

CALIFORNIA COASTAL COMMISSION

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March 1, 1996

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
James W. Burns, Chief Deputy Director
Jeffrey Stump, Legislative Coordinator

SUBJECT: LEGISLATIVE REPORT FOR MARCH 1996

CONTENTS:

This report provides summaries and the status of bills that staff has identified as priority issues for the 1996 Legislative session. Copies of selected bills are attached.

Note: This information can be accessed through the Commission's World Wide Web
Homepage at <http://ceres.ca.gov/coastalcomm/web/>

Please contact Jeff Stump, Legislative Coordinator, at (916) 445-6067 with any questions on the material contained in this report.

SECTION I. PRIORITY LEGISLATION

AB 165 (Richter) Environmental quality: action or proceeding

This bill would prohibit a responsible agency or specified agency from maintaining an action or proceeding for noncompliance with the provisions of CEQA governing the preparation of an environmental impact report unless the responsible agency specified to the lead agency, within 30 days of receiving notice of the preparation of the EIR, the content of the environmental information that is germane to the statutory responsibilities of the responsible agency or specified public agency.

Introduced	01/19/95
Last Amend	01/24/96
Status	Referred to Senate Judiciary Committee

AB 678 (Woods) Restoration of Land: Disasters: CEQA Exemption

AB 678 would create a new exemption from "any environmental review" for repairs and restoration to land and any appurtenant structures in need of repairs due to any natural or manmade disaster or an emergency. The bill would provide that the land and structures may be restored to the state that they were in immediately prior to the disaster or emergency.

Introduced	02/21/95
Last Amend	None
Status	Referred to Senate Governmental Organization and Natural Resources Committees

AB 795 (Goldsmith) Environmental Quality: Natural Community Conservation Plan

AB 795 would provide that, if a local agency has adopted a natural community conservation plan, and the plan has been approved by the Department of Fish and Game, further analysis shall not be required for purposes of compliance with the California Environmental Quality Act, with regard to potential impacts of the proposed project on wildlife and their habitat.

Introduced	02/22/95
Last Amend	01/22/96
Status	Referred to Senate Natural Resources and Wildlife Committee

AB 2080 (McPherson) Public Beaches: Contamination: Warning Signs

AB 2080 would require, when a public beach has failed to meet bacteriological standards, that warning signs be visible from all beach access points.

Introduced	01/18/96
Last Amend	None
Status	Referred to Assembly Local Government Committee

AB 2099 (Miller) Environmental Impact Reports

AB 2099 would make several changes to the California Environmental Quality Act with regards to environmental impact reports (EIR). Specifically, the bill would: (1) require an EIR to set forth three alternatives to a proposed project; (2) authorize previously prepared documents to be used in cumulative impact analysis in an EIR; (3) prohibit the consideration of economic and social factors in an EIR; (4) require a public agency to only consider comments that are germane to the specific project; (5) require environmental documents to be prepared by a project applicant, or its agent; (6) prohibit a court from invalidating the certification of an environmental impact report by a public agency, and allow a court to order the voiding of only those portions of an EIR that do not conform to CEQA; (7) allow a public agency to correct those non-conforming portions of the EIR and to re-certify the report as corrected.

Introduced	01/25/96
Last Amend	None
Status	Referred to Assembly Natural Resources Committee

AB 2130 (McPherson) California State Mussel Watch Program

AB 2130 would require the State Water Resources Control Board, in conjunction with the Department of Fish and Game, to continue to implement a long-term coastal monitoring program known as the California State Mussel Watch Program.

Introduced	02/5/96
Last Amend	None
Status	Referred to Assembly Water Parks and Wildlife Committee

AB 2152 (Mazzoni) Shellfish

AB 2152 would require the Department of Health Services to adopt regulations necessary to carry out certain provisions relating to the sanitary control of shellfish and requires those regulations to prescribe standards that are at least as stringent as those that are adopted in connection with the National Shellfish Sanitation program.

Introduced	02/06/96
Last Amend	None
Status	Referred to Assembly Water Parks and Wildlife Committee

AB 2291 (Knox) Real Property

AB 2291 would require the State Board of Control to allow a claim for reasonable attorney's fees incurred by an owner of any interest in real property or a public entity in a specified civil action in which the owner or public entity gives permission to the public to enter or use the property for recreational purposes, the owner or this public entity was a defendant in this civil action, and the court has dismissed the civil action upon a demurrer or motion for summary judgment made by this owner or public entity or the owner or public entity prevails in the civil action.

Introduced	02/14/96
Last Amend	None
Status	Referred to Assembly Judiciary Committee

AB 2445 (McPherson) Coastal Development Permit Fees: Coastal Access Grants

AB 2445 would require that coastal development permit fees collected by the Commission be deposited in the coastal access account, which would be created in the State Coastal Conservancy Fund, for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new and existing facilities that provide public access to the shoreline of the sea. Any funds not expended for those purposes would revert to this account.

Introduced	02/20/96
Last Amend	None
Status	Introduced

AB 2485 (Firestone) Coastal Resources: City of Santa Barbara: Wilcox Property

AB 2485 would make legislative findings and declarations pertaining to the importance of protecting the coastal Wilcox property in the City of Santa Barbara due to its environmental values and would state the Legislature's intent that all appropriate public agencies cooperate with each other and provide assistance to each other with regard to efforts to protect the property.

Introduced	02/21/96
Last Amend	None
Status	Introduced

AB 2503 (Ackerman) State Civil Service: Career Executive Assignment

AB 2503 would remove the requirement that persons eligible to be appointed to career executive assignment positions have permanent status in civil service, and would permit the State Personnel Board, to authorize open examinations for career executive assignment positions.

Introduced	02/21/96
Last Amend	None
Status	Introduced

AB 2519 (Kaloogian) State Civil Service: Classification

AB 2519 would provide that allocation of a position to a civil service class shall be based on the principle that all positions meet the definition of a class shall be included in the same class. The bill would also authorize the State Personnel Board to establish "broadband" classes of employees for which the same general title may be used to designate each position allocated to the class and which may include more than one level or more than one specialty area within the same general field of work, and to determine the minimum qualifications for these classes.

Introduced	02/21/96
Last Amend	None
Status	Introduced

AB 2620 (Morrissey) Storm Water Discharges

AB 2620 would prohibit the State Water Resources Control Board and the Regional Water Quality Control Boards from prescribing or enforcing waste discharge requirements relating to storm water discharges that are more stringent than federal requirements under the Clean Water Act.

Introduced	02/21/96
Last Amend	None
Status	Introduced

AB 2659 (Kaloogian) State Coastal Conservancy: Mitigation Fees: City of Carlsbad

AB 2659 would authorize the State Coastal Conservancy to establish a special account in the State Coastal Conservancy Fund for the deposit of mitigation fees. The bill would specify that any interest accruing on the money in the special account is required to be expended in accordance with those specified purposes and priorities.

Introduced	02/21/96
Last Amend	None
Status	Introduced

AB 2684 (Kaloogian) State Regulatory Agencies Created By Statute: Abolition and Review

AB 2684 would abolish all state regulatory agencies adopted by statute in existence on January 1, 1997, in accordance with the following schedule: all regulatory agencies within the Business, Transportation and Housing Agency, June 30, 1999; all regulatory agencies within the Resources Agency, June 30, 2000; all regulatory agencies within the Health and Welfare Agency, June 30, 2001; all regulatory agencies within the State and Consumer Services Agency, June 30, 2002; and all other regulatory agencies, June 30, 2003. This bill would authorize the Governor to submit to the Legislature a reorganization plan pursuant to specified procedures, providing for the orderly transfer of those functions, powers, and duties as determined by the Governor to be essential to the public health, safety, or welfare from an agency to a successor agency designated by the Governor.

Introduced	02/22/96
Last Amend	None
Status	Introduced

SB 1542 (Peace) San Diego Unified Port District

SB 1542 would make technical, non-substantive changes in the law governing the San Diego Port District.

Introduced	02/14/96
Last Amend	None
Status	Referred to Senate Rules Committee

SB 1615 (Craven) Beach Replenishment

SB 1615 would appropriate \$3,300,000 from the Harbors and Watercraft Revolving Fund to the Department of Boating and Waterways for the 1996-97 fiscal year for a grant to the San Diego Association of Governments to pay for costs of beach replenishment associated with the United States Navy Aircraft Carrier Homeporting Project in San Diego Harbor.

Introduced	02/20/96
Last Amend	None
Status	Referred to Senate Natural Resources and Wildlife Committee

SB 1635 (Maddy) Water Quality: Storm Water Discharges: Retail Gas

SB 1635 would prescribe certain best management practices to be undertaken by retail gasoline establishments for the purpose of minimizing or eliminating the discharge of pollutants into storm water drains and would impose certain additional requirements on retail gasoline establishments that are, commencing on or after January 1, 1997, constructed or remodeled. The bill would exempt those establishments that comply with these requirements from any storm water or other discharge requirements that may be prescribed by local, regional or state entities.

Introduced	02/20/96
Last Amend	None
Status	Referred to Senate Toxics and Public Safety Committee

SB 1637 (Johnson) Coastal Zone Boundary: City of Newport Beach

This bill would revise the boundary of the coastal zone, as determined according to specified maps, to exclude coastal lands within the City of Newport Beach.

Introduced	01/25/96
Last Amend	None
Status	Referred to Senate Natural Resources and Wildlife Committee

SB 1748 (Committee on Housing and Land Use) Housing and Land Use Omnibus Act of 1996

SB 1748 would enact the Housing and Land Use Omnibus Act of 1996. The bill would state legislative intent to combine several minor statutory changes relating to housing, land use and related topics into a single measure, and would make related findings and declarations.

Introduced	02/22/96
Last Amend	None
Status	Introduced

SB 1803 (Ayala and Kopp) Open Meetings

SB 1803 would make various changes to the Bagley-Keene Open Meeting Act, which requires that the meetings of state bodies be conducted openly.

Introduced	02/22/96
Last Amend	None
Status	Introduced

BILL NUMBER: AB 2291
BILL TEXT

INTRODUCED 02/14/96

INTRODUCED BY Assembly Member Knox

FEBRUARY 14, 1996

An act to add Section 846.1 to the Civil Code, relating to real property.

LEGISLATIVE COUNSEL'S DIGEST

AB 2291, as introduced, Knox. Real property.

Existing law provides that an owner or any estate or any other interest in real property owes no duty of care to keep the premises safe for entry or use by others for any recreational purpose, as defined, or to give any prescribed warning, except as specified.

Existing law provides that a public entity, as defined, is not liable to any person who participates in a hazardous recreational activity, as defined, for any damage or injury to property or persons arising out of that hazardous recreational activity.

This bill would require the State Board of Control to allow a claim for reasonable attorney's fees incurred by an owner of any interest in real property or a public entity in a specified civil action if the owner or public entity gives permission to the public to enter or use the property for recreational purposes, the owner or this public entity was a defendant in this civil action, and the court has dismissed the civil action upon a demurrer or motion for summary judgment made by this owner or public entity or the owner or public entity prevails in the civil action.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

SECTION 1. Section 846.1 is added to the Civil Code, to read:

846.1. (a) An owner of any estate or interest in real property, whether possessory or nonpossessory, who gives permission to the public for entry on or use of the real property for a recreational purpose, as defined in Section 846, and is a defendant in a civil action brought by, or on behalf of, a person who is allegedly injured or allegedly suffers damages on the real property, may present a claim to the State Board of Control for reasonable attorney's fees incurred in this civil action if the court has dismissed the civil action upon a demurrer or motion for summary judgment made by the owner or if the owner prevails in the civil action.

(b) A public entity, as defined in Section 831.5 of the Government Code, that gives permission to the public for entry on or use of real property for a recreational purpose, as defined in Section 846, and is a defendant in a civil action brought by, or on behalf of, a person who is allegedly injured or allegedly suffers damages on the real property, may present a claim to the State Board of Control for reasonable attorney's fees incurred in this civil action if the court has dismissed the civil action upon a demurrer or motion for summary judgment made by this public entity or if the public entity prevails in the civil action.

(c) The State Board of Control shall allow the claim if the requirements of this section are met. The claim shall be paid from an appropriation to be made for that purpose. Reasonable attorneys' fees, for purposes of this section, may not exceed an hourly rate greater than the rate charged by

the Attorney General at the time the award is made, and may not exceed an aggregate amount of fifty thousand dollars (\$50,000). This subdivision shall not apply if a public entity has provided for the defense of this civil action pursuant to Section 995 of the Government Code.

BILL NUMBER: AB 2445
BILL TEXT

INTRODUCED 02/20/96

INTRODUCED BY Assembly Member McPherson

FEBRUARY 20, 1996

An act to amend Section 30620 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2445, as introduced, McPherson. Coastal development permit fees: coastal access grants. Existing law, the California Coastal Act of 1976, authorizes the California Coastal Commission to require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of any application for a coastal development permit, as specified.

Existing law vests authority in the State Coastal Conservancy to provide for coastal access.

This bill would require that coastal development permit fees collected by the commission be deposited in the coastal access account, which the bill would create in the State Coastal Conservancy Fund. The money in the account would be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new and existing facilities that provide public access to the shoreline of the sea, as defined. The bill would require any grant funds not expended for those purposes to revert to the account.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

SECTION 1. Section 30620 of the Public Resources Code is amended to read:

30620. (a) By January 30, 1977, the commission shall, consistent with this chapter, prepare interim procedures for the submission, review, and appeal of coastal development permit applications and of claims of exemption. These procedures shall include, but are not limited to, the following:

(1) Application and appeal forms.

(2) Reasonable provisions for notification to the commission and other interested persons of any action taken by a local government pursuant to this chapter, in sufficient detail to ensure that a preliminary review of that action for conformity with this chapter can be made.

(3) Interpretive guidelines designed to assist local governments, the commission, and persons subject to this chapter in determining how the policies of this division shall be applied in the coastal zone prior to the certification of local coastal programs. However, the guidelines shall not supersede, enlarge, or diminish the powers or authority of the commission or any other public agency.

(b) Not later than May 1, 1977, the commission shall, after public hearing, adopt permanent procedures that include the components specified in subdivision (a) and shall transmit a copy of those procedures to each local government within the coastal zone and make them readily available to the public. The commission may thereafter, from time to time, and, except in cases of

emergency, after public hearing, modify or adopt additional procedures or guidelines that the commission determines to be necessary to better carry out this division.

(c) (1) The commission may require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of any application for a coastal development permit under this division and, except for local coastal program submittals, for any other filing, including, but not limited to, a request for revocation, categorical exclusion, or boundary adjustment, submitted for review by the commission.

(2) Any coastal development permit fees collected by the commission under paragraph (1) shall be deposited in the coastal access account, which is hereby created in the State Coastal Conservancy Fund. The money in the account shall be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new and existing facilities that provide public access to the shoreline of the sea, as defined in Section 30115. Any grant funds that are not expended for those purposes shall revert to the account.

(d) With respect to any appeal of an action taken by a local government pursuant to Section 30602 or 30603, the executive director shall, within five working days of receipt of an appeal from any person other than members of the commission or any public agency, determine whether the appeal is patently frivolous. If the executive director determines that an appeal is patently frivolous, the appeal shall not be filed unless a filing fee in the amount of three hundred dollars (\$300) is deposited with the commission within five working days of the receipt of the executive director's determination. If the commission subsequently finds that the appeal raises a substantial issue, the filing fee shall be refunded.

BILL NUMBER: AB 2485
BILL TEXT

INTRODUCED 02/21/96

INTRODUCED BY Assembly Member Firestone

FEBRUARY 21, 1996

An act relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2485, as introduced, Firestone. Coastal resources: City of Santa Barbara: Wilcox property.

Existing law provides for the protection and enhancement of coastal resources.

This bill would make legislative findings and declarations pertaining to the importance of protecting the coastal Wilcox property in the City of Santa Barbara because of its environmental values and would state the Legislature's intent that all appropriate public agencies cooperate with each other and provide assistance to each other with regard to efforts to protect the property.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

SECTION 1. (a) The Legislature hereby finds and declares all of the following:

(1) The Wilcox property along the Santa Barbara coastline, among other environmental values, provides outstanding views of the California coast, important wetlands and other habitat for wildlife, and significant recreational opportunities.

(2) The public has a substantive interest in protecting the Wilcox property because of its outstanding environmental values and because the property is the last remaining unprotected coastal bluff within the City of Santa Barbara.

(b) It is the intent of the Legislature, by the enactment of this act, that all appropriate public agencies, including, but not limited to, the Department of Parks and Recreation, cooperate with each other and provide assistance to each other with regard to efforts to protect the Wilcox property.

BILL NUMBER: AB 2659
BILL TEXT

INTRODUCED 02/21/96

INTRODUCED BY Assembly Member Kaloogian

FEBRUARY 21, 1996

An act to amend Section 30171.5 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2659, as introduced, Kaloogian. State Coastal Conservancy: mitigation fees: City of Carlsbad.

Existing law, the California Coastal Act of 1976, requires that all mitigation fees collected to mitigate development on nonprime agricultural lands in the coastal zone, as defined, in the City of Carlsbad, as specified, be deposited in the State Coastal Conservancy Fund, and appropriates that money to the State Coastal Conservancy for expenditure by the conservancy for specified coastal resources purposes in accordance with a specified order of priority.

This bill would authorize the conservancy to establish a special account in the State Coastal Conservancy Fund for the deposit of those mitigation fees. The bill would specify that any interest accruing on the money in the special account is required to be expended in accordance with those specified purposes and priorities.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

SECTION 1. Section 30171.5 of the Public Resources Code is amended to read:

30171.5. (a) The amount of the mitigation fee for development on nonprime agricultural lands in the coastal zone in the City of Carlsbad that lie outside of the areas described in subdivision (f) of Section 30170 and subdivision (b) of Section 30171 shall be determined in the applicable segment of the local coastal program of the City of Carlsbad, but shall not be less than five thousand dollars (\$5,000), nor more than ten thousand dollars (\$10,000), per acre. All mitigation fees collected under this section shall be deposited in the State Coastal Conservancy Fund.

(b) All mitigation fees collected pursuant to this section are hereby appropriated to, and shall be expended by, the State Coastal Conservancy in the following order of priority:

- (1) Restoration of natural resources and wildlife habitat in Batiquitos Lagoon.
- (2) Development of an interpretive center at Buena Vista Lagoon.
- (3) Provision of access to public beaches in the City of Carlsbad.
- (4) Any other project or activity benefiting natural resources in the coastal zone in the City of Carlsbad that is provided for in the local coastal program of the City of Carlsbad.

(c) *The State Coastal Conservancy may establish a special account in the State Coastal Conservancy Fund and deposit mitigation fees collected pursuant to this section in the special account. Any interest accruing on that money in the special account shall be expended pursuant to subdivision (b).*

(d) Not less than 50 percent of collected and bonded mitigation fees shall be expended for the purpose specified in paragraph (1) of subdivision (b).

—(d)

(e) Other than to mitigate the agricultural conversion impacts for which they are collected, none of the mitigation fees collected pursuant to this section shall be used for elements of a project which cause that project to be in compliance with this division or to mitigate a project which would otherwise be inconsistent with this division. When reviewing a potential project for consistency with this subdivision, the State Coastal Conservancy shall consult with the commission.

BILL NUMBER: SB 1615
BILL TEXT

INTRODUCED 02/20/96

INTRODUCED BY Senator Craven

FEBRUARY 20, 1996

An act relating to beaches and vessel facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1615, as introduced, Craven. Beach replenishment.

Under existing law, funds are deposited in the Harbors and Watercraft Revolving Fund from vessel fuel taxes, various licensing statutes, and loan repayments.

This bill would appropriate \$3,300,000 from that fund to the Department of Boating and Waterways for the 1996-97 fiscal year for a grant to the San Diego Association of Governments to pay for costs associated with the United States Navy Aircraft Carrier Homeporting Project in San Diego Harbor, as described.

This bill would require that determinations regarding the use of the funds for the homeporting project be made, in cooperation with the state, by local government officials from the coastal cities in the San Diego region.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

SECTION 1. (a) The sum of three million three hundred thousand dollars (\$3,300,000) is hereby appropriated from the Harbors and Watercraft Revolving Fund, or from any other fund or funds designated in the annual Budget Act, to the Department of Boating and Waterways for the 1996-97 fiscal year for a grant to the San Diego Association of Governments to pay for costs associated with beach replenishment from the United States Navy Aircraft Carrier Homeporting Project in San Diego Harbor.

(b) Any money appropriated pursuant to subdivision (a) shall be used to supplement federal funds that are received for the United States Navy Aircraft Carrier Homeporting Project for support, planning, design, construction, operation, and monitoring of the following activities:

(1) The onshore or offshore deposition of sand that results in the direct or indirect placement of the United States Navy's dredged materials on the beaches.

(2) The stabilization structures, such as groins, offshore breakwaters, and refraction structures, that would further increase the effectiveness of beach replenishment operations by holding sand on the beach for longer periods of time.

(c) Determinations regarding the use of money for the activities specified in subdivision (b) shall be made, in cooperation with the state, by local government officials from the coastal cities in the San Diego region.

SB 1637 Coastal zones boundaries: City of Newport Beach.

BILL NUMBER: SB 1637

INTRODUCED 02/20/96

BILL TEXT

INTRODUCED BY Senator Johnson

FEBRUARY 20, 1996

An act to add Section 30167 to the Public Resources Code,
relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1637, as introduced, Johnson. Coastal zones boundaries: City of Newport Beach.

Existing law, the California Coastal Act of 1976, regulates coastal development in the coastal zone, as defined, and requires any person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit. For purposes of the act, "coastal zone" is defined to mean the land and water area of the state from the Oregon border to the border of the Republic of Mexico, according to coastal maps identifying specified boundaries, and amendments to those maps.

This bill would revise the definition of the coastal zone by changing the boundaries of the zone, as determined according to specified maps, to additionally exclude specified coastal lands within the City of Newport Beach.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) The coastal zone boundary as originally adopted for the City of Newport Beach was drawn to reflect policy concerns contained in the California Coastal Act of 1976 (Chapter 3 (commencing with Section 30200) of Division 20 of the Public Resources Code) that were relevant at the time that the coastal zone boundary was established, due to the presence of large vacant properties on which development had the potential to affect coastal resources.

(b) In the intervening 20 years, many vacant properties in the coastal zone in the City of Newport Beach have since been fully developed, and it is now apparent that subsequent additional development in these areas would not present any significant issues related to coastal access or impact to coastal resources, such as wetlands, bluffs, or infrastructure capacity.

(c) It is in the best interests of the state that property development and the establishment of new businesses should not be required to comply with the additional processing requirement of obtaining a coastal development permit, unless the potential use or location would adversely affect public access to the coastline, or adversely affect any coastal resource of concern to the state as provided for in the California Coastal Act of 1976, including wetlands, bluffs, and infrastructure capacity.

SEC. 2. Section 30167 is added to the Public Resources Code, to read:

30167. In the City of Newport Beach:

(a) Approximately 23.34 acres are excluded, as specifically shown on map 145, which is a portion of the developed subdivision known as Newport Terrace, and is landward of the first public road.

(b) Approximately 37.55 acres are excluded, as specifically shown on map 145, which is the developed subdivision known as Newport Crest, and is landward of the first public road.

(c) Approximately 8.06 acres are excluded, as specifically shown on map 145, which is a portion of the developed subdivision of Villa Balboa, and is landward of the first public road.

(d) Approximately 20.49 acres are excluded, as specifically shown on map 145, which is the Hoag Memorial Hospital Presbyterian Lower Campus, and is landward of the first public road.

(e) Approximately 45.53 acres are excluded, as specifically shown on map 145, which is a portion of the developed subdivision known as Newport Heights and Mariners Mile, and is landward of the first public road.

(f) Approximately 8.08 acres are excluded, as specifically shown on map 145, which is the developed subdivision known as Westcliff Grove, and is landward of the first public road.

(g) Approximately 9.91 acres are excluded, as specifically shown on map 145, which is a portion of the developed subdivision known as Westcliff Grove, and is landward of the first public road.

(h) Approximately 29.77 acres are excluded, as specifically shown on map 145, which is a fully developed residential area bounded by Irvine Avenue and the Newport Beach municipal boundary, and is landward of the first public road.

(i) Approximately 20.10 acres are excluded, as specifically shown on map 145, which is the developed residential area and a portion of the Newport Beach Golf Course, and is landward of the first public road.

(j) Approximately 14.62 acres are excluded, as specifically shown on maps 145 and 146, which is a portion of the developed residential area known as Santa Ana Heights.

(k) Approximately 19.61 acres are excluded, as specifically shown on map 146, which is the developed area known as the Bayview Planned Community.

(l) Approximately 17.3 acres are excluded as specifically shown on map 146, which is known as the San Diego Creek North-Jamboree/MacArthur Planned Community. These areas are surrounded by major arterial highways and the San Joaquin Hills Transportation Corridor. This exclusion does not include wetlands which are the subject of deed and use restrictions recorded as part of the development of the San Diego Creek North site. These areas are landward of the first public road.

(m) Approximately 13.2 acres are excluded, as specifically shown on map 146, which is the developed area known as Newport North, including Bonita Creek Park, but not including the Baypointe Apartment project. These areas are landward of the first public road.

(n) Approximately 48.47 acres are excluded, as specifically shown on map 145, which is the developed Park Newport Apartments, and is landward of the first public road.

(o) Approximately 215.25 acres are excluded, as specifically shown on map 145, which is bounded by Jamboree Road, Santa Barbara Drive, Newport Center Drive, and East Coast Highway, which is a portion of the developed Newport Center, and is landward of the first public road.

(p) Approximately 43.39 acres are excluded, as specifically shown on map 145, which is the developed Promontory Point area bounded by East Coast Highway, Bayside Drive, and Jamboree Road, and is landward of the first public road.

(q) Approximately 111.27 acres are excluded, as specifically shown on map 145, which is the developed subdivision known as Irvine Terrace, and is landward of the first public road.

(r) Approximately 127.2 acres are excluded, as specifically shown on maps 145 and 147, which are fully developed areas landward of Ocean Boulevard (the first public road) known as old Corona del Mar.

(s) Approximately 42.12 acres are excluded, as specifically shown on map 147, which is the developed subdivision known as Corona Highlands, and is landward of the first public road.

(t) Approximately 15.21 acres are excluded, as specifically shown on map 147, which is a portion of the developed subdivision known as Shore Cliffs, and is landward of the first public road.

(u) Approximately 33.02 acres are excluded, as specifically shown on map 147, which is the developed subdivision known as Cameo Highlands, and is landward of the first public road.

(v) Approximately 41.75 acres are excluded, as specifically shown on map 147, which is a portion of the developed subdivision known as Cameo Shores, and is landward of the first public road.)

