



## BCDC Executive Director Clarifies BCDC Proposals Concerning Sea-Level Rise

August 16, 2011

As a follow up to our August 2nd post concerning BCDC's regulatory proposals to address climate change-induced sea-level rise, this post presents a response to that August 2<sup>nd</sup> post from BCDC's Executive Director, Will Travis.

According to Mr. Travis, "the Commission does not view sea level rise as an opportunity to expand BCDC's regulatory reach. Rather we believe that dealing with sea level rise presents an immense challenge for a region — a challenge which will require a broad mosaic of initiatives to address. Wise land use policies will be needed, and new or different regulatory authorities may be appropriate. However, investment strategies, insurance practices and public attitudes will probably be more important in an overall climate strategy for keeping our region resilient in the face of climate change impacts that are inevitable.

Consistent with this perspective, the Commission rejected a suggestion from an environmental organization that the Commission should support legislation that would immediately extend BCDC's regulatory authority over all areas that might be vulnerable to flooding from sea level rise in the future. Instead, the Commission pledged itself to work with its regional partner agencies, local governments, business, labor, environmentalists and the general public to develop a regional climate strategy. This commitment is embodied in the Bay Plan amendments the Commission is now considering. In addition, the Commission is providing assistance to local governments that are interested in conducting sea level rise vulnerability assessments and developing adaptation strategies.

As noted in the proposed Bay Plan climate change findings, most likely the first impacts of accelerated sea level rise will be felt when storm events cause coastal flooding. If a shoreline area floods because existing levees or other protective devices fail, BCDC's regulations require the Commission to notify the property owner of the flooding. If BCDC fails to notify the property owner, BCDC's jurisdiction does not change. After notification, the property owner has a year to deal with the problem. If the owner repairs the levee, BCDC's jurisdiction does not change. Also, in both areas currently protected and those low-lying areas that are unprotected, the proposed revised Bay Plan policies would make it easier to get a BCDC permit to construct levees and other structures to protect existing uses and proposed new development. If nothing is done to repair existing levees or provide new protection, sea level rise will result in a slow enlargement of the Bay, which under current law will affect the extent of BCDC's regulatory jurisdiction in the future. At this point the Commission has taken no position on changing the provisions of state law that prescribe BCDC's jurisdiction."

More information from BCDC concerning these issues is available here:

[http://www.bcdc.ca.gov/proposed\\_bay\\_plan/faqs.shtml](http://www.bcdc.ca.gov/proposed_bay_plan/faqs.shtml)

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