

AMENDED IN SENATE AUGUST 26, 2002

AMENDED IN SENATE JUNE 5, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2943

Introduced by Assembly Member Wiggins

February 25, 2002

An act to amend Section 30235 of the Public Resources Code, relating to the California Coastal Commission.

LEGISLATIVE COUNSEL'S DIGEST

AB 2943, as amended, Wiggins. California Coastal Commission: local government: construction.

Existing law requires any person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit from the California Coastal Commission or from a local government. Existing law requires revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes to be permitted when required to serve coastal dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

~~This bill would instead authorize that construction to be permitted.~~

This bill would provide that seawalls, cliff retaining walls, seacave fills, and other construction permitted for the purpose of protecting an existing structure, as defined, shall only be permitted if designed to eliminate or mitigate adverse impacts on natural shoreline processes

and only for so long as the structure has a useful economic life, but in no event any later than January 1, 2051.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30235 of the Public Resources Code is
2 amended to read:

3 30235. (a) Revetments, breakwaters, groins, harbor
4 channels, seawalls, cliff retaining walls, and other ~~such~~
5 construction that alters natural shoreline processes ~~may~~ shall be
6 permitted when required to serve coastal-dependent uses or to
7 protect ~~existing structures or~~ public beaches in danger from
8 erosion and when designed to eliminate or mitigate adverse
9 impacts on local shoreline sand supply. Existing marine structures
10 causing water stagnation contributing to pollution problems and
11 fishkills should be phased out or upgraded where feasible.

12 (b) *Seawalls, cliff retaining walls, seacave fills, and other*
13 *construction that alters natural shoreline processes shall be*
14 *permitted to protect an existing structure in danger from erosion*
15 *only when designed to eliminate or mitigate adverse impacts on*
16 *natural shoreline processes while that structure has a remaining*
17 *useful economic life. A seawall, cliff retaining wall, seacave fill,*
18 *or other construction permitted pursuant to this subdivision shall*
19 *not be permitted on and after January 1, 2051.*

20 (c) *For the purposes of this section, the following terms have*
21 *the following meaning:*

22 (1) *“Existing structure” means a structure that has obtained a*
23 *vested right as of January 1, 1977, the effective date of the*
24 *California Coastal Act of 1976.*

25 (2) *“Vested right” means that substantial construction was*
26 *performed and that substantial expenditures were incurred in good*
27 *faith reliance on either a building permit or final discretionary*
28 *approval, whichever is applicable.*

