

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish a Commission on Climate Change and Resiliency to assess the impacts of the changing climate and potential impacts of adverse weather events, the District's ability to mitigate and adapt to climate change, and the status of the District's ability to prepare, plan for, absorb, recover from, and adapt to adverse events, to require the commission to transmit reports and recommendations to the Council and the Mayor, and to establish the Climate Change and Resiliency Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commission on Climate Change and Resiliency Establishment Act of 2016".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Commission" means the Commission on Climate Change and Resiliency established by section 3.
- (2) "Fund" means the Climate Change and Resiliency Fund established by section 6.

Sec. 3. Commission on Climate Change and Resiliency.

- (a) There is established a Commission on Climate Change and Resiliency to:
 - (1) Assess the potential effects of climate change on the District;
 - (2) Assess the District's ability to adapt to and mitigate the effects of climate change;
 - (3) Assess the District's ability to prepare for, respond to, and recover from severe, adverse weather events;
 - (4) Identify vulnerabilities related to climate change effects and preparedness and prepare recommendations to the Council and the Mayor to mitigate those vulnerabilities; and
 - (5) Provide comments and recommendations to all District agencies on climate change adaptation and vulnerability mitigation plans.
- (b) The Commission shall have 16 voting members, who shall be appointed as follows:
 - (1)(A) Eight voting members appointed by the Mayor, including a chairperson.
 - (B) The voting members appointed by the Mayor shall be appointed for a term of 3 years, with initial staggered appointments of 4 voting members appointed for 3 years and 4 voting members appointed for 2 years.

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(2)(A) Eight voting members appointed by the Chairman of the Council.

(B) The voting members appointed by the Chairman of the Council shall be appointed for a term of 3 years, with initial staggered appointments of 4 voting members appointed for 3 years and 4 voting members appointed for 2 years.

(3) The voting members shall have demonstrable expertise in at least one of the following areas:

- (A) Emergency preparedness;
- (B) Energy;
- (C) Environmental justice;
- (D) Environmental science;
- (E) Insurance;
- (F) Natural resources;
- (G) Public health; and
- (H) Transportation.

(c) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Voting members who are appointed to fill vacancies that occur before the expiration of a voting member's full term shall serve only the unexpired portion of the voting member's term.

(d) All initial appointments to the Commission shall be made within 60 days after the effective date of this act.

(e) The Commission shall consult with and seek the advice of the following agencies and entities as appropriate:

- (1) The Department of Energy and Environment;
- (2) The Office of Planning;
- (3) The Homeland Security and Emergency Management Agency;
- (4) The District Department of Transportation;
- (5) The Department of Health;
- (6) The Department of General Services;
- (7) The District of Columbia Water and Sewer Authority;
- (8) The Office of People's Counsel;
- (9) The Public Service Commission;
- (10) The Mayor's Office of Budget and Finance;
- (11) The Deputy Mayor for Planning and Economic Development;
- (12) The Office of the City Administrator;
- (13) The Washington Metropolitan Area Transit Authority; and
- (14) Local electric, gas, and telecommunications utilities.

(f) The Commission shall invite federal partners, including the General Services Administration, the Architect of the Capitol, the Department of Defense, the Department of Homeland Security, the United States Army Corps of Engineers, the National Capital Planning Commission, and the National Parks Service to participate in its discussions and planning.

Sec. 4. Duties and functions of the Commission.

(a) The Commission shall:

- (1) Identify best practices in resiliency, including those being pursued by other municipalities, other states, other regions, and the federal government;
- (2) Conduct vulnerability assessments for the current resilience of critical infrastructure and systems, including energy production, food and water security, the built environment, natural resources, emergency preparedness and response, transportation, housing, economic risk management, telecommunications, and public health;
- (3) Develop recommendations to address vulnerabilities and increase resiliency;
- (4) Evaluate the projected impacts of climate change on critical infrastructure and systems, natural resources, public health, and the economy;
- (5) Develop recommendations for proactive solutions to mitigate the expected impacts of climate change, including how agencies and other entities should integrate mitigation and adaptation strategies when planning and designing policies, programs, and projects; and
- (6) Identify and recommend standard resiliency guidelines for the design and planning of infrastructure and development projects.

(b) In the course of its work, the Commission shall consider climate adaptation, infrastructure management, planning documents, and hazard mitigation plans initiated by District agencies, including the Department of Energy and Environment, the Office of Planning, the Homeland Security and Emergency Management Agency, and the District Department of Transportation.

(c) Within 14 months of the effective date of this act, the Commission shall submit an interim report to the Council and the Mayor that provides:

- (1) Details on the work completed pursuant to this section as of the date of the report;
- (2) Preliminary recommendations for mitigation of climate change impacts and vulnerabilities; and
- (3) Preliminary recommendations to coordinate adaptation strategies across agencies and other entities.

(d) Within 2 years of the effective date of this act, and every 3 years thereafter, the Commission shall submit a report to the Council and the Mayor that provides:

- (1) Details on the work completed pursuant to this section as of the date of the report;
- (2) A comprehensive inventory of at-risk infrastructure; provided, that the Commission may redact portions of the inventory in the interest of national security or public safety;
- (3) A list of action items needed to reduce vulnerabilities related to climate change, including recommendations for coordination of climate change mitigation and adaptation strategies to increase resiliency across agencies and other entities;
- (4) Recommendations for legislative or regulatory changes needed to implement the action items developed pursuant to paragraph (3) of this subsection;
- (5) Recommendations for future updates to the Comprehensive Energy Plan, the Climate Adaptation Plan, and the All Hazards Mitigation Plan; and
- (6) A timeline of future meetings and actions of the Commission.

Sec. 5. Procedures and powers of the Commission.

- (a) The Commission shall meet at least once per quarter.
- (b) The chairperson of the Commission, or his or her designee from among the voting members of the Commission, shall convene all Commission meetings.
- (c) A majority of the voting members appointed to the Commission at any given time shall constitute a quorum for the transaction of official business.
- (d) Official actions of the Commission shall be taken by majority vote of the voting members present and voting at the meeting.
- (e) The Commission may form workgroups to consider specific subtopics and invite participation from outside individuals and entities, including the public and subject-matter experts.
- (f) The Department of Energy and Environment shall provide principal staff and equipment support for the activities of the Commission.
- (g) The Mayor may provide additional support to the Commission.
- (h) The Commission may use space and supplies owned or rented by the District government for purposes consistent with this act.

Sec. 6. Climate Change and Resiliency Fund.

- (a) There is established as a special fund the Climate Change and Resiliency Fund, which shall be administered by the Department of Energy and Environment on behalf of the Commission in accordance with subsection (c) of this section.
- (b) Revenue from the following sources shall be deposited into the Fund:
 - (1) Appropriations;
 - (2) Private gifts or donations; and
 - (3) Federal grants, when awarded.
- (c) Money in the Fund shall be used to fulfill the functions and duties of the Commission, as set forth in section 4.
- (d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.
- (2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia