

File No. 230544

Committee Item No. _____

Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: May 16, 2023

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OTHER

- Senate Bill 272 - 1/31/23 _____
- CSAC and LCC Position _____
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Prepared by: Lisa Lew

Date: May 12, 2023

Prepared by: _____

Date: _____

1 [Supporting California State Senate Bill No. 272 (Laird) - Sea Level Rise: Planning and
2 Adaptation]

3 **Resolution supporting California State Senate Bill No. 272, introduced by Senator John**
4 **Laird on Sea Level Rise: Planning and Adaptation, which addresses the impacts of sea**
5 **level rise in California by adding Division 20.6.9 to the Public Resources Code,**
6 **establishing a comprehensive approach to adapt to and mitigate the impacts of sea**
7 **level rise.**

8
9 WHEREAS, Sea level rise is an imminent threat to the economy, infrastructure, and
10 public safety of California's coastal communities; and

11 WHEREAS, On January 31, 2023, State Senator John Laird, introduced California
12 State Senate Bill 272 – Sea Level Rise: Planning and Adaptation, to add Division 20.6.9 to the
13 Public Resources Code, establishing a comprehensive approach to adapt to and mitigate the
14 impacts of sea level rise; and

15 WHEREAS, Senator Laird has introduced Senate Bill 272 to address this issue by
16 adding Division 20.6.9 to the Public Resources Code, which establishes a comprehensive
17 approach to adapt to and mitigate the impacts of sea level rise; and

18 WHEREAS, The provisions outlined in Senate Bill 272 have been carefully crafted and
19 evaluated to ensure that they will have a positive impact on the environment, economy, and
20 well-being of all residents of California; now, therefore, be it

21 RESOLVED, That the San Francisco Board of Supervisors, express full support for
22 Senate Bill 272 and urges the State Legislature to support its passage; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors recognizes the importance of
24 taking action to address the impacts of sea level rise, which threatens critical infrastructure

25

1 such as roads, bridges, airports, and sea ports, as well as public safety, housing, and natural
2 resources; and, be it

3 FURTHER RESOLVED, That the San Francisco Board of Supervisors commends
4 Senator Laird for his leadership in addressing this critical issue and acknowledge the
5 extensive stakeholder engagement and collaboration that has informed the development of
6 this bill; and, be it

7 FURTHER RESOLVED, That the San Francisco Board of Supervisors calls on all
8 stakeholders, including state and local agencies, to work together to implement the provisions
9 of this bill upon its passage and ensure that California is prepared for the impacts of sea level
10 rise; and, be it

11 FINALLY RESOLVED, That the Board of Supervisors of the City and County of San
12 Francisco directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to
13 State Senators John Laird and Scott Wiener as well as to all members of the State
14 Legislature, to demonstrate the widespread support for this important legislation.

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Introduced by Senator LairdJanuary 31, 2023

An act to add Division 20.6.9 (commencing with Section 30985) to the Public Resources Code, relating to sea level rise.

LEGISLATIVE COUNSEL'S DIGEST

SB 272, as introduced, Laird. Sea level rise: planning and adaptation.

Existing law creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative 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 within the coastal zone, as provided.

This bill would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan. The bill

would require, on or before December 31, 2024, the California Coastal Commission and the San Francisco Bay Conservation and Development Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation. The bill would make the operation of its provisions contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

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

1 SECTION 1. Division 20.6.9 (commencing with Section 30985)
 2 is added to the Public Resources Code, to read:

3
 4 DIVISION 20.6.9. SEA LEVEL RISE PLANNING AND
 5 ADAPTATION
 6

7 30985. (a) A local government lying, in whole or in part,
 8 within the coastal zone or within the jurisdiction of the San
 9 Francisco Bay Conservation and Development Commission shall
 10 implement sea level rise planning and adaptation through
 11 submitting either of the following, as applicable:

12 (1) A local coastal program to the California Coastal
 13 Commission, subject to approval by the California Coastal
 14 Commission.

15 (2) A subregional San Francisco Bay shoreline resiliency plan
 16 to the San Francisco Bay Conservation and Development
 17 Commission, subject to approval by the San Francisco Bay
 18 Conservation and Development Commission.

19 (b) The sea level rise planning and adaptation required pursuant
 20 to subdivision (a) shall include, at a minimum, all of the following:

- 1 (1) The use of the best available science.
- 2 (2) A vulnerability assessment that includes efforts to ensure
3 equity for at-risk communities.
- 4 (3) A sea level rise adaptation plan.
- 5 (4) Identification of lead planning and implementation agencies.
- 6 (5) A timeline for updates, as needed, based on conditions and
7 projections and as determined by the local government in
8 agreement with the California Coastal Commission or the San
9 Francisco Bay Conservation and Development Commission, as
10 applicable, for the sea level rise planning and adaptation elements
11 included in paragraphs (2) to (4), inclusive.
- 12 (c) A timeline for sea level rise planning and adaptation updates,
13 as required pursuant to paragraph (5) of subdivision (b), shall
14 include, to the maximum extent practicable, applicable
15 implementation approaches that build upon both of the following:
 - 16 (1) The sea level rise adaptation plan, as required pursuant to
17 paragraph (3) of subdivision (b).
 - 18 (2) Economic analyses of critical public infrastructure.
- 19 (d) (1) Notwithstanding paragraph (2), it is the state’s goal to
20 implement the requirements of this section by January 1, 2029.
 - 21 (2) All local governments subject to the requirements of
22 subdivision (a) shall comply with this section by January 1, 2034.
- 23 (e) For purposes of this section, “critical public infrastructure”
24 includes, but is not limited to, roads, water and wastewater
25 treatment facilities, landfills, power plants, and railroads.
- 26 30985.2. On or before December 31, 2024, the California
27 Coastal Commission and the San Francisco Bay Conservation and
28 Development Commission, in close coordination with the Ocean
29 Protection Council and the California Sea Level Rise State and
30 Regional Support Collaborative, shall establish guidelines for the
31 preparation of the sea level rise planning and adaptation required
32 pursuant to subdivision (a) of Section 30985.
- 33 30985.4. This division does not reduce, alter, or diminish the
34 authority of a state agency.
- 35 30985.5. Local governments that receive approval by the
36 California Coastal Commission or the San Francisco Bay
37 Conservation and Development Commission, as applicable,
38 pursuant to subdivision (a) of Section 30985 on or before January
39 1, 2029, shall be prioritized for sea level rise funding, upon

1 appropriation by the Legislature, for the implementation of projects
2 in the local government’s approved sea level rise adaptation plan.
3 30985.6. The operation of this division is contingent upon an
4 appropriation for its purposes by the Legislature in the annual
5 Budget Act or another statute.

6 30985.8. For purposes of this division, the following definitions
7 apply:

8 (a) “California Sea Level Rise State and Regional Support
9 Collaborative” means the California Sea Level Rise State and
10 Regional Support Collaborative created pursuant to Section 30972.

11 (b) “Coastal zone” has the same meaning as defined in Section
12 30103.

13 (c) “Jurisdiction of the San Francisco Bay Conservation and
14 Development Commission” means the area described in Section
15 66610 of the Government Code.

16 (d) “Local coastal program” has the same meaning as defined
17 in Section 30108.6.

18 (e) “Local government” has the same meaning as defined in
19 Section 30109.

20 SEC. 2. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.

From: [Hsu, Melody \(BOS\)](#)
To: [Somera, Alisa \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#); [Angulo, Sunny \(BOS\)](#)
Subject: PESKIN - Resolution In Support of Senate Bill 272
Date: Tuesday, May 9, 2023 1:41:45 PM
Attachments: [20230SB272_99 \(2\).pdf](#)
[Intro Form - PESKIN - Resolution In Support Senate Bill 272.pdf](#)
[PESKIN - Resolution To Support Senate Bill 272_final.doc](#)

Good afternoon,

Please find President Peskin's Resolution In Support of Senate Bill 272, along with the introduction form and Senate Bill 272 attached.

Per Board Rule 2.8.2, I am confirming that the California State Association of Counties and League of California Cities have not taken a position on these bills.

Lastly, since the item is requested to be placed on the For Adoption Without Committee Reference of the agenda, pursuant to Board Rule 2.1.2, I am confirming that these matters are routine, not contentious in nature, and of no special interest.

Thank you,
Melody

Melody Hsu | 徐美
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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor inquires..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor:

