

## CALIFORNIA COASTAL COMMISSION

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**TO: Commissioners and  
Interested Persons**

**DATE: July 19, 2007**

**FROM: Staff**

**SUBJECT: Request to Waive Time Limit for City of San Diego LCP Amendment  
No. 1-07 (Brush Management Regulations) for the Commission Meeting  
of August 8-10, 2007**

At its February 15, 2007 meeting, the Commission first rejected and then approved the City of San Diego's LCP Amendment #1-07 with suggested modifications. The amendment involved new brush management regulations to be applied citywide. The Commission's adopted suggested modifications prohibit impacts to environmentally sensitive habitat areas (ESHA) related to brush management activities within protected open space and the designated MHPA in association with new subdivisions, except for properties within the MHPA where some encroachment may be authorized to attain a 25% development area. In addition, there were suggested modifications to require the use of alternative measures, such as fire-resistive building materials, to reduce vegetation removal and establish regulations for the use of goats for brush management work for five-year trial period.

Pursuant to Section 30513 of the Coastal Act, the Commission may suggest modifications in the rejected ordinances unless the local government requests that the Commission not do so. Pursuant to Section 13542(b) of the California Code of Regulations, the Commission's certification with suggested modifications shall expire six months from the date of its action. However, Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year.

The amendment request was controversial both at the local level and before the Commission. After the Commission hearing in February, there was a delay in transmitting the suggested modifications to the City. In addition, the City Council also has a summer recess which constrained the local government's options to schedule the matter. Therefore, Commission staff is requesting the time extension for the adoption of the suggested modifications in order to allow the City to fully consider its response and evaluate the Commission decision. Staff recommends the Commission extend the six month time limit for one year.

**MOTION:**

I move that the Commission extend the six month time limit to adopt suggested modifications for the City of San Diego LCP Amendment No. 1-07 for one year.

**STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.