



Imperial Beach is one of many California communities vulnerable to sea level rise. Photo credit: sk8mama, Flickr

This week, Senator Ben Allen introduced [SB 1078](#), a bill that would create a Sea Level Rise Revolving Loan Pilot Program to help coastal cities plan proactively for the effects of climate change. The law draws heavily from the [framework](#) of [SB 83](#), which students in the [California Environmental Legislation and Policy Clinic](#) worked on, and which passed the California Legislature in September of last year before ultimately being vetoed by Governor Newsom.

SB 1078's proposal is an innovative way to address the serious sea level rise-related costs facing California. Those costs are high and come in lots of different forms: disaster-related risks to human health and life, lost property, interference with coastal infrastructure, and disruption of coastal economies and ecosystems. The state has [projected](#) that \$8-10 billion of existing property will be underwater by 2050, and an additional up to \$10 billion of property could be at risk during high tides. By 2100, most of Southern California's famous beaches could be completely eroded and major infrastructure, including airports in San

Francisco, Oakland, and San Diego, would be vulnerable to serious flooding without protective measures being taken. There's a reasonable likelihood that thousands of Bay Area residents will experience flooding daily.

Getting out ahead of sea level rise impacts is paramount, but conversations around managed retreat—purposeful movement of people and infrastructure away from the risk posed by rising seas—have foundered. The pilot program proposed by the bill anticipates the need for long-term relocation strategies and presents a win-win for coastal communities and the state: Communities can stay put while it's safe, but in future years, when threats become more imminent, property would already be in government hands and a relocation plan in place.

The program would work as follows: Communities at high risk from sea level rise could apply to the state for a loan to purchase vulnerable property within their jurisdictions. Once the local government owns the property—which it would purchase at fair market value, not using any sort of eminent domain power—it could lease the property back to the previous owners or to new lessees until it is no longer safe for human habitation, using the lease revenue to pay back the loan. When risks become greater, the local government could take steps to decommission the property. The state will apply several criteria to determine whether funds should be granted, including an assessment of the loan's cost-effectiveness and potential public benefits, such as using the property as natural infrastructure to mitigate sea level rise or increasing coastal access for the public. In addition to reducing risks to human health and life by creating a mechanism for local governments to transition communities away from properties near vulnerable coastline, the program could also enable governments to start decommissioning utilities and infrastructure before disaster strikes and will help government and private property owners alike avoid thorny public trust issues as seas rise.

SB 1078's proposal builds on SB 83's with several useful additions:

- The bill clearly prioritizes funding for low-income communities, communities of color, tribal communities, and other communities disproportionately vulnerable to climate change. This emphasis ensures communities with the greatest need will receive state funding. A common misconception is that all coastal communities in California are comprised of multimillion dollar oceanfront mansions. The reality is that low-income communities are situated all along California's coast and will need resources to meaningfully prepare for sea level rise impacts that they are likely to feel more severely than wealthier communities.

- In order to access loan funds, applicant municipalities will already need to have updated their Local Coastal Plans to include policies or programs developed through a comprehensive vulnerability assessment that would avoid, minimize, and mitigate sea level rise impacts. That vulnerability assessment itself must be approved by the Coastal Commission. This robust assessment and planning process is a new feature of SB 1078 and incentivizes coastal municipalities to start thinking now about how they'll deal with rising seas.
- The criteria for loan funding will also require local governments to develop strategies for community relocation once property is no longer safe to inhabit. While that point may be years away, local governments will need to start thinking about it now, in ways that could facilitate relocation efforts later. Local governments will also need to come up with a plan for how candidate property will be decommissioned, including funding mechanisms.
- Loan funding criteria will also consider whether clusters of properties within a neighborhood are looking to take advantage of the program, maximizing public benefits beyond a property-by-property level. When a whole neighborhood participates, local governments will have the opportunity to manage community relocation and infrastructure in ways that could avoid significant disaster-related human and property costs.

California faces enormous threats from sea level rise. SB 1078 presents a unique way for California communities to start addressing these threats, centering the state's most vulnerable communities and encouraging local governments to begin (or continue) in earnest the work of planning for rising seas. I'll be watching its journey in the Legislature with great interest!