

# LITTLE HOOVER COMMISSION

## Hearing on Climate Change Adaptation in California

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*Testimony provided by*

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It is my great honor to testify before you today on behalf of the Local Government Commission. I applaud the Little Hoover Commission's leadership in examining how to effectively adapt to changing climate conditions, and look forward to the results of your deliberations.

The LGC is a nonprofit organization that fosters innovation in environmental sustainability, economic prosperity and social equity. We help to transform communities through inspiration, practical assistance and a network of visionary city, county and regional leaders. The LGC has been a pioneer in building awareness about the impact that land-use decisions have on transportation, public health, climate change and fiscal strength. This trailblazing began with the development of the Ahwahnee Principles for Resource-Efficient Communities in 1991, which helped pave the way for the smart growth movement.

The LGC recognizes the intertwined environmental and economic effects of climate change and the emerging consequences that California and its local communities will increasingly face in the coming years. Before my recent appointment as Executive Director, I oversaw the LGC's climate change programs – working at the local, regional and statewide levels to help local governments understand and respond to the ramifications of our changing climate.

The California Air Resources Board has acknowledged local and regional governments as critical partners in meeting the state's climate change goals. They have broad influence and, in some cases, sole authority over activities that contribute to greenhouse gas (GHG) emissions and other pollutants, including industrial permitting, land-use and transportation planning, zoning and urban growth decisions, implementation of building codes and other standards, and control of municipal operations.

Thank you for the chance to share our perspective on how the state can work effectively with local governments to tackle the unprecedented challenge that climate change presents and the opportunity to position California for economic prosperity by strengthening our community resiliency.

### **Executive Summary: What We Know and What We Must Do**

Climate change is here: We are already beginning to feel the consequences of climate change that are looming ahead, with potentially severe effects on public health, municipal infrastructure, emergency response, agriculture, natural resources, and other debilitating impacts on the social

and economic fabric of our communities. There are many things we can do, but the preeminent guiding principle for California's climate adaptation and mitigation strategies is to take action early.

Local governments are ideally situated to help increase the resilience of their communities, and we have many excellent best practices from cities and counties who are beginning to implement solutions. In fact, roughly 70% of California cities and counties have either completed policies or programs to reduce greenhouse gas emissions or are in the process of adopting them. By preparing for change in a cohesive, ecologically sound and economically smart manner, pioneering local governments have set the stage for state efforts through groundbreaking climate-change mitigation and adaptation initiatives.

Moreover, we must think about climate change adaptation as an "investment" opportunity, instead of another type of government regulation. As we prioritize adaptation measures and policies, strategies that provide multiple benefits across socioeconomic and natural resources should be pursued first. These efforts will not only help us adapt to climate change, they can also help us tackle other persistent challenges, such as population growth or water scarcity.

What exactly should we do?

Regional coordination can help to integrate "asking the climate question" throughout existing planning and regulatory authority. As we move past the easy steps toward increasingly difficult, costly implementation measures, cities and counties will need fine-grain research – refined to their particular area, population and conditions – on local impacts that can justify these often financially and politically costly strategies. Many local governments have been creatively piecing together funding sources to implement adaptation measures. Current funding for climate change work at the state level is focused heavily on mitigation. These resources have helped to jump-start mitigation efforts, and similar resources can also help catalyze adaptation efforts. The state can build support and gather effective allies when developing its climate-change policies by creating an official forum to engage local governments early in the process and giving creditability to local and regional efforts. State leaders can provide transformative, tipping-point resources to strengthen partnerships with local governments and build a statewide engine for climate-change innovation and implementation.

Climate effects don't care about jurisdictional boundaries and agency control. To target our responses where they will get the best results, land-use decisions are appropriately made at the city or county level. However, we need better incentives to better coordinate these layers of governance so decisions at each level help to reduce the risk of climate change and increase resiliency. If we really want to slow down climate change and respond to the threats we're already facing, we must hold ourselves accountable to the true costs involved. We must make a commitment that no dollar will be invested in climate-degrading projects; and we must ensure that funding and other vital resources go to communities who are developing innovative models to successfully adapt to climate change.

We must take action together as local communities and regional collaborations with a statewide framework, to embrace a shared perspective and practical solutions – and there is no doubt that we must do it now.

## **The Emerging Role of Local Governments in Responding to Climate Change**

Climate change is more than just bad weather. And while most people talk about it as a “global” problem, we experience its consequences at the local level – in our cities, our neighborhoods and our families. For us, climate change is already here.

Like the initially invisible impacts of the government shutdown, climate change has a human face, with potentially severe effects on public health (from infants to the elderly), municipal infrastructure, emergency response, local agriculture (the Central Valley’s biggest economic engine), natural resources (including diverse ecosystems, plant and animal species across the state), and even tourism – just to name a few social and economic impacts.

Climate change will exacerbate the existing vulnerabilities of certain population groups and economic sectors. Whatever solutions we come up with, the essential characteristic of all of those strategies is to take action early. Decision-makers can increase the resilience of their communities and the resources upon which they depend. The good news is that the best practices will not only help us adapt to climate change, they can also help us tackle such persistent local and regional challenges as population growth and water scarcity.

We must start to think of climate change adaptation as an investment opportunity, not another layer of government regulation.

Cities and counties are nurturing soil for fostering innovation. As the leading edge, local governments are critical to progress on climate change, if only because two-thirds of emissions in California are related to the built environment. Moreover, the state delegates most land-use and development decisions to cities and counties. Local governments are closer to the problems, so they can – and must – be responsive to real-world needs and opportunities. Local innovations typically provide blueprints for state and federal planning and new legislation.

Local governments are in the best position to make a difference. With less geography and fewer people to govern, local officials and staff can blaze the trail as laboratories for testing small solutions that are scalable for our state and our nation. The cycle of local change often involves a handful of forward-thinking elected champions and determined staff simply deciding to take action. These pioneers prove that it can be done, while other early adopter communities follow their road map.

At a certain point, at the regional or state level, critical mass occurs. Leaders in Sacramento use those efforts to inspire and inform state policy, which result in mandates that everyone follow that course of action. We’ve seen this happen with recycling, and this pattern is emerging now around climate change.

And if things go well in this feedback loop of policymaking, state directives provide the authority – and sometimes the “cover” – for other local governments to take action.

What we do in California has even broader significance, because we’re a bellwether state where our statewide action often translates into policy changes at the federal level.

Local and regional leadership has helped to invigorate climate mitigation and adaptation efforts. A few examples illustrate the chronology of the influences of local leadership on state policy.

In 2004, the six-county Sacramento Area Council of Governments (SACOG) created a new model in California with their Blueprint plan linking transportation and housing decisions. Their Preferred Blueprint Scenario laid out a bold vision for growth that promoted compact, mixed-use development and more transit choices as an alternative to low-density development. The

Blueprint set a precedent for community engagement and established a planning approach that integrated transportation needs (as required through the Regional Transportation Planning process) with housing needs to address the jobs/housing balance and the influence that the location and direction of development has on transportation needs.

This created a model for the Sustainable Communities and Climate Protection Act of 2008 (SB 375), which established regional greenhouse gas emission reduction targets for passenger vehicles to be met through integrated land use, housing and transportation planning.

Around the same time, there was a growing recognition that climate change was an urgent threat to our communities. Many cities were implementing strong policies and programs to reduce greenhouse gas emissions. In 2005, the Kyoto Protocol – the international agreement to address climate change – became law for the 141 countries that ratified it. The U.S. was not one of them.

Disappointed by the lack of national leadership, Seattle Mayor Greg Nickels launched the Conference of Mayors initiative to advance the Kyoto goals through leadership and action by American cities, with the goal of getting at least the equivalent 141 signatories. By 2007, 500 mayors had signed on. Currently, 1,060 American cities – with a total population of nearly 89 million residents – have signed onto the agreement.

This growing movement at the local level to address climate change, together with the work of many nonprofits, Senator Fran Pavley and Governor Schwarzenegger, resulted in a 2005 Executive Order and Assembly Bill 32 (signed into law in 2006). These efforts aimed at reducing GHG emissions to 1990 levels – a 30% reduction – by 2020 and a second goal of an 80% reduction below 1990 levels by 2050.

The 2007 San Bernardino County lawsuit for failure to analyze increased GHG emissions that could result from the County’s proposed general plan amendment caught the attention of other local governments who hadn’t yet taken steps to deal with climate change. The lawsuit and subsequent letters from then-Attorney General Jerry Brown warning of similar lawsuits to other cities set a precedent for addressing GHG in planning for new development.

The 2008 AB 32 Scoping Plan encouraged local governments to adopt goals to reduce GHG emissions consistent with those of statewide targets, and acknowledged that many local governments had already initiated their own locally driven climate action efforts in advance of AB 32. The 2013 AB 32 Scoping Plan draft recognizes the following more recent local government milestones:

- By late 2011, 27% of California’s cities and counties – home to 50% of the state’s population – were signatories to the U.S. Conference of Mayors Climate Protection Agreement or the Sierra Club’s “Cool Counties” program.<sup>1</sup>
- By September 2013, 76 cities and counties in California had joined the International Council for Local Environmental Initiatives’ Climate Protection Campaign – encompassing 57% of the state’s population.<sup>2</sup>
- Today, locally driven climate actions continue to increase among local governments. According to a recent survey, roughly 70% of California cities and counties have either

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<sup>1</sup> Bedsworth, L.W., and E. Hanak. 2013. “Climate policy at the local level: Insights from California.” *Global Environmental Change* 23: 664–677.

<sup>2</sup> ICLEI Local Governments for Sustainability, membership status as of September 2013.

completed policies or programs to reduce GHG emissions or are in the process of adopting them.<sup>3</sup>

Local governments are also increasingly recognizing that their communities are already experiencing climate change impacts, and they need to adapt.

We must innovate new strategies for adapting economic infrastructure, land-use and transportation development and public health and safety responses to climate change. Strategies will need to simultaneously increase the resilience of human and natural communities to near-term climate change effects (increased heat, drought, wildfires and floods) and long-term effects (increased frequency and magnitude of natural disasters, large increases in sea level rise, and unknown consequences that may occur by setting off climate-change feedback loops that accelerate warming).

Actions we take now can reduce stressors (such as increased risk of flood or sea level rise), and improve the quality of life that residents of this exceptional and diverse region have come to enjoy.

By preparing for change in a cohesive, ecologically sound and economically smart manner, local governments will not only help community members become less vulnerable to stressors such as dirty air and withering drought, but also maintain the value of public services that are provided by natural systems in the state. For example, California's great natural wonders like our redwood forests, mountain ranges, rivers and wetlands provide public benefits such as water storage, flood abatement and water supply and serve as economic engines that drive tourism.

Many are realizing that the characteristics of these climate-change consequences demand pragmatic discussions at the regional level. As a platform for these guiding efforts, collaboratives in the San Diego, Los Angeles, Bay Area and Sacramento regions have been formed to support regionwide research into climate change concerns and ultimately create practical strategies to both mitigate and adapt to those consequences.

The Local Government Commission is helping to facilitate the Resilient Sacramento adaptation collaborative. We are reaching out to agencies that oversee critical infrastructure, resources and protect the health and public safety of the region – flood control, utilities, transportation and agricultural organizations, water agencies, air districts, health departments, emergency responders – to identify existing efforts and gaps (in research, planning and capacity to respond) and create a regional dialogue that has not previously existed for these disparate but interrelated stakeholders to address issues like climate change that reach across agencies and surpass city and county borders.

By integrating adaptation strategies across infrastructure, natural resources, public health and safety concerns, local leaders can ease the conflict among diverse interests for limited resources (such as water), while increasing the engagement of diverse local leaders and lowering overall costs.

Many planning processes that increase the resilience and sustainability of communities have been completed or are in the works. As we prioritize adaptation measures and policies, strategies that provide multiple benefits across socioeconomic and natural resources should be pursued first.

The first step toward planning for changing conditions is to identify where the community and its residents are most vulnerable to the impacts of change.

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<sup>3</sup> Office of Planning and Research. 2012 Annual Planning Survey Results, 2012.

The Local Government Commission has facilitated several regional efforts to collect the insights of diverse stakeholders, including elected leaders, county planners, land managers, public health officials, concerned citizens and other community leaders. These individuals came together to discuss the threat of climate change to their communities and the likely interaction between climate change and other stressors (such as population increase). They have worked together to develop a complementary suite of initial strategies to reduce the community's vulnerability to this threat.

In San Luis Obispo and Fresno counties, a socio-economic vulnerability assessment was conducted to identify these impacts. Using this research as a foundation, a series of workshops and public forums with local stakeholders, leaders and experts were held to discuss climate change consequences on natural and socioeconomic systems and the effect on local residents.

Affected stakeholders and decision-makers developed strategies to reduce climate impacts or vulnerability (ideally both).

The community prioritized the preferred strategies that would provide widespread benefits and prove effective regardless of the exact trajectory of change.

In the Fresno region, the LGC is currently working with the Sierra Business Council, Sierra Nevada Alliance and Fresno Metro Ministry to shed light on the rural-urban connection – linking the resources in our rural areas with urban residents that enjoy and depend on those resources to assure that the full economic and environmental cost are being considered in development decisions; and that local elected officials, business owners, agricultural professionals and residents are thinking about approaches that account for the interdependence of rural and urban areas.

Having the right people in the room early on will help to reduce the risk of potential unintended consequences from adaption strategies, for example local and state leadership on renewable energy has had unintended negative consequences on vital habitat corridors and energy reliability for our homes and businesses.

### **Bridging the Divide: Local and State Partnerships**

In 2010, when the LGC was working in San Luis Obispo and Fresno counties, tools like Cal-Adapt (which provides data on how climate change might affect California at the local level including temperature, snow pack and precipitation levels and increases in sea level rise and wildfires) and the Adaptation Planning Guide (which provides a step-by-step process to conduct local and regional climate vulnerability assessments and develop comprehensive adaptation strategies) were not available.

These resources have since proven tremendously useful in starting a regional conversation. They've helped to identify and bring together key stakeholders.

Studies funded through the CEC's Public Interest Energy Research program have also guided us in our Sacramento regional efforts.

Additional support from the state will be needed to address three critical challenges we've found in working across the state on adaptation efforts: (1) lack of coordination, (2) absence of fine-grain local data and (3) limited implementation resources.

Regional efforts are often started by a passionate few willing to take on the role of convener and cheerleader. As the movement grows to the level needed for true changes, these early catalysts are often unable to sustain coordination efforts.

Adaptation is currently no one's job, but it's everybody's obligation.

Regional coordination can help to integrate "asking the climate question" throughout existing planning and regulatory authority. Resources to support a point person that coordinates across agencies and jurisdictions, identifies opportunity areas (current planning documents being updated, for example) and gaps (in research, resources and engagement of critical decision makers) and creates a clearinghouse of relevant research, funding and news can help keep momentum to sustain long-term change.

The snapshots provided by Cal-Adapt and other tools provide a starting point to pursue low or no-regrets adaptation strategies. As we move past the low-hanging fruit toward increasingly difficult, costly implementation measures (such as planned retreat, relocating wastewater treatment plants, building moratoriums in at-risk areas), cities and counties will need fine-grain research – refined to their particular area, population and conditions – on local impacts that can justify these often financially and politically costly strategies.

To date, local governments have had to be creative about piecing together funding sources to implement adaptation measures.

For example, two years ago, Chula Vista – the San Diego region's second-largest city – approved Implementation Plans for 11 Climate Adaptation Strategies, which are being phased in through 2014. These adaptation strategies primarily leverage existing municipal programs and policies to reduce implementation costs and "institutionalize" climate resilience.

To date, over 95% of Chula Vista's strategies and their 57 implementation components are completed or are being actively pursued. Some of Chula Vista's first climate-adaptation programs feature a grading ordinance to accommodate 50 years of sea level rise, a shade tree mandate of 50% shade cover in parking lots to combat heat islands, a resilient design and construction policy in its Housing Element, increased public education and air-quality alerts, and inclusion of extreme heat events in its Emergency Operations Plan and Multi-Jurisdictional Hazard Mitigation Plan.

The City has also completed (or is in the process of developing) standards, incentives and outreach programs on cool roofs and cool paving, water reuse, stormwater pollution prevention, open space management, wetland preservation and green business support. These low-cost, low-risk approaches are commendable and a similar approach should be considered in other communities as a first step. However, to achieve the magnitude of change needed to avoid the worst of potential climate impacts, dedicated adaptation funding will be necessary at some point to ensure that local governments are able to pursue the most effective, comprehensive strategies.

Current funding for climate change work at the state level is focused heavily on mitigation. These resources have helped jump-start mitigation efforts. Similar resources can help catalyze adaptation efforts as well.

Funding for planning is also drying up as agencies align themselves for cap-and-trade dollars contingent on actual GHG emission reductions, making it difficult to conduct the initial planning needed to chart a strategic course for adaptation efforts. Some federal funding is available for adaptation initiatives, but it's largely for post-disaster work or very narrowly focused, for example, on responding to sea level rise – which makes it difficult for communities to do

comprehensive work that extends beyond jurisdictions and climate concerns to create long-term change.

While we have witnessed tremendous leadership at both the state and local levels, there has been, unfortunately, a missed opportunity to form an effective partnership. State agencies vary in the degree they engage with local governments, but most agencies have not fully tapped into the resources, relationships and expertise of cities, counties and regions.

As implementers and partners, local governments should be at the table in the development stage of state resources and guidance to assure alignment with successful local/regional efforts. Their role must entail more than just receiving an invitation to a public hearing once the document is nearly completed.

By engaging local governments early in the process, the state can build support and gather effective allies at the time of release. Local governments can provide feedback on state guidance based on local conditions and test new tools to ensure that they will be accessible and useful for communities. They can help promote state efforts through their local networks and their understanding of what resonates in their communities.

### **Overcoming Barriers**

Many of the climate consequences that communities will need to respond to – heat, flood, wildfire, drought and severe storms – pose problems that cities and counties have the infrastructure, expertise and jurisdictional authority to address. However, the magnitude of these natural disasters under climate change will severely challenge our current response mechanisms.

Communities will need information and guidance from state and federal agencies (such as the California Coastal Commission and the Federal Emergency Management Agency) that take climate change effects into account and don't rely on outdated historical trends. At a minimum, state agencies should assure that investments aren't made in projects that work against mitigation efforts or are located in at-risk areas – areas vulnerable to sea level rise, flood, erosion, landslides and wildfire.

Climate effects don't care about jurisdictional boundaries and agency control. They transcend our multiple layers of government – creating an extremely challenging regulatory environment.

Authority should rest with the appropriate level. Land-use decisions are appropriately made at the city or county level, but we need better incentives to help coordinate these layers of governance so decisions at each level help to reduce the risk of climate change and increase resiliency.

For example, to make SB 375 goals attainable, state legislation mandated regional planning that balances transportation and housing needs to support growth, economic development, social equity and environmental sustainability. City and county elected officials fill the governing boards of the metropolitan planning organizations (MPOs) that vote on the preferred scenario and hold the local land-use authority that determines whether development supports the adopted regional plan.

A number of new development projects throughout California have illustrated the challenge with aligning state, regional and local planning. Strong incentives will be needed along with ongoing dialogues to assure that the state greenhouse gas emission reduction targets for passenger

vehicles are achieved; that the regional visions are implemented; and that local economic, environmental, health and equity goals are attained.

We have the opportunity to learn from mitigation efforts to assure success in adaptation efforts moving forward.

Finally, it will be extremely difficult to make significant progress to reduce and adapt to climate effects without being accountable to the full cost of the externalities. Insurance doesn't cover the true cost of responding to disasters in at-risk areas. Water isn't metered in many areas of the state. Electricity and gasoline is relatively cheap.

At all levels of government, we set goals and targets for reducing greenhouse gas polluting entities, then invest our retirement funds into many of those same industries.

If we are serious about slowing down climate change and responding to the threats we are already facing, we must capture the true cost of these externalities. We must make a commitment that no dollar will be invested in climate-degrading projects. And on the flip side, we must ensure that funding and other vital resources go to communities who are developing innovative models to successfully adapt to climate change.

## **Recommendations**

- Support staff time for regional coordination, research on fine-grain local impacts and multi-agency planning and implementation.
- Institutionalize local government involvement. For example, consider giving local governments and/or regional leaders a seat on the Strategic Growth Council and the Climate Action Teams to foster support and engagement during the formative stages.
- Create new partnerships, not new levels of governance.
- Develop criteria to assure that no state dollar is invested in climate-degrading projects. For example, transportation and other infrastructure funds shouldn't go to areas at risk of sea level rise, erosion or flood.
- Form a "Local Adaptation Commission" similar to the Solar Cal Local Government Commission that evolved into the Local Government Commission (now an independent nonprofit) in the early 1980s. The Governor could appoint leading local elected officials to the Commission tasked with developing a menu of adaptation policies. Cap-and-trade and other state funding could be tied to achieving a level of points through selecting locally relevant and feasible policies from the menu.
- The Local Government Commission and the State of California are organizing the first biennial statewide California Adaptation Forum, which could provide an opportunity to kick-start the Commission, roll out policy options, and facilitate state and local partnerships.
- The state could also add an official council to the Governor's Office of Planning and Research and/or the Strategic Growth Council, which could serve as the forum for state-regional discussions.

## **Imperatives and Opportunities for State Leadership**

Looking forward, the most promising news is that many local governments are willing and effective partners – and they are a resource largely untapped by state agencies in California’s response to climate change.

Pioneering local governments have set the stage for state efforts through groundbreaking climate-change mitigation and adaptation initiatives; they are well positioned to help the state based on their expertise, their local networks and their land-use authority.

The paradigm offered by Gandhi applies: “Action expresses priorities.”

How will our state leaders define and express their priorities in facing the darkening storm of climate change?

Our state elected officials and agency staff are faced with a unique and timely opportunity to legitimize, strengthen and spark local and regional efforts. They can institutionalize local and regional involvement through a formal role in the state process. They can provide transformative, tipping-point resources – an integrated toolbox that would involve funding, tools, templates and research – to strengthen partnerships with local governments and build a statewide engine for climate-change innovation and implementation.

Our responses to climate change – as expressed in research applications, technological developments, human capital and quality of life – will be powerful forces within our innovation economy in the coming years. It’s not just a rhetorical flourish to say: We can save the environment and grow our economic future as we face up to the inescapable realities of climate change.

This is an historical moment – it can be a dramatic, fulcrum moment – in which we can turn the corner in our collective response to the globe’s changing environment.

Climate change is here: We must take action together as local communities and regional collaborations with a statewide framework, to embrace a shared perspective and practical solutions – and there is no doubt that we must do it now.

Thank you again for the opportunity to share our perspective and the work that the Local Government Commission is doing to address climate change. I would be happy to be of further assistance as you prepare this essential and timely study and develop practical recommendations on how we can make meaningful progress on adaptation in California.