



INFORMATIONAL ITEM

Item 7

TO: California Ocean Protection Council
FROM: Tinya Hoang, Climate Change Program Manager
DATE: April 24, 2018
SUBJECT: Next Steps on State of California Sea-Level Rise Guidance Implementation

Sea Level Rise Guidance Implementation

Background. At the March 14, 2018 Ocean Protection Council (OPC) meeting, the Council approved the 2018 updated State of California Sea-Level Rise Guidance (Guidance), which provides a synthesis of the best available science on sea-level rise projections and rates for California, a step-wise approach on how to select sea-level rise projections, and recommendations on preferred sea-level rise planning and adaptation approaches. At the March meeting, the Council directed OPC staff to return to the Council with a discussion of the next steps to ensure implementation of the Guidance. The staff was asked to consider the barriers to implementation, ways to increase community awareness and action, and how to address the challenges of sea-level rise adaptation, such as managed retreat.

For this discussion item at the April 24, 2018 OPC meeting, OPC staff will present an initial strategy for implementation of the Guidance and plans to address barriers to implementation.

Barriers to implementation. During the development of the Guidance, OPC, with assistance from the Ocean Science Trust and engagement experts, solicited input from coastal stakeholders to better understand their needs and concerns related to sea-level rise planning in California and to inform Guidance development. In addition, UC Berkeley's Climate Readiness Institute (CRI) prepared a report for OPC that summarizes the barriers facing coastal planners and other stakeholders, based on a literature review and findings from stakeholder meetings (Exhibit A). CRI's work was conducted to support implementation of AB 2516, which required the California Natural Resources Agency, in collaboration with OPC, to create a sea-level rise planning database. Below is a summary of the some of the key barriers identified or raised in those reports:

1. **Insufficient funding for planning and implementation.** Stakeholders said there is a lack of funding for planning and implementation, including funding to hire experts who can help them. Funding is a growing concern as jurisdictions are getting closer to implementation. One stakeholder stated that funding is necessary through the entire process, from concept to implementation, in order to go beyond the high-level strategies found in adaptation plans. There is also little funding for outreach

and engagement. Further, stakeholders expressed that it is difficult to find funding sources. One stakeholder said that financing mechanisms should be developed that would allow them to start putting away funds that can be used later for implementation. It was expressed that more creative financing approaches are needed, and that the State should think about how it can be a funding partner to local jurisdictions. Some said that funding is needed particularly for low-capacity communities and to support early adopters to accelerate learning. From the funder's perspective, it was expressed that providing funds for adaptation planning is challenging because there are many first-time efforts, and it is difficult to evaluate effectiveness and possibility of success.

2. **Insufficient staff time, expertise and resources.** Stakeholders stated that city staff do not have the capacity to work on sea-level rise planning in addition to their existing duties. The work has not become mainstream in many cities, and funding has not been directed for this work. This obstacle was attributed to a lack of champions, State direction, data, and expertise. In addition, smaller cities have less staff resources to do sea-level rise planning, compared to larger cities with bigger planning departments and more funding for sea-level rise planning. Stakeholders also want help taking the next steps towards implementation, beyond vulnerability assessments and data. It is difficult for staff to evaluate strategies that have not been tested in the real world. Other challenges raised include a need for legal, technical, and scientific support, and difficulties associated with staff turnover.
3. **Shift in planning approach.** There will need to be a paradigm shift from "traditional" sea-level rise planning, which involves planning to a certain date in a static future, towards planning using "adaptation pathways" and "triggers." Determining meaningful triggers is still a new concept to stakeholders.
4. **Need for more coordination and collaboration at many levels.** Multiple stakeholders expressed that it is difficult to bring the necessary stakeholders to the table, including the multitude of land-owners and asset-owners, companies (e.g. utilities, railroads, refineries), or owners of assets that cross land-use districts and infrastructure. They said that a collaborative structure is needed to facilitate improved coordination on sea-level rise planning and adaptation efforts.

The lack of shared decision-making also creates challenges. In addition to the need for a structure for sharing best practices, stakeholders repeatedly identified the need to integrate local planning efforts within specific regions in order to ensure coordination in implementation and gain efficiencies around assessments, fund-raising, outreach, etc. Further, it was expressed that there is a lack of clear direction from state and federal agencies. Planners and decisions-makers reported confusion

and frustration when getting inconsistent and uncoordinated guidance from different agencies. They asked for improved cross-sectoral, cross-jurisdictional, and cross-level government coordination.

5. **Challenges in effectively integrating science and data into planning.** Stakeholders expressed that changing science makes it difficult to get the support of elected officials, policy makers, developers, and others. Some stakeholders stated that they have data, but do not know how or have the resources and time to translate and integrate the data into planning and implementation. One stakeholder stated that they need a way to connect data to a menu of adaptation options for city staff and for getting community buy-in. A need for better economic information and help with evaluating trade-offs was also raised.
6. **Lack of public demand and champions.** Stakeholders stated that decision makers and public officials are not motivated to address sea-level rise because of a lack of public awareness and the absence of a sense of urgency. This results in low funding, staff, and resources. Stakeholders also expressed a lack of political champions that could spur more action and public engagement. Further, they expressed that it is difficult to engage and clearly communicate with the public on the issue, and that education and outreach have not been funding priorities. Demand for action is needed for all coastal communities, including disadvantaged communities.
7. **Pressure for additional land development.** One stakeholder expressed that the pressure to develop is one of the biggest barriers. Another stakeholder stated that in their urban area, most of the development is happening in the floodplain, and there is a lot of pressure to continue that trend. Others expressed that economics should be considered, and that development cannot be stopped.

In addition, other implementation challenges identified in those reports include:

1. Potential legal issues related to property and development rights takings and concern about decline in coastal property values.
2. Alignment with multiple planning requirements and related planning processes.
3. Lack of clarity from stakeholders about the implications of the Public Trust Doctrine for sea-level rise planning.
4. Need for law and policy to catch up with the science and adaptation needs.
5. Lack of familiarity with addressing socioeconomic inequities and social vulnerabilities.
6. Different layers of jurisdiction and regulatory authority, particularly in relation to adaptation measures such as living shorelines, managed retreat and seawalls.

OPC Proposed Guidance Implementation Actions. To further understand the barriers described above, and to elucidate potential solutions, OPC staff proposes a three-pronged strategy to be implemented this summer:

Strategy

- Meet and coordinate with state coastal management agencies through the Sea-Level Rise Leadership Team and Coastal and Ocean Working Group of California’s Climate Action Team (CO-CAT) in May;
- Hold five regional public outreach workshops in June;
- Conduct separate, focused outreach to disadvantaged communities and Tribes

1. Coordination with State Agencies. During the development of the Guidance, OPC worked closely with the state coastal management agencies and other member agencies of the State’s Coastal and Ocean Working Group of California’s Climate Action Team (CO-CAT). To address barriers related to the need for coordination, multiple planning requirements and layers of jurisdiction and authority, OPC staff will continue coordinating with state agencies to understand how they will use the Guidance in their decision making. Prior to the workshops, OPC staff plans to coordinate with state agencies in multiple ways:

- a. Present and discuss the Guidance with the staffs of the Coastal Commission, San Francisco Bay Conservation and Development Commission (BCDC), and the Coastal Conservancy, with the goals of understanding how the agencies intend to use the document, whether and how it will be integrated into their regulatory requirements, and what challenges they foresee in implementation;
- b. Brief the commissioners of the Coastal Commission, BCDC, State Lands Commission, and Fish and Game Commission;
- c. Convene the Sea-Level Rise Coastal Leadership Team and the CO-CAT to present and solicit feedback on OPC’s outreach strategy and discuss Guidance implementation by state agencies; and
- d. Coordinate with staff from the Governor’s Office of Planning and Research (OPR) and Office of Emergency Services to understand how the Guidance will be incorporated into local planning of General Plans and Local Hazard Mitigation Plans.

OPC staff is also working with OPR’s Integrated Climate Adaptation and Resiliency Program on the Adaptation Clearinghouse website to ensure that the relevant sea-level rise adaptation tools and resources are available and easily accessible to a diverse set of users. This resource will be presented at the regional workshops to gauge usability and collect additional resource needs.

Finally, OPC staff is also working with other state agencies to understand how the

Guidance can be used to assess the impacts of sea-level rise on toxic sites (also known as 'sites of concern').

- 2. Regional Outreach Workshops.** OPC staff proposes to hold five regional public workshops, likely in June, to conduct outreach on the Guidance. These workshops would be held in the following regions: North Coast, San Francisco Bay Area, Central Coast, Los Angeles, and San Diego. The goal of these workshops is to assist local planners and other stakeholders with incorporating the Guidance into their planning work. By providing this assistance, these workshops will help to address barriers related to staff expertise and resources, challenges with integrating science into planning, and a shift in planning approach. The workshop content is currently being developed, and would include an explanation of the Guidance, presentation of associated tools and resources, and a discussion on adaptation financing. The financing discussion will help OPC better understand how it can help local governments and communities with the barriers related to the lack of funding.

In its development of the workshops, OPC staff is coordinating with partner state agencies, and is seeking to collaborate with local governments and regional organizations (such as Alliance of Regional Collaboratives for Climate Adaptation (ARCCA) network) to ensure that the workshop content will be relevant to the local and regional planning context. Through these workshops, the staff envisions creating a dialogue between state and local governments to allow for information and knowledge sharing, and to discuss ways in which OPC and the state can assist local governments and communities with sea-level rise adaptation.

- 3. Outreach to Disadvantaged Communities and Tribes.** The adopted Guidance document recognizes the disproportionate risk that disadvantaged and vulnerable communities and Tribes face in light of sea-level rise. These groups may need more support with planning and/or funding. OPC staff are exploring a range of opportunities to reach environmental justice groups, low-income communities, and Tribes. For disadvantaged communities, this may include reaching out to community organizations and environmental justice groups, the Climate Justice Working Group, and coordination with the environmental justice teams at the Coastal Commission and BCDC. For Tribes, this may include meeting with Tribal Councils, attending Tribal meetings, having small group dialogues, and webinars. Additionally, OPC staff is also exploring partnership opportunities to increase general public awareness and urgency around the need for sea-level rise adaptation and action, and elevate local outreach efforts.
- 4. On-going Program Activities and Development.** The activities described above consist of the initial actions OPC staff are taking or will take following adoption of the Guidance. The information and lessons learned from the workshops will help inform the next set of implementation priorities, and the staff will come back to the Council in July to get their additional suggestions.