



County. BKK's report, entitled "1987 Status Report on Los Angeles County Solid Waste Disposal Facilities," contains information on current and proposed operations of the ten major landfills in the county with a focus on the rapidly-dwindling disposal capacity. Although the BKK report suggests that the county has only 36 months of capacity remaining for waste disposal, CWMB staff expects the county's capacity to last 72 months.

FUTURE MEETINGS:

To be announced.

COASTAL COMMISSION

Director: Peter Douglas

Chairperson: Michael Wornum
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The California Coastal Commission was established by the California Coastal Act of 1976 to regulate conservation and development in the coastal zone. The coastal zone, as defined in the Coastal Act, extends three miles seaward and generally 1,000 yards inland. This zone determines the geographical jurisdiction of the Commission. The Commission has authority to control development in state tidelands, public trust lands within the coastal zone and other areas of the coastal strip where control has not been returned to the local government.

The Commission is also designated the state management agency for the purpose of administering the Federal Coastal Zone Management Act (CZMA) in California. Under this federal statute, the Commission has authority to review oil exploration and development in the three mile state coastal zone, as well as federally sanctioned oil activities beyond the three mile zone which directly affect the coastal zone. The Commission determines whether these activities are consistent with the federally certified California Coastal Management Program (CCMP). The CCMP is based upon the policies of the Coastal Act. A "consistency certification" is prepared by the proposing company and must adequately address the major issues of the Coastal Act. The Commission then either concurs with, or objects to, the certification.

The Commission is composed of fifteen members: twelve are voting members and are appointed by the Governor, the Senate Rules Committee and the Speaker of the Assembly. Each appoints two public members and two locally elected officials of coastal districts. The

three remaining nonvoting members are the Secretaries of the Resources Agency and the Business and Transportation Agency, and the Chair of the State Lands Commission.

MAJOR PROJECTS:

Decertification. The Commission continues to face efforts by the federal Department of Commerce to decertify it. (See CRLR Vol. 7, No. 4 (Fall 1987) p. 91 for background information.) On November 23, the Department's Office of Ocean and Coastal Resource Management (OCRM) released its final evaluation report on the Commission, which covered the period August 1984 through August 1987.

The OCRM reviewed Commission's overall implementation of the CCMP, and made nine findings, including the following: (1) the Commission has failed to effectively manage the timely certification of LCPs; (2) local governments have adopted initiatives which have amended LCPs to prohibit or restrict the construction of support facilities for offshore oil and gas activities; (3) the Commission has failed to provide a procedure to monitor permits for compliance by identifying when permitted construction begins; (4) the Commission's leadership role in coastal management has been undermined due to the public perception that its decisions are improperly influenced; (5) the Commission has imposed water quality requirements which conflict with those of the state Water Resources Control Board; (6) the Commission has failed to provide sufficiently detailed guidelines or standards to enable applicants to determine whether a proposed activity is consistent with general policies of the CCMP; (7) the Commission has failed to provide guidelines or standards to govern the imposition of mitigation measures; (8) the Commission has extended its review of federal consistency certification for Outer Continental Shelf (OCS) exploration, development, and production operations for consistency with the CCMP beyond the maximum time period authorized; (9) the Commission has improved some aspects of its permit and enforcement activities, has taken some steps to expedite the adoption and certification of local coastal plans (LCPs), has expedited its permitting process, has rearranged its meeting locations to accommodate the affected public, and has taken steps to implement the U.S. Supreme Court's decision in *Nollan v. California Coastal Commission*.

The OCRM final evaluation report

made specified recommendations to cure the alleged deficiencies, and included draft terms and conditions. In December, the Commission acceded to several of the proposed conditions under protest.

On January 5, Attorney General John Van de Kamp filed a federal court lawsuit on behalf of the Commission, seeking to enjoin the Department of Commerce from withholding \$407,000 in federal grant money earmarked for the Commission. On January 21, Lieutenant Governor Leo McCarthy announced that the State Lands Commission would join in the Coastal Commission's lawsuit.

Recent Applications. On October 15, the Commission approved (with conditions) a Department of Fish and Game (DFG) proposal to build an artificial reef approximately 0.7 nautical miles offshore from Pacific Palisades in Santa Monica Bay. The reef will consist of 10,000 tons of quarry rock placed in three modules.

The reef is intended to enhance the biological productivity of this area, and to provide valuable experimental data or artificial reef design. The DFG reef is the second-to-last in a series of experimental reefs authorized by AB 705, enacted in 1986; the Commission has already approved the first two reefs in this series, off Oceanside and Pacific Beach. The final reef in the program is proposed near Santa Barbara at a site to be determined.

Texaco proposes to drill eight exploratory wells approximately three to five nautical miles west-southwest of Point Conception. This proposal, which is the first plan of exploration on a lease to be reviewed by the Commission, will be considered at the Commission's February meeting. (See CRLR Vol. 7, No. 3 (Summer 1987) p. 116 for background information.)

Texaco also proposes to remove two platforms, Herman and Helen, from state waters between Point Conception and Gaviota. The platforms will be disposed of onshore in Long Beach. Platform Helen is a drilling and production platform with nine wells. It was installed in 1960 and was shut down in 1973, and the nine wells were abandoned between August 1984 and March 1985. Platform Herman, installed in 1964, is a satellite production platform with 20 subsea wells. Those wells were abandoned in 1982 and 1983. Herman and Helen would be the second and third platforms removed since extensive offshore drilling began in the area in the 1950s. The Commission was scheduled to hear Texaco's permit application at its January meeting.



Local Initiatives. The Commission is currently in the process of reviewing two local initiatives passed by voters in the November 1986 elections. San Mateo County's Proposition A would incorporate the measure into the County's LCP. The measure covers a number of issues, including (1) the addition of gas to the existing LCP policy prohibiting onshore support facilities for offshore oil from locating within San Mateo County's coastal zone; (2) a required 4/5 majority vote of the Board of Supervisors, and in addition, a majority vote by the voters, for any LCP amendment making the LCP less restrictive than those policies adopted as part of the initiative; and (3) the addition of two terms to the definition of onshore oil support facilities.

The second initiative is San Luis Obispo County's Proposition A, which was adopted as an amendment to the County's LCP by the Board of Supervisors on November 10, 1987. This measure provides that no County action on an onshore support facility for offshore oil development may become final until a majority of voters in the county approve such a facility.

New Commissioner Appointed. The Senate Rules Committee has named Madelyn Glickfeld of Malibu to the Commission. She is president of MJG Inc., a consulting firm, and has been an alternate on the Commission since 1986, sitting for Commissioner Duane Garret, whom she succeeds. She is a member of the Planning and Conservation League, an environmental group.

LEGISLATION:

The following bills were passed and have been chaptered:

SB 23 (Bergeson) relates to a municipality's tort immunity for injuries caused by natural conditions. The bill provides that public beaches are deemed to be in a natural condition and unimproved notwithstanding the provision or absence of public safety services (such as life-guards or signs) at the beach.

AB 1291 (Frazee). The California Coastal Act of 1976 requires mitigation fees for development on nonprime agricultural lands in the City of Carlsbad outside certain areas to be deposited in the State Coastal Conservancy Fund. This bill appropriates money from the Conservancy Fund to be used for providing access to public beaches in the City of Carlsbad. It also requires that not less than 50% of the fees be expended for the restoration of natural resources and wildlife habitat in Bati-quitos Lagoon.

AB 158 (Killea, Deddeh) creates the San Diego Interagency Water Quality Panel to study water pollution in San Diego Bay. The Panel is composed of representatives from governmental agencies which have jurisdiction over various activities involving the Bay. The goal of the Panel is to identify potential toxic pollution problems and enhance enforcement of water quality laws. An annual report will be published by the Panel, which includes a member from the Coastal Commission.

The following two-year bills are expected to be reactivated during the next legislative session:

AB 1517 (Bergeson), the "Bolsa Chica" bill, is expected to be set for hearing in the Assembly Natural Resources Committee during January or February. Considered controversial, this bill concerns "Bolsa Chica," approximately 1,600 acres of coastal wetlands and uplands in Orange County and its proposed development by Signal Development Company (SDC), the landowner. The bill would essentially create a local government entity wholly controlled by SDC. Environmental concerns include the bill's failure to provide funding for the full restoration and long-term maintenance of 915 acres of wetlands at Bolsa Chica; the carving of an ocean entrance through a public beach; and the rerouting of Highway 1 to build a costly marina development.

AB 639 (Killea) would place a \$200 million bond measure on the 1988 ballot to fund the acquisition, restoration, and access development programs of the State Coastal Conservancy, which is currently running out of funding. The bill is being held in the Senate Appropriations Committee with other bond acts originating in the Assembly; no date has been set for hearing, as of this writing.

LITIGATION:

In *No Oil, Inc. v. California Coastal Commission*, No Oil Company has filed a petition for writ of mandate challenging the Commission's approval of a permit with conditions to Occidental Petroleum for exploratory oil and gas drilling in Pacific Palisades. The writ was filed in state court. (See CRLR Vol. 7, No. 4 (Fall 1987) p. 91 for background information.)

In September 1987, the Korean Drilling Company, Ltd. (KDC) filed a final brief in its appeal of a Coastal Commission decision to the Secretary of Commerce. In November 1986, the Commission objected to a consistency certification submitted by KDC for an EPA

individual National Pollution Discharge and Elimination System permit. The permit request concerns the discharge of drilling muds, cuttings, and associated wastes from the semi-submersible drilling vessel, *Doo Sung*, on active and soon-to-be-active lease tracts in the Outer Continental Shelf. (See CRLR Vol. 7, No. 2 (Spring 1987) p. 91 for background information.)

The Commission's objections are based on safety issues related to training and language proficiency, and adverse employment impacts from non-domestic operation.

RECENT MEETINGS:

At its September meeting in San Francisco, the Commission agreed to protect the endangered El Segundo Blue Butterfly. The Commission voted to allow Los Angeles International Airport to destroy weeds which are threatening the endangered butterflies' food supply. The butterflies live in the dunes west of the airport. Still unresolved is the airport's plan to develop a vacant 302-acre parcel which includes the dunes.

At its November meeting, the Commission approved the construction of a \$45 million luxury hotel lauded by Los Angeles County as the architectural centerpiece of its 800-acre Marina del Rey development. Although Commission staff objected because the project would limit beach access and create parking problems, the Commission granted a development permit to Ritz-Carlton Hotel Company for a 300-room, 14-story project at the northern end of the Marina's main channel.

FUTURE MEETINGS:

March 22-25 in San Francisco.

April 12-15 in Marina del Rey.

DEPARTMENT OF FISH AND GAME

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The Department of Fish and Game (DFG) manages California's fish and wildlife resources. Created in 1951 as part of the state Resources Agency, DFG regulates recreational activities such as sport fishing, hunting, guide services and hunting club operations. The Department also controls commercial fishing, fish processing, trapping, mining and gamebird breeding.

In addition, DFG serves an informational function. The Department procures and evaluates biological data to