

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
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W7a

December 6, 2016

TO: California Coastal Commission and Interested Parties

FROM: John Ainsworth, Acting Executive Director

SUBJECT: Executive Director's Report, December 2016

Significant reporting items for the month. [Strategic Plan](#) (SP) reference provided where applicable:

LCP Program Status – Ventura County (SP Goal 4)

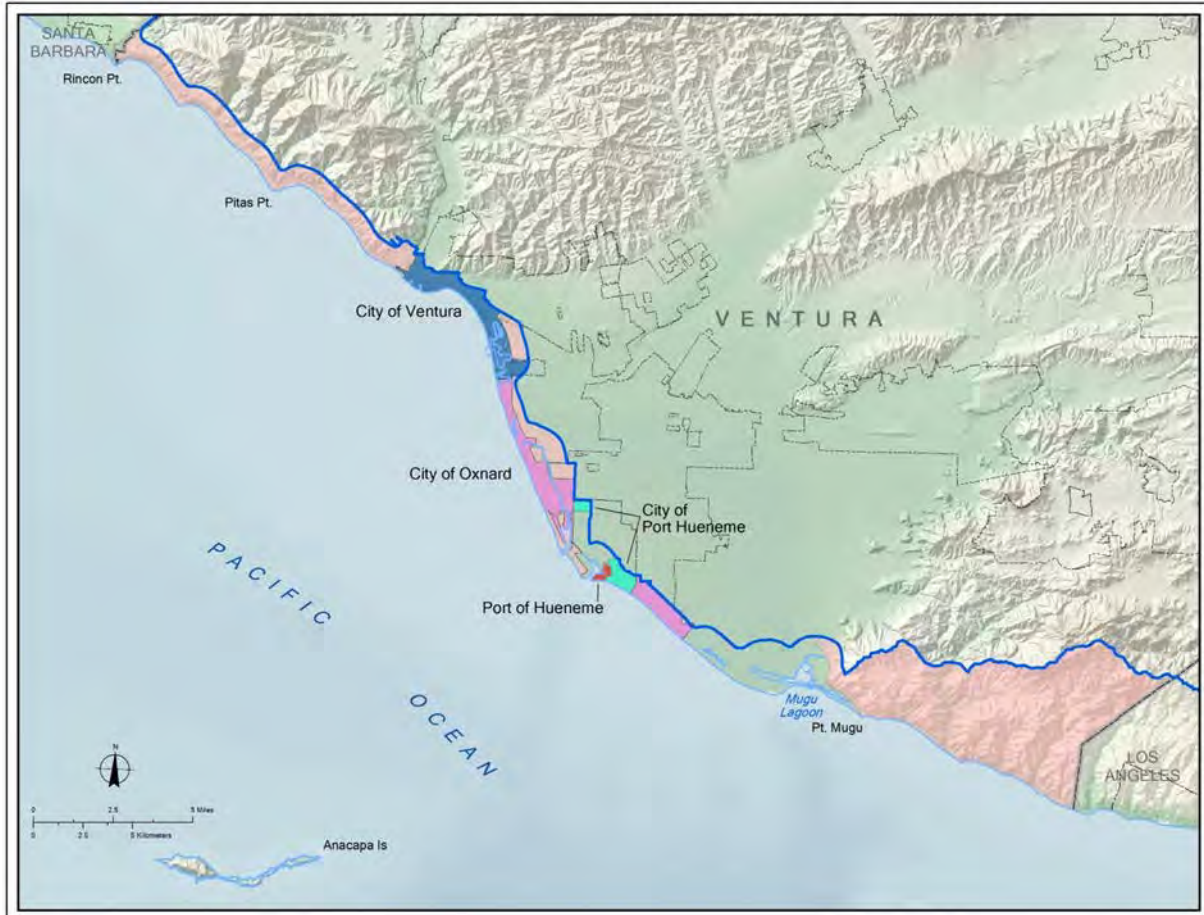
Ventura County comprises about 85 miles of shoreline. This includes two Channel Islands, Anacapa island (part of the Channel Islands National Park) and San Nicolas island (military lands). The coastal zone area totals approximately 78 square miles of the County's 2208 square miles of total land area and contains the County of Ventura and 3 incorporated cities: the Cities of Ventura, Oxnard and Port Hueneme. Also, the area contains one of the 4 major Ports identified in Chapter 8 of the Coastal Act: the Port of Hueneme (Oxnard Harbor District), the only deep water harbor between Los Angeles and the San Francisco Bay.

The County includes beach communities and state beaches and parks that provide significant access and recreation, agricultural resources of the Oxnard plain, the Ventura and Santa Clara River estuaries, Mugu Lagoon (one of the largest remaining salt marshes in southern California), Ormond Beach wetland complex (subject of an extensive wetland restoration project sponsored by the Coastal Conservancy), recreational harbors at Ventura Harbor and Channel Islands Harbor, and military lands. South of Point Mugu and portions of the resources of the Santa Monica Mountains

All jurisdictions in this area have LCPs certified in the early to mid-1980s. The Ventura County LCP was certified in October 1983, the City of Ventura in February 1984, the City of Oxnard in April 1985 and City of Port Hueneme in November 1984. The Port Master Plan for the Port of Hueneme was approved in May 1979. A Public Works Plan for Channel Islands Harbor was approved in September 1986.

LCP update planning is underway in this area. A phased update is currently underway for the Ventura County LCP, with the first portion of the update certified in 2013 and a second portion of the update scheduled for consideration by the Commission at the December 2016 hearing. Additionally, the County of Ventura was awarded a Coastal Commission Local Assistance grant of \$225,000 in August 2016 to complete a sea level rise vulnerability assessment and a standalone adaptation plan that includes an economic/fiscal impacts study of sea level rise hazards and various adaptation options. This information will be used to update relevant LUP policies and will be integrated with the ongoing work to update the County's LCP. Portions of the City of Ventura LCP in the Downtown and Midtown areas were updated in 2011 and an update of the Ventura Harbor Master Plan is underway. The cities of Oxnard and Pt. Hueneme have not been comprehensively updated since certification, but a comprehensive update, that will be primarily focused on addressing climate change and sea level rise, is underway in the City of

Oxnard for which the City received an LCP Update grant of \$150,000 (including an \$110,000 grant directly from the Commission and a \$40,000 grant from OPC to be administered by the Commission) in June 2015 and which is scheduled to be complete by April 2016.



Sea Level Guidance Implementation Outreach (SP 3.1)

Commission staff have been providing regular outreach and training sessions to support implementation of the Commission's Sea Level Rise (SLR) Guidance and in support of LCP Grant work. In November staff participated in the following events:

Presentation on Commission's Sea Level Rise Work- International Environmental Program at Monterey Institute of International Studies

On November 18, Coastal Commission staff gave a presentation on sea level rise for a class entitled "Sustainable Coastal Management" for the International Environmental Program at the Monterey Institute of International Studies. The presentation focused on the context of the Coastal Commission's work within broader statewide efforts to address sea level rise, as well as the various sea level rise visualization tools and models available to support planning work in California.

Sea Level Rise Presentation to the Orange County Chapter of the Association of Environmental Professionals

On November 16, Coastal Commission staff gave a presentation to the Orange County chapter of the Association of Environmental Professionals (AEP). Topics included background on the science of climate change and sea level rise, how sea level rise relates to the California Coastal Commission's core regulatory program, recent projects and programs undertaken by Coastal Commission staff to address sea level rise, and specific examples of recent regulatory actions that have included sea level rise adaptation measures. The presentation also touched on other state projects and directives to address climate change, as well as the Coastal Commission's grant program that supports Local Coastal Program updates with an emphasis on sea level rise.

Climate Disruption and Sea Level Rise: Legal Issues for Coastal Land Use in California, California Bar Continuing Legal Education Program.

On November 16th, Chief Counsel Chris Pederson participated in a continuing legal education program in San Diego entitled "Climate Disruption and Sea Level Rise: Legal Issues for Coastal Land Use in California" sponsored by the Property Law Section of the California Bar. Mr. Pederson's presentation addressed the Coastal Act and the Coastal Commission's responses to sea level rise.

Meetings and Events

SANDAG Technical Working Group Meeting

On November 10th, the Acting Executive Director and other members of Commission staff participated in a panel discussion for SANDAG's Technical Working Group meeting. This group is comprised of Planning Directors and Public Works Directors from around San Diego County. The focus of the meeting was to provide an update and summary on the first year of the pilot project coordinated by SANDAG and funded by the City of Carlsbad to allow for enhanced services from Coastal staff. The forum also allowed for the sharing of relevant statewide Coastal issues and direction including focus on Sea Level Rise, short-term rentals, and an emphasis on the benefits that can be achieved through early coordination with local jurisdictions.

California's Coastal Act: The Next 40 Years Symposium

On November 17th, Commission staff participated in a symposium celebrating the 40th anniversary of the Coastal Act, hosted by the Resources Legacy Fund, UC Berkeley, UC Davis, UCLA, and Stanford Law Schools. The purpose of the symposium was to discuss the past, present, and future of California's coastal protection program. Commission staff participated in panels on public access and sea level rise. Other panel speakers included Commissioner Effie Turnbull-Sanders, former Commissioner Pedro Nava, and Senator and former Commissioner Fran Pavley. The Commission provided live webcast service for the conference. The conference video is available on the Commission website at: <http://www.cal-span.org/cgi-bin/archive.php?owner=CCC&date=2016-11-17&player=jwplayer>

Native Nations Protecting Coastal Land and Waters in California Conference (SP 7.2.7)

On November 29th, Commission staff gave a presentation at the “Native Nations Protecting Coastal Land and Waters in California” conference held at the University of California, Irvine School of Law. The conference was hosted by the Sacred Places Institute for Indigenous Peoples and UCI Law Center for Law, Environment and Natural Resources. The conference brought together tribal leaders and agency representatives to “focus on sharing information and experiences to better understand challenges relating to Tribal sovereignty, environmental justice, and coastal and marine protection.” South Coast District staff highlighted the Commission’s actions to protect and preserve sites that are sacred to tribal groups, as well as ways for tribes and the general public to be involved in the Commission’s permit and enforcement processes.

In a question and answer period, staff fielded questions from conference attendees regarding the protections for cultural resources that are in place in the Coastal Act, and received input related to opportunities to strengthen and augment those protections, including through establishment of a tribal consultation policy for the agency, which is currently underway; greater consideration of cultural resources in the permit and planning process; and expanded administrative penalty authority to address cultural resource violations. Finally, during the conference staff broke out into networking sessions with students from the Sherman Indian High School, which is a boarding school for Native American youths, to discuss the role of the Coastal Commission in protecting cultural resources, as well as employment opportunities with the agency.

Ground Breaking for Phase I of the San Diego North Coast Corridor Program (SP 7.8.3)

On November 29th, Coastal Commission staff participated in the groundbreaking for the first phase of the North Coast Corridor Program which includes replacement of highway and railroad bridges across San Elijo Lagoon, the addition of a second railroad track and carpool lanes, new bike and pedestrian improvements and trail elements and a lagoon wide restoration effort. These projects were originally approved by the Commission as a part of the NCC PWP/TREP in August of 2014 and represent a significant collaborative effort from multiple stakeholders at the regional and statewide level.

Ex-Parte Communications – Disclosure Submittal Procedures

Since the inception of the Coastal Commission with the passage of Proposition 20 in 1972, the Commission has a long history and tradition of open and active public participation in its decisions. The legislative findings and declarations under Section 30006 of the Coastal Act state:

*The Legislature further finds and declares that the public has a right to **fully participate in decisions** affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should **include the widest opportunity for public participation.***

The Commission as an agency has lived up to its commitment and obligation under the law to provide the widest opportunity for public participation. Recently the Commission has been criticized through lawsuits and press coverage concerning the reporting and handling of ex-parte

disclosures. The statutory requirement for reporting of ex-parte communications within seven days of an ex-parte communication is a very tight reporting requirement for volunteer commissioners who typically also have other employment. The intent of this requirement is to ensure the public has access to the information and issues that were conveyed in the ex-parte discussions prior to the Commission decision on a matter that is before the Commission.

The vast majority of the problems associated with the reporting of ex-parte disclosures appear to be oversights and omissions resulting from a very tight reporting deadline. Commission staff must also acknowledge and own the fact that our systems relating to the handling of ex-parte disclosures needed improvement to ensure the public has access to complete and comprehensive ex-parte disclosure submittals. To improve the process the commission staff prepared an ex parte communication disclosure checklist for Commissioners and a commission staff procedures memorandum for handling ex-parte communication disclosures. (See attachments A & B.)

The Commission staff certainly welcomes feedback to improve our procedures and practices that ensure an open and transparent public process. However, the recent lawsuits and the numerous flood of Public Records Act requests related to Commission ex-parte disclosures have resulted in a crushing and overwhelming workload for our legal, planning and support staff. They also do little to ensure that ex parte disclosures are properly reported. Rather, this additional work is diverting our limited staff resources from the important planning and regulatory work of this agency. Our small agency is facing significant work load challenges and we should be focusing all of our limited resources on our priority work involving Local Coastal Program (LCP) grants, coastal development permits, LCP amendments and LCP monitoring, enforcement, public education and sea level rise adaptation planning outreach and education efforts. The lawsuits have also required a considerable amount of the Commissioners' time and efforts, which distract and consume valuable time that should be directed to considering and deliberating on the important regulatory and planning work of this Commission.

The improved ex-parte disclosure reporting and archiving systems we have implemented will help to achieve a more open and transparent ex-parte disclosure reporting process and promote public confidence in the reporting system. Finally, I would note that no system or agency is perfect. I would hope the public and press understand this and not jump to the conclusion that any mistake in the reporting or handling of an ex parte disclosure by Commissioners or staff was an intentional attempt to not comply with the law. This Commission and its staff are fully committed to the Commission's long tradition of public participation.

Letters from Commission Chair

The Commission Chair authorized two letters to be sent out in November under his signature. (See attachments C & D) The first letter is addressed all Planning and Community Development Directors in the coastal zone addressing issues related to short term rentals in coastal communities and ordinances to regulate these rentals. The letter recognizes the vexing and difficult issues that have resulted from the proliferation of short term rentals and points out that new vacation rental regulations in the coastal zone must occur within the context of their local coastal program and/or be authorized pursuant to a coastal development permit.

The second letter is to Congresswoman Lois Capps expressing the Commission's support for the designation of the Chumash Heritage National Marine Sanctuary offshore of San Luis Obispo and northern Santa Barbara Counties.

ATTACHMENTS

- A. [Ex Parte Communication Disclosure Checklists for Commissioners](#)
- B. [Commission Staff Procedures for Handling Ex Parte Communication Disclosures](#)
- C. [December 6, 2016 letter from the Chair of the Coastal Commission to Coastal Planning/Community Development Directors re: Short-Term/Vacation Rentals in the California Coastal Zone](#)
- D. [December 6, 2016 letter from the Chair of the Coastal Commission to Congresswoman Lois Capps expressing the Commission's support for the designation of the Chumash Heritage National Marine Sanctuary offshore of San Luis Obispo and northern Santa Barbara Counties](#)

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**ATTACHMENT A****Ex Parte Communication Disclosure Checklists for Commissioners****Oral ex parte communications:**

- 1) Fill out the Commission's ex parte communication disclosure form completely and accurately. Please proofread before submittal.
- 2) Provide complete and comprehensive description of the communication.
- 3) Sign and date the completed form.
- 4) Attach copy of any written or graphic materials provided in connection with the communication.
 - If an interested person provides written materials in connection with an ex parte meeting, you may request a copy in electronic format to facilitate disclosure.
- 5) Send the completed form, including all attachments, to the Executive Office so that the Executive Office receives it **within seven days** of when the communication occurred.
 - a. If by email, send to ExecutiveStaff@coastal.ca.gov
 - b. If by fax, send to 415-357-3839
 - c. If by mail, mail to Executive Office, California Coastal Commission, 45 Fremont St. Ste. 2000, San Francisco, CA 94105. Mail a few days in advance of the seven-day reporting deadline.
 - d. The disclosure may also be delivered by hand to Vanessa Miller at a Commission meeting in advance of the seven-day reporting deadline.
- 6) If the communication occurs within seven days of the Commission hearing on the item, the communication must be disclosed orally at the beginning of the public hearing on the item. The oral disclosure must include all the information specified on the ex parte communication disclosure form, including a complete and comprehensive description of the communication and any written or graphic materials received.
 - For communications that occur within seven days of the hearing on the item, we recommend also submitting a completed written disclosure form.
- 7) Keep a record of the disclosure, including a complete copy of the disclosure and of the email confirmation that the Executive Office received the disclosure. The record may be either paper or electronic, but should be maintained outside the commissioner's official Coastal Commission email account. Pursuant to direction from the Natural Resources Agency, email in the inboxes and sent boxes of Coastal Commission email accounts will be automatically deleted after 90 days.

Written ex parte communications (including email and other electronic forms of communication):

Written communications to commissioners from interested persons regarding any application pending before the Commission qualify as ex parte communications that must be disclosed. Commissioners should forward a complete copy of all written materials regarding pending applications to the Executive Office. If the communication is in the form of an email and it is clear that the email was also sent to Commission staff, you do not need to forward the email to the Executive Office.

- 1) Send a complete copy of the written communication to the Executive Office so that the Executive Office receives it **within seven days** of when the communication occurred.
 - a. If by email, send to ExecutiveStaff@coastal.ca.gov
 - b. If by fax, send to 415-357-3839
 - c. If by mail, mail to Executive Office, California Coastal Commission, 45 Fremont St. Ste. 2000, San Francisco, CA 94105. Mail a few days in advance of the seven-day reporting deadline.
 - d. The communication may also be delivered by hand to Vanessa Miller at a Commission meeting before the seven-day reporting deadline.
- 2) If there is a delay between the time a written communication (including email and other electronic forms of communication) is sent and when you read it, specify when you read the communication in the forwarding email, fax cover sheet, or hard copy that you send to the Executive Office. Forward to the Executive Office within seven days of reading the communication.
- 3) If you receive but do not read a written communication (including email and other electronic forms of communication), we recommend that you forward a copy to the Executive Office with a statement that you did not read the communication.
- 4) If you read a communication within seven days of the Commission hearing on the item, orally disclose the communication at the beginning of the public hearing on the item in addition to providing a copy to the Executive Office.
- 5) Keep a record of the disclosure, including a complete copy of the written communication and of the email confirmation that the Executive Office received the disclosure. The record may be either paper or electronic, but should be maintained outside the commissioner's official Coastal Commission email account. Pursuant to direction from the Natural Resources Agency, email in the inboxes and sent boxes of Coastal Commission email accounts will be automatically deleted after 90 days.

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**ATTACHMENT B**

TO: Coastal Commissioners
cc: Senior Management

FROM: John Ainsworth, Acting Executive Director
Christopher Pederson, Chief Counsel

RE: Commission Staff Procedures for Handling Ex Parte Communication Disclosures

DATE: August 4, 2016

Coastal Act section 30324 requires commissioners to provide a complete, comprehensive disclosure of ex parte communications within seven days of when they occur. Commissioners are responsible for providing accurate and complete disclosures within the statutory deadline. This memorandum clarifies the procedures for Commissioners and Commission staff to follow to ensure that the Commission maintains complete, accurate, and timely records of those disclosures.

As a reminder, ex parte communications include both oral and written communications, including email and other forms of electronic communication, regarding any form of application pending before the Commission. As addressed in prior memos to Commissioners, Commissioners should not engage in ex parte communications regarding matters involving pending enforcement issues. If you have any questions as to whether this is the case in a given matter, please contact the Chief of Enforcement or the Executive Director.

1. **Submittal.** Commissioners must provide completed ex parte communication disclosure forms to the Commission's Executive Office **within seven days** of when the communication occurred. Commissioners may deliver the disclosures in any of the following ways:
 - a. By hand-delivery to Vanessa Miller at a Commission meeting.
 - b. By email to the Executive Office: ExecutiveStaff@coastal.ca.gov. Both Vanessa Miller and Jeff Staben have access to this email account. Each disclosure should be sent as a separate email and should include the project name and application number in the subject line if possible.
 - c. By fax to the Executive Office at 415-357-3839.
 - d. By mail to the Executive Office at California Coastal Commission, 45 Fremont St. Ste. 2000, San Francisco, CA 94105. If sending ex parte disclosures by mail, commissioners should mail them a few days in advance of the seven-day reporting deadline.

If the ex parte communication was a written communication (including email and other forms of electronic communication), or was an oral communication accompanied by written materials, a copy of the written communication or materials must be provided to the Executive Office in the same manner as ex parte communication disclosure forms. If the

communication is in the form of an email and it is clear that the email was also sent to Commission staff, it does not need to be provided to the Executive Office.

2. **Confirmation of Receipt.** The Executive Office will send an email to the commissioner's Coastal Commission email account confirming receipt of ex parte disclosures. Commissioners should maintain a record of their disclosures, including the email receipt of the ex parte disclosure. That record should be kept in a separate electronic and/or hard-copy file, not simply in the inbox/sent box of Coastal Commission email accounts. Pursuant to direction from the Natural Resources Agency, email in the inboxes and sent boxes of Coastal Commission email accounts will be automatically deleted after 90 days.
3. **Date-Stamping.** Ex parte communication disclosures will be date-stamped on the date of receipt.
 - a. If the disclosure is submitted to Vanessa Miller at a Commission meeting, it will be date-stamped on the date of receipt.
 - b. If the disclosure is emailed, the transmittal email will function as the date stamp.
 - c. If the disclosure is mailed, it will be stamped as received on the date it is delivered to the office and the envelope will be attached to the original disclosure form.
 - d. If the disclosure is faxed, it will be date-stamped on the date of receipt.
4. **Executive Office Filing.** The Executive Office will maintain both paper and electronic copies of the date-stamped disclosures. A copy of the envelope, transmittal email, or fax cover sheet, if any, will be saved with the copy of the disclosure.
5. **Transmittal to Districts.** The Executive Office will email a copy of the complete ex parte disclosure, including a copy of any envelope, transmittal email, or fax cover sheet, to both the appropriate district/unit manager and the support staff for the district or unit by the close of business of the work day following receipt of the disclosure.
6. **District Office Filing.** The district or unit office will file the ex parte disclosures (along with any attached copies of envelopes, transmittal emails, or fax cover sheets) in the ex parte communication folder of the appropriate project file.
7. **Submittals to District Offices.** Ex partes should be submitted to the Executive Office as noted above, but in the event that an ex parte communication disclosure is sent directly to the district or unit office but not to the Executive Office, the district or unit office will date-stamp the disclosure in the manner specified in Paragraph 3, will file the original disclosure (with any envelope, transmittal email, or fax cover sheet attached) in the ex parte communication folder of the appropriate project file, and will email a copy of the disclosure (including a copy of the envelope, transmittal email, or fax cover sheet for the disclosure) to the Executive Office. The Executive Office will email confirmation of receipt of the disclosure to the commissioner.
8. **Publication of Disclosures.** Copies of ex parte communication disclosures (but normally not including envelopes, transmittal emails, or fax cover sheets) will be attached as exhibits to staff reports or staff report addenda for the project, provided such disclosures are received in time to be included.

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**ATTACHMENT C**

(Sent Individually via US Mail)

December 6, 2016

TO: Coastal Planning/Community Development Directors

SUBJECT: Short-Term/Vacation Rentals in the California Coastal Zone

Dear Planning/Community Development Director:

Your community and others state and nationwide are grappling with the use of private residential areas for short-term overnight accommodations. This practice, commonly referred to as vacation rentals (or short-term rentals), has recently elicited significant controversy over the proper use of private residential stock within residential areas. Although vacation rentals have historically been part of our beach communities for many decades, the more recent introduction of online booking sites has resulted in a surge of vacation rental activity, and has led to an increased focus on how best to regulate these rentals.

The Commission has heard a variety of viewpoints on this topic. Some argue that private residences should remain solely for the exclusive use of those who reside there in order to foster neighborhood stability and residential character, as well as to ensure adequate housing stock in the community. Others argue that vacation rentals should be encouraged because they often provide more affordable options for families and other coastal visitors of a wide range of economic backgrounds to enjoy the California coastline. In addition, vacation rentals allow property owners an avenue to use their residence as a source of supplemental income. There are no easy answers to the vexing issues and questions of how best to regulate short-term/vacation rentals. The purpose of this letter is to provide guidance and direction on the appropriate regulatory approach to vacation rentals in your coastal zone areas moving forward.

First, please note that vacation rental regulation in the coastal zone must occur within the context of your local coastal program (LCP) and/or be authorized pursuant to a coastal development permit (CDP). The regulation of short-term/vacation rentals represents a change in the intensity of use and of access to the shoreline, and thus constitutes development to which the Coastal Act and LCPs must apply. We do not believe that regulation outside of that LCP/CDP context (e.g., outright vacation rental bans through other local processes) is legally enforceable in the coastal zone, and we strongly encourage your community to pursue vacation rental regulation through your LCP.

The Commission has experience in this arena, and has helped several communities develop successful LCP vacation rental rules and programs (e.g., certified programs in San Luis Obispo and

Santa Cruz Counties going back over a decade; see a summary of such LCP ordinances on our website at:

https://documents.coastal.ca.gov/assets/1a/Sample_of_Commission_Actions_on_Short_Term_Rentals.pdf). We suggest that you pay particular attention to the extent to which any such regulations are susceptible to monitoring and enforcement since these programs present some challenges in those regards. I encourage you to contact your local district Coastal Commission office for help in such efforts.

Second, the Commission has not historically supported blanket vacation rental bans under the Coastal Act, and has found such programs in the past not to be consistent with the Coastal Act. In such cases the Commission has found that vacation rental prohibitions unduly limit public recreational access opportunities inconsistent with the Coastal Act. However, in situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws. We believe that appropriate rules and regulations can address issues and avoid potential problems, and that the end result can be an appropriate balancing of various viewpoints and interests. For example, the Commission has historically supported vacation rental regulations that provide for all of the following:

- Limits on the total number of vacation rentals allowed within certain areas (e.g., by neighborhood, by communitywide ratio, etc.).
- Limits on the types of housing that can be used as a vacation rental (e.g., disallowing vacation rentals in affordable housing contexts, etc.).
- Limits on maximum vacation rental occupancies.
- Limits on the amount of time a residential unit can be used as a vacation rental during a given time period.
- Requirements for 24-hour management and/or response, whether onsite or within a certain distance of the vacation rental.
- Requirements regarding onsite parking, garbage, and noise.
- Signage requirements, including posting 24-hour contact information, posting requirements and restrictions within units, and incorporating operational requirements and violation consequences (e.g., forfeit of deposits, etc.) in rental agreements.
- Payment of transient occupancy tax (TOT).
- Enforcement protocols, including requirements for responding to complaints and enforcing against violations of vacation rental requirements, including providing for revocation of vacation rental permits in certain circumstances.

These and/or other provisions may be applicable in your community. We believe that vacation rentals provide an important source of visitor accommodations in the coastal zone, especially for larger

families and groups and for people of a wide range of economic backgrounds. At the same time we also recognize and understand legitimate community concerns associated with the potential adverse impacts associated with vacation rentals, including with respect to community character and noise and traffic impacts. We also recognize concerns regarding the impact of vacation rentals on local housing stock and affordability. Thus, in our view it is not an 'all or none' proposition. Rather, the Commission's obligation is to work with local governments to accommodate vacation rentals in a way that respects local context. Through application of reasonable enforceable LCP regulations on such rentals, Coastal Act provisions requiring that public recreational access opportunities be maximized can be achieved while also addressing potential concerns and issues.

We look forward to working with you and your community to regulate vacation rentals through your LCP in a balanced way that allows for them in a manner that is compatible with community character, including to avoid oversaturation of vacation rentals in any one neighborhood or locale, and that provides these important overnight options for visitors to our coastal areas. These types of LCP programs have proven successful in other communities, and we would suggest that their approach can serve as a model and starting place for your community moving forward. Please contact your local district Coastal Commission office for help in such efforts.

Sincerely,

A handwritten signature in black ink that reads "Steve Kinsey". The signature is written in a cursive, slightly slanted style.

STEVE KINSEY, Chair
California Coastal Commission

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**ATTACHMENT D**

December 6, 2016

Congresswoman Lois Capps
2231 Rayburn House Office Building
Washington, D.C. 20515

RE: Support for Chumash Heritage National Marine Sanctuary Designation

Dear Congresswoman Capps:

I write on behalf of the California Coastal Commission in support for the designation of the Chumash Heritage National Marine Sanctuary (CHNMS) offshore San Luis Obispo and northern Santa Barbara Counties. In October of 2015, NOAA accepted the CHNMS nomination package. The next critical and important step is for NOAA to initiate the formal sanctuary designation process. As the long-time representative and champion for this magnificent stretch of coastline, your support for initiating full sanctuary designation would be a fitting environmental finale to your distinguished Congressional career.

By accepting the nomination package submitted by the Chumash and supported by numerous public agencies, NGOs and elected officials, NOAA has already acknowledged that these waters have nationally significant marine, geological, biological and cultural characteristics worthy of protection. These include abundant populations of diverse marine mammals and fish, sensitive benthic habitats and kelp forests, major oceanic upwellings, and areas of unique beauty and cultural significance for the region's indigenous peoples. There is a growing consensus that the marine waters off the Central Coast are in need of additional study and protection.

National Marine Sanctuary status is consistent with California Coastal Act policies protecting water quality, marine and coastal habitats, recreational access, sustainable fisheries, and archeological and aesthetic resources. The Commission and NOAA have a long history of successful partnership in coast and ocean stewardship in and around the four existing marine sanctuaries in California. Integrated coastal management is more important now than ever, as we grapple with climate change adaptation, sea level rise, ocean acidification, and a whole host of related challenges. Sanctuary status will enhance coordination efforts, scientific research, and funding opportunities.

Therefore, we respectfully request that you urge President Obama to act on this important matter by directing NOAA to formally initiate the sanctuary designation process for the Chumash Heritage National Marine Sanctuary. This would be a fitting final achievement for your legacy of environmental protection, and time is of the essence.

December 6, 2016
Chumash Heritage National Marine Sanctuary Designation
Page 2

Thank you again for your many years of service. Your consistent support of California's Coastal Management Program has been invaluable to the Commission's work. We wish you all the best.

Sincerely,

A handwritten signature in black ink that reads "Steve Kinsey". The signature is written in a cursive style with a large, sweeping initial "S".

STEVE KINSEY, Chair
California Coastal Commission

cc: William Douros