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To: Commissioners and Interested Persons

From: Peter Douglas, Executive Director
Susan Hansch, Chief Deputy Director
Rebecca Roth, Federal Programs Manager

Subject: **2006 Updated Assessment and Strategy of the California Coastal Commission's Enhancement Grants Program**

Recommendation

Staff recommends that the Coastal Commission hear public testimony, and after the public hearing, it concur by providing comments and suggestions on the proposed *2006 Updated Assessment and Strategy of the California Coastal Management Program* addressing program enhancements under Section 309 of the Coastal Zone Management Act.

Staff will make refinements to the proposed assessment and strategy at the close of public comments on April 14, 2006, and submit the final document to OCRM for approval by June 30, 2006.

Summary

The Assessment and Strategy adheres to the guidelines of the federal Office of Ocean and Coastal Resource Management (OCRM) and Section 309 of the Coastal Zone Management Act. The Assessment provides a description and assessment of coastal program needs in nine enhancement areas, identifying the high priority areas for improvement. The Strategy proposes a set of management tasks designed to achieve enhancements of the California Coastal Management Program in the high-priority areas (see side bar). This staff report provides background information about the Section 309 Enhancement Grants Program and a briefing of the Assessment and Strategy.

Public Review and Comment

The OCRM Section 309 guidance document requires that the Assessment portion of the draft document be available for public review for a minimum of 30 days. The Assessment has been available for public review since February 2, 2006. The March agenda contained a notice alerting the public to its availability for a comment period ending April 14, 2006. Members of the public who are interested may request copies of the draft and final documents or download them from the Coastal Commission website: www.coastal.ca.gov. Staff will submit, pursuant to federal guidance, the final Assessment and Strategy to OCRM by June 30, 2006, for consideration as part of the Section 309 grant review process.

CCC's High Priority Areas for Improvements

- 1) Cumulative & Secondary Impacts
- 2) Special Area Management Planning
- 3) Public Access
- 4) Coastal Hazards
- 5) Wetlands

CCC's Enhancement Strategy Summary

- 1) Expand GIS and IMS Applications
- 2) Strategic LCP Issue Area Evaluations
- 3) Provide Technical Assistance

I. Why is the CCC doing an Assessment and Strategy?

The federal Coastal Zone Management Act of 1972 (CZMA) established a voluntary program to encourage states to develop and implement programs to manage the nation's coastal resources. The CZMA sets minimum standards for state coastal management programs and provides federal grant

Section 309 "Enhancement" Areas

- Wetlands
- Public Access
- Coastal Hazards
- Cumulative and Secondary Impacts
- Energy & Government Facility Siting
- Marine Debris
- Ocean Resources
- Special Area Management Planning
- Aquaculture

assistance and federal consistency authority to states with approved programs. In 1977, the California Coastal Management Program (CCMP) was approved as meeting the standards of the CZMA.

The Section 309 Enhancement Grant Program, established through the 1990 amendment to CZMA, provides funding for the Coastal Commission to evaluate and enhance the CCMP. A voluntary program, Section 309 encourages states to develop program changes in one or more of nine coastal zone "enhancement" areas. The Secretary of Commerce is authorized by Section 309 to make grant awards to states for use in forming program changes that will help achieve the objectives of one or more of the enhancement areas. The Coastal Commission receives an average of \$410,000 in enhancement grants per year and has been awarded up to \$630,000 in one fiscal year for enhancement projects. In past years,

major projects have included Regional Cumulative Assessment Projects (ReCAPs), periodic reviews of local coastal programs (LCPs), analyses of offers-to-dedicate conservation easements, and development of a permit tracking database.

Section 309 requires OCRM to identify, in close cooperation with each state, that state's priority needs for improvement, and evaluate and rank funding proposals. OCRM will review the Coastal Commission's Assessment and Strategy to determine: 1) whether the Assessment has been successfully updated; 2) whether OCRM agrees with the enhancement area priorities; and 3) whether the Strategy is acceptable and therefore eligible for funding.

States and territories that receive an acceptable ranking will receive funding based on the standard allocation formula. As with the previous updates, OCRM will apply two ranking levels to the Strategies: acceptable and not acceptable. OCRM will evaluate each Strategy individually, using the criteria identified. This evaluation will occur solely within the context of each state's coastal resource management needs, its existing coastal management program, and its governmental structure. The San Francisco Bay Conservation and Development Commission, also part of California's federally-approved Coastal Management Program, will submit a separate Assessment and Strategy to OCRM.

II. Assessment Summary

A. Purpose

The Assessment serves to:

- 1) Identify changes that have taken place within each of the nine section 309 enhancement areas, including problems that have been addressed, new issues that have arisen, and changes in the status of the resources;
- 2) Describe the nature of problems, changes in the status of resources, or new issues, including the extent to which they are being addressed and their relative importance;

- 3) Provide the basis for determining the priority needs for improvement of state coastal management programs; and,
- 4) Provide the public with an opportunity to learn more about accomplishments under section 309 and to comment on the state's identification and justification of current priority needs, as well as the possible means that the state is considering to address the identified needs.

B. Sampling of Accomplishments Achieved in High-priority Areas under the CCC's Section 309 Program

1) Cumulative Impacts

Staff members created a database and inventory of recorded Offers to Dedicate (OTD) Open Space Easements. This data enables the Coastal Commission to monitor the location and acreage of coastal zone lands protected through conservation easement conditions, as well as lots retired in the Santa Monica Mountains under the Transfer of Development Credit Program. The Open Space Easement Program researched and documented OTDs that had been cataloged in order to determine status and avoid expiration of mitigation requirements. Staff then worked with local governments and nonprofits to get these OTDs accepted. The work resulted in acceptance of 123 OTDs statewide since 2001, 72 of which are in the Santa Monica Mountains. (*Santa Monica Mountains/Malibu ReCAP*, adopted June 1999.)

2) Special Area Management Planning

The area findings and recommendations of the Regional Cumulative Assessment Project (ReCAP) for the Santa Monica Mountains and Malibu area provided critical information that Commission staff used to develop the City of Malibu LCP. The Coastal Commission certified the Malibu LCP in September 2002. The certified LCP implemented many key recommendations of the Malibu/Santa Monica Mountains ReCAP. (*Santa Monica Mountains/Malibu ReCAP*, adopted June 1999.)

3) Public Access

The Periodic Review of the Monterey County LCP suggested standards for the California Coastal Trail alignment and design. The recommendations were subsequently adopted for the Transportation Agency of Monterey County (TAMC) portion of the Monterey Bay Sanctuary Scenic Trail (MBSST) project. The MBSST is planned to extend northwards from Marina along the former Union Pacific Railroad Monterey Branch Line right of way, now owned by TAMC for rail-to-trail purposes. (*Monterey County Review*. Commission review Sept 2004. Formal adoption not yet taken.)

4) Coastal Hazards

Recommendations from the *Pilot ReCAP: Monterey Bay Region* continue to be implemented in coastal permit and appeals and LCP Amendments. The Commission staff use ReCAP work to review virtually all proposals for shoreline protective devices in the Santa Cruz area. (*Pilot ReCAP: Monterey Bay Region*. Commission concurrence September 1995.)

5) Wetlands

As part of the Hearthsides Homes/Signal Landmark development application for the upper bench of the Bolsa Chica Mesa in Orange County, the Commission staff completed a biological assessment and resource analysis. Measures to address cumulative impacts were implemented as part of the Commission action on permit number 5-05-020. The project included a 37-acre habitat restoration.

C. Designation of High Priority Enhancement Areas

1) Cumulative and Secondary Impacts of Development

Cumulative and secondary impacts of development affect every other enhancement area in some way. Because California has a burgeoning population, the accompanying development keeps cumulative impacts at the forefront of coastal management concerns. The incremental nature of development decisions means that the Commission must remain alert to their impacts. Applying the regional review methodology developed under past regional cumulative assessment projects is a high priority for addressing the management of cumulative and secondary impacts at the state and local level. In addition, internet mapping services and statewide GIS data, available to both Commission and local staff, would provide an enormous benefit for coastal protection.

2) Special Area Management Planning

The CCMP provides the necessary structure for developing and implementing special area management plans (such as habitat conservation plans (HCPs)). The Commission has relied on the Local Coastal Program process as a means to incorporate special area planning efforts. However, necessary amendments to LCPs have not occurred as envisioned and many LCPs have become outdated.

LCPs need to be strategically monitored, evaluated and updated. In addition to SAMPs, areas of particular concern include new and emerging issues like hazard avoidance and mitigation, nonpoint source pollution, and conversion of agricultural lands. Attention to special area management planning must remain a high priority.

3) Public Access

Public access policies are the cornerstone of the California Coastal Act. Preserving and increasing access to the shoreline is still a prominent issue for Californians today. The state's population is increasing by approximating 500,000 annually and protecting public access from the cumulative impacts of growth and maximizing public access to the shoreline remains one of the Commission's highest public duties.

4) Coastal Hazards

Further attention to coastal hazards is of highest priority. Many positive changes have occurred since the last assessment; however, far more work is necessary in staff training, outreach to local governments, workshops, and augmentation of the professional expertise on staff. The Commission should expand on general concerns, such as staff coordination and outreach to local governments. Also, there should be a focus on some of the specific concerns, such as: improving setback policy; sea level rise, providing guidance and regional plans for emergency permits; guidance for beach nourishment; and improving the identification of coastal hazards throughout the state.

5) Wetlands

Although significant progress has been made in some areas of wetland management, the overall goal of establishing an integrated, comprehensive wetland management and enhancement program remains unfulfilled. The Coastal Act clearly mandates the preservation and enhancement of California's coastal zone wetlands and environmentally sensitive habitats (ESHAs). Yet population growth, continuing development pressure, limited scientific understanding, lack of coordination and communication, insufficient funding and expertise, and political inconsistencies in protecting wetlands all impede substantial progress to achieving the overall goal. Wetland issues remain a high priority for enhancing the coastal program, from both a State and national perspective.

III. Strategy Summary

A. Purpose

The Strategy explains the work program tasks, which include conceptual program changes and implementation activities that are contained in the five-year Section 309 work program. Included in the Strategy are cost estimates, schedules, and a general work plan. In accordance with the OCRM Section 309 Guidance (released March 28, 2005), the 2006 update does not require detailed information on annual work programs, budgets, benchmarks, and work products, as this will be determined through the annual grant award negotiation process.

B. Summary

1) Expand GIS Data and IMS Applications

A statewide Geographic Information System (GIS) populated with key datasets and published as Internet Mapping Services (IMS) will play a central role in improving the Commission's current and long range regulatory and planning functions. The system will provide GIS tools and functionality to staff via the internet. Such a system will help fulfill a fundamental need: routinely evaluating and updating state and local policies by reviewing spatial information of the cumulative impacts of development on local, sub-regional, regional and state landscapes. The IMS will require some staff training, but will ultimately provide Commission staff with easy access to the data necessary to draft recommendations of new and improved policies and implementation tools relating to cumulative impacts, wetlands/ESHA, public access, and coastal hazards.

2) Implement a Strategic LCP Issue Area Evaluation

A statewide review and evaluation of a critical LCP issue area for several jurisdictions will be conducted at intervals to improve local and state management of wetlands/ESHA, public access, hazards, and/or cumulative impacts of development. The issue area evaluations will involve staff, local government, and decision maker training and production of policy guidance.

3) Provide Technical Assistance

Technical assistance will be provided to state and local coastal managers through specific projects undertaken to improve coastal management in the Commission's five high priority enhancement areas. A number of issues and protect types are discussed in the Strategy, ranging from agricultural designations to visitor serving uses to beach assessments.

IV. Related Web Links

- Section 309 of the Coastal Zone Management Act:
http://coastalmanagement.noaa.gov/czm/czm_act.html
- OCRM Section 309 guidance document: www.ocrm.nos.noaa.gov/pdf/309_2005.pdf