

CALIFORNIA COASTAL COMMISSION

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**Item W 3**

DATE: July 22, 2009

TO: Coastal Commissioners, Local Government Officials, Interested Persons

FROM: Charles Lester, Senior Deputy Director
 Elizabeth Fuchs, *AICP*, Manager Statewide Planning Unit
 Rick Hyman, Senior Planner, Statewide Planning Unit

**SUBJECT: BACKGROUND MATERIAL FOR WORKSHOP: IMPROVING
 THE LOCAL COASTAL PLANNING PROCESS, AUGUST 12, 2009**

The following material provides background to the workshop discussion:

Local Government Documents

Letter of December 11, 2008 from the League to
 Christine McCay of NOAA/NOS/OCRM (includes
 Local Government Survey) Page 1

Coastal Commission Documents

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December 11, 2008

Ms. L. Christine McCay
NOAA/NOS/OCRM
1305 East-West Highway, N/ORM7
Silver Spring, MD 20910

RE: Performance Evaluation of the California Coastal Commission
December 2008

Hand Delivered on December 11, 2008

Dear Ms. McCay:

Thank you for the opportunity to convey the efforts that coastal cities and counties are making to improve communications and the working relationship between local governments and the Coastal Commission and staff.

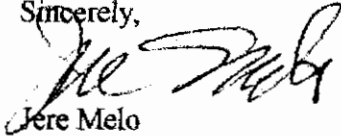
Implementation of the California Coastal Act is intended to be a collaborative effort between the Coastal Commission and cities and counties located in the coastal zone. Several years ago, coastal cities throughout the state began to discuss the need to make the local coastal plan process more efficient and predictable. We sought guidance from commissioners who also serve in local government. The result was to create an initiative to improve communications and the working relationship amongst all parties.

In 2007, the Coastal Cities Issues Group (CCIG) conducted a survey (results attached 1& 2) in order to assess the issues of highest priority to the cities on the coast. Issues with a score of greater than 2.0 were included in the work program. The third attached document is a report on the progress of the 2007-08 work program. While progress has been made, many of the priority matters remain to be discussed in a collaborative forum with the Commission and staff. In January, we plan to make a formal request to the Commission to hold a public workshop in June 2009 with the goal of making the local coastal plan process more predictable and efficient.

A fourth attachment is the background report to the League board in November 2007, requesting support for initiating a plan to improve communication and working relationships. CCIG received unanimous support for the proposal.

It is of the highest importance to coastal cities and counties that we have a collaborative workshop aimed at making the local coastal plan process more predictable and efficient. This is a time when local governments and the Coastal Commission alike, must make more efficient use of increasingly scarce funding. We believe that a more collaborative process will result in a higher number of successful local coastal plans.

Sincerely,



Jere Melo
Council Member, City of Fort Bragg
Chair, Coastal Cities Issues Group

Attachments: Coastal Cities Survey Summary
CCIG Survey – Extended Responses
Report, 2007 – 2008 Work Program
Proposed Coastal Cities Issues Group, November 2007

Coastal Cities Substantive Issues Survey

1. Please provide the following contact information.

	Response Percent	Response Count
Name	100.0%	58
Title	98.3%	57
City	98.3%	57
	<i>answered question</i>	58
	<i>skipped question</i>	0

2. Collaborating with the California Coastal Commission to clarify the process for coastal matters.

	Not a Priority	Low Priority	Priority	High Priority	Rating Average	Response Count
Work with the Commission to establish guidelines for interpretation where multiple state laws apply. (Example: State housing law vs. Coastal land use law).	0.0% (0)	13.0% (6)	34.8% (16)	52.2% (24)	2.39	46
Work with the Commission to set a more predictable time line for coastal matters, in line with the Permit Streamlining Act.	6.4% (3)	23.4% (11)	34.0% (16)	36.2% (17)	2.00	47
Establish working groups composed of key stakeholders to address substantive and communication issues. Members of these working groups will vary dependent on the issue they are addressing.	4.3% (2)	12.8% (6)	51.1% (24)	31.9% (15)	2.11	47
Work with the Executive Director/Commission to encourage the Coastal Commission staff to notify a city prior to a Coastal-staff initiated site visit and invite appropriate city staff to accompany them on the visit.	12.8% (6)	36.2% (17)	25.5% (12)	25.5% (12)	1.64	47
						Please provide any additional comments.
						9
						<i>answered question</i>
						47
						<i>skipped question</i>
						11

3. Jurisdictional Boundaries in the Coastal Zone.

	Not a Priority	Low Priority	Priority	High Priority	Rating Average	Response Count
Allow cities to administer temporary events in their Coastal Zone.	11.6% (5)	25.6% (11)	27.9% (12)	34.9% (15)	1.86	43
Allow cities to locate and set parking rates on streets and parking lots in their Coastal Zone.	9.3% (4)	34.9% (15)	20.9% (9)	34.9% (15)	1.81	43
Resolve jurisdiction of maintenance of city streets in the Coastal Zone.	19.5% (8)	41.5% (17)	26.8% (11)	12.2% (5)	1.32	41
Establish a process for introduction or amendment of city ordinances that apply in the Coastal Zone to be reviewed in a collaborative manner.	4.9% (2)	17.1% (7)	43.9% (18)	34.1% (14)	2.07	41
Establish guidelines for the meaning of: "To the maximum extent feasible."	7.3% (3)	24.4% (10)	46.3% (19)	22.0% (9)	1.83	41
Resolve the matter of jurisdiction and best practices in the matter of storm water discharge, especially in or near areas of special biological significance.	2.3% (1)	14.0% (6)	41.9% (18)	41.9% (18)	2.23	43
				Please provide any additional comments.		7
				answered question		43
				skipped question		15

4. Local Coastal Plan: preparation, processing, and certification.

	Not a Priority	Low Priority	Priority	High Priority	Rating Average	Response Count
Ensure that Chapter 3 of the Coastal Act is the standard of review for each Local Coastal Plan (LCP) submitted to the Commission.	0.0% (0)	16.2% (6)	51.4% (19)	32.4% (12)	2.16	37
Advocate the Commission to employ adequate staff to process LCPs.	5.0% (2)	10.0% (4)	42.5% (17)	42.5% (17)	2.23	40
For the "No Net Loss of ESHA", permit an allowance to improve or replace ESHA, similar to wetlands mitigation.	23.7% (9)	21.1% (8)	39.5% (15)	15.8% (6)	1.47	38
Provide for concurrent processing of an LCP amendment with a CDP that will implement the LCP amendment.	2.4% (1)	19.5% (8)	43.9% (18)	34.1% (14)	2.10	41
Streamline the process for preparation and certification of a LCP by providing a specific format.	12.2% (5)	7.3% (3)	48.8% (20)	31.7% (13)	2.00	41
Allow a comprehensive update of an LCP to be submitted as a new LCP.	13.5% (5)	27.0% (10)	35.1% (13)	24.3% (9)	1.70	37
Address Issues related to climate change and rising sea level in LCP.	15.8% (6)	34.2% (13)	34.2% (13)	15.8% (6)	1.50	38
				Please provide any additional comments.		4
				answered question		41
				skipped question		17




5. Housing and Land Use Issues in the Coastal Zone.

	Not a Priority	Low Priority	Priority	High Priority	Rating Average	Response Count
Address and resolve the restrictions on housing zones in the Coastal Zone.	13.2% (5)	26.3% (10)	36.8% (14)	23.7% (9)	1.71	38
Address the issue of short term rentals in residential neighborhoods in the Coastal Zone.	5.0% (2)	42.5% (17)	27.5% (11)	25.0% (10)	1.73	40
Address the matter of allowing condominium-hotel developments in the Coastal Zone.	15.0% (6)	30.0% (12)	25.0% (10)	30.0% (12)	1.70	40
Address the Coastal Commission's issues with construction and building codes.	21.6% (8)	40.5% (15)	24.3% (9)	13.5% (5)	1.30	37
Address standards for boat slips in marinas.	48.6% (18)	27.0% (10)	18.9% (7)	5.4% (2)	0.81	37
Reduce the need for cities to issue numerous Coastal Development Permits by using the process in the Coastal Act that simplifies process.	10.3% (4)	17.9% (7)	28.2% (11)	43.6% (17)	2.05	39
						Please provide any additional comments. 5
						answered question 40
						skipped question 18

6. Other Issues to Address.

	Not a Priority	Low Priority	Priority	High Priority	Rating Average	Response Count
Address beach erosion through a standard format.	17.5% (7)	7.5% (3)	42.5% (17)	32.5% (13)	1.90	40
Address issues related to bluff sustainability/retention walls.	20.5% (8)	7.7% (3)	35.9% (14)	35.9% (14)	1.87	39
Standardize sand replacement and bluff sustainability mitigation fees.	25.0% (10)	30.0% (12)	22.5% (9)	22.5% (9)	1.43	40
Consider the issue of dredge availability for sand replenishment.	32.5% (13)	25.0% (10)	17.5% (7)	25.0% (10)	1.35	40
Address Municipal bans on smoking on the beach.	45.9% (17)	29.7% (11)	8.1% (3)	16.2% (6)	0.95	37
					Please provide any additional comments.	4
					<i>answered question</i>	40
					<i>skipped question</i>	18

7. How often does the Coastal Commission Staff contact the city?

	Response Percent	Response Count
Weekly 	16.0%	4
Monthly 	60.0%	15
Annually 	24.0%	6
		Please provide any additional comments.
	<i>answered question</i>	25
	<i>skipped question</i>	33

8. How far is the city located from regional Coastal Commission Staff?

	Response Percent	Response Count
5 miles or less	20.5%	8
25 miles	46.2%	18
50 miles	15.4%	6
75 miles	0.0%	0
100 miles or more	18.0%	7
answered question		39
skipped question		19




9. Does your city have an approved Local Coastal Plan (LCP)?

	Response Percent	Response Count
Yes	83.8%	31
No	2.7%	1
The city is in the process of getting an approved LCP.	13.5%	5
Other (please specify)		9
answered question		37
skipped question		21

10. If your city does have an approved LCP, is it up to date?

	Response Percent	Response Count
Yes	59.5%	22
No	29.7%	11
The city does not have an approved LCP.	10.8%	4
Other (please specify)		12
answered question		37
skipped question		21

11. If your city does have an approved LCP, has it gone through a regularly scheduled 5 year review?

	Response Percent	Response Count
Yes 	21.2%	7
No 	63.6%	21
The city does not have an approved LCP. 	15.2%	5
Other (please specify)		11
	<i>answered question</i>	33
	<i>skipped question</i>	25

2007 Coastal Cities Issues Group Survey- Extended Responses

2. Collaborating with the California Coastal Commission to clarify the process for coastal matters.

1. We have not had an issue with Coastal Commission staff visits to date.
2. Collaboration is key to this process and will eliminate frustration on the part of both City and Coastal Commission staff. If everyone understands the key issues and the time line for completion there is less chance of delays due to inaccurate interpretation of the issues.
3. Important for staff to see proposed action item in a neutral unbiased setting but I firmly believe that if there is a walk through ten all stakeholders should be represented.
4. I assume that working with the Commission means working with the Commission Staff.
5. COASTAL STAFF AND COMMISSION ARE ONE OF THE FEW GROUPS WHO APPEAR NOT TO HAVE ANY OVERSIGHT AND FREQUENTLY DO WHAT THEY WISH WELL OUTSIDE THEIR CHARGE. ACCORDINGLY, IT WILL BE DIFFICULT TO COLLABORATE WITH A GROUP WITH SUCH POWER.
6. Develop strategy to open up & encourage communications btwn cities/Coastal Comm?Executive Director & Coastal staff.
7. The first two are the substantive priorities, with the third being a mechanism to achieve the first two. For the fourth one, we were notified in advance of a recent CC visit and invited to attend, but not with enough time to organize or input on our own issues and concerns.

3. Jurisdictional Boundaries in the Coastal Zone.

1. The City of Malibu has the ability to administer temp events, except on sand.
2. Parking and streets is not an issue for this City at this time but I am aware it is an issue for others
3. In regards to events, let the cities issue permits and if they abuse the privilege put them on probation with all permits for events during that time administered by Coastal Comish
4. Don't understand the fourth item.

4. Local Coastal Plan: preparation, processing, and certification.

1. Not sure what Chapter 3 is so may have rated incorrectly; same with No Net Loss of ESHA
2. Actively lobby statewide for full funding of Coastal Commission staff in order that they have the resources to address the mission and goals of the Coastal Act
3. I need more information to better understand these questions before answering.

5. Housing and Land Use Issues in the Coastal Zone.

1. Short term rentals need a uniform set of guidelines that insure character and livability of neighborhoods are maintained
2. Most all of these issues should be regulated by local agency, not the Coastal Commission.

3. The Coastal Commission should not be involved in building code matters.
4. The first five should be delegated more completely to local government responsibility

6. Other Issues to Address.

1. Need to make a priority the discussion on the detrimental effects of seawalls on the near shore environment. Part of that discussion needs to include the ability of cities to use predetermined beach compatible materials such as sand and cobble to be placed on near by permitted beaches. For example, BEACON'S opportunistic sand replenishment projects that pre-permits beach fill so when the opportunities arise flood control districts and developers are able to transport sand and cobble to those permitted sites. These issues need to be addressed in EIR's for projects as an environmental alternative and the transport costs are borne by the development or the public agency administering the debris basin cleanout.
2. smoking on beaches should remain a decision for local agencies
3. The first two, and possibly the third, will also be addressed through global warming initiatives referenced on the prior page. The final one should be solely at local discretion. Missing is coordinated management with other agencies (e.g., Fish & Game) on river flows and river mouth sand bars.

7. How often does the Coastal Commission Staff contact the city?

1. We receive a comment letter prior to each PC meeting, and try to meet quarterly to discuss general issues.
2. Quarterly Meetings with Coastal staff
3. varies according to issues
4. we typically initiate the contact
5. this is only a guess
6. City staff typically call Coastal Commission staff.
7. does not
8. not regularly
9. Contact is based upon mutual review of development projects only
10. no idea
11. Not in the planning department so hard to answer
12. As an elected official, I don't know
13. varies depending on issues
14. We usually only hear from staff when we have a project in question, we have asked to be informed of projects in the region, or we are commenting on projects in the region.
15. Don't Know
16. This is a best guess, probably more like quarterly.
17. Don't know
18. the City contacts them. I don't think they have contacted us in

the last three years.

19. rarely
20. It all depends what types of issues we are working on. We have little contact with the staff if there are no applications/issues to discuss.

9. Does your city have an approved Local Coastal Plan (LCP)?

1. Malibu's LCP was written and "adopted" by the State, in what is generally regarded as a hostile and confrontational process.
2. and we have a comprehensive LCP amendment pending certification
3. Yes, but we are in the process of getting an updated approved LCP
4. We have a certified LCP which is 20 years old and are in the process of having our LCP updated
5. we are not in the coastal zone
6. Submitted in May 2007 - no formal comments provided to date
7. However, we, and the CCC staff, last year spent considerable time trying to figure out just what the LCP was. For example, the City had submitted a number of amendments over the years. Our records of what was in effect was quite different from CCC staff documents. There was considerable effort aimed at a reconciliation.
8. But we are updating our General Plan now and will have to go thru an LCP updating subsequent to that.

10. If your city does have an approved LCP, is it up to date?

1. The City processes annual updates to address evolving community issues.
2. Some revisions are needed
3. see above
4. See notes in 9 above
5. Our LCP was developed in 1983. Our new LCP (2007) is going through review by the Coastal Commission staff now.
6. see #9
7. in the process of updating
8. Our city adopted a comprehensive, new General Plan and LCP in December 2002. The requirements for preparing a LCP amendment are so complex and time-consuming that the Community Development Department was overwhelmed. In early 2007, we finally got it in shape, after three tries, for staff review. CCC staff told us that they would assign one staff member, full time, from June through August, to prepare their staff report. Supposedly, we will have the 2002 LCP and some amendments approved by the CCC, in September, at the Eureka meeting.
9. We have about 10 amendments pending and it takes forever to get any action out of the commission.
10. Trying but taking years to get through Coastal staff.

11. If your city does have an approved LCP, has it gone through a regularly scheduled 5 year review?

1. Malibu's LCP was adopted in 2004.
2. no, but it was updated after ~15 years
3. n/a
4. the city is in its first review in 20 years
5. WE REGULARLY REVIEW TO ENSURE ADEQUACY, DO NOT REALLY KNOW IF WE HAVE A SPECIFIC 5 YEAR REVIEW.
6. Informally.
7. City continually reviews LCP to make sure it is adequate. Don't call it a 5-year review.
8. Our updated LCP was approved in 2003.
9. Our LCP is reviewed regularly by staff for compliance/update
10. Underway now.

TO: Coastal Cities Issues Group
League Board of Directors

FROM: Jere Melo, Michael Jenkins, Mary Creasey and Kyra Ross

Subject: Report on 2007-2008 Work Program
Date: October 31, 2008

The Coastal Cities Issues Group was created by approval of the League Board of Directors in November of 2006. The Board also approved a **2007-2008 Work Program**, consisting of a **Communications Element** and a **Substantive Issues Element**. The purpose of the Group is to improve communications and working relationships between the California Coastal Commission, its staff and coastal cities. This report is a summary of actions taken with respect to the **2007-2008 Work Program**.

Communications Element

- Meet with commission chair and the executive officer to explain the purpose of the Coastal Cities Issues Group and our interest in an improved working relationship between cities and the commission, and to explore methods to accomplish closer collaboration. *This item was accomplished in July 2007.*
- Meet with other commissioners – especially those in elected office – to disclose our interest in an improved working relationship between cities and the commission. *This item was accomplished beginning in 2007, and it is an ongoing part of the Work Program.*
- Identify cities that have a good working relationship with local commission staff and identify factors that lead to the good relationship. *A couple of cities have been identified where, during the creation and processing of a Local Coastal Plan, city and commission staff worked together from the beginning of the process through certification by the commission.*
- Meet with the executive officer and lead staff to formulate and document one or more protocols intended to achieve closer collaboration between cities and commission staff. *This item is in progress. Several meetings have been held with staff at the commission office in San Francisco, and commission staff has attended and participated in meetings of the Issue Group.*
- Encourage coastal cities to invite commission staff to visit their cities. *This item is in progress, and it is a continuing item for the Work Program.*
- Host a reception for commissioners and city officials during a Coastal Commission meeting to encourage relationship building. *This item has not been accomplished, and it is not likely to occur due to interpretation of the commission role as a quasi-judicial body.*

Scorecard, Communications Element:

Completed, No Further Action	1
Completed, Continuing Item	4
Not Accomplished	1

Substantive Issues Element

A. Collaborate with the Commission to clarify the Process for Coastal Matters

- Establish working groups composed of key stakeholders to address substantive and communication issues. Members of these working groups will vary dependant on the issue they are addressing. *The matter of using working groups was rejected by the commission in April 2008, based on the interpretation of the commission role as a quasi-judicial body. We are following up on a substitute process, a public workshop, approved by the commission in October 2008 by a 7-1 vote. Additionally, at the suggestion from many commissioners, our group includes representatives from coastal counties.*
- Streamline the process by assisting the commission and staff to prepare a written guide for submitting a new or amended Local Coastal Plan. This should include precedents established over time. *We are beginning to work on this matter. Commission staff now has guidelines on their web site. We have placed a priority on streamlining the LCP process, and a team of city and county planners will be making recommendations for streamlining the process.*
- Work with the commission to establish guidelines for interpretation where multiple state laws apply. (Example: state housing law vs. Coastal land use law). *This item has been deferred to the future due to the priority on the LCP process and the enactment of SB 375, which changes state housing law.*
- Work with the commission to set a more predictable time line for coastal matters, in line with the Permit Streamlining Act. *This is a priority matter for the LCP process.*
- Work with the executive director/commission to encourage coastal commission staff to notify a city prior to a commission staff-initiated site visit and invite city staff to accompany them on the visit. *This item has been accomplished.*

B. Jurisdictional Boundaries in the Coastal Zone

- Establish a process for introduction or amendment of city ordinances that apply in the Coastal Zone to be reviewed in a collaborative manner. *This is a part of the program to streamline the LCP process and is in progress.*
- Resolve the matter of jurisdiction and best practices in the matter of storm water discharge, especially in or near areas of special biological significance. *This matter has been assigned to the future, however, it may be a part of the LCP streamlining process.*

C. Local Coastal Plan: preparation, processing and certification.

- Ensure that Chapter 3 of the Coastal Act is the standard of review for each Local Coastal Plan (LCP) submitted to the commission.
- Advocate the commission to employ adequate staff to process LCPs.
- Provide for concurrent processing of an LCP amendment with a Coastal Development Permit that will implement the LCP amendment.

- Streamline the process for preparation and certification of a LCP by providing a specific format. *All of the above items are a part of the current priority to streamline the LCP process.*

D. Housing and Land Use Issues in the Coastal Zone.

- Reduce the need for cities to issue numerous Coastal Development Permits by using the process in the Coastal Act that simplifies process. *This item has been deferred to the future.*

E. Regional Issues

- Address beach erosion and bluff stability through a standard format.
- Address issues related to bluff stability and retention walls.
- Allow cities to administer temporary events in their coastal zone. *All of the above matters have been deferred to the future.*

Scorecard, Substantive Issues Element

Commission Rejected	1	(Working Groups)
Commission Substitute	1	(Public Workshop)
Completed	1	
In Process, Continuing	7	
Defer to Future	6	

Coastal Cities Issues Group will be submitting a 2009-2010 Work Program for Board consideration and approval, following a meeting of the Group in early January and a report to the Environmental Quality Policy Committee on January 22.

Proposed Coastal Cities Issues Group November 2007

The Big Picture

There are 61 cities in California whose territory, in whole or part, is within the Coastal Zone and thus, subject to the Coastal Act. Cities and the Coastal Commission share a statutory duty to implement the Coastal Act, and each is given different roles. Cities must prepare a Local Coastal Plan ("LCP"), which is similar to a General Plan, and an Implementation Plan ("IP"), which consists of ordinances and policies. The Local Coastal Plan and Implementation Plan do not become effective until the Commission has certified each. Under the Coastal Act, the Coastal Commission's sole role is to determine whether the proposed LCP (or amendment) is consistent with the policies in Chapter 3 of the Coastal Act.

Once an LCP is certified, the city issues "coastal development permits" for projects in the portion of the Coastal Zone governed by the certified LCP. Until a coastal city has a certified LCP, the Coastal Commission is the permitting authority under the Coastal Act. Thus, the Coastal Commission plays two different roles: (1) as a permitting agency, it exercises the broader policy-making roles that local governments employ in setting land use policy, and (2) as the agency charged with certifying LCPs, it is constrained by the Coastal Act to a limited role of reviewing the policies set by local governments.

In 2003, the Coastal Commission identified three major problems with how the above scheme is actually working in practice, and requested the League's assistance to address them:

- Many local jurisdictions have not developed local coastal plans.
- Many local coastal plans are out of date.
- Periodic reviews of local coastal plans are not being initiated or completed.

At the same time, many city officials have expressed frustration over their LCP amendment experience. The Coastal Act limits the Coastal Commission's role in LCP review to a determination that the coastal city's own proposal is consistent with Chapter 3 policies in the Act. Yet, it is the perception and experience of city officials that certain proposed amendments will not be considered or that policy-based modifications are proposed that cities believe exceed the scope of the Commission's review authority. Despite amendments to the Coastal Act that expressly constrain the Commission to a limited role and expressly acknowledge the primacy of local government land use policy choices, many coastal cities view the Commission as insisting on certain policies and rejecting the otherwise valid policy choices of the local government.

It is obvious that the working relationship between coastal cities (and counties) and the Commission (and its staff) has suffered as a consequence of these problems, experiences and perceptions. The erosion of trust and of a commonly held understanding as to the respective roles of the Commission and the coastal cities has exacerbated the problems, further deterring coastal cities and counties from carrying out their functions under the Act. This has resulted in a tension between cities and the Coastal Commission, which is unproductive and hampers the cooperation necessary for proper implementation of the Coastal Act.

How cities can best respond to this situation has been the topic of much discussion among cities and at League meetings. For the past three years, matters related to Local Coastal Plans have been discussed at League conferences. The city attorneys in coastal cities have organized a committee that has been active for several years. Policy committees, Mayors and Council Members Executive Forums and Annual Conferences have been used for these discussions. Purposefully, discussions have been aimed at defining common concerns and encouraging interaction between city representatives and Coastal Commissioners. At the 2006 Mayors and Council Members Executive Forum, discussions were held about improving the efficiency of the process for cities, and following are the points made:

- Cities need to support each other by contacting Commissioners to provide information about local coastal plans or appeals. Citizens regularly contact Commissioners about projects or appeals, and there is not a regular contact by cities (or counties).
- Through the League, cities need to provide information to the six locally-elected officials who are Commissioners and/or to other receptive Commissioners as a means of creating support.
- There is a need to identify better ways for cities to collaborate and cooperate to get their broad issues before the Commission.
- The LCP/IP amendment process must move ahead more quickly, and a better way needs to be identified to convince the Commission to limit its actions to those consistent with Chapter 3 of the Coastal Act.

At the 2006 Annual Convention, though not on the program, and with minimal notice, representatives of 19 coastal cities met to discuss these issues. Based on informal discussion, those attending indicated that there are matters that should be considered by statewide or regional groups to address improving implementation of the Coastal Act.

Proposed Coastal Cities Issues Group

In order for the League to be able to better address coastal issues of interest to cities and to improve cooperation with the Coastal Commission, it is recommended that the League undertake the following actions.

- Establish a Coastal Cities "Issues Group" (as defined on pages 41-42 of the Board Manual) consisting of all cities with territory in the coastal zone. The League President will appoint the chair of the Coastal Cities Issues Group.
- The Coastal Cities Issues Group will organize itself and establish a meeting schedule.
- Any city official may belong to the Issues Group and attend meetings of the Group; voting on matters will be reserved to one representative from each coastal city (list attached).
- The Coastal Cities Issues Group will report directly to the Board, and coordinate with relevant policy committees consistent with League policy and as appropriate.
- The Issues Group will define a work plan and goals to advance the common interests of coastal cities and to facilitate communications with Commissioners and Commission staff.
- The Issues Group may contact county officials interested in participating.

Staff Recommendation: Approve establishment of Coastal Cities Issues Group, as described above.

Board Action:

COASTAL CITIES

Arcata	Palos Verdes Estates
Avalon	Pismo Beach
Capitola	Point Arena
Carlsbad	Port Hueneme
Carmel	Rancho Palos Verdes
Carpinteria	Redondo Beach
Chula Vista	San Clemente
Coronado	San Diego
Costa Mesa	San Francisco
Crescent City	Sand City
Daly City	Santa Barbara
Dana Point	Santa Cruz
Del Mar	Santa Monica
El Segundo	Seal Beach
Encinitas	Seaside
Eureka	Solana Beach
Fort Bragg	Torrance
Goleta	Trinidad
Grover Beach	Ventura
Guadalupe	Watsonville
Half Moon Bay	
Hermosa Beach	
Huntington Beach	
Imperial Beach	
Irvine	
Laguna Beach	
Long Beach	
Los Angeles	
Malibu	
Manhattan Beach	
Marina	
Monterey	
Morro Bay	
National City	
Newport Beach	
Oceanside	
Oxnard	
Pacific Grove	
Pacifica	

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COASTAL COMMISSION DOCUMENTS

GENERAL BACKGROUND ON LCPs

Chapter 3 of the Coastal Act establishes statewide policies to protect California's coastal resources, including public access and recreation, sensitive marine and coastal environments, scenic rural areas and coastal agriculture, and priority visitor-serving and coastal-dependent development. To achieve these statewide policies, the Act requires local governments to develop and implement Local Coastal Programs that are approved by the Coastal Commission. The Coastal Act also calls for the widest opportunity for public participation in coastal management, planning and decision-making, including maximum participation in LCP development.

WHAT IS AN LCP ?

A **Local Coastal Program** generally consists of a Land Use Plan (LUP) and an Implementation Plan (IP), and includes a local government's land use plans, zoning ordinances, maps, and other implementing actions, which together meet the requirements of, and implement the provisions and policies of the Coastal Act at the local level (see PRC § 30108.6).

A coastal **Land Use Plan (LUP)** means portions of the local government's general plan or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensities of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. (see PRC § 30108.5)

The coastal **Implementation Plan (LIP)** means the zoning and other ordinances, regulations, or programs which implement the local coastal program. The implementation plan must conform with and be adequate to carry out the coastal land use plan. (see PRC §30108.4 and 30513).

THE COASTAL ACT APPROACH

COASTAL DEVELOPMENT PERMITS (CDPS)

All new development in the coastal zone must be authorized by a coastal development permit unless a particular exemption applies. Coastal permits are authorized by the Coastal Commission based on Coastal Act policies until an LCP is effectively certified by the Commission. After LCP certification, coastal permitting authority is delegated to the local government, which then issues coastal development permits pursuant to the provisions of the certified LCP. The Commission, though, retains permit authority in certain areas, including tidelands, submerged lands, public trust lands and some port and university land as specified in PRC 30519. The Commission also retains authority to appeal certain local coastal development permits. On appeals the standard of review are the standards set forth in the certified LCP and in some cases also the public access policies of Chapter 3 of the Coastal Act.

LOCAL COASTAL PROGRAMS

Local government must develop an LCP to implement the Coastal Act Chapter 3 policies and standards on the local level. The LCP must contain a Public Access Component that maximizes public access to the coast and public recreation areas. The precise content of each LCP is determined by the local government, consistent with required procedures, in full consultation with the Commission and with full public participation (see PRC § 30500).

The Commission reviews and certifies the LCPs. The Commission must find that the Land Use Plan does or does not conform with the requirements of Chapter 3 of the Coastal Act. Because of these required findings, and the Coastal Act requirement that LUPs be sufficiently detailed to indicate the kinds, locations and intensities of development to achieve Coastal Act policies, LUPs tend to be more specific than a typical General Plan. The Commission may only reject the Implementation Plan (zoning) if it finds that it does not conform with or is inadequate to carry out the provisions of the certified Land Use Plan.

The Commission also reviews and certifies amendments to the LCPs. In very limited circumstances entities other than a local government may file a request for an LCP Amendment with the Commission for action on certain public works or energy facility developments (See PRC 30515).

PUBLIC PARTICIPATION

The Coastal Act mandates that the public is afforded maximum opportunity to participate in coastal management, planning and decision-making, including LCP development and amendment. (PRC § 30006; § 30503)

PERIODIC LCP REVIEW

The Coastal Commission must review each certified LCP at least once every five years to determine whether the LCP is being effectively implemented in conformity with the policies of the Coastal Act. If it determines the LCP is not being carried out in conformity with any policy of the Coastal Act, the Commission shall recommend corrective actions, which may include recommended amendments. Local governments review the recommendations, and if corrective action is not taken, within one year they must report to the Commission the reasons for not taking such action. (See PRC § 30519.5)

LCP AMENDMENTS

Once an LCP is certified, any change to it needs to be processed as an LCP amendment – first through the local government, and then through the Coastal Commission.

Local governments must follow certain procedures in considering LCP amendments. The content of the amendment must be available to the public at least six weeks before action is taken. Notification of the availability of draft documents and of local hearings must be given general

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publication and mailed to certain specified interests as well as to anyone else requesting notice. Table 1 and Figure 1 illustrate in summary form some of the main steps in the LCP process. (These are conceptual only and specific requirements are contained in the Coastal Act and California Code of Regulations.)

Submittal to the Coastal Commission of a locally or conceptually-approved LCP amendment must be accompanied by:

- any supplemental maps, photos, and other explanatory material;
- a resolution from the city council or board of supervisors submitting the LCP Amendment for Coastal Commission review and approval;
- a summary of public participation measures and responses;
- a discussion of the amendment's relationship to the rest of the LCP;
- analysis of the amendment's consistency with the Coastal Act;
- any environmental review documents.

The Coastal Commission, after deeming all required submittal materials adequate and complete, classifies the amendment as minor, de minimis, or major. Minor and de minimis amendments are to be reported at the next Commission meeting for Commissioner concurrence. Major Implementation Plan only amendments are to be acted upon within 60 days, while major land use plan or combined plan and implementation amendments must be acted on within 90 days. Extensions of time up to one year beyond these limits are allowed.

The Commission must find an amendment to a land use plan consistent with the Coastal Act in order to approve it -- a majority vote of the appointed membership is required. The Commission must find an implementation plan amendment to be in conformance with and adequate to carry out the land use plan in order to approve it -- a majority vote of the membership present is required. The Commission can deny an amendment and then suggest modifications that, if adopted by the local government, would result in certification of the amendment. Local governments have six months to accept such modifications (again with up to a year extension possible), but may also choose to resubmit the amendment another way.

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TABLE 1: GENERAL STEPS AND TIMELINES IN THE LCP AMENDMENT PROCESS (Conceptual only; See Coastal Act and Commission regulations for specific requirements)

Key Step in Process	Lead Entity	Time Requirements	Primary Citations ¹
Conceptualize proposed revision to land use plan and/or implementation	Local government	--	--
Determine if proposed revision constitutes amendment to certified LCP; consult with Commission staff as necessary	Local government	--	--
If yes: Draft amendment and notice of document availability for public review	Local government	--	Reg §13515
Prepare local staff report for local decision makers	Local government	--	--
Prepare and mail notice	Local government	At least 10 working days before hearing	Reg §13515
Hold local public hearings and decide on amendment	Local government	At least 6 weeks after notice of availability	Reg §13551(a) referencing §13515 (c)
If approved or conceptually approved: Prepare submittal package and send to Coastal Commission ²	Local government	--	Reg §13552
Determine if amendment submittal is complete and inform local government; request additional information if incomplete	Coastal Commission	10 working days from receipt or longer for unusual circumstances	Reg §13553
If amendment submittal is incomplete, submit required information	Local government	--	Reg §13552
File amendment request, determine amendment category (e.g. de minimis, minor or major)	Coastal Commission	As soon as submittal is complete / 10 working days from receipt or longer for unusual circumstances	PRC § 30514d Reg §§13553, 13555
Prior to action, prepare staff report	Coastal Commission	10 calendar days before CCC public hearing	Reg §13555 referencing §13524
Prior to action, prepare and mail notice	Coastal Commission	10 calendar days before CCC hearing	Reg §13555 referencing

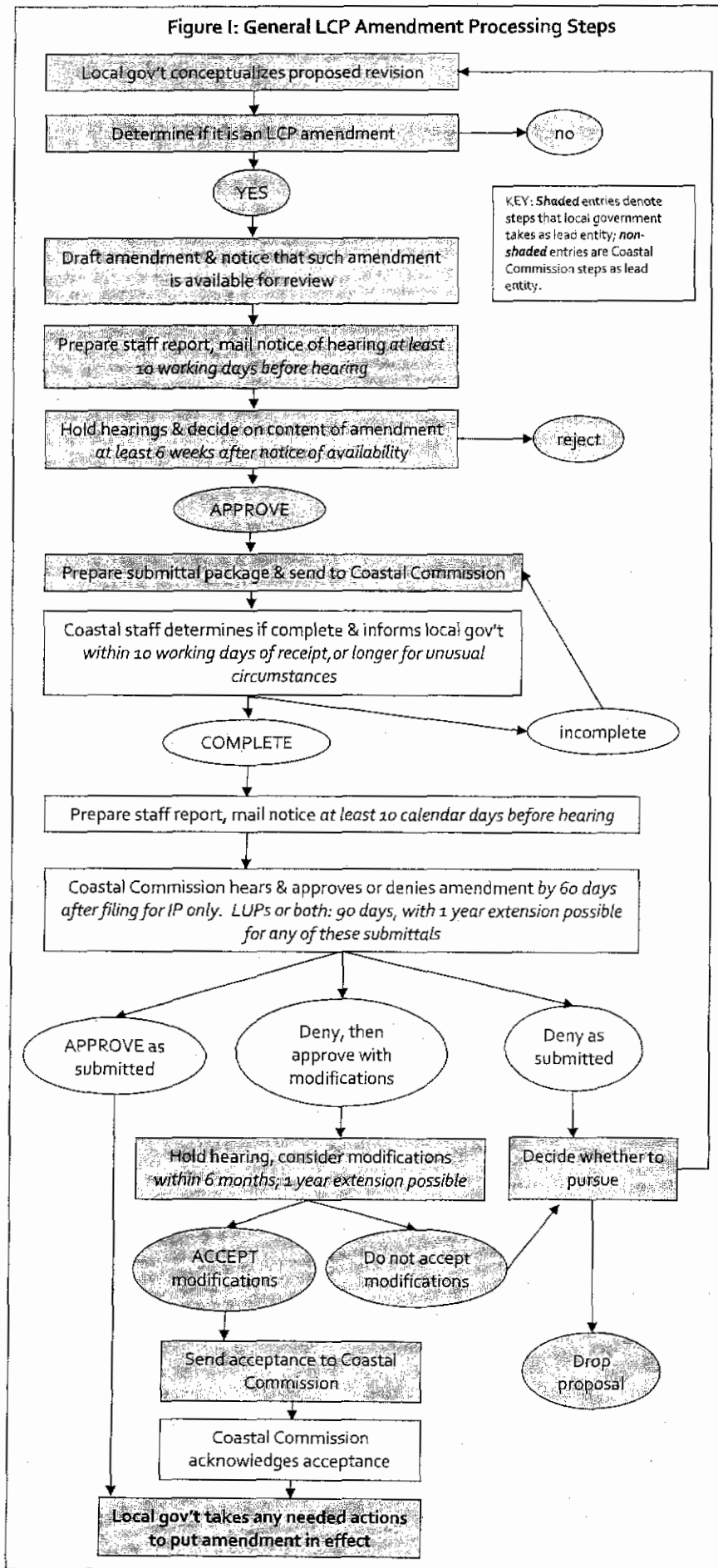
¹ PRC = Public Resources Code (the California Coastal Act); Reg = California Code of Regulations Title 14;

² Under PRC§ 30515, if a local government denies an LCP amendment request to authorize a public works project or energy facility, the sponsor may file the amendment request directly with the Commission.

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Key Step in Process	Lead Entity	Time Requirements	Primary Citations ¹
			§13524
If filed as de minimis: Either do not object to the classification and notify local government of approval, or if determined not to be de minimis, set for hearing as major or minor amendment	Coastal Commission	Commission meeting following filing	PRC §30514d
If filed as minor: Either do not object to the classification and notify local government of approval, or, if determined not to be minor, set for hearing as major amendment	Coastal Commission	Commission meeting following filing	PRC §30514c Reg §13555
If filed as major: Hold public hearing; decide on amendment and notify local government of decision	Coastal Commission	For implementation plan only amendments: 60 days following filing; For land use plan or combined plan and implementation amendments: 90 days. Extensions of up to one year beyond these limits are possible.	PRC §30514b Reg §13555 referencing §13537, §13542 PRC §30517
If denied but approved with suggested modifications: Hold local hearing, consider modifications	Local government	Within 6 months of Commission action; with possible one year extension	PRC §30514(b) referencing §30512(b) or §30513 Reg §13544 PRC §30517
If suggested modifications all accepted: Send acceptance to Coastal Commission. If all suggested modifications not accepted: Decide whether to drop the proposal or modify and resubmit it	Local government	--	Reg §13544
Acknowledge local government acceptance of Commission action	Coastal Commission	Commission meeting following receipt of notice of acceptance	Reg §13544
Take needed actions to put amendment in effect	Local government	As specified by local resolution	Reg §13544

Figure I: General LCP Amendment Processing Steps



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LCP STATUS

There are **75 coastal jurisdictions** – 15 counties and 60 cities. Because jurisdictions may submit their LCPs in separate geographic units (pursuant to Coastal Act section 30511(c), these LCPs are currently divided into **128 plan segments**.

CURRENT LCP CERTIFICATION

Almost **88% of the 1,613,348 acre** geographic area of the coastal zone is **governed by a certified LCP**, as shown in the following Table II.

TABLE II. LCP CERTIFICATION STATUS					
LCP Segments	LUPs Certified	Implementation Plans Certified	LCPs Effectively Certified and Issuing Permits	Estimated Geographic Area Covered by certified LCPs	LCP Segments Where permit authority not yet transferred
128	111	94	92	1,414,341 acres	36
	86.7%	73.4%	71.9%	87.66%	28.1%

Within certified areas, the Commission may deny or defer certification for specific locations. There are **42 such “Areas of Deferred Certification”** covering **about 4,538 acres** where the Commission denied certification or declined to certify pending resolution of issues.

Following is a list of the 36 LCP segments where coastal permit authority has not yet been transferred to the local government:

36 Segments Remain to have permit authority transferred

Pt. St. George segment of Del Norte County
Pygmy Forest segment of Mendocino County
Olympic Club segment of San Francisco City
City of Seaside
City of Monterey:
 1. Laguna Grande segment
 2. Del Monte Beach segment
 3. Harbor segment
 4. Cannery Row segment
 5. Skyline segment
City of Pacific Grove
City of Goleta
Santa Monica Mountains segment of Los Angeles County
Playa Vista A segment of Los Angeles County
City of Los Angeles:
 1. Pacific Palisades segment
 2. Venice segment
 3. Playa Vista segment
 4. Del Rey Lagoon segment
 5. Airport/El Segundo Dunes segment
 6. San Pedro segment
City of Santa Monica
City of Hermosa Beach
City of Redondo Beach Area 2 segment
City of Torrance
Bolsa Chica segment of Orange County
Santa Ana River segment of Orange County
Santa Ana Heights segment of Orange County
City of Seal Beach
City of Costa Mesa
City of Newport Beach
City of Aliso Viejo
City of San Clemente
San Diego County
Agua Hedionda segment of City of Carlsbad
City of Solana Beach
Mission Bay segment of City of San Diego
South Bay Island segment of City of Chula Vista

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TABLE III: LCP SEGMENTS AND YEAR OF CERTIFICATION

LCP segment	YR certified	LCP segment	YR certified
Del Norte County	1983	City of Sand City	1984
Del Norte Co. Harbor	1987	City of Seaside	
Del Norte Co. Lopez Creek	1987	City of Monterey Laguna Grande	
Del Norte Co. Pt. St. George		City of Monterey Del Monte Beach	
City of Crescent City	1983	City of Monterey Harbor	
Crescent City McNamara-Gillespie	1984	City of Monterey Cannery Row	
Humboldt Co. Northcoast	1986	City of Monterey Skyline	
Humboldt Co. Trinidad Area	1986	City of Pacific Grove	
Humboldt Co. McKinleyville	1986	City of Carmel	2004
Humboldt Co. Humboldt Bay	1986	San Luis Obispo Co.	1987
Humboldt Co. Eel River	1986	City of Morro Bay	1984
Humboldt Co. Southcoast	1986	City of Pismo Beach	1984
City of Trinidad	1980	City of Grover Beach	1984
City of Arcata	1989	County of Santa Barbara	1982
City of Eureka	1984	City of Guadalupe	1991
Mendocino Co. Balance	1992	City of Santa Barbara/City	1986
Mendocino Co. Town	1996	City of Santa Barbara/ Airport	1991
Mendocino Co. Pygmy Forest		City of Carpinteria	1982
City of Ft. Bragg	1983	Ventura Co.	1983
City of Pt. Arena	1981	City of San Buenaventura	1984
Sonoma County	1982	City of Oxnard	1985
Marin Co. South I	1981	City of Port Hueneme	1984
Marin Co. North II	1982	LA County/Malibu Mnts.	
San Francisco	1986	City of Malibu	2002
S.F. Olympic Club		LA County Marina/Ballona	1990
City of Daly City	1984	LA County Playa Vista A	
City of Pacifica	1994	LA County Sta.Catalina Is.	1990
City of Half Moon Bay	1996	City of LA Pac Palisades	
San Mateo Co.	1981	City of LA Venice	
Santa Cruz Co.	1983	City of LA Playa Vista	
City of Santa Cruz	1985	City of LA Del Rey Lagoon	
City of Capitola	1990	City of LA Airport/Dunes	
City of Watsonville	1988	City of LA San Pedro	
Monterey Co. North	1988	City of Santa Monica	
Monterey Co, Del Monte Forest	1988	City of El Segundo	1982
Monterey Co. Carmel Area	1988	City of Manhattan Beach	1995
Monterey Co. Big Sur	1988	City of Hermosa Beach	
City of Marina	1982		

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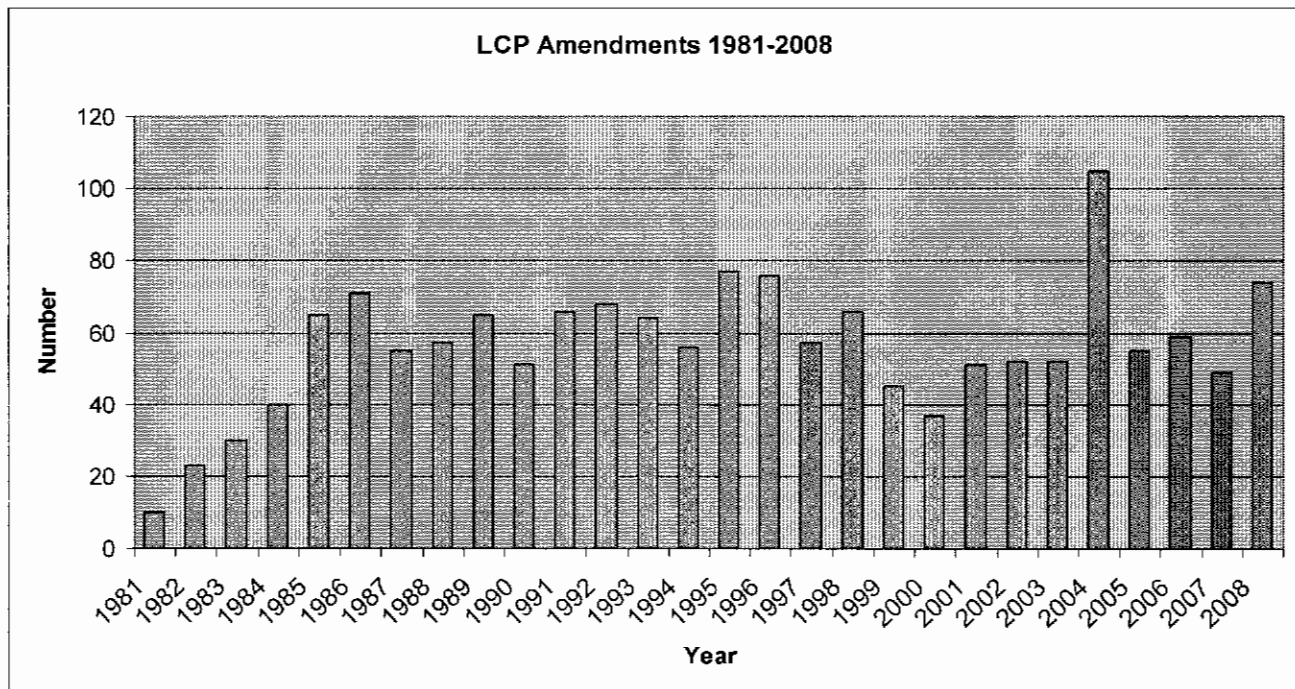
LCP segment	YR certified	LCP segment	YR certified
City of Redondo Beach Area One	2003	City of San Diego Pacific Beach	1988
City of Redondo Beach Area Two		City of San Diego Mission Beach	1988
City of Torrance		City of San Diego Mission Bay	
City of Palos Verdes Estates	1991	City of San Diego Ocean Beach	1988
City of Rancho Palos Verdes.	1983	City of San Diego Peninsula	1988
City of Long Beach	1980	City of San Diego Centre City	1988
City of Avalon	1981	City of San Diego Barrio Logan	1988
Orange Co. Sunset	1983	City of San Diego Otay Mesa	1988
Orange Co. Bolsa Chica		City of San Diego Tijuana River	1988
Orange Co. Santa Ana River			
Orange Co. Santa Ana Hts.		City of San Diego Border Highlands	1988
Orange Co. Newport Coast	1988	City of Coronado	1984
Orange Co. Aliso Viejo	1983	City of National City	1991
Orange Co. Emerald Bay	1989	City of Chula Vista	1985
City of Seal Beach		City of Chula Vista So. Bay Islands	
City of Huntington Beach	1985	City of Imperial Beach	1984
City of Costa Mesa			
City of Newport Beach			
City of Irvine	1982		
City of Laguna Beach	1993		
City of Laguna Niguel	1990		
City of Dana Point	1989		
City of San Clemente			
Co. of San Diego			
City of Oceanside	1986		
City of Carlsbad Agua Hedionda			
City of Carlsbad Mello I	1980		
City of Carlsbad Mello II	1981		
City of Carlsbad W.Batiquitos/Sammis	1985		
City of Carlsbad E.Batiquitos/Hunt	1988		
City of Carlsbad Village Redevelopment Area	1987		
City of Encinitas	1995		
City of Solana Beach			
City of Del Mar	2001		
City of San Diego North City	1988		
City of San Diego La Jolla	1988		

LCP AMENDMENTS REVIEWED

After initial certification LCPs have often been amended. LCP amendments vary greatly in scope from simple single word changes to complete document rewrites. Amendments may propose changes to coastal land use plans, implementation plans, or both concurrently. LCP amendment submittals also may be combined – thus, one LCP amendment can consist of multiple parts. Because of this, the number of amendments reviewed by the Commission over time does not necessarily mean that their overall scope and complexity (and hence staff workload implications) has remained constant.

The first LCP amendment was processed in 1981. As of June 2008, the Commission had reviewed approximately 1,500 LCP amendments. Since 1985, the annual average of amendments has been approximately 61. The range has been between 45 and 77 amendments per year, with only two deviations (37 amendments in 2000 and 105 in 2004), as illustrated in the following Figure II.

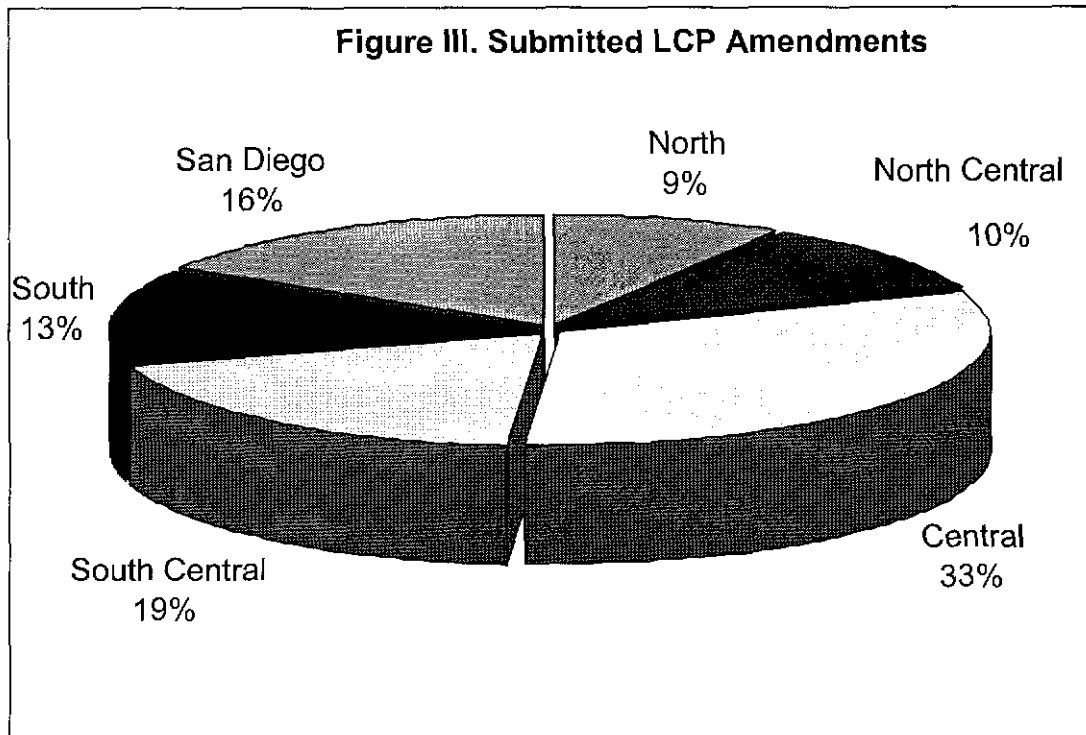
FIGURE II



PENDING LCP AMENDMENTS

In March 2009, about 105 LCP amendments were pending before the Coastal Commission – several of which were not yet filed as completed submittals. Table IV and Figure III below show the distribution of these amendments within the coastal zone districts:

TABLE IV. PENDING LCP AMENDMENTS as of March 2009	
District	LCP Amendments Submitted and Pending
North	9
North Central	11
Central	34
South Central	20
South	14
San Diego	17
Total	105



At that time, Commission staff was aware of at least 28 other amendments pending before local governments, based on an informal survey. The total number of amendments pending at any stage of the local process is probably much greater. **Approximately 34% of the total known pending amendments were project-driven** (that is, an amendment that proposes LCP changes to address a specific site development proposal). The rest were updates of some variety, e.g., of provisions on a certain topic, of certain sections or entire LCPs.

COMPREHENSIVE LCP AMENDMENTS

LCP certification is permanent. From time to time a certified jurisdiction will comprehensively update either its coastal land use plan or implementation plan or both: by partly or totally replacing its previously certified document(s) with new ones.

1. Twelve jurisdictions have comprehensively updated their coastal land use plans (certified by the Commission).
2. One additional county and one city have also had updates of single segments of their coastal land use plan certified.
3. Nine jurisdictions (including seven who updated their land use plans) have comprehensively updated their coastal implementation plans and received certification of these updates.
4. Eleven jurisdictions are in some phase of the process of updating their coastal land use plans.
5. Eight implementation plan updates are underway.

PERIODIC REVIEWS

The Commission has not conducted many evaluations of LCP implementation as provided for in the Coastal Act. Periodic LCP Reviews were conducted for the City of Trinidad LCP, the City of Sand City LCP, San Luis Obispo County LCP, and the Marina Del Rey segment of the Los Angeles County LCP. The Periodic Review of the Monterey County LCP was begun but was not acted on by the Commission and has not been completed. Other Regional Cumulative Assessment Projects examining implementation of policies from several LCPs and the Coastal Act were undertaken in the Monterey Bay Region and the Malibu/Santa Monica Mountains Area.

Approximately 58 jurisdictions have had LCPs certified for at least five years. (About 42 LCPs have been certified for over 20 years.) The Commission has not conducted more Periodic LCP Reviews primarily due to inadequate staff resources. There are also no incentives or requirements for ensuring that Commission Periodic Review recommendations will be considered and implemented by local jurisdictions. In 2003 the Commission passed a resolution suggesting legislative recommendations to address the issues of Periodic Reviews consisting of, in part:

- o requiring LCP updates every 10 years;
- o modifying the review period to no less than once every ten years;
- o funding periodic reviews;
- o increasing permit fees to use the revenues for grants by the Commission to local governments solely for the purpose of implementing Commission recommendations for LCP modifications resulting from periodic reviews;
- o tying permit appeal decisions to periodic review recommendations.

The full text of the Commission action follows on the next page:

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
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VOICE AND TDD (415) 904-5200
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July 14, 2003

Honorable John Burton
State Capitol Room 205
Sacramento, CA 95814

Honorable Herb Wesson, Jr.
State Capitol
P O Box 942849
Sacramento, CA 94249-0047

Dear Senator Burton and Speaker Wesson:

I am writing to convey to you and your colleagues in the state legislature a resolution regarding critical deficiencies and potential legislative solutions to the adoption and periodic updating of local coastal plans. The resolution was adopted by the California Coastal Commission at its June 2003 meeting in Long Beach.

By way of background, under the Coastal Act, local coastal plans, adopted by coastal cities and counties and certified by the Commission, form the foundation for good land use planning along the entire coast of California. During 2002, the Commission conducted a series of hearings on the status of local coastal plans in the various regions of our state and heard testimony from hundreds of citizens.

From our hearings and staff research, three major deficiencies were identified:

1. More than twenty-five years after the adoption of the California Coastal Act of 1976, many local coastal jurisdictions have not yet developed local coastal plans. Consequently, in these jurisdictions, every coastal development permit, no matter how small, must be acted upon and issued by the state commission. This places a tremendous burden both upon the Commission and upon the citizenry. Under permit streamlining, it is often impossible to hold these hearings locally, forcing applicants to travel at times hundreds of miles to Commission meetings. The clear intention of the Coastal Act is to have most coastal development permits dealt with by the local jurisdiction under a certified local coastal plan, yet there are neither incentives nor requirements in the Act to insure that local jurisdictions develop and implement a local coastal plan within a specified timeframe.
2. The great majority of local coastal plans already adopted are seriously out of date. As with city and county general plans, the Coastal Act calls for periodic updates to local coastal plans to reflect changing conditions, new information and emerging best management practices relating to land use. This is clearly not happening. Staff research found that while local jurisdictions may have completed several comprehensive updates to their general plans in the past several years; most had not conducted a comprehensive update to their local coastal plan. Consequently, many applications are reviewed by outdated standards that provide for neither good development

practices nor adequate coastal protection.

3. Periodic reviews of local coastal plans by the state commission are not being initiated or completed. The Coastal Act requires a comprehensive review of local coastal plans by the state commission every five years. In twenty-seven years, the Commission has conducted only three periodic reviews while the great majority are long overdue. The primary reasons for this failure are lack of staff resources and the absence of incentives or requirements that Commission recommendations for updating local coastal plans are considered and implemented by local jurisdictions.

While any regulation of land use and development can be controversial, the citizens of California have long recognized the importance of applying good and consistent standards to the development and protection of our coastline. The California Coastal Act has served us well in that regard for the past three decades. Over 85% of applications heard by the Commission are approved but often appropriately conditioned to conform to the resource protection and public access provisions of the Coastal Act. In order to continue this priority task, it is vital that the problems identified by the Commission in the past two years be addressed.

The adopted resolution contains several recommendations for possible action to resolve these problems. It is our hope that, even in these difficult times for our state, the legislature will see fit to conduct hearings on these issues that may lead to prudent legislative solutions. The Commission stands ready to assist you in any way we can.

Thank you for your most serious consideration of this matter.

Respectfully,

Mike Reilly
Chairman, California Coastal Commission

Cc: Members

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
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**RESOLUTION BY THE CALIFORNIA COASTAL COMMISSION REGARDING THE
PERIODIC REVIEW AND UPDATING OF PREVIOUSLY CERTIFIED LOCAL
COASTAL PROGRAMS
(Adopted June 12, 2003)**

WHEREAS, the California Coastal Act (the Act) requires local governments within the coastal zone to prepare and submit for certification by the California Coastal Commission local coastal programs (LCPs) that effectively carry out coastal resource and coastal environmental quality protection policies set forth in Chapter 3 of the Act;

WHEREAS, there are seventy-five cities and counties located in whole or in part in the coastal zone that have divided their LCPs into 128 segments and of these 90 LCP segments have been fully certified and local governments have been delegated coastal development permit issuing authority while 38 LCP segments remain to be completed and fully certified;

WHEREAS, the Act recognizes that previously certified local coastal programs must be reviewed and updated from time to time in order to adequately address changing needs and circumstances, including new scientific information about flora and fauna and their habitat, as well as changing human community needs;

WHEREAS, the Act requires that the Commission initiate and carry out “periodic reviews” of certified LCPs at least once every five years to determine whether the LCP is being implemented in a manner that continues to be fully consistent with resource protection policies of the Act;

WHEREAS, the Act permits local governments to prepare and submit for approval by the Commission up to three LCP amendments per year which the Commission must review and act upon with specified time limits;

WHEREAS, local government initiated LCP amendments are usually driven by specific proposed development projects or by property owners and do not constitute a comprehensive review and update of the LCP;

WHEREAS, the Commission recently held a series of public hearings in coastal locations throughout the state during which extensive public testimony focused on the need to update LCPs that no longer reflect current community needs as well as the fact LCPs have not been revised to address changed circumstances which in turn has resulted in an increase in permit appeals to the Commission and new litigation;

WHEREAS, during these hearings while public testimony underscored the need to update LCP provisions considered inadequate to deal with important coastal resource protection issues such as coastal public access and recreation, adverse effects of seawalls, conservation of environmentally sensitive habitat areas, and the need for improved marine water quality, the

overarching theme emanating from these hearing was the need to strengthen Coastal Act provisions to makes meaningful and effective the periodic review of certified LCPs by the Commission and to ensure that local governments actually implement LCP modifications recommended by the Commission based on such periodic reviews; and

WHEREAS, the Act lacks effective provisions to ensure that periodic reviews of LCPs are actually conducted by the Commission and that local government subsequently implements Commission recommendations;

NOW THEREFORE, BE IT RESOLVED, that the California Coastal Commission hereby respectfully requests that the California Legislature and the Governor enact legislation that would have the following components:

I. Periodic Reviews:

- a. Restate the mandate in the Act that the Commission must carry out periodic reviews and modify the time period for such reviews from once every five years to no less than once every ten years.
- b. Substantially increase coastal development permit fees and specify the use of the increased revenues (retaining current fees going to the Coastal Conservancy) for grants by the Commission to local governments solely for the purpose of implementing Commission recommendations for LCP modifications resulting from periodic reviews.
- c. Appropriate funds to the Commission specifically to conduct periodic reviews;
- d. Amend the Act to modify coastal development permit appeals provisions by expanding the appeal area within a local government that fails after appropriate opportunity to effectively respond to Commission recommendations for LCP modifications and by specifying the standard of review on appeal to be the Commission adopted modifications to LCP land and water use policies;
- e. Hold oversight hearings to identify deficiencies in and possible mechanisms to address the need to ensure the timely and effective updating of LCPs through the Periodic Review process.

II. General Plan Provisions:

- a. Amend General Plan law to mandate completion of LCPs for those local governments that do not yet have a fully certified LCP;
- b. Require local governments to periodically (i.e., every ten years) update their LCP elements of the General Plan and provide sanctions for failure to do so.

BE IT FURTHER RESOLVED, that the Commission urges the appropriate policy committees of the Legislature to hold special informational hearings on issues relating to the adverse environmental consequences of the failure in existing law to require effective modifications to LCPs certified more than ten years earlier; and

BE IT FURTHER RESOLVED, that the Commission is prepared to provide technical assistance to the Legislature to inform and achieve the recommendations above.

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V. LOCAL ASSISTANCE

FINANCIAL ASSISTANCE

At times in the past, both the state and the federal governments have funded LCP planning. As can be seen in the following Table V, general funding amounts have varied over the years, but no reimbursement has been available since 2002.

Table V. LCP Local Assistance Grant Awards FYs 77-78 to 08-09			
FY	Grant Awards to Local Governments *		
	Federal \$s	State \$s	Total
77-78 to 80-81**	4,853,584	1,213,396	6,066,980
81-82	1,578,848	394,712	1,973,560
82-83	876,951	219,238	1,096,189
83-84	450,222	112,556	562,778
84-85	139,000	280,000	419,000
85-86	100,000	280,000	380,000
86-87	391,000	0	391,000
87-88	391,000	0	391,000
88-89	298,534	0	298,534
89-90	263,208	0	263,208
90-91	250,000	0	250,000
91-92	140,290	0	140,290
92-93	0	0	0
93-94	0	0	0
94-95	0	0	0
95-96	0	0	0
96-97	0	0	0
97-98	0	340,000	340,000
98-99	0	350,500	350,500
99-00	0	499,348	499,348
00-01	0	400,000	400,000
01-02	0	500,000	500,000
02-03	0	0	0
03-04	0	0	0
04-05	0	0	0
05-06	0	0	0
06-07	0	0	0
07-08	0	0	0
08-09	0	0	0
Total	\$9,732,638	\$4,589,749	\$14,322,387

* The total grant amounts awarded each fiscal year are funded by state and/or federal funds. The yearly amounts from each of these two funding sources are shown in the "Federal \$s" and "State \$s" columns.

** Breakdowns by the four individual fiscal years from 77-78 through 80-81 are not available.

TECHNICAL ASSISTANCE

Over the years the Coastal Commission has attempted to provide technical assistance to local governments preparing LCP documents. In addition to written and oral communications on individual LCPs, the Commission has produced some general guidance documents as outlined in the following letter.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



July 23, 2008

Ms. Mary Creasey
Legislative Analyst
League of California Cities
1400 K Street
Sacramento, CA 95814

Dear Ms. Creasey,

At our meeting on July 1, 2008, we discussed the goal to increase awareness among local governments of resources that are currently available to assist local staff in amending or updating their Local Coastal Programs (LCPs). While the Coastal Act and California Code of Regulations provide the requirements for developing and amending LCPs, the Commission currently provides some local assistance resources that local staff may find helpful. While I believe this list to be complete, if any additional resources are identified following this transmittal, I will forward them to you.

- As is noted in several of the documents cited, because of the geographic diversity of the LCPs, we believe that early communication with the appropriate Commission District staff remains the primary means of providing local assistance on a specific LCP. Although CCC staff time is extremely limited at this time, we will do our best to provide such coordination on key LCP matters.
- The Commission provided information as part of **OPR's recent publication, *State Agency Resources for General Plans*** on accessing technical assistance. The link to the document is at http://opr.ca.gov/planning/docs/State_Agency_Technical_Resources_for_General_Plans.pdf and the Commission information is found on pages 7-8. Some of what follows may be duplicate of what can be found in the OPR document.
- An **online resource guide for updating LCPs, *Updating the LCP--A Place to Start***, can be found on the Commission's website on the Resources for Local Government page at <http://www.coastal.ca.gov/la/lcpguide/lcpguide.pdf>. This Guide is an initial effort to provide information on issues to address in updating LCPs and examples of Commission actions. Given our available resources we did not address every Coastal Act policy, but chose to highlight several priority emerging issues. We plan to review and update this document later this year. Any feedback or comments on this Guide are encouraged and can be sent to me at efuchs@coastal.ca.gov.
- The Commission's ***Post Certification Guide for Local Cities and Counties (2002)*** is based on the Coastal Act and post certification regulations. It provides information on the procedures for carrying out a certified LCP. This document has not been revised since 2002, although it still provides useful information for local governments to consult, but check with appropriate District staff for specific questions. It can be found at <http://www.coastal.ca.gov/la/docs/post-cert-lcp-guide.pdf>.
- The Commission's **website** provides access to several documents which may have background information and examples on a number of Coastal Act issues. For example, at <http://www.coastal.ca.gov/la/topics.html> there are links to reports on Public Access, Agricultural Protection Coastal Processes and Water Quality. However, please note that the *Resources for Local Government* page was created with a federal grant and since its development we have

E.Fuchs Letter to M. Creasey
July 23, 2008

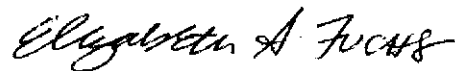
lacked sufficient resources to frequently update it. Therefore some of these documents, while providing useful background, may be affected by more recent CCC actions. For this reason we continue to emphasize that it is important to check on a specific LCP issue by contacting the appropriate District office staff. These webpage documents can provide general information but given the geographic diversity of the coastal zone and the number of CCC actions each month that may inform LCP planning, they do not address all specific issues that may arise. (We hope to undertake a review and update of this page in the near future).

- We also assembled various **links to other jurisdictions** at <http://www.coastal.ca.gov/ia/links.html> including local jurisdictions. However, as we discussed in our meeting, these are not links to digital copies of certified LCPs. Some jurisdictions do maintain their LCPs online and as discussed, we share the goal of creating an online digital library of certified plans. We lack resources to develop such a resource at this time.

This list provides the basic planning assistance information available. As noted in our input to OPR's document, the Commission's website contains a number of additional resources available under each program page (such as Public Access, Water Quality etc.).

We appreciate your efforts to help inform local coastal governments of the availability of these resources. We continue to try to develop ways to provide assistance efficiently and within our very limited resources. If local staffs have any feedback on these existing resources, or any suggestions for future planning assistance projects, please encourage them to contact me at (415) 904-5287 or at efuchs@coastal.ca.gov.

Sincerely,



Elizabeth A. Fuchs, AICP
Manager, Statewide Planning Unit

cc: Charles Lester, CCC
District Managers, CCC

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W 22a

October 14, 2008

To: California Coastal Commission
Coastal Commission Staff
Interested Persons

From: Peter Douglas, Executive Director
Susan Hansch, Chief Deputy Director
Louise Heredia-Sauseda, Chief, Fiscal and Business Services
Coastal Commission Budget Sub-Committee Members
Commissioner William Burke and Commissioner Mary Shallenberger

Subject: **Coastal Commission's Budget for FY 08-09**

This memorandum provides a brief description of the Commission's FY 08-09 budget. Staff is still analyzing the recently signed budget and preparing cost projections for the fiscal year and will provide additional information to the Commission as the fiscal year progresses. (Please see the detailed information provided in the May 2, 2008 and July 8, 2008 reports to the Commission and available on the Commission's website for budget history).

Coastal Commission Budget for FY 08-09

On September 23, 2008 Governor Schwarzenegger signed the final FY 08-09 budget. Before he signed the budget, the Governor used his line item veto to reduce the Coastal Commission's general fund budget allocation by \$617,000 (approximately 5%) and reduced overall personnel years from 144.9 to 138.8 (6.5 positions/6.1 personnel years [PY]) from the Commission's budget as approved by the Legislature. The Governor's January 2008 proposed budget and May Revise included a 10% \$1.2 million 16.2 position general fund reduction. Thus, the final enacted budget included cuts that were less than the projected worst case scenario.

The final budget did include an appropriation of \$524,000 from the Commission's increased filing fee revenues to cover some operating expenses. This \$524,000 appropriation includes a baseline augmentation of \$319,000 for facilities operations, information technology network connections, and equipment replacement, and a one-time cost of \$205,000 for information technology hardware and equipment replacement. The baseline augmentation will help address some of the Commission's ongoing

shortfall of funds to cover operating expenses, but the Commission continues to have inadequate funds to cover operating costs and replace aging equipment.

Based in part on recommendations from the Legislative Analyst Office, (LAO) Legislative Budget Subcommittee and the Department of Finance, the Commission began a rulemaking process in 2007 to increase permit/filing fees. The new, increased filing fees were approved by the Office of Administrative Law and have been in effect since March 17, 2008. When the Commission approved the higher filing fees the Commission adopted a resolution that encouraged that all filing fees be used to augment the Commission's budget to provide better services to the public.

Since FY 99-00 all the revenue from Commission's filing fees was deposited in the Coastal Access Account at the Coastal Conservancy and used for critical coastal maintenance projects. Budget trailer bill language adopted as a part of the final FY 08-09 budget, established a new special fund for the Coastal Commission entitled the Coastal Act Services Fund. All filing fees received by the Coastal Commission will now be deposited in this account instead of the Coastal Access Account at the Coastal Conservancy. The Coastal Conservancy will continue to receive funds for coastal access (\$500,000) from the filing fees via a yearly transfer from the Coastal Act Services Fund to the Coastal Access Account.

Final FY 08-09 Budget is Inadequate to Meet Projected Costs

As we have reported to the Commission since mid-2007, the Commission's budget situation is extremely constrained and has for the past two fiscal years been at risk of year-end deficits. We have avoided deficits by severe cost-cutting measures and by increasing short-term reimbursement revenue by completing special projects for other agencies. Although the total budget in the attachments reflects a bottom line increase in funding, you will note that the General Fund amount is declining. Consequently, the Commission continues to increase its dependence on contracts and reimbursements from State agencies. Income from these sources is not dependable because client agencies face similar budget pressures. In addition, reimbursable income results in workload management problems with staff being diverted to special contracts projects. The staff is still in the process of determining the impact of pending non-general fund revenue. It is clear at this point in time that in order to finish the fiscal year without a deficit the Commission will be forced to keep a large number of vacant positions unfilled and must continue its ongoing cost-cutting measures.

Proactive Steps Taken To Reduce Costs

As described in the May 2, 2008 and July 8, 2008 reports, the Commission has taken a large number of steps to reduce costs. These measures are listed below and will continue through FY 08-09. Unfortunately, these actions are so severe that they substantially impair the Commission's ability to operate and carry out its legally mandated work.

Cost-Cutting Measures

- Terminated all limited-term staff in January 2008 to reduce costs;
- Began the implementation of a Department of Personnel Administration (DPA) approved layoff plan in June 2008 and notified 46 permanent Coastal Commission staff employees that they were at risk for lay-off. As a result of the lay-off notices, many employees accepted other positions and the Commission now has a projected vacant position count of 19 positions for all or part of FY 08-09. We are now in the process of completing the current lay-off process. If future budget cuts occur a new layoff process would need to be initiated. DPA estimates that the complete layoff process takes about 6 months.
- Holding vacant positions open to meet required salary savings, new budget cuts, and underfunded costs (19 projected vacant positions for FY 08-09);
- Instituted and encouraged staff participation in a voluntary "Leave-Without-Pay" program. Over 70 Commission staff members have pledged over \$218,000 (704 staff days) of leave-without pay for FY 08-09 to reduce staff layoffs;
- Eliminated essentially all training (including legally required training);
- Drastically reduced staff travel to only absolutely essential attendance at Commission meetings and select site visits, and some critical project related meetings;
- Considering limiting hours Commission offices are open to serve the public so that staff can focus on production;
- Eliminated all but absolutely essential mission critical purchases;
- Reduced all Coastal Commission public hearings to a maximum of 3 days per month to reduce costs. Holding Commission meetings in public meeting rooms to avoid meeting room costs. Keeping travel costs to meetings to the absolute minimum sometimes causing inconvenience to Commissioners. We will be considering holding future Commission meetings in only a few locations statewide to reduce costs and may need to consider reducing the number or length of FY -08-09 Commission meetings to save costs.

Staff will continue its work with the Commission's Budget Sub-committee and report back to the Commission at future meetings on the status of the Commission's budget as we move through the fiscal year.

FY 08-09^{RES 1}

3720 California Coastal Commission

FINAL BUDGET SUMMARY

The California Coastal Commission, comprised of 12 voting members appointed equally by the Governor, the Senate Rules Committee, and the Speaker of the Assembly, was created by voter initiative in 1972 and was made permanent by the California Coastal Act of 1976 (Coastal Act). The Coastal Act calls for the protection and enhancement of public access and recreation, marine resources, environmentally sensitive habitat areas, marine water quality, agriculture, and scenic resources, and makes provisions for coastal-dependent industrial and energy development. New development in the coastal zone requires a coastal permit either from local government or the Commission. Local governments are required to prepare a local coastal program (LCP) for the coastal zone portion of their jurisdiction. After an LCP has been reviewed and approved by the Commission as being consistent with the Coastal Act, the Commission's regulatory authority over most types of new development is delegated to the local government, subject to limited appeals to the Commission. The Commission also is designated the principal state coastal management agency for the purpose of administering the federal Coastal Zone Management Act in California and has exclusive regulatory authority over federal activities such as permits, leases, federal development projects, and other federal actions that could affect coastal zone resources and that would not otherwise be subject to state control.

3-YR EXPENDITURES AND POSITIONS (Summary of Program Requirements)

Pending management decision
See BBR notes below

	Positions			Expenditures			FINAL BUDGET ACT
	2006-07	2007-08	2008-09	2006-07*	2007-08*	2008-09*	
10 Coastal Management Program	111.5	115.5	115.5	\$16,272	\$16,071	\$16,736	16,742
20 Coastal Energy Program	6.1	6.6	6.6	762	879	912	1,076
30.01 Administration	22.9	22.8	22.8	1,793	1,812	1,914	1,827
30.02 Distributed Administration	-	-	-	-1,658	-1,712	-1,814	-1,727
TOTALS, POSITIONS AND EXPENDITURES (All Programs)	140.5	144.9	144.9	\$17,169	\$17,050	\$17,748	17,968

FUNDING

	2006-07*	2007-08*	2008-09*	
0001 General Fund				138.8
0371 California Beach and Coastal Enhancement Account, California Environmental License Plate Fund	\$11,457	\$11,709	\$11,809	
0593 Coastal Access Account, State Coastal Conservancy Fund	1,331	1,307	1,339	BBR - 9.0 positions + 1.5 salary savings
0690 Federal Trust Fund	2,847	2,513	2,544	- 8.5
0995 Reimbursements	1,534	1,521	1,532	Finance Letter + 2.4 (2 years)
TOTALS, EXPENDITURES, ALL FUNDS	\$17,169	\$17,050	\$17,748	17,968 Net PY reduction 6.1

LEGAL CITATIONS AND AUTHORITY

DEPARTMENT AUTHORITY

Public Resources Code, Division 20, Section 30000 et seq. and Title 16, United States Code, Chapter 33, Section 1451 et seq.

ACTUAL Expenditures 2007-08 →
11681
1307
2407
2303
17,697

MAJOR PROGRAM CHANGES

Act Services Fund

- Operating Expense Budget Restoration - The Budget includes \$524,000 Coastal Access Account to upgrade the Commission's information technology equipment and other operating expenses.

BUDGET-BALANCING REDUCTIONS (BBR) *printed numbers did not include*

- The Budget includes General Fund reductions of \$1.2 million and 16.2 positions in 2008-09. The major budget balancing reductions include:
The handwritten numbers reflect a \$617,000 General Fund reduction per Governor's veto of funds.

2008-09 Reduce \$956,000 and 14.3 personnel years from the Coastal Management Program. This reduction will decrease the resources available for reviewing permits and local coastal programs, and enforcement activities.

Reduce \$52,000 from the Coastal Energy Program. This reduction will decrease the resources available for reviewing industrial and infrastructure projects.

Reduce \$173,000 and 1.9 personnel years from Administration.

Note: Management decision pending regarding actual position reductions and corresponding program funding impact.

* Dollars in thousands, except in Salary Range.

Budget Year	Other State Funds										Personnel Years		
	General Fund ^{a/}	Bayley Conservation Fund	Environmental License Plate Fund	Outer Continental Shelf Lands Act 8(g) Fund	Coastal Beach & Coastal Enhancement Account	Coastal Act Services Fund	Federal Funds	Reimbursements	Total Funds	Perm. PY	Temp. Help PY	Total PY ^{b/}	
1972-1973	\$0	\$376,416						\$376,416		12.9		12.9	
1973-1974	\$302,735	\$2,130,863						\$2,433,598		90.9		90.9	
1974-1975	\$549,324	\$1,902,134					\$1,074,762	\$3,526,220		124.9		124.9	
1975-1976	\$1,018,930	\$1,389,481					\$1,117,288	\$3,525,679		118.5		118.5	
1976-1977	\$3,452,735	\$728,471					\$927,950	\$5,109,156		134.5		134.5	
1977-1978	\$3,420,707	\$0					\$1,605,000	\$5,783,892		193.3		193.3	
1978-1979	\$5,862,713	\$0					\$1,906,387	\$7,839,116		198.8		198.8	
1979-1980	\$6,420,707	\$0	\$12,000				\$2,607,292	\$9,099,999		200.6		200.6	
1980-1981	\$6,203,000	\$0	\$181,000				\$2,098,000	\$13,521,000		212		212.0	
1981-1982	\$6,470,000	\$0	\$198,000				\$3,873,000	\$10,580,000		187.9		187.9	
1982-1983	\$6,374,000	\$0	\$150,000				\$3,591,000	\$10,155,000		169.5		169.5	
1983-1984	\$5,169,000	\$0	\$280,000				\$1,425,000	\$6,915,000		129.9		129.9	
1984-1985	\$5,645,000	\$0	\$303,000				\$2,615,000	\$8,603,000		127		127.0	
1985-1986	\$5,819,000	\$0	\$329,000				\$1,772,000	\$7,760,000		114.2		114.2	
1986-1987	\$5,906,000	\$0	\$344,000				\$2,313,000	\$8,603,000		117.7	4.7	122.4	
1987-1988	\$5,895,000	\$0	\$382,000				\$1,837,000	\$8,164,000		114.2	0	114.2	
1988-1989	\$6,195,000	\$0	\$401,000				\$2,539,000	\$9,175,000		110.1	9.1	119.2	
1989-1990	\$5,958,000	\$0	\$429,000				\$2,071,000	\$8,458,000		110.1	1.6	111.7	
1990-1991	\$5,870,000	\$0	\$1,093,000				\$1,771,000	\$8,774,000		105.1	13.9	119.0	
1991-1992	\$5,713,000	\$0	\$1,107,000				\$2,276,000	\$9,447,000		110.1	19.2	129.3	
1992-1993	\$4,525,000	\$0	\$1,135,000	\$797,000			\$2,284,000	\$8,150,000		114.6	5.9	120.5	
1993-1994	\$4,483,000	\$0	\$1,194,000	\$807,000			\$2,785,000	\$9,786,000		113.0	13.9	126.9	
1994-1995	\$4,736,000	\$0	\$1,215,000	\$830,000			\$2,988,000	\$10,226,000		114.3	12.0	126.3	
1995-1996	\$5,741,000	\$0	\$1,233,000	\$0			\$3,556,000	\$11,016,000		113.5	13.1	126.6	
1996-1997	\$5,610,000	\$0	\$1,298,000	\$0			\$2,992,000	\$10,483,000		109.7	9.5	119.2	
1997-1998	\$7,190,000	\$0	\$1,292,000	\$0			\$2,691,000	\$11,852,000		112.1	9.9	122.0	
1998-1999	\$8,175,000	\$0	\$0	\$68,000			\$2,666,000	\$11,709,000		113.6	9.2	122.8	
1999-2000	\$8,454,000	\$0	\$0	\$247,000			\$2,772,000	\$13,260,000		127.5	10.4	137.9	
2000-2001	\$12,107,000	\$0	\$0	\$371,000			\$2,827,000	\$16,221,000		141.8	16.2	158.0	
2001-2002	\$11,723,000	\$0	\$0	\$394,000			\$3,237,000	\$16,437,000		149.1	18.5	167.6	
2002-2003	\$10,715,000	\$0	\$0	\$438,000			\$3,110,000	\$15,512,000		150.6	4.4	155.0	
2003-2004	\$9,459,000	\$0	\$0	\$394,000			\$3,084,000	\$14,489,000		136.2	0.7	136.9	
2004-2005	\$9,788,000	\$0	\$0	\$513,000			\$3,071,000	\$15,065,000		128.0	4.1	132.1	
2005-2006	\$9,919,000	\$0	\$0	\$580,000			\$3,216,000	\$15,304,000		132.0	4.2	136.2	
2006-2007	\$11,457,000	\$0	\$0	\$624,000			\$3,847,000	\$16,482,000		135.3	5.2	140.5	
2007-2008	\$11,680,717	\$0	\$0	\$595,872			\$2,407,000	\$16,966,311		138.6	4.6	143.2	
2008-2009	\$11,192,000	\$0	\$0	\$596,000	\$524,000		\$2,544,000	\$17,225,000		132.0	6.8	138.8	

a/ State Operations funding only. Does not include Local Assistance funding. Fiscal Year 1980-81 through 2007-2008 reflects past year actual support operations expenditures as reflected in the Governor's Budget. FY 2008-2009 reflects estimated expenditures as of 10-9-08.

b/ Fiscal Year 1972-73 through FY 2007-08 are actual. "Personnel Years" expended (not authorized positions). FY 2008-2009 reflects authorized personnel years.