

CALIFORNIA COASTAL COMMISSION  
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August 7, 1978

TO: STATE COMMISSION  
FROM: MICHAEL L. FISCHER, EXECUTIVE DIRECTOR  
SUBJECT: SENSITIVE COASTAL RESOURCE AREAS

Staff Recommendation

In view of the substantial effort that would be required to designate Sensitive Coastal Resource Areas and the absence of benefits to be derived from the effort, staff recommends that no such designations be made.

Background

As previously reported to you by memorandum of July 12, 1978:

1. The Coastal Act in Sections 30502 and 30502.5 enabled the Commission to designate sensitive areas of the coast as "Sensitive Coastal Resource Areas" wherein the Commission could require review of all manner of implementing ordinances in addition to the basic one of zoning to which the Commission is limited in other areas. In addition, the Commission's appeal authority would be extended throughout the Sensitive Coastal Resource Area, which would be beyond the appeal area otherwise allowed by the Act after an LCP has been certified.
2. Staff finds that the designation of such areas is unnecessary, since the provisions of the Coastal Act and other Government Code provisions spelling out the planning obligations of local governments already combine to give the Commission the authority to review and certify all pertinent implementing procedures without the necessity of the special Sensitive Coastal Resource Area designation.
3. Staff also finds that much of the additional appeal authority that ostensibly would be extended by the SCRA-spellout designation is also covered by other provisions of the Coastal Act, most notably the provisions concerning appeals from development in or near wetlands and those restricting Counties (where most open lands are located) from making any changes from principal use designations permitted by the Commission in an LCP without formal hearing and action by the Commission. (Section 30603).
4. The procedures established by the Legislature for designating Sensitive Coastal Resource areas require a level of precision equivalent to the preparation of an LCP. It's not likely that

any of us will be able to invest that kind of time in anything other than the LCP process. Nor is it practical to undertake selective designations because similar designation would be demanded for all like areas. To undertake a designation project, LCPs would have to be almost completely deferred. Finally, the designations would have no effect unless each one was specifically ratified by the State Legislature, a time-consuming process with an uncertain result.

5. The Coastal Act required the Commission to designate Sensitive Coastal Resource Areas no later than September 1, 1977. Under authority provided by Section 30518, the Commission extended that deadline to September 1, 1978.

MLF/sak