

PRESSURES ON CALIFORNIA'S COASTAL RESOURCES

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Abstract: There is a sudden concern by public leaders that "something be done" to immediately solve environmental problems. This is a dangerous situation since no well-thought-out programs are ready, and precipitous action may have serious consequences.

The many pressures on ocean resources can be relieved in part by each of us "giving up" something - what will each of us be ready to sacrifice?

The State has recognized for some time the problems of competing uses in the ocean and coastal zone, and has created a California Advisory Commission on Marine and Coastal Resources (CMC), an Intergency Council for Ocean Resources (ICOR), and a new Department of Navigation and Ocean Development (DNOD). These groups are to identify the State's interest in the coastal zone and to plan for, and to implement plans for, uses and modifications of the coastal zone.

Federal legislation has been proposed which would establish State Coastal Zone Authorities having power to draw up land-use and zoning regulations to assure compliance with a coastal master plan; this approach will severely test the traditional "hands off" policy of the State with respect to local zoning matters.

A Comprehensive Ocean Area Plan (COAP) is being prepared by ICOR and DNOD for completion in 1972. Planning areas have been defined, preliminary planning objectives established, and an aerial photo survey is about to begin which will serve as a basis for a land-use inventory.

Local government officials are working with the State in an effort to determine guidelines for possible coastal zone legislation during this legislative session.

I think today marks a milestone in the activities of the California-Nevada Section of the Wildlife Society.

Most of us here today will recognize this as the first meeting of our society to be held in the "Year of the Environment." This is great "new" stuff to the various governmental entities, newly informed journalists, politicians and other "band-wagon types", who see that the "time is now" for a crusade!

Most of us can say, "So what's new?" I am reminded a little of the story of the old farmer who was impelled to hit his mule between the eyes with a 2x4 to get his attention! Certainly this group over the years has recognized the dreadful environmental situation as it has developed, and many of our members have been in the vanguard of the fight to do something new -- which has finally resulted in at least the expressed alarm of our public leaders. My advice is to move now that the "mule" has given its attention.

All of this sudden concern, and this sudden common agreement that "something must be done", is just fine -- but I submit that this is a very dangerous situation -- one in which literally almost no one is ready with well thought out action programs, and in which there is a swelling public outcry to do something! Actions taken now are going to have the most profound and serious consequences to our environment and way of life immediately as well as in the near and distant future.

I did not come here to discuss generalities, nor would you wish to hear more "viewing with alarm". Let's face it. Things are bad -- matters are going to get worse, and they may get better -- or still worse -- what happens is largely up to us.

Truly the title of this talk, as listed in the agenda, would be better stated as "Methods of dealing with pressures on the ocean resources".

It is not reasonable to list for you the "pressures". You have heard these described many times -- always big -- always bad -- always there -- and increasing.

Let's try to consider what we are faced with -- what do we want to do?

The "pressures" arise because of conflicting or competing uses, or simply because of overuse. In order to relieve some of these pressures, what are you going to give up? Who will be first? Don't just look at the other fellow!

How about the coastal power plant? Will you accept a "brown-out" before you will permit the coastal location?

Will you walk to the ocean cliff or beach from Fresno or Sacramento, or even San Francisco, rather than pump oil out of the coastal zone to provide the fuel for the vehicle that would otherwise transport you there?

Will you tell the coastal rancher that he can't sell to the developer, or that he must not close his gates to the ocean fields?

Where are you going to put your new sailboat? Do you need a pier? Does the marsh

or estuary have a value to you -- in being just as it is?

Should we be counted like sheep into the coastal zone, and when the magic number is reached, close the gate and shunt the would-be surfer to the inland tennis courts?

Fanciful? Perhaps -- but not very!

Where are we going to start to solve these problems of Coastal Zone uses? And have we really started yet?

I think we have started, and we are starting from a hard-won State-base representing the California Advisory Commission on Marine and Coastal Resources (CMC), the Interagency Council for Ocean Resources (ICOR), and the Department of Navigation and Ocean Development (DNOD), among other entities.

Let me describe briefly some of the background of these State-level agencies which are attacking these problems, and which will be involved to one extent or another from now on.

In 1967, legislation created the California Advisory Commission on Marine and Coastal Resources (CMC). This is a 36-man group including 30 members appointed by the Governor, and additional members from the legislature. This commission replaces the former Governor's Advisory Commission on Ocean Resources (GACOR). The CMC has been charged with numerous duties including a review of the Comprehensive Ocean Area Plan (COAP), and the preparation of an annual report to the Governor and Legislature concerning activities and accomplishments of the State with respect to marine matters.

The Interagency Council for Ocean Resources (ICOR) is the entity created in 1967 by Governor Reagan in response to the legislation which created the CMC and which also directed him to prepare a COAP.

I serve as Executive Secretary to ICOR, which is a policy-making body whose members are the Lt. Governor as Chairman, to whom I report, and the Secretaries of the Resources Agency, the Human Resources Agency, the Business and Transportation Agency, the Agriculture and Services Agency, and the Chairman of the State Lands Commission. I also serve as Project Manager for the preparation of the COAP, and report to the new Department of Navigation and Ocean Development (DNOD) with respect to State input into the plan and to the proposed implementation of the plan.

The Department of DNOD was established by Governor Reagan in 1969 through reorganization of the former Department of Harbors and Watercraft, and through the assignment of new duties including implementation of the COAP. Recent discussion has centered upon proposed Federal legislation which would create a State Coastal Zone Authority (CZA) and the role which the Department of DNOD would play.

All of these groups are working together and are in general agreement that uncontrolled development must be stopped until a "plan" is available. This is fine -- but what do we do until the "plan" is ready? Shall we have a "moratorium"? On what? On all uses? No! Of course not! What uses, then? These must be defined. By whom? Who monitors, reviews, and enforces? Shall it be a local decision? State? Federal?

Like it or not, the most serious thrust appears to be at the Federal level. Legislation now before both the U. S. Senate and the House would establish a National Coastal Zone Management Act, and this in turn would provide for Federal-State relationships to be coordinated through a State Coastal Zone Authority (CZA) under specified conditions.

A CZA would be a government entity, broadly representative of coastal needs, problems and uses. The Federal coordinating agency would review any planning and development programs submitted by a coastal authority and would be empowered to make grants to assist them in developing a long-range master plan for the coastal zone and implementation of a development program based upon such a master plan.

The CZA would be required to have the power to draw up land use and zoning regulations which shall control public and private development of the coastal zone in order to assure compliance with the master plan; and to acquire lands through condemnation when necessary to develop lands and facilities and to operate public facilities, and to borrow money and issue bonds for the purpose of land acquisition or land and water development.

Now, without going into details, it should be immediately apparent that this approach will severely test the traditional State "hands off" policy with respect to local zoning matters. But the Federal Pressure is on, and there is much support for this approach from the public. The State and local entities must recognize this and see to it that master plans are developed, and that a system be established which will permit the Federal concept of coordination and assistance in planning to be maintained -- yet not create new governmental entities which will conflict with or destroy the rights and interests of local governments or individuals.

Meanwhile, the planning operation must be maintained and is scheduled for completion in early 1972. This function did not become fully operational until September 1969, due to numerous funding problems.

The planning process is following a standard pattern which identifies and describes the planning area, establishes planning objectives, determines present and projected uses of the resources within the planning area, identifies conflicts between "uses" and reconciles uses where possible.

Some of the problems faced in getting started have been extremely complex, such as deciding upon a definition of the planning area. Following many discussions of the ICOR planning team, ICOR itself and the CMC, we finally settled on a

"Coastal Zone" , described in three categories as follows:

Zone A - Primary Ocean Planning Area (Coastal)

Includes publicly and privately owned lands inland to a variable distance from beaches and margins of bays and estuaries but normally does not extend further than the highest elevation in the nearest coastal mountain range. It further includes tide and submerged lands lying seaward to a variable distance from the beaches but normally does not extend further seaward than the outermost limit of the State's boundaries. The variable distance is on the order of $\frac{1}{2}$ -mile inland unless studies completed during the plan preparation indicate a different extent.

Zone B - Secondary Ocean Planning Area (Offshore and Inland)

Includes the area extending from the seaward limit of Zone A to the outer limit of the continental shelf, and the area extending from the inland limit of Zone A to the landward boundary of the coastal counties, and shall not be inconsistent with other State planning areas.

Zone C - Tertiary Ocean Planning Area

Includes other extended areas of land and water of importance having an influence or impact on special interests, such as fisheries and transportation.

The planning area within the San Francisco Bay and Delta would be included within Zone A, and coincide with the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, in addition to the deep water ship channels to Sacramento and Stockton and the associated navigation and port facilities.

Planning objectives were nearly as difficult. Those approved by ICOR and CMC are simply as follows:

1. Provide for the orderly, efficient development and use, consistent with sound conservation principles, of all marine and coastal resources for economic, recreational, educational, scientific, and necessary defense purposes, stressing multiple uses that are consistent with the total public interest.
2. Maintain and, where indicated, improve the quality of the marine and coastal environment, including its amenities and aesthetic values.
3. Encourage the wise use of renewable and non-renewable marine resources.

The CMC has also recommended the following objectives:

The broad objective of the California Comprehensive Coastal Area Plan is to provide a framework for the conservation and use of California's marine and coastal resources for the social and economic benefit of the people;

more specifically, the goals of the plan are to:

1. Maintain and, where indicated, improve the quality of the marine and coastal environment, including its amenities and esthetic values;

The amenities and esthetic values of the natural marine and coastal environment represent one of California's greatest assets. Scenic beauties--such as vistas of beaches, sea cliffs, salt marshes, and waves -- as well as sounds and odors that are peculiar to the ocean should be preserved for man's enjoyment. Development of marine and coastal resources must take these qualities into account.
2. Insure the continued existence of sufficient populations of all species of living organisms for economic, recreational, educational, and scientific purposes;

The present generation of man has the obligation to pass on to future generations all species of living resources that now exist. Man, in making modification of the marine and coastal environment, must use discretion in recognition of the delicate ecological inter-relationships. Renewable resources, if wisely used, can be available indefinitely for economic, recreational, educational, and scientific purposes.
3. Provide for the orderly, efficient, balanced development and use, consistent with sound conservation principles, of living and non-living marine and coastal resources for economic, recreational, educational, scientific and necessary defense purposes;

The ocean and its shoreline provide space and resources for a wide variety of human uses, both consumptive and non-consumptive. These spaces and resources are not unlimited; therefore, to minimize conflicts and waste, it is important that plans for all uses be carefully developed to take optimum advantage of the particular characteristics of each given area, that environmental quality and conservation considerations are adequately taken into account, and that multiple uses be stressed where feasible and desirable.

I quote further some additional guidelines and precepts which are being considered for the preparation of the COAP:

"The COAP should contain objectives that will make it possible to guide the location of oil refineries, power generation installations, open space preserves, parks, commercial and recreational harbors and other facilities and land uses which are of statewide concern, and to guide all state programs which relate to the shoreline, including state lands granting and leasing, harbor facility loans, state park acquisitions, and other financial grants to localities. These policies would not necessarily pinpoint locations, but would simply indicate the principles which should be followed in location so as to avoid an infringement on values which are of state or regional concern".

Most difficult is the matter of an inventory. One of the first things we discovered was that there is no single source of data for the coastal zone. Much exists -- however it is in the form of charts, tables, color slides, graphs, black and white prints, punched data cards, magnetic tape, narratives etc., in every possible combination, of highly variable defined resources and uses, over different time intervals and under drastically variable conditions of weather, altitude, season, time of day, etc.

Further, this data is widely scattered, and we felt it would be hopeless to try to bring it together.

We are about to launch an aerial photo survey of the coastal zone under uniform standard conditions, and will follow this with a photo interpretation program, a determination of land ownership and legal restraints, together with a measure of all possible uses present or projected whether they show on photos or have to be identified from the on-the-spot studies. The site characteristics and physical attributes of the environment are being determined.

Our modest 3-5 man planning staff has the great assistance of an ICOR planning team made up of a specialist from each state agency concerned with coastal zone activities. Through this group we are able to gather much needed data and are in the process of doing so. We are working especially closely with the Department of DNOD.

We have defined a number of categories of uses, ownership, resources, site characteristics, and legal restraints, which are guiding our inventory.

Some real problems come up as we get into the matter of competing uses.

It is extremely easy to say that the use which is in the highest public interest should be supported.

It is not easy to define the public interest -- because among other things we have no single definition of "public".

As some of my city planner friends have pointed out -- just who are they expected to plan for? Shall it be for the summer visitor who comes in on a brief or extended stay as a resident during June, July and August; or shall it be for the tourist who comes in during his coastal tour and stays perhaps only one night?

Or how about the local year-round resident? Or how about the person living an hour or two distant, and who may appear at any time, generally only on a weekend, seldom overnight?

Consider --- these people are all "public" --- and so are the people who render services to the visitor or resident. The private landowner is "public", and so are all the people in the city in one sense or another.

What is the "public" interest here? Do you plan your city for the summer visitor? Motels, parking lots, services which are located in the coastal zone and which are empty or closed except for three or four summer months --- do you build these?

Do you design your parks for the day visitor or for the overnight camper? What kind of a park does the tourist wish, as compared to the local resident?

Who should get the consideration? The people who are resident, or the people who come from inland California or the United States to participate in a great view or sport or rest?

Again! -- What is the "public" interest?

The more we consider the complexities of assigning use criteria and establishing priorities for use, the more we are pushed to the conclusion that certainly one guideline or policy must be, "That no use should be permitted in the coastal zone which in turn does not depend for its existence upon the coastal zone. Let those uses which are not so dependent be located elsewhere".

What are the uses we do not want generally? These could include structures or modifications which result in an unnecessary, adverse effect upon the environment.

Dredging, filling or destruction of an estuary, bay, lagoon, marsh or shoreline generally might be described as adverse unless necessary for the public safety, health or welfare, or which are in established harbors, or which result in increased public access or increased water oriented recreational opportunity.

How about generally opposing developments which reduce public access from the land to the beach or water, or which reduce recreational opportunities?

How about preserving an uncluttered line of sight to the shoreline or ocean horizon from the nearest public street or viewpoint?

This may be the place to focus on what we want. This is the "California Coast",

the prime attraction for millions of persons who choose to live in this area, or visit it at some time or another --- coming from other parts of California, the rest of the United States and from all over the world.

Why do people come here? They do come and use the beaches; they do come to swim, to boat, to fish, to hike, to camp, to look.

They do not come to look at houses, at hotels, at factories, at power plants, at super highways, at parking lots, at oil wells, at yellow-brown skies or at turbid waters.

People come to California, and live in California, because they have found something they enjoy seeing or doing!

As a result, California has a population from native birth and immigration of some 20 million people. Where are these people? About 16 million are in the "Coastal Zone", or within an hour's driving time of the water. There is our pressure!

But never forget we must have our business and development. It must be controlled or carefully developed however, to ensure that we do not destroy those very things which have made California such a wonderful state in which to live!

Does this mean a "moratorium" on development would be useful? In what way?

It would gain us time --- but so what? --- what are we going to do with the time? Can we afford to simply stop all development?

I note something going on in conservation circles --- it is called, "I'm not really against it; we need it; however, I don't want it here but somewhere else where I cannot see it or hear it or even know about it, because I don't intend to go there anyway and, besides, I can have what I need shipped in" --- end quote!

Sound familiar? Now really isn't there some truth in this? We need oil; we need electricity; we need minerals; but I detect an increasing tendency to locate uses "somewhere else" --- or to build the plants "somewhere else", just don't disturb me!

In too many cases it is a matter of "I've got mine; now let me alone and go somewhere else for your activities." In other cases it is a matter of genuine concern that a limited resource, a unique habitat or view, is to be irreversibly destroyed.

But what is the heart of the matter? Isn't it basically a desire to limit the uses of the coastal zone? To limit them to activities or modifications which are appropriate, or to take it a step further, as already noted, to permit only those activities which are unique in themselves to the coastal zone, or which depend upon the water phase of the coastal zone.

I feel that caution is necessary, that by simply referring the problems "somewhere else" the real issue is only deferred, not solved!

Let me make it clear. We have a primary problem of land use here. Today, the local government decides what should be or should not be done with land within its jurisdiction. The power to zone is a local matter.

He who tries to change the concept is in for a rough time in this State!

What can be done? This is a timely question, and I will summarize by referring to the questions discussed at a meeting in Sacramento yesterday, January 29, called by Lt. Governor Reinecke to discuss with local officials possible methods for getting something done, and which would serve as guidelines for needed legislation this session.

1. Should a regulatory agency be created to control coastal shoreline development and access? If so, should the agency be organized under:
 - (a) State government, empowering one agency to regulate all the coast; or
 - (b) Several regional agencies possibly patterned after the San Francisco Bay Conservation and Development Commission (BCDC); or
 - (c) Existing councils of governments, such as Southern California Association of Governments (SCAG), or Association of Bay Area Governments (ABAG). (Other councils of government would be formed where necessary).
2. Should a moratorium be placed on unnecessary adverse modifications within the coastal zone for a period of about 2½ years? (Until the Comprehensive Ocean Area Plan (COAP) is completed). Adverse modifications might include:
 - (a) Filling, dredging or destruction of bays, estuaries, lagoons, saltwater marshes, sloughs, and coastline itself.
 - (b) Reduction of public access to the water from land.
 - (c) Reduction of beach and recreation areas.
 - (d) Impairment of the visual aspect of shore and sea.
3. Should the moratorium be established by:
 - (1) Voluntary action by local government, the cities and counties adjacent to the coastline; or
 - (2) The state legislature.
4. Should cities and counties on a cooperative, voluntary basis establish model planning and zoning ordinances specifically for the coastal shoreline?

5. How should the problem of inverse condemnation be faced when rezoning affects a planned development?
6. How may state financing be developed for public acquisition of shoreline and access?

These latter questions reflect the intense interest of the administration in possible legislation to be introduced this session.

There are many approaches advocated by several groups, ranging from a few to numerous regional bodies with "teeth"; to no regulatory agencies with teeth. One possibility is a new state agency to rule over all. I call this matter most strongly to your attention, and assure you that your opinions and suggestions will be welcome!

Thank you for the opportunity to be here today.