

**State of California
Office of Administrative Law**

In re:
California Coastal Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 13040

Repeal sections:

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

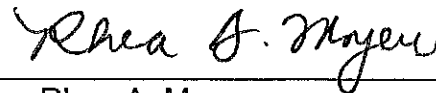
OAL Matter Number: 2023-0728-01

OAL Matter Type: File and Print Only (FP)

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: August 16, 2023



Rhea A. Moyer
Associate Governmental
Program Analyst

For: Kenneth J. Pogue
Director

Original: Kate Huckelbridge, Executive
Director

Copy: Robin Mayer

NOTICE PUBLICATION/REGULATIONS SUBMISSION

FILE PRINT

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2023-0522-02	REGULATORY ACTION NUMBER 2023-0728-01 FP	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Coastal Commission			AGENCY FILE NUMBER (If any)

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

AUG 16 2023
1:56 PM

OFFICE OF ADMIN. LAW
2023 JUL 28 PM 2:06

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2023, 23-Z	PUBLICATION DATE 6/2/2023	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict of Interest Code	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) 14	ADOPT Section 13040 AMEND REPEAL		
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input checked="" type="checkbox"/> File & Print <input type="checkbox"/> Print Only <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) 30 days after SOS filing per 2 CCR 18750			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input checked="" type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Robin Mayer	TELEPHONE NUMBER (415) 505-5908	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) robin.mayer@coastal.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Madeline Cavalieri	DATE 07/28/2023
TYPE OF NAME AND TITLE OF SIGNATORY Madeline Cavalieri, Chief Deputy Director	

For use by Office of Administrative Law (OAL) only
AUTHORIZED FOR FILING AND PRINTING
AUG 16 2023
Office of Administrative Law

CALIFORNIA COASTAL COMMISSION

455 Market Street, Suite 300
San Francisco, CA 94105-2421
www.coastal.ca.gov
(415) 904-5220

**CALIFORNIA COASTAL COMMISSION
CONFLICT OF INTEREST CODE**

The Political Reform Act (Gov. Code, § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (Cal. Code of Regs., tit. 2, § 18730) ~~which that~~ contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, ~~it the standard code~~ may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2 of the California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached ~~Appendix A~~ Appendices, designating ~~officials and employees~~ positions and establishing disclosure categories, shall constitute the conflict of interest code of the California Coastal Commission (Commission).

Commission Members, Alternates, and the Executive Director must file their statements of economic interests electronically with the **Fair Political Practices Commission**. All other individuals holding designated positions must file their statements with the **California Coastal Commission**. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

~~Individuals holding designated positions shall file their statements of economic interests with the Commission, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). Upon receipt of the statements from Commission Member Alternates and the Executive Director, the Commission shall make and retain copies and forward the originals to the Fair Political Practices Commission. All other statements will be retained by the Commission.~~

APPENDIX A

Designated positions	Disclosure Category
Commission Members	(See note)*
Alternate Commission Members	(a)
Executive Director	<u>1, 3</u> (a)
<u>CEA</u>	<u>1, 3</u>
Chief Deputy Director	(b)
Deputy Director	(b)
District Director	(b)
Deputy Director for Land Use	(b)
Assistant Deputy Director for Land Use	(b)
Chief Counsel (all levels)	<u>1, 3</u> (b)
Staff Counsel III Attorney (all levels)	<u>1</u> (b)
Staff Counsel	(b)
<u>Legal Analyst</u>	<u>2</u>
Legal Counsel	(b)
Graduate Legal Assistant	(b)
Senior Engineer (all levels)	<u>2</u> (b)
Associate Civil Engineer	(b)
Geologist	<u>2</u> (b)
Environmental Program Manager I and II (all levels)	<u>2</u> (b)
Coastal Program Manager	<u>2</u> (b)
Coastal Program Analyst I, II, and III (all levels)	<u>2</u> (b)
Environmental Scientist (all levels)	<u>2</u> (b)
Senior Environmental Scientist	(b)
Staff Environmental Scientist	(b)
<u>Environmental Planner (all levels)</u>	<u>2</u>
<u>Information Officer</u>	<u>2</u>

Energy Analyst	(b)
Graduate Student Assistant	(b)
Intern	(b)
Student Assistant	(b)
<u>Staff Services Manager (all levels)</u>	<u>3</u>
<u>Information Technology Supervisor</u>	<u>3</u>
<u>Research Data Supervisor</u>	<u>3</u>
<u>Business Services Officer</u>	<u>3</u>
<u>Chief Accounting Officer</u>	<u>3</u>
<u>Business Management Analyst (all levels)</u>	<u>3</u>
<u>Associate Governmental Program Analyst</u>	<u>3</u>
Contracts and Grants Coordinator	(e)
Contracts and Grants Manager	(e)
Chief of Administrative Services	(e)
Personnel & Information Systems Manager	(e)
Information Officer	(e)
Librarian	(e)
<u>Consultants/New Positions or Special Project Employee</u>	<u>*(d)</u>

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code, § 81008.)

The following individuals are required to file under Government Code section 87200 and are NOT covered by this Code. They are listed for informational purposes only.

- Commission Members and Alternates

~~*Persons in this category report pursuant to Article 2, Chapter 7 of the Political Reform Act of 1974. These positions appear in this conflict of interest code on an informational basis only; additional disclosure is not required by the Coastal Commission Members.~~

APPENDIX B

DISCLOSURE CATEGORIES

1. Designated positions assigned to this category report all investments and business positions in business entities, sources of income (including receipt of gifts, loans and travel payments) and interests in real property if the business entity, source, or real property is subject to the Commission's regulatory or permitting authority.
2. Designated positions assigned to this category report all investments and business positions in business entities, sources of income (including receipt of gifts, loans and travel payments) and interests in real property that are the subject of a proceeding before the Commission.
3. Designated positions assigned to this category report investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the Commission.

~~(a) Persons in this category shall report all sources of income, including gifts, interests in real property, and investments and business positions in business entities.~~

~~(b) Persons in this category shall report all investments or business positions, in any business entity, all interests in real property, and all sources of income, including gifts, which the person knows or has reason to know is the subject of a proceeding before the California Coastal Commission, and subject to the following limitations:~~

~~1) Income, not including a gift, is reportable only if it is received from a source in or doing business within California, planning on doing business within California, or has done business within California during the two years prior to the time any statement is required under this code.~~

~~2) A gift is reportable regardless of the location of the source.~~

~~3) An interest in real property is reportable only if property or any part of it is located within the State of California.~~

~~4) Investments are reportable only if the business entity has an interest in real property in the State of California, or does business, or plans to do business in the State of California at any time during the two years prior to the time any statement is required under this code.~~

~~5) Business entities are reportable for purposes of business position~~

~~disclosure, only if the business is doing business, or plans to do business in the State of California at any time during the two years prior to the time any statement is required under this code.~~

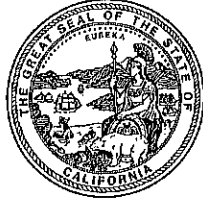
- ~~(c) Persons in this category shall disclose any investment or business position in a business entity or income, including gifts, from a source which is of the type that contracts with the Coastal Commission to provide goods, services, materials or facilities to the Coastal Commission.~~

- ~~(d) Persons in this category are considered designated employees. They are bound by the disclosure and disqualification requirements of this code. The Executive Director, however, may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Nothing herein excuses any such consultant from any other provision of this code.~~

NOTE: Authority cited: Section 30333, Public Resources Code; Section 87306, Government Code. Reference: Sections 87300-87302 and 87306, Government Code.

This is the last page of the conflict of interest code for the **California Coastal Commission**.

This is the last page of the conflict of interest code for the CA Coastal Commission



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the
CA Coastal Commission was approved on 7/24/23

Sukhdip Brar Digitally signed by Sukhdip Brar
Date: 2023.07.24 15:54:59 -0700

Sukhi K. Brar

Assistant Chief Counsel

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: