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W8

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TO: California Coastal Commissioners and Interested Public

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SUBJECT: Background report for the September 11, 2024 Local Government Working Group (LGWG) Workshop on sea level rise adaptation planning.

[Exhibit 1: Draft LGWG Discussion Paper on Neighborhood-Scale Adaptation Planning](#)

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I. 2024 LOCAL GOVERNMENT WORKING GROUP WORKSHOP

The 2024 Coastal Commission Local Government Working Group Workshop will be held on September 11, 2024 and will bring together Coastal Commissioners and members of the LGWG from the League of Cities and the California State Association of Governments. This will be the seventh workshop held between the Coastal Commission and locally elected officials for the purpose of fostering coordination on a variety of issues – primarily including sea level rise – through the LCP process. This workshop will focus on sea level rise planning issues and how to address sea level rise within an LCP context. It will be moderated by Caelan McGee, Senior Facilitator of Zephyr Collaboration

In particular, this workshop will include an introduction to the concept of “neighborhood-scale adaptation,” an approach to sea level rise and LCP planning that the LGWG has been considering over the past couple of years. A draft discussion paper developed by the LGWG describing this approach is included as [Exhibit 1](#). As discussed in the draft paper, over the past several years, the LGWG has conducted stakeholder outreach to local governments and other interested parties to better understand the challenges associated with updating LCPs to address sea level rise. A variety of interrelated challenges were identified by stakeholders as reasons for slow progress or stalled or failed LCP updates, but a primary issue has been conflicting policy and legal 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.

The LGWG suggests in the draft discussion paper that a neighborhood-scale adaptation approach – identifying adaptation strategies that are specific to defined areas or assets with shared characteristics and developing LCP policies to support and implement that approach – can help overcome this and other LCP planning challenges. Specifically, this planning approach would focus conversations on how to achieve adaptation goals and outcomes rather than on unproductive disagreements about legal definitions, ensuring more proactive consideration of a holistic adaptation approach that balances various trade-offs and competing resource needs.

It is important to note that the draft discussion paper ([Exhibit 1](#)) is not intended to be adopted by the Coastal Commission at this workshop or in the immediate future, nor is it intended to provide legal guidance of any kind. Rather, it is an introduction to the topic and is meant to provide information and spur discussion. The main goal of the workshop is to gather feedback from the Coastal Commission and other stakeholders on the concept of neighborhood-scale adaptation planning. In addition to obtaining feedback from Commissioners and the public on the overall appropriateness of such an approach, the LGWG is interested in specifically getting feedback on some of the more detailed components of this type of approach, such as:

- Understanding the situations in which armoring may be an appropriate adaptation response;

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- How much and what types of mitigation, improvement projects, alternative adaptation strategies, or additional planning requirements may be necessary to ensure that an approach that includes armoring addresses resource concerns in a manner that is consistent with the Coastal Act;
- How to encourage, incentivize, or require nature-based strategies and other non-armoring options;
- What types of LCP policies (e.g., disclosures, time limits/planning horizons, thresholds/triggers for reevaluation and implementation of new adaptation strategies) should be included to refine a neighborhood-scale approach; and
- Any other questions or topics that should be the subject of additional research and analysis.

Members of the public will have the opportunity to provide comments during the workshop¹ and are also encouraged to provide comments via email to statewideplanning@coastal.ca.gov. All comments are welcome, though the LGWG is particularly interested in hearing feedback about the overall concept of neighborhood-scale adaptation planning, opportunities or challenges related to this type of adaptation planning, and LCP policy and other planning considerations that should be incorporated into or addressed as part of such an approach.

II. BACKGROUND: WORKSHOP HISTORY

The Commission has held six public workshops conducted with local coastal government officials to discuss topics related to the development of LCPs. These workshops recognize the importance of the Commission's partnership with local governments and the public in carrying out the Coastal Act through the LCP process. The first two workshops focused on improving communication and coordination between the Coastal Commission and local governments in an effort to improve the LCP planning process. The two subsequent workshops continued this conversation and included additional focus on special topics, notably including sea level rise planning. The two most recent workshops have focused on the work of the Coastal Commission Local Government Working Group – a subgroup formed following the 2019 workshop, as discussed below, primarily to advance sea level rise planning and related LCP updates. Below is a brief summary of each of the public workshops and some of the progress made as a result of those workshops.

¹ See the CCC hearing agenda [website](#) for information on submitting a speaker request and for participating either virtually or in person. For the workshop, there will be no more than one (1) hour for public comment. Due to the significant level of interest in this item and the limited time available, speakers' time may be limited to 1 to 2 minutes, depending on the number of speakers, and at the discretion of the Commission Chair.

2009 Local Government Workshop²

The first Coastal Commission and Local Government Workshop was held in August 2009 and focused on ways to improve the LCP planning process, including the need for improved coordination with the Commission. In particular, the workshop discussions centered on improving communication and collaboration between Commission staff and local governments; increasing local assistance by providing LCP training and guidance; and streamlining LCP actions and encouraging a more consistent and predictable process for LCP review. Discussions also noted the financial constraints on the Commission and local governments in implementing program enhancements to address these issues.

Notable actions and outcomes following the 2009 workshop included an increase in regular and early coordination between CCC staff and local governments, particularly on priority issues; a focused effort to eliminate the backlog of pending LCP actions and to streamline LCP actions; acquisition of grant funding to continue the Commission's LCP Communication Initiative work and for CCC staff participation in the Local Government Working Group; and the completion of new or updated LCP assistance documents.

2012 Local Government Workshop³

The second public workshop was held in December 2012 and continued the dialogue on ways to renew and enhance the LCP planning process between the Commission and local coastal governments. Discussions focused on various elements of the LCP coordination process, including efficiency and general communication improvements. For example, some participants raised concerns about "scope creep" and ensuring that comments and recommended changes on priority issues are received early in the coordination and LCP development process. Some discussion also addressed broader communication issues, including perceived inconsistencies in direction from Commission staff or prior decisions on other LCP amendments becoming precedent for future items without adequate communication and input from other local governments. Participants also recognized how uncertified or outdated LCPs might impact Commission staff workload and their review of LCP amendments.

Following the 2012 workshop, Commission staff continued its efforts to reduce the backlog of pending LCP actions, to decrease processing timelines for LCP actions, and to maintain and enhance regular and early coordination with local governments on priority issues, policy development, and procedural matters. Further, the Commission was able to award planning grants to local governments to update LCPs and to address sea level rise, and to hold additional workshops focused on priority Coastal Act topics such as agricultural resources, lower cost visitor serving accommodations, and sea

² More information on the 2009 workshop can be found in the [staff report](#) for the workshop, the [recording](#) of the workshop, and the [follow-up report](#).

³ More information on the 2012 workshop can be found in the [staff report](#) for the workshop, the workshop [recording](#), and the [follow-up report](#).

level rise guidance. All of this work was supported by an increase in funding approved by the Legislature that allowed for hiring of additional Commission staff.

2015 Local Government Workshop⁴

The third public workshop was held in November 2015. The workshop continued the dialogue on improving the LCP process and included a focused session to discuss the Sea Level Rise Policy Guidance document that had been adopted a few months prior to the workshop.

Discussions during the first part of the workshop focused on the LCP planning process, highlighted the benefits of regular and early coordination to avoid last minute surprises and to respect the local public process by limiting suggested modifications; emphasized the need to bring other regulatory agencies, such as the State Water Resources Control Board and the Federal Emergency Management Agency, into the LCP process as early as possible; and noted that incremental, phased approval and topical updates may be a favorable alternative to time consuming and expensive comprehensive updates. Participants also noted that greater access to certified LCP language could serve as guidance to those jurisdictions updating their LCPs.

The second portion of the workshop focused on sea level rise planning and gave participants an opportunity to discuss the recently adopted Sea Level Rise Policy Guidance. In addition to highlighting the vital role of coordination in sea level rise planning, participants raised the need for a multi-agency, regional approach to address sea level rise (as an alternative to individual project or LCP approaches); concerns related to salt water intrusion, risks to groundwater supplies, and the shifting Mean High Tide line; questions about armoring and existing development; and the need for additional guidance related to ports and harbors.

Key actions and outcomes following the 2015 workshop included a continuation of earlier efforts to maintain regular and early coordination with local governments; to prioritize working with local governments receiving LCP planning grants to update their LCPs and to address sea level rise; and to continue and enhance outreach and education related to sea level rise, including through development of additional materials and providing technical assistance.

2019 Local Government Workshop⁵

The fourth public workshop was held in July 2019. This workshop was split into three sessions, one each focused on short term rentals, sea level rise planning, and a continuation of past discussions related to LCP planning.

⁴ More information on the 2015 workshop can be found in the [staff report](#) for the workshop, the workshop [recording](#), and the [follow-up report](#).

⁵ More information on the 2019 workshop can be found in the [staff report](#) for the workshop and the workshop [recording](#).

The first session related to short term rentals, a topic of growing concern given California's growing housing crisis, the rising cost of overnight accommodations along the coast, and the advent of online booking sites for short term rental of private properties. The discussion centered around the difficulty of how to balance the provision of overnight accommodations for coastal visitors with local housing needs, and how to appropriately address this issue within an LCP context in a way that reflects local conditions as well as statewide goals.

The second session continued the past dialogues on sea level rise adaptation planning. The discussion highlighted that much has been done related to assessing sea level rise vulnerabilities but that more work is needed to overcome challenges and to advance implementation of adaptation strategies and certification of LCP updates that address sea level rise. Participants highlighted the need for common communication and messaging that will help people understand sea level rise risks and adaptation opportunities; locally-relevant case studies, information, and data that will help advance adaptation; continued research into legal concerns, particularly takings issues; understanding options for phased adaptation, including information on how to prioritize adaptation options and balance different trade-offs; and the need to ensure that underrepresented, vulnerable, and otherwise sensitive communities and populations are included in all sea level rise planning efforts.

The third session continued earlier discussions on the LCP planning and certification process. Participants celebrated the hard work that has been done in past years to improve the LCP planning process, highlighting the important role that improved coordination between Coastal Commission and local government staffs has played. Participants noted that areas for continued improvement include development of agreed upon best practices; reducing instances of inconsistent messages across Commission staff and last minute surprises about policy issues; and increasing predictability through continued coordination, guidance, and availability of easy to access certified LCP language.

Following the July 2019 workshop, a Local Government Working Group that includes members from the California State Association of Counties (CSAC), the League of Cities, the Coastal Commission, and Commission staff, was established. The group began meeting regularly to continue focused discussions on sea level rise planning.

2020 Local Government Workshop⁶

The fifth public workshop was held in December 2020. This workshop focused on continuing conversations around sea level rise planning, primarily including the work of the Local Government Working Group that was established after the 2019 workshop. Notably, this group had developed a [Joint Statement on Adaptation Planning](#) that was adopted at the November Commission Hearing, a month prior to this workshop. This

⁶ More information on the 2020 workshop can be found in the [staff report](#) for the workshop and the workshop [recording](#).

Joint Statement includes a set of shared principles for how the Coastal Commission and local governments can move forward to address sea level rise through LCP policy development, adaptation planning, and project decision making. The Joint Statement also details three specific topic areas with opportunities for action over the short term to advance sea level rise adaptation planning, including establishing shared vision, scope, and time horizons associated with LCP updates; maintaining statewide consistency while flexibly addressing unique local issues; and evaluating coastal resource impacts now and in the future in light of sea level rise, and identifying viable mitigation sites to offset those impacts.

The 2020 workshop included a presentation on the recently adopted Joint Statement on Adaptation Planning and discussions about next steps for sea level rise planning. In particular, the workshop focused on priorities for LGWG work efforts in 2021, including discussion on potential work products, deliverables, and other activities that would help to advance sea level rise adaptation planning.

2022 Local Government Workshop⁷

The sixth public workshop was held in August 2022. This workshop focused on the work that had been carried out by the LGWG since the previous workshop. Specifically, the LGWG built on the actions called out in the Joint Statement and developed a series of [deliverables](#) that were adopted by the Commission in December 2021. These included:

1. A “Quick Links” document with key sources of information on sea level rise planning
2. An “Elevation and Concurrence Process” that establishes strategies for coordination on LCP updates
3. A call for “Regional Approaches to Resiliency and Adaptation”
4. A “Framework for a Phased Approach to SLR LCP Updates” including recommended “baseline policies”

The workshop specifically highlighted and discussed the elevation and concurrence process and the framework for a phased approach to SLR LCP updates in greater detail. It also highlighted the LCP grant program, which had received a significant funding increase in the prior year. The overall goals of the workshop were to review progress of the LGWG; share experiences and lessons from LCP update processes; highlight specific issues that had been raised by local planners; and collect input on what topics the LGWG should work on next to better support SLR LCP updates.

⁷ More information on the 2022 workshop can be found in the [detailed agenda](#) for the workshop and the workshop [recording](#).