CALIFORNIA COASTAL COMMISSION
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2421
VOICE (415) 904-5200
WEB: WWW.COASTAL.CA.GOV

W7h

November 18, 2026

TO: California Coastal Commissioners and Interested Public

FROM: Dr. Kate Huckelbridge, Executive Director
Madeline Cavalieri, Deputy Executive Director
Brittney Cozzolino, Statewide Coastal Resilience Manager

SUBJECT: **Request to Waive Permit Application Fees for El Niño Related Sandbag and Sand Berm CDP Exemptions**
For the Commission Meeting Wednesday, December 9, 2026

Exhibit 1: Executive Order No. N-14-26

SUMMARY OF STAFF RECOMMENDATION

The Governor's Executive Order No. N-14-26, signed on October 27, 2026, suspends certain statutes and regulations for the purpose of facilitating emergency preparation and response efforts for this already impactful 2026-27 El Niño season. Specifically, Paragraph 5c of the Executive Order suspends "Section 30600 of the Public Resources Code, to the extent it would otherwise apply to the creation or placement of sand berms and sandbags to mitigate flooding, erosion, or other impacts in the coastal zone." In other words, sand berm and sandbag projects that are installed as temporary El Niño preparation and response measures are exempted from coastal development permit (CDP) requirements. This Executive Order follows the Governor's September 21, 2026 State of Emergency issued to address the anticipated impacts of the 2026-27 El Niño event.

Section 30620(c)(3) of the Coastal Act authorizes the Commission to waive the filing fee for an application for a CDP. This applies to all types of CDP applications, including CDP exemptions. The Commission encourages all persons and entities considering sandbag placement or sand berm creation to notify Commission staff of their projects for numerous reasons, including so that: 1) Commission staff can help confirm the project qualifies for the exemption; 2) both parties can have documentation of the exempted work, which may be useful for future inquiries; 3) Commission staff can provide support on how to avoid or minimize impacts to coastal resources; and 4) both parties can learn from the effectiveness of these methods of protection over the course

of the winter. With the current CDP exemption application fee of $407, providing a categorical waiver of these fees for qualifying sandbag and sand berm projects exempted by the Executive Order can facilitate these three goals. Such a fee waiver would also align with the overall intent of the Executive Order to streamline and facilitate El Niño preparation and response projects, and to generally support coastal communities in their efforts to improve coastal resiliency in the face of this strong winter season ahead.

For these reasons, Commission staff recommend that the Commission approve a categorical fee waiver for all qualifying sandbag placement and sand berm creation projects intended to mitigate flooding, erosion, or other impacts of this 2026-27 El Niño season within the coastal zone, as exempted by Executive Order N-14-26. Approval of the requested fee waiver would not constitute approval of development.

MOTION AND RESOLUTION FOR WAIVER OF FILING FEE

Motion:

I move that the Commission direct the Executive Director to waive the exemption filing fee for all qualifying sandbag placement and sand berm creation projects intended to mitigate flooding, erosion, or other impacts of this 2026-27 El Niño season within the coastal zone, as exempted by Executive Order N-14-26, pursuant to the staff recommendation.

Staff Recommendation of Approval:

Staff recommends a YES vote. Passage of this motion will result in the permit exemption application fees being waived. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution Directing Fee Waiver:

The Commission hereby directs the Executive Director to waive the exemption filing fee for all qualifying sandbag placement and sand berm creation projects intended to mitigate flooding, erosion, or other impacts of this 2026-27 El Niño season within the coastal zone, as exempted by Executive Order N-14-26.