



**STAFF RECOMMENDATION**

Item 6

**TO:** Ocean Protection Council

**FROM:** Abe Doherty, Project Manager

**DATE:** November 21, 2013

**RE:** Project Selection for First Round of Local Coastal Program Sea-level Rise Grant Program

**ATTACHMENTS:**

- 1) [November 29, 2012 OPC Staff Recommendation \(Approval of Funding for the Grant Program\)](#)
- 2) [March 27, 2013 OPC Staff Recommendation \(Approval of Program Priorities and Selection Criteria and Application for the Grant Program\)](#)
- 3) [Grant Program Announcement](#)
- 4) [Summary of Proposals Submitted for the First Round of the Grant Program](#)

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**RECOMMENDED ACTION:** Approval of projects for the first round of the Local Coastal Program Sea-level Rise Grant Program.

**LOCATION:** Statewide

**STRATEGIC PLAN OBJECTIVE:** Climate Change

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**RESOLUTION AND FINDINGS:**

Staff recommends that the Ocean Protection Council adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code and the Local Coastal Program Sea-level Rise grant guidelines adopted by the Ocean Protection Council on March 27, 2013:

“The Ocean Protection Council hereby approves the projects recommended by staff from the Ocean Protection Council, State Coastal Conservancy and California Coastal Commission as being consistent with the previously adopted grant selection criteria for the Local Coastal Program Sea-level Rise Grant Program.

Staff further recommends that the Ocean Protection Council adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the Ocean Protection Council hereby finds that:

1. The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act.
2. The proposed projects are consistent with the Ocean Protection Council's Grant Funding Procedures (Interim Standards and Protocols, August 2013).”

**BACKGROUND:**

In November of 2012, the Ocean Protection Council (OPC) approved \$2,500,000 for competitive grants to provide funds for local and regional vulnerability assessments and updates to Local Coastal Programs and other Coastal Act authorized plans to address sea-level rise, coastal hazards and other climate change-related impacts (Exhibit 1). This authorization was subject to the condition that the OPC approve the grant criteria prior to soliciting grant proposals. On March 27, 2013, the OPC approved the grant criteria and application

form for the grant program and authorized staff to solicit and evaluate proposals, subject to the condition that the OPC shall approve final selection of any grants under this program (Exhibit 2).

Staff from the Ocean Protection Council, Coastal Conservancy and the Coastal Commission have worked together to write the grant program announcement, answer questions from potential applicants, review the applications and develop recommendations for the projects which best fit the grant selection criteria. Eighteen (18) applications were submitted, requesting a total of \$3.8 million (Exhibit 4). Refer to the Project Summary Section for a description of the seven projects that are recommended for funding, for a total of \$1,305,000. A second round of the grant program for the remaining funds will be announced in 2014.

### **PROGRAM DESCRIPTION:**

Sea-level rise, extreme high tides, storms and coastal erosion are already impacting California's coast and the impacts will increase as sea-level rise accelerates due to changing climatic conditions. These impacts are unfolding differently in each region of the coast depending on the shoreline structure, development patterns and many other variables. Understanding, planning for, and reducing risk from these impacts must be done at the local, regional, and statewide scale in a collaborative manner. The purpose of these grants is to fund this work, particularly through local coastal planning pursuant to the California Coastal Act.

This grant program is focused on addressing sea-level rise in order to update Local Coastal Programs (LCPs) and other plans authorized under the Coastal Act such as Port Master Plans, Long Range Development Plans and Public Works Plans, which are fundamental planning documents for the California coast. LCPs and other Coastal Act authorized plans are required by the Coastal Act for each coastal jurisdiction, and are the basic planning and regulatory tool that guides development in the coastal zone in conformity with Coastal Act goals and policies. These plans must specify the kind, location, and intensity of land uses, the applicable resource protection and development policies and implementing ordinances. LCPs and other Coastal Act authorized plans are prepared primarily by local governments, and once certified, these plans govern most coastal permit decisions that can affect the short- and long-term conservation and use of coastal resources. Following adoption by the local planning authority, an LCP or other Coastal Act authorized plan is submitted to the Coastal Commission, which reviews and certifies as consistent with State law.

The purpose of this grant program is to support and encourage local governments and other entities responsible for planning under the Coastal Act to address sea-level rise as they develop and adopt updated plans that conserve and protect coastal resources, such as public accessways and recreation sites, environmentally sensitive habitat areas and other coastal and terrestrial resources, agricultural areas, new and existing development, coastal-dependent and visitor-serving uses, critical infrastructure, and other resources and priority uses identified by the Coastal Act. Grant funds will pay for technical planning work, evaluation of planning alternatives and transfer of this information to other jurisdictions; it is also the intent of this program to develop adaptation planning examples and/or ordinances that could be used by multiple jurisdictions. Finally, it is the goal of this program to encourage proactive planning that will protect public resources (including ecosystem function and public recreation) in the face of rising sea-levels and other impacts.

### **CONSISTENCY WITH ADOPTED SELECTION CRITERIA**

The staff from OPC, Coastal Commission and Coastal Conservancy reviewed the proposals using the following selection criteria that were developed by staff from these agencies and approved by the OPC in March 2013. The projects recommended for approval are consistent with these selection criteria.

1. **Likelihood of adoption/approval/implementation** – The applicants for projects recommended for funding explained specifically how the grant will support updating of an LCP (or other Coastal Act authorized plan) to address sea-level rise. All of the applicants recommended for funding

adopted resolutions committing to addressing sea-level rise and completing an LCP Amendment submittal to the Commission for updating the LCP.

2. **Public Benefit** – The review team gave priority in awarding of grant funds to projects that committed to maximize public benefits of the coast in addressing sea-level rise as articulated in the Coastal Act and California Ocean Protection Act. These benefits include: preserving and enhancing habitat such as coastal wetlands and natural lands, conserving biodiversity, protecting, providing and enhancing public access, protecting priority land uses such as coastal dependent development and recreational opportunities and protecting visitor-serving amenities.
3. **Use of Best Available Science** – The review team considered whether applicants were proposing to use the best available science on sea-level rise in projects, and will continue to work with the entities implementing projects funded through this grant program to ensure that they consider the recommendations presented in the State of California Sea-Level Rise Guidance and other key references. As required by the application process, all of the applicants submitted preliminary analysis of potential impacts from sea-level rise using the NOAA Coastal Services Center Sea-level rise and Coastal Flooding Impacts Viewer or other readily-available planning tools.
4. **Effectiveness** - The goal of these grants is to encourage local entities to conserve and protect coastal resources, such as such as public accessways and recreation sites, environmentally sensitive habitat areas and other coastal and terrestrial resources, agricultural areas, new and existing development, coastal-dependent and visitor-serving uses, critical infrastructure, and other resources and priority uses identified by the Coastal Act. Applicants for projects recommended for funding demonstrated how the proposed project will be effective in conserving and protecting these resources from future impacts from sea-level rise and related climate change impacts through changes in LCPs or other applicable plans, and how the proposed projects build upon or complements existing efforts that may be underway or completed for their local jurisdiction
5. **Urgency and Need** – The projects selected by the review team demonstrated urgency due to the specific resources that are at risk from sea-level rise and the relationships with planning decisions that will have long-lasting effects
6. **Transferability** – The projects recommended by the review team address issues in a manner that may be useful as a model for other communities and will result in analysis, strategies, or draft ordinance language that may be used by other communities. Staff will continue to work with grantees to include in the work program specific activities to actively share information with others and to report on lessons learned.
7. **Matching Funds/Leverage** – The review team considered the extent to which the applicants were able to provide matching funds or leverage resources and concluded that the applicants for the selected projects demonstrated their capacity to achieve the proposed work.

## RECOMMENDED PROJECTS

Based on a collaborative review process with staff from the Coastal Conservancy, Coastal Commission and OPC using the adopted criteria for the LCP Sea-level Rise Grant Program, OPC staff recommend that the Council approve funding seven projects from the first grant round. See Exhibit 4 for additional information on all of the proposals that were received.

### **City of Eureka General Plan Update: Coastal Land Use Policy – Sea-level Rise Adaptation Strategies and Policies**

Staff recommends providing \$250,000 to the City of Eureka to implement a project that will support modeling to enable the City to update the LCP for coastal areas vulnerable to flooding. The City has committed approximately \$1,250,000 to support the General Plan Update and estimates that it will contribute an additional \$1- \$1.3 million for in-kind services related to the General Plan and LCP Update.

### **City of Morro Bay Sea-level Rise Vulnerability Assessment and Policy Framework**

Staff recommends providing \$250,000 to the City of Morro Bay to prepare a sea-level rise vulnerability assessment to support the LCP and General Plan update. The City will use the outcomes of the vulnerability assessment to identify a policy framework based on the concept of natural infrastructure and an informed approach to coastal wetlands, natural lands, and habitat management. The City has committed \$76,000 and \$67,000 in-kind services to support the project.

### **Capacity Building and Information Acquisition for Sea-level Rise Planning in the Los Angeles Greater Metropolitan Region**

Staff recommends providing a grant of \$235,000 to the City of Santa Monica to support a regional sea-level rise and coastal storms study to examine coastal erosion and shoreline change along the Los Angeles region coastline to enhance sea-level rise planning and protection of coastal assets, populations, and economies of participating jurisdictions. Regional partners are committing approximately \$180,000 of in-kind services and this grant will leverage significant investments by other agencies to model climate change impacts in southern California.

### **Collaborating on Sea-level Marin: Adaptation Response Team**

Staff recommends providing \$200,000 to the County of Marin to address vulnerabilities to sea-level rise and define adaptation strategies that will increase the resiliency of the coastal resources of Marin. The County has committed \$81,000 in matching and the project will build upon funding from other partners and the collaborative work of the Our Coast Our Future project, which is valued at approximately \$1, 640,000.

### **Sonoma County LCP Update: Sea-level Rise Assessment and Adaptation**

Staff recommends providing a grant of \$150,000 to the County of Sonoma to support a technical assessment that will support the County in including sea-level rise as part of an LCP update that the County is currently conducting. The grant will also support the development of a range of policy options and implementation strategies to address the impacts of sea level rise. The County has committed \$315,000 for the LCP update and the total funding from other sources is an additional \$1.9 million.

### **Collaborative Efforts to Assess Sea-level Rise Impacts and Evaluate Policy Options for the Monterey Bay Coast**

Staff recommends providing \$150,000 to the County of Monterey to collaborate with the County of Santa Cruz to compile data to complete a regional vulnerability assessment and evaluate adaptation responses to sea level rise. Other funding for this regional project totals approximately \$250,000 and \$69,000 of in-kind services.

### **City of Half Moon Bay Local Coastal Program**

Staff recommends providing \$70,000 to the City of Half Moon Bay to assess existing conditions, trends and vulnerabilities associated with sea-level rise and to identify adaptive capacities and evaluate alternatives and draft a Land Use Plan based on this information. The City has committed \$250,000 for this fiscal year for updating the LCP.

## PROGRAM FINANCING

Ocean Protection Council	\$1,305,000
Matching Funds	<u>\$1,972,000</u>
Total Project Cost	\$3,277,000

The anticipated source of funds will be the fiscal year 2008 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the use of these funds for purposes consistent with Section 35650 of the Public Resources Code, establishing the California Ocean Protection Trust Fund (Pub. Res. Code § 75060(g)). Under section 35650(b), Ocean Protection Trust Fund monies may be expended for projects authorized by the OPC that are identified as appropriate Trust Fund purposes. These purposes include projects that provide funding for adaptive management, planning, coordination, and other activities to minimize the adverse impacts of climate change, including sea-level rise on California's ocean ecosystem. (Pub. Res. Code § 35650(b)(2)(J)). Modernizing local coastal plans will directly improve the management of coastal and ocean resources as specified by this section. Any information developed under the grants which identifies early action measures for the elimination or reduction of emissions from greenhouse sources will be shared with the California Air Resources Board, consistent with PRC § 35650(b)(2)(J)(ii)

### CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:

See Attachment 1: [November 29, 2012 OPC Staff Recommendation](#)

### CONSISTENCY WITH THE OPC'S STRATEGIC PLAN:

See Attachment 1: [November 29, 2012 OPC Staff Recommendation](#)

### CONSISTENCY WITH THE OPC'S GRANT PROGRAM FUNDING GUIDELINES:

The OPC previously resolved that the LCP Sea-level Rise Grant Program is consistent with the OPC's Grant Program Funding Guidelines that were adopted on November 20, 2008 (see Exhibit 1 - November 29, 2012 OPC Staff Recommendation). The OPC adopted specific criteria and a grant application to use to evaluate projects for this grant round on March 27, 2013. The projects recommended for selection under the grant program are also consistent with the Interim Standards and Protocols for the OPC Grant Funding Procedures (August 2013) in the following respects:

1. **Project Eligibility** – The projects recommended for funding under the LCP Sea-Level Rise Grant Round are consistent with the California Ocean Protection Act and the OPC Strategic Plan and are directly related to the coast, associated estuaries and coastal-draining watersheds since they all pertain to projects that address sea-level rise vulnerabilities. All of the projects recommended for funding are supported by resolutions adopted by the governing bodies of local governments, indicating demonstrable support from the public. The selected projects are of greater-than-local interest since they all involve urgent vulnerabilities to sea-level rise and are designed to support transferability to other jurisdictions.
2. **Applicant Eligibility** – All of the proposed projects are led by local governments.
3. **Program Priorities** – The projects recommended for funding under the Grant Round support implementation of the OPC's Strategic Plan, including the following goals:
  - Improve decision-making through use of best available science by state entities and agencies charged with ocean and coastal stewardship.
  - Prepare for and reduce harmful impacts of climate change on coastal development and infrastructure, public health and safety, the economy, and ecosystems by encouraging adaptation

- to climate change and engaging decision makers at all levels of government.
- Reduce the negative impacts of land-based activities on marine ecosystems and the state's coastal and ocean economy.

**COMPLIANCE WITH CEQA:**

The proposed projects are categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to 14 Cal. Code of Regulations Section 15306 because they involve data collection, research and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource; and Section 15262 in that they involve feasibility or planning studies for possible future actions which have not yet been approved, adopted or funded. Staff will file a Notice of Exemption upon approval by the OPC.