

10. GOVERNANCE STRUCTURE

A governance structure provides a framework for the Coastal RSM Plan to be used, including interpretations, updates and implementation of particular actions. Governance structure also provides a framework for input from citizens as well as federal, state, regional, and local entities. Several existing RSM entities were reviewed and are discussed in this section, along with the recommended governance structure for the southern Monterey Bay Coastal RSM Plan.

10.1 AMBAG AND JOINT POWERS AUTHORITY

A Joint Powers Authority (JPA) is an institution permitted under the laws of many states whereby two or more public authorities can operate collectively. They are permitted under Section 6500 of the State of California Government Code. JPAs may be used where an activity naturally transcends the boundaries of existing public authorities (such as southern Monterey Bay coastal erosion). It is distinct from the member authorities; the JPA has a separate operating board of directors, and the board can be given any of the powers inherent in all of the participating agencies. In setting up a JPA, the constituent authorities must establish which of their powers the new authority will be allowed to exercise, and a term, membership and standing orders of the board need to be specified. Also, the JPA can employ staff and establish policies independently of the constituent authorities. JPAs are flexible and can be tailored to meet specific needs, and there are many differences among individual JPAs.

AMBAG is a JPA governed by a Board of Directors composed of locally elected officials appointed by their respective city council or board of supervisors. Each member city has one representative on the Board, while each member county has two. The AMBAG Board of Directors sets policy and oversees a small professional staff. AMBAG's funding comes primarily from the state and federal governments for mandated planning activities and grant projects. Local funding comes primarily from annual membership dues contributed by each member agency.

In order to define a governance structure and implementation for this Coastal RSM Plan using a JPA model we have investigated the governance models adopted by San Diego Association of Governments (SANDAG) and Beach Erosion Authority for Clean Oceans and Nourishment (BEACON).

10.1.1 San Diego Association of Governments

SANDAG comprises 18 cities and county governments and is a forum for decisions on a wide range of issues (not just coastal erosion). Similar to AMBAG, SANDAG is governed by a Board of Directors composed of mayors, council members and county supervisors, as well as advisory members (non-voting) from Department of Defense, Caltrans, San Diego Port District, San Diego

Water Authority, and others. In addition to the Board, SANDAG also have a staff of professional planners, engineers, and research specialists. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transportation, and provides information on a wide variety of topics; they have a broader spectrum of responsibilities than AMBAG. SANDAG also has the ability to issue bonds, as established in specific state legislation (SB 1703, Feb 12, 2002). SANDAG has a Shoreline Preservation Working Group with staff members and a Shoreline Preservation Strategy that was adopted by their Board in 1993. This strategy places a large emphasis on beach nourishment. The Working Group advises the Regional Planning Committee of SANDAG on issues related to the Shoreline Preservation Strategy.

10.1.2 Beach Erosion Authority for Clean Oceans and Nourishment

BEACON is a JPA with member agencies comprising the cities of Carpinteria, Goleta, Oxnard, Port Hueneme, Ventura, Santa Barbara, and the counties of Santa Barbara and Ventura. BEACON was established for the limited purposes of dealing with coastal erosion and beach problems in that coastal region. They have also recently expanded their purview to water quality issues and beach and ocean pollution. BEACON maintains technical staff to assist with coastal engineering issues inherent with beach nourishment.

10.1.3 Joint Powers Authority Options

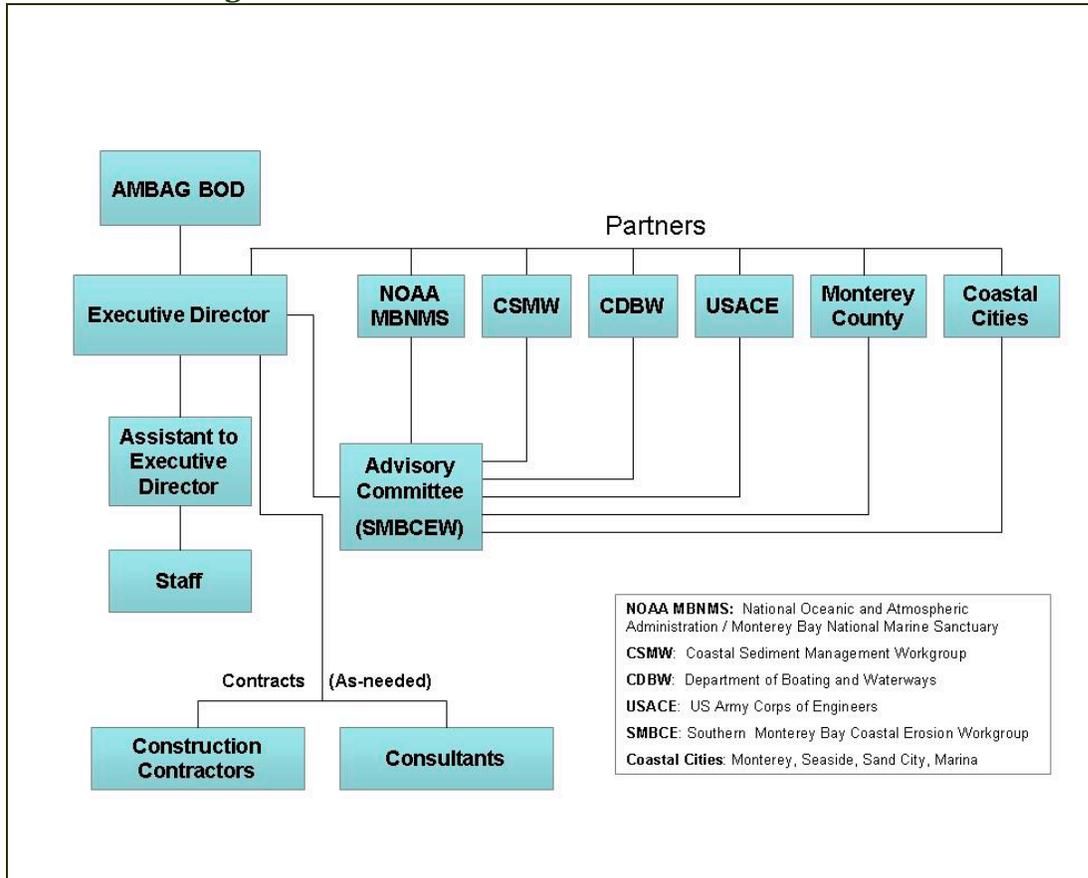
Adopting the SANDAG model, the governance structure would employ AMBAG as an existing JPA and include a multi-stakeholder coastal erosion committee that advises the Executive Director and Board of Directors who would have the ultimate decision making authority. This structure would negate the need to establish a new JPA, it could be extended to other geographic regions in the future (e.g. northern Monterey Bay, Santa Cruz), and the organization would already be set up to receive funding and implement projects. For this option to be adopted the AMBAG Board would need to expand their scope to take on this new coastal erosion/sediment management role.

Adopting the BEACON model would require formation of a new JPA that is only focused on erosion issues in the southern Monterey Bay area, rather than using AMBAG as an existing JPA. The scope of the new JPA would be limited to erosion/sediment management issues and the geographic area would be limited to southern Monterey Bay, rather than the larger three-county AMBAG region.

10.2 RECOMMENDED GOVERNANCE STRUCTURE

This Coastal RSM Plan recommends a governance structure for implementation of RSM in southern Monterey Bay using AMBAG as an existing JPA, expanding their scope into coastal erosion and regional sediment management issues. The recommended governance structure for southern Monterey Bay is outlined in Figure 35.

Figure 35. Recommended AMBAG Governance Structure



In this structure AMBAG adopts, implements, and updates the Coastal RSM Plan, and the Executive Director for the Coastal RSM Plan is the Executive Director of AMBAG. AMBAG would receive funds, complete environmental documentation, acquire permits, and plan, design and construct coastal projects, as appropriate. This Coastal RSM Plan recommends that AMBAG investigates hiring a dedicated staff member to assist the Executive Director to specifically manage sediment management issues and co-ordinate staff. The Executive Director would be advised and guided on regional sediment management issues by a committee comprising representatives from local cities, academic institutions and industry. It is recommended to continue the Southern Monterey Bay Coastal Erosion Workgroup (SMBCEW) in this role. The Executive Director would then report to the Board of Directors who would be the prime decision making authority.

It is important to note that this structure may be updated as experience is gained with sand management in southern Monterey Bay. For example, the need to raise local funds for sand placement projects may lead to formation of increased powers for AMBAG. AMBAG may also

find, like SANDAG and BEACON, that one or more technical staff may be desired to help implement particular projects which require special capabilities in coastal engineering, construction contract administration, and/or monitoring.

10.2.1 Partners

Three main partners working closely with the advisory committee in the implementation of RSM in southern Monterey Bay are identified in this Coastal RSM Plan. The Coastal Sediment Management Workgroup (CSMW) provides the framework for Coastal RSM Plans throughout coastal California. The California Department of Boating and Waterways (CDBW) is the state department that funds many beach nourishment and erosion control projects, and is a member of CSMW. CDBW could cost share with any public agency that has a Board comprised of elected officials and that has the authority to enter into an agreement. AMBAG has authority for planning and environmental aspects of beach nourishment but for implementing projects (construction) they may need additional authority. The U.S. Army Corps of Engineers (Corps) is a federal agency that funds many beach nourishment, erosion control, and ecosystem restoration projects. The Corps could cost share with any non-Federal public agency, and generally if CDBW can partner with AMBAG then so can the Corps. To partner with the Corps, AMBAG would need to sign an agreement and demonstrate an ability to pay.

AMBAG would enter into contracts for coastal processes studies, planning, environmental review, permitting and engineering as needed. AMBAG would also enter into construction contracts for beach nourishment.

10.2.2 Implementation

In order for the Coastal RSM Plan to be considered when sediment management activities are being planned or implemented, AMBAG should promote referencing of the Plan in individual Local Coastal Programs (cities of Monterey, Seaside, Sand City, Marina, and County of Monterey). AMBAG should pursue the Coastal Commission to mandate the use of the Coastal RSM Plan, by requesting that the local office of the Coastal Commission begin requiring all sediment management projects along the southern Monterey Bay coast be consistent with the Coastal RSM Plan by beneficially re-using surplus sediment for nourishment.

AMBAG should also suggest that all local agencies (city and County-level) pursue consistency with specific elements of the Coastal RSM Plan in their zoning ordinances and municipal codes in their General Plans. For example, any project component that requires a grading permit would be asked to show how that project could beneficially re-use surplus sediment (if it has the appropriate quality for nourishment purposes) within the coastal zone rather than for other purposes (such as construction materials or fill).

This Coastal RSM Plan recommends that AMBAG consider having all their member agencies add to their CEQA Initial Study checklist items/questions such as ‘Is the proposed project consistent with the Coastal RSM Plan, If not, why not?’ or ‘Specify how the proposed project will result in regional sediment management such as that identified in the Coastal RSM Plan for this region.’ These questions compel the RSM issue to be addressed in each CEQA document to be prepared for future projects.

10.2.3 Outreach and Dissemination

In order for AMBAG to coordinate with the agencies and local jurisdictions (County of Monterey, Cities of Monterey, Seaside, Sand City, Marina) to implement the Coastal RSM Plan, a post-Plan outreach program should be established. AMBAG should develop existing resources including contact lists to provide a focused outreach campaign to encourage discussion amongst the southern Monterey Bay agencies. Public meetings should be convened as appropriate in which AMBAG should seek public input and consensus to guide the implementation of the recommended actions in the Plan. This Coastal RSM Plan should also be supported through publication of brochures, fact sheets, and provision of information on the AMBAG, SMBCEW, and CSMW web pages.