

COASTAL CONSERVANCY

Staff Recommendation  
October 27, 2005

**CALIFORNIA CELCP CONSERVATION PLAN**

Project Manager: Steve Horn

**RECOMMENDED ACTION:** Authorization to transmit the *California CELCP Conservation Plan* to the federal government for review pursuant to the Guidelines for the Coastal and Estuarine Lands Conservation Program (CELCP), a competitive grants program for public land acquisitions.

**LOCATION:** All coastal zone and coastal watersheds (see Exhibit 1)

**PROGRAM CATEGORY:** All Conservancy programs

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**EXHIBITS**

Exhibit 1: CELCP Area of Eligibility

Exhibit 2: Draft *California CELCP Conservation Plan* (CD included)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby:

1. Authorizes transmittal of the report *California CELCP Conservation Plan* to the U.S. National Oceanic and Atmospheric Administration (NOAA) for review pursuant to the federal Coastal and Estuarine Lands Conservation Program (CELCP).
2. Authorizes the Executive Officer to take all further steps necessary to complete the process of qualifying California to solicit and receive grants for public land acquisition pursuant to CELCP.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that Conservancy participation in the federal CELCP is consistent with the purposes and objectives of Division 21 of the Public Resources Code (Sections 31000 *et seq.*)”

**PROJECT SUMMARY:**

Conservancy staff is recommending authorization to submit the document *California CELCP Conservation Plan* to the federal government, as the necessary threshold step to enable the State to participate in a federal grants program. The draft document is attached as Exhibit 2, and it would be submitted for review and approval by the National Oceanic and Atmospheric Administration (“NOAA”) through the Office of Ocean and Coastal Resources Management (“OCRM”). Exhibit 2 (the “CELCP plan”) is intended to describe the range of coastal resource lands that would be priorities in future grant applications for federal funding assistance under this program.

The federal Coastal and Estuarine Lands Conservation Program (“CELCP”) was authorized by Congress in 2002. If fully funded, CELCP could provide up to \$60 million per year for nationally-competitive grants for public land acquisition. Public Law 107-77 directed the U.S. Secretary of Commerce to establish a program “for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses.” The CELCP grants would be available only for the acquisition of interests in land by public agencies, and a 1:1 non-federal match would be required.

The CELCP Guidelines establish a three-stage process for competitive funding: (1) development of a state coastal and estuarine land conservation plan that describes proposed state priorities; (2) qualification and ranking of prospective projects at the state level; and (3) project selection at the national level from the projects submitted by the states. The recommended action would enable California to meet the first requirement.

The geographic area eligible for the future use of CELCP grant funds is very large. It includes: (1) areas within the state’s “coastal zone” pursuant to the federal Coastal Zone Management Act of 1972, as amended; (2) areas within the state’s coastal watershed boundaries as defined by NOAA; and (3) lands needed to implement the management plans of a National Estuarine Research Reserve. The combined extent of these areas is described generally in Exhibit 1.

In developing the draft CELCP plan, the Conservancy staff has worked with an oversight committee consisting of the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, and representatives of the three California National Estuarine Research Reserves. The CELCP Guidelines emphasize the intent that the CELCP plans be relatively simple and concise, and the CELCP plan for California relies on land resources priorities that have already been established by various State, regional and local agencies. These include such existing priorities information as the California Outdoor Recreational Plan prepared by State Parks, watershed resources mapping done by the Department of Fish and Game and Department of Forestry, subregional priorities plans prepared by the Southern California Wetlands Recovery Project, and similar studies. Many of these data layers were already assembled by the California Legacy Project.

The draft *California CELCP Conservation Plan* has been presented at public meetings of the San Francisco Bay Conservation and Development Commission (on September 1, 2005) and the California Coastal Commission (on September 14, 2005). The Conservancy staff will seek approval of the Resources Agency and the Governor’s office prior to transmitting the plan to NOAA.

**PROJECT FINANCING:**

Completion and transmission of the *California CELCP Conservation Plan* will not require significant additional expenditure by the Conservancy.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

Public Resources Code (PRC) Section 31104 authorizes the Conservancy to apply for and accept federal grants in order to carry out any of its programs under PRC Division 21. PRC Section 31111 authorizes the Conservancy to undertake such planning and feasibility studies as are necessary to carry out any of those programs. Projects funded under the CELCP would address many of the purposes of Division 21.

The proposed project would be a pre-project feasibility study conducted for the purpose of enabling the Conservancy and other public agencies to seek federal grant funds for the acquisition of coastal resource properties. The completion of this study is a necessary administrative component of the grant application process under the federal Coastal and Estuarine Lands Conservation Program. The *California CELCP Conservation Plan* does not have any regulatory effect or other force of law, and it may be revised at any time subject to NOAA review.

**CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Submittal and federal approval of the *California CELCP Conservation Plan*, enabling California projects to compete in a new grants program for public land acquisitions, would promote many of the goals of the Conservancy's 2002 Strategic Plan. The CELCP could provide funding for a wide variety of land acquisitions necessary to implement the California Coastal Management Program, including recreational lands, wildlife habitat and "working" landscapes, and submittal of the plan document is a necessary threshold step in that process. As such, this action would be consistent with the Strategic Plan goals for land acquisition for public shoreline access (Goals 1 and 2), conservation of coastal resource lands (Goals 4, 5 and 7) and preservation of the San Francisco Bay region (Goal 10). For each of these Goals, the Strategic Plan provides Objectives that encourage Conservancy participation in funding partnerships like the federal grants program pursuant to CELCP.

**COMPLIANCE WITH CEQA:**

The proposed authorization is one step in creating a government funding mechanism for possible future land acquisitions, but it does not involve a commitment to any specific project. It does not have the potential to cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and thus, under Public Resources Code Section 21065 and 14 Cal. Code of Regulations Section 15378, it is not a "project" subject to analysis under the California Environmental Quality Act (CEQA).