

Chapter 3 Interagency Coordination

Agencies should be involved in coordination and information exchange as early as possible in the project development process in order to avoid delays, redesign, additional costs, lengthy appeals, and permit denials. If an Environmental Impact Statement (EIS) will be required for the project, then the California Coastal Commission (CCC) should be invited to be a participating agency under [Title 23, United States Code \(USC\), Section 139](#). In addition, if federal funds, permits, and/or approvals are required for a project, federal consistency certification review is likely necessary, making an early assessment of a proposed project's consistency with Chapter 3 policies of the Coastal Act even more critical. The need to demonstrate consistency with Coastal Act policies may come at different stages of the project development process; for example, CCC concurrence in a federal consistency certification may be required before a final approval, such as a Record of Decision or approval of a Finding of No Significant Impact can be issued. In some instances, such as with complex or highly controversial projects, it may be prudent to consult with the CCC's Caltrans liaison and management staff to request early coordination with CCC legal staff.

Initiate early coordination with CCC and local government local coastal program (LCP) staff any time that a transportation project is being considered within the coastal zone, or when a transportation project potentially affects coastal zone resources. Coordination should include identification of relevant Coastal Act and LCP policies to be factored into project planning, conception, and alternative evaluations; and in preparation of Project Initiation Documents and Project Study Reports. In addition, CCC staff and any local agency responsible for issuing a coastal approval should be invited (in writing) to join the Project Development Team (PDT), or, at a minimum, to comment and provide input as early as feasible in the PDT process and at critical decision junctures. Place copies of the written invitations and the responses in the project file and reference them in the "Coordination and Consultation" section of the environmental document.

Project fact sheets and initial environmental technical information, along with good mapping, usually provide adequate information for local government and CCC staff to make a determination on the type of permit or other approval action(s) required. Additionally, pre-application meetings to share information about a project and to review materials needed to complete a coastal development permit application can be very useful, particularly for complex projects. Permit applications must be prepared and submitted with supporting information before the permitting agency can determine if an application is complete, which is necessary for processing the permit request. Depending upon the location of the project and type of approval(s) required, hearings(s) for the project may be scheduled for action by the CCC and/or local jurisdiction. See Chapter 5, "Permits/Approvals Required" for further details.

Depending on the type of permit action required, the proposed project likely will be reviewed through an administrative and public hearing process. Local government officials or appointed CCC members will vote to approve the application as submitted or with conditions, or they may

outright deny the permit or other necessary approval if they find that the project is inconsistent with applicable Coastal Act and LCP policies. When applicable, the CCC may also concur, conditionally concur, or object to any required federal consistency certification. The majority of decisions on projects pursued by the Department within local government jurisdictions can be appealed to the CCC, which will review the proposal for consistency with the applicable LCP policies and the public access and recreation policies of Chapter 3 of the Coastal Act. See sections on coastal permitting and federal consistency for follow-up actions available in the event a permit is denied or the reviewing agency objects to a federal consistency certification.

3.1 Identification of Regulatory/Management Agencies

3.1.1 Federal

3.1.1.1 National Oceanic and Atmospheric Administration (NOAA)

Administration of the Coastal Zone Management Act (CZMA) at the federal level is handled by the [National Coastal Zone Management Program](#) within the [National Oceanic and Atmospheric Administration's Office for Coastal Management](#), which is responsible for advancing national coastal management objectives and maintaining and strengthening state and territorial coastal management capabilities. It approves the coastal states' management plans and supports states through financial assistance, mediation, technical services and information, and participation in priority state, regional, and local forums. The CZMA leaves day-to-day management decisions at the state level in the 34 states and territories with federally approved coastal management programs.

3.1.2 State

3.1.2.1 California Coastal Commission

The [CCC](#), in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities, which are broadly defined by the Coastal Act, generally require a coastal development permit from either the CCC or the local government if there is an approved LCP in place. The CCC is an independent, quasi-judicial¹ state agency.

3.1.3 Local Governments

If a local city or county government has a certified LCP consisting of a land use plan and implementing ordinances that have been approved by the CCC (a "certified LCP"), then coastal

¹ "Quasi-judicial" refers to the action taken and discretion exercised by public administrative agencies or bodies that are obliged to investigate or ascertain facts and draw conclusions from them as the foundation for official actions.

permitting authority over most new development is transferred to the local government. To find out if an area has an approved LCP, call the local [CCC District Office](#). A linear transportation project may traverse more than one LCP jurisdiction, as well as an area of retained CCC jurisdiction. Such projects may require several permits. If a project falls within both CCC and LCP jurisdictions, the Coastal Act allows the CCC to process one consolidated coastal development permit if requested by the local government and applicant and approved by the CCC executive director.

3.1.3.1 Local Government Preliminary Approvals/Approval-in-Concept

Most coastal development permits are issued by local governments according to procedures adopted as part of their certified LCP and, unless appealed to the CCC, the local government action on the permit is final. For projects located in areas where the CCC is responsible for issuing coastal development permits (areas of original or retained jurisdiction and areas where there is no certified LCP, including deferred certification areas), CCC staff will typically request information from the Department regarding alternatives analyses, any local discretionary approvals required by the certified LCP (such as land use permits, design review, conditional use permits, etc.), and the status of environmental review under the California Environmental Quality Act. This information will assist the CCC's review of the application by informing CCC staff of existing environmental documentation and analyses completed for the project, and of any conditions or avoidance, minimization, and/or mitigation measures proposed by the Department or imposed on the project by the local government.

3.1.4 Ports, Universities, and Special Districts

In addition to LCPs, other mechanisms to implement the provisions of the Coastal Act are available for ports, universities, and special districts. These include port master plans, long-range development plans (LRDPs) for state university/college or private university development projects, and public works plans (PWP) for public agencies, community colleges, or other special districts authorized to pursue public works projects.

The coastal review process is different for development in areas covered by port master plans, LRDPs, and PWPs. The CCC must review and approve these plans which, in most cases, then take the place of the Coastal Act and/or LCP as the standard of review for regulating development within the plan area and development that is described in the plan. In the case of port master plans, coastal development permit authority over most new development within the port is delegated to the Port Authority upon the CCC's certification of the plan. In the case of LRDPs and PWPs, no coastal development permit is required for development that is described in the plan; rather, the permittee prepares a notice of impending development (NOID), which the CCC reviews for consistency with the plan. If the CCC determines the NOID is consistent with the plan, the development may proceed. To find out if an area has an approved port master plan, LRDP, or PWP, call the local [CCC District Office](#).