

Assembly Bill No. 2125

CHAPTER 544

An act to add Sections 35620 and 35621 to the Public Resources Code, relating to coastal resources.

[Approved by Governor September 29, 2010. Filed with
Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2125, Ruskin. Coastal resources: marine spatial planning.

Existing law declares it is the policy of the state to assess the long-term values and benefits of the conservation and development of ocean resources and uses with the objective of restoring or maintaining the health of the ocean ecosystem and ensuring the proper management of renewable and nonrenewable resources.

Existing law requires the Ocean Protection Council to coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations, to establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies, and to identify and recommend to the Legislature changes in law needed to achieve these goals.

This bill would, consistent with the above goals and subject to the availability of funding, require the Ocean Protection Council, to support state agencies' use and sharing of scientific and geospatial information for coastal- and ocean-relevant decisionmaking, including marine spatial planning, by taking specified actions, to assess the needs of California's public agencies with respect to their abilities to gather, manage, use, and share information and decision-support tools relevant to ecosystem-based management in the coastal and ocean environment.

The bill would require each state agency, board, department, or commission with ocean or coastal management interests or regulatory authority to cooperate with the Ocean Protection Council to achieve all of the specified goals, subject to available funding and consistent with each entity's individual mandate. The bill would authorize the council to award grants, enter into interagency agreements, and provide assistance to public agencies and nonprofit organizations to support the achievement of these goals and would require the council to give preference to public agencies that are meeting these goals.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) California's ocean and coastal waters are unique and valuable natural resources that the state holds in trust for the people of California.

(b) The preservation of the state's ocean resources depends on healthy, productive, and resilient ocean ecosystems.

(c) California's coastal and ocean resources are critical to the state's environmental and economic security, and integral to the state's high quality of life and culture.

(d) Long-term protection and enhancement of California's ocean resources depends on comprehensive and coordinated ocean management.

(e) (1) Relevant, accessible, and shared scientific and geospatial information is essential to effective ecosystem-based ocean management.

(2) President Barack Obama has established an Interagency Ocean Policy Task Force (task force) to develop a national framework for improved ocean stewardship and a process for effective coastal and marine spatial planning. The task force has identified scientific information as a strategic asset that should be developed and managed on an ongoing basis to meet planning needs.

(3) Marine spatial planning as defined by the task force is "a comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of the ocean or coastal environment. Marine spatial planning identifies areas most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce environmental impacts, facilitate compatible uses, and preserve critical ecosystem services to meet economic, environmental, security, and social objectives."

(4) California public agencies need better access to relevant scientific and geospatial information when making permitting decisions and conducting long-term planning for the management of California's coastal and ocean ecosystems. Marine spatial planning is a potential tool for more effective and comprehensive ecosystem-based management of California's oceans.

(f) Future uses of state waters present new threats and increased cumulative impacts. The state seeks appropriate information and management measures to ensure that these uses contribute positively to the state and do not cause unnecessary user conflicts or adverse impacts to our valuable coastal and marine resources.

(g) Effective ecosystem-based ocean management is enhanced by the state's use of scientific and geospatial information related to California's coastal and ocean ecosystems.

(h) Effective ecosystem-based ocean management is advanced by human and technological resources that support the strategic use of scientific and geospatial information by public agencies, users of coastal and ocean ecosystems, and the public. These resources include, but are not limited to, all of the following:

(1) Education and training of existing staff.

(2) New and retained staff members with training in geographic information systems and other relevant disciplines.

(3) Information discovery and search tools that facilitate information gathering and sharing.

(4) Decision-support tools that convey planning-relevant information to decisionmakers, users, and the public, and assist them with making planning decisions.

(i) The Ocean Protection Council was created to, among other things, coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources.

SEC. 2. Section 35620 is added to the Public Resources Code, to read:

35620. (a) Consistent with this chapter, and subject to the availability of funding, the council shall support state agencies' use and sharing of scientific and geospatial information for coastal- and ocean-relevant decisionmaking, including marine spatial planning, by taking all of the following actions:

(1) Assess the needs of California's public agencies with respect to their abilities to gather, manage, use, and share information and decision-support tools relevant to ecosystem-based management in the coastal and ocean environment.

(2) Subject to a determination of need in paragraph (1) and in consultation with the relevant coastal or ocean management agency, increase the amount of baseline scientific and geospatial information that is available to public agencies in a publicly accessible, electronic, and geospatial format with respect to the following aspects of coastal and ocean ecosystems:

(A) Ecosystem health, structure, functioning, productivity, resilience, and vulnerability to threats.

(B) The effects of climate change.

(C) The cumulative effects of human-caused and natural sources of stress.

(D) Existing and predicted patterns of human activities, including activities that present conflicting or compatible demands on coastal and ocean ecosystems or those that require the use of a precautionary approach.

(E) Social, economic, and cultural values, including the value of coastal and ocean ecosystems for providing ecosystem services.

(F) Distinguishing ecological characteristics, including habitat heterogeneity, species abundance, and biodiversity.

(G) Other physical, biological, economic, social, and cultural information that the council determines is relevant to marine spatial planning.

(3) Support public agencies' collaborative management and use of scientific and geospatial information relevant to ecosystem-based management.

(4) Help identify decision-support tools relevant to ecosystem-based management, and, where appropriate, support the adaptation of those tools or the creation of new tools to serve the state's needs.

(b) Subject to available funding, and consistent with their individual mandates, each agency, board, department, or commission of the state with

ocean or coastal management interests or regulatory authority shall cooperate with the council to achieve all of the goals described in subdivision (a).

SEC. 3. Section 35621 is added to the Public Resources Code, to read:

35621. Consistent with the council's authority and responsibility under this chapter to coordinate activities of state agencies with ocean or coastal management interests or regulatory authority, to improve the effectiveness of state efforts to protect ocean resources, and to establish policies to coordinate the collection and sharing of scientific data related to coastal and ocean resources among agencies, the council may award grants, enter into interagency agreements, and provide assistance to public agencies and nonprofit organizations to support this effort, including grants to improve geospatial data collection, interagency data sharing and collaboration, and tools for visualizing and analyzing these data. In allocating grants and assistance, the council shall give preference to public agencies that are meeting the goals described in Section 35620.