

CALIFORNIA COASTAL COMMISSION

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To: Commissioners and Interested Persons

From: Tami Grove, Deputy Director
Elizabeth Fuchs, AICP, Manager, Land Use Unit

Subject: **Overview of Final CZMA 309 Enhancement Grants Program
Assessment and Strategy**

Commission staff is submitting for Commission concurrence, the Commission's Final Enhancement Grants Assessment and Strategy for submittal to the federal Office of Ocean and Coastal Resource Management (OCRM) pursuant to section 309 of the Coastal Zone Management Act (CZMA). The strategy proposes a set of management tasks designed to achieve enhancements of the California Coastal Management Program (CCMP) in the priority issues areas of Cumulative and Secondary Impacts, Wetlands, Coastal Hazards and Public Access.

Staff recommends that the Commission concur with the updated Assessment of Program Needs and Strategy for addressing program enhancements. Staff will submit the final Assessment and Strategy pursuant to federal guidance to the OCRM by February 24, 1997, for consideration as part of the Section 309 grant review process.

BACKGROUND: The 1992 Section 309 Enhancement Assessment identified the issue of cumulative and secondary impacts, as well as program needs in management of wetlands, hazards and public access resulting from the cumulative impacts of coastal growth and development, as priority issues for program enhancement. The Commission's 1992 strategy to address these program needs focused on improving the management of cumulative impacts by devising a new regional cumulative impact management process including a focus on the Commission's authorized mandate in the Coastal Act to periodically review the implementation of the CCMP by the Local Coastal Programs (LCPs). The resulting program, known as the Regional Cumulative Assessment Project, or ReCAP, developed this new framework. The 1992 enhancement grant program was completed in December 1996, and the final work products are being submitted to OCRM this month. The next phase of the Section 309 Enhancement grant program is now underway for FY 97-99.

The federal guidance for completing the enhancement grant application for FY 97-99 provides for a more targeted process focusing on updating the findings of the 1992 Assessment by: responding to a series of formatted questions in the nine enhancement areas;

identifying the new or continuing priority issue areas for the next phase of grants; and developing a targeted strategy to address the updated Assessment of program needs.

SUMMARY: The updated Assessment identified the major program needs and the relative priority status for allocation of resources for program improvements under this 309 grant program. For the California Coastal Program, the highest priority areas recommended of the nine enhancement areas are cumulative and secondary impacts, wetlands, access and coastal hazards. The 1997 updated Strategy proposes to address these priority enhancement areas by applying the new evaluation process as described in the *Procedural Guidance Manual: Conducting Regional Periodic Program Reviews* to achieve program changes resulting in improved management of cumulative and secondary impacts to wetlands, access and shoreline resources.

PUBLIC REVIEW AND COMMENT: As required by the federal guidance, the draft updated Assessment was circulated for public review, along with the 1992 Assessment, On December 4, 1996, for a 30 day comment period. A notice of availability of the document was included as an insert to the Commission's agenda and public input and comments solicited. As of this date, no written comments have been received on the draft Assessment.

SUMMARY OF THE UPDATED 309 ASSESSMENT

1. Public Access

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment identified as a main objective the need to find accepting agencies to open and maintain for public use the 2000 plus Offers to Dedicate Public Access. In addition, the 1992 Assessment identified the need to: assist local governments in the application of their LCP policies in light of evolving judicial case law; develop program improvements to address the cumulative impacts to access from coastal growth and development, including conducting periodic reviews and updates to the required Access components of LCPs; and improve monitoring of access related information and documents.

Since 1992, key improvements have been implemented through the 309 program and through the Access program. Through staff's efforts, non-profits have accepted several OTDs in Mendocino County. San Luis Obispo County completed acceptance of all their outstanding OTDs, making it the first County to achieve 100% acceptance of OTDs. Since 1992, one new beach access and one new boardwalk have been developed and opened to the public. In addition, 8 additional easements have been accepted. Finding agencies to accept, open and maintain accesses, however, remains an identified need. Some improvements to monitoring, and new information management tools and data including a computerized inventory of OTDs, have been implemented. Some new legislation, supported by the Commission, to address access management issues has been implemented.

Summary of the 1997 Updated Assessment: The updated 1997 Assessment identifies several management tasks aimed at the continuing need to develop ways to accept, open and maintain accessways. Population is continuing to increase and park expenditures have declined, leading to increasing demands on existing access areas. Only 19% of the existing OTDs have been accepted to date. In addition to the program needs remaining from the 1992 Assessment, the updated Assessment identifies the need to develop, through the application of the Commission's regional periodic review framework, the mechanisms to address the cumulative effects of growth and development on access and improve management of cumulative impacts to public access.

2. Hazards

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment identified the threats and impacts of shoreline and bluff erosion, from development activities for water supply and flood control, bluff stabilization, sand and gravel mining and dredging activities. All of these have contributed to cumulative effects on shoreline sand supplies. Also, there have been significant projects resulting in disposal of materials to replenish beaches. The cumulative growth of coastal development has also led to a demand for shoreline protective devices and the estimates of shoreline protection, concentrated in major development areas, have shown a dramatic increase since first inventoried in 1971. The need to develop mechanisms to direct development away from hazardous areas was identified as a key program need in the 1992 Assessment, as was the need to preserve, enhance and restore protective functions of the natural shoreline and prevent or minimize coastal hazards threats to existing population and property. The 1992 Assessment also identified the need to address the cumulative impacts of a growing number of grading violations, resulting in impacts to landform alteration, water quality and habitat.

Since 1992, the Commission has begun efforts to improve the management of cumulative impacts on shoreline resources. Through the ReCAP pilot project, the Commission documented the extent of shoreline armoring in the pilot area, the loss of recreational beach area resulting, and the projected trends in future armoring if policies continued. As a result of this analysis, the Commission, through the staff's Beach Erosion and Response Task Force (BEAR) developed guidance to: improve mitigation measures for projects impacting sand supply; increase consideration of alternative approaches to armoring; and increase training of staff in the analysis of beach erosion issues. The ReCAP project report also resulted in recommendations for improving policies related to setback determination, and other hazard management mechanisms. In addition, a complementary 309 program grant resulted in guidance for reviewing, mitigating and monitoring permits for beach nourishment and shoreline protecting devices. Guidance for the sand mitigation program for the Encinitas shoreline also was developed. Finally, a Landform Alteration Policy Guidance Document was developed to address the problem of excessive grading.

Summary of the 1997 Updated Assessment: The updated 1997 Assessment identifies a number of continuing program needs aimed at minimizing the cumulative impacts of development on shoreline resources. These include needs related to improved technical resources,

improved hazard inventories, possible legislative options, and measures to assess effectiveness of alternatives to armoring, including such measures as improved setback policy and avoidance of hazard areas, development of regional bluff retreat and management plans and guidance for watershed projects that affect sand supply. In addition, the updated Assessment also identifies a need to develop improved measures to minimize hazards from wildfires.

3. Wetlands

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment identified the threats to wetlands in California from agricultural use and development, port and marina development, residential, commercial, and industrial development, and flood control. The Assessment noted the significant loss of wetlands during the past century and the fragmentation and degradation of the remaining wetlands from the cumulative impacts of individual development projects. The 1992 Assessment identified the need to address these cumulative impacts and develop additional measures to protect and carefully manage the remaining wetlands. Further, that Assessment identified the need to improve wetland policy implementation, and improve data and information resource related to wetlands. Measures to improve intergovernmental coordination were also identified as a program need.

Since 1992, completion of the ReCAP assessment and other section 309-related wetland projects have resulted in, or contributed to, improvements to the CCMP. Improvements to assessment methodologies have been developed, procedural guidance for review of wetland projects and planning and evaluation of mitigation were developed. Additional efforts have resulted, including improved education and outreach, new management efforts related to a regional framework for southern California coastal wetlands, and new efforts related to exploring the concept of mitigation banking.

Summary of the 1997 Updated Assessment: The 1997 updated Assessment identifies the continuing need to address the cumulative impacts to wetland resources from coastal growth and development activities including polluted runoff, development fill, erosion, water quality impacts from watershed activities, cumulative effects of alterations in the watershed, lack of proper buffers, and nuisance or exotic species. Improved criteria for permit conditions, mitigation and restoration policies are needed and possible legislative options need to be explored. In addition, the Commission needs to strengthen ongoing efforts to implement nonpoint source pollution program to strengthen wetland protection.

4. Cumulative and Secondary Impacts

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment identified the significant issues related to the cumulative effects of coastal growth and development and identified the need to improve the programs' ability to manage the cumulative impacts through permitting, information management, LCP oversight and planning and program development.

Since 1992, the main focus of the Commission's 309 program has been to develop a framework to improve the management of cumulative impacts including a focus on the Commission's authority mandated in the Coastal Act (Section 30519.5) to periodically review the implementation of the CCMP through the Local Coastal Programs. A Regional Cumulative Assessment Pilot Project (ReCAP) was implemented in the Monterey Bay area as a means of developing and testing a new regional framework for assessing and managing cumulative impacts. The first phase of a comprehensive permit tracking database was developed and several guidance documents were developed to better manage cumulative impacts on water quality, wetlands and public access.

At the same time, California population continues to grow and is expected to reach nearly 50 million by the year 2020. Urbanization is also continuing; in addition to the regional growth noted in the ReCAP report, since 1992 the Commission and local governments have approved over 8000 coastal development permits, clearly reflecting increased development.

Summary of the 1997 Updated Assessment: The 1997 updated Assessment identifies the continuing priority need to improve the management of cumulative impact to coastal resources. Undertaking analysis and trends projection similar to that undertaken in the ReCAP process is still needed throughout the coast. This should be accomplished through the application of the new Regional Periodic Program Review Guidance developed under the 309 program. To realize the greatest potential for this regional review process, additional financial and legislative support may need to be sought.

Additional management mechanisms should be developed, including: new regional coordination activities and possible legislative options to ensure the authority to implement recommendations from regional periodic reviews; mechanisms to provide technical assistance to local government in managing cumulative impacts; improved information management capabilities, including improved GIS capability; and continued improvements to the permit tracking database to address monitoring of cumulative impacts. In addition, statewide program improvements identified in the ReCAP pilot project to improve management of cumulative impacts to wetlands, shoreline resources and access need to be implemented.

5. Ocean Resources

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment documented the critical role the Commission plays through its regulatory and planning program in protecting and managing ocean resources and uses in state waters and for coordinating state interests in federal waters. The Assessment also identified the efforts being made through the California Ocean Resources Management Act (CORMA). The Assessment identified the need for adequate staffing and funding to fully participate in the multi-agency efforts to improve management of ocean resources. In addition, the Assessment identified other needs related to implementing a comprehensive ocean planning and management process.

Since 1992, the state has made progress in ocean management. Efforts have included: increased coordination through CORMA; maintenance of major water quality monitoring programs such as the Mussel Watch Program; and prohibitions put in place to eliminate future leasing of oil and gas tracts in state and federal waters. Education efforts continue, as does work under the National Estuary Program. Ocean resource planning programs have been expanded, including ones implemented by California's three National Marine Sanctuaries. And, the Resources Agency has published the report: California Ocean Resources: An Agenda for the Future and is planning a major international conference focusing on California's ocean resources for March, 1997. However, despite these efforts, ocean resources continue to be stressed. Some fishery stocks are stressed. Point and nonpoint source pollution continues to impact resources. The state is lacking a water quality program covering the entire nearshore waters. Armoring of the shoreline and demands for dredging and disposal of dredged material continue, and there is a continuing need to address methods for mitigation of port processes. Improvements to vessel traffic management are also needed. Population increases place cumulative stress on resources and marine user conflicts have increased.

Summary of the 1997 Updated Assessment: The updated Assessment identifies the need to: improve interagency management of ocean resources; focus attention on watershed management and control of polluted runoff to ocean waters (addressed as a high priority under cumulative impacts to wetlands); further minimize risks from vessel traffic offshore; clarify the Commission's responsibility for oil spill prevention and response with federal consistency requirements; and participate in the Resources Agency's Agenda for the Future.

6. Marine Debris

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment documented the impact of marine debris on ocean resources and identified a need to improve enforcement of existing laws, develop new regulatory approaches to reducing marine debris, and educate the public to reduce marine debris. Since 1992, the Commission's Adopt-A-Beach program has seen a reduction in apparent litter. Marine debris concerns have been integrated into marine and harbor pollution initiatives through the Commission's coastal Nonpoint Source Pollution Program, the National Estuary projects and the NPDES stormdrain discharge programs of coastal jurisdictions.

Summary of the 1997 Updated Assessment: The updated Assessment identifies the need to continue to develop innovating funding mechanisms to expand the Commission's education and volunteer-based efforts on marine debris and strengthen the Commission program to address marine debris associated with boating and marina development and operation.

7. Special Area Management Planning

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment noted that the CCMP provides the necessary framework and stated policy direction for developing and implementing these plans, especially through the certification of LCPs, and did not identify

special needs associated with this planning. It noted that such approaches would be considered a management tool in other higher priority enhancement areas, such as wetlands cumulative impacts and public access. Since 1992, through the ReCAP program and other section 309-related projects, some examples of special area management planning have been realized, such as the work completed for the Encinitas shoreline and the case study completed for the Live Oak area of Santa Cruz County, as previously discussed in this report.

Summary of the 1997 Updated Assessment: The 1997 updated Assessment identified the need to continue to develop incentive programs and alternative measures to address significant resource areas through certification of LCPs and to develop guidance for development of future special area management plans.

8. Energy and Governmental Facility Planning

Summary of 1992 Assessment & Program Improvements: The 1992 Assessment documented the significant energy resources in California and identified the need to: increase coordination among agencies and improve procedures for public involvement to improve the review of energy and government facility siting. It also identified the need to improve the OCS information regulations, and to improve monitoring of mitigation measures. Since 1992, legislative changes altering the types of energy project developed in California have occurred and interagency studies have been implemented intended to study aspects of offshore oil and gas activities in Ventura, Santa Barbara and San Luis Obispo County. These studies will help assess future development of existing leases offshore the Tri-County area.

Summary of the 1997 Updated Assessment: The updated 1997 Assessment notes that the needs identified in the 1992 Assessment remain. In addition, the need exists to: continue improved coordination and early consultation; ensure adequate funding and measures for monitoring implementation and effectiveness of mitigation measures; address aging pipeline infrastructure; develop monitoring mechanisms such as completion of a statewide oil pipeline database; address facility abandonment; and address issues related to the High Energy Seismic Surveys.

9. Aquaculture

Aquaculture was not a specific enhancement area identified in the federal statute in 1992 and therefore was not addressed directly in the 1992 Assessment.

Summary of the 1997 Updated Assessment: The updated Assessment identifies the importance of aquaculture and the issues related to this development activity, such as water quality effects, introduction of pathogens or exotic species to the ecosystem, impacts to native species, habitat damage, scenic impacts and marine debris issues. The updated Assessment identifies the need to improve coordination between the existing regulating agencies to address these issues.

SUMMARY OF THE UPDATED 309 ENHANCEMENT STRATEGY:

Although there have been significant improvements in managing cumulative impacts under the CCMP as a result of the 309 program, the 1997 updated Assessment identifies a continued need to improve the management of cumulative impacts in priority areas throughout the coastal zone. Therefore, the Commission's strategy for the FY 1997-1999 Section 309 grant program continues the core strategy begun under the 1992 program, and builds on the results of ReCAP effort. The updated Strategy proposes to improve the ability of the CCMP to manage cumulative and secondary impacts of continue coastal growth and development on wetlands, access and shoreline resources by applying the new regional periodic review framework which is outlined in the Procedural Guidance Manual: Conducting Regional periodic Program Reviews.

It is expected that carrying forward with the application of this framework in other areas of the coastal zone will result in development and implementation of a wide range of improvements to the CCMP, through such program changes as modifications to Commission policies or procedures, changes achieved through LCPs or coastal development permits, and development of new regional management mechanisms, among others. In order to accomplish program changes to address the priority needs identified in the updated Assessment, the strategy outlines a three year plan for applying the new framework, including tasks to train Commission staff in applying the new Procedural Guidance Manual, to initiate and complete additional reviews, to develop recommended program improvements and to achieve implementation of the specific program changes to address the needs identified in the priority enhancement areas.

In addition to undertaking other regional periodic reviews to improve management of cumulative impacts, the strategy also focuses on improving the Commission's post-certification monitoring and information management. Improvements to this aspect of the Commission's program are necessary to improve the agency's information management capabilities, to effectively undertake future reviews in each region, and to better evaluate impacts on coastal resources.

Finally, the strategy includes implementing a number of specific program recommendations to Commission statewide programs and procedures in wetlands management, access management and hazards management made under the pilot ReCAP project. It also proposes tasks to evaluate possible legislative or financial options to facilitate implementation of cumulative impacts management measures. In addition, if subsequent additional funding becomes available, the Commission will pursue further program changes in the priority areas of wetlands (which includes the issue of managing polluted runoff), coastal hazards and public access through additional special projects intended to supplement the core strategy.