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**AB-1011 Coastal resources: coastal development permits: waiver of filing fees.** (2019-2020)

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**Assembly Bill No. 1011**

**CHAPTER 185**

An act to amend Section 30620 of the Public Resources Code, relating to coastal resources.

[ Approved by Governor August 30, 2019. Filed with Secretary of State August 30, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1011, Petrie-Norris. Coastal resources: coastal development permits: waiver of filing fees.

The California Coastal Act of 1976 requires any person undertaking development in the coastal zone to obtain a coastal development permit issued by the California Coastal Commission for a project, as defined, in accordance with prescribed procedures. The act authorizes the commission to require a reasonable filing fee and reimbursement of expenses for the processing by the commission of an application for a coastal development permit and, except for local coastal program submittals, for any other filing, including, but not limited to, a request for revocation, categorical exclusion, or boundary adjustment, submitted for review by the commission.

This bill would authorize the commission to waive the filing fee for an application for a coastal development permit required under the act, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 30620 of the Public Resources Code is amended to read:

**30620.** (a) By January 30, 1977, the commission shall, consistent with this chapter, prepare interim procedures for the submission, review, and appeal of coastal development permit applications and of claims of exemption. These procedures shall include, but are not limited to, all of the following:

- (1) Application and appeal forms.
- (2) Reasonable provisions for notification to the commission and other interested persons of an action taken by a local government pursuant to this chapter, in sufficient detail to ensure that a preliminary review of that action for conformity with this chapter can be made.
- (3) Interpretive guidelines designed to assist local governments, the commission, and persons subject to this chapter in determining how the policies of this division shall be applied in the coastal zone before the certification, and through the preparation and amendment, of local coastal programs. However, the guidelines shall not supersede, enlarge, or diminish the powers or authority of the commission or any other public agency.

(b) No later than May 1, 1977, the commission shall, after public hearing, adopt permanent procedures that include the components specified in subdivision (a) and shall transmit a copy of those procedures to each local government within the coastal zone and make them readily available to the public. After May 1, 1977, the commission may, from time to time, and, except in cases of emergency, after public hearing, modify or adopt additional procedures or guidelines that the commission determines to be necessary to better carry out the purposes of this division.

(c) (1) The commission may require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of an application for a coastal development permit under this division and, except for local coastal program submittals, for any other filing, including, but not limited to, a request for revocation, categorical exclusion, or boundary adjustment, that is submitted for review by the commission.

(2) A coastal development permit fee that is collected by the commission under paragraph (1) shall be deposited in the Coastal Act Services Fund established pursuant to Section 30620.1. This paragraph does not authorize an increase in fees or create any new authority on the part of the commission.

(3) The commission may waive the filing fee for an application for a coastal development permit required under this division. When considering a request for a waiver of a filing fee pursuant to this paragraph, the commission shall give extra consideration to a private nonprofit organization that qualifies for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code if the permit is required for a habitat restoration project or a project to provide public access to coastal resources.

(d) With respect to an appeal of an action taken by a local government pursuant to Section 30602 or 30603, the executive director shall, within five working days of receipt of an appeal from a person other than a member of the commission or a public agency, determine whether the appeal is patently frivolous. If the executive director determines that an appeal is patently frivolous, the appeal shall not be filed unless a filing fee in the amount of three hundred dollars (\$300) is deposited with the commission within five working days of the receipt of the executive director's determination. If the commission subsequently finds that the appeal raises a substantial issue, the filing fee shall be refunded.