

CALIFORNIA COASTAL COMMISSION

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September 5, 2025

To: Planning Directors of Coastal Cities and Counties
From: Dr. Kate Huckelbridge, Executive Director, California Coastal Commission
RE: **AB 130 and Coastal Commission Appeals When Projects Are Deemed Approved**

On June 30, 2025, Governor Gavin Newsom signed several trailer bills, including [Assembly Bill \(AB\) 130 \(Ch. 22, Stats. 2025\)](#), which took effect immediately upon the Governor's signature. Among other changes, AB 130 modified the process under which permits, including coastal development permits (CDPs), are "deemed approved" as a matter of law when a permitting agency fails to act on a permit application prior to the applicable Permit Streamlining Act (PSA) deadline. However, the changes to the PSA did not modify the process to appeal locally issued CDPs to the Coastal Commission, including the requirement that local governments send a Notice of Final Action or Final Local Action Notice (NOFA/FLAN) to the Commission for projects that are appealable. This memo is intended to remind local governments of the need to timely submit NOFA/FLANs to the Commission for projects that are deemed approved.

Prior to the passage of AB 130, if a permitting agency did not act on a permit by the PSA deadline, the applicant had the option to provide notice to the agency of their intent to invoke the PSA, which triggered a final 60-day period for the agency to act on the permit. If the permitting agency did not act on the permit within this 60-day period, the permit was "deemed approved" by operation of law. AB 130 eliminates this process for all projects subject to the PSA. As a result, if a permitting agency does not act on a permit application subject to the PSA within the applicable time period, the permit will automatically be deemed approved.¹

The fact that a locally issued CDP is deemed approved, however, does not mean that the project is fully authorized in situations where the CDP is appealable to the Commission under Coastal Act Sections 30602 or 30603. Rather, if a local CDP application is deemed approved under the PSA, city or county staff still need to provide a NOFA/FLAN to the Commission so that the Commission can set the appeal period and act on any resulting appeal. The Commission's regulations describe this requirement:

When a local government or a court determines that an application has been approved by operation of law, the local government shall, within seven (7) calendar days of such determination, notify the Commission and any person entitled to receive notice pursuant to Section 13571(a) that the application has been approved

¹ Govt Code § 65956(b).

by operation of law pursuant to Government Code, Section 65956(b) and the application may be appealed to the Commission pursuant to Section 13110 et seq.²

The Commission's regulations also require applicants who believe their projects have been deemed approved by operation of law to notify the local government and the Commission of their contention that it has been deemed approved.³ Note that, pursuant to recent legislative changes, local governments now have the option of providing the NOFA/FLAN to the Commission via e-mail instead of sending a hard copy by U.S. mail.⁴

After receiving the NOFA/FLAN, the Commission will open its appeal period and process any appeals that are filed pursuant to its applicable regulations.⁵ The PSA and its deadlines for action do not apply to appeals that are processed by the Commission,⁶ but the Commission must abide by Coastal Act deadlines for acting on appeals.⁷

The Commission encourages local government staff to reach out to local Commission District staff if they have questions regarding this memo or the process for providing NOFAs/FLANs in situations where a permit has been deemed approved by operation of law.

² 14 Cal. Code Regs § 13571(b)(2). *See also* 14 Cal. Code Regs § 13315 (governing NOFA/FLANs for CDPs issued by the City of Los Angeles, which must be sent to the Commission within five working days of permit approval).

³ 14 Cal. Code Regs § 13571(b)(1).

⁴ Pub. Res. Code § 30603:

(d) (1) A local government taking an action on a coastal development permit shall send notification of its final action to the commission by certified mail, or by electronic mail pursuant to paragraph (2), within seven calendar days from the date of taking the action.

(2) (A) In order for a local government to notify the commission via electronic mail of an action on a coastal development permit, the notification shall be sent from a verifiable local government electronic mail account, and shall be received in the electronic mailbox designated by the commission on its internet website for receipt of that notification.

(B) For the purposes of determining the 10th working day from the date of receipt of notice by the commission under subdivision (c), notice received by the commission by electronic mail after the close of business shall be considered received on the next working day.

⁵ 14 Cal. Code Regs §§ 13110 et seq., 13317 et seq.

⁶ Govt Code § 65922.

⁷ Pub. Res. Code § 30621.