

Meeting #632

CAPISTRANO BAY DISTRICT
AGENDA REPORT
May 30th, 2017

Shoreline Committee

ITEM 7b

State Assembly Bill 1129 (Stone)

Below are comments from the Coastal Rights Coalition providing a report on the progress of AB1129 as it processes through the California State Legislature. Eric Anderson is the manager of the Capistrano Shores Mobile Home Park where the WILLS CASE was recently decided against the Coastal Commission in favor of the Wills family, regarding an issue with shoreline protection:

From: Eric Anderson [<mailto:coastalrightscoalition@gmail.com>]

Sent: Saturday, May 20, 2017 5:51 AM

To: 'Eric Anderson' <coastalrightscoalition@gmail.com>

Subject: AB 1129 Coastal Rights Coalition Update

Dear Coastal Rights Coalition Members,

I wanted to provide you with an update on AB 1129 following this week's hearing in the Assembly Appropriations Committee. The bill garnered a great amount of discussion from the committee as well as from the author, Mark Stone. The bill narrowly passed through the Appropriations Committee on a 9-7-1 margin. Mr. Gray and Mr. Levine joined Republicans in voting NO and Mr. Calderon asked some very good questions following a very productive meeting with him the day prior, he ended up abstaining.

The bill is now eligible for a vote next week on the Assembly Floor. However, we believe it is more likely the bill will come up during the Assembly's House of Origin Deadline week, which will occur the final week of May leading up to the Memorial Day Holiday.

We have engaged the Coastal Commission with public records requests to support their claims of the 241 emergency seawall permits which were alleged as never followed up on. I have attached to this email the list of 167 permit records the Coastal Commission provided us early this week. As you will see, the information they provided is very vague, incomplete and does not identify whether the properties are private or public. It appears upon our review of the 167 identified permits, that at least 1/3 of those emergency permits were provided to public entities. As you will see in the hearing footage provided through the link below, Mr. Stone is on record stating their goal of this bill is not to go after public agencies or public access points. Which leaves the private citizens the sole remaining target of the bill. The Coastal Act currently provides the Commission the authority to address those expired permits, however, what they seek today is the ability to fine private citizens without the burden of taking them to court. *(continued on page two)*

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The second and largely undesirable component of this bill will allow the Coastal Commission to define the term “existing structure” to only apply to any constructed object i.e., home, shed, patio, garage, etc., which was in place on January 1, 1977 and has not been remodeled more than 50% since that time. That was over 40 years ago! Does that seem fair to you?

Should this bill become law, if you own a coastal property and wish to protect it, repair it or otherwise obtain a permit to do anything with it from the California Coastal Commission, you will be treated as a non-conforming structure that is by definition not entitled to the same Constitutional protections as other properties outside of the coastal zone. Additionally, if you have done any seawall repair work on your property, without a full coastal Development Permit, you would be in violation and subject to fines up to \$15,000 per violation, per day until the item is corrected to the complete satisfaction of the CA Coastal Commission and they could impose these fines without even taking you to court.

If anything in the above text affects you, your family or legacy along the coast, please join us in our efforts. We need your support and your help to stop this bill and protect all of our inherent rights along the coast. We are not getting the necessary levels of support needed and the costs to combat the bill are outpacing our donations. We are talking about billions of dollars in property values and tangible consequences. Please go to our website and make a donation or contact me directly to set up a monthly donation schedule so that we can position this coalition for more long term benefits to coastal owners up and down the CA coastline.

Here is a link to the Appropriations Committee hearing for your review.

<https://ca.digitaldemocracy.org/hearing/52603?startTime=0&vid=3b7c6224fe95e740b1a-aaaf6eba342bb>

Here is a link to our website:

www.coastalrightscoalition.org

Please share and distribute to whomever you believe may be interested in our efforts.

Thank you,

Eric Anderson

Coastal Rights Coalition

www.CoastalRightsCoalition.org

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