

California Coastal Commission decision-making process appears stable and consistent, research shows

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Credit: AI-generated image ([disclaimer](#))

New Stanford research shows that the California Coastal Commission's decision-making process on land use along the Golden State's coast has remained highly consistent for the last two decades.

The commission last week fired Executive Director Charles Lester, spurring discussion about how the agency approaches environmental and development issues under its state mandate. Many environmentalists fear the move could weaken the agency's approach toward development of the state's coastline. Others wonder whether the commission favors one side or another in its rulings.

In a new working paper, Iris Hui, associate director for academic affairs at the Bill Lane Center for the American West, examined how permitting processes shape policy at the California Coastal Commission. Hui, who started the research more than two years ago, wanted to examine the reality behind the commission's decision-making – is the process fair or not?

To answer this question, Hui web-scraped all the commission's meeting agendas and staff reports between 1996 and 2014. In doing so, she analyzed its permit process, including what projects received approval, how long the application process took, what – if any – permit conditions were granted, and whether the pattern changed over time.

"The goal of the project was to use [text mining](#) to make massive paper-based government records transparent and accessible," Hui said.

"Text mining" or "data mining" refers to the extraction through software of information from large databases or data sets. The data may include written documents produced during meetings associated with a state agency like the California Coastal Commission.

Development projects within the coastal zone typically require permits granted by the California Coastal Commission. In making these decisions, the commissioners have discretion to determine what is an environmental impact. An application can only be approved if it can be shown that it would not cause an "adverse environmental impact" under

the California Coastal Act of 1977.

Established in 1972, the commission has 12 voting members, with three groups of four, each being appointed by the governor, the Senate Rules Committee and the speaker of the State Assembly. The agency regulates land use in coastal zones measuring from several hundred feet up to five miles inland. California has about 1,100 miles of coastline.

Approvals with conditions

Hui found that the approval rates for the commission's permit applications vary by types of application, with an average rate of about 80 percent. However, approval rates do not adequately reveal a particular commission's regulatory approach, she said. In fact, most approvals come with conditions. Examples include measures to better protect public beach access, restore natural habitats, use lighting, and manage run-off water.

Because outright rejection is rare, Hui said, the agency's influence comes primarily through negotiating each application. Her research suggests that the commission follows a "managed development" approach that allows development while "scrupulously managing" it.

Before an application reaches the hearing, the staff makes "extraordinary efforts" to negotiate each permit to obtain concessions, such as public access and easement or in architectural designs, according to Hui.

"The reaction to such exercise of authority varies," she wrote. "For environmentalists, the agency is taking the first step in the right direction. For some property owners, the agency may have overstepped its authority by enforcing restrictions on shoreline-supporting devices and thus imposing a higher cost and risk of ownership."

But Hui wrote that the California Coastal Commission is not a rubber stamp that approves anything that comes its way. Most of the [permit applications](#) were processed swiftly, she said. "The agency rarely issues outright rejection. It also does not engage in stalling tactics."

Opening up government records

In embarking on the project, Hui said she believed it was time to look at the facts in the commission's [decision-making process](#) on permits.

"There are many different opinions or anecdotes about the commission and its permit process. None of them are supported by empirical data. The reason is that no systematic data exist. The permit process is largely a black box to the general public," Hui said.

Text mining can be applied to records of any governmental agency, she added.

"These techniques help to extract information from a massive volume of papers and organize them into a database for analyses. The empirical data extracted from texts can significantly increase transparency in these agencies and allow researchers to take up questions that were once unanswerable due to a lack of [empirical data](#)," Hui said.

Her project is part of a bigger effort at the Bill Lane Center to study the permit process behind environmental regulation in the state. After all, state and local regulatory agencies make decisions that affect everyday life.

"Regulatory agencies oversee aspects that affect the quality of water people drink, the quality of air that people breathe, and the environment people live in," she said.

More information: Shaping the Coast with Permits: Making the State Regulatory Permitting Process Transparent with Text Mining. [DOI: 10.13140/RG.2.1.2266.8562](https://doi.org/10.13140/RG.2.1.2266.8562)

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