Climate Change and Clean Technology Blog

Highlighting Legal Issues Regarding Climate Change & Clean Technology

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## A State At Risk Attempts to Adapt to Climate Change

The California Natural Resources Agency (CNRA) led twelve state agencies in preparing the Draft California Climate Adaptation Strategy. The Strategy responds to the mandates of Executive Order S-13-08, which called for development of an adaptation strategy for addressing climate change. Consistent with the Order, the Strategy summarizes the best known science on climate change impacts, assesses the state's vulnerability to these impacts, and outlines solutions to be implemented by state agencies to promote resiliency.

The Strategy combines climate adaptation and climate change mitigation. Mitigation focuses on reducing state greenhouse gas (GHG) emissions, while climate adaptation consists of efforts to respond to the impacts of climate change. Adaptation is the adjustment in natural or human systems to climate changes in order to minimize harm or benefit from opportunities. The Strategy combines a hazard-based approach with a vulnerability approach, both of which are necessary for the long-term iterative process of climate change adaptation. It builds on existing climate science and frameworks such as the <u>California Air Resource Board's Climate Change Scoping Plan</u>.

The Strategy considers the impacts, vulnerabilities, and solutions across the following seven sectors: public health, biodiversity and habitat, oceans and coastal resources, water supply, agriculture, forestry, and transportation and energy infrastructure. The Strategy provides recommendations for adaptation specific to each sector as well as preliminary recommendations that cross sectors. The twelve cross-sector recommendations include the following:

- Change water management and uses by achieving a statewide 20 percent reduction in per capita water use by 2020, implementing the Delta Vision Cabinet Group recommendations, improving statewide water quality, and implementing other strategies;
- Consider climate change impacts for all significant projects as required under the California Environmental Quality Act (CEQA) Guidelines Section 15126.2;

- Consider project alternatives to avoid new development in vulnerable areas and protect vulnerable shoreline areas containing existing and proposed development;
- Identify key habitats that could change significantly due to climate change and plan for expanding existing protected areas or altering land and water management practices to minimize effects;
- Amend general plans and local coastal plans to assess impacts, identify areas of vulnerability, and develop reasonable and rational risk reduction strategies; and
- Meet projected population growth and increased energy demand with greater energy conservation and increased use of renewable energy.

If implemented, these recommendations will likely affect land use planning and environmental review processes. While the Strategy explores the impacts of climate change, it does not fully explore how these proposed programs or policies might in turn affect the economy or the public.

CNRA accepted comments on the draft and will prepare a final adaptation strategy based on input received from the public. The California Building Industry (CBIA), in cooperation with other trade and commercial organizations, submitted a comment letter (dated Sept. 17, 2009) to CNRA. The letter criticized the state agencies for taking a "Doomsday" approach to climate change without recognizing the proven commitment and adaptability of Californians in dealing with other environmental risks. It also emphasizes that the appropriate role of government is as a disseminator of "timely and science-based information to the public."

CBIA's letter addresses each of the Strategy's key recommendations individually. Notably, several of those recommendations seek to clarify the appropriate relationship between CEQA, proposed amendments to the CEQA Guidelines, and the Strategy. At recent public hearings on the proposed amendments held by CNRA in Sacramento and Los Angeles, other members of the public voiced similar interest in clarifying the relationship. Based on the public's focus on this issue, CNRA would be well served to gather additional stakeholder input from agencies, professionals, and the public and consider seriously how the revised Strategy might clarify an appropriate relationship that best serves the goal of adapting to climate change.

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