems.

SEC. 2. Division 46 (commencing with Section 80200) is added to the Public Resources Code, to read:

DIVISION 46. California Climate Resiliency Program

80200. (a) The California Climate Resiliency Program is hereby created to increase resiliency to climate change impacts in urban and rural communities throughout the state and to fund the planning and implementation of projects that reduce emissions of greenhouse gases and improve and enhance the climate change resiliency of natural systems, natural and working lands, and developed areas. The program shall be developed and implemented by the Wildlife Conservation Board, in coordination with any participating state conservancies.

(b) (1) Moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section ~~16428.8,~~ *16428.8 of the Government Code,* bonds, settlements, and other revenue ~~sources~~ *sources,* upon appropriation in the annual Budget Act, shall be transferred to the California Climate Change Resiliency Fund, which is hereby created in the State Treasury.

(2) The board and any participating state conservancies shall, by June 30, 2019, jointly develop a schedule for the allocation of moneys transferred to the fund pursuant to paragraph (1). ~~The schedule shall be updated not less than once every five years or, as deemed necessary by the board and any participating state conservancies, to include additional state conservancies that elect to participate in the program created by this division. Any allocations of money from the fund that are included in the schedule shall be based on the geographical scope and population of an area covered by a climate resiliency program implemented by the board or a participating state conservancy for that area.~~ *The schedule shall be determined based on the geographical scope and population of a jurisdictional area covered by a climate resiliency program with consideration given to the population served by a jurisdictional area even if all or a portion of the population of that area resides outside of the jurisdictional area. The schedule shall be updated not less than once every five years and prior to any annual budget allocations to be made in the fiscal year immediately following the adoption of a climate resiliency program by a state conservancy that had not previously participated in the program created by this division.*

(3) The board and any participating state conservancies shall expend moneys in the fund for the purposes of the program. A portion of any moneys appropriated pursuant to paragraph (1) shall be used to fund projects located in disadvantaged communities identified pursuant to Section 39711 of the Health and Safety Code and in low-income communities, as defined in Section 39713 of the Health and Safety Code, in order to ensure that the state achieves its goals under Section 39713 of the Health and Safety Code.

(c) No later than January 1, 2020, the board, in collaboration with any ~~participating state conservancies,~~ *state conservancies that are considering participating in the program,* shall, after a public hearing or other public process, develop criteria and guidelines for the implementation of the program created by this division. In developing those criteria and guidelines, the ~~board and any participating board,~~ *in collaboration with any of those state conservancies* ~~shall~~ *that are considering participating in the program shall also* consult with the Office of Planning and Research regarding the implementation of the Integrated Climate Adaptation and Resiliency Program established pursuant to Part 4.5 (commencing with Section 71350) of Division 34 and any other state entities, as appropriate, that are responsible for the implementation of programs to address the effects of climate change.

(d) (1) To be eligible to receive moneys transferred to the fund pursuant to subdivision (b), ~~a~~ *the board and any* participating state conservancy shall adopt a climate ~~resilience~~ *resiliency* program covering its jurisdiction that is ~~geographically appropriate and~~ consistent with ~~all of~~ the following objectives and ~~priorities:~~ *priorities and geographically appropriate features:*

(A) Acquisition, preservation, and restoration of the wildland urban interface that buffers communities from wildfire, flood, and other natural disasters.

(B) Acquisition, protection, and restoration of wildlife corridors and ~~wildlife habitat~~ *habitats, other habitats, or ecosystems* at risk due to urban ~~sprawl.~~ *sprawl or climate change.*

(C) Improvement of coastal resources to address sea level rise, storm surge, beach and bluff erosion, salt water intrusion, flooding, and to preserve and enhance coastal wetlands and natural lands, and to conserve biodiversity.

(D) Acquisition, preservation, and restoration of agricultural and open space to improve soil health and carbon soil sequestration, erosion control, water quality, and water retention, and to provide flood control and create habitat.

(E) Improvement of forest and watershed health through hazardous fuels reduction, postfire watershed rehabilitation, prescribed or managed burns, invasive species, pest, and disease identification and eradication, acquisition of forest conservation easements or fee interests, and other fire prevention methods.

(F) Development, restoration, and maintenance of urban forests, greenways, streams, trails, and parks that reduce heat island effect, capture stormwater runoff, help control or eradicate invasive species, disease, and pests, and provide active transportation.

(G) Restoration of watershed health, creation and restoration of wetland habitat, provision of benefits to salmon, steelhead, and other fisheries, enhancement of stream ~~flows to restore~~ *flows, restoration of* mountain meadows, reconnection of historical flood plains, provision of fish passages, restoration of river channels, control of invasive plants, and restoration ~~and or~~ enhancement of riparian, aquatic, and terrestrial habitat.

(H) Conservation of water resources through the use of drought-efficient landscaping, stormwater capture and filtration, impervious surfaces, green roofs, and other forms of water capture and storage.

(2) Any climate ~~resilience~~ *resiliency* programs adopted by a participating state conservancy shall also prioritize projects that include the following cobenefits:

(A) Job creation and training with a preference for at-risk youth employment.

(B) Recreation.

(C) Public health improvement.

(D) Local community engagement through outreach, education, and interpretation as it relates to long-term stewardship and climate change awareness.

(3) The board and any participating state conservancies, as applicable, may use existing climate resiliency programs to satisfy the requirements of paragraphs (1) and (2) if any such existing programs satisfy, or are updated to satisfy, the criteria and guidelines developed pursuant to subdivision (c). The State Coastal Conservancy's Climate Ready Program developed pursuant to the requirements of Section 31113 is an existing climate resiliency program for purposes of this division.

~~(3)~~

(4) Projects eligible for under this program shall, to the extent applicable and appropriate, have enduring benefits, include a monitoring program, and incorporate adaptive management strategies and best practices.

(e) The board and any participating state conservancies may award grants to ~~nonprofit organizations or public entities, including, but not limited to,~~ *entities, including, but not limited to, public agencies, nongovernmental organizations,* park and open-space districts and authorities, resource conservation districts, joint powers authorities, *entities responsible for implementing natural community conservation plans or regional habitat conservation plans,* and regional collaboratives for climate ~~adaptation~~ *adaptation,* for projects and programs that are consistent with this division.

(f) The board and any participating state conservancies shall each prepare an annual public report on projects undertaken pursuant to this program during the year prior to preparation of the report. This report may be incorporated, as applicable, into an existing reporting requirement.

80201. For purposes of this division, the following terms have the following meanings:

(a) "Fund" means the California Climate ~~change~~ *Change* Resiliency Fund created in Section 80200.

(b) "Participating state conservancy" means a state conservancy that has adopted a climate resiliency program covering its jurisdiction and that has elected to participate in the program established pursuant to this division.