

CALIFORNIA COASTAL COMMISSION

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December 18, 2020

TO: California Coastal Commissioners and Interested Public

FROM: John Ainsworth, Executive Director
Susan Hansch, Chief Deputy Director
Michelle Jesperson, Federal Programs Manager
Mary Matella, Environmental Scientist

SUBJECT: Draft 309 Assessment and Strategy for the years 2021 – 2025 for participation in the federal CZMA 309 Enhancement Grants Program. Public hearing and discussion item only. No Commission action required.

Exhibit 1: Draft 2021 – 2025 309 Assessment and Strategy

SUMMARY

The purpose of this item is to provide an opportunity for public review and comment and for the Commission to review and provide comments on the Draft Section 309 Assessment and Strategy of the California Coastal Commission for 2021 – 2025 that address program enhancements under Section 309 of the Coastal Zone Management Act. The Section 309 Enhancement Grants Program provides roughly \$385,000 per annual grant award to the Commission to support staff efforts to make program improvements to the Commission's coastal management program.

To continue to participate in this program, the Commission is required to complete an updated 309 Assessment and Strategy that will guide the Commission's annual grant application for Section 309 enhancement grants for the FY 2021-2025 award cycles. Following receipt of the Commission's input, public comment period, and review and consideration of comments, staff will prepare and submit the Final 309 Assessment and Strategy for 2021 - 2025 to the NOAA's Office for Coastal Management (OCM) by January 31, 2021.

DISCUSSION

The federal Coastal Zone Management Act (CZMA), as amended in 1990 and 1996, establishes a voluntary program to encourage state and territory coastal management programs to develop program changes in nine enhancement areas: Wetlands, Coastal Hazards, Public Access, Cumulative and Secondary Impacts, Special Area Management Planning (SAMP), Aquaculture, Energy & Government Facility Siting, Marine Debris, and Ocean/Great Lakes Resources.

Under this CZMA Section 309 Enhancement Grants Program, NOAA is authorized to award grants to states and territories to develop and submit for federal approval program changes that result in improvements in one or more of the enhancement areas. Section 309 also requires that the NOAA OCM review and work closely with states on their priority management needs and evaluate proposed strategies to achieve program improvements. The most recent previous update of the Section 309 Assessment and Strategy occurred in 2015.

The Commission has participated in this grant program since its inception in the early 1990s and this has allowed the Commission to pursue significant special projects to enhance the Commission's coastal management program. The current updated Assessment outlines some of the significant program enhancements under the previous Section 309 Strategies, including, for example:

- Science updates to the Coastal Commission's Sea Level Rise Guidance, and implementation of the guidance through outreach, education and training
- Public Review Draft of the Residential Adaptation Guidance
- Updated informational resources for local governments on LCP planning, including topical memorandum to provide guidance on emerging issues for local planners (also used by Commission staff)
- An Informational Guide for Permitting of Agricultural Development in the Coastal Zone and forum on sea level rise adaptation for Humboldt Bay agriculture lands (May 2017)
- Status Report of Vertical Accessways for Northern California
- Establishment of a database and procedural guidelines for a digital library of certified LCPs
- Adoption of the Commission's Final Strategic Plan for 2021-2025

The Section 309 Enhancement Grants Program provides roughly \$385,000 per annual grant award to the Commission to support staff efforts to make program improvements to the Commission's coastal management program. To continue to participate in this important program, the Commission is required to complete an updated 309 Assessment and Strategy that, once approved by the OCM, will guide the Commission's annual application for enhancement grants for the 2021-2025 grant cycles.

For the 2021 – 2015 Draft Assessment and Strategy, the Draft Assessment portion of the document describes status and trends and summary of significant changes in the nine enhancement areas. It also describes the extent to which problems and opportunities for program enhancement exist and identifies high priority program needs or gaps.

The Assessment is broken down into two phases. The first phase assesses the status of all nine enhancement areas and identifies high priority enhancement areas to focus on in more detail. Commission staff utilized public comments on the Commission's development of its 2021 – 2025 Strategic Plan and the results of the Phase I Assessments to guide the selection of high priority areas for Phase II. The second phase provides a more in-depth evaluation of those high priority enhancement areas identified. For the Commission's assessment, these high priority enhancement areas are Coastal Hazards, Public Access, Special Area Management Plans (also consider Local Coastal Programs), and Marine Debris.

The Draft Strategy portion outlines a multi-year approach to address high priority needs identified in the assessment for improving the state's Coastal Management Program (CMP). The approach, which is broken down into three distinct strategies, tie directly to the goals, objectives and actions in the Commission's recently adopted Strategic Plan. Each strategy lays out plan for making progress on a number of objectives and actions in the Strategic Plan that are designed to lead toward one or more program changes as defined by the CZMA.¹

Carrying-out these strategies will result in program changes in the form of policy guidance, potential regulatory updates and new or updated LCPs in the four high priority enhancement areas identified in the Assessment: Coastal Hazards, Public Access, Marine Debris, and Special Area Management Planning (considered LCPs in the California CMP). It is important to note that for the FY 2021-2025 assessment and strategy cycle, "coastal hazards" is designated as the enhancement area of national importance by NOAA. This designation will guide NOAA's selection of competitive grant applications under the Section 309 Project of Special Merit funding.

Further, the strategies will guide future applications for grant funds over the next 5 years, which will begin with the FY 2021 CZM grant starting July 1, 2021. For this next five-year period, the proposed strategies are, in summary:

¹ Program changes are defined by 15 CFR 923.123a. They include in summary: a change to the coastal zone boundary, new or revised authorities, new or revise local coastal programs and implementing ordinances, new or revised coastal land acquisition, management and restoration programs, new or revised special area management plans or plans for areas of special concern, new or revised guidance, procedures and policy documents that are formally adopted.

- **Resilient and sustainable communities and coastal resources:** The goal of this strategy is to support carrying out elements of Goal 4 to build more resilient coastal communities and coastal resources in light of coastal hazards associated with climate change and sea level rise through updating Commission regulations and developing new policy guidance documents. The updated regulations and policy documents will support planning for and permitting of climate adaptation and climate change mitigation/impact reduction efforts that factor in equity and environmental justice and result in more resilient, sustainable and equitable communities. This strategy will support the use of federal funds to achieve a number of actions from the Strategic Plan, including Actions 4.3.4, 4.3.5, 4.4.5, 5.13 and 6.3.4.
- **Public access for all with sea level rise:** The goal of this strategy is to develop guidance and informational resources for planners in support of the Commission's efforts to maximize coastal access for all under the agency's 2021 – 2025 Strategic Plan. The primary focus of this strategy is to make progress on objective 2.6, Ensure Continued Public Access in Light of Changing Shoreline Conditions and Sea Level Rise, and lays out a work plan that seek to make progress on actions under that objective (Actions 2.6.1, 2.6.2, 2.6.3). The strategy will also include application of equity and environmental justice principles by addressing barriers to public access and to consider the unique coastal access needs of environmental justice communities (Action 2.3.2).
- **Marine Debris Reduction Measures:** This strategy provides a framework to develop policy guidance and conduct public outreach around the inclusion of plastic pollution and other marine debris reduction measures in coastal development permits, LCPs, and other relevant regulatory processes and documents, pursuant to Strategic Plan Objective 3.5 Reduce Plastic Pollution and All Other Marine Debris. This strategy directly ties to completion of Strategic Plan Action 3.5.2 This strategy will also support carrying-out various components of the State's Ocean Litter Strategy, which the Commission was heavily involved.

The Draft Strategy proposes the following draft budget estimates as shown in Table 1 below. The annual budget for each strategy will be refined during the annual grant application process and funding amounts are contingent on Congressional appropriation for each federal fiscal year.

Table 1. Five-Year Budget Estimate by Strategy

Strategy Title	Year 1	Year 2	Year 3	Year 4	Year 5	Total Funding
Resilience for communities and coastal resources	\$200,000	\$200,000	\$200,000	\$186,000	\$186,000	\$972,000
Public access for all with sea level rise	\$110,000	\$110,000	\$110,000	\$125,000	\$125,000	\$580,000
Marine Debris Reduction Measures	\$76,000	\$76,000	\$76,000	\$75,000	\$75,000	\$378,000
Total Projected Funding	\$386,000	\$386,000	\$386,000	\$386,000	\$386,000	\$1,930,000

PUBLIC REVIEW AND NEXT STEPS

Commission staff is now seeking input from the public on the proposed strategies in this Draft 309 Assessment and Strategy. The public comment period opened with posting of the document on the Commission’s website on December 21, 2020 and will close January 20, 2021. The Commission will also submit the Draft 309 Assessment and Strategy to NOAA’s OCM for concurrent review consistent with OCM guidelines for document preparation.

OCM will review the Commission’s Draft Assessment and Strategy to determine: 1) whether the Assessment has been successfully updated; 2) whether OCM agrees with the enhancement area priorities; and 3) whether the Strategy is acceptable and therefore eligible for funding over the period 2021 through 2025.

The public is invited to provide comments in writing or verbally at the Commission’s January 2021 meeting. The public comment period for written comments will remain open through January 20, 2021. Written comments must be received by January 20, 2021 and can be mailed to:

California Coastal Commission
 Executive Division
 455 Market Street, Suite 300
 San Francisco, CA 94105

Or sent via email (preferred) to: 309Comments2021@coastal.ca.gov

The 309 Draft Assessment and Strategy for 2021 – 2025 document is included as [Exhibit 1](#) to this staff report.