

BOARD of SUPERVISORS



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February 23, 2024

The Honorable Matt Haney
California State Assembly Member
California State Capitol, Room 5310
P.O. Box 942849
Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 58-24

Dear Assembly Member Haney:

On February 6, 2024, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 58-24 (Opposing California State Senate Bill No. 951 (Wiener) Unless Amended and Expressing Support for the California Coastal Act and Recognizing the Authority of the California Coastal Commission), which was enacted on February 16, 2024.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 58-24 (File No. 240065)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


f Angela Calvillo
Clerk of the Board

jec:ams

- c. Members of the Board of Supervisors; President Aaron Peskin
Tom Paulino, Office of the Mayor
Eileen F. Mariano, Office of the Mayor
Andres Power, Office of the Mayor
Susanna Conine-Nakano, Office of the Mayor
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Opposing California State Senate Bill No. 951 (Wiener) and Expressing Support for the
2 California Coastal Act and Recognizing the Authority of the California Coastal Commission]

3 **Resolution opposing California State Senate Bill No. 951 (Wiener) and setting forth the**
4 **City and County of San Francisco's support for the California Coastal Act and the**
5 **recognition of the value of the California Coastal Commission to enforce the California**
6 **Coastal Act.**

7
8 WHEREAS, In 1972, California voters, alarmed that unchecked industrial and luxury-
9 residential development was cutting off public access to the shore of the State of California,
10 approved by Proposition 20, The California Coastal Zone Conservation Act was passed, to
11 oversee the use of and development along California's 840 mile coastline; and

12 WHEREAS, The California Coastal Zone Conservation Act stated "it is the policy of the
13 State to preserve, protect, and where possible, restore the resources of the coastal zone for
14 the enjoyment of the current and succeeding generations"; and

15 WHEREAS, Proposition 20's voter initiative was a hard-fought campaign, which
16 ultimately led to the passage of the California Coastal Act by the State legislature, which was
17 signed into law in 1976 by Governor Jerry Brown, and which is on file with the Clerk of the
18 Board of Supervisors in File No. 240065, and hereby declared to be a part of this Resolution
19 as if set forth fully herein; and

20 WHEREAS, The California Coastal Act was enacted with provisions empowering the
21 California Coastal Commission to protect and provide for affordable housing and maximize
22 public access on and along the California coast, and despite actions to weaken those
23 authorities, the Coastal Act and the Coastal Commission are the reasons California's coast
24 remains open to all Californians rather than being dominated by luxury hotels and
25 condominiums, as modeled by the Jersey Shore or South Florida; and

1 WHEREAS, The Coastal Commission is the primary agency which issues Coastal
2 Development Permits, although once a local agency (a County or City) has a Local Coastal
3 Program (LCP) which has been certified by the Commission, that local agency takes over the
4 responsibility for issuing Coastal Development Permits; and

5 WHEREAS, For areas with Certified LCP's, the Commission does not issue Coastal
6 Development permits, and is instead responsible for reviewing amendments to a local
7 agency's LCP, or reviewing a small subset of Coastal Development Permits issued by local
8 agencies which have been appealed to the commission; and

9 WHEREAS, The Coastal Commission has been collaborating with local governments in
10 the Coastal Zone for 50 years to address the urgent issues resulting from climate change and
11 sea level rise and coastal hazards; and

12 WHEREAS, The California Coastal Management Program is widely recognized as the
13 most comprehensive, effective coastal management program in the country and the envy of
14 the nation; and

15 WHEREAS, The Local Coastal Program (LCP) is a policy and regulatory document
16 required by the California Coastal Act that establishes land use, development, natural
17 resource protection, coastal access, and public recreation policies for San Francisco's Coastal
18 Zone; and

19 WHEREAS, San Francisco's Local Coastal Program was originally certified in 1986,
20 which policies were incorporated into the Western Shoreline Area Plan, the element of the
21 General Plan that establishes land use, development, and environmental policies for the
22 Central Coast area that encompasses San Francisco, and San Francisco's LCP was later
23 amended and approved by the California Coastal Commission on May 10, 2018, after an
24 extensive planning process was initiated in 2015 and funded by the California Coastal
25 Commission and the Ocean Protection Council; and

1 WHEREAS, On January 18, 2024, California State Senator Scott Wiener introduced
2 Senate Bill No. 951 (SB 951), on file with the Clerk of the Board of Supervisors in File
3 No. 240065, which is hereby declared to be a part of this Resolution as if set forth fully herein,
4 to reduce the geographic jurisdiction of the Coastal Commission along the Coastline in San
5 Francisco County, to undermine the City and County's decades of environmental planning
6 collaboration with the California Coastal Commission and community stakeholders, and to
7 weaken the Coastal Commission's authority to promote coastal resiliency, equitable public
8 access, habitat protection and other public benefits in the 15 coastal counties in the State of
9 California, including the ability to appeal Coastal Development Permits to the Coastal
10 Commission; and

11 WHEREAS, Despite an inaccurate narrative that the California Coastal Act somehow
12 blocks housing development, affordable or otherwise, the California Coastal Commission's
13 own database shows that in the 52 years since the Commission was established, only two
14 San Francisco appeals of local coastal development permits have ever been filed – one which
15 was not even taken up by the Commission and one which the Commission ultimately voted to
16 sustain the local approval; and

17 WHEREAS, The majority of the areas impacted by SB 951 are identified as San
18 Francisco County Tsunami Hazard Areas; and

19 WHEREAS, The lands proposed for removal from Coastal Commission jurisdiction
20 include the property at 2700 Sloat Blvd. in San Francisco, which property has been proposed
21 for a 589-foot high, 50-story high rise luxury condominium development; and

22 WHEREAS, Upon introduction, SB 951 claimed to be sponsored by the City and
23 County of San Francisco even though the San Francisco Board of Supervisors, the City's
24 designated policy body, had never been consulted nor taken a position on SB 951; and
25

1 WHEREAS, Numerous environmental organizations in the State of California, including
2 the Surfrider Foundation (SF Chapter), Azul, and the California Coastal Protection Network,
3 have already expressed alarm that SB 951 will set an adverse precedent for coastal counties
4 to introduce similar legislation to redefine the Coastal Commission's jurisdiction, thereby
5 leading to an irreversible erosion of the mandates of the California Coastal Act to preserve
6 and protect California's cherished coastline and coastal resources for public use and – even
7 more disturbing – to incentivize developer and real estate special interests to invest significant
8 time and money lobbying for special oversight loopholes so that projects (like the 2700 Sloat
9 Blvd. high-rise) can avoid any reasonable government oversight; now, therefore, be it

10 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
11 oppose Senate Bill 951, unless amended to maintain the California Coastal Commission's
12 existing geographic and appellate authority, and set forth that the City and County of San
13 Francisco not be listed as a sponsor of this legislation, and that the City Lobbyist shall
14 appropriately lobby against SB 951 in the State legislature, per this official city policy; and, be
15 it

16 FURTHER RESOLVED, That a copy of this Resolution be conveyed by the Clerk of the
17 San Francisco Board of Supervisors to Senator Wiener, all members of the California State
18 Senate, Assembly members Matt Haney and Phil Ting, and all members of the California
19 State Assembly, as well as members of the Boards of Supervisors in the 14 other coastal
20 counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Mateo, Santa Cruz,
21 Monterey, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange and San Diego.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

**Tails
Resolution**

File Number: 240065

Date Passed: February 06, 2024

Resolution opposing California State Senate Bill No. 951 (Wiener) unless amended and setting forth the City and County of San Francisco's support for the California Coastal Act and the recognition of the value of the California Coastal Commission to enforce the California Coastal Act.

February 05, 2024 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

February 05, 2024 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

February 06, 2024 Board of Supervisors - ADOPTED

Ayes: 8 - Chan, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton

Noes: 3 - Dorsey, Engardio and Melgar

File No. 240065

I hereby certify that the foregoing Resolution was ADOPTED on 2/6/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

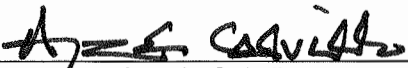
Unsigned

02/16/2024

**London N. Breed
Mayor**

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

02/16/2024

Date

File No. 240065