

### 2021 Legislative Update

New California Adaptation-Related Laws

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# AB-9 Fire safety and prevention: wildfires: fire adapted communities: Office of the State Fire Marshal: community wildfire preparedness and mitigation.

- » Establishes the Regional Forest and Fire Capacity Program in the Department of Conservation to support regional leadership to build local and regional capacity and develop, prioritize, and implement strategies and projects that create fire adapted communities and landscapes by improving ecosystem health, community wildfire preparedness, and fire resilience.
- » Establishes the Deputy Director of Community Wildfire Preparedness and Mitigation in the Office of the State Fire Marshal and requires the deputy director to be responsible for fire preparedness and mitigation missions of the department.

## AB-72 Environmental Protection: Natural Resources Agency: Coastal Adaptation Projects: Sea Level Rise: Regulatory Reviewing and Permitting: Report

» Requires the Natural Resource Agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects that use natural infrastructure.

### AB-619 Air quality.

- » Requires the California Department of Public Health (CDPH) to develop a plan with recommendations and guidelines for counties to use in the case of a significant air quality event caused by wildfires or other sources.
- » Requires a county, in advance of its next emergency plan update, to use the air quality plan developed by the CDPH and develop a county-specific plan that addresses all of CDPH's recommendations and guidelines.

#### AB-642 Wildfires

- » Requires the Director of Forestry and Fire Protection to appoint a cultural burning liaison. Requires the cultural burning liaison to, among other duties, serve on the State Board of Fire Services and to advise the Department of Forestry and Fire Protection (CAL FIRE) on developing increased cultural burning activity.
- » Requires the State Fire Marshal, on or before July 1, 2023, to develop a proposal to establish a prescribed fire training center.
- » Requires CAL FIRE to actively engage relevant California State Universities, California Native American tribes, tribal organizations, and cultural fire practitioners to enhance its public education efforts regarding restoring fire processes and function, and cultural burning.

# AB-697 Forest Resources: National Forest Lands: Good Neighbor Authority Fund: Ecological Restoration and Fire Resiliency Projects

» Requires the Secretary of the Natural Resources Agency, under an agreement between the state and the federal government, to establish a program for purposes of conducting ecological restoration and fire resiliency projects on national forest lands, with priority given to forest restoration and fuels reduction projects that are landscape scale and are focused on ecological restoration and to community fire protection and protection of water and other infrastructure.

### AB-1183 California Desert Conservation Program

» Establishes the California Desert Conservation Program under the administration of the Wildlife Conservation Board to: (1) protect, preserve, and restore the natural, cultural, and physical resources of the portions of the Mojave and Colorado Deserts region in California through the acquisition, restoration, and management of lands, (2) promote the protection and restoration of the biological diversity of the region, (3) provide for resilience in the region to climate change, (4) protect and improve air quality and water resources within the region, and (5) undertake efforts to enhance public use and enjoyment of lands owned by the public, as provided.

#### SB-1 Coastal Resources: Sea Level Rise

- » Creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative. Requires the collaborative, among other things, to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse environmental, social, and economic effects of sea level rise.
- » Authorizes the Secretary for Environmental to expend an additional \$500,000 per year for the purposes of the Environmental Justice Small Grant Program for grants to organizations working to address and mitigate the effects of sea level rise in disadvantaged communities impacted by sea level rise.

### SB-27 Carbon Sequestration: State Goals: Natural and Working Lands: Registry of Projects

- » Requires, no later than July 1, 2023, the Natural Resources Agency, in coordination with CalEPA, CARB, CDFA, and other relevant state agencies, to establish the Natural and Working Lands Climate Smart Strategy and, in developing the strategy, to create a framework to advance the state's climate goals.
- » Requires, no later than July 1, 2023, the Natural Resources Agency to establish and maintain a registry for the purposes of identifying and listing projects in the state that drive climate action on the state's natural and working lands and are seeking funding from state agencies or private entities.

## **SB-63** Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones.

- » Requires the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones. Modifies the factors the director is required to use to identify areas into fire hazard severity zones.
- » Provides that fuel modification beyond the property line of properties upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material that is within a very high fire hazard severity zone, may only be required by state law, local ordinance, rule, or regulation in order to maintain the 100 feet of defensible space.
- » Requires the Director of Forestry and Fire Protection to establish a statewide program to allow qualified entities to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts and to establish a common reporting platform for participating qualified entities to report defensible space and home hardening assessment data to the department.
- » Requires the State Fire Marshal and the Department of Housing and Community Development to propose, and the State Building Standards Commission to adopt, expanded application of the specified building standards to high fire hazard severity zones. Requires the State Fire Marshal and the Department of Housing and Community Development to consider, if it is appropriate, expanding application of these building standards to moderate fire hazard severity zones.
- » Requires the Department of Forestry and Fire Protection to develop and implement a training program to train individuals to support and augment the department in its defensible space and home hardening assessment and public education efforts.

### SB-162 Community Economic Resilience Fund Program.

- » Establishes the Community Economic Resilience Fund Program within the Workforce Services Branch of the EDD. Requires the Inter-Agency Leadership Team, comprised of the Labor and Workforce Development Agency, the Office of Planning and Research, and the Governor's Office of Business and Economic Development, to administer the program.
- » Requires the program to provide financial support to establish and support high road transition collaboratives and would set forth requirements for the program and collaboratives. Provides planning grants to establish and support at least one collaborative per region in areas that have had disproportionate impacts due to COVID-19 and would provide implementation grants on a rolling and competitive basis to fund economic recovery.

### **SB-456** Fire prevention: wildfire and forest resilience: action plan: reports.

- » Requires the Wildfire and Forest Resilience Task Force (formerly the Forest Management Task Force), including the Natural Resources Agency and the Department of Forestry and Fire Protection, on January 1, 2022, to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the state's "Wildfire and Forest Resilience Action Plan."
- » Requires the task force, on or before January 1, 2023, and annually thereafter until January 1, 2048, to submit a report including progress made in achieving the goals and key actions identified in the action plan, to the appropriate policy and budget committees of the Legislature. Requires the task force, on or before January 1, 2026, and every 5 years thereafter, to update the action plan.

### SB-533 Electrical Corporations: Wildfire Mitigation Plans: Deenergization Events

» Requires that an electrical corporation's wildfire mitigation plan identify circuits that have frequently been deenergized to mitigate the risk of wildfire and the measures taken, or planned to be taken, by the electrical corporation to reduce the need for, and impact of, future deenergization of those circuits, including the estimated annual decline in circuit deenergization and deenergization impact on customers, and replacing, hardening, or undergrounding any portion of the circuit or of upstream transmission or distribution lines.

#### **SB-552** Fire Prevention: Forest Management and Hazard Zones

- » Requires small water suppliers, serving 1,000 to 2,999 service connections, inclusive, and nontransient noncommunity water systems that are schools, no later than July 1, 2023, to develop and maintain an abridged Water Shortage Contingency Plan that includes specified drought-planning elements.
- » Requires a small water supplier serving fewer than 1,000 service connections to add drought planning elements to its emergency notification or response plan and submit the plan to the state board.
- » Requires small water suppliers and nontransient noncommunity water systems that are schools to implement, subject to funding availability, specified drought resiliency measures, including, among others, having at least one backup source of water supply and metering each service connection.
- » Requires a county to establish a standing county drought and water shortage task force to facilitate drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction. Authorizes a county, in lieu of establishing a standing task force, to establish an alternative process that facilitates drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction. A county that establishes a drought task force on or before January 1, 2022, shall be deemed in compliance with these requirements as long as the task force continues to exist. Requires a county to develop a plan that includes potential drought and water shortage risk and proposed interim and long-term solutions.
- » Requires the Department of Water Resources to take specified actions to support implementation of the recommendations from the County Drought Advisory Group. Requires the department to establish a standing interagency drought and water shortage task force to, among other things, facilitate proactive planning and coordination, both for predrought planning and postdrought emergency response, which shall consist of various representatives, including representatives from local governments.

### 2021-22 Climate Resilience Package (\$ in millions)

FY 2021-22 Climate Resilience Budget | Assembly Floor Report

PROGRAM	BU	DEPARTMENT	2021-22 (GF)	2022-23 (GF)	2023-24 (GF)	TOTAL FUNDING
Extreme Heat						
Urban Greening/Forestry	0540	CNRA	\$50	\$100	\$100	\$250
Low Income Weatherization	4700	CSD	-	\$25	\$25	\$50
Community Resilience Centers/Extreme Heat and Community Resilience Program	0650	SGC	-	\$50	\$150	\$200
Extreme Heat Set Aside	Various	Various	-	\$150	\$150	\$300
Multi-Benefit and Nature-Based Solutions						
Climate Change Impacts on Wildlife	3600	DFW	\$15	\$35	-	\$50
Habitat Restoration	3860	DWR	-	\$125	\$75	\$200
Multi-Benefit and Nature-Based Solutions Set Aside	Various	Various	-	\$593	\$175	\$768
Protect Fish and Wildlife from Changing Conditions	3640	WCB	\$31	\$222	\$100	\$353
Building Ocean and Coastal Resilience						
State Parks Sea Level Rise Adaptation Strategy	3790	Parks	\$12	-	-	\$12
Coastal Protection and Adaptation	3760	SCC	-	\$350	\$150	\$500
Ocean Protection Trust Fund	0540	OPC	-	\$50	\$50	\$100
<b>Building Community and Regional Climate</b>	Resilience	е				
Transformative Climate Communities	0650	SGC	\$115	\$165	\$140	\$420
Regional Climate Collaboratives	0650	SGC	\$10	\$10	-	\$20
Climate Adaptation & Resilience Planning Grants	0650	OPR	\$10	\$10	\$5	\$25
Vulnerable Communities Platform & Cal- Adapt Mapping	0650	OPR	\$5	-	-	\$5
Environmental Justice Initiative	0555	Cal EPA	\$10	\$10	\$5	\$25
California Climate Action Corps	0650	Cal Volunteers	\$5	\$5	\$5	\$14
Regional Climate Resilience Planning and Implementation	0650	OPR/SGC	\$25	\$125	\$100	\$250
State Conservancies Additional funding in out years carved out in Multi-Benefit/Nature-Based Solutions Set Aside	Various	Various	\$60	-	-	\$60
Strategic Climate Resilience Investments &	Projects					
Biomass to Hydrogen/Biofuels Pilot	3480	DOC	-	\$50	-	\$50
	0540	CNRA	\$6	-	-	\$6
Fifth Climate Assessment	0650	OPR	\$11	-	-	\$11
	3360	CEC	\$5	-	-	\$5
Fluorinated Gas Reduction Incentive Program	3900	CARB	-	\$15	-	\$15
		TOTAL FUNDING	\$369.2	\$2,089.7	\$1,229.7	\$3,688.5

#### **SB-155** Public resources trailer bill.

- » SEC. 49. Upon appropriation by the Legislature in the annual Budget act, one hundred and fifty million dollars (\$150,000,000) shall be available in 2022-23 fiscal year and one hundred and fifty million dollars (\$150,000,000) shall be available in the 2023-24 fiscal year to support programs and activities that mitigate extreme heat impacts.
- » SEC. 51. Upon appropriation by the Legislature in the annual budget act, five hundred ninety-three million dollars (\$593,000,000) shall be available in the 2022–23 fiscal year and one hundred seventy-five million dollars (\$175,000,000) shall be available in the 2023–24 fiscal year to the Natural Resources Agency, and to its departments, conservancies, and boards, to support programs and activities that advance multibenefit and nature-based solutions. Of this amount, not less than sixty million dollars (\$60,000,000) shall be available in the 2022–23 fiscal year and not less than sixty million dollars (\$60,000,000) shall be available in the 2023–24 fiscal year to support state conservancies.
- » SEC. 52. Upon appropriation by the Legislature, the sum of three hundred fifty million dollars (\$350,000,000) shall be available in the 2022–23 fiscal year and the sum of one hundred fifty million dollars (\$150,000,000) shall be available in the 2023–24 fiscal year to the State Coastal Conservancy for grants or expenditures for the protection and restoration of coastal and ocean resources from the impacts of sea level rise and other impacts of climate change. Eligible projects include, but are not limited to, projects to protect, restore, and increase the resilience of coastal and ocean ecosystems and coastal watersheds. The State Coastal Conservancy may coordinate with the Ocean Protection Council on project implementation.
- » SEC. 53. Upon appropriation by the Legislature, the sum of fifty million dollars (\$50,000,000) shall be available in the 2022–23 fiscal year and the sum of fifty million dollars (\$50,000,000) shall be available in the 2023–24 fiscal year to the Ocean Protection Council for grants or expenditures for resilience projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems, including, but not limited to, estuarine and kelp forest habitat, the state's system of marine protected areas, and sustainable or climate-ready fisheries, and including projects that address harmful algal blooms, marine invasive species, and ocean acidification and hypoxia.
- SEC. 54. Upon appropriation by the Legislature in the annual Budget Act, twenty-five million dollars (\$25,000,000) shall be made available in the 2022–23 fiscal year and seventy-five million dollars (\$75,000,000) shall be made available in the 2023–24 fiscal year to the Office of Planning and Research, through the Integrated Climate Adaptation and Resiliency Program for the establishment of a grant program for projects that mitigate the impacts of extreme heat or the urban heat island effect, by adopting strategies, including, but not limited to, heat action plans, providing mechanical or natural shade, increasing building and surface reflectance, providing passive or low-energy cooling strategy, and promoting evaporative cooling. Grants pursuant to this section shall involve multistakeholder partnerships.
- SEC. 55. Upon appropriation by the Legislature in the annual Budget Act, twenty-five million dollars (\$25,000,000) shall be made available in the 2022–23 fiscal year and seventy-five million dollars (\$75,000,000) shall be made available in the 2023–24 fiscal year to the Strategic Growth Council, in coordination with the Office of Planning and Research, for the establishment of a community resilience centers grant program. Grants pursuant to this section shall involve multistakeholder partnerships and demonstrate involvement of community-based organizations and community residents within governance and decisionmaking processes. Funding shall be available for the construction of new facilities or the retrofit of existing facilities that will serve as community resilience centers, including hydration stations, cooling centers, clean air centers, respite centers, community evacuation and emergency response centers, and similar facilities to mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change, such as wildfire, power outages, or flooding, on local populations. These centers will serve as both community emergency response facilities and to build long-term resilience, preparedness, and recovery operations for local communities. Grants for community resilience centers shall be awarded for comprehensive upgrades to model integrated delivery of services. Guideline development and awards shall go through a public process allowing for transparency and stakeholder feedback.