

CALIFORNIA COASTAL COMMISSION

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**W30a**

DATE: August 21, 2015
TO: Coastal Commissioners
FROM: Charles Lester, Executive Director
SUBJECT: **MINUTES of MEETING of JULY 8- 9, 2015**
City of Ventura City Hall
Council Chambers
501 Poli Street
Ventura, CA 93002

WEDNESDAY, JULY 8, 2015

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Kinsey.
2. **ROLL CALL.** Present: Chair Kinsey, Vice Chair Zimmer, Bochco, Cox, Groom, Howell, McClure, Mitchell, Pector (alternate), Turnbull-Sanders, Uranga. Vargas arrived at 9:05 a.m. Non-voting present: Gibson, Jones, Schmidt.
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** The public addressed the Commission on various issues affecting the coast.
5. **CHAIR'S REPORT.**

STATEWIDE

6. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Director's Report.** Information only.
 - b. **Legislative Report.**

AB 864 (Williams) Staff recommended Commission support of the bill.

Motion & vote: Zimmer moved to support AB 864 and recommended a yes vote, seconded by Groom. Chair Kinsey ruled that the vote was unanimous in support of the motion. **Approved.**

SB 295 (Jackson) Staff recommended Commission support of the bill.

Motion & vote: Groom moved to support SB 295 and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in support of the motion.
Approved.

- c. **309 Enhancement Grants Updated Assessment and Strategy 2016-2020.**
Informational purposes only. No action taken.

- d. **Public Hearing and Update on Revised Draft Sea Level Rise Policy Guidance.**
Informational purposes only. No action taken.

- e. **Filing Fees Increase.** Informational purposes only. No Commission action necessary.

REPORT ON CLOSED SESSION. In the matters of:

Union of Medical Marijuana Patients, Inc. v. City of San Diego et al.,--The Commission received litigation information and advice.

Wild Equity Institute v. CCC (City & County of San Francisco et al., RPI),--The Commission received litigation information and advice.

SDS Family Trust v. CCC,--The Commission received litigation information and advice and voted to comply with the writ of mandate by rescinding the public access condition..

The Commission also received litigation information and advice in two matters of potential litigation.

NORTH COAST DISTRICT

- 7. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Kinsey ruled that the Commission concurred.
 - a. **Application No. 1-15-0604 (Humboldt Bay Harbor District, Humboldt Co.)**

NORTH COAST DISTRICT

- 8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Kinsey ruled that the Commission concurred.

[Howell out of room]

- 9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [11a] to the expanded consent and recommended approval with conditions.

Motion & vote: McClure moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

10. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **Humboldt County LCP Amendment No. LCP-1-HUM-15-0011-2. (Time Extension).** Staff recommended that the Commission grant the time extension.

Motion & vote: McClure moved to approve the time extension and recommended a yes vote, seconded Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved.**

[Howell returned]

11. **PERMIT AMENDMENTS.**

- a. **Permit No. 1-90-176-A1 (Holmer, Mendocino Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

12. **ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY.** Report by the Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, negative determinations, matters not requiring public hearings, and status report on offshore oil & gas exploration & development. There being no objection, Chair Kinsey ruled that the Commission concurred.

- a. **Proposal to Upgrade Redondo Beach Generating Station.** Information only. No action taken. Report trail until after item 12b.
- b. **Refugio Oil Spill.** Information only. No action taken.

13. **CONSENT CALENDAR (removed from Regular Calendar).** None.

ENFORCEMENT

14. **ENFORCEMENT REPORT.** None.

NORTH CENTRAL COAST DISTRICT

15. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Kinsey ruled that the Commission concurred.
16. **CONSENT CALENDAR (removed from Regular Calendar).** None.
17. **LOCAL COASTAL PROGRAMS (LCPs)**
 - a. **City of Half Moon Bay LCP-2-HMB-14-0612-1. (Map Revisions).** Staff recommended denial as submitted and approval if modified as suggested.

Motion & vote: Groom moved to extend the time limit and recommended a yes vote, seconded by McClure. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved.**

Motion & vote: Groom moved to continue the matter and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved.**

CENTRAL COAST DISTRICT

18. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Kinsey ruled that the Commission concurred.
19. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [21a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Groom moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**
20. **LOCAL COASTAL PROGRAMS (LCPs)**
 - a. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-15-0013-1 Part A (Former Santa Rosa Schoolhouse Parcel Redesignation).** Staff recommended approval as submitted.

Motion & vote: Howell moved to certify the Land Use Plan as submitted and recommended a yes vote, seconded by McClure. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

- b. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-15-0013-1 Part D (Warehousing).** Staff recommended approval as submitted.

Motion & vote: Howell moved to continue the matter and recommended a yes vote, seconded by McClure. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved.**

21. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-15-0144 (San Lorenzo River Interim Management Plan, Santa Cruz)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

22. **DISPUTE RESOLUTION.**

- a. **Dispute Resolution No. A-3-SNC-98-114-EDD (Security National Guaranty, Inc. Sand City) [POSTPONED]**

SOUTH CENTRAL COAST DISTRICT

- 23. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Kinsey ruled that the Commission concurred.

[Howell & Vargas out of room]

- 24. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [25a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Zimmer moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

25. **NOTICE OF IMPENDING DEVELOPMENT.**

- a. **Santa Barbara City College Notice of Impending Development No. CSB-NOID-0001-15 (East Campus Storm Drain Replacement).** Moved by staff to the expanded consent calendar. **Approved with conditions.**

[Howell returned; Vargas departed for the day]

26. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-10-021 (California State Parks Emma Wood State Beach, Ventura Co.)** Staff recommended approval with conditions.

Motion & vote: McClure moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Zimmer. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- b. **Application No. 4-14-1268 (California State Parks, Emma Wood State Beach, Ventura Co.)** Staff recommended approval with conditions.

Motion & vote: McClure moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Zimmer. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- c. **Application No. 4-14-1900 (Santa Barbara County Flood Control District)** Staff recommended approval with conditions.

Motion & vote: Zimmer moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by McClure. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- d. **Application No. 4-14-1796 (Santa Barbara County Public Works Department)** Staff recommended approval with conditions.

Motion & vote: Zimmer moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by McClure. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

STATEWIDE

27. **APPROVAL OF MINUTES.** None.
28. **COMMISSIONERS' REPORTS.** Information only.
29. **CONSERVANCY REPORT.** Information only.
30. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
31. **SANTA MONICA BAY RESTORATION REPORT.** None.
32. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 4:55 p.m.

THURSDAY, JULY 9, 2015

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Kinsey.
2. **ROLL CALL.** Present: Chair Kinsey, Vice Chair Zimmer, Bochco, Cox, Groom, Howell, McClure, Mitchell, Pestor(alternate), Uranga, Vargas. Absent: Turnbull-Sanders. Non-voting present: Gibson, Jones, Schmidt.
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the state.

SOUTH COAST DISTRICT (ORANGE COUNTY)

5. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Kinsey ruled that the Commission concurred.
 - a. **Application No. 5-14-1075 (Goldner, Newport Beach)**
6. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

Motion & vote: McClure moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Howell. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

 - a. **Application No. 5-14-1831 (18 Beacon Bay, LLC, Newport Beach)**
 - b. **Application No. 5-15-0268 (Grothe, Newport Beach)**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

7. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Kinsey ruled that the Commission concurred.
 - a. **Application No. 5-15-0310 (SLC Angeles, LLC, Venice, Los Angeles)**
8. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

Motion & vote: Bochco moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Cox. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- a. **Application No. 5-15-0153 (Dobson, Los Angeles)**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

9. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Kinsey ruled that the Commission concurred.

10. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [13a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Uranga moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

11. **NEW APPEAL.**

- a. **Appeal No. A-5-Ven-15-0035 (Hawrylo, Los Angeles) [WITHDRAWN]**
- b. **Appeal No. A-5-Ven-15-0036 (Smith, Los Angeles)** Staff recommended the Commission determine that **Appeal No. A-5-Ven-15-0036** raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Kinsey ruled that the Commission **found** substantial issue and continued the matter to a future hearing. **Substantial issue found – Continued.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No.5-14-0017 (City of Long Beach, Long Beach)** Staff recommended approval with conditions.

Motion & vote: Uranga moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Cox. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- b. **Application No. 5-14-1571 (Wrobel, Los Angeles)** Staff recommended approval with conditions.

Motion: Zimmer moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Groom.

Substitute Motion & vote: Uranga moved to continue the matter and recommended a yes vote, seconded by McClure. The roll call vote was 6 in favor (Cox, Howell, McClure, Mitchell, Uranga, Vargas) and 5 opposed (Bochco, Groom, Pestor, Zimmer, Kinsey). **Continued.**

- c. **Application No. A-5-VEN-15-0026 (422 Grand Boulevard LLC, Venice)**
[POSTPONED]
- d. **Application No. A-5-VEN-15-0027 (416 Grand Boulevard LLC, Venice)**
[POSTPONED]

13. **PERMIT AMENDMENTS.**

- a. **Permit No. 5-98-156-A20 (City of Long Beach & DDR Urban, LP, Long Beach)**
Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Permit No. A-5-VEN-10-138-A1 (Camaj, Venice, Los Angeles)** Staff recommended approval with conditions.

Motion & vote: Bochco moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Vargas. The roll call vote was 5 in favor (Bochco, Cox, McClure, Mitchell, Vargas) and 6 opposed (Groom, Howell, Pestor, Uranga, Zimmer, Kinsey). **Denied.**

[Kinsey departed for the day]

SAN DIEGO COAST DISTRICT

- 14. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Vice Chair Zimmer ruled that the Commission concurred.
- 15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [16a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Cox moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. Vice Chair Zimmer ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

15.5 **NEW APPEAL.**

- a. **Appeal No. A-6-CII-15-0039 (Nolan, Carlsbad) [POSTPONED]**

16. **PERMIT AMENDMENTS.**

- a. **Permit No. A-6-NLC-13-0211-A1 (Marina Gateway Development, LLC, National City)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

17. **REVISED FINDINGS.**

- a. **Application No. 6-14-0679 (WJK Trust, Solana Beach)** Staff recommended the Commission adopt the revised findings.

Motion & vote: Groom moved to adopt the revised findings and recommended a yes vote, seconded by Cox. Vice Chair Zimmer ruled that the vote of the prevailing side was 9 in favor (Bochco, Cox, Groom, Howell, McClure, Mitchell, Uranga, Vargas, Zimmer) and none opposed. **Approved.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

- 18. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Vice Chair Zimmer ruled that the Commission concurred.

- 19. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [20c] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Groom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Cox. Vice Chair Zimmer ruled that the vote was unanimous in favor of the motion. **Approved.**

20. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-13-1200 (California Department of Parks and Recreation and Crystal Cove Alliance, Newport Beach) [WITHDRAWN]**
- b. **Application No. 5-15-0138 (Huntington Beach Brookhurst Street Bridge) [POSTPONED]**
- c. **Application No. 5-15-0148 (Orange County Public Works, Seal Beach/Huntington Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

STATEWIDE

21. **FUTURE AGENDA ITEMS.** Information only.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:43 p.m.

Respectfully submitted,

Charles Lester
Executive Director