

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY APRIL 30, 2025

AMENDED IN ASSEMBLY APRIL 21, 2025

AMENDED IN ASSEMBLY MARCH 10, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

**No. 996**

---

---

**Introduced by Assembly Member Pellerin**

February 20, 2025

---

---

An act to amend Section 30985 of, and to add Sections 30527 and Section 30985.7 to, the Public Resources Code, relating to coastal resources.

### LEGISLATIVE COUNSEL'S DIGEST

AB 996, as amended, Pellerin. Public Resources: ~~California Coastal Act of 1976: California Coastal Planning Fund:~~ sea level rise plans.

Existing law, the California Coastal Act of 1976, provides for the protection of California's coast and requires any person wishing to perform or undertake any development in the coastal zone, as defined, to obtain a coastal development permit, except as specified. The act requires the issuance of a coastal development permit if the proposed development is in conformity with the certified local coastal program. The act provides for the certification of local coastal programs by the California Coastal Commission.

The bill would establish the California Coastal Planning Fund in the State Treasury to help local governments adequately plan for the protection of coastal resources and public accessibility to the coastline. The bill would, upon appropriation by the Legislature, make moneys

~~in the fund available to the commission for various state and local costs relating to local coastal program development and sea level rise plans and to administer the fund, as provided. The bill would authorize the commission to expend moneys in the fund to assist specified eligible recipients, including, among others, the San Francisco Bay Conservation and Development Commission, and to take specified action to administer the fund. The bill would authorize the San Francisco Bay Conservation and Development Commission to set appropriate requirements as a condition of funding for moneys provided to it from the fund.~~

~~The bill would make findings and declarations related to a gift of public funds.~~

Existing law requires local governments lying in whole or in part within the coastal zone or within the jurisdiction of the San Francisco Bay Conservation and Development Commission to, on or before January 1, 2034, develop a sea level rise plan with specified required content as part of a local coastal program that is subject to approval by the California Coastal Commission or the San Francisco Bay Conservation and Development Commission.

This bill would authorize the applicable commission, when approving a local coastal plan or an amendment to a local coastal plan, to deem existing sea level rise information or plans prepared by a local government to satisfy the content requirements for a sea level rise plan. The bill would provide that local governments are ~~encouraged to~~, *encouraged*, on or before January 1, 2029, ~~to~~ consult with the ~~commission~~, *California Coastal Commission*, in a voluntary early consultation, regarding sea level rise plans in the preparation of a local coastal program or an amendment to a local coastal program.

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

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

- 1     ~~SECTION 1. Section 30527 is added to the Public Resources~~
- 2     ~~Code, immediately following Section 30526, to read:~~
- 3     ~~30527. (a) The California Coastal Planning Fund is hereby~~
- 4     ~~established in the State Treasury to help local governments~~
- 5     ~~adequately plan for the protection of coastal resources and public~~
- 6     ~~accessibility to the coastline. Upon appropriation by the~~
- 7     ~~Legislature, moneys deposited into the fund shall be available to~~
- 8     ~~the commission to fund the following:~~

1     ~~(1) Costs for local governments to prepare, adopt, and revise~~  
2     ~~local coastal programs, consistent with this division.~~

3     ~~(2) Costs for local governments to prepare, adopt, and revise~~  
4     ~~sea level rise plans, consistent with Division 20.6.9 (commencing~~  
5     ~~with Section 30985).~~

6     ~~(3) Costs for commission staff to review local coastal programs~~  
7     ~~and for the San Francisco Bay Conservation and Development~~  
8     ~~Commission staff to review sea level rise plans, consistent with~~  
9     ~~Division 20.6.9 (commencing with Section 30985). Those costs~~  
10    ~~shall not exceed 20 percent of the annual deposits into the fund.~~

11    ~~(b) Consistent with subdivision (a), the commission shall expend~~  
12    ~~moneys in the fund for grants, loans, contracts, or services to assist~~  
13    ~~eligible recipients.~~

14    ~~(c) (1) Eligible recipients of funding pursuant to this section~~  
15    ~~shall be local agencies, including cities and counties, the~~  
16    ~~commission, and the San Francisco Bay Conservation and~~  
17    ~~Development Commission.~~

18    ~~(2) To be eligible for funding pursuant to this section, grants,~~  
19    ~~loans, contracts, or services provided to a local government shall~~  
20    ~~have a clear and definite purpose associated with the planning~~  
21    ~~efforts required to provide public benefits related to coastal~~  
22    ~~resource protection and public accessibility of the California coast.~~

23    ~~(d) The commission may undertake any of the following actions~~  
24    ~~to administer the fund:~~

25    ~~(1) Provide for the deposit of any of the following moneys into~~  
26    ~~the fund:~~

27    ~~(A) Federal contributions.~~

28    ~~(B) Voluntary contributions, gifts, grants, or bequests.~~

29    ~~(C) Financial participation by a public agency in an activity~~  
30    ~~authorized for funding from the fund.~~

31    ~~(2) Enter into agreements for contributions to the fund from the~~  
32    ~~federal government, local or state agencies, private corporations,~~  
33    ~~and nonprofit organizations.~~

34    ~~(3) Direct portions of the fund to a subset of eligible applicants~~  
35    ~~as required or appropriate based on funding source.~~

36    ~~(4) Take additional action as may be appropriate for adequate~~  
37    ~~administration and operation of the fund.~~

38    ~~(5) Set appropriate requirements as a condition of funding. This~~  
39    ~~paragraph does not apply to funding provided to the San Francisco~~

~~Bay Conservation and Development Commission pursuant to paragraph (1) of subdivision (c):~~

~~(e) The San Francisco Bay Conservation and Development Commission may set appropriate requirements, consistent with this section, as a condition of funding provided pursuant to paragraph (1) of subdivision (c):~~

~~(f) Actions to administer the fund, and implement or interpret this section, are not subject to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code):~~

~~(g) This section does not expand any obligation of the state to provide resources for the provisions of this article or to require the expenditure of additional resources beyond the amount of moneys deposited into the fund:~~

~~SEC. 2.~~

*SECTION 1.* Section 30985 of the Public Resources Code is amended to read:

30985. (a) A local government lying, in whole or in part, within the coastal zone or within the jurisdiction of the San Francisco Bay Conservation and Development Commission shall develop a sea level rise plan as part of either of the following, as applicable:

(1) A local coastal program that is subject to approval by the California Coastal Commission consistent with the guidelines established pursuant to subdivision (a) of Section 30985.2.

(2) A subregional San Francisco Bay shoreline resiliency plan that is subject to approval by the San Francisco Bay Conservation and Development Commission consistent with the guidelines established pursuant to subdivision (b) of Section 30985.2.

(b) The sea level rise plan required pursuant to subdivision (a) shall include, at a minimum, all of the following:

(1) The use of the best available science.

(2) A vulnerability assessment that includes efforts to ensure equity for at-risk communities.

(3) Sea level rise adaptation strategies and recommended projects.

(4) Identification of lead planning and implementation agencies.

(5) A timeline for updates, as needed, based on conditions and projections and as determined by the local government in agreement with the California Coastal Commission or the San

1 Francisco Bay Conservation and Development Commission, as  
2 applicable.

3 (c) A timeline for sea level rise plan updates, as required  
4 pursuant to paragraph (5) of subdivision (b), shall include economic  
5 impact analyses of, at a minimum, costs to critical public  
6 infrastructure and recommended approaches for implementing the  
7 sea level rise adaptation strategies and recommended projects  
8 pursuant to paragraph (3) of subdivision (b).

9 (d) All local governments subject to the requirements of  
10 subdivision (a) shall comply with this section by January 1, 2034.

11 (e) For purposes of this section, “critical public infrastructure”  
12 includes, but is not limited to, transit, roads, airports, ports, water  
13 storage, and conveyance, wastewater treatment facilities, landfills,  
14 powerplants, and railroads.

15 (f) The California Coastal Commission or the San Francisco  
16 Bay Conservation and Development Commission may deem  
17 existing sea level rise information or sea level rise plans prepared  
18 by a local government to satisfy one or all of the requirements of  
19 subdivisions (b) and (c).

20 ~~SEC. 3.~~

21 *SEC. 2.* Section 30985.7 is added to the Public Resources Code,  
22 to read:

23 30985.7. (a) A local government is encouraged to consult with  
24 the California Coastal Commission, on or before January 1, 2029,  
25 in preparation of a local coastal program or an amendment to a  
26 local coastal program pursuant to this division to ensure that, upon  
27 formal submission of the local coastal program or an amendment  
28 to the local coastal program to the California Coastal Commission,  
29 the materials are sufficient for a thorough and complete review.

30 (b) A local government’s participation in an early consultation  
31 pursuant to this section is voluntary. An early consultation is  
32 intended to help a local government to timely meet the  
33 requirements of this division. Participation in an early consultation  
34 at any time shall not prevent a local government from submitting  
35 a sea level rise plan as required by this division.

36 (c) If a local government seeks to engage in an early consultation  
37 at any time with the California Coastal Commission, the following  
38 shall occur:

39 (1) A local government shall initiate the early consultation by  
40 notifying California Coastal Commission staff in writing that the

1 local government seeks to engage in a consultation. After providing  
2 this notification, the local government shall provide the California  
3 Coastal Commission a summary report on the status of its efforts  
4 to develop a sea level rise plan pursuant to Section 30985, including  
5 any draft components as outlined in subdivisions (b) and (c) of  
6 Section 30985, and may provide a draft local coastal program or  
7 an amendment to a local coastal program that is intended to satisfy  
8 the requirement of paragraph (1) of subdivision (a) of Section  
9 30985.

10 (2) An early consultation may include a singular meeting or  
11 regular meetings. The meeting schedule shall be mutually agreed  
12 upon by the local government and the California Coastal  
13 Commission.

14 (3) California Coastal Commission staff shall offer written  
15 recommendations to a local government about what may preclude  
16 certification of a local coastal program or an amendment to a local  
17 coastal program, including, but not limited to, information about  
18 what satisfies the requirements of subdivisions (b) and (c) of  
19 Section 30985.

20 (4) California Coastal Commission staff shall provide  
21 recommendations in a reasonable timeframe that is mutually agreed  
22 upon by both the local government and the commission.

23 ~~SEC. 4. The Legislature finds and declares that the addition of~~  
24 ~~Section 30527 to the Public Resources Code serves the public~~  
25 ~~purpose of protecting coastal resources and public accessibility to~~  
26 ~~the coastline and does not constitute a gift of public funds within~~  
27 ~~the meaning of Section 6 of Article XVI of the California~~  
28 ~~Constitution.~~