



Staff Recommendation

April 24, 2023

Item 4

Action Item:

Consideration and Approval to Disburse Funds to Create a Technical Assistance Program to Support Sea-Level Rise Adaptation Planning

Megan Williams, Coastal Adaptation Program Manager

Recommended Action: Staff recommends that the Ocean Protection Council approve the disbursement of up to \$1,000,000 to establish a Technical Assistance Program that provides application support to local, regional, and tribal governments that represent environmental justice communities applying for Sea-Level Rise Adaptation Planning funding.

Location: Statewide

Strategic Plan Goals and Objectives: Goal 1: Safeguard Coastal and Marine Ecosystems and Communities in the Face of Climate Change; Objective 1.1: Build Resiliency to Sea-Level Rise, Coastal Storms, Erosion and Flooding; Goal 2: Advance Equity Across Ocean and Coastal Policies and Actions; Objective 2.2: Enhance Engagement with Underserved Communities

Equity and Environmental Justice Benefits: Technical assistance; capacity building services; incorporating an equity lens on SLR adaptation planning.

Exhibits:

Exhibit A: Letters of Support

Findings and Resolution:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:

“Based on the accompanying staff report and attached exhibit(s), OPC hereby finds that:

1. The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the California Ocean Protection Act;
2. The proposed projects are consistent with the Budget Act of 2022 which included a \$37.5 million Greenhouse Gas Reduction Fund appropriation for implementation of Chapter 236 of the Statutes of 2021 (SB 1); and
3. The proposed projects are not ‘legal projects’ that trigger the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section, section 15378.”

Staff further recommends that OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

“OPC hereby approves the \$1,000,000 to establish a Technical Assistance Program that provides application support to local, regional, and tribal governments that represent environmental justice communities applying for Sea-Level Rise Adaptation Planning funding.

This authorization is subject to the condition that prior to disbursement of funds, the selected grantee shall submit for the review and approval of the Executive Director of the OPC detailed work plans, schedules, staff requirements, budgets, and the names of any contractors intended to be used to complete the projects, as well as discrete deliverables that can be produced in intervals to ensure the projects are on target for successful completion. All projects will be developed under a shared understanding of process, management, and delivery.”

Executive Summary:

Staff recommends that the Ocean Protection Council approve the disbursement of up to \$1,000,000 to establish a Technical Assistance (TA) Program that provides application support to local, regional, and tribal¹ governments that represent environmental justice (EJ)² communities applying for Sea-Level Rise (SLR) Adaptation Planning funding. The 2022 Budget Act appropriated \$37.5 million to OPC to implement [Senate Bill 1 \(Atkins, 2021\)](#), the Sea Level Rise Mitigation and Adaptation Act. Senate Bill 1 (SB 1) directs the state to provide funding to local and regional

¹ California Native American Tribes, including federally recognized Native American Tribes and non-federally recognized Native American Tribes.

² Environmental Justice (EJ) communities are communities that are disproportionately impacted by environmental injustices and social inequities, that are environmentally and economically-stressed and experience environmental health inequities which contribute to persistent environmental health disparities, as defined by [OPC's Equity Plan](#).

governments to develop SLR adaptation plans and implementation projects. While OPC's SB 1 SLR Adaptation Planning Grant Program (SB 1 Grant Program) is still in the process of being developed, the overall goal of the Program is to provide funding for coastal communities to develop sea-level rise (SLR) adaptation plans to build resilience to SLR along the entire coast of California and San Francisco Bay. To achieve this goal, OPC recognizes some coastal communities, including EJ and tribal communities, face capacity and resource challenges when competing with well-resourced entities for funding. Therefore, OPC intends to provide technical assistance through the creation of an SB 1 TA Program to support direct application services for local, regional, and tribal governments who meet specified criteria to receive TA. Using Greenhouse Gas Reduction Funds (GGRF), this project seeks to initiate a competitive grant solicitation to select a TA Provider that will work closely with OPC staff to build the SB 1 TA Program, and ultimately provide TA application support to qualified TA Recipients. The SB 1 TA Program would be the first TA Program to be established at OPC.

Project Summary:

Background:

OPC's mission is to protect California's coast and ocean by advancing innovative, science-based policy and management, making strategic investments, and catalyzing action through partnerships and collaboration. To achieve this, OPC recognizes that all Californians have the right to equitable access to the resources available through OPC. However, EJ and tribal communities often face challenges when competing with well-resourced entities for funding. Therefore, OPC acknowledges the need for TA to support direct application services and capacity building support for successful TA recipients as they carry out their grant activities.

In 2021, Governor Newsom signed SB 1 into law. SB 1 directs OPC to make grants to local and regional governments to plan for and consider SLR. Through the OPC-funded project "[Evaluating Adaptation Planning in Coastal California](#)," it was determined that of the 63 California coastal jurisdictions who have certified Local Coastal Programs (LCPs), only 9 have updated LCPs that include SLR. Additionally, while 22 jurisdictions have SLR adaptation plans, it was determined that the plans are not consistent in their standards or criteria. In 2022, OPC received \$37.5 million to support the implementation of SB 1. Ultimately, OPC's SB 1 Grant Program aims to provide funding for coastal communities to develop SLR adaptation plans to build resilience to SLR along the entire coast of California and San Francisco Bay.

By establishing an SB 1 TA Program, OPC will be providing more equitable access to funds for the local and regional jurisdictions that qualify for TA. Consequently, OPC hopes to increase the

number and geographic range of SB 1 Grant recipients which will ultimately further the progress in SLR planning along the entire coast.

The SB 1 TA Program would be the first TA Program to be established at OPC. In anticipating that OPC TA efforts will continue to expand, OPC staff have outlined the [OPC Technical Assistance Core Values](#), a living document that seeks to provide background and guidance in the design of OPC TA Programs. The SB 1 TA Program, along with all future OPC TA efforts, will remain committed to these Core Values. This TA Program, along with all future OPC TA efforts, advances Governor Newsom’s [Executive Order N-16-22](#), which instructs all state agencies and departments to incorporate, operationalize, and address equity in all core activities.

Project Summary:

The intent of this project is to establish an SB 1 TA Program that provides targeted technical assistance to potential applicants of the SB 1 Grant Program. A grantee (TA Provider) will be selected through a competitive grant solicitation. The TA Provider will be selected based on the following criteria: capacity and expertise needed to administer the program; experience working in and with environmental justice (EJ) communities and California Native American tribes; expertise in California coastal climate and environmental topics, including, but not limited to, sea-level rise planning; and experience developing applications for competitive grants, implementing those grants through strong project management, and coordinating with state or federal grantors. Following selection, OPC staff will work closely with the selected TA Provider to design the TA Program to fit the SB 1 Grant Program’s goals and funding source requirements. The TA Provider will then lead the development of the TA Program work plan, including criteria for identifying TA Recipients, type of TA Assistance to be provided, and scope of work, in close coordination with OPC staff.

The TA Program and SB 1 Grant Program are planned for a paired launch in Fall 2023. Interested local and regional jurisdictions who meet the TA criteria can then apply and receive TA support. The SB 1 Grant Program is also planned to accept rolling applications, which will further increase access to this funding. The TA Program will help with challenging elements of the grant application process, such as: project scoping, demonstrating robust partnerships and meaningful community engagement, developing data collection and evaluation methodologies, or pulling together data and other relevant information. The TA Provider will provide tailored technical assistance that is reflective of each TA Recipient’s needs and the TA Provider’s scope of work.

Equity and Environmental Justice Benefits:

Establishing the SB 1 TA Program meets many of the strategies and actions outlined in Objective 1.5 of OPC’s Equity Plan, which is to expand opportunities for EJ communities and California Native

American tribes to access OPC funding by enhancing grant processes. Establishing this pilot TA Program also meets OPC Equity Plan Strategy 1.5.3, which is to expand outreach for each OPC funding opportunity across communities to target community-based organizations, grassroots organizations, and California Native American tribes. The TA Program solicitation and TA opportunities will be communicated and disseminated through public outreach channels, including webinars, social media postings, and listservs. Additionally, this pilot TA Program addresses OPC Equity Plan Strategy 1.5.4, which is to expand technical assistance opportunities.

About the Grantee:

OPC staff will administer a competitive solicitation to identify an appropriate grantee (TA Provider) to help design and administer the SB 1 TA Program. The TA Provider will be selected based on the following criteria: capacity and expertise needed to administer the program; experience working in and with EJ communities and California Native American tribes; expertise in California coastal climate and environmental topics, including, but not limited to, sea-level rise planning; and experience developing applications for competitive grants, implementing those grants through strong project management, and coordinating with state or federal grantors.

Project Timeline:

Timelines for project tasks will be identified during the competitive solicitation and selection process, which is expected to occur in Summer 2023. The SB 1 TA Program is expected to start no later than Fall 2023 and stay active for as long as the SB 1 Grant Program is, which is expected to be at least two years.

Project Financing:

Staff recommends that the Ocean Protection Council approve the disbursement of up to \$1,000,000 to establish a Technical Assistance Program that provides application support to local, regional, and tribal governments that represent environmental justice communities applying for SLR Adaptation Planning funding.

Greenhouse Gas Reduction Fund	\$1,000,000
TOTAL	\$1,000,000

The anticipated source of funds for this disbursement is the Budget Act of 2022, which included a \$37.5 million Greenhouse Gas Reduction Fund appropriation to OPC for implementation of

Chapter 236 of the Statutes of 2021 (SB 1). Technical Assistance is an allowable use of Greenhouse Gas Reduction Funds, as described in the California Air Resources Board’s Greenhouse Gas Reduction Fund Guidelines, and will aid in increasing the number of applications that are successful in applying for SB 1 SLR Adaptation Planning projects.

Consistency with California Ocean Protection Act:

The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which:

- Eliminate or reduce threats to coastal and ocean ecosystems, habitats, and species.
- Allow for increased public access to, and enjoyment of, ocean and coastal resources, consistent with sustainable, long-term protection and conservation of those resources.
- Improve management, conservation, and protection of coastal waters and ocean ecosystems.
- Protect, conserve, and restore coastal waters and ocean ecosystems.
- Provide funding for adaptive management, planning coordination, monitoring, research, and other necessary activities to minimize the adverse impacts of climate change on California's ocean ecosystem.

Compliance with the California Environmental Quality Act (CEQA):

The proposed project is not a “legal project” that triggers the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21068 and Title 14 of the California Code of Regulations, section 15378.