

CALIFORNIA COASTAL COMMISSION

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Prepared February 17, 2017 (for March 8, 2017 hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, North Central Coast District Director
Nancy Cave, North Central Coast District Manager
Jeannine Manna, North Central Coast District Supervisor

Subject: **Marin County Request to Extend the Time Limit for Acceptance of the Commission's Certification of Portions of Marin County Local Coastal Program Amendment Number LCP-2-MAR-15-0029-1 (Marin LCP Update) with Suggested Modifications**

At the November 2, 2016 Coastal Commission meeting in Half Moon Bay, the Commission acted on proposed Marin County Local Coastal Program (LCP) Amendment Number LCP-2-MAR-15-0029-1 (LCP Update). This LCP Update package is intended to comprehensively update the County's LCP overall. At that time, the Commission continued the hearing on the portion of the proposed LCP Update relating to environmental hazards, and then first denied and then certified with suggested modifications the remainder of the LCP Update. Unless withdrawn by Marin County, the deadline for the Commission to act on the environmental hazards portion of the LCP Update is September 29, 2017.

Pursuant to the Commission's regulations, the Commission's certification with suggested modifications of portions of the LCP Update on November 2, 2016 is not deemed final and effective until, among other things, Marin County accepts and agrees to the Commission's certification of those amendments with suggested modifications (Title 14 California Code of Regulations (CCR) Section 13544). The County has six months from the date of Commission action to accept and agree to the Commission's certification with suggested modifications, in this case by May 2, 2017 (CCR Section 13542(b)(4)). If the County has not accepted and agreed to the suggested modifications by that time, then the Commission's certification with suggested modifications expires, and only the Commission's denial stands.

Coastal Act Section 30517 and CCR Section 13535(c) provide that the Commission may extend, for good cause, time limits related to LCPs for a period not to exceed one year. On February 7, 2017 the County requested a one year extension of time to accept the modifications suggested by the Commission. A one year extension would result in a new deadline of May 2, 2018 for the County to accept and agree to the Commission's certification with suggested modifications of the proposed LCP Update. Although staff believes that this matter will be resolved well before the new deadline, staff recommends that the Commission extend the deadline for County action

LCP-2-MAR-15-0029-1 (Marin LCP Update)

by a year as allowed by the Coastal Act and the Commission's regulations to provide the County with maximum time flexibility for getting the entire LCP update certified, including the portions of the LCP Update relating to environmental hazards that have been continued to a later Commission hearing.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Marin County to accept and agree to the Commission's suggested modifications for a period of one year. Staff recommends a **YES** vote. Passage of the motion will result in a one year extension of the deadline for Marin County to accept and agree to the Commission's November 2, 2016 certification of portions of the LCP Update with suggested modifications. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission extend, for a period of one year to May 2, 2018, the six-month time limit for Marin County to accept and agree to the Commission's November 2, 2016 certification with suggested modifications of portions of LCP Amendment LCP-2-MAR-15-0029-1.*