

Alliance of Regional Collaboratives for Climate Adaptation

Comments in Support of the State, Local, and Tribal Leaders Task force on Climate Preparedness and Resilience

April 2, 2014

Governor Edmund G. Brown Jr.
State Capitol, Suite 1173
Sacramento, CA 95814

Re: State, Local, and Tribal Leaders Task Force On Climate Preparedness and Resilience

Dear Governor Brown,

The Alliance of Regional Collaboratives for Climate Adaptation (ARCCA) would like to thank you for your past, present and future leadership on climate change. You have kept California at the vanguard of climate action, and continue to set the pace for the nation to follow. We also want to recognize and support your efforts as a member of the State, Local, and Tribal Leaders Task Force On Climate Preparedness and Resilience.

California's Alliance of Regional Collaboratives for Climate Adaptation (ARCCA) was formed in early 2012 out of the urgent need to prepare California's urban centers for the emerging impacts of climate change, including extreme storm events, heatwaves, droughts, and sea level rise. ARCCA currently brings together four regional multi-stakeholder collaborations - The Bay Area Joint Policy Committee, The Los Angeles Regional Collaborative for Climate Action and Sustainability, Resilient Sacramento, and The San Diego Climate Collaborative. The Governor's office of Planning and Research serves as an ex-officio member, and the Local Government Commission acts as Adaptation Coordinator and Fiscal sponsor for ARCCA. These regional groups include a wide range of public, private, non-profit, and academic institutions and are coordinating and supporting local climate partners in projects to enhance public health, protect natural systems, build economies, and improve the quality of life in all communities.

As representatives of regional collaboratives working to address climate change adaptation across California, we felt we could best support your efforts, by querying our diverse stakeholders and sharing their comments and suggestions for action, which we have organized around four overarching themes (regulatory structure, funding, regionalism, and being proactive).

We hope you find these comments and suggestions useful and supportive of your efforts with the Task Force. We welcome any questions you might have.

Sincerely,



Bruce Riordan
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Bay Area Joint Policy Committee



Nicola Hedge
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The San Diego Regional Climate Collaborative



Larry Greene
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I. Regulatory Structure

There are a number of ways the current federal government's regulatory structure is a barrier to action at the local and regional level. From interagency coordination to information availability, the federal government should modify regulatory structures to produce greater climate action at the local level while continuing to protect infrastructure, habitat, wildlife and human health.

General Comments

1. **Coordinate federal and state regulatory requirements** so we can minimize inefficiencies and give more consideration to serious capital investments for large-scale construction projects to address the most significant impacts. There are many permitting agencies with overlapping policies and regulations for protection of water quality, air quality, endangered and threatened species, and conservation of natural habitats. However, there is no consistent approach on the local, state, or federal level specifically addressing sea level rise.
2. **Train regulators to be more responsive to changing climate conditions and to support adaptation decisions of local municipalities;** allow local decision makers flexibility to make critical decisions with support from regulatory agencies.
3. **Federal agencies (especially coastal authorities) should provide consistent and uniform guidance,** and interface regularly with local governments to minimize or eliminate conflicting standards and regulations.
4. **Regulations or incentives are often single use whereas climate change affects everyone.** For example, there are more support programs for homeowners and businesses post disaster than apartment buildings/rental units. Certain types of housing fall through funding cracks, which leaves many people (particularly vulnerable ones) out of response programs.
5. **Make it much easier to get information** on the growing number of federal adaptation programs so regions, local governments, and other stakeholders can focus on actually doing their work.
6. **Clearly identify and, where feasible, reach agreement on specific scientific climate assumptions and projections** to be used by federal agencies in rulemaking and guidance to state and local entities (similar to how the State of California has issued Sea Level Rise Guidance) This includes creating and/or supporting data management systems and tools such as GIS mapping websites and other interactive mechanisms, so that practitioners are looking at and using research and information from the same, verified source.

Specific Suggestions

1. **Include an assessment of risks from climate change in environmental reviews/NEPA.**
2. **Require DOT to adopt MAP-21 performance measures program.** The increased flexibility would enable regions to incorporate adaptation strategies into the MTP and in California the Sustainable Community Strategies (SCS) and realize a number of co-benefits in an integrated decision making process.
3. **Direct FEMA to host more open dialogues with local and regional agencies.** FEMA has a significant role in the land use development patterns in the region in their flood protection programs and designation of flood plain areas. More open dialogue would facilitate more compact growth patterns consistent with the MTP/SCS, and also maximize the benefits of existing and future investments by a number of agencies such as the Army Corps of Engineers.
4. **Update FEMA flood maps over time incorporating sea level rise and local flood risk** related to precipitation and extreme event trends for interior locations
5. **Update/remove federal restrictions on immigrants (documented and undocumented) receiving federal aid, and clarify eligibility requirements.** Climate change will affect our most vulnerable populations, many of whom have large immigrant populations. Confusion over federal restrictions on immigrants receiving safety net benefits makes it more difficult for the state to reach and serve immigrant farm workers.
6. **The EPA should evaluate and model how wildfires, weather, and drought will affect air quality and attainment status, and take this into consideration in decisions regarding programs and funding for state and local air quality management programs.** With rising temperatures, drought, and more stagnant air-flow

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patterns, climate change is likely to erode progress made in air quality improvements. The increased frequency and intensity of wildfires in the western U.S. will significantly deteriorate air quality. While many areas of California have made steady progress toward cleaner air, this progress may be slowed or even reversed by the impacts of climate change.

7. **Specific to sea level rise concerns, recognize and allow shoreline protection methods such as the enhancement of existing or the construction of new seawalls for airports and ports when natural protection methods are not feasible.** Recognize that bay fill in some site-specific circumstances might be necessary to reduce hazards from sea level rise and extreme storm events. Consider legislative relief for wetland fill mitigation obligations when projects are intended for climate change adaptation, through streamlining and linking mitigation funding for regional economic assets on the shoreline to wetland restoration projects elsewhere that would benefit marsh land habitat and species, and improve regional adaptation to climate change and sea level rise.
8. **Enable federal permitting for more renewable power, storage, and advanced systems** to address grid reliability and need for replacement generation sources may be considerable.
9. **Strengthen impact mitigation requirements for NEPA.** One of the common issues with NEPA is that impact mitigation is rarely mandatory. This can create community backlash, and if a wave of new projects moves forward in which there is not a clear process for addressing impacts and requirement of mitigation for projects with federal oversight or undertaking, there could be considerable delays or litigation by opponents. Strengthening requirements, while counterintuitive, could produce more defensible outcomes in the long run for federal agencies.
10. **Recognize the threat from climate change and develop flexibility in guidelines or standards to adjust mitigation enforcement or monitoring as needed.** As Climate change will impact the long-term feasibility of prescribed mitigation activities regarding species, habitat, water quality, and other natural resources – federal recognition of this will be important to long-term outcomes.
11. **Ensure that Federal Energy Regulatory Commission (FERC) considers climate impacts on hydropower systems in licensing and enforcement proceedings.** Specific impacts include projected trends in precipitation and runoff (amount, annual variability, seasonal timing, and type) that affect both the timing and amount of hydroelectric generation. Hydroelectric plant operators and resource agency stakeholders will need FERC permit license conditions to adapt to a climate different from the era for which they were designed. This will sustain this carbon-free resource's contribution to electric system reliability.
12. **Review and better coordinate existing reservoir operating policies that separately address water supply and flood protection requirements.** Hydropower's contribution to electric reliability needs be considered alongside these competing benefits. Climate change is affecting both the volume and variability of multipurpose reservoir inflow and will continue to do so in significant ways. Policy balancing these competing priorities was developed in the last century and climate change will likely necessitate "rebalancing" these in the near future.
13. **Provide stronger guidance and support for smart growth.** Former DOT Secretary Ray LaHood's policy on bicycling and walking several years ago was helpful, and needs to be reinforced or expanded. There's also Complete Streets legislation making its way through Congress and Senate known as the Safe Streets Act which calls upon all states and Metropolitan Planning Organizations to adopt Safe Streets policies for federally funded projects within two years. Supporting such policies in the executive branch would be very useful.
14. **Work to better illuminate climate challenges/opportunities within CDC and USDA.** With public health and agriculture such critical issues for American prosperity and well-being, it is vital that climate change permeate these two agencies in a comprehensive way.
15. **Work with FHFA and Fannie Mae / Freddie Mac to resolve restrictions on Property Assessed Clean Energy (PACE).** PACE has significant potential to unlock climate protection activities in the energy conservation and renewable energy space. Where communities have proceeded despite FHFA's position, there is significant activity on the ground. Governor Brown has authorized a loan-loss reserve in CA to mitigate this risk, but nationally, the situation is at a standstill. Resolving this issue, would allow a market based, community friendly solution to grow to scale.

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II. Funding

Climate change response requires significant financial investments. We need to have strong federal support and funding certainty to make those investments wisely and in time to prepare our communities and protect American resiliency as a whole.

General Comments

1. **Provide financial support to local municipalities already working on adaptation.** Current federal funding allocation does not generally support innovation or tolerate mistakes, but climate change is an emergent problem that requires experimentation and in many cases mistakes will be made. Local communities need ways to explore change without risk of “failure” from federal funders. To better support innovation and local solutions make funding criteria less narrowly defined and make goals / outcomes consistent across diverse agencies to allow applicants to develop comprehensive integrated projects rather than one-shot initiatives that just respond to specific needs of a funding program over local priorities and needs.
2. **Make funding available to help communities plan and build community wide relationships and response systems in advance of disasters.** Target funding to existing community organizations for resilience and adaptation planning, outreach, education, and project implementation because these organizations offer specialized expertise on social vulnerability to climate impacts and how to best address it at both the planning and implementation stage of policy and programs.
3. **Create funding opportunities to educate and train** local governmental and other climate change practitioners to strengthen their understanding of current research and data, as well as the utilization of this information as they plan for and take climate action.
4. **Invest in the research and programs needed to strengthen our communities** including; research that provides local decision-makers tools to plan for change, and makes it easier for local stakeholders to identify and pursue federal climate change funding; neighborhood social cohesion programs because people will need to work together to address climate change; funding to help communities define resilience so they can set their own direction; collaborations between local governments and regional public agencies on climate change planning.
5. **Consider both the adaptation and mitigation benefits associated with proposed measures or research programs** in funding program design.
6. **Consider designing funding streams for all types and scales of U.S. communities.** Current grant- and incentive-based programs are most effective at galvanizing forward-thinking states and local governments, but risk leaving out a large swathe of the U.S. Direct grant funding not only to coastal and sea level rise issues but other climate change impacts that affect many other communities such as heat waves, wild fires, flooding and ecosystem change.

Specific Suggestions

1. **Integrate climate change science and impact scenarios into funding** from key agencies to ensure federally-funded infrastructure is built and maintained with climate change in mind (FEMA, DOT, FHWA, etc.).
2. **Consider providing funding for local and regional climate change adaptation strategy programs to develop guidelines and procedures to address likely impacts from climate change** including; funding for vulnerability and risks assessment projects that address impacts at local, regional and state-wide levels; adaptive capacity assessment projects (feasibility studies); and ultimately change adaptation implementation projects (construction).
3. **Conduct comprehensive studies to identify funding strategies that will produce at-scale**, e.g. Napa River Flood Project, SF Bay Restoration Authority, Marin Clean Energy, and the California cap-and-trade program.
4. **Funding criteria should prioritize loss prevention and preparation activities**, since FEMA’s own research indicates that every dollar spent on prevention saves four dollars in disaster recovery costs.

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5. **Consider funding approaches (R&D and pilot projects, along with programs for the best/desired responses) that emphasizes landscape scale and green infrastructure approaches**, and what can be termed ecological, sustainable, and/or regenerative urban planning and design approaches, to advance needed innovation. As part of this emphasis, allow existing funding (especially transportation) to be used for natural infrastructure solutions because these options are more responsive to climate change, provide co-benefits, and are implemented at the scale of the environment (as opposed to the jurisdictional scale).
6. **Revise USDOT's funding programs (both FHWA and FTA) to integrate MAP-21 performance measures** so as to enable more comprehensive and responsive planning.
7. **Create a funding strategy that integrates insurance, real estate, finance, and other private sector entities that have assets at risk.**
8. **Reinvigorate funding for the innovative and forward-looking EPA-HUD-DOT sustainability initiative.** This has been an effective model for aligning polices and funding across agencies that were at times working at cross purposes and should be grown to a scale commensurate with the problem.

III. Regionalism

Much of what happens with climate change will occur at the regional scale (watersheds, climate zones, coastlines, etc.) Regional approaches to mitigation and adaptation are highly effective and desirable as they allow resources and responses to be deployed in the most strategic way. We need support from the federal government to recognize and incentivize regional responses.

General Comments

1. **Support and provide incentives for regional collaboration.** Support regional hubs that have emerged instead of trying to approach/reach each city.
2. **Identify how to build neighborhood scale social cohesion** for building community resilience.
3. **Make it easier for local governments and regional public agencies to plan for climate change** (e.g. connecting federal resources such as AmeriCorps to local climate efforts).
4. **Support local agencies working together on shared climate change risks**, especially early-movers so as to create models for other regions.
5. **Provide regionally specific impact information in federal climate change research products** that will allow communities to develop local adaptation strategies linked to overall regional goals.

Specific Comments

1. **Consider natural infrastructure responses and landscape-scale efforts** as the appropriate scale for adaptation.
2. **Look at impacts regionally in designing programs that work to reduce impacts.** Throughout the U.S the impacts are going to be differently, but just as dramatically felt.
3. **Require federal agencies (e.g. GAO, ACOE, National Labs) with significant facilities in a region to participate in and support regional resiliency planning efforts.**

IV. Being Proactive

Climate change is already happening, and we can deal with it reactively, or we can leverage our incredible capacity for innovation to tackle these immense problems head-on. Communities like New York are learning fast what climate change can mean, but we don't want to wait for a Superstorm Sandy to hit everywhere to make the changes we know are needed. The federal government can play an important role in leading us to resiliency, and in the process save lives, money, and our communities.

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General Comments

1. **Instead of following a program-by-program approach, try creating an overlay mode where climate adaptation is the driving force.** The overlay would enable nimble, creative innovation and bring the intelligence and authority to do the right thing at the time to bear, even when new directions will need to violate existing values and regulations. An accompanying due diligence process would need to be designed to vet and validate the new directions of such changes. In support of this overlay, create a clear, trusted clearinghouse that can screen and synthesize science information, and provide guidance on how to use that information so that any action can build upon the latest scientific understanding of climate change.
2. **Engage in widespread outreach and education on specific impacts and issues** – not necessarily within the framework of climate change – while being receptive to local needs will also be critical to bringing communities into the adaptation dialogue.
3. **Catalog and replicate programs that build social cohesion of neighborhoods to build community resiliency.** Focus more research and resources on highly vulnerable communities.
4. **Illuminate the challenge, along with the uncertainty, and the need to act despite the uncertainty.** Engage communications experts (private sector, academia, community, etc.) to frame a powerful (scenario-based) communications campaign on 1) the need to take action now, 2) a positive vision for what a resilient future looks like and 3) what a resilient region looks like.

Specific Comments

1. **Provide legal research, support, and solutions around the myriad of current / future property rights issues.**
2. **Solicit and utilize local input regarding the vision of what a “resilient” region looks like** in terms of both infrastructure and programmatic evolution. Actively collect and share these inputs to help disseminate best practices.
3. **Support and replicate community focused climate response academic / public partnerships** like the NOAA RISAs or the Bay Area’s Climate Readiness Institute whose mission is to develop, in partnership with concerned policy makers and business leaders, the cutting-edge climate science, adaptation strategies, and mitigation tools needed to ensure resilient regions.
4. **Address the concerns of all regions equally.** Initial efforts, research, and grants have focused on sea-level rise and extreme weather. Design programs, grants, or incentives that focus on the needs and challenges of communities of varying climatic and geographic structure and prioritize grant recipients by vulnerability and existing level of preparedness.
5. **Require hazard mitigation planning and implementation that incorporates climate change projections and do not approve plans that do not address climate risks.** To compliment this requirement, develop a template for disaster planning – define what communities need to think about when preparing a disaster plan. As part of this process provide support for the development of community leadership and organization development to facilitate resilience planning. Integrate Federal support or a mandate on many of the common challenges and tasks so that locals do not need to reinvent the wheel.
6. **Convene a national or international network of committed and responsible practitioners at each level of government across all the relevant locations** to build the needed innovative problem solving capacity, engage the public effectively, share – even “co-create” – effective approaches and share successes, etc.
7. **Considering the significance of specific regions to whole states and the nation as a whole.** For example, the role of the San Francisco Bay Delta to the entire state of California, and in particular the agricultural community that comprises the bulk of the commerce there, assist the state in addressing delta island subsidence through exploration of water storage and wetlands restoration that can provide carbon benefits and also help buffer the region against extreme events and drought conditions. Another example is the Port Los Angeles, which is the busiest port in the United States by container volume, the 16th busiest container port in the world and the 9th busiest internationally when combined with the neighboring Port of Long Beach. The Port is also the number one freight gateway in the United States when ranked by the value of shipments passing through it.