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San Diego County Board of Supervisors
LEON L. WILLIAMS, Supervisor

Facsimile Cover Sheet

Date 6/18

To TERRY WILLIAMS

Fax Number 221-8906

From RENNIE BRODEUR

Fax Number 557-4025

Number of pages following cover sheet 2

Comments

Let me know if there is anything else you need!

Renn

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ALTERNATES FOR STATE COMMISSIONERS

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NEW EX PARTE COMMUNICATION REQUIREMENTS

As of January 1, 1993, significant new ex parte requirements affecting communications with Commissioners go into effect. (Public Resources Code, sections 30319–30324.) These stringent new provisions of law may have serious consequences. **Anyone** wishing to communicate with a Commissioner about any matter pending before the Commission should read and abide by the guidelines below. The following guidance covers **most** of the new requirements.

- **No** written materials should be sent to Coastal Commissioners **unless** the Commission staff receives copies of **all** of the same materials at the same time.
- **All** materials transmitted to Commissioners should clearly indicate (e.g., on the cover page or envelope) that they have also been forwarded to the staff. Materials that do not show that copies have been provided to staff might not be accepted, opened or read by Commissioners. In these cases, **no** ex parte communication has occurred.
- **Messages** of a non-procedural nature (e.g., substantive) should **not** be left for a Commissioner. These include telephone, FAX, telegraphic or other forms of message.
- **All** oral or written communications of a non-procedural nature by an "interested person" that are **not** made according to the above procedures are ex parte communications which are prohibited **unless** publicly reported by the Commissioner. If the Commissioner does not report the communication, the Commission's action that was the subject of the communication may be revoked and penalties may result.
- Coastal Commission decisions must be made on the basis of information available to all commissioners and the public. Therefore, copies of communications made to Commissioners that are forwarded to staff will be included in the public record. Public records are available for inspection at Commission meetings or in the Commission's office.

NOTE: *The purpose of these new legal requirements is to protect due process and fairness in the Commission's decision-making process. Failure to follow them* ***could*** *lead to fines, revocation of permits and substantial costs. If you have any questions, you can contact Commission legal staff.*