



Memorandum

November 20, 2025

TO: Members of the State Coastal Conservancy

FROM: Amy Hutzal, Executive Officer

RE: Adoption of Emergency Regulations for the Conservancy's Grant Program Guidelines and Project Selection Criteria for the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4).

RECOMMENDED ACTION: Adoption of Emergency Regulations

EXHIBITS

- Exhibit 1: [State Coastal Conservancy 2024 Climate Bond Program Guidelines](#)
- Exhibit 2: [Notice of Proposed Emergency Rulemaking Action](#)
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RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution.

Resolution:

The State Coastal Conservancy hereby adopts the 2024 Climate Bond Grant Guidelines regulations attached to the accompanying staff recommendation as Exhibit 1. The Conservancy authorizes the Executive Officer to submit the regulations to the Office of Administrative Law ("OAL") for approval as emergency regulations. Following submittal of the regulations to OAL, the Executive Officer may make changes to the regulations if

necessary to obtain OAL's determination that the regulations meet the required standards of the Administrative Procedure Act concerning authority, reference, consistency, clarity, nonduplication, and necessity.

STAFF RECOMMENDATION

Staff recommends that the State Coastal Conservancy (Conservancy) adopt emergency regulations necessary to provide program guidelines and selection criteria for implementation of the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 ("2024 Climate Bond"), which is set forth at Public Resources Code, Division 50, sections 90000-95015. The proposed 2024 Climate Bond Grant Guidelines regulations are set forth in Exhibit 1.

The proposed regulations set forth the Conservancy's grant application and selection procedures and the project eligibility and selection criteria. The procedures are similar to those described in the Conservancy's grant guidelines for the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68). With a minor change to the eligibility criteria, the project eligibility and selection criteria are the same as those adopted by the Conservancy on September 23, 2021.

Although grant guidelines for prior bond acts have been exempted from rulemaking requirements of the Administrative Procedures Act ("APA"), the 2024 Climate Bond does not include an exemption. Instead, the 2024 Climate Bond contains a provision stating that regulations for the purpose of developing and adopting program guidelines and selection criteria for the 2024 Climate Bond may be adopted as emergency regulations. (Public Resources Code section 90135(e).)

The APA procedures for enacting emergency regulations provide that a notice of the proposed regulations must be published five working days before the regulations are submitted to OAL. (Government Code section 11346.1.) Once the regulations are submitted to OAL, OAL has ten calendar days to review the regulations. (Government Code section 11349.6). The Conservancy's notice of the proposed regulations is set forth in Exhibit 2. The notice in Exhibit 2 describes the purpose and necessity of each of the proposed regulations.

During its review period, OAL will consider whether the regulations meet the required standards of the APA concerning authority, reference, consistency, clarity, nonduplication, and necessity. (Government Code section 11349.1). If it determines that the standards are not met, OAL could disapprove the regulations, or it could inform the Executive Officer of its concerns and allow the Executive Officer to make changes to the regulations that would enable OAL to approve them. To avoid a delay in the Conservancy's adoption of the regulations, staff recommends that the Conservancy authorize the Executive Officer to make changes to the regulations as needed to obtain OAL approval. Such changes would be based on meeting the APA standards of authority, reference, consistency, clarity, nonduplication, and necessity.