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December 9, 2015

TO: Coastal Commission and Interested Persons

FROM: Legislative Unit and Legal Division

SUBJECT: **LEGISLATIVE REPORT: NEW LAWS MEMO: 2015 Chaptered Legislation**

The 2015 California Legislative session resulted in one piece of chaptered legislation that directly amends the Coastal Act (SB 798), and two bills (AB 1482 and SB 246), that implicate the Commission by establishing additional requirements for other agencies which can reasonably be expected to require the Commission's participation. This memo discusses how the new statutes may affect the coastal program and outlines how the Commission will comply with the new statutes. The following summaries include relevant excerpts of the three bills as enacted. Coastal Act amendments in SB 798 are shown in *italics* and ~~strike through~~ for additional clarity.

1) SB 798 (Natural Resources and Water Committee) Water Resources - Chapter 683, Statutes of 2015

This bill repeals Public Resources Code (PRC) Section 30310.5, relating to public member appointments; amends PRC 30315(a) relating to meeting frequency; and amends PRC 30301.2 and PRC 30304 relating to appointments. The practical effect of these changes are that the Commission may elect to hold one less meeting per year; the doctrine of incompatible offices (Government Code 1099) will now apply to public member appointments; and mayors are now eligible for appointment to the Commission as locally elected officials regardless of whether they are members of a city council. The bill also clarifies, consistent with past Commission interpretation, that alternates to locally elected officials do not themselves have to be locally elected officials.

- Implementation: Under 30315(a) as amended, the Commission may now consider adopting an annual meeting calendar that establishes 11 meetings over the course of a year, provided that no more than 45 days elapse between meeting dates. For instance, the Commission could omit the July meeting by scheduling hearings on June 22-24, and August 8-10. Or the Commission could choose to build in an additional week between each meeting, effectively meeting (more or less) every five weeks instead of every four weeks. Alternatively, the commission may choose to continue meeting monthly with no change. No actions are necessary for the Commission to implement the changes to the other PRC sections.

Senate Bill No. 798

CHAPTER 683

An act to amend Section 338 of the Code of Civil Procedure, to amend Sections 205.1, 714, 1050.8, 1053.5, 1055.1, 1056, 1059, 1764, 3050, 7149.2, 7149.3, 7150, 7860, 12002.2.1, 12153, and 13005 of, and to repeal Sections 1053, 1055, 1055.4, 1055.5, 1060, 1070, 3682, 3700, 6596, 7149, 7149.4, 7180, 7181, 7182, 7183, 7184, and 7186 of, the Fish and Game Code, to amend Section 113 of the Government Code, to amend Sections 741, 8301, 30301.2, 30304, and 30315 of, and to repeal Section 30310.5 of, the Public Resources Code, and to amend Sections 1026, 1055, 1228.1, 1228.2, 1228.3, 1228.6, 1229, 1229.1, 1243, 1260, 1427, 1430, 1437, 1440, 1701.2, 1703, 1726, 1727, and 1736 of, and to repeal Sections 1126.2, 2862, 2863, and 2866 of, the Water Code, relating to natural resources.

[Approved by Governor October 9, 2015. Filed with Secretary of State October 9, 2015.]

The people of the State of California do enact as follows: ...

SEC. 38.

Section 30301.2 of the Public Resources Code is amended to read:

30301.2.

(a)The appointments of the Governor, the Senate Committee on Rules, and the Speaker of the Assembly, pursuant to subdivision (e) of Section 30301, shall be made as prescribed in this section. Within 45 days from the date of receipt of a request for nominations by the appointing authority, the board of supervisors and city selection committee of each county within the region shall nominate supervisors, *mayors*, or city council members who reside in the region from which the Governor, the Senate Committee on Rules, or the Speaker of the Assembly shall appoint a replacement. In regions composed of three counties, the board of supervisors and the city selection committee in each county within the region shall each nominate one or more supervisors and one or more *mayors or city council members*. In regions composed of two counties, the board of supervisors and the city selection committee in each county within the region shall each nominate not less than two supervisors and not less than two *mayors or city council members*. In regions composed of one county, the board of supervisors and the city selection committee in the county shall each nominate not less than three supervisors and not less than three *mayors or city council members*. Immediately upon selecting the nominees, the board of supervisors and the city selection committee shall send the names of the nominees to either the Governor, the Senate Committee on Rules, or the Speaker of the Assembly, whoever will appoint the replacement.

SEC. 39.

Section 30304 of the Public Resources Code is amended to read:

30304.

Any member of the commission may, subject to the confirmation of his or her appointing power, appoint an alternate member to represent him or her at any commission meeting.

An alternate for a locally elected official need not also be a locally elected official. An alternate may serve prior to confirmation for a period not to exceed 90 days from the date of appointment unless and until confirmation is specifically refused. The alternate shall serve at the pleasure of the member who appointed him or her and shall have all the powers and duties as a member of the commission, except that the alternate shall only participate and vote in meetings in the absence of the member who appointed him or her. All provisions of law relating to conflicts of interest that are applicable to a member shall apply to an alternate member. Whenever a member has, or is known to have, a conflict of interest on any matter, the member's alternate is not eligible to vote on that matter.

SEC. 40.

Section 30310.5 of the Public Resources Code is repealed.

~~**30310.5.—**~~

~~This division or any other law, including any doctrine of common law, shall not preclude or prevent the appointment, as a public member, to the commission of a person who is not a locally elected member.~~

SEC. 41.

Section 30315 of the Public Resources Code is amended to read:

30315.

(a) The commission shall meet at least ~~once a month~~ *11 times annually* at a place convenient to the public. *Each meeting shall occur not more than 45 days after the previous meeting.* All meetings of the commission shall be open to the public.

2) AB 1482 (Gordon) Climate adaptation - Chapter 603, Statutes of 2015.

This bill requires the Natural Resources Agency to update the state's climate adaptation strategy every 3 years. The bill would require the agency, by January 1, 2017, and every 3 years thereafter, to release a draft climate adaptation strategy, and take public input in a minimum of three public hearings. The bill would require state agencies to maximize specified objectives, including, among others, promoting the use of the climate adaptation strategy to inform planning decisions and ensure that state investments consider climate change impacts, as well as promoting the use of natural systems and natural infrastructure when developing physical infrastructure to address adaptation.

This bill also expands the duties of the Strategic Growth Council to include identifying and reviewing the activities and funding programs of all state agencies, to coordinate state objectives, and meet the goals of the state's climate adaptation strategy.

Although the Natural Resources Agency and the Strategic Growth Council are responsible for implementing the primary directives of this measure, they are also required to coordinate with other state agencies to achieve its objectives. This will require additional collaboration with other state agencies on the part of the Coastal Commission.

The Commission has been implementing several of the policy directives provided in AB 1482 through its implementation of the Coastal Act, including policies to respond to coastal hazards, protect and enhance habitat, provide for sustainable water supplies and protect coastal agriculture.

The Commission has already taken several actions to educate the public about the consequences of climate change, by adopting the Sea Level Rise Guidance document, holding public hearings and acting on various permit applications, providing input on LCP policies, and participating on conference panels, workshops, etc. The Commission has also been regularly coordinating with the Ocean Protection Council, State Lands Commission, Coastal Conservancy, BCDC, and other state agencies to develop and implement the Safeguarding California plan. AB 1482 will require additional inter-agency coordination as well as specific reporting requirements and other actions that the Commission will address in the following ways:

- Implementation: Commission staff will provide the Natural Resources Agency with current, relevant data and information to facilitate regular updates to the Climate Adaptation Strategy, and identify priority actions needed to reduce risks to ocean and coastal resources.
- As may be requested, Commission staff will provide the Natural Resources Agency with an annual list of actions taken by the Commission to implement the Climate Adaptation Strategy.
- To the extent feasible, and consistent with existing Coastal Act policies, when considering adaptation-related infrastructure, Commission staff will analyze project alternatives that utilize existing natural features and ecosystem processes or the restoration of natural features and ecosystem processes to meet the project's goals.
- Commission staff will share information regarding LCP grant awards and related planning efforts with the Strategic Growth Council, and coordinate to ensure consistency between SGC grant programs and the Commission's sea level rise policies and local adaptation strategies.

Assembly Bill No. 1482

CHAPTER 603

An act to amend Section 75125 of, and to add Part 3.7 (commencing with Section 71150) to Division 34 of, the Public Resources Code, relating to climate change.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

The people of the State of California do enact as follows:

SECTION 1.

The Legislature finds and declares all of the following:

(a) California's climate is changing, posing an escalated threat to public health, the environment, the economy, and public and private property in the state. The increasing frequency of extreme weather events, including floods and heat waves, fires, rising sea levels, and changes in hydrology, including diminishing snowpacks and more frequent droughts, among other climate change impacts, will affect every part of residents' lives in the next century and beyond. Planning appropriately for these impacts will help us be better prepared for the future.

(b) The impacts of climate change, including longer droughts, extended floods, prolonged fire seasons with larger and more intense fires, heat waves, and sea level rise, are already creating challenges for public health and safety and causing destructive property damage.

(c) Climate change poses a threat not just to the lives and health of residents but also to the state's economy and to the financial health of our local governments.

(d) According to the Natural Resources Agency's report, "Safeguarding California: Reducing Climate Risk," state-of-the-art modeling shows that a single extreme winter storm in California could cost on the order of \$725,000,000,000, including total direct property losses of nearly \$400,000,000,000 and devastating impacts to residents, the economy, and natural resources.

(e) Adapting to climate change, in addition to reducing the impacts of climate change on California's natural resources and infrastructure, is essential to protecting the state's environment and economy over time and will require coordination across all state departments and agencies.

(f) Given the potential impacts and the long-term nature of effective planning, California needs to take action now.

SEC. 2.

Part 3.7 (commencing with Section 71150) is added to Division 34 of the *Public Resources Code*, to read:

PART 3.7. CLIMATE CHANGE AND CLIMATE ADAPTATION

71150.

For purposes of this part, the following terms have the following meanings:

(a) "Agency" means the Natural Resources Agency.

(b) "Council" means the Strategic Growth Council.

(c) "Plan" means the Safeguarding California Plan.

71152.

It is the intent of the Legislature to prioritize the state's response to the impacts resulting from climate change by ensuring all state departments and agencies prepare for and are ready to respond to the impacts of climate change, such as extreme weather events, the urban heat island effect, habitat loss, wildfire, sea-level rise, and drought. It also is the intent of the Legislature that the agency consider developing policies to address the impacts of climate change and climate adaptation with a focus on people, places, and water and that actions taken to address climate adaptation should be consistent with the plan.

71153.

(a) By July 1, 2017, and every three years thereafter, the agency shall update the state's climate adaptation strategy, known as the plan. As part of the update, the agency shall coordinate with other state agencies to identify a lead agency or group of agencies to lead adaptation efforts in each sector. The updates to the plan shall include all of the following:

(1) 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:

(A) Water.

(B) Energy.

(C) Transportation.

(D) Public health.

(E) Agriculture.

(F) Emergency services.

(G) Forestry.

(H) Biodiversity and habitat.

(I) Ocean and coastal resources.

(2) Priority actions needed to reduce risks in those sectors, as identified by the lead agency or group of agencies.

(b) By January 1, 2017, and every three years thereafter, the agency shall release a draft plan. Between the release of the draft plan and the publication of the final update of the plan, the agency shall hold at least three public hearings for the purpose of providing an opportunity for the public to review and provide written and oral comments on the draft plan. The public hearings shall be held in northern California, the central valley of California, and southern California.

(c) The agency shall annually report to the Legislature, consistent with Section 9795 of the Government Code, on actions taken by each applicable agency to implement the plan.

71154.

To address the vulnerabilities identified in the plan, state agencies shall work to maximize, where applicable and feasible, the following objectives:

(a) Educating the public about the consequences of climate change, such as sea-level rise, extreme weather events, the urban heat island effect, habitat loss, wildfire, drought,

threats to infrastructure and agriculture, worsening air and water quality, and public health impacts.

(b) Ensuring there is a continued repository for scientific data on climate change and climate adaptation in the state in order to facilitate educated state and local policy decisions and to help identify primary risks from climate change to residents, property, communities, and natural systems across the state.

(c) (1) Promoting the use of the plan to inform planning decisions and ensure that state investments consider climate change impacts, as well as promote the use of natural systems and natural infrastructure, when developing physical infrastructure to address adaptation.

(2) When developing infrastructure to address adaptation, where feasible, a project alternative should be developed that utilizes existing natural features and ecosystem processes or the restoration of natural features and ecosystem processes to meet the project's goals.

(3) For purposes of this subdivision, "natural infrastructure" means the preservation or restoration of ecological systems or the utilization of engineered systems that use ecological processes to increase resiliency to climate change, manage other environmental hazards, or both. This may include, but need not be limited to, flood plain and wetlands restoration or preservation, combining levees with restored natural systems to reduce flood risk, and urban tree planting to mitigate high heat days.

(d) Encouraging regional collaborative planning efforts to address regional climate change impacts and adaptation strategies.

(e) Promoting drought resiliency through an integrated water supply, delivery, and capture system that is coordinated and that can be resilient to a multiyear drought scenario while protecting water quality and the public health. Establishing both drought preparation programs, which will help create sustainable water systems in the future, and immediate drought response programs, which will reduce water demand or increase supply within one to five years of any declared drought.

(f) Building resilient communities by developing urban greening projects that reduce air pollution and heat reflection in urban areas and create livable, sustainable communities in urban cores to promote infill development and reduce greenhouse gas emissions.

(g) Protecting and enhancing habitat, species strongholds, and wildlife corridors that are critical to the preservation of species that are at risk from the consequences of climate change.

(h) Promoting actions to ensure healthy soils and sustainable agriculture; inform reliable transportation planning; improve emergency management response across sectors; ensure sufficient, reliable, and safe energy; improve capacity to reduce and respond to public health threats; address the impacts of climate change on disadvantaged communities; and protect cultural resources from the impacts of climate change.

SEC. 3.

Section 75125 of the *Public Resources Code* is amended to read:

75125.

The council shall do all of the following:

(a) Identify and review activities and funding programs of state agencies that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and the strategies and priorities developed in the state's climate adaptation strategy known as the Safeguarding California Plan adopted pursuant to Section 71152, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. At a minimum, the council shall review and comment on the five-year infrastructure plan developed pursuant to Article 2 (commencing with Section 13100) of Chapter 2 of Part 3 of Division 3 of Title 2 of the Government Code and the State Environmental Goals and Policy Report developed pursuant to Section 65041 of the Government Code.

(b) Recommend policies and investment strategies and priorities to the Governor, the Legislature, and to appropriate state agencies to encourage the development of sustainable communities, such as those communities that promote equity, strengthen the economy, protect the environment, and promote public health and safety, consistent with subdivisions (a) and (c) of Section 75065.

(c) Provide, fund, and distribute data and information to local governments and regional agencies that will assist in developing and planning sustainable communities.

(d) Manage and award grants and loans to support the planning and development of sustainable communities, pursuant to Sections 75127, 75128, and 75129. To implement this subdivision, the council may do all of the following:

(1) Develop guidelines for awarding financial assistance, including criteria for eligibility and additional consideration.

(2) Develop criteria for determining the amount of financial assistance to be awarded. The council shall award a revolving loan to an applicant for a planning project, unless the council determines that the applicant lacks the fiscal capacity to carry out the project without a grant. The council may establish criteria that would allow the applicant to illustrate an ongoing commitment of financial resources to ensure the completion of the proposed plan or project.

(3) Provide for payments of interest on loans made pursuant to this article. The rate of interest shall not exceed the rate earned by the Pooled Money Investment Board.

(4) Provide for the time period for repaying a loan made pursuant to this article.

(5) Provide for the recovery of funds from an applicant that fails to complete the project for which financial assistance was awarded. The council shall direct the Controller to recover funds by any available means.

(6) Provide technical assistance for application preparation.

(7) Designate a state agency or department to administer technical and financial assistance programs for the disbursing of grants and loans to support the planning and development of sustainable communities, pursuant to Sections 75127, 75128, and 75129.

(e) Provide an annual report to the Legislature that shall include, but need not be limited to, all of the following:

- (1) A list of applicants for financial assistance.
- (2) Identification of which applications were approved.
- (3) The amounts awarded for each approved application.
- (4) The remaining balance of available funds.
- (5) A report on the proposed or ongoing management of each funded project.
- (6) Any additional minimum requirements and priorities for a project or plan proposed in a grant or loan application developed and adopted by the council pursuant to subdivision (c) of Section 75126.

3) SB 246 (Wiekowski) Coastal Resources - Chapter 606, Statutes of 2015

This bill establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research (OPR), to coordinate state, regional and local efforts to adapt to the impacts of climate change. The bill requires the Office of Emergency Services, in coordination with the Natural Resources Agency, OPR, and relevant public and private entities, to review and update the Adaptation Planning Guide. The update shall assess climate vulnerabilities across sectors and regions, and develop adaptation strategies that can be adapted to local needs. The bill also creates an advisory panel to OPR with expertise in specified areas.

- **Implementation:** The Commission will coordinate with the Office of Planning and Research, Office of Emergency Services and the Natural Resources Agency to ensure that updates to the Adaptation Planning Guide accurately reflect the most current sea level rise vulnerability assessments, adaptation strategies, LCP actions and policy guidance.

Senate Bill No. 246
CHAPTER 606

An act to amend Section 75123 of, and to add Part 4.5 (commencing with Section 71350) to Division 34 of, the Public Resources Code, relating to environmental protection.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

The people of the State of California do enact as follows:

SECTION 1.

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

PART 4.5. INTEGRATED CLIMATE ADAPTATION AND RESILIENCY PROGRAM

71350.

For purposes of this part, "office" means the Office of Planning and Research.

71352.

The Legislature finds and declares:

(a) The state has been a leader in climate mitigation efforts to reduce greenhouse gas emissions. Now, and in the coming years, it is critical for California and the global community to continue and intensify those efforts in order to avoid the most severe impacts from a changing climate. However, because the global climate system changes slowly, impacts are ongoing and will inevitably worsen. In order to address the challenges posed by a changing climate, the state must invest in building resiliency and strengthening adaptation efforts at the state, regional, and local levels using the best-available science.

(b) A principle of the state's adaptation strategy document, *Safeguarding California*, is to prioritize actions that not only reduce greenhouse gas emissions, but also help the state prepare for climate change impacts. Improved coordination, implementation, and integration of adaptation planning efforts and funding in the state's climate policies can directly protect the state's infrastructure, communities, environmental quality, public health, safety and security, natural resources, and economy from the unavoidable impacts of climate change for decades to come.

(c) In order to have a cohesive and comprehensive response to climate change impacts, the state must have integrated planning with coordinated strategies across state, regional, and local governments and agencies.

(d) The office is established as the comprehensive state planning agency that shall engage in the formulation, evaluation, and updating of long-range goals for factors that shape statewide development patterns and significantly influence the quality of the state's environment, in addition to assisting state, regional, and local agencies in a variety of research and planning efforts, pursuant to Section 65040 of the Government Code. Therefore, the office is well-positioned to work with regional and local entities across the state, coordinating with state climate adaptation strategies.

(e) It is the intent of the Legislature, therefore, that adaptation strategies to build resiliency to the risks and impacts from climate change be integrated in state policies, projects, and permitting processes, and that the office serve as a coordinating body for adaptation projects and goals across California.

71354.

The Integrated Climate Adaptation and Resiliency Program is hereby established to be administered by the office. No later than January 1, 2017, the Director of State Planning and Research shall establish the program to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change with, to the extent feasible, an emphasis on climate equity considerations across sectors and regions and strategies that benefit both greenhouse gas emissions reductions and adaptation efforts, in order to facilitate the development of holistic, complimentary strategies for adapting to climate change impacts. In order to achieve these goals, the program shall include, but not be limited to, all of the following:

(a) Working with and coordinating local and regional efforts for climate adaptation and resilience, including, but not limited to, the following:

(1) Developing tools and guidance.

(2) Promoting and coordinating state agency support for local and regional efforts.

(3) Informing state-led programs, including state planning processes, grant programs, and guideline development, to better reflect the goals, efforts, and challenges faced by local and regional entities pursuing adaptation, preparedness, and resilience. This should occur through regular coordination between the office, the Climate Action Team, which was established by Executive Order S-3-05, the Strategic Growth Council, and other state agencies, including, but not limited to, the Office of Emergency Services, the California Environmental Protection Agency, the Natural Resources Agency, the Transportation Agency, the State Department of Public Health, and the Department of Food and Agriculture.

(b) Assisting the Office of Emergency Services and other relevant state agencies with coordinating regular reviews and updates, as needed, to the Adaptation Planning Guide, pursuant to Section 71356, and maintaining a copy of the guide, or an electronic link to a copy of the guide posted, at a minimum, on the state's Climate Change Portal and the office's Internet Web site.

(c) Coordinating and maintaining the state's clearinghouse for climate adaptation information, pursuant to Section 71360.

(d) Conducting regular meetings with the advisory council established pursuant to Section 71358 in order to have technical support, as well as expertise and advice from regional and local experts working in climate adaptation throughout the research and planning processes, as described in this section.

71356.

(a) Within one year of an update to the Safeguarding California Plan, the Office of Emergency Services, in coordination with the Natural Resources Agency, the office, and relevant public and private entities, shall review and update, as necessary, the Adaptation Planning Guide to provide tools and guidance to regional and local governments and agencies in creating and implementing climate adaptation and community resiliency plans

and projects. An Adaptation Planning Guide update shall be informed by the climate adaptation clearinghouse established pursuant to Section 71360 and the scientific assessments and recommendations in the most recent update of the Safeguarding California Plan. An Adaptation Planning Guide update shall consider the nexus between climate adaptation, community resiliency, public safety, and security, provide information and planning support for assessing climate vulnerabilities across impact sectors and regions and developing adaptation strategies that can be tailored to meet local needs, and include, at a minimum, all of the following:

- (1) Guidance for coordinating adaptation planning activities among state and local governments and regional collaboratives.
- (2) Adaptation planning guidance and strategies for natural hazards exacerbated by climate change.
- (3) Guidance for conducting vulnerability assessments and identifying risk reduction strategies for communities.
- (4) Identification of climate impact regions and descriptions of climate impacts to be considered for each region.
- (5) Assistance with the interpretation of climate science as it relates to local and regional impacts.

(b) As part of updating the Adaptation Planning Guide, the Office of Emergency Services, in consultation with the office and, as needed, with the advisory council created pursuant to Section 71358, shall hold public meetings in the northern, southern, and central regions of the state to obtain input from the public and leaders in local and regional climate preparedness.

71358.

(a) An advisory council to the office is hereby established. The advisory council shall be comprised of members from a range of disciplines, in order to provide scientific and technical support, and from regional and local governments and entities. The advisory council shall support the office's goals, as identified in this part, to facilitate coordination among state, regional, and local agency efforts to adapt to the impacts of climate change.

(b) Members of the advisory council shall have expertise in the intersection of climate change and areas that include, but need not be limited to, any of the following:

- (1) Public health.
- (2) Environmental quality.
- (3) Environmental justice.
- (4) Agriculture.
- (5) Transportation and housing.
- (6) Energy.
- (7) Natural resources and water.
- (8) Planning.
- (9) Recycling and waste management.
- (10) Local or regional government.
- (11) Tribal issues.
- (12) Emergency services and public safety.

(c) The advisory council shall meet with the office as needed, but not less than three times a year.

71360.

(a) (1) The office shall coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities.

(2) The clearinghouse shall be a centralized source of information that provides available climate data to guide decisionmakers at state, regional, and local levels when planning for and implementing climate adaptation projects to promote resiliency to climate change. The clearinghouse may include, but is not limited to, any of the following:

(A) A collection of the best-available resources that may include projections and models, vulnerability assessments, and downscaled data for climate change impacts throughout the state, when available, at statewide, regional, and local levels for both near-term and longer term timescales, including year 2050 and year 2100 projections. Climate change impacts may include, but are not limited to, impacts to public health, natural resources, environmental quality, and infrastructure.

(B) Tools that allow for the visualization or identification of regional and local impacts across the state and that integrate best-available data on vulnerable populations and infrastructure.

(C) A library of relevant white papers, case studies, research articles, and climate adaptation best practices that are searchable by relevance to region, locality, and sector.

(D) Information concerning funding opportunities for adaptation research, planning, and projects.

(E) Regionally prioritized best-practice adaptation projects that, as appropriate, integrate efforts to reduce greenhouse gas emissions across the state.

(b) The clearinghouse shall be regularly updated.

SEC. 2.

The Legislature finds that because the Strategic Growth Council consists primarily of the Governor's cabinet members and because the council is designed to facilitate communication, coordinate policy outcomes, and improve efficiencies among member agencies and departments, informal discussion and interaction between and among agency secretaries and their staff should be encouraged and is a normal function of government.

SEC. 3.

Section 75123 of the *Public Resources Code* is amended to read:

75123.

(a) A meeting of the council, including a meeting related to the development of grant guidelines and policies and the approval of grants, shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), except that, for purposes of this section, "meeting" shall not include a meeting at which:

(1) Council members are meeting as members of the Governor's cabinet.

(2) Council staff and member agency staff are meeting to discuss, but not take final action on, any of the following:

(A) State agency coordination to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, revitalize urban and community centers in a sustainable manner, and other priorities specified in subdivision (a) of Section 75125.

(B) Preliminary policy recommendations and investment strategies to the Governor, the Legislature, and appropriate state agencies to encourage the development of sustainable communities, as set forth in subdivision (b) of Section 75125.

(C) Developing grant guidelines, such as those specified in Section 75125, that are otherwise subject to public participation process requirements.

(b) The council may sponsor conferences, symposia, and other public forums, to seek a broad range of public advice regarding local, regional, and natural resource planning, sustainable development, and strategies to reduce and mitigate climate change.