

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

SOUTH CALIFORNIA ST., SUITE 200

MANTUA, CA 93001

(805) 641-0142

RECORD PACKET COPY



Th 4c

February 24, 1998

To: COMMISSIONERS AND INTERESTED PERSONS

From: STEVEN F. SCHOLL, DEPUTY DIRECTOR
GARY TIMM, DISTRICT MANAGER 40

RE: PEPPERDINE UNIVERSITY LRDP AMENDMENT NO. 2-97, Concurrence with the Executive Director's determination that the University's action, accepting the Commission's certification of LRDP Amendment 2-97 with suggested modifications, is legally adequate. (For Commission review at its meeting of March 12, 1998).

On February 5, 1998 the Coastal Commission denied Amendment No. 2-97 to the University's Long Range Development Plan (LRDP) as submitted and approved the amendment with suggested modifications. The amendment would:

allow the construction of a 37,000 sq. ft. stockpile site to accommodate up to 23,000 cu. yds. of fill material necessary for future campus construction or maintenance purposes, provide for the restoration and revegetation of a 1,000 ft. long ravine adjacent to the proposed stockpile site, revise the LRDP map to reflect the actual location of campus equestrian facilities and, add policy language clarifying certain repair and maintenance activities which are exempt from Coastal Commission review.

On February 25, 1998 the University acknowledged receipt of the Commission's resolution of certification of LRDP Amendment No. 2-97 with suggested modifications and transmitted said acknowledgement to the Commission. In its acknowledgement, the University accepts and agrees to all terms and suggested modifications of the Commission's certification.

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine that the University's action is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commission objects to the determination.

The Executive Director has determined that the University's acknowledgement dated February 25, 1998 accepting and agreeing to the Commission's action fulfills all terms and modifications of the Commission's resolution of certification and that the notification procedures of the LRDP for development projects required pursuant to PRC Section 13511(e) are legally adequate.

Staff recommends that the Commission concur with the Executive Director's determination that the University's action is legally adequate.

PEPPERDINE UNIVERSITY

EXECUTIVE VICE PRESIDENT

February 25, 1998

Mr. Gary Timm
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001

RE: Acceptance of Modifications for LRDP Development 2-97

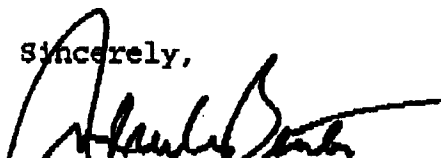
Dear Mr. Timm:

In May 1994, the Pepperdine University Board of Regents Executive Committee approved a resolution authorizing the Executive Vice President to bind the University and accept on its behalf amendments and modifications to the Long Range Development Plan (LRDP) suggested by the California Coastal Commission, as well as special conditions required in connection with a Notice of Impending Development. A copy of the resolution is attached.

With respect to the amendment and conditions related to LRDP Amendment and Notice of Impending Development 2-97, please be advised that the University hereby accepts and agrees to the modifications suggested by the California Coastal Commission at its hearing on February 5, 1998.

I trust this matter can be placed on the March meeting agenda so that the stockpile relocation as well as the LRDP policy and map changes can be implemented in the immediate future.

Sincerely,



Andrew K. Benton
Executive Vice President

RESOLUTION

WHEREAS, on September 12, 1989, the California Coastal Commission (the "Commission") approved the Long Range Development Plan ("LRDP") for Pepperdine University, subject to certain modifications suggested by the Commission; and,

WHEREAS, on February 21, 1990, the Board of Regents of the University adopted a resolution accepting the Commission's action and suggested modifications (the "Resolution"); and,

WHEREAS, following receipt of the Resolution, the Executive Director of the Commission found the Resolution to be legally adequate and on April 20, 1990, the Commission concurred with and accepted the Executive Director's determination; and,

WHEREAS, since the adoption of the Resolution the University has sought amendments to the approved LRDP; and,

WHEREAS, the Executive Director and the Commission have required certification by the Board of Regents of the University authorizing certain University officers to bind the University to such amendments and to suggested modifications by the Commission,

NOW THEREFORE, BE IT RESOLVED, that the President and the Executive Vice President of the University, individually, each have the legal authority to bind the University to amendments to the LRDP and to accept modifications suggested by the Commission to the LRDP and to bind the University to such modifications, as evidenced in a writing executed by the President or Executive Vice President on behalf of the University; and,

BE IT FURTHER RESOLVED, that the Board of Regents of the University will continue to propose amendments to the LRDP; and,

BE IT FURTHER RESOLVED, that no other officer of the University is authorized to bind the University to any Commission action on the amendments to the LRDP or Commission suggested modifications; and,

BE IT FURTHER RESOLVED, there is no limitation on the authority of the President or the Executive Vice President to bind the University to a Commission suggested modification, provided that any such agreed to modification shall be evidenced by a writing executed by the President or the Executive Vice President; and,

BE IT FURTHER RESOLVED, that the President or the Executive Vice President is authorized to bind the

University with respect to any special condition imposed in connection with a Notice of Impending Development or any other special condition imposed by the Commission, provided that such agreement shall be evidenced by a writing executed by the President or the Executive Vice President; and,

BE IT FURTHER RESOLVED, that any written agreement entered into by the President or the Executive Vice President with respect to suggested modifications or special conditions shall be binding on the University and the University will take all necessary actions to satisfy such agreed to modifications or special conditions.

RESOLVED, this 4th day of May, 1994.