

**STAFF REPORT
115**

A Statewide
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08/23/18
M. Farnum
A. Newman

**CONSIDER A RESOLUTION TO ADVANCE A VISION FOR
CALIFORNIA'S COASTAL FUTURE**

PROPOSED RESOLUTION:

Staff recommends that the Commission adopt the proposed Resolution, attached as Exhibit A, to advance a vision for California's coastal future, and direct staff to take appropriate actions on behalf of the Commission to affirm its commitment to the protection and responsible economic use of coastal habitats.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction, and Strategy 1.2 to provide that the current and future management of ungranted sovereign lands and resources and granted lands, including through strategic partnerships with trustee ports and harbor districts, is consistent with evolving Public Trust principles and values, particularly amid challenges relating to climate change, sea-level rise, public access, and complex land use planning. This action is also consistent with Strategy 1.3 to protect, expand, and enhance opportunities for public use and access to and along the State's inland and coastal waterways, as well as Strategy 1.4 to incorporate strategies to address climate change and sea-level rise impacts to Public Trust resources, uses, and values.
2. The adoption of the proposed resolution is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

EXHIBIT:

- A: Resolution Adopting and Advancing a Vision for California's Coastal Future

STAFF REPORT NO. 115 (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Adopt the Resolution in substantially the form attached as Exhibit A.

EXHIBIT A

**RESOLUTION BY THE CALIFORNIA STATE LANDS COMMISSION ADVANCING A
VISION FOR CALIFORNIA'S COASTAL FUTURE**

WHEREAS, the State Lands Commission (Commission) was established in 1938 and is responsible for the management and protection of natural and cultural resources, as well as the protection and enhancement of public access, on Public Trust lands; and

WHEREAS, the members of the Commission (the Lieutenant Governor, the State Controller, and the Governor's Director of Finance) ensure that decisions made by the Commission are fiscally sound and in the best interests of the state; and

WHEREAS, the Commission is committed to managing and protecting public lands and resources for the benefit and enjoyment of current and future generations of Californians through issuing leases, ensuring public access and safety, resolving boundary disputes between public and private lands, and implementing regulatory programs to protect state waters from oil spills and invasive species; and

WHEREAS, the Commission recognizes that climate change and sea-level rise imperil our State's coastal resources, endanger habitats, wildlife, and critical ecosystem functions, and expose human communities and infrastructure to high levels of risk; and

WHEREAS, the Commission is committed to facilitating sea-level rise preparedness, with an emphasis on protecting California's Public Trust lands, resources, and assets and the public's right to access and enjoy these lands; and

WHEREAS, the Commission is committed to using the best available science to inform decisions regarding the management and protection of Public Trust lands and resources; and

WHEREAS, the Ocean Protection Council updated the State of California Sea-Level Rise Guidance Document in March, 2018, adding recommendations for sea-level rise planning and adaptation that consider social equity, protection of coastal habitat, and preservation of public access while acknowledging the unique characteristics, constraints and values of Public Trust uses and assets along the coast and existing water-dependent infrastructure, such as ports and harbors; and

WHEREAS, the Ocean Protection Council's *2017 Rising Seas in California* report and the State's *Sea-Level Rise Guidance 2018 Update* highlight the potential for extreme sea-level rise scenarios and find that rapid Antarctic ice sheet loss may lead to sea-level rise of approximately 10 feet by 2100, which would result in catastrophic loss of beaches and other shoreline areas, including coastal habitat areas, which significantly impact Public Trust lands and resources; and

WHEREAS, a 2018 State Coastal Conservancy and The Nature Conservancy assessment on statewide coastal habitat vulnerability¹ found that 55 percent of coastal habitat is highly vulnerable to 5 feet of sea-level rise, including 60 percent of California’s beaches, 58 percent of rocky intertidal habitat, 58 percent of coastal marshes, and 55 percent of tidal flats, found that that sea-level rise will further stress populations of 39 rare, threatened, or endangered species, and found that that 41,000 acres of public conservation lands are projected to be submerged by rising waters; and

WHEREAS, a 2017 study² by University of Chicago and U.S. Geological Survey researchers found that 31 to 67 percent of southern California’s sandy beaches may be lost under 3.3 to 6.5 feet of sea-level rise projected for 2100 unless action is taken to protect them; and

WHEREAS, in 2013, the Governor of California signed AB 691 into law, which requires trustees of granted lands, primarily ports, harbor districts, marinas, and local jurisdictions, with Public Trust revenues exceeding \$250,000 to submit a sea-level rise adaptation strategy assessment to the Commission by July 1, 2019; and

WHEREAS, the Commission considers local trustees, such as ports, and lessees partners in protecting and enhancing Public Trust lands and resources and endeavors to assist them with resources and information to create assessments that will be effective tools in safeguarding and adapting communities and water-dependent, water-related Public Trust assets, resources, and critical infrastructure to rising seas; and

WHEREAS, the Commission is committed to developing a comprehensive and meaningful environmental justice policy and implementation plan, with the goal of promoting social equity and advancing environmental justice through more informed decision-making that considers the needs and concerns of all communities, but with sensitivity to increased burdens on tribal communities and marginalized and disadvantaged communities who are disproportionately impacted by climate change; and

WHEREAS, marginalized and disadvantaged communities will experience increased risk of extreme heat exposure and more difficulties accessing the coast as sea levels continue to rise and threaten beach access; and

WHEREAS, the Commission recognizes the critical connection that California’s Tribes and tribal communities have to the environment and that the environmental injustices they have endured over generations give native communities a unique perspective on environmental justice; and

¹ Heady, W. N., B. S. Cohen, M. G. Gleason, J. N. Morris, S. G. Newkirk, K. R. Klausmeyer, H. Walecka, E. Gagneron, M. Small. 2018. Conserving California’s Coastal Habitats: A Legacy and a Future with Sea Level Rise. The Nature Conservancy, San Francisco, CA; California State Coastal Conservancy, Oakland, CA. 143 pages.

² Vitousek, S., P.L. Barnard, P. Limber, L. Erikson, B. Cole. 2017. A model integrating longshore and cross-shore processes for predicting long-term shoreline response to climate change. Journal of Geophysical Research. <https://doi.org/10.1002/2016JF004065>.

WHEREAS, climate change and sea-level rise uniquely impact California's Tribes and tribal communities by exposing, eroding, and drowning tribal burial sites, cultural artifacts, and sacred resources, and by decreasing opportunities to gather or grow food, hunt, fish, or practice traditional medicine; and

WHEREAS, the Commission participates in interagency working groups and planning bodies that coordinate action between federal, state, local, and tribal entities, including the Coastal and Ocean Resources Working Group for the Climate Action Team (CO-CAT), the Safeguarding California Climate Action Team, and the Sea Level Rise Interagency Team, as well as regional ocean planning efforts; now therefore, be it

RESOLVED by the California State Lands Commission that it adopts the following coastal vision for the protection of coastal habitats: *In science-guided, collective action, we will maintain and enhance California's coastal habitats in the face of sea-level rise and other climate change-induced challenges, ensuring a protected coast for future generations to enjoy; and be it further*

RESOLVED that the Commission will incorporate the following principles into the consideration of future actions to advance the aforementioned coastal vision in furtherance of its mission to provide the people of California with effective stewardship of the lands, waterways, and resources entrusted to its care through preservation, restoration, enhancement, responsible economic development, and the promotion of public access:

- 1) Incorporate the best available science on climate change, including new information and innovative strategies to address sea-level rise, other climate change-related impacts, and beach, shoreline and related habitat loss, into agency leasing applications and decisions, policies, and staff trainings; and
- 2) Encourage trustees subject to AB 691 (Chapter 592, Statutes of 2013) to demonstrate they are considering adaptation approaches that can be modified or changed based on new sea-level rise science and models as they become available; and
- 3) Continue to partner with local trustees, such as ports, in protecting and enhancing Public Trust lands and resources and assist them with resources and information to create assessments that will be effective tools in safeguarding and adapting communities and water-dependent, water-related Public Trust assets, resources, and critical infrastructure to rising seas; and
- 4) Consider the environmental impact, impacts to public trust resources and values, and possible alternatives to shoreline armoring on land under the Commission's jurisdiction; and
- 5) Where shoreline armoring exists or is contemplated, explore mitigation options that offset the impacts of shoreline armoring on beaches, shorelines, offshore areas, and shoreline habitats, including impacts to public access to these areas, while seeking to avoid loss of coastal habitats; and
- 6) Support implementation of adaptation strategies that seek to increase resilience of at-risk habitats such as beaches, dunes, salt marshes, and estuaries, including living

shorelines, coastal restoration projects, and approaches that allow habitats to migrate inland as sea levels rise; and

- 7) Seek partnerships and funding to regularly assess coastal habitat losses and gains on a per acre basis, to identify implementation methods and strategies for protecting, maintaining and enhancing such coastal habitats, and to proactively implement associated projects; and
- 8) Coordinate with federal, state, and local agencies with jurisdictional responsibility over California's ocean and coastal areas, and to engage and collaborate with other industry and nonprofits, as well as native American tribes, disadvantaged and marginalized communities, and others; and,

BE IT FURTHER RESOLVED that the Commission commits to continued engagement with tribal groups, disadvantaged and other vulnerable communities who live, visit, and recreate along the coast and tidal waterways to ensure equitable participation in the coastal planning process and equitable access to the coast for all.