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AB-2800 Climate change: infrastructure planning. (2015-2016)

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Assembly Bill No. 2800

CHAPTER 580

An act to add and repeal Section 71155 of the Public Resources Code, relating to climate change.

[Approved by Governor September 24, 2016. Filed with Secretary of State September 24, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2800, Quirk. Climate change: infrastructure planning.

Existing law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors.

This bill, until July 1, 2020, would require state agencies to take into account the current and future impacts of climate change when planning, designing, building, operating, maintaining, and investing in state infrastructure. The bill, by July 1, 2017, and until July 1, 2020, would require the agency to establish a Climate-Safe Infrastructure Working Group for the purpose of examining how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, as prescribed. The bill would require the working group to consist of registered professional engineers with specified relevant expertise from the Department of Transportation, the Department of Water Resources, the Department of General Services, and other relevant state agencies; scientists with specified expertise from the University of California, the California State University, and other institutions; and licensed architects with specified relevant experience. The bill would require the working group, by July 1, 2018, to make specified recommendations to the Legislature and the Strategic Growth Council.

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) The impacts of climate change are already being felt in California and include record-breaking drought, wildfires, flooding, sea level rise, coastal erosion, and heat waves. These impacts are projected to worsen with a future punctuated by what are now considered extreme weather events.

(b) As the climate warms, California will need to design and maintain infrastructure, including, but not limited to, roads, bridges, buildings, and water systems, to withstand increasingly severe impacts.

(c) The scientific community is developing sound scientific understanding of projected impacts from climate change. The engineers responsible for overseeing, designing, and building state infrastructure must consider the influence of climate change impacts on siting and design standards and specifications.

(d) As California spends billions of dollars on infrastructure, expecting it to last many decades, state engineers should be provided with practicable information on projected climate change impacts that they should consider when establishing standards and planning and designing structures that are critical to California's economy and public safety.

(e) Prolonged heat waves, extreme precipitation events, severe drought, increasing wildfires, and other potentially dangerous climate change impacts will require significant changes in designing and building projects, such as roads, bridges, buildings, and water infrastructure, and require planning for the resilience and restoration of natural systems.

(f) There is a significant body of climate science being developed and continually updated to inform decisionmakers and provide guidance on the predicted impacts. Infrastructure project planning and design must incorporate design standards and specifications for climate change impacts.

(g) Due to Executive Order B-30-15, current efforts by state agencies provide built-in resources, processes, and expertise that can be utilized to provide coordination between scientists and those responsible for designing, building, and overseeing critical state infrastructure.

SEC. 2. Section 71155 is added to the Public Resources Code, to read:

71155. (a) Consistent with this part, state agencies shall take into account the current and future impacts of climate change when planning, designing, building, operating, maintaining and investing in state infrastructure.

(b) (1) By July 1, 2017, the agency shall establish a Climate-Safe Infrastructure Working Group for the purpose of examining how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, including oversight, investment, design, and construction.

(2) The working group shall consist of the following:

(A) Professional engineers registered in accordance with Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code with relevant expertise in state infrastructure design from the Department of Transportation, the Department of Water Resources, the Department of General Services, and other relevant state agencies, as applicable.

(B) Scientists from the University of California, the California State University, and other institutions who have expertise in climate change projections and impacts across California.

(C) Licensed architects with relevant experience in state infrastructure design, as applicable.

(3) The two groups specified in subparagraphs (A) and (B) of paragraph (2) shall be equitably represented in the membership of the working group, to the extent reasonable and appropriate.

(4) The working group shall work in coordination with other state climate adaptation planning efforts and shall consider and build upon existing information produced by the state, including information from the most recent California Climate Change Assessment conducted pursuant to Executive Order S-3-05, the plan, and the State of California Sea-Level Rise Guidance Document completed pursuant to Executive Order S-13-08, among other resources.

(5) The working group shall work in coordination with other state agencies that advance sustainability in infrastructure, including the council and the Government Operations Agency.

(c) The working group shall consider and investigate, at a minimum, the following issues:

(1) The current informational and institutional barriers to integrating projected climate change impacts into state infrastructure design.

(2) The critical information that engineers responsible for infrastructure design and construction need to address climate change impacts.

(3) How to select an appropriate engineering design for a range of future climate scenarios as related to infrastructure planning and investment.

(d) (1) By July 1, 2018, the working group shall make recommendations to the Legislature that address the issues listed in subdivision (c), including recommendations for all of the following:

(A) Integrating scientific knowledge of projected climate change impacts into state infrastructure design.

(B) Addressing critical information gaps identified by the working group.

(C) A platform or process to facilitate communication between climate scientists and infrastructure engineers.

(2) By July 1, 2018, the recommendations submitted pursuant to paragraph (1) also shall be submitted to the council to inform its review, conducted pursuant to Section 75125, of 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.

(e) This section shall become inoperative on July 1, 2020, and, as of January 1, 2021, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2021, deletes or extends the dates on which it becomes inoperative and is repealed.