

COASTAL CONSERVANCY

Staff Recommendation

September 6, 2018

To: Coastal Conservancy Members

From: Sam Schuchat, Executive Officer
Mary Small, Deputy Executive Officer

Cc: Legislative Representatives

Re: Consideration and possible adoption of a resolution to support the protection of coastal habitat in the face of climate change impacts.

RECOMMENDED ACTION:

Consideration and adoption of a resolution to support the protection of coastal habitat in the face of climate change impacts, consistent with the *Coastal Conservancy Climate Change Policy*, adopted on November 10, 2011.

EXHIBITS

Exhibit 1: [*Conserving California's Coastal Habitats: A Legacy and A Future with Sea Level Rise*](#)

Exhibit 2: [*Coastal Conservancy Climate Change Policy*](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31100 et seq. of the Public Resources Code:

“Consistent with the State Coastal Conservancy’s *Coastal Conservancy Climate Change Policy*, adopted on November 10, 2011, the State Coastal Conservancy hereby resolves to support coastal habitat protection, guided by science and collective action, that (1) maintains and enhances California’s coastal habitats in the face of sea level rise, other climate change induced challenges, and development, and (2) ensures a protected coast for future generations to enjoy that retains as much or more habitat and wildlife, as well as retains the social, economic and recreational benefits, that we have today.”

RESOLUTION FOR PROTECTION OF COASTAL HABITAT

Background

In the spring of 2018, the California State Coastal Conservancy and The Nature Conservancy released a statewide habitat assessment, *Conserving California's Coastal Habitats: A Legacy and A Future with Sea Level Rise*, (Exhibit 1) (the "Climate Change Assessment") that highlights the urgent need to take action to protect coastal ecosystems from the impacts of sea-level rise. The study found that more than half of current habitat by area is highly vulnerable to five feet of sea level rise – that includes 76% of California's iconic beaches, 58% of rocky intertidal habitat, 58% of coastal marshes, and 55% of tidal flats. In addition, sea-level rise will further stress populations of 39 rare, threatened, or endangered species, and 41,000 acres of public conservation lands are projected to be drowned by subtidal waters.

The Climate Change Assessment also makes specific recommendations for the conservation of coastal habitat in the face of sea-level rise. The report identifies specific management strategies and opportunities to preserve coastal habitat statewide with five feet of sea-level rise. The proposed resolution is a commitment to work on implementing these strategies to preserve coastal habitat in the face of sea level rise.

The Nature Conservancy is working with many state, local and federal agencies to adopt the following coastal vision:

In science-guided, collective action, we will maintain and enhance California's coastal habitats in the face of sea level rise, other climate change-induced challenges, and development, ensuring a protected coast for future generations to enjoy, replete with as much or more habitat and wildlife, as well as social, economic, and recreational benefits, as we have today.

The Ocean Protection Council recently adopted a resolution that calls on California state agencies to adopt this vision in advance of the upcoming Global Climate Action Summit. The Global Climate Action Summit will bring together leaders across the world this September in San Francisco to showcase their achievements, and make renewed commitments to prevent the most serious impacts of climate change globally. The event will be an opportunity for state, subnational and nongovernmental entities to make commitments to future action. The Conservancy's adoption of this resolution is consistent with the Conservancy's climate change policy and appropriate given its role in developing the Climate Change Assessment. The resolution is timely in that it will support commitments to be announced at the Global Climate Action Summit.

CONSISTENCY WITH CONSERVANCY'S CLIMATE CHANGE POLICY

The proposed resolution is consistent with the Conservancy's *Climate Change Policy*, adopted on November 10, 2011, Exhibit 2. The Conservancy's Climate Change Policy directs the Executive Officer to consider climate change in evaluating projects. Specifically, the policy directs the Conservancy to encourage projects with robust

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adaptation strategies, which is consistent with the proposed resolution and the recommendations in the Climate Change Assessment:

The following Conservancy Climate Change Policies are consistent with the proposed resolution:

4. **Adaptation Strategies.** The Conservancy encourages applications for climate-sensitive projects that include robust adaptation measures and strategies, including pilot or demonstration projects that are consistent with its enabling legislation, strategic plan, and available funding. Applications are encouraged for, but not limited to the following types of projects or project elements:
 - a. **Protection of Areas Adjacent to Shoreline Habitats** in order to support the inland shift of habitats, such as tidal wetlands, in response to sea level rise;
 - c. **Setbacks, Rolling Easements and Planned Retreat** which 1) relocate developments farther inland or away from areas likely to be affected by flooding and erosion within the life of the structure, 2) remove development as hazards encroach into developed areas, or 3) facilitate landward movement of coastal ecosystems subject to dislocation by sea level rise and other climate change impacts;
 - d. **Innovative Designs** that incorporate features that are resilient to climate change impacts and can serve as demonstration projects;
 - e. **Protection of Land** for supporting native species in responding to climate change;
 - f. **Protection of Open Space** to protect existing and future habitat for species impacted by climate change;
 1. **Acquisition Planning Projects** that apply the latest information on climate change impacts and recommendations on reserve design, to identify wildlife migration corridors and natural lands that have a diversity of topography, soils and microclimates, to maximize the survival of native species and biodiversity and preserve ecosystem processes;

CONSISTENCY WITH CONSERVANCY ENABLING LEGISLATION

The proposed resolution is consistent with the Conservancy's enabling legislation, Chapter 3 of Division 21 of the California Public Resources Code, Section 31113, which authorizes the Conservancy to address the impacts and potential impacts of climate change on resources within its jurisdiction, including but not limited to reducing hazards to coastal communities, infrastructure and natural resources (Section 31113(a)). The proposed resolution is also consistent with the Section 31113(b) which authorizes the Conservancy to undertake projects that maximize public benefits, including "preserving and enhancing coastal wetlands and natural lands, conserving biodiversity and providing recreational opportunities."

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CONSISTENCY WITH CONSERVANCY'S 2018 STRATEGIC PLAN

Consistent with **Goal 8, Objective C**, of the Conservancy's 2018 - 2022 Strategic Plan, the proposed resolution supports the objective of implementing projects that increase resilience to sea level rise or other climate changes impacts.

COMPLIANCE WITH CEQA

Under the California Environmental Quality Act ("CEQA") Guidelines, 14 Cal. Code of Regulations ("CCR") §§ 15000 et seq., a "project," in relevant part, consists of the whole of an action which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and that is any of the following: (1) an activity directly undertaken by any public agency; (2) an activity undertaken by a person supported by a public agency; or (3) an activity involving the issuance to a person of a permit or other entitlement for use by one or more public agencies. (CCR § 15378).

The proposed resolution is descriptive and general, and does not provide for or authorize any specific projects or activities. Moreover, the coastal vision does not establish any new policy for the Conservancy. Future activities of the agency consistent with the resolution that may have an impact on the environment will be required to comply with CEQA and undergo the Conservancy's existing evaluation and approval processes. However, adoption of the proposed resolution does not have the potential to cause a direct physical change, or a reasonably foreseeable indirect physical change to the environment, and thus does not constitute a project for purposes of CEQA.