
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: AB 2076

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Version: 5/19/2022

Hearing Date: 6/8/2022

Urgency: No

Fiscal: Yes

Consultant: Eric Walters

SUBJECT: Extreme Heat and Community Resilience Program: Extreme Heat and Health Reporting System

DIGEST: This bill establishes the Extreme Heat and Community Resilience Program (Program) to coordinate state efforts and support local and regional efforts to prevent or mitigate the impact of and public health risks of heat. It also requires the California Department of Public Health (CDPH) to establish and maintain an Extreme Heat and Health Reporting System (Reporting System) for the purpose of assisting local interventions and identifying and protecting heat-vulnerable or other at-risk populations.

ANALYSIS:

Existing law:

- 1) Establishes the Office of Planning and Research (OPR) to serve the Governor as staff for long-range planning and research including management of state planning grants and coordination of federal grants for environmental goals. (Government Code (GOV) §65040)
- 2) Establishes within OPR the Integrated Climate Adaptation and Resiliency Program (ICARP) to develop a cohesive and coordinated response to the impacts of climate change across the state. The program includes the State Adaptation Clearinghouse which serves as a centralized source of information and resources for planning and implementing climate adaptation projects. (Public Resources Code (PRC) §71350-71360)
- 3) Establishes the Administrative Procedure Act (APA), which establishes rulemaking procedures and standards for state agencies. APA requirements ensure that the public has a meaningful opportunity to participate in the adoption of state regulations and to ensure that regulations are clear, necessary, and legally valid. (GOV §11340 et seq.)

- 4) Establishes the Office of Health Equity (OHE) within the California Department of Public Health (CDPH) to, among other things, provide technical assistance to state and local agencies and departments with regard to building organizational capacity, staff training, and facilitating communication to facilitate strategies to reduce health and mental health disparities. (HSC §131019.5(b))

This bill:

- 1) Establishes the Extreme Heat and Community Resilience Program (Program), requires OPR to administer the Program through ICARP, and within the Program:
 - a) Requires the Director of Planning and Research to appoint a Chief Heat Officer (Officer) to coordinate specified state activities and funding to address heat and implement the Program.
 - b) Requires the program to, upon appropriation and in consultation with the Strategic Growth Council, provide grants and technical assistance to eligible entities that support local and regional efforts, as specified, and to mitigate the impacts and reduce the public health risks of heat.
 - c) Requires that priority be given to projects that serve disadvantaged or vulnerable communities; demonstrate participation in a regional climate collaborative program; serve populations most vulnerable to the impacts of extreme heat; and, are components of a comprehensive heat action plan.
 - d) Declares legislative intent that the Program fund projects in categories not eligible for funding in any preexisting program.
- 2) Requires OPR to:
 - a) Review and consider specified documents and sources;
 - b) Seek to minimize GHG emissions and electricity grid stress, avoid maladaptation, and maximize job growth and other cobenefits; and
 - c) Adopt guidelines to administer the grant program within six months of an appropriation by the Legislature, as specified.
- 3) Exempts any procedures, forms, and guidelines adopted by OPR for administration of the Program from the APA.
- 4) Requires OPR, on or before July 1, 2024, and every two years thereafter, in collaboration with the Taskforce, to update the Extreme Heat Action Plan to promote comprehensive, coordinated, and effective state and local government action on heat.
- 5) Establishes the Extreme Heat and Community Resilience Fund (Fund) to be used, upon appropriation, to administer the Program. Declares the intent of the Legislature that the Fund be composed of moneys allocated for extreme heat purposes.

- 6) Requires CDPH, on or before July 1, 2024, in consultation with the Officer and upon appropriation, to establish and maintain the Reporting System for the purpose of assisting local interventions and identifying and protecting heat-vulnerable or other at-risk populations, as well as other specified duties.

Background

- 1) *Extreme heat.* Increasing temperatures pose a direct threat to public health; however, there is surprisingly little information available about the number of heat-related deaths. Moreover, heat-related deaths are underreported. Between 2010 and 2019, the official data from death certificates attributes 599 deaths to heat exposure, but an analysis by the Los Angeles Times found that the true number is closer to 3,900, six times the official number. A 2020 study in Environmental Epidemiology found that an average of 5,608 deaths were attributed to heat annually in the United States, substantially higher than the Centers for Disease Control and Prevention estimate of 658 people per year. According to the Los Angeles Times, “it is common for doctors and coroners to write that a person suffered a heart attack or kidney failure without knowing whether extreme heat played a part.”

In addition to the lack of accurate data regarding heat-related deaths, the information that is available lags, sometimes by years, making it impossible for public agencies to respond to heat-emergencies in a timely manner. The state does not collect real-time data on heat illness from hospitals or require counties to track and report incidents of heat illness. Among the counties that do track, the findings are concerning. The Los Angeles County Department of Public Health figures show that emergency room visits have risen throughout the county since it began tracking heat illnesses in 2005. San Diego County has found a similar pattern since 2006. In Imperial County, hospitals reported almost as many cases of heat-related illness over six weeks in the summer of 2020 as were reported in all of 2015.

While heat related deaths in some parts of the country have fallen, likely due to increased access to air conditioning and better awareness of the dangers heat poses, especially to the elderly, heat-related deaths have increased in the Southwestern United States, especially among adults over 45. Heat-related health impacts almost exclusively affect lower income and disadvantaged communities. Wealthier Californians who drive air conditioned cars, live in air conditioned homes, and work in air conditioned offices, do not generally suffer the effects of extreme heat.

- 2) *State actions.* In 2013, the state issued guidance and recommendations for responding to extreme heat. The report included more than 40 recommendations to better prepare the state to weather extreme heat events, including a recommendation to “improve the timeliness and completeness of heat illness and death surveillance activities in order to understand the impact of heat events and guide real time public health planning and responses.” Yet for nearly a decade, the state did little to implement the recommendations.

Last year, the state renewed its efforts to combat the impacts of extreme heat. The 2021 Climate Adaptation Strategy released by CNRA includes an Extreme Heat Action Plan (Plan), which serves as an update to the 2013 report. The Plan includes “strategic and comprehensive” state actions that can be taken to address extreme heat, including:

- Implementing a statewide public health monitoring system to identify heat illness events early, monitor trends, and track illnesses and deaths;
- Cooling schools in heat-vulnerable communities and support climate smart planning;
- Accelerating heat readiness and protection of low-income households and expanding tree canopy in communities most impacted by extreme heat;
- Protecting vulnerable populations through increased heat risk-reduction strategies and codes, standards, and regulations;
- Building a climate smart workforce through training partnerships and apprenticeships in jobs and careers that address extreme heat;
- Increasing public awareness to reduce risks posed by extreme heat;
- Supporting local and regional extreme heat action;
- Protecting natural systems, including fish and wildlife, from the impacts of extreme heat.

The state adopted a \$15 billion climate package in 2021 to combat the climate crisis, including \$800 million over three years to address the impacts of extreme heat and \$300 million over two years to support the implementation of the Plan. Programs to address the impacts of extreme heat include urban greening, energy assistance for low-income families, community resilience centers, and low-income weatherization. The Governor’s proposed 2022-23 budget includes approximately \$175 million in second year of investments for extreme heat programs.

Comments

Purpose of Bill. According to the author, “The climate crisis is here. Year after year, our state faces record-breaking heat waves that have left local governments to grapple with how best to protect residents from these life-threatening weather

events. As one of the gravest hazards resulting from climate change, extreme heat causes more emergency room visits and deaths annually than any other weather-related disaster in the nation. As recently reported by the LA Times, the state woefully undercounts the true number of heat related illnesses and death. We need to have a full understanding of the impact extreme heat has on our communities and individuals. AB 2076 will establish the Extreme Heat Hospitalization and Death Reporting System to better understand where extreme heat illnesses and deaths are occurring.

Extreme heat is not just a public health threat. Higher temperatures tend to have a cascading effect leading to more intense wildfires, rolling power outages, damage to critical infrastructure, and increased air pollution. These impacts disproportionately harm low-income families, people of color, agricultural workers, people with preexisting health conditions, and other vulnerable populations in both urban and rural parts of the state. To protect the public and property, the state must ensure proper mitigation and response strategies. AB 2076 establishes the Extreme Heat and Community Resilience Program to coordinate all the heat related activities of the state and incentivize the development of local comprehensive heat action plans to protect communities from the dangers of extreme heat.”

- 1) *Ensuring coordination and accountability.* This bill addresses some of the gaps in the state’s response to extreme heat. The bill establishes the Program to ensure coordination and accountability among the state’s extreme-heat efforts. This bill also establishes the Reporting System to better track and respond to heat-related illnesses and to identify patterns so the state can respond appropriately.

These are all vital roles the state must play to adapt to continually more dangerous extreme heat events. Without such work, the state’s most vulnerable residents will continue to face massively disproportional harms and burdens from rising temperatures.

Related/Prior Legislation

AB 2238 (L. Rivas, 2022) requires the California Environmental Protection Agency, in coordination with the ICARP and the California Department of Insurance, to develop a statewide extreme heat ranking system. This bill is also before this committee.

AB 585 (L. Rivas, 2021) bill would have established the Extreme Heat and Community Resilience Program through the ICARP to coordinate the state’s efforts to address extreme heat and the urban heat island effect and to provide

financial and technical assistance to local or regional entities for improving resilience to extreme heat and urban heat island effects. This bill was held in the Senate Appropriations Committee.

SOURCE:

SUPPORT:

Active San Gabriel Valley
Adrienne Arsht - Rockefeller Foundation Resilience Center
American Planning Association California Chapter
Asian Pacific Islander Forward Movement
Audubon California
California Environmental Voters (formerly Clcv)
California Labor Federation, Afl-cio
California Nurses Association
California Nurses for Environmental Health and Justice
Catholic Charities of The Diocese of Stockton
Civicwell (formally the Local Government Commission)
Clean Energy
Climate Action Campaign
Climate Plan
Climate Resolve
Defenders of Wildlife
Environmental Defense Fund
Environmental Justice League
Fund Her
Greenbelt Alliance
Heal the Bay
Interfaith Power & Light
Los Angeles City Councilmember, Paul Krekorian
Los Angeles County Bicycle Coalition
Los Angeles Neighborhood Initiative
Los Angeles Neighborhood Land Trust
Los Angeles Regional Collaborative for Climate Action and Sustainability
National Association of Social Workers, California Chapter
Nature for All
Neighborhood Legal Services of Los Angeles County
Pacoima Beautiful
Pesticide Action Network North America
Public Health Alliance of Southern California
Public Health Institute
Sacramento Area Congregations Together
San Francisco Marin Medical Society

Sierra Club California
The Climate Center
The Nature Conservancy
The Trust for Public Land
Ucla Center for Healthy Climate Solutions
Ucla Luskin Center for Innovation
Union of Concerned Scientists
Urban Semillas
Western Center on Law & Poverty

OPPOSITION:

None received

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