

Public Comment  
Item 7  
Sea Level Rise



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March 25<sup>th</sup>, 2013

The Honorable John Laird, Secretary for Natural Resources  
Chair, California Ocean Protection Council  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, California 95814

VIA ELECTRONIC MAIL: [opc.comments@scc.ca.gov](mailto:opc.comments@scc.ca.gov)

**Re: Comments regarding Action Item #7 on OPC's March 27 meeting agenda:  
Review and Possible Approval of Grant Criteria for LCP Sea Level Rise Grant Program**

Dear Chairman Laird and Ocean Protection Council Members,

Thank you for the opportunity to review Action Item #7: Review and Possible Approval of Grant Criteria for LCP Sea Level Rise Grant Program. CCPN requests that the OPC consider the following recommendations when reviewing the proposed Staff Recommendation:

1. Clarify the roles of the Coastal Commission, Ocean Protection Council, and State Coastal Conservancy to ensure the Commission and OPC lead the development of planning guidance and science products to shape the LCP update process.
2. Revise the grant funding stream to support Coastal Commission capacity to develop and apply overarching guidance, provide technical assistance, and synthesize lessons learned from the update of LCPs.
3. Deprioritize the "matching fund" requirement to ensure that local governments with fewer resources can build capacity and engage in needed adaptation projects.
4. Work with nonprofit and federal partners to ensure that science-based guidance and tools are incorporated into vulnerability assessments and adaptation plans.

### **Background**

In November 2012, the Ocean Protection Council (OPC) approved \$2.5M for competitive grants to support local and regional vulnerability assessments and updates to Local Coastal Plans and other Coastal Act authorized plans to address sea-level rise, coastal hazards and other climate change-related impacts, subject to OPC approval of grant criteria for soliciting grant proposals. The Staff Recommendation presented for your consideration at the March

27<sup>th</sup> OPC meeting provides a review of the proposed grant program, a description of the roles of the OPC, the California Coastal Commission (CCC) and the State Coastal Conservancy (SCC) in reviewing and administering this grant program, and a list of the specific criteria that should be considered in approving these sea-level rise grants.

CCPN believes that a handful of clarifications and modest changes to the proposed program will strengthen the state's ability to adapt to climate change, build needed capacity, and learn from its investments.

### **1. Clarification of the Roles of the CCC, OPC, and SCC**

The staff recommendation indicates a number of overlapping roles for the OPC, the CCC, and the SCC:

- a. Co-management of the sea-level rise grant program
- b. Co-evaluation of the grant proposals against selection criteria
- c. CCC and SCC administration of the program, with OPC approval of final selection of grant recipients.

CCPN is concerned that the roles of the different agencies remain unspecified and recommends that the agencies' roles be more clearly defined, as follows:

**The California Coastal Commission should have the lead in reviewing grant applications to ensure projects will be consistent with the Coastal Act and with CCC guidance for addressing sea level rise.** The ultimate goal of this program (p.4 of Staff Recommendation), whether it involves the preparation of vulnerability assessments or adaptation responses, is to develop updates to Local Coastal Plans or other Coastal Act authorized plans to address sea-level rise and other climate change impacts. One of the CCC's primary and ongoing roles is to work with local governments to certify and/or update Local Coastal Plans. In addition, the CCC is currently in the process of updating its formal guidance to local governments on how to update their local coastal plans to address sea-level rise and climate change impacts. Given the confluence of the CCC's explicit regulatory authority and its nearly completed work on formal guidance, the CCC is in a strong position to determine how potential applicants and projects should be prioritized for discussions about funding. The CCC is also in an excellent position to convert lessons learned into model assessment frameworks and LCP amendments that can be shared across localities.

**The Ocean Protection Council should have the lead in ensuring that vulnerability assessments and LCP amendments are based on best available science, and that lessons learned in project implementation inform future science-based efforts.** As the Staff Recommendation acknowledges, the OPC has provided statewide leadership in understanding and planning for sea-level rise. The OPC coordinates the Coastal and Ocean Working Group for the Climate Action Team (CO-CAT) that wrote the coastal and ocean chapter of the 2009 California Climate Adaptation Strategy and is currently providing input into the 2012 update of that plan. And in 2011, the OPC adopted interim sea-level rise guidance encouraging state agencies to follow the science-based recommendations developed by the CO-CAT in the Interim Guidance Document. As such, the OPC is in the unique position of being able to work with the CCC and other partners upfront to refine the LCP Sea Level

Rise Guidance being prepared by the CCC and to provide science advisors and resources to local governments seeking assistance in the preparation of vulnerability assessments and adaptation plans. CCPN recommends that the OPC's role be focused on providing this science-based input and approving the final grant recipients.

**The State Coastal Conservancy (SCC) should administer grants and track expenses.** In light of the specialized knowledge and authorities of the CCC and OPC, the most appropriate role for the SCC would be to administer the selected grants and track grant expenses, a role it has filled successfully as a Conservancy. It should be noted that last year the SCC received authority from the Legislature to fund sea-level rise and coastal adaptation projects out of its existing budget, estimated at the time to be in the range of approximately \$160M.

### **2. Revision of the Grant Funding Stream to Support CCC Staff to Develop and Apply Guidance, Provide Technical Assistance, and Synthesize Evolving Knowledge**

As pointed out in the prior comments on the agencies' differing roles, the CCC has singular regulatory jurisdiction over the certification and updates of Local Coastal Plans. Previously, the CCC operated a Local Coastal Plan Grant Program that, in addition to funding, provided direct assistance to local governments in the preparation of LCPs and 5-Year Periodic Reviews of previously certified LCPs. This assistance was particularly helpful for providing consistent guidance and technical assistance that both eased the local planning process and ensured new or revised LCPs would meet consistent criteria and standards. It was also critical for ensuring a learning process by which the CCC and local governments could discern lessons learned and apply them in subsequent projects. Unfortunately, the LCP Grant Program is not currently funded by the legislature, so CCPN recommends that the CCC be provided with some level of funding from the \$2.5M Sea-Level Grant Program to cover needed staff capacity. CCPN believes that the success of the efforts proposed by the OPC will be compromised if grant funds are not made to both local governments AND the CCC to accomplish the ambitious goals outlined in the Sea-Level Rise Grant Program.

### **3. Revision of Leverage Grant Criteria to Deprioritize the Matching Fund Requirement**

The primary barrier to local governments' proceeding with sea-level rise planning efforts is the lack of financial resources to complete the work, as indicated by USC Sea Grant's 2011 Coastal California Adaptation Needs Assessment (cited in the Nov. 29<sup>th</sup> OPC Staff Recommendation). Given that lack of available financial resources and not lack of awareness or interest is the primary barrier to completion of this program, it seems inappropriate to provide grant assistance only to those localities that can demonstrate an existing capacity to provide 'matching funds or significant in-kind resources to the project.' It may be more appropriate to provide some flexibility when applying this specific grant criteria, since hard-pressed localities with significant vulnerabilities may need this type of grant assistance more than localities with greater resources (financial and otherwise) at their disposal.

### **4. Work with Partners to Bring Science-Based Guidance and Tools to the LCP Update Process**

The OPC has developed strong relationships with its own Science Advisory Team (OPC-SAT) and with a number of non-governmental and federal government partners, many of which, including the Ocean Science Trust, Center for Ocean Solutions, The Nature Conservancy, NOAA Coastal Services Center, and others, have assembled considerable knowledge and tools that can help inform the LCP sea level rise update process. These partners should be engaged early and often to ensure that the best available science and knowledge are incorporated into guidance and individual projects.

For instance, localities that are hard-pressed for funds and knowledgeable staff may experience difficulty in reviewing the many lengthy and detailed technical reports cited in the Staff Recommendation and arrive at comparable analyses and approaches. While some diversity and experimentation in approach are likely valuable, a complete lack of consistency would make it more difficult for the CCC, OPC, and SCC to ensure accountability and assess the quality of project outcomes – factors that are crucial to success in this early stage of statewide coastal adaptation efforts. CCPN believes it would make sense for OPC and OPC-SAT to coordinate early with the CCC to review the CCC's proposed LCP Sea-Level Rise Guidance (in final development) and collaborate on a standardized Guidebook or Framework that provides local governments a common set of standards and criteria when preparing their grant applications and implementing their sea level rise grant programs. External partners such as those noted above could be tapped for peer review, trainings, research, and outreach assistance to ensure that the Guidance or Framework is as technically strong and well-received as possible. With this in mind, CCPN recommends that the OPC direct staff to work with CCC staff and selected partners to distill the most important and relevant information contained in existing technical reports into a usable and accessible format for distribution to local governments.

Thank you again for the opportunity to provide comments.

A handwritten signature in black ink, appearing to read "Susan Jordan", with a decorative flourish at the end.

Susan Jordan, Director