

**CALIFORNIA COASTAL COMMISSION**

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# W6d

July 31, 2015

TO: California Coastal Commission and Interested Persons

FROM: Charles Lester, Executive Director  
Susan M. Hansch, Chief Deputy Director  
Michelle Jespersen, Federal Programs Manager

SUBJECT: **Interagency Agreements for Implementing California's Coastal Management Program** for public hearing and Commission action at the Coastal Commission meeting August 2015

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**RECOMMENDATION:**

Staff recommends that the California Coastal Commission (Commission) authorize the Executive Director to enter into: (1) an interagency agreement to administer pass through funding of \$294,600 from the federal Coastal Zone Management Act (CZMA) grant award to the San Francisco Bay Conservation and Development Commission (BCDC); (2) an interagency agreement to administer pass-through funding of \$300,000 from the CZMA grant award to the State Coastal Conservancy (SCC) for the purpose of implementing the federally approved California Coastal Management Program for Fiscal Year 2015-2016. The term of this award began on July 1, 2015 and extends through December 31, 2016.

**MOTION I:**

*“I move that the Commission authorize the Executive Director to enter into an interagency agreement to pass through \$294,600 of federal funds to the San Francisco Bay Conservation and Development Commission for the purpose of implementing the California Coastal Management Program for Fiscal Year 2015-2016.”*

Staff recommends a **YES** vote.

**MOTION II:**

*“I move that the Commission authorize the Executive Director to enter into an interagency agreement to pass through \$300,000 of federal funds to the State Coastal Conservancy for the purpose of implementing the California Coastal Management Program for Fiscal Year 2015-2016.”*

Staff recommends a **YES** vote.

**STAFF ANALYSIS:**

The federally approved California Coastal Management Program (CCMP) comprises three distinct state agencies: the Commission, BCDC, and SCC. The CZMA requires that one single state agency be the primary recipient of all federal CZMA funds awarded to the CCMP. The Coastal Act designates the Commission to serve this purpose. Therefore, any federal CZMA funds for other state agencies must be received by the Commission, included in the Commission’s budget, and passed through to the other CCMP agencies by means of an interagency agreement. The arrangement to pass through funds has been used since 1978 when the United States Department of Commerce approved the CCMP.

For Fiscal Year 2015-2016, which starts July 1, 2015, the State of California will receive \$2,516,000 in CZMA funds. The funds will be distributed as follows: BCDC will receive \$294,600, SCC will receive \$300,000 and the Coastal Commission will retain the remaining \$1,921,400 (see table below). The grant funds will be awarded pursuant to two sections of the CZMA: Sections 306 and 309. The SCC has not received CZMA funds for some time but requested to be included in the grant application for this fiscal year. The executive directors of the three state agencies mutually agreed upon the distribution of federal funds as outlined in the table below. The SCC is not eligible to receive section 309 funds at this time since they do not have an approved 309 Assessment and Strategy in place.

**Distribution of FY 2015-2016 CZMA grant funding by agency and CZMA Section**

<i>CZMA Sections</i>	<i>CA Coastal Commission</i>	<i>BCDC</i>	<i>State Coastal Conservancy</i>	<i>CZMA grant section TOTALS</i>
<b>Section 306</b> Coastal Management Program <i>(*state match required)</i>	\$1,531,400*	\$164,600*	\$300,000*	\$1,996,000*
<b>Section 309</b> Enhancement Grants	\$390,000	\$130,000	\$0	\$520,000
<b>Section 310 Miscellaneous - Other</b> <i>Note: No funds were appropriated</i>	\$0	\$0	\$0	\$0
	<b>\$1,921,400</b>	<b>\$294,600</b>	<b>\$300,000</b>	<b>total grant \$2,516,000</b>

**Section 306 - \$1,996,000 (Commission/\$1,531,400; BCDC/\$164,600; and SCC/\$300,000)**

Section 306 provides program implementation funding for the CCMP. The Commission uses Section 306 funding to support core program activities, including staff work on permits, appeals, LCPs, federal consistency review, and enforcement. BCDC uses Section 306 funding to support its work associated with permitting, federal consistency and enforcement activities. The SCC will use the 306 funding to support three projects that address sea-level rise, coastal resiliency and flood plain management. The state is required to match all Section 306 funds provided by the federal government. State general fund revenues that support Commission staff salary and benefits costs are used for the match. The state match for BCDC and SCC is included in their FY

2015-2016 budgets; therefore, the Commission will not incur any additional expense to provide BCDC and SCC's portions of the state match.

**Section 309 - \$520,000 (Commission/\$390,000 and BCDC/\$130,000)**

In 1990, the CZMA was reauthorized and amended to add a new "Coastal Zone Enhancements Grants" program established under CZMA Section 309. The purpose of the Section 309 grant funding is to provide California with the opportunity to enhance its coastal management program in any of the nine priority objective areas identified in the CZMA (wetlands, coastal hazards, public access, marine debris, cumulative and secondary impacts, special area management planning, ocean resources, energy and government facility siting and aquaculture).

In 2010, the Coastal Commission updated its Section 309 Assessment and Strategy for 2011 – 2015 (a requirement of the grant) which identifies the Commission's five highest priority coastal zone enhancement area objectives that will be the focus of the Commission's Section 309 work. These areas are: special area management planning (also considered LCP planning), cumulative and secondary impacts, public access, wetlands, and coastal hazards. BCDC updated their own 309 Assessment and Strategy in 2010 and it provides the basis for their 309 activities.

For the FY 2015-2016 grant, the Coastal Commission will use the Section 309 Enhancement Grant funds (\$390,000) for:

- **Outreach and Education for CCC SLR Guidance.** This task will allow for staff to conduct outreach and training for the Coastal Commission, staff and local governments on implementing the final SLR Policy Guidance. The task will also include coordinating with our Federal and State partners to ensure effective and efficient implementation of the SLR Policy Guidance in light of other ongoing efforts related to SLR issues. Outreach and training will include meetings or workshops with local governments, at least one public workshop with the Coastal Commission, and training materials that will be available on the Commission's website.
- **Digital LCP Phase 4.** This task will fund Phase 4 of the Commission's Digital LCP Project. In Phase 1, staff completed an assessment and needs analysis to identify and scope the work related to building and maintaining access to a Digital LCP library, and researched regulatory and procedural filing requirements for LCP submittals, amendments and updates. In Phase 2, staff developed protocols for identifying, collecting, maintaining and accessing digital documents, and conducted pilot Digital LCP projects. Phase 3 includes pursuing further completion of the digital LCP library, initiating changes to administrative procedures regarding how best to obtain documents from local government as part of the LCP submittals, and developing a strategy for expanding the public's access to the digital library over the web. Phase 4 will focus on obtaining digital documents for older, priority LCPs from jurisdictions that have been funded through LCP grants to update their LCPs, or for other priority LCPs that are unlikely to be digitized by local governments in the near future.
- **Public Access – Evaluating Implementation of Vertical Access Requirements.** Under this 309 Grant Task, Commission staff will develop guidance and updated policies and procedures to assess and quantify the implementation of vertical access (i.e., access to the beach and immediate shoreline) requirements in Central and Northern California through

data collection and assessment, including evaluation of condition compliance. The guidance will also address how to use the information collected to update LCP Public Access component objectives and implementation measures.

BCDC will use Section 309 funds (\$130,000) for:

- **Contra Costa Regional Assessment and Adaptation Project.** The San Francisco Bay Conservation and Development Commission's Adapting to Rising Tides (ART) program is leading a shoreline adaptation planning project along the Contra Costa County shoreline extending from Richmond to Bay Point. Under this 309 Grant Task, using the ART adaptation planning process, tools, and data, ART staff will work with local jurisdictions, agencies, and organizations in Contra Costa County to understand the vulnerabilities and consequences communities may face from rising sea level, including disproportionate impacts to certain community members, the disruption of transportation and utility infrastructure, the loss of employment sites, and limitations on access to goods and services. The project will work towards identifying shared and individual actions that will help improve resilience to sea level rise and other climate change impacts.

### **Section 310**

The FY 2015-2016 federal budget received no federal appropriations to Section 310 of the CZMA. Traditionally, the CZMA Nonpoint Source Pollution Control Programs was funded through Section 310 and assisted states by providing grants to support state nonpoint source pollution prevention and control activities. No federal funds have been appropriated to the Nonpoint Source Pollution Control Program since 2009.