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LCP Grant Program Updates

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EXHIBITS

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Exhibit 1: 2013 Adopted LCP Grant Program Guidelines

Eligible Grantees and Projects

These grants are intended to provide assistance to local governments responsible for developing and amending Local Coastal Programs. Because the funds were appropriated to focus on LCP completion and update, project-specific LCP Amendments are not eligible for these grants unless such proposals will result in certification of an LCP for a complete ADC or complete LCP segment. Also, completion of updated resource studies or other potential components necessary to an LCP submittal or LCP amendment may only be eligible if they are part of an LCP Amendment or submittal that otherwise ranks high on the criteria for grant awards, such as a high likelihood of success to address an important coastal resource issue or set of issues.

Priorities

Applications for FY 13 LCP planning grants will be evaluated for their ability to complete or update an LCP. This will include:

- Completion of land use plan and/or zoning work to achieve certification of a Local Coastal Program (LCP) or an Area of Deferred Certification (ADC) resulting in the new transfer of coastal development permit authority to the local government in these areas;
- Planning and/or zoning work to significantly update certified LCPs or LCP segments in whole or in part to reflect changed conditions, new information and scientific knowledge, new programs and policies, or other significant changed circumstances. Updates that address the effects of climate change, such as sea level rise, will be given special consideration.

Applicants will be expected to identify the specific elements of their LCP that they expect to complete or to update through this grant program, and a work program and timeline.

Evaluation Criteria

Staff will evaluate the grant applications against the following selection criteria. The criteria will be considered as a whole (not weighted) and compared across the applications received. Grant applications recommended for award of funds will be brought back to the Commission for approval.

Public Benefit/Significance

The Commission will consider the extent to which the proposed LCP planning effort will address issues of statewide significance and maximize public benefits of the coast. These can include: preserving and enhancing coastal habitat, protecting, providing and enhancing public access, protecting priority land uses such as agriculture, coastal dependent development or recreation, protecting and providing lower cost visitor and recreational opportunities, and addressing climate change.

LCPs are the means to implement the policies of Chapter 3 of the Coastal Act at the local level and when submitted are reviewed by the Commission for conformance with the Coastal Act. As LCPs have become more dated, their ability to provide an up to date framework to govern coastal development in light of changed circumstances and new scientific information may be weakened. As one purpose of this grant program is to update LCPs, the Commission will must consider the extent to which priority Coastal Act resources are addressed and the public benefits maximized.

Relative Need for LCP Update/Extent of Update

Related to the public benefits of a proposal, the Commission will consider the relative need for an LCP update, considering the length of time since an LCP or LCP segment has been updated and the significance of the issues proposed to be updated. For example, many sensitive species and habitats have been identified since the time of certification of many LCPs. A proposal to update an LCP's environmentally sensitive habitat (ESHA) policies, ordinances, resource maps, etc. may be an important update in specific jurisdictions. Other jurisdictions may benefit from updates in policy areas that will resolve known deficiencies or sources of conflict and/or appeals of local coastal development permits to the Commission. In addition, the extent or scope of an update is an important consideration, with higher priority being placed on proposed updates of greater extent/scope, such as a complete LUP/IP update, or an update that results in comprehensive updating of one or more policy areas or a geographic sub-area.

Addressing the Effects of Climate Change

Climate change is one of the most significant policy areas to emerge since many of the LCPs have been certified. The Commission is seeking LCP updates that address the effects of climate change, including sea level rise and other coastal hazards, as well as other issue areas affected by climate change, such as changes in habitat, fire hazards, and transportation and land use policy to facilitate reductions in greenhouse gas emissions and vehicle miles travelled. Special consideration will be given to LCP amendment proposals to address this policy area.

Likelihood of Success/Effectiveness

The Commission has had past grant programs where the investment of public funds has not resulted in completed certified LCPs or LCP Amendments. In a few cases, funding has been awarded but reverted. Overall, the success of the Commission's grant program will be measured by the progress made toward LCP certification or update.

The Commission thus will consider the likelihood of success of each proposal, including evaluating the practicality, feasibility, and effectiveness of a proposed work program that may lead to successful implementation. Proposals should address the need for coordination with the public and the Commission, and provide for practicable benchmarks for LCP amendment development and review. Other evidence in support of this criteria may include resolutions of intent and endorsement for the proposed work from the jurisdiction and other organizations, matching funds or other complementary efforts (see below), or other factors that may affect the likelihood that an LCP amendment will be successfully completed. Applicants will be asked to describe any

LCP planning work that has been initiated or is already underway at the local level and how this grant program is needed to substantially further that effort. A resolution from the applicant committing to completing an LCP Amendment submittal to the Commission will be required as part of the application.

For new LCP development, the local government should demonstrate its willingness and capacity to assume local coastal development permit processing. Related, some areas of the coastal zone remain uncertified because the Commission and local government have been unable to reach agreement on the resolution of issues or the issue is particularly intractable. The Commission will consider the likelihood that such areas and specific policy questions can be successfully addressed, leading to certification of the area.

Workload

The Commission will consider the level of existing permit workload generated by uncertified jurisdictions and thus the relative statewide benefits of certification of any particular jurisdiction.

While most of the geographic area of the coastal zone is under certified LCPs, there are 36 segments that are not yet certified and 44 specific Areas of Deferred Certification. The Commission is responsible for review of all coastal development permits in these uncertified areas. If LCPs were certified for these areas, then most coastal development permits would be reviewed at the local level and the Commission's staff resources could be reallocated to assist matters of more statewide significance and importance, such as early coordination with local government on LCP planning matters, as well as oversight, review, and coordination with local governments on LCP implementation.

Project Integration/Leverage/Matching Funds

The Commission will consider the relationship of the LCP work program to other planning work being undertaken by the jurisdiction. Applicants will be asked to describe any other related grant awards (such as through the Ocean Protection Council, Coastal Conservancy or the Strategic Growth Council) that may support the LCP planning work and any availability and amount of local matching funds.

There are several related grant programs underway which may positively integrate with this LCP Planning Grant program. For example, the Ocean Protection Council is currently processing applications for grants to update LCPs to address Sea Level Rise. The Coastal Conservancy is administering a Climate Ready grant program (http://scc.ca.gov/files/2013/07/Climate-Readygrant-announcement-July-18_FINAL.pdf). The Strategic Growth Council provides a Sustainable Communities Planning Grant and Incentives Program to fund efforts to conduct planning activities that will foster sustainable communities, lead to reduced greenhouse gas emissions, and achieve other sustainability objectives, and for which coastal jurisdictions are eligible to apply. The Commission will consider the ability to integrate and leverage any additional program funds available that could help support a comprehensive LCP certification effort or update.

Review of Applications

As a competitive grant program, staff will review and rank applications according to the adopted priority and criteria, and will prepare recommendations for CCC authorization of individual grant awards. The level of funding that staff will recommend to the Commission for a particular award will be determined by evaluating the grant requests against other considerations including:

- the amount of available grant funds (\$1,000,000) and the number of competing applications;
- the sequence of tasks and likelihood of timely completion of the work program;
- the necessity of each task; and,
- the reasonableness of costs proposed for specific tasks.

Exhibit 2: 2018 Adopted LCP Grant Program Guidelines

Eligible Grantees and Projects

These grants are intended to provide assistance to local governments responsible for developing and amending Local Coastal Programs. Completion of updated resource studies or other potential components necessary to an LCP submittal or LCP amendment may only be eligible if they are part of an LCP Amendment or submittal that otherwise ranks high on the criteria for grant awards, such as a high likelihood of success to address an important coastal resource issue or set of issues.

Priorities

Applications for LCP planning grants will be evaluated for their ability to complete, update, or amend an LCP. This may include:

- Planning and/or implementation of strategies to address the effects of climate change, such as reducing greenhouse gas emissions, adapting to sea level rise or increased fire risks, or other climate resilience activities;
- Planning work and/or focused outreach efforts to address environmental justice concerns, particularly related to climate resilience, and to ensure protection of coastal resources and provision of public coastal access and lower-cost recreation for everyone, regardless of race, ethnicity, socio-economic status, or place of residence; or,
- Completion of land use plan and/or zoning work to achieve certification of a new Local Coastal Program (or an Area of Deferred Certification) or planning and/or zoning work to significantly update certified LCPs (or LCP segments) in whole or in part to reflect changed conditions, new information and scientific knowledge, new programs and policies, or other significant changed circumstances.

Evaluation Criteria

Staff will evaluate grant applications against the following selection criteria. The criteria will be considered as a whole (not weighted) and compared across the applications received. Grant applications recommended for award of funds will be brought back to the Commission for action.

Public Benefit/Significance and Environmental Justice

The Commission will consider the extent to which the proposed LCP planning effort will address issues of statewide significance and maximize public benefits of the coast. These can include: reducing greenhouse gases and addressing the impacts of climate change and sea level rise; preserving and enhancing coastal habitat; protecting, providing and enhancing public access; protecting priority land uses such as agriculture, coastal dependent development, or recreation; protecting and providing lower cost visitor and recreational opportunities.

LCPs are the means to implement the policies of Chapter 3 of the Coastal Act at the local level and when submitted are reviewed by the Commission for conformance with

the Coastal Act. As LCPs have become more dated, their ability to provide an up to date framework to govern coastal development in light of changed circumstances and new scientific information may be weakened. The Commission will consider the extent to which priority Coastal Act resources are addressed and the public benefits maximized.

Additionally, in 2016, the Legislature passed AB 2616 giving the Coastal Commission explicit authority to consider environmental justice, defined in California Government Code Section 65040.12(e) as: “*The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations, and policies.*” Residents of poorer communities or communities of color can often bear a disproportionate burden of pollution or other environmental harms, while suffering from a lack of environmental services, such as clean drinking water, clean air, and access to parks and open space. Addressing these types of disparities is critical for ensuring that Coastal Act goals of protecting coastal resources for all are fulfilled, particularly as climate change results in evolving risks, and the Coastal Commission will consider the extent to which environmental justice issues are addressed when evaluating grant proposals.

Addressing the Effects of Climate Change

Climate change is one of the most significant policy areas to emerge since many of the LCPs have been certified. The Commission is seeking LCP updates that address the effects of climate change, including land use, transportation, and habitat restoration and conservation policies that facilitate reductions in greenhouse gases and vehicle miles travelled, as well as the planning and implementation of strategies to adapt to sea level rise and other issue areas affected by climate change, such as changes in habitat and fire hazards. Special consideration will be given to LCP amendment proposals that include coastal resilience planning.

Relative Need for LCP Update

Related to the public benefits of a proposal, the Commission will consider the relative need for an LCP update, considering the length of time since an LCP or LCP segment has been updated and the significance of the issues proposed to be updated. For example, many jurisdictions have identified needs to reduce vehicle miles travelled, improve public transit, and enhance pedestrian and bicycle options, particularly to and along the coast. Others may seek to assess vulnerability and develop adaptation solutions to address sea level rise, fire, or other climate change impacts to critical infrastructure, recreational amenities and open space, or significant wetland and habitat areas. A proposal to complete technical studies, economic analyses, mapping, public outreach, and development of LCP policies in support of these options may be important.

Likelihood of Success/Effectiveness

The Commission has had past grant programs where the investment of public funds has not resulted in completed certified LCPs or LCP Amendments. In a few cases, funding has been awarded but reverted. Overall, the success of the Commission’s grant

program will be measured by the progress made toward LCP certification, update, or amendment.

The Commission thus will consider the likelihood of success of each proposal, including evaluating the practicality, feasibility, and effectiveness of a proposed work program that may lead to successful implementation. Proposals should address the need for coordination with the public and the Commission, and provide for practicable benchmarks for LCP amendment development and review.

Other evidence in support of this criteria may include resolutions of intent and endorsement for the proposed work from the jurisdiction and other organizations, matching funds or other complementary efforts (see below), or other factors that may affect the likelihood that an LCP amendment will be successfully completed. Applicants will be asked to describe any LCP planning work that has been initiated or is already underway at the local level and how this grant program is needed to substantially further that effort. A resolution from the applicant committing to completing an LCP Amendment submittal to the Commission will be required as part of the application.

For new LCP development, the local government should demonstrate its willingness and capacity to assume local coastal development permit processing. Related, some areas of the coastal zone remain uncertified because the Commission and local government have been unable to reach agreement on the resolution of issues or the issue is particularly intractable. The Commission will consider the likelihood that such areas and specific policy questions can be successfully addressed, leading to certification of the area.

Project Integration/Leverage/Matching Funds

The Commission will consider the relationship of the LCP work program to other planning work being undertaken by the jurisdiction. There are several statewide grant programs underway which may positively integrate with this LCP Planning Grant program. Applicants will be asked to describe any other related grant awards (such as through past Coastal Commission grant rounds, or from the Ocean Protection Council, Coastal Conservancy, Caltrans, or the Strategic Growth Council) that may support the LCP planning work. The Commission will consider the ability to integrate and leverage any additional program funds available that could help support LCP certification, update, or amendment.

Review of Applications

As a competitive grant program, staff will review and rank applications according to the adopted priority and criteria, and will prepare recommendations for Coastal Commission authorization of individual grant awards. The level of funding that staff will recommend to the Commission for a particular award will be determined by evaluating the grant requests against other considerations including:

- The amount of available grant funds and the number of competing applications;
- The sequence of tasks and likelihood of timely completion of the work program;
- The necessity of each task; and,

- The reasonableness of costs proposed for specific tasks.