

CALIFORNIA COASTAL COMMISSION

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MEMORANDUM

Tu 9d



March 20, 1997

TO: Coastal Commissioners

FROM: Ralph Faust, Chief Counsel

SUBJECT: **Commencement of Rule-making Process for Chapters 1-3 of Commission Regulations**

Staff proposes to commence a rule-making process to amend various sections of the Commission's regulations in Chapters 1 through 3 of Division 5.5 of Title 14 of the California Code of Regulations. These chapters encompass, respectively, General Provisions, Meetings, and Officers and Staff. No major changes are proposed.

Staff proposes the following changes:

- to amend sections 13007, 13023 and 13025 to remove direct or indirect references to the Commission structure that existed when the Commission had regional commissions, that are now obsolete and confusing;
- to amend section 13024 (b) to more accurately reflect the Commission's desired practice in making changes in the order in which it hears items on its agenda;
- to add a new section to Chapter 3, tentatively 13034, to designate the Commission's Chief Counsel as its regulatory ombudsman, pursuant to a suggestion in Executive Order W-144-97.

Staff will initiate a rule-making process pursuant to the Administrative Procedure Act (APA) (Government Code section 11340 et. seq.) to accomplish these changes. The rule-making process takes a number of months and involves various procedural steps. These include publication of notice, preparation of various documents required under the APA that must be made available concurrently with the notice, a public comment period of at least 45 days, an additional notice and comment period if the Commission makes substantive changes from those which were originally proposed, formal adoption, preparation of documents required under the APA after adoption of regulations, review by the Office of Administrative Law (OAL), and, if approved by OAL, filing of the amended regulations with the Secretary of State. Staff recommends that the Commission authorize that this process begin.

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STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

Resolution:

The Commission hereby directs the staff to commence a process to amend Chapters 1 through 3 of the Commission's regulations.