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**W8**

**CCC and Local Government Working Group Workshop**

**September 11, 2024**

**EXHIBITS**

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**TO:** California Coastal Commission and interested parties  
**FROM:** Local Government Working Group  
**RE:** Working draft discussion paper on neighborhood-scale adaptation planning

## Neighborhood-Scale Adaptation Planning: Draft Discussion Paper

### Executive Summary

Climate change and sea level rise (SLR) have already begun to impact California's coastal communities. Extreme winter storms over the past several years have provided a glimpse into the types of impacts to coastal development, infrastructure, beaches, accessways, and a variety of other coastal resources that we can expect to see continue and worsen into the future if we don't make significant strides to adapt to anticipated changes. Updating Local Coastal Programs to better address sea level rise is a critical mechanism for ensuring that coastal resources can continue to be protected in line with Coastal Act requirements, even as conditions change. LCP updates are critical for not only ensuring that new development is sited and designed with long-term hazards in mind, but also to guide the implementation of SLR adaptation strategies that are designed to balance a variety of competing resource needs.

At the same time, updating LCPs has presented a variety of challenges. Chief among these is the challenge related to continued disagreement regarding the circumstances under which shoreline armoring may be allowed consistent with the Coastal Act, which in turn affects the adaptation approaches selected in an LCP. The Coastal Commission Local Government Working Group (LGWG) has been working to better understand and address this and a variety of interrelated challenges to develop approaches, recommendations, best practices, and other strategies to encourage more LCP SLR updates. One area of ongoing discussion relates to the concept that proactively choosing adaptation strategies that reflect a mix of geophysical characteristics and land use and development types and implementing them at appropriate scales —referred to here as “neighborhood-scale adaptation”—will be more effective than parcel-by-parcel, ad hoc responses.

The overarching goal of this document is to introduce the concept of neighborhood-scale adaptation in order to provide an opportunity for Coastal Commissioners and stakeholders beyond the LGWG to engage with and discuss this potential adaptation approach. As such, this is meant as a living document that will be updated and expanded upon based on feedback and continued technical, policy, and other research and analysis. This document is not intended to be adopted by the Coastal Commission in the immediate future, nor is it intended to provide legal guidance of any kind; rather, it is simply an introduction to a topic that is meant to provide information and spur discussion.

The document describes the following:

- Background on the LGWG and past Working Group documents.

- A summary of stakeholder feedback from the past several years regarding challenges for updating LCPs to address sea level rise.
- A description of “neighborhood-scale adaptation” and how it may address some of the identified challenges for LCP updates.
- Discussion of the possible components of an LCP update that uses a neighborhood-scale adaptation approach. *Note that this discussion is expected to be expanded following Commission and stakeholder feedback.*

## Background

Following the July 2019 Local Government Workshop, a Local Government Working Group (LGWG) consisting of representatives from the California State Association of Counties (CSAC), the League of California Cities (Cal Cities), Coastal Commission staff, and a Coastal Commission subcommittee including two Coastal Commissioners was formed to work together to develop solutions to better address sea level rise (SLR) adaptation planning and Local Coastal Program (LCP) updates.

In November 2020, the LGWG presented (and the Commission adopted) a [Joint Statement on Adaptation Planning](#). The Joint Statement included a set of guiding principles, challenges, opportunities, and actions associated with proactive and effective sea level rise adaptation for California’s coastal communities. It focused on what the three entities represented by the working group can do to address sea level rise, specifically relating to LCP policy development, adaptation planning, and project-level decision making. In particular, the Joint Statement highlighted three topic areas for the LGWG to work together to address:

- Establishing shared vision, scope, and time horizons associated with LCP updates
- Maintaining statewide consistency while flexibly addressing unique local issues
- Evaluating coastal resource impacts now and in the future in light of sea level rise, and identifying viable mitigation sites to offset those impacts

Over the following year, the LGWG worked to develop materials to make progress on the actions identified in the Joint Statement. In December 2021 the Commission adopted four deliverables related to both specific requests for tools and coordination improvements as well as to broader-scale recommendations and guidance for LCP updates. These adopted materials included:

1. A “Quick Links” document with key sources of information on sea level rise planning, adaptation, and best available science.
2. An “Elevation and Concurrence Process” that establishes agreed upon goals and strategies for coordination and provides a method for addressing conflicts and ensuring that the Commission and local governments are working constructively and collaboratively throughout the LCP update process.

3. A call for “Regional Approaches to Resiliency and Adaptation” that highlights that sea level rise planning will be most effective and efficient from a regional, rather than local perspective and demonstrates the working group’s commitment to supporting regional and phased approaches to sea level rise planning, specifically within the context of LCP development and approval.
4. A “Framework for a Phased Approach to SLR LCP Updates” that follows through on the first action identified in the Joint Statement that called for the working group to co-develop guidance on an improved LCP update process that supports more frequent and incremental or “phased” updates to LCPs. In particular, the Framework highlights the need for, as a possible first phase, certain “baseline policies” including using best available science to support permit and planning decisions, developing vulnerability assessments and adaptation plans, incorporating risk disclosure and assumption of risk policies, and designing a phased approach to future, more regular LCP updates.

Although the overall work of the LGWG and the guidance materials adopted in 2021 have helped to open conversations, improve coordination, and lay a foundation for LCP updates that address sea level rise, a variety of challenges still remain. In particular, developing more specific adaptation approaches and integrating these into LCPs remains difficult, in part due to continued disagreement regarding the circumstances under which shoreline armoring may be allowed consistent with the Coastal Act. As described in greater detail below, policy disagreements surrounding the definition of “existing structure” in Coastal Act Section 30235, and what that means for the situations and development types for which shoreline protection is allowable consistent with the Coastal Act, have resulted and continue to result in stalled, delayed, or otherwise failed efforts to update LCPs to better address SLR adaptation and coastal resilience. Thus, Commission staff, several local government partners, and the LGWG more broadly have been seeking ways of moving beyond this policy challenge in the absence of any more specific legislative, regulatory, or judicial fixes. One possible solution is to identify areas and/or development types for which armoring may be an appropriate adaptation strategy (at least as an initial approach for a limited amount of time), regardless of the specific interpretation of “existing,” provided that the approach proactively and holistically protects and enhances coastal resources now and in the future that would otherwise be negatively impacted by armoring.

Over the past two years, the LGWG has delved into this topic more, working to better understand the policy conflicts and other challenges facing communities as they attempt to update LCPs to address sea level rise, and developing a possible approach for addressing some of these challenges. This document provides a summary of the sea level rise adaptation challenges cited by a variety of stakeholders; presents a conceptual approach – neighborhood-scale adaptation planning – that may provide opportunities for bypassing key policy disagreements around the definition of “existing structure” and advancing sea level rise planning more broadly; and identifies general components of how a neighborhood-scale approach could be integrated into an LCP. The overarching goal for this document is to provide more information on this topic as a way to continue to seek feedback, including from the

Coastal Commission, local governments, non-profits/NGOs, and other key stakeholders, to refine this approach.

## **Stakeholder Feedback on Challenges Associated with SLR Adaptation Planning**

Over the past two years, the LGWG has coordinated with a variety of stakeholders to gather more specific input on the challenges associated with sea level rise adaptation planning and LCP updates. Specific outreach efforts have included meetings with a subcommittee of the LGWG made up of several LGWG members, Commission staff, and several additional local government planning staff with experience working on SLR LCP updates; ongoing coordination between Commission staff and local governments working on LCP updates (particularly those with LCP Local Assistance grants); a workshop in January 2023 that included participants from key stakeholder groups such as Smart Coast California and Surfrider; and a series of interviews with local governments in Summer 2023. Below is a summary of challenges related to SLR adaptation in general, and LCP planning in particular, that were highlighted by stakeholders, Commission staff, and other members of the LGWG. Note that while these challenges are described as distinct issues, many interrelate, with the implications of one topic feeding into and driving the concerns of another.

- **Policy and Legal Interpretation Disagreements:** As mentioned above, a key challenge highlighted by a variety of stakeholders (and a major impetus for this phase of the LGWG’s work) is conflicting interpretations of the definition of “existing structure” as it relates to Section 30235 of the Coastal Act, which has important implications for when shoreline protection is approvable. This section states, in part, that shoreline armoring, “...that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses **or to protect existing structures** or public beaches in danger from erosion...” (emphasis added).

In 2015, with the adoption of the Coastal Commission Sea Level Rise Policy Guidance, the Commission formally adopted what had become a longstanding and fairly consistent Commission interpretation of the term “existing structure” in this context as a structure that was lawfully in existence when the Coastal Act became effective in 1977. Other interpretations of this term that have been suggested include any structure “existing” at the time of LCP certification, or at the time of a permit application for shoreline armoring. Many local governments have been reluctant to codify the Coastal Commission’s interpretation of “existing structures” in their LCPs because they perceive that it could limit available adaptation options. However, as articulated in its adopted Sea Level Rise Policy Guidance and in numerous recent LCP and CDP actions, the Coastal Commission’s position is that alternative interpretations are inconsistent with the Coastal Act.

In some cases, this conflict has resulted in stalled or abandoned LCP update efforts, and some stakeholders have noted a desire for a judicial ruling or regulatory or legislative changes to address this issue prior to proceeding with an LCP update. However, it should be noted that even without such resolution, progress has been made with other

LCPs. In some cases, LCPs have been adopted with the Commission’s interpretation of “existing,”<sup>1</sup> and in others, LCPs have remained silent on a precise definition of that term.<sup>2</sup>

Furthermore, while the Commission’s interpretation of “existing structure” in the context of Section 30235 relates to a specific scenario in which armoring is permissible, (if certain criteria are met), this is not the *only* type of scenario in which the Commission can allow or has allowed armoring. Relatedly, it is also not the only scenario in which the Commission can allow or has allowed new or redeveloped structures to rely on existing armoring. For example, Section 30235 also states that the Commission shall approve shoreline protection when required to serve coastal-dependent uses, which provides important context for harbors, ports, or other working waterfronts, as well as some critical infrastructure or public access features. In other instances, conflict resolution has been used to allow for armoring, particularly for public infrastructure such as roads, bridges, and wastewater treatment facilities where there was no feasible alternative way of protecting those at-risk structures and damage to those assets would result in water quality, public access, or other resource impacts. Lastly, there are instances in which armoring functionally ends up providing protection for structures that do not meet the Commission’s interpretation of “existing” because adjacent residential structures, which do qualify as existing structures that are allowed armoring, require armoring that extends beyond parcel limits or otherwise protects neighboring structures.

- **Legal Concerns:** A variety of legal concerns, particularly surrounding property rights and the potential for takings claims, were also cited by many as challenges for updating LCPs to address sea level rise. Both the United States and California constitutions prohibit public agencies from taking private property for public use without just compensation, and Section 30010 of the Coastal Act similarly prohibits public agencies implementing the Coastal Act from granting or denying a permit in a manner that takes or damages private property for public use without payment of just compensation. The Commission’s Sea Level Rise Policy Guidance includes a more detailed discussion on takings concerns related to sea level rise planning, but in short, a variety of sea level rise planning efforts and adaptation actions could raise takings concerns due to their implications for private property.

An understandable focus of these concerns among the stakeholders interviewed tends to be on policies that would prohibit or limit shoreline armoring, or which would require managed retreat or relocation (or which are perceived to require such actions). However, a wider variety of sea level rise planning activities, such as completing hazards mapping and vulnerability assessments, requiring general or specific future adaptation actions, and requiring disclosures of sea level rise-related hazards – all actions the Commission has taken in its own regulatory actions and which the LGWG has

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<sup>1</sup> See, e.g., Long Beach Southeast Area Specific Plan ([2020](#)); Morro Bay ([2021](#))

<sup>2</sup> See, e.g., Pacific Grove ([2020](#)); City of Santa Barbara ([2019](#))

recommended as key initial steps for addressing SLR – have also been cited by stakeholders as raising potential takings concerns due to the potential impacts these actions could have on property values. As discussed in the SLR Policy Guidance, a variety of legal doctrines regarding nuisance, changing shoreline property lines, the public trust and others, along with case-specific factors, can reduce the risk of takings claims. However, these situations are so fact-intensive and context-specific that determining the risk of a takings claims is difficult, and even the threat of such claims can make local governments unwilling to pursue certain approaches or LCP updates that touch on sea level rise.

- **One-Size-Fits-All Approaches:** Stakeholders have also routinely discussed concerns about prescriptive, one-size-fits-all approaches that lack flexibility to address local contexts and goals. Many stakeholders have noted that the options for addressing sea level rise on, for example, an urbanized beach in southern California will have to be different than those for a less developed blufftop in northern California. This dynamic is not new – the Coastal Commission has long been tasked with carrying out the Coastal Act statewide while recognizing different coastal contexts – but the specific challenges associated with addressing sea level rise have emphasized this concern. Maintaining statewide consistency while allowing for context-specific flexibility has been a topic the LGWG has continued to address, and the Commission reaffirmed its commitment to a flexible approach in adopting both the LGWG’s Joint Statement on Adaptation Planning and the 2021 deliverables (both cited above). While stakeholders in some LGWG interviews noted with appreciation that they experienced a willingness from the Commission and Commission staff to consider a variety of SLR approaches and innovative options, others continued to carry a misconception that the Commission is mandating managed retreat and/or prohibiting shoreline armoring without considering local needs.

It should be noted that this challenge regarding flexible approaches operates not only on a statewide level, but also at the jurisdictional scale, with LCP policies often written such that they would apply to all development across a jurisdiction regardless of hyper-local differences. Cities and counties on the California coastline often have a mix of shoreline types (e.g., bluffs, beaches, wetlands, protected bays, estuaries) and development contexts (e.g., heavily urbanized areas, rural areas, critical infrastructure, housing, public facilities, commercial development, working waterfronts, recreational areas, Coastal Trail, open space) all of which may benefit from identifying more detailed and specific adaptation approaches and LCP policies tailored to those contexts. For a variety of reasons (e.g., lack of detailed data, uncertainty regarding preferred approaches, policy conflicts, complexity, timing, resource needs), developing more specific approaches is challenging, yet not doing so can result in conflicts that stall LCP updates.

- **Piecemeal Approaches:** The status quo in adaptation planning is such that most adaptation actions are implemented on a site-by-site basis, and the continued lack of

LCP updates and more proactive adaptation planning that could lead to a shift in this type of approach towards something broader and more holistic leads to concerns that piecemeal approaches will lead to greater impacts to coastal resources. Historically, owners of many properties along the coast have responded to coastal hazards by constructing on-site armoring, and today, a mix of “existing” structures, redeveloped structures, structures with and without armoring, and new development leads to a patchwork of armoring approaches that make holistic and effective mitigation and protection of coastal resources a challenge for local governments and the Coastal Commission. Moving forward, different entitlements to shoreline protection may continue and exacerbate these issues. The patchwork nature of armoring will also mean that even where a specific structure and its associated armoring is removed, significant gains in beach area or access opportunities may not be guaranteed.

A related issue is that alternative options that may better protect coastal resources, such as nature-based adaptation strategies, are typically infeasible for a single property owner. Strategies such as beach nourishment, dune restoration, living shorelines, and others can protect or even enhance coastal resources like recreational space and habitat values while also providing protection to development, but are generally only effective at larger scales across multiple properties.

- **Feasibility of Wide-Scale Adaptation Options:** At the same time, the seeming infeasibility of wide-scale adaptation strategies, most specifically but not exclusively including managed retreat, is also a key challenge for adaptation planning cited by a variety of stakeholders. As highlighted above, in many instances adaptation strategies will be most effective when implemented over a larger scale than a single property, but such implementation requires coordination with multiple property owners who may not all be in agreement. An unwillingness to consider collective managed retreat is an obvious example, but other strategies such as beach nourishment, dune restoration, and shared armoring can also face reluctance from certain property owners (along with other stakeholders). Such conflict can stop certain strategies from even being evaluated, or, where specific projects are further along, legal challenges can add to the time, complexity, funding, and other resources needed to carry out implementation.

Even without conflict or legal challenges, a lack of available funding to *implement* adaptation strategies can prevent forward movement on adaptation *planning*, as many stakeholders have indicated an unwillingness to take the time and effort (and deal with potential conflict) to evaluate options – much less commit to certain approaches or specific projects – without assurance that resources are or will be available to implement them down the line. This in turn can lead back to more emphasis on the piecemeal adaptation highlighted above.

- **Lack of Certainty about Outcomes:** A lack of certainty about outcomes has been highlighted by various stakeholders as both a reason for reluctance to complete LCP updates and a consequence of the lack of LCP updates. These concerns are most pronounced for property owners uncertain about their ability to protect their homes



and, for other stakeholders, uncertainty about the long-term protection of beaches and other natural resources. For the Coastal Commission, a lack of modern, updated LCPs that holistically address sea level rise raises concerns about how it, in coordination with local governments and other partners, can effectively carry out its mission to protect coastal resources now and in the future, ensuring vibrant coastal communities. For all groups, there are concerns that updates to LCPs may potentially weaken certain protections or limit important adaptation options. However, as described above and in past LGWG materials, the status quo also may not provide a high level of certainty regarding future protection of development and coastal resources in the face of sea level rise. A lack of trust among parties, communication challenges, and a lack of in-depth knowledge about the scientific, legal, regulatory, and other considerations associated with SLR planning can exacerbate these issues, even when good-faith efforts are being made to find a balanced and effective way forward.

A similar concern related to uncertainty of outcomes has been voiced by several local governments, specifically a reluctance to commit to the work an LCP update entails without some assurance that the Coastal Commission will end up certifying the update. A goal of the LGWG's work efforts in the past has been to provide more context for both local governments and the Commission about expectations for SLR LCP updates, including emphasizing phased LCP updates, and a key goal for the current LGWG work is to continue to gather feedback and support for innovative LCP approaches. However, there is still hesitancy to be among the first to move forward with a comprehensive or innovative SLR LCP update.

- **Sea Level Rise Science:** A variety of issues related to our evolving understanding of sea level rise science and impacts continue to be a challenge for some stakeholders. In general, stakeholders continue to have questions about how to address and plan for sea level rise, and subsequently develop appropriate LCP policies, when there is uncertainty regarding exactly how much sea level rise to expect over different time scales. More specifically, there continues to be disagreement over how precautionary planning exercises and actual project designs should be. For example, must projects consider, and be designed to avoid, hazards associated with low probability, worst case scenario amounts of sea level rise?

There are also questions regarding the impacts from sea level rise, including the timelines over which impacts may occur; how different parts of the shoreline may evolve under different rates and amounts of sea level rise (and related geophysical factors); and how the implementation of different types of adaptation strategies would affect potential futures. These types of questions can be addressed to some extent through vulnerability assessments and sea level rise modeling, but many jurisdictions lack the capacity, funding, technical expertise, and so on to complete such studies, as noted below.

Lastly, there are questions about how to develop policies and identify specific adaptation strategies that will ensure protection of coastal resources over the long-term

in response to changing conditions, particularly when most local government planning exercises are focused on more actionable, shorter-term options. As past LGWG materials have noted, this issue is compounded by the fact that to date, the Commission has approached LCP updates with the presumption that the LCP will not be updated again for many years to come, and thus there is a desire among the Commission and its staff to require policies that are most precautionary and likely to result in long-term efficacy. The LGWG and the Commission have highlighted the need to consider more frequent, phased LCP updates, though it is difficult to make this shift.

- **Communication Challenges:** As mentioned above, a variety of communication, education, and outreach challenges in general continue to make adaptation planning difficult. These include, among others, a lack of understanding about sea level rise science, impacts, and trade-offs associated with different adaptation options; a lack of clarity and understanding about the legal and regulatory landscape and what types of options are permissible; challenges communicating what certain LCP policies mean and what outcomes they would entail; and, most generally, challenges gathering input from key stakeholders, particularly those who do not live right along the coast. These challenges can result in misperceptions, distrust, lack of buy-in, and conflict, which can stall planning efforts.
- **Resource Needs:** Lastly, one of the most commonly cited challenges for adaptation planning is the need for more resources. This includes, among other things, funding, staffing, expertise, time, and informational resources. Although addressing these more tangible resource needs is not a primary focus of this document, the LGWG continues to advocate for these types of resources through other avenues.

### **Opportunity: Neighborhood-Scale Adaptation Approaches**

An overarching goal for the Local Government Working Group since its inception has been to identify opportunities for overcoming challenges associated with updating LCPs to address sea level rise. Over the past couple of years, the group has primarily focused on how to make progress on LCPs while in the midst of ongoing disagreement regarding the definition of “existing structure” and the situations in which shoreline armoring may be appropriate and consistent with the Coastal Act. While a variety of options have been and will continue to be considered by the LGWG and other stakeholders, one potential opportunity is taking a “neighborhood-scale approach” to adaptation planning and policy development.

**Neighborhood-scale adaptation refers to an approach of identifying and developing adaptation strategies that are specific to defined areas or assets with shared characteristics (e.g., a neighborhood, beach area, site, or asset)<sup>3</sup>, and developing LCP policies to support and**

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<sup>3</sup> Note that “neighborhood” as used in this context is meant as a general term without a precise definition, and refers to any sub-area with shared geologic, land use, or other characteristics that makes sense as a unit for focused adaptation planning. Sub-units may be different sizes (e.g., a long stretch of rural coastline, a single beach, an area of development, a hydrologic/watershed unit, a specific facility) to reflect relevant planning features.

**implement that approach.** Although this is not an inherently new concept – LCPs and other planning documents have in the past included policies that are specific to certain subareas or development types to address a variety of coastal resource planning goals – it would be a shift from how many of the SLR LCP updates have been developed and certified to date. For a variety of reasons, including as mentioned above, many SLR updates have primarily included more general policies—for example, the baseline policies highlighted by the LGWG in its 2021 materials. In contrast, this approach would entail proactively identifying specific, preferred adaptation options for different areas or development types based on more specific geophysical and land use characteristics as well as the vision and goals for the area, and then specifying those approaches in LCP policy language. This could include, for example, identifying areas (or development types) for which the preferred adaptation strategies include nature-based approaches like beach nourishment or wetland restoration, where there will be an emphasis on phased retreat over time, and where armoring may be an appropriate initial strategy.

Critically, the LGWG believes this approach would help result in more LCP updates by moving beyond one of the biggest areas of disagreement – the definition of “existing structure” and the related perception of this as the sole determiner for the circumstances where shoreline armoring is allowed. Specifically, rather than focusing on unproductive policy and legal interpretation disagreements over the definition of “existing,” this approach would instead focus stakeholder energy on actual goals and outcomes for implementing adaptation strategies. This includes identifying appropriate strategies for different areas or development types, including where armoring may be appropriate (at least initially) as part of a broader resilience strategy that ensures that impacts associated with armoring would be proactively addressed through a combination of nature-based strategies, retreat, mitigation requirements, phased approaches, and clear requirements to reassess and update LCP policies in the future.

By working to develop specific adaptation approaches and related LCP policies, local governments, the Commission, and other stakeholders would be able to focus on more holistic approaches that improve coastal and community resilience over a broader geographic area and timeline. This approach allows for more meaningful exploration of phased approaches that may include armoring, and address questions such as: where is armoring likely to be most needed in the short term; are there areas where impacts from armoring could be minimal versus other areas where impacts from armoring would be significant; are there armoring designs that best minimize impacts or which could maximize other benefits; where are the areas that nature-based strategies could be most feasible and effective; how can mitigation programs be designed and implemented to address unavoidable impacts from allowed armoring; how can adaptation plans prepare communities for future conditions where armoring may no longer be feasible; where should alternative strategies, up to and including long-term managed retreat, be prioritized to ensure community and resource protection; and, most importantly, how to appropriately balance coastal resource and development protection in the face of rising seas. It should be emphasized that while neighborhood-scale approaches may include armoring in some circumstances, armoring will not be appropriate everywhere. In cases where it is appropriate, armoring must always be considered as part of a broader

resilience strategy that ensures coastal resources are protected consistent with the Coastal Act under both current and future conditions.

Although initially focused on how to move beyond disagreement over the definition of “existing,” the LGWG believes a neighborhood-scale approach can address a variety of the challenges described above and is consistent with the evolving state of adaptation planning in California, as summarized below.

- **Flexible approach:** By nature, a neighborhood-scale adaptation approach would provide local flexibility and account for a diversity of adaptation issues both within a jurisdiction and throughout the State, specifically responding to different geophysical factors, patterns of development, resource needs, local goals, statewide requirements, and other factors.
- **More meaningful protection of coastal resources:** Adaptation approaches would be identified and proposed over larger areas, rather than parcel-by-parcel, which could improve the ability to meaningfully protect coastal resources and to employ a broader range of options rather than merely relying on armoring as a means for protection. For example, such an approach could improve the feasibility of and better incentivize nature-based adaptation strategies. It could also ensure more meaningful mitigation for unavoidable impacts from armoring approaches or other strategies by more specifically and proactively accounting for such impacts when developing preferred options. Lastly, developing and proposing specific adaptation options, and memorializing preferred strategies in LCPs, may help improve the ability of local governments to receive implementation funding through federal and state grants or other means.
- **More proactive balancing of competing resource needs:** A neighborhood-scale approach would front-load efforts to identify a suite of adaptation options that effectively and holistically balance competing resource needs now and in the future. As outlined above, this approach could potentially allow for continued use of shoreline protection (at least as a temporary approach in some areas); however, ensuring consistency with the Coastal Act would require that other policies or strategies will ensure protection of coastal resources and mitigate impacts from shoreline armoring. More proactive adaptation planning would also include consideration of how to phase strategies over time to ensure resources are protected even as conditions change, and to ensure that any nearer-term options wouldn’t preclude later strategies (*i.e.*, result in maladaptation). This would help provide assurance to the Coastal Commission when reviewing LCPs for certification (and subsequently reviewing applicable CDPs) that actions will be taken with balanced coastal resource protection in mind, both now and into the future.
- **More certainty:** Identifying specific adaptation approaches that will be used in certain areas will provide more certainty to property-owners, the Coastal Commission, local governments, and members of the public about approaches that will be implemented, particularly over the short- to medium-term. This approach may also help overcome disagreements among stakeholders regarding preferred approaches, along with related trust issues, as neighborhood-scale LCP updates would necessarily include a

combination of approaches designed to protect different resources throughout the City or County and over time. Focusing on adaptation strategies and outcomes rather than harder to understand policy language may also help overcome communication and buy-in challenges.

- **Consistent with statewide planning practices:** A neighborhood-scale approach can also fit well with a variety of other adaptation planning requirements, goals, and recommendations. For example, as noted above, it is inherently a flexible approach, consistent with the LGWG's Joint Statement on Adaptation Planning. It can also be easily combined with other LCP SLR planning strategies endorsed by the LGWG such as committing to more frequent, smaller, phased LCP updates and building off of initial baseline SLR policies; and it may promote regional coordination by allowing for or necessitating cross-jurisdictional coordination on different strategies to most efficiently ensure protection of coastal resources. Adaptation planning and identification of specific adaptation actions, such as would be accomplished with this approach, is also a requirement of the recently enacted SB272 (Laird), for which the Commission is currently developing guidance in coordination with BCDC and other agencies.

The LGWG has initiated efforts to provide guidance on the types of considerations that may need to be included in an LCP to ensure a neighborhood-scale approach is consistent with the Coastal Act. As mentioned above, ensuring consistency with the Coastal Act would require any approach that includes armoring to, at the same time, include other approaches and policy requirements that ensure balanced coastal resource protection. Potential LCP components are highlighted below; however, it should be noted that this is not an exhaustive list, nor would each of these components necessarily need to be included in every LCP. Rather, like all LCP planning efforts, specifics will vary depending on the jurisdiction, coastal environment, development types, goals, and so on. Furthermore, the LGWG's overarching goal right now is to provide this information as an initial step in gathering feedback from the Coastal Commission and other stakeholders. This section is a key area where stakeholder feedback will guide further discussion and analysis.

#### **Possible Components of a Neighborhood-Scale LCP Update:**

- As part of the process for updating an LCP, development of a vulnerability assessment and adaptation plan to inform key LCP policies. A more detailed vulnerability assessment could evaluate how different areas of the coastline will evolve with sea level rise based on geophysical factors and land use patterns, and adaptation planning and feasibility studies could assess various strategies and identify a suite of options to protect coastal resources across the jurisdiction and over time based on this information.
- Overarching general policies that apply to all development in hazardous areas, including for example, the baseline policies highlighted by the LGWG (using best available science, developing vulnerability assessments and adaptation plans, incorporating risk disclosure

and assumption of risk policies, and designing a phased approach to future, more regular LCP updates).

- More specific/detailed policies that define an adaptation approach at a neighborhood- (or beach-, site-, asset-) specific scale. These may refine the overarching, general policies, or may provide specific exceptions or special allowances to such policies.
- Identification of a defined planning horizon for the LCP, including specific policy language that would require the LCP to be revisited/updated to ensure that short-term adaptation approaches will be updated as necessary based on changing conditions. Examples could include an overarching planning horizon policy for the entire LCP; specific policies that sunset at a certain time period (but which could be extended when revisited, if appropriate); or defined triggers that would result in new adaptation strategies being implemented.
- A suite of adaptation strategies that will ensure a balanced approach to protecting coastal resources now and into the future and that, taken together, ensure Coastal Act consistency. This may include approaches that allow for continued reliance on existing or new/improved armoring (at least as a short-term strategy with the potential to extend such an approach if appropriate) provided that: 1) other policy requirements will substantively ensure protection of beaches and other coastal resources that are likely to be impacted by armoring, and 2) the overall adaptation approach will be most protective of significant coastal resources compared with alternative approaches, a project-by-project approach, or the status quo. Factors that may be important to consider in developing and determining the appropriateness of an approach with armoring include:
  - Amount/density of development and the patchwork of “existing” development (pre-Coastal Act or otherwise), redevelopment, infill development, and currently armored development
  - Whether the failure to armor could itself cause impacts that are inconsistent with Coastal Act resource protection policies
  - Presence of critical infrastructure
  - Options for ensuring protection (or enhancement, restoration, etc.) of coastal resources including beaches, wetlands, other habitat, public access and recreation, and so on. Various options may include:
    - Implementation of on or off-site mitigation options and/or development of mitigation programs
    - Prioritization of nature-based adaptation strategies
    - Use of elevation, retreat, or other non-armoring approaches elsewhere or at the subject location in the future
    - Alternative access opportunities, such as incorporating vertical or lateral access features in armoring structures
    - Improvements to the status quo

- Consideration of the phased approaches that avoid the likelihood of maladaptive decisions in the short-term
- Plan for future relocation of development

## **Next Steps**

As discussed above, the overarching goal of this document right now is to serve as an opportunity to introduce the concept of neighborhood-scale adaptation and to gather initial feedback from the Coastal Commission and other stakeholders. Following review of this document and related outreach efforts, including a workshop at a Coastal Commission hearing, the LGWG will further develop these concepts and provide additional guidance. For example, with continued feedback and support from stakeholders, Commission staff, in coordination with the LGWG, will build on this approach by developing both technical guidance for gathering geophysical data to inform adaptation strategy choices and policy guidance for developing more detailed LCP policies to implement neighborhood scale adaptation options. This continued work effort has recently been awarded funding through a NOAA Project of Special Merit.

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