

UC Berkeley, UC Davis, UCLA, Stanford Law School, and Resources Legacy Fund Present

# CALIFORNIA'S COASTAL ACT

## The Next 40 Years

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## CALIFORNIA'S COASTAL ACT: THE NEXT 40 YEARS

Recognizing the importance of the coastline to the state's economy and our communities' well-being, California has long been a leader in protecting and managing the coast. Forty years ago, California enacted the California Coastal Act to enhance public access, protect natural resources, and balance coastal development in the public interest. Today, growing challenges such as surging seas and a rising population are testing that framework. Join us as we explore the lessons of the past, learn from the challenges we face today, and chart a course for the next 40 years.

## ACKNOWLEDGMENTS

This symposium was jointly organized by the Center for Law, Energy & the Environment (UC Berkeley School of Law), California Environmental Law & Policy Center (UC Davis School of Law), Coastal & Marine Sciences Institute (UC Davis), Emmett Institute on Climate Change & the Environment (UCLA School of Law), Environmental & Natural Resources Law & Policy Program (Stanford Law School), and the California Coastal Program of Resources Legacy Fund.

We wish to thank the California Coastal Program of Resources Legacy Fund for their support of this event. We also wish to thank the California Coastal Commission for providing live web streaming and video archiving of the symposium to support broad public participation and recorded access to the discussions.

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## CALIFORNIA'S COASTAL ACT

# The Next 40 Years

This year we are celebrating the 40th anniversary of the California Coastal Act, our landmark state legislation enacted in 1976 to enhance public access, protect natural resources, and balance coastal development in the public interest. Over the past forty years, our coastal management program has evolved into a complex network overseen by the Coastal Commission and myriad local, state, federal, nongovernmental, and private partners. Though the road has not always been smooth, together we have seen a great many successes and provided a model for other coastal states and nations.

Today, however, the California coast arguably faces the greatest challenges yet. From surging seas to a growing population, changing conditions stress our coastal governance systems and raise questions about the best path forward. How will California protect its coast against stronger storms and rising tides? How can the state ensure and support access to its coastline, including for underserved communities? And how can the state most effectively work with local, federal, and nongovernment partners to efficiently address these complex challenges?

These questions require holistic consideration of the complex array of factors that affect coastal governance. They cannot be considered in isolation, nor can they be solved by a single sector. To chart a sustainable path forward for coastal governance requires a multi-stakeholder, interdisciplinary conversation that combines our best available information about the coast with the concerns and priorities of those that live, play, and work there.

In this one-day symposium, we hope to provide a common foundation for such conversation. We hope to explore the lessons of the past, discuss the challenges we face today, and collaboratively identify paths forward for the next 40 years of managing our California Coast. Thank you for joining us.

### Steering Committee

Jordan Diamond  
UC Berkeley School of Law

Holly Doremus  
UC Berkeley School of Law

Richard Frank  
UC Davis School of Law

Shauna Oh  
UC Davis Coastal & Marine  
Sciences Institute

Sean Hecht  
UCLA School of Law

Deborah Sivas  
Stanford Law School

Matt Armsby  
Resources Legacy Fund

Jocelyn Herbert  
Resources Legacy Fund

## The California Coastal Act

In 1972, California voters passed Proposition 20, “The Coastal Initiative,” on the statewide ballot. Citizens placed Proposition 20 on the ballot at a time of rapid population growth—California had recently passed the 20 million-resident mark after growing by more than 25% over the 1960s – as well as rising property values and intensifying industrial, commercial, and residential development along the coast. Proponents were concerned about the loss of the coast’s agricultural and fishing communities, ecological integrity, and special places, as well as affordable places for Californians to live and recreate.

To address these pressures, Proposition 20 established the California Coastal Zone Conservation Commission, the predecessor of today’s Coastal Commission, and charged it with regulating development in the Coastal Zone. Proposition 20 also required development of the California Coastal Plan – a detailed policy platform for long-range coastal management in the state. After four intensive years of research and stakeholder engagement to generate this plan, the California Legislature and Governor Edward Brown enacted the majority of it in the form of the California Coastal Act in 1976.

The Coastal Act advances many of the recommendations of the Coastal Plan and addresses a range of issues. It prioritizes preservation of public access to the coast and enhancement of access where possible; conservation of natural resources; and careful planning for long-range development, particularly “coastal-dependent” development that, by nature, cannot be developed inland. Sections of the Coastal Act provide guidance on specific topics such as energy and industrial development, water quality, wetlands and sensitive habitats, management of coastal hazards, and preservation of agricultural lands.

The Coastal Act made these provisions broadly applicable to government, businesses, and private individuals. All public agencies, including federal agencies to a significant extent, must comply with the Act’s policies. In addition, the Act requires “any person,” including a state or local agency, to obtain a permit before undertaking development in the coastal zone. Local governments serve as the primary coastal planning and regulatory agencies within the physical boundaries of their jurisdictions, while the Coastal Commission approves local coastal plans, hears appeals of certain local decisions, regulates development from the high tide line out to the three-nautical mile boundary of state waters, and reviews federal actions to ensure they are consistent with the Act’s policies. The Coastal Act also provides for and protects strong public participation in coastal decisionmaking, specifying that coastal planning and management “should include the widest opportunity for public participation.” Altogether, the Coastal Act establishes a complex system of coastal management in which actors play, at various times, the roles of partners, opponents, constituents, and regulated entities.

## Panel 1:

# Critical Perspectives on Coastal Act Implementation

### OVERVIEW

Over time, the Legislature has amended the Coastal Act and other state laws to recognize evolving coastal management needs and concerns, while honoring the Coastal Act's core principles and policies. For example, in 1993 the Legislature amended the Act to recognize that “sound and timely scientific recommendations are necessary for many coastal planning, conservation, and development decisions . . . especially with regard to issues such as coastal erosion and geology, marine biodiversity, wetland restoration, the question of sea level rise, desalination plants, and the cumulative impact of coastal zone developments.” In 2016, the Legislature amended the Act to clarify that civil rights, equity, and environmental justice should factor explicitly into decisionmaking about the coast, and established environmental justice qualifications for one of the appointed Commissioners. In addition, at rare times, the Legislature has reduced the Act's reach, most notably by removing its affordable housing provisions in the early 1980s, despite the Coastal Commission's demonstrated success at ensuring affordable housing was included in new coastal development projects, and returning authority over affordable housing in the coastal zone to local governments.

Today, three big-picture factors are particularly important for the future of California's coast. First, the state's population continues to grow. Between 2005 and 2015, California's population grew by more than 8% to a total of 39 million, nearly double the population of 1970. The state's population is expected to reach more than 44 million by 2030, with coastal cities and counties (although not the coastal zone as statutorily defined) providing homes for nearly 70% of the state's residents. Second, California's population has grown younger and more ethnically diverse. Millennials – the generation born after 1981 – now compose close to the same share of the state's population as Baby Boomers and Generation X, and are an increasing share of likely voters. Ethnically, whereas in the 1970s whites composed a significant majority of the California's population, today no ethnic group constitutes a majority. Latinos are the state's largest ethnic group at about 38%, and Asians and Pacific Islanders compose more than 14% of the population, a far greater proportion than in the 1970s.

Together, these population trends suggest that decisionmakers, if California is to remain a national leader for coastal management, will need to provide for Californians through smart planning and investments in necessities such as infrastructure and affordable housing, as well as investments that protect and enhance coastal access, recreation, and resource stewardship in ways that benefit all. California leaders will also need to understand similarities and differences in residents' evolving values and preferences for coastal resources and amenities, support their engagement in coastal management, and ensure coastal policies and management practices are responsive to their needs.

The third major factor is that climate change and other changing ocean conditions (e.g., ocean acidification) place increasing stress on coastal communities and natural resources. Sea level will rise significantly in this century, storms are getting stronger, management of a limited water supply is increasingly difficult, and access to open space is in higher demand. Recent polling by researchers at Stanford University indicates that Californians of all backgrounds strongly support efforts to prevent and prepare for the impacts of climate change. California will need to address climate change-related stresses, even while it manages for population dynamics and other changes.

The challenges are many. The Coastal Act includes many of the tools to address them, if applied, adapted, and supplemented effectively in the coming years.

#### ADDITIONAL RESOURCES:

- California Coastal Zone Conservation Commission, *California Coastal Plan (1975)*, available at [http://digitalcommons.law.ggu.edu/caldocs\\_agencies/91/](http://digitalcommons.law.ggu.edu/caldocs_agencies/91/)
- Juliette A. Finzi Hart, et al., *Rising to the Challenge: Results of the 2011 California Coastal Adaptation Needs Assessment (2011)*, available at <https://dornsife.usc.edu/uscseagrant/2011survey/>
- Public Policy Institute of California, *California's Future: Climate Change (2016)*, available at [http://www.ppic.org/content/pubs/report/R\\_116AER.pdf](http://www.ppic.org/content/pubs/report/R_116AER.pdf)
- Public Policy Institute of California, *California's Future: Population (2016)*, available at [http://www.ppic.org/content/pubs/report/R\\_116HJ3R.pdf](http://www.ppic.org/content/pubs/report/R_116HJ3R.pdf)
- Stanford University, Woods Institute for the Environment and Center for Ocean Solutions, *Stanford Poll on Climate Adaptation (2013)*, available at <https://woods.stanford.edu/research/public-opinion-research/2013-Stanford-Poll-Climate-Adaptation>

## Panel 2:

# Public Access to the California Coast

### OVERVIEW

The twin goals of promoting and preserving public access to the California coast are central to the California Coastal Act. In the years leading up to the Act, California's rapidly expanding population brought urbanization to new heights and focused development pressure on the coast. Growing public concern that future development would eventually "wall off" the coast from public access contributed to the successful passage of Proposition 20 by California voters in 1972 and, subsequently, the California Legislature's enactment of the Coastal Act in 1976.

The 1976 Coastal Act legislation permanently established the California Coastal Commission and made one of its primary goals to "[m]aximize public access to and along the coast . . . consistent with . . . constitutionally protected rights of private property owners." (Pub. Resources Code § 30001.5.) Public access to California's coast is also guaranteed under the California Constitution. (Art. X, § 4.)

The Coastal Commission's efforts over the past four decades to maximize public access to the California coast have been persistent, and generally successful, but often controversial. In particular, tension between public access goals and private property rights has been a persistent feature over the Coastal Act's 40-year history. As the above-quoted statutory language suggests, Commission actions to ensure public access have historically pitted the agency against "regulatory takings" claims brought by affected private property owners under the Fifth Amendment to the U.S. Constitution and parallel provisions of the California Constitution. Most notably, the U.S. Supreme Court held in *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), that the "Takings Clause" prevented the Commission from requiring a private property owner to convey a public access easement across his land as a condition of the Commission granting the landowner a residential building permit. In *Nollan* and similar cases, the debate over the proper balance between public coastal access and private property rights has raged on, with the Commission steadily working to increase access over the course of its first forty years.

The public access debate continues to this day, and has expanded in recent years to take on new dimensions, such as "coastal justice." Principal among these matters is how to provide equal access to public beaches to *all* Californians, particularly people of color and those from low-income communities. This more recent iteration of the public access conversation recognizes

that there is more to coastal access than the accessway – that providing meaningful public access requires understanding the larger landscape of hurdles that prevent various segments of the population from utilizing the coast. Considering the broader circumstances that affect public access may influence Commission decision-making on matters that are not strictly access-related. Such considerations could open new opportunities for partnerships and public engagement; they also have the potential to fuel further conflict with private property owners seeking the freedom to develop and to limit public access to and around their property.

Climate change also introduces unprecedented considerations to the public access conversation. That's because the lateral boundary between public beach and private uplands is moving. Given that the mean high tide line marks the boundary between the public beach and privately-owned coastal upland property, the extent to which the Commission incorporates sea level rise into its public access decision-making will dramatically influence the extent of coastline accessible to the public in future years.

The Coastal Act's mandate that public access to California's coast be maximized has always been controversial. But these broadened access-related challenges will undoubtedly expand and amplify the debate over Californians' access to the coast. Four decades after passage of the California Coastal Act, the manner in which the Coastal Commission addresses these 21st-century access issues will profoundly affect the future of public access to the California coast.

#### ADDITIONAL RESOURCES:

- Adams, Proposition 20 – A Citizens' Campaign (1973) 24 Syracuse L. Rev. 1019.
- Breemer, What Property Rights? The California Coastal Commission's History of Abusing Coastal Land Rights and Some Thoughts on the Underlying Causes (2004) 22 UCLA J. Envtl. L. & Pol'y 247.
- Cal. Coastal Commission, Public Access Action Plan (1999).
- Caldwell & Segall, No Day at the Beach: Sea Level Rise, Ecosystem Loss, and Public Access Along the California Coast (2007) 34 Ecology L.Q. 533.
- Garcia & Flores Baltodano, Free the Beach! Public Access, Equal Justice, and the California Coast (2005) 2 Stan. J. Civ. Rts. & Civ. Liberties 143.



## Panel 3:

# Coordinating & Collaborating to Manage the Coast

### OVERVIEW

California's coast is a complex resource. It is beloved home to coastal communities, provides ecosystem services for the entire state, nurtures habitat that supports a wide array of organisms and species, and is playground for residents and destination for visitors. This complexity is mirrored in its governance system. The Coastal Act imbues the Coastal Commission with authority over development in the coastal zone, which the Commission has overseen for decades. This authority is complemented by natural resource, economic development, marine conservation, land use, and other authorities held by a variety of local, state, federal entities, as well as the missions and visions of numerous nongovernmental organizations. The result is a robust network of actors all working to manage the California Coast.

At the state level, the California Natural Resources Agency works to protect and manage the state's natural resources. Within the Agency, the Coastal Commission, the Coastal Conservancy, and the San Francisco Bay Conservation and Development Commission (BCDC) serve as California's three coastal management agencies in charge of administering the federally-approved coastal management program, and the Ocean Protection Council coordinates state agency efforts. At the federal level, the National Oceanic and Atmospheric Administration (NOAA), U.S. Fish & Wildlife Service (FWS), and Environmental Protection Agency (EPA) work to protect and manage marine and freshwater species, water conditions, and more. At the local level, local governments exercise land use planning authorities to manage coastal activities and submit Local Coastal Programs to guide coastal zone development and planning. Simultaneously, local and national nongovernmental organizations inform coastal management through efforts such as policy development, litigation, and public outreach and education. The table below provides additional detail on some of these important roles.

ENTITY

JURISDICTION

*State Agencies*

California Coastal Commission  
<https://www.coastal.ca.gov/whoweare.html>

The Coastal Commission is a coastal management agency that administers the federal Coastal Zone Management Act (CZMA). It regulates land and water uses along the California coast, with the exception of San Francisco Bay.

San Francisco Bay Conservation and Development Commission (BCDC)  
<http://www.bcdc.ca.gov/>

BCDC is a state agency that administers the CZMA. BCDC has regional authority over the San Francisco Bay, the Bay's shoreline band, and the Suisun Marsh.

California Coastal Conservancy  
<http://scc.ca.gov/about/>

The Coastal Conservancy is a non-regulatory agency that administers the CZMA. It works along the California coast, within the watersheds of inland rivers and streams, the San Francisco Bay Area, and the Santa Ana River watershed.

California Natural Resources Agency  
<http://resources.ca.gov/>

The California Natural Resources Agency aims to “restore, protect, and manage the state’s natural, historical, and cultural resources.” It is composed of many other state agencies.

California Ocean Protection Council  
<http://www.opc.ca.gov/about/>

The Council is responsible for coordinating the work of California’s ocean-related state agencies and recommending needed changes in both state and federal law.

State Lands Commission  
<http://www.slc.ca.gov/>

The State Lands Commission is made up of two Constitutional Officers and the Governor’s Director of Finance. It has jurisdiction over “four million acres of tide and submerged lands” along California’s coast, out to three miles offshore.

California Ocean Science Trust  
<http://www.oceansciencetrust.org/about/>

The Trust is an independent non-profit organization created by statute. It provides California with “useful, reliable science” to guide ocean management decisions.

California Department of Fish & Wildlife  
<https://www.wildlife.ca.gov/Conservation/Marine>

The Department’s Marine Region covers California’s entire coastline and three nautical miles out to sea. It monitors and protects California’s marine resources.

*Municipalities*

Local Governments  
<https://www.coastal.ca.gov/lcps.html>.

Under the California Coastal Act, local governments are required to draft Local Coastal Programs (LCP) to guide coastal zone development and planning. LCPs detail how cities and counties will manage development and coastal resources. They also issue coastal permits for development. LCPs only become effective upon approval by the Coastal Commission.

*Federal Agencies*

National Oceanic and Atmospheric Administration (NOAA)  
<https://coast.noaa.gov/about/>

NOAA’s Office for Coastal Management is the federal agency that implements the CZMA. OCM’s National Coastal Zone Management Program gives states a say in federal decisions, provides states with incentives to “enhance their coastal management programs,” assists states with nonpoint pollution control, and “purchases threatened lands for conservation purposes.”

U.S. Fish & Wildlife Service (FWS)  
<https://www.fws.gov/coastal/>

The FWS’s Coastal Program covers 24 areas “along the Atlantic and Pacific Oceans, Gulf of Mexico, Great Lakes, and in the Caribbean.” The FWS also manages coastal and marine refuges.

Environmental Protection Agency (EPA)  
<https://www.epa.gov/aboutepa/about-office-water#wetlands>

EPA’s Office of Wetlands, Oceans and Watersheds (OWOW) coordinates EPA’s “management and protection of inland and coastal watersheds.”

These entities have worked to manage, protect, and restore coastal resources through their programs, projects, and other initiatives. And they have successfully coordinated and collaborated to achieve results they could not realize independently. However, there are also times when they face coordination obstacles and roadblocks. As we face growing pressure on the coast, due to an expanding population and warming climate, effective collaboration becomes increasingly important. Our ability to efficiently adapt to rapidly changing conditions and potentially unforeseeable impacts is greatest when we have established pathways for combining and coordinating resources and capacity.

Some of California's most innovative and precedent-setting coastal management actions have been the result of extensive, time-intensive coordination and collaboration between public and private actors at all scales. If we can identify ways to replicate these successes, we give ourselves – and our coast – the greatest chance of a sustainable future.

#### ADDITIONAL RESOURCES:

- Brian E. Baird & Amber J. Mace, Regional Ocean Governance: A Look at California, 16 *Duke Env'tl. L. & Pol'y F.* 217 (2005-2006), available at <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1092&context=delpf>.
- Charles Lester, CZM in California: Successes and Challenges Ahead, 41 *Coastal Management* 219 (2013), available at <http://www.tandfonline.com/doi/pdf/10.1080/08920753.2013.784891>


## Panel 4: Rising Seas & Storms

### OVERVIEW

Climate change is already impacting California's coast. Over the next century, rising sea levels will increasingly threaten coastal communities. The best available science – summarized in a 2012 National Research Council (NRC) study of sea-level rise along the Pacific Coast – projects that rising sea levels will exacerbate coastal flooding and storm surges, increase inundation and storm damage, and accelerate coastal erosion and saltwater intrusion along the California coast. Coastal communities need to *adapt* to new and foreseeable conditions by minimizing vulnerability to adverse impacts. The California coastline has always been dynamic; it is a constantly-changing physical system affected by human development and natural variability. Coastal development has long been a source of heated conflict, in part because our development patterns, our infrastructure commitments, and many stakeholders' perceptions may be based on a mistaken assumption that physical conditions are static. Climate change adds a new layer of complexity to an already challenging area of management.

#### National Research Council's Sea-Level Rise Projections for California (year 2000 baseline)

<i>Time Period</i>	<i>North of Cape Mendocino</i>	<i>South of Cape Mendocino</i>
By 2030	-2 – 9 in (-4 – 23 cm)	2 – 12 in (4 – 30 cm)
By 2050	-1 – 19 in (-3 – 48 cm)	5 – 24 in (12 – 61 cm)
By 2100	4 – 56 in (10 – 143 cm)	17 – 66 in (42 – 167 cm)



Through their land-use plans, regulations, and implementing decisions, local governments – in partnership with the Coastal Commission – play a crucial role in sea-level rise adaptation. Adaptation planning will require coastal communities to evaluate how expected sea-level rise impacts will affect people, structures, and natural resources within the community; articulate adaptation objectives; and evaluate the suitability of various adaptation strategies to achieving local objectives.

Sea-level rise adaptation strategies generally fall into three categories: protection, accommodation, and conservation. Communities might seek to *protect* densely developed areas or critical infrastructure using hard armoring techniques such as seawall construction or “soft armoring” techniques such as beach nourishment. In less developed or less vulnerable areas, communities may focus on enhancing the resilience of structures to *accommodate* projected sea-level rise impacts through updated building codes, land use designations, and floodplain regulations. Where the need to preserve coastal natural resources or reduce repetitive flood loss is paramount, or where it will not be feasible to maintain or rebuild infrastructure, communities may opt to engage in *conservation* and retreat from rising tides using strategies such as setbacks, land acquisition, and limits on the rebuilding of structures damaged by storms.

## THE CHALLENGE AHEAD

Guidance about the steps involved in sea-level rise adaptation planning, tools for analyzing vulnerability, and potential adaptation strategies are plentiful. Most significantly, the California Coastal Commission recently released its *Sea-Level Rise Policy Guidance* to guide local governments’ sea-level rise adaptation efforts in the context of local coastal planning and coastal development permitting. Moreover, tailored technical resources and funding for adaptation planning have been available in recent years to enable local governments to engage in the necessary work. Nonetheless, local governments still will need further resources and assistance to effectively implement adaptation strategies, and to incorporate sea-level rise adaptation strategies into the language of local plans, regulations, programs, and permits. They also will need to educate the public and to build political will for adaptation. The continuing existence of maladaptive responses, such as widespread seawalls, revetments, and hard armoring to protect residential structures, creates still another challenge.

Even local governments that have engaged in sophisticated adaptation planning face two significant challenges, even aside from the difficult political landscape: legal complexity and lack of resources. First, the legal context for coastal land use regulation in California is intricate and complex. In order to be effective, local governments must implement new or amended local plans, ordinances, and decisions that put selected adaptation strategies into practice. Those policies must comply with various federal and state planning and floodplain management requirements, and must be designed to work with existing General Plans, local coastal zoning and permitting programs, and other local building and land use laws. California local governments must navigate overlapping and sometimes seemingly contradictory mandates under the California Coastal Act of 1976, common law, the National Flood Insurance Program, and federal and state law.

Second, local governments have limited staff, expertise, and resources to devote to navigating this complexity. Staff engaged in coastal planning may have limited understanding of the scope of legal opportunities and potential liabilities. Resource limitations also make it difficult for local governments to respond to new guidance and continually evolving management requirements. It has been difficult for some local governments to keep abreast of changes, and to ensure consistency in local policymaking.

The Coastal Commission has already been a leader in addressing sea-level rise through its development of its policy guidance. Its future work on this issue, in cooperation with local governments, the State Lands Commission and other state agencies, and other stakeholders, will be crucial to the future of California's coast.

#### ADDITIONAL RESOURCES:

- Cal. Coastal Commission, *Sea Level Rise Policy Guidance* (2015), available at <http://www.coastal.ca.gov/climate/slrguidance.html>
- Cal. Natural Resources Agency, *Safeguarding California: Reducing Climate Risk* (2014), available at [http://resources.ca.gov/docs/climate/Final\\_Safeguarding\\_CA\\_Plan\\_July\\_31\\_2014.pdf](http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf)
- Megan M. Herzog & Sean B. Hecht, *Combatting Sea-Level Rise in Southern California: How Local Governments Can Seize Adaptation Opportunities While Minimizing Legal Risk*, 19 *Hastings West Northwest J. Envtl. L. & Pol'y* 463 (2013), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2254069](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2254069)
- Molly Loughney Melius and Margaret R. Caldwell, *California Coastal Armoring Report: Managing Coastal Armoring and Climate Change Adaptation in the 21st Century*, Environment and Natural Resources Law & Policy Program Working Paper (2015), available at <https://law.stanford.edu/publications/california-coastal-armoring-report-managing-coastal-armoring-and-climate-change-adaptation-in-the-21st-century/>
- Nat'l Research Council Comm. on Sea Level Rise in Cal., Ore., & Wash., *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* (2012), available at [http://www.nap.edu/catalog.php?record\\_id=13389](http://www.nap.edu/catalog.php?record_id=13389)
- Nicole Russell & Gary Griggs, *Adapting to Sea Level Rise: A Guide for California's Coastal Communities 10-11* (2012), available at <http://www.opc.ca.gov/2012/06/new-sea-level-rise-adaptation-guide-available/>

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**8:15–9:00a**     *Registration & Breakfast*

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**9:00–9:10a**     Welcome & Opening

**Jordan Diamond**, Executive Director, Center for Law, Energy & the Environment, UC Berkeley School of Law

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**9:10–9:30a**     Introduction: Forty Years for the California Coastal Act

**Richard Frank**, Executive Director, California Environmental Law & Policy Center, UC Davis School of Law

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**9:30–10:45a**     Panel I: Critical Perspectives on Coastal Act Implementation

The California Coastal Act is a nation-leading conservation and management law that arose from a citizen-led initiative – Proposition 20 of 1972 – and an intensive three-year public education and consultation process. This panel will highlight major themes that run through the Coastal Act and that are highly relevant today, and identify cross-cutting issues that will shape implementation of the Act over the next 40 years.

Moderator: **Letise LaFeir**, California Ocean Policy Manager, Monterey Bay Aquarium  
**Pedro Nava**, Chair, Little Hoover Commission  
**Senator Fran Pavley**, California's 27th District  
**Effie Turnbull-Sanders**, California Coastal Commissioner

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**10:45–11:00a**     *Break*

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**11:00a–12:30p**     Panel II: Public Access to the California Coast

Preserving public access to California's coastal resources was one of the driving issues that prompted passage of the Coastal Act, and it remains perhaps the most important – and certainly the most controversial – obligation of the Coastal Commission four decades later. This panel will discuss the history of public access to the coast, key past, present, and future access controversies in California, legal requirements for and constitutional limits on mandated coastal access, and how future public access to the coast can be ensured for all.

Moderator: **Richard Frank**, Executive Director, California Environmental Law & Policy Center, UC Davis School of Law  
**Marlene Finley**, Director, San Mateo County Parks  
**Robert Garcia**, Founding Director & Counsel, The City Project  
**Damien Schiff**, Principal Attorney, Pacific Legal Foundation  
**John Ainsworth**, Acting Executive Director, California Coastal Commission

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**12:30–1:30p**     Lunch & Keynote Remarks

**Secretary John Laird**, California Natural Resources Agency

*(buffet lunch commences at 12:30pm and remarks will begin at 1:00pm)*

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**1:30–2:45p** Panel III: Coordinating & Collaborating to Manage the Coast

In addition to the Coastal Commission, a multitude of local, state, federal, and nongovernmental entities have authorities that apply within the coastal zone. A key opportunity for and challenge to robust coastal governance is ensuring effective and efficient coordination and collaboration between them. This café-style conversation will explore past successes and current challenges to cultivating collaborative efforts, systems, and implementation strategies.

*Moderator:* **Jordan Diamond**, Executive Director, Center for Law, Energy & the Environment, UC Berkeley School of Law

**Deborah Halberstadt**, Executive Director, Ocean Protection Council

**Carmen Ramirez**, Mayor Pro Tem, Oxnard City Council

**Mary Small**, Deputy Executive Officer, California Coastal Conservancy

**Becky Smyth**, West Coast Director, NOAA Office for Coastal Management

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**2:45–3:00p** *Break*

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**3:00–4:15p** Panel IV: Rising Seas & Storms

Increasing temperatures are forecasted to raise global sea levels by over a meter in this century, and to exacerbate storms in frequency and intensity. Coastal managers and residents will have to respond to these changing conditions. Speakers on this panel will discuss the current state of predictions and forecasts, existing authorities to guide response, the California Coastal Commission's sea level rise guidance and surrounding context, and what more is needed to help the California Coast prepare for and adapt to changing conditions.

*Moderator:* **Sean Hecht**, Co-Executive Director, Emmett Institute on Climate Change and the Environment, UCLA School of Law

**Sarah Newkirk**, Coastal Program Director, The Nature Conservancy

**Sandi Potter**, Manager, Comprehensive Planning Division, Sonoma County

**Madeline Cavaliere**, Manager, Local Coastal Program Grants, California Coastal Commission

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**4:15–4:45p** Discussion Roundtable

Participants will summarize takeaways from the day's panel and identify key themes, questions and challenges, and possible next steps.

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**4:45–5:00p** Wrap-up & Adjournment

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**5:00–6:00p** Reception

Please join us for wine, cheese, and continuing conversation about the California Coast.

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