

## Local Government and Coastal Commission Regulatory Roles After LCP Certification

After an LCP has been certified, the role of the local government and the Coastal Commission changes. Day-to-day management of the coastal zone becomes a shared responsibility - a partnership with the mutual goal of harmonious land use implementation and successful coastal resource protection. To achieve this post-certification partnership, local governments and the Commission take on new responsibilities.

### **Local Government's primary role:**

- Implementing its LCP through processing of coastal permit applications.

### **Other Local Government Regulatory Roles following LCP certification include:**

- Reviewing coastal permit applications within certified areas, including hearing and noticing requirements
- Reviewing new development for preliminary coastal permit approvals for areas that the Coastal Commission retains direct permit authority
- Processing local appeals, implementing final local action noticing procedures, and transmitting the record for any appeals taken up at the Coastal Commission
- Enforcing permit requirements and responding to violations
- Recording legal documents related to open space, conservation, and public access in coordination with the Coastal Commission staff per Section 13574 of the Commission's regulations
- Implementing the LCPs public access component and coordinating with federal, state, and local agencies related to acquisition, development, and maintenance of public access within its jurisdiction to ensure efficient use of limited fiscal resources and provide an integrated system of public accessways to and along the state's coastline
- Processing amendments at the local level for any modifications or updates to the certified LCP
- Coordinating and collaborating with Coastal Commission staff regarding all of the above roles, including questions of jurisdiction and process

**Coastal Commission's primary role:**

- Monitoring LCP Implementation and assisting local governments in carrying out their permit review and processing.

**Coastal Commission's Ongoing Regulatory Roles following LCP certification include:**

- Reviewing coastal permit applications located within retained permit jurisdiction areas, including state tidelands, submerged lands, public trust lands, and uncertified geographic areas
- Tracking and monitoring the local government's implementation of the LCP and assisting where feasible
- Tracking and noticing appeal periods for local appealable coastal permits
- Processing appeals of local development at the Coastal Commission
- Enforcing Coastal Commission permits it issued before LCP certification or from an appeal, and reviewing amendments or extensions of such permits
- Ensuring legal documents related to open space, conservation, and public access are processed and recorded pursuant to Section 13574 of the Commission's regulations
- Implementing the Coastal Commission's public access program and coordinating with federal, state, and local agencies related to acquisition, development, and maintenance of public access within its jurisdiction to ensure efficient use of limited fiscal resources and provide an integrated system of public accessways to and along the state's coastline
- Reviewing the local government's proposed LCP amendments through the Commission's amendment process
- Reviews certain federal activities or federally licensed or permitted projects for consistency with the state's coastal management program under provisions of the federal Coastal Zone Management Act
- Coordinating and collaborating with local government staff regarding all of the above roles, including questions of jurisdiction and process and making jurisdictional determinations in cases where a local determination is questioned or challenged

Additionally, Coastal Act Section 30519.5 requires the Commission to review each certified LCP at least once every five years after certification to determine if it is being implemented consistent with the policies of the Coastal Act. However, due to staffing and funding constraints, the Commission has not been able to fulfill this requirement.