The California Coastal Commission is an independent state agency created originally by citizen initiative in 1972 and made permanent by the California Coastal Act of 1976.

The Commission’s mission is to protect, conserve, restore, and enhance environmental and human resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations.

The Commission is comprised of 12 voting members (and up to 12 alternate members) and three non-voting ex officio members. California’s Governor, Senate Rules Committee, and Assembly Speaker appoint the voting members. Each appoints four commissioners, two from the general public and two from among local elected officials. The elected officials must be representative of the state’s geography and are selected from six regions ranging from San Diego to the North Coast.

The Commission meets monthly and reviews up to 1,000 projects a year.
### 2018 California Coastal Commissioners by Appointment

<table>
<thead>
<tr>
<th>Governor</th>
<th>Senate Rules Committee</th>
<th>Assembly Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effie Turnbull-Sanders</td>
<td>Dayna Bochco (public)</td>
<td>Mary Luévano (public)</td>
</tr>
<tr>
<td>Donne Brownsey (public)</td>
<td>Sara Aminzadeh (public)</td>
<td>Mark Vargas (public)</td>
</tr>
<tr>
<td>Ryan Sundberg (elected, North Coast)</td>
<td>Aaron Peskin (elected, N. Central Coast)</td>
<td>Carole Groom (elected, Central Coast)</td>
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<tr>
<td>Erik Howell (elected, So. Central Coast)</td>
<td>Roberto Uranga (elected, So. Coast)</td>
<td>Steve Padilla (elected, San Diego)</td>
</tr>
</tbody>
</table>

### Commissioners' Voting Scores

<table>
<thead>
<tr>
<th>Ranking</th>
<th>Commissioners</th>
<th>Total Number of votes Cast</th>
<th>Absences</th>
<th>Pro Coast Votes</th>
<th>Anti Conservation Votes</th>
<th>Conservation Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Brownsey</td>
<td>20</td>
<td>6</td>
<td>19</td>
<td>1</td>
<td>95%</td>
</tr>
<tr>
<td>2</td>
<td>Uranga*</td>
<td>20</td>
<td>6</td>
<td>19</td>
<td>1</td>
<td>95%</td>
</tr>
<tr>
<td>3</td>
<td>Aminzadeh</td>
<td>18</td>
<td>8</td>
<td>17</td>
<td>1</td>
<td>94%</td>
</tr>
<tr>
<td>4</td>
<td>Groom*</td>
<td>26</td>
<td>0</td>
<td>24</td>
<td>2</td>
<td>92%</td>
</tr>
<tr>
<td>5</td>
<td>Peskin*</td>
<td>26</td>
<td>0</td>
<td>24</td>
<td>2</td>
<td>92%</td>
</tr>
<tr>
<td>6</td>
<td>Bochco</td>
<td>22</td>
<td>4</td>
<td>20</td>
<td>2</td>
<td>91%</td>
</tr>
<tr>
<td>7</td>
<td>Turnbull-Sanders</td>
<td>21</td>
<td>5</td>
<td>19</td>
<td>2</td>
<td>90%</td>
</tr>
<tr>
<td>8</td>
<td>Vargas</td>
<td>24</td>
<td>2</td>
<td>21</td>
<td>3</td>
<td>88%</td>
</tr>
<tr>
<td>9</td>
<td>Luévano</td>
<td>25</td>
<td>1</td>
<td>22</td>
<td>3</td>
<td>88%</td>
</tr>
<tr>
<td>10</td>
<td>Padilla*</td>
<td>25</td>
<td>1</td>
<td>21</td>
<td>4</td>
<td>84%</td>
</tr>
<tr>
<td>11</td>
<td>Howell*</td>
<td>26</td>
<td>0</td>
<td>21</td>
<td>5</td>
<td>81%</td>
</tr>
<tr>
<td>12</td>
<td>Sundberg*</td>
<td>18</td>
<td>8</td>
<td>12</td>
<td>6</td>
<td>67%</td>
</tr>
</tbody>
</table>

Each Commissioner’s score was determined as the ratio of pro-conservation votes to total votes cast in the selected agenda items. More information about individual California Coastal Commission members can be found at coastal.ca.gov/roster.html. Commission votes are also monitored and reviewed on a monthly basis at ActCoastal.org.

### Key Findings

**Average conservation score for the Commission:** 88%, up from 71% in 2017 and 65% in 2016.

**Elected commissioners:** Of elected commissioners, Roberto Uranga scored highest at 95% – but was absent for several key controversial votes. Commissioner Ryan Sundberg scored lowest at 67%.

**Governor appointments:** Averaged a score of 83%, up from 63% in 2017.
- Commissioner Donne Brownsey scored 95%.
- Commissioner Effie Turnbull-Sanders improved from 76% in 2017 to 90% in 2018.
- Commissioner Erik Howell also improved his score of 71% in 2017 to 81% in 2018.

**Senate Rules Committee appointments:** Averaged a score of 93%, up from 81% in 2017.
- Commissioners Uranga and Commissioner Sara Aminzadeh both scored 95%, the highest among all commissioners.
- Commissioner Aaron Peskin followed with the next highest score among Senate appointments with 92%. Chair Dayna Bochco scored 91%.

**Assembly Speaker Appointments:** Averaged 88%, an increase from 71% in 2017.
- Commissioner Carole Groom scored 92%.
- Commissioners Mary Luévano and Mark Vargas tied with 88%.
- Commissioner Steve Padilla scored 84%.
About the Vote Chart

The ActCoastal Vote Chart tracks the annual voting record of the California Commission and is produced by the Surfrider Foundation, WiLDCOAST/COSTASALVAjE, and Environment California, in consultation with California’s conservation community.

The Coastal Vote Chart focuses on high-priority, high-stakes coastal development projects and issues. Such votes often pit the commercial interests of coastal developers – and their experienced and well-connected paid lobbyists – against public values and interests. Given the intense political pressure Commissioners often face and it’s obvious that transparency and accountability are critical; the Coastal Vote Chart is designed to help provide both. The 2018 Coastal Vote Chart reviews 26 votes on the most important projects and issues that came before the Commission last year. Votes were selected for review based on:

- potential impacts on coastal resources or well-established coastal values, such as public access;
- potential economic value and impacts with respect to project proponents and/or the communities that would be affected by the vote; and
- potential to set statewide precedent.

Detailed descriptions of the issues and resources affected by each individual 2018 vote, as well as the voting record of each individual Commissioner (or alternate) can be found at ActCoastal.org. These voting records have been compared with the official records kept by the Commission; any errors are the sole responsibility of the preparers.
The Commission’s most significant vote of 2018 involved a landmark enforcement decision requiring, for the first time, the removal of an illegal seawall. Under California’s Coastal Act, seawalls may be permitted for structures that were in existence prior to 1976 when the Act went into effect. The beachfront property in question consisted of a home built in the 1950s that had received an emergency permit for a seawall in 2015. Investors who lived in an adjacent lot purchased the property and applied for a permit to reinforce the seawall and do a major remodel of the house.

The Commission approved the seawall permit, but made it clear that the seawall could not be used to protect new development or a major remodel, to which the owner’s agent agreed. The owner then deliberately proceeded to obtain local permits for a major – almost 100% – remodel in violation of the terms of their seawall permit. When notified by Commission staff that the seawall permit was no longer valid and the seawall had to be removed, the owners refused to comply.

In response, the Commission staff issued a Cease and Desist Order and recommended removal of the seawall, as well as an administrative fine of $500,000, significantly less than the $8 million maximum fine allowed by law. The Commission agreed with staff, voted to require removal of the seawall within 60 days, and ordered the property owners to seek a coastal development permit for the extensive unpermitted redevelopement. Further, the Commission increased the proposed administrative fine to $1 million, citing the well-documented and willful disregard of the Coastal Act, the extensive use of public resources to resolve the violation, and the negative impacts to coastal resources.

Seawalls and other types of hard armoring along the coastline accelerates beach erosion and results in the eventual loss of sandy beach. With many of California’s beaches expected to be swallowed up by sea level rise, restricting coastal armoring has become an imperative. Fortunately, the Commission has the mandate and the authority to fine private property owners who disregard the law. Every permitting and enforcement decision the Commission makes today will ultimately decide the fate of California’s beaches in the future. On this matter, the Commission stood firmly on the side of the law, the public, and the next generation of California’s beachgoers.
The City of San Clemente was the first local government to certify their Land Use Program (LUP) update as part of the state’s Local Coastal Program (LCP) Local Assistance Grant Program. This program provides state funds to support local governments in completing or updating LCPs consistent with the California Coastal Act with special emphasis on planning for sea-level rise and climate change.

Unfortunately, the San Clemente LCP set a poor precedent on a key issue – the definition of “existing development.” The City interpreted “existing development” to mean any development in existence at the present time whereas Commission staff recommended defining “existing development” as development that was constructed before the Coastal Act went into effect in 1976.

This is a critical distinction because under the Coastal Act, only existing structures built before 1976 are entitled to shoreline armoring and seawalls. Unfortunately, the Commission allowed the City to certify their LCP update without including an explicit definition of “existing development” and decided to defer this decision to the next stage of LCP certification – the Implementation Plan.

The Commission’s failure to hold the City to the long-standing definition of “existing development” risks creation of a dangerous loophole and precedent that threatens the future of our state’s beaches.
Policy Issues

Two major policy issues dominated the Commission’s discussions in 2018: Coastal preservation and equitable public access.

Coastal Preservation

While the Coastal Act mandates coastal preservation, California’s beaches and coastal habitats are at increasing risk from a range of threats including: watershed destruction; sediment diversion; industrial, commercial, and residential development; sea level rise and other climate-change related hazards; and seawalls.

In 2018, the Commission took several important actions to preserve coastal land and resources from erosion and sea level rise; out of seven votes related to shoreline armoring, only one resulted in a negative outcome for coastal preservation. This demonstrates a growing understanding on the part of the Commission about the negative impacts of seawalls as compared to 2017, when five of 10 shoreline armoring votes had negative conservation outcomes.
In addition to the “Best of 2018” Laguna Beach illegal seawall item described above, the Commission took action on several other important decisions relevant to shoreline armoring this year. (All votes are included on ActCoastal.org; we have provided a few examples below.)

Bluff-top Development
At the August hearing, Commissioners approved a coastal development permit – with key staff recommendations – for a bluff-top development in the City of Encinitas (see photo, left). Two vacant lots were proposed for consolidation and construction of a new two-story, 3,000-plus square-foot home with a 40-foot setback from the bluff edge. Based on the state’s standard guidelines, the home’s “safety factor” would quickly fall below the legal minimum if the bluff eroded even slightly. Based on current sea level rise projections, Commission staff therefore recommended doubling the setback requirement and removing the proposed basement to better account for the predicted erosion and preclude the need for a future seawall; commissioners approved the staff recommendation.

This decision demonstrated how new developments can be designed to plan wisely for a changing coastline. Bluff tops and other hazardous areas must be developed very carefully, if at all, if we are to prevent property loss, promote public safety, and ensure our coastline is resilient to sea level rise.

Sea Level Rise and Shoreline Preservation Resolution
In 2018, the Commission approved a Resolution on Sea Level Rise and Shoreline Preservation, in support of Governor Jerry Brown’s call for commitments to increase climate resilience. The California Ocean Protection Council passed a similar resolution, setting a clear vision to protect and enhance coastal habitats as sea levels rise.

A 2018 State Coastal Conservancy and Nature Conservancy assessment on statewide coastal habitat vulnerability found that 55% of tide pools are highly vulnerable to five feet of sea level rise, including 60% of California’s beaches, 58% of coastal marshes, and 55% of tidal flats. Sea level rise will further stress populations of 39 rare, threatened, or endangered species, and 40,000 acres of protected lands are projected to be lost to rising seas.

As such, the Commission’s Sea Level Rise and Shoreline Preservation Resolution supports implementation of adaptation strategies that increase resilience of at-risk habitats such as dunes, beaches, salt marshes, estuaries including living shorelines, coastal restoration projects, and advocates approaches that allow habitat to migrate inland as sea levels rise. The Resolution also commits the Commission to a vision of avoiding coastal armoring whenever possible and solidifies a vision of no net habitat loss into the future.

Unfortunately the Commission has yet to adopt the Residential Adaptation Guidelines (Guidelines) developed by staff and initially introduced in 2017. The Guidelines represent the culmination of decades of research and data collection by the State of California and offer critical guidance as to how local governments can safeguard property and protect public resources given climate change related hazards.

After an initial public input process, a revised draft of the Guidelines released for public comment in 2018 generated backlash from some local governments, realtors, and state legislators. Given the importance of the Guidelines, as well as the inherent political sensitivities around regulation of residential development, moving the Guidelines forward in 2019 will require a more robust level of stakeholder engagement.
Public Access

In 2018, the Commission took several important actions to preserve public access to the coast with Hollister Ranch and the Mavericks Surf Contest two of the highest-profile.

Hollister Ranch
Public access is a core value of the Coastal Act, and the Commission has a strong record of ensuring access along most of California’s 1,100 mile coastline. Hollister Ranch is an exception; this private residential development that stretches along 8.5 miles of coastline in Santa Barbara remains one of the least accessible portions of California’s coast. In terms of Hollister Ranch (above), the Commission took several actions, all notable.

First, in 2018, the Commission and the Coastal Conservancy, without public input or review, agreed to a legal settlement over a disputed existing offer to dedicate public access that had been accepted by the Conservancy in 2013 and immediately challenged in court by Hollister Ranch. The proposed settlement abandoned the offer to dedicate public access, allowed access to only one of Hollister’s beaches and only by water with no improvements to accommodate the public (such as restrooms), and marginally expanded ongoing educational programs controlled by Hollister Ranch to bring students and non-profit groups of their choosing to the property.

Before approving the settlement, the Judge ordered the public be informed of the settlement and allowed to apply to intervene as to its fairness. Once the public was informed, there was immediate outcry in opposition to the settlement. The Commission opened up a public comment period to solicit feedback; over 1500 comments were received. Next, the court granted intervention status to an ad hoc non-profit group – the Gaviota Coastal Trail Alliance – to represent the public’s interest. The fairness of the settlement will be heard in court in the Spring of 2019.
Second, at the same time, the Commission became aware of a subdivision-wide public access plan for Hollister Ranch that had been approved in 1982 as required by amendments to the Coastal Act but was never implemented. The Commission is now working with three sister agencies (State Lands Commission, the State Coastal Conservancy and California State Parks) to update and implement the plan.

Finally, the Commission has appealed three coastal development permits for Hollister Ranch based on inconsistencies with the public access policies of the Coastal Act and the Santa Barbara Local Coastal Program that requires that permits for development at Hollister Ranch can only be approved if public access has been provided in a timely manner – which it has not.

Hollister Ranch provides unique recreational opportunities, none of which are currently available to members of the public, only to those fortunate enough to own land along this stretch of the coast, their guests, and those able to travel by boat or board to the public tidelands portion of the beach.

**Mavericks Challenge**

The Commission also made an important decision on public access involving women’s right to participate in the World Surf League’s one-day “Mavericks Challenge” surf competition near Pillar Point Harbor.

As a result of pressure from Commission staff and Commissioners, the contest is required to include multiple heats and equitable prize money for female contestants; women have never been invited into the contest before and pay disparity in surf contests generally has long existed as a discouraging trend.

Requiring inclusion and equal pay as a way to ensure equitable beach access represents a significant step forward. Recognizing the need for change thanks to input from Commissioners, San Mateo County Harbor District, the Committee for Equity in Women’s Surfing, and others, the World Surf League agreed to these requirements and further promised to pay male and female contest winners the same in all WSL contests around the world.
ActCoastal.org, a California Coastal Commission accountability project