

CA Coastal Commission: Draft Sea Level Rise Guidance

Cal OES Comments

1. Page 8, 65 and 81. Some of the boxes within the flowchart are not connected by arrows.
2. Section IV; Step 4; pages 49 -63. This section discusses Planning and Locating New Development, Hazards and Shoreline/Bluff Development, and Public Access and Restriction. The section details the components of updated development standards. There is no mention of land planners working with and sharing information with local partners (Emergency Managers, Law, Fire, etc.). A bullet expressing the importance of collaboration and information sharing between these agencies is critical.
3. Section V; Step 3; pages 71-76. Similar to previous comment - Under New Development and Public Access and Recreation, it is important to include a bullet for land planners to work with and share information with local partners (Emergency Management, Law Enforcement, Fire, etc.) as they identify potential risks from hazards for new development and public access and recreation.
4. Page 4, 16, 18 and 89. Reference to Cal EMA needs to be changed to California Governor's Office of Emergency Services (Cal OES).
5. The guidance anticipates that Local Coastal Programs (LCP's) will incorporate the guidance principles in their planning and permitting processes. There was no apparent time frame for these revisions, which could add significant costs to local governments.
6. Local Hazard Mitigation Plans (LHMPs) may be impacted by this guidance, with the same additional local government impacts noted above; therefore it is recommended that LHMPs be reviewed and coordinated throughout the LCP planning/update process. Suggest adding language reflecting this review/coordination in related sections within the Guidance. *See pages 9, 12, 20, 64-65, 88-89, and 119 for possible insertion points.
7. Page 9, 10, 11, 14 and 62. Include projects impact to critical infrastructure from SLR to relevant sections on noted pages. For example, add to the statement "Determine how the project may impact coastal resources and critical infrastructure considering the influence of future sea-level rise upon the landscape." Page 90 is the only place this is mentioned in the Guidance.
8. The increased planning and analysis required for a Coastal Development Permit called for in the guidance could significantly delay or prevent individual residential and small-business recovery in low-lying coastal areas after a disaster, whether or not the disaster was Sea-level change (SLC) related.
9. Page 6, 24, 51, 54. "Property owners should assume the risks associated with new development in hazardous areas" would require property owners to "internal risk" and make them responsible for modifying, relocating, or removing their development if threatened in the future by SLC. This would seem to have significant impact to insurance requirements, mortgages, and disaster recovery. " It has been Cal OES' experience that this policy doesn't work very well in other geologically hazardous areas. What usually happens is the entity claims they were not properly warned about their potential vulnerability. What may be useful is a program similar to the State's Special Studies Zone Act which regulates development in known active fault zones. Before a building permit can be issued in one of these zones, a study must be conducted to determine if an active fault lies beneath the proposed structure. What this also does is help refine the mapped location of these faults providing a localized view of a more regional hazard. In this way, the more regional Sea-level rise map could be better portrayed for local use.
10. The same sections noted above allow deed restrictions requiring property owners to "waive the right to any future shoreline protection." Again, this would seem to impact insurance, mortgage,

and disaster recovery, including possible restrictions on Emergency Protective Measures commonly used by governments to stabilize flooding in emergency situations.

11. See page 12 of the document for the statement regarding guidance and not regulation - The Coastal Commission addresses the issue of climate change through a "guidance document" rather than by regulation or by codes and standards. Unless (or until) federal policy on SLR is developed and/or modified, FEMA may not cover the additional costs to improve the facility or structure to meet climate change "guidance" beyond the cost of the repairs necessary to return the facility or structure to its pre-disaster condition. Our local and state agency partners will need to make up the difference.
12. We are not sure how this process works, but the Policy Guidance seems to put a great deal of responsibility on the local authorities, who may or may not act in a fashion that meets the risk being experienced by all. Unintended consequences could be created where one key community decides not to follow through in an appropriate manner with their Local Coastal Program, leaving more diligent communities exposed to a hazard. Regional hazard-specific planning might be more effective when feasible.
13. Publicizing of the impact maps referred to in this document could assist with planning and public awareness of the threat.
14. Page 161. Include information for the CA Adaptation Planning Guide (APG). "The Adaptation Planning Guide (APG) provides guidance to support regional and local communities in proactively addressing the unavoidable consequences of climate change. It was developed cooperatively by the California Natural Resources Agency, California Governor's Office Of Emergency Services, with support from California Polytechnic State University--San Luis Obispo, and with funding through the Federal Emergency Management Agency and the California Energy Commission. The APG provides a step-by-step process for local and regional climate vulnerability assessment and adaptation strategy development.
http://resources.ca.gov/climate_adaptation/local_government/adaptation_planning_guide.html
15. Page 161. Include information for the 2013 California Multi-Hazard Mitigation Plan (SHMP). "The 2013 SHMP represents the state's primary hazard mitigation guidance document, and provides an updated and comprehensive description of California's historical and current hazard analysis, mitigation strategies, goals and objectives. Innovative features of the California hazard mitigation plan include an expanded discussion of climate change and adaptation strategies, a new and expanded section on volcanic hazards in the state, as well as significant mitigation initiatives, strategies and actions completed since adoption of the 2010 SHMP."
http://hazardmitigation.calema.ca.gov/plan/state_multi-hazard_mitigation_plan_shmp
16. It should be noted that sea level rise of 5 to 6 feet as outlined in the document could affect the following State of California agencies and commissions;
 - ✓ State Lands Commission
 - ✓ Dept. of Boating and Waterways
 - ✓ Dept. of Fish and Wildlife
 - ✓ Dept. of Parks and Recreation
 - ✓ Dept. of Water Resources
 - ✓ San Francisco Bay and Boating Commission
 - ✓ Dept. of General Services
 - ✓ University of California
 - ✓ Dept. of Transportation (and not just Hwy. 1, but also Hwy. 101, Hwy. 37, and other roadways would be affected)
 - ✓ Dept. of Agriculture (low-lying cultivations would be adversely affected)