

# The Coastal Commission

## *Theory to Practice*

A New Commissioner's  
Perspective

# The Education of a Coastal Commissioner

Coastal Development Permits  
CDP's

Federal Consistency  
Review

New Local Coastal Programs  
(LCP's)

Appeals of local  
Coastal Development Permits

Local Coastal Program  
(LCP) Amendments

University Long Range  
Development Plans (LRDP)

Port Master Plans  
Public Works Plans

~55 items on each monthly agenda

# The Coastal Act

Section 30001 Legislative findings and declarations; ecological balance  
The Legislature hereby finds and declares:

- (a) That the California **coastal zone** is a **distinct and valuable natural resource of vital and enduring interest to all the people** and exists as a delicately balanced ecosystem.
- (b) That the **permanent protection of the state's natural and scenic resources is a paramount concern** to present and future residents of the state and nation.
- (c) **That to promote the public safety, health, and welfare, and to protect public and private property**, wildlife, marine fisheries, and other ocean resources, and the natural environment, **it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.**
- (d) That existing developed uses, and **future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state** and especially to working persons employed within the coastal zone.

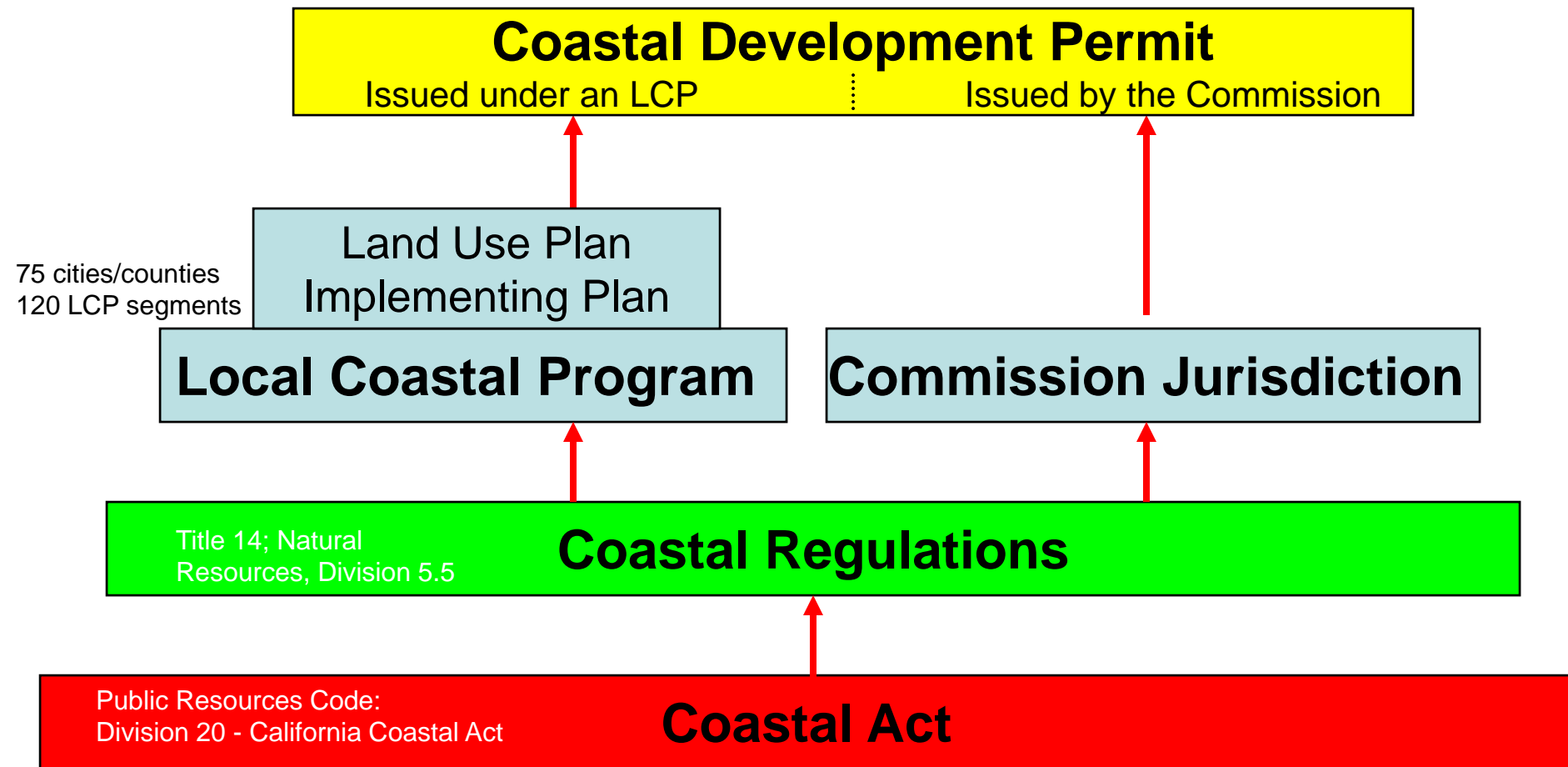
# The Coastal Act

Section 30001.5 Legislative findings and declarations; goals

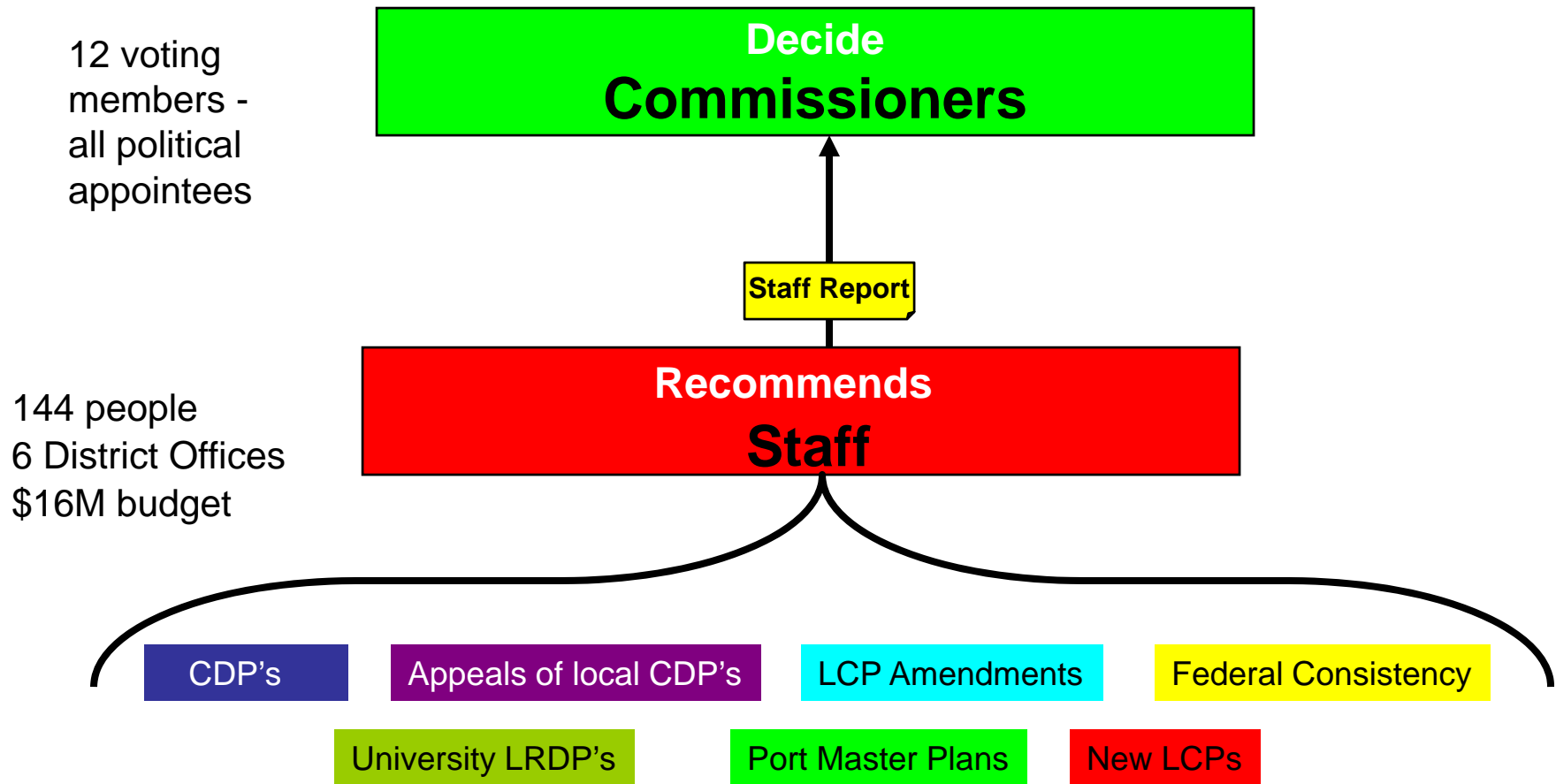
The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- (a) **Protect, maintain**, and where feasible, **enhance and restore** the overall quality of **the coastal zone** environment and its natural and artificial resources.
- (b) Assure **orderly, balanced utilization and conservation of coastal zone** resources taking into account the **social and economic needs** of the people of the state.
- (c) **Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) **Assure priority for coastal-dependent and coastal-related development** over other development on the coast.

# The Theory



# The Practice



**North Coast Governor**

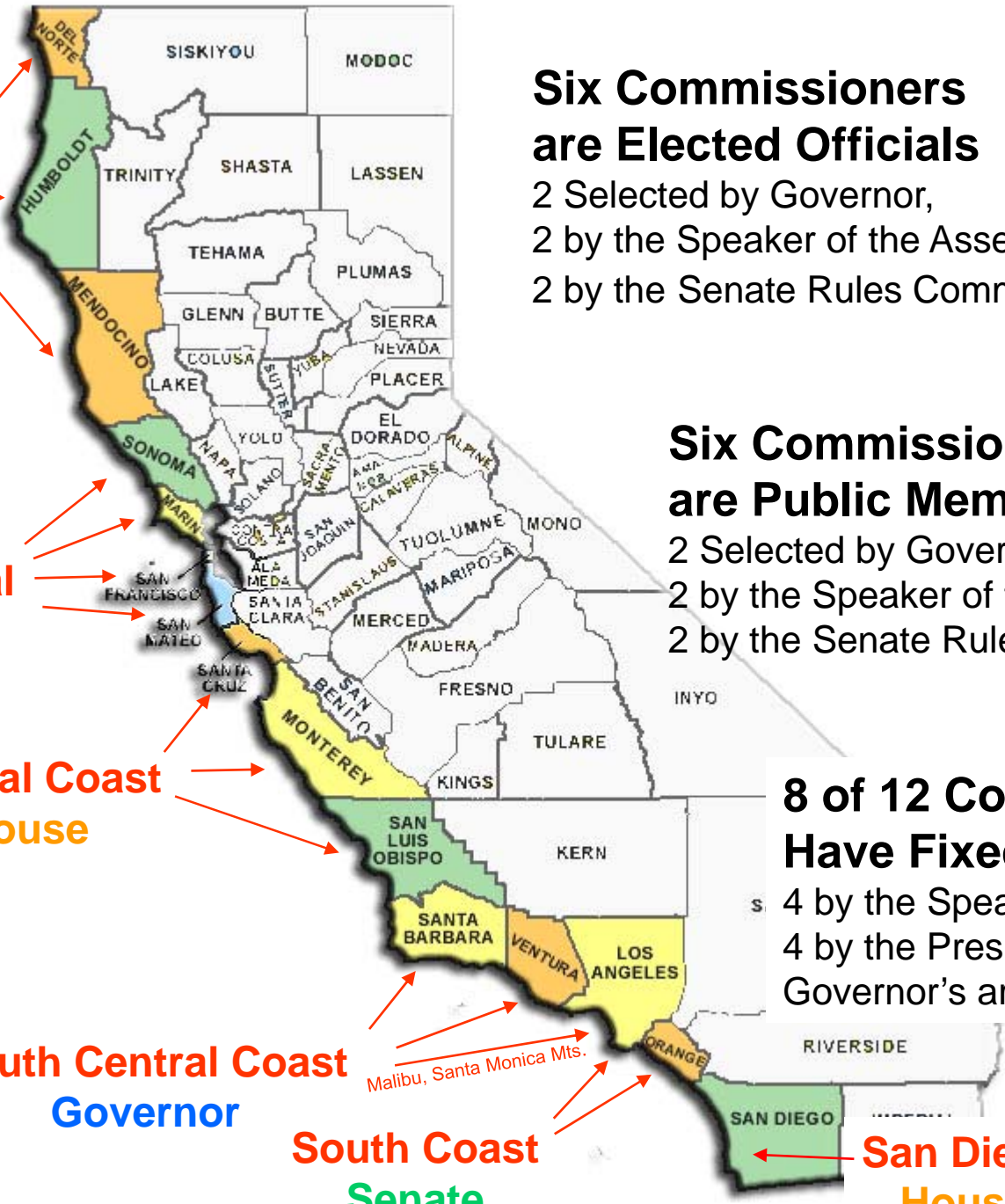
**North Central Senate**

**Central Coast House**

**South Central Coast Governor**

**South Coast Senate**

**San Diego House**



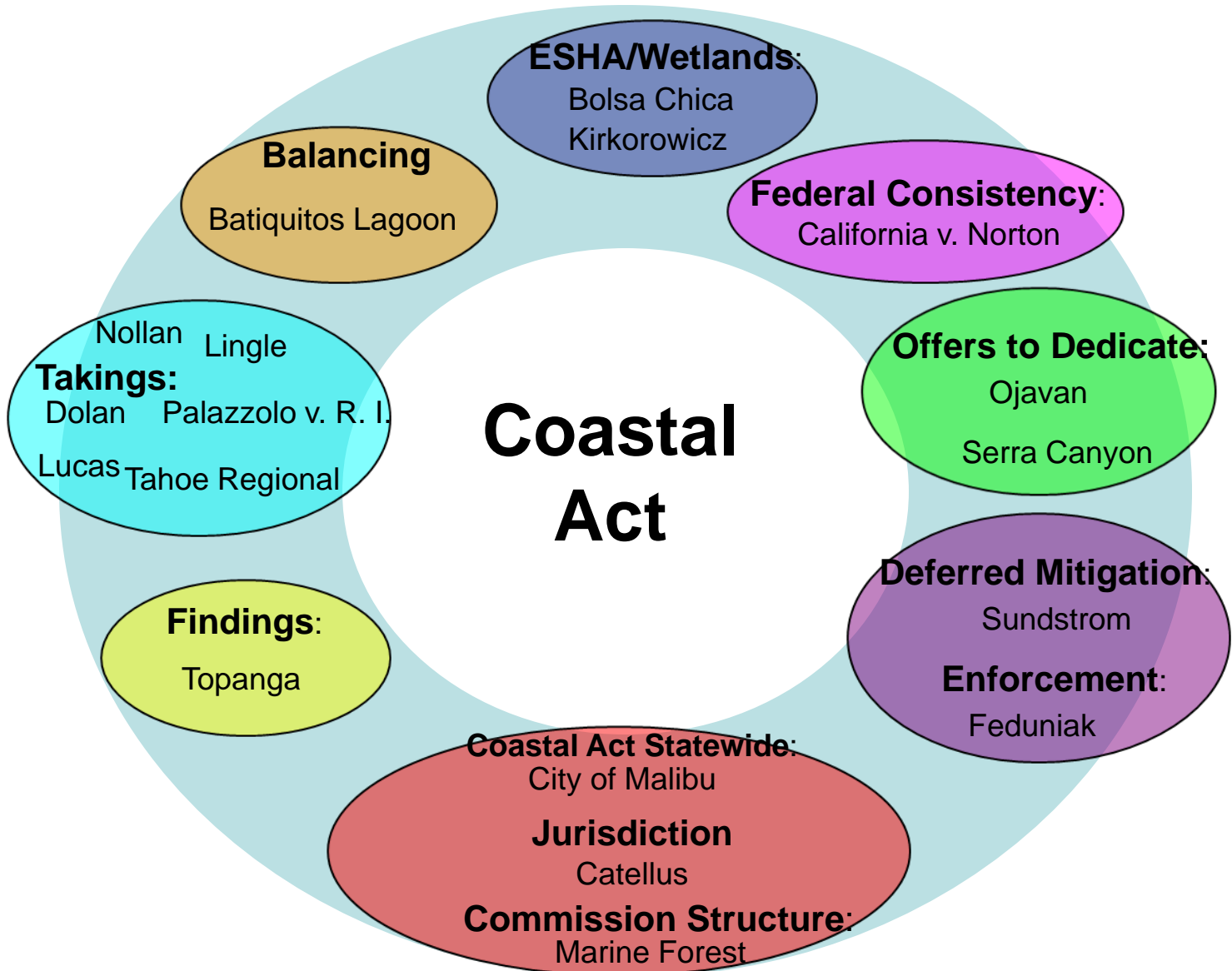
**Six Commissioners are Elected Officials**  
 2 Selected by Governor,  
 2 by the Speaker of the Assembly  
 2 by the Senate Rules Committee

**Six Commissioners are Public Members**  
 2 Selected by Governor,  
 2 by the Speaker of the Assembly  
 2 by the Senate Rules Committee

**8 of 12 Commissioners Have Fixed 4-year Terms**  
 4 by the Speaker of the House,  
 4 by the President of the Senate  
 Governor's are "at-will" 2yr appts

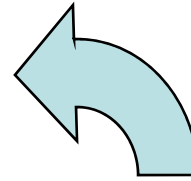
Malibu, Santa Monica Mts.

# The Law

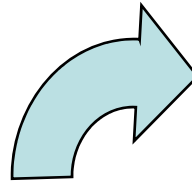


# The Arms Race

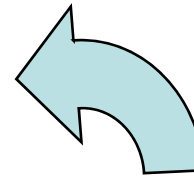
Statewide Environmental  
Organizing (ORCA)



Teams of Agents, Lawyers  
& **big \$'s**



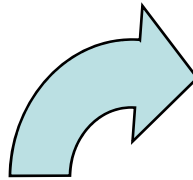
Environmental Lawsuits



Agents, Lawyers & \$'s



Opaque Process



# Practitioner's Checklist

- Threat of litigation is a non-starter
- Don't confuse staff with commissioners
- Don't confuse staff report with staff strategy
- Guidance on the Commission web site

# The Process

- Understand where your issue is strategically
- Understand the tactical workings of Staff and hearings
- Work collaboratively with the Staff
- Eyeball every commissioner
- Don't play soccer when the game is field hockey

# Essential Reading

- Coastal Act and the Coastal Regulations
- Your relevant LCP +
  - Local Coastal Planning Program *Detailed LCP Status and History* 10/25/07
  - Policies in LCP's Regarding Development Setbacks and Mitigation Ratios for Wetlands and other Environmentally Sensitive Habitat Areas - 01/07
  - LCP Update Guide, <http://www.coastal.ca.gov/la/landx.html>
- Definition and Delineation of Wetlands in the Coastal Zone
  - California Coastal Commission Wetlands Workshop 11/15/06  
<http://documents.coastal.ca.gov/reports/2006/11/Th3-11-2006.pdf>
- Landform Alteration Policy Guidance
  - <http://www.coastal.ca.gov/landform/title-tc.html>
- Past hearings/staff reports
  - Video archives: <http://www.cal-span.org/cgi-bin/media.pl?folder=CCC>
  - Past staff reports: <http://www.coastal.ca.gov/meetings/mtgpast.html#Previous>
  - The “search-box” on the commission home page is your best research tool
- Sierra Club
  - Annual Commissioner Voting Scorecard [http://www.sierraclub.org/ca/coasts/2006\\_votingchart.pdf](http://www.sierraclub.org/ca/coasts/2006_votingchart.pdf)
  - <http://www.sierraclub.org/ca/coasts/>

**See you at the next hearing!**