

CALIFORNIA COASTAL COMMISSION

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Th 11.1, 11.2 & 11.3

ADDENDUM

February 8, 2011

TO: Coastal Commissioners and Interested Parties

FROM: Lisa Haage, Chief of Enforcement

SUBJECT: **ADDENDUM TO ITEMS Th 11.1, 11.2 & 11.3 (Soloway & Davies):
COASTAL COMMISSION CONSENT CEASE AND DESIST ORDER NOS.
CCC-11-CD-01, CCC-11-CD-02 AND CONSENT RESTORATION ORDER
NO. CCC-11-RO-01 – FOR THE COMMISSION MEETING OF FEBRUARY
10, 2011**

Documents included in this addendum:

1. Correspondence from David Grubb of the Sierra Club, dated February 7, 2011, in support of the staff recommendation (Page 2).
2. Correspondence from Terry Welsh, dated February 7, 2011, in support of the staff recommendation (Page 3).
3. Correspondence from Charlotte Masarik, dated February 6, 2011, in support of the staff recommendation (Page 4).
4. Correspondence from Joe Geever of the Surfrider Foundation, dated February 4, 2011, in support of the staff recommendation (Page 5).
5. Correspondence from Kevin Nelson, dated February 4, 2011, in support of the staff recommendation (Page 6).
6. Correspondence from Dorothy Kraus, dated February 4, 2011, in support of the staff recommendation (Page 7).
7. Correspondence from Deborah Koken, dated February 4, 2011, in support of the staff recommendation (Page 8).
8. Correspondence from Penny Elia, dated February 4, 2011, in support of the staff recommendation (Page 9).



SIERRA
CLUB
FOUNDED 1892

North County Coasters
P.O.Box 765
Cardiff, CA 92007-0765
760 753-0273
www.SanDiego.SierraClub.org

7 February 2011

TO: California Coastal Commission
FROM: David Grubb

RE: Consent Cease and Desist Order No. CCC-11-CD-01: SUPPORT

Dear Members of the Coastal Commission:

I am writing on behalf of the Coastal Committee of Sierra Club California. The Coastal Committee consists of Sierra Club activists working for protection of our coast and ocean.

We are pleased to see that Commission staff has been able to amicably reach agreement with the property owners to resolve the legacy of past violations of Coastal Act policies.

We applaud the Enforcement Division and property owners for an agreement that not only restores the valuable coastal resources disturbed by past actions, but also includes penalties that are fair while sending an appropriate signal that avoiding compliance with the Coastal Act is costly in the long run.

Thank you for considering our support for the agreement reached with your staff, and for your service to the State of California in restoring and protecting our precious coast and ocean.

Sincerely,

David Grubb
Chair, Coastal Committee, Sierra Club California,
Chair, North County Coastal Group, Sierra Club San Diego

Elijah Davidian

From: Terry Welsh

Sent: Monday, February 07, 2011 10:50 PM

To: Elijah Davidian

Subject: I support the Coastal Commission Staff's work on these orders.

THE STAFF HAS WORKED A GREAT DEAL TO ARRIVE AT THESE ORDERS. I SUPPORT THE STAFF'S WORK ON THESE ORDERS. I URGE THE COMMISSION TO APPROVE THEM.

Thank you,

Terry Welsh, M.D.
Costa Mesa, CA

ENFORCEMENT

11. ENFORCEMENT REPORT. Report by Chief of Enforcement on Statewide Enforcement Program. (LAH-SF)

[Items 11.1, 11.2 and 11.3 below share a single, combined staff report.]

11.1. Commission Consent Cease and Desist Order No. CCC-11-CD-01 (Soloway, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Consent Cease and Desist Order authorizing and ordering Natalie Soloway to: (1) cease and desist from maintaining existing unpermitted development and/or engaging in any further unpermitted development, including, but not limited to: a guest house, concrete block walls and other materials within and adjacent to Encinal Canyon Creek, and removal of major vegetation from environmentally sensitive habitat areas; and (2) to undertake measures necessary to comply with the Coastal Act, including removal of the unpermitted development, among other things, on property identified by the Los Angeles County Assessor's Office as Assessor Parcel Number 4472-028-028. The proposed Consent Order also includes provisions for resolving claims for injunctive relief and civil liability for undertaking development in violation of the Coastal Act. (EAD-SF)

11.2. Commission Consent Restoration Order No. CCC-11-RO-01 (Soloway, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Consent Restoration Order authorizing and ordering Natalie Soloway to: (1) remove unpermitted development, including, but not limited to: a guest house, concrete block walls and other materials within and adjacent to Encinal Canyon Creek; and (2) undertake restoration of those areas impacted by the unpermitted development (including restoration of environmentally sensitive habitat areas from which major vegetation was removed), on property identified by the Los Angeles County Assessor's Office as Assessor Parcel Number 4472-028-028. The proposed Restoration Order also includes provisions for resolving claims for injunctive relief and civil liability for undertaking development in violation of the Coastal Act. (EAD-SF)

11.3. Commission Consent Cease and Desist Order No. CCC-11-CD-02 (Davies, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Consent Cease and Desist Order, ordering Gareth Davies to: (1) to cease and desist from maintaining or undertaking any unpermitted development on property located within the Coastal Zone; and (2) not to interfere with implementation of Commission Cease and Desist Order No. CCC-11-CD-01 and Commission Restoration Order No. CCC-11-RO-01, on property identified by the Los Angeles County Assessor's Office as Assessor Parcel Number 4472-028-028. The proposed Consent Order also includes provisions for resolving claims for injunctive relief and civil liability for undertaking development in violation of the Coastal Act. (EAD-SF)

Addendum Soloway-Davies Page 3 of 9

2/8/2011

Elijah Davidian

From: Charlotte Masarik
Sent: Sunday, February 06, 2011 2:26 PM
To: Elijah Davidian
Subject: Ref: Consent Cease and Desist Order No. CCC-11-CD-01: SUPPORT

2/6/2011

TO: California Coastal Commission
FROM: Charlotte Masarik

Ref: Consent Cease and Desist Order No. CCC-11-CD-01:SUPPORT

(11. ENFORCEMENT REPORT. Report by Chief of Enforcement on Statewide Enforcement Program. (LAH-SF)

[Items 11.1, 11.2 and 11.3 below share a single, combined staff report.]

Dear Mr Davidian:

I support staff's recommendation for approval of these consent orders and urge the Commission to vote to approve.

Thank you for your continued protection and preservation of our finite coastal resources. I appreciate all the efforts of the Commission's enforcement staff - they are invaluable. I also believe implicitly in The Coastal Act and the California Coastal Commission and respect their presence as guardians of our coast. Please keep up the critical work and service you give to the State of California in restoring and protecting our precious coast and ocean.

Thank you for considering my support.

Sincerely,

Charlotte Masarik

Charlotte Masarik



TO: California Coastal Commission
FROM: Surfrider Foundation
DATE: February 4, 2011

RE: Consent Cease and Desist Order No. CCC-11-CD-01: SUPPORT

Dear Members of the Coastal Commission:

I am writing on behalf of Surfrider Foundation and our more than 20,000 members in California. Surfrider Foundation is a non-profit grassroots organization dedicated to the restoration and protection of our coast and ocean.

We are pleased to see that Commission staff has been able to amicably reach agreement with the property owners to resolve the legacy of past violations of Coastal Act policies. We applaud the Enforcement Division and property owners for an agreement that not only restores the valuable coastal resources disturbed by past actions, but also includes penalties that are fair while sending an appropriate signal that avoiding compliance with the Coastal Act is costly in the long run.

Thank you for considering the support of Surfrider Foundation for the agreement reached with your staff, and for your service to the State of California in restoring and protecting our precious coast and ocean.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Geever". The signature is fluid and cursive.

Joe Geever
Surfrider Foundation, California Policy Coordinator
8117 W Manchester Ave, #297
Playa del Rey, CA 90293

Elijah Davidian

From: Kevin Nelson
Sent: Friday, February 04, 2011 9:08 PM
To: Elijah Davidian
Subject: Coastal Commission Staff

Hello Mr Davidian,

I have interfaced with the staff of your agency a few times, and as a result, I have great confidence in their judgments.

Specifically, there are a number of consent items on your upcoming calendar, and I would like to express my support for staff's work and decision on these issues.

Thank you,

Kevin Nelson
Web Conferencing Central

<http://web-conferencing-central.com>

Feb.04.2011 05:06 PM

PAGE. 1/ 1

Attention: Eli Davidian

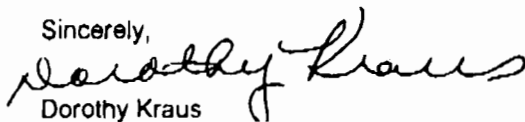
February 4, 2011

Dear Members of the Coastal Commission:

I support staff's recommendation for approval of the consent orders listed below and urge the Commission to vote to approve.

Thank you for your continued protection and preservation of our finite coastal resources. I appreciate all that the efforts of the Commission's enforcement staff - they are truly invaluable.

Sincerely,



Dorothy Kraus

ENFORCEMENT

11. ENFORCEMENT REPORT. Report by Chief of Enforcement on Statewide Enforcement Program. (LAH-SF)

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11.2. Commission Consent Restoration Order No. CCC-11-RO-01 (Soloway, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Consent Restoration Order authorizing and ordering Natalie Soloway to: (1) remove unpermitted development, including, but not limited to: a guest house, concrete block walls and other materials within and adjacent to Encinal Canyon Creek; and (2) undertake restoration of those areas impacted by the unpermitted development (including restoration of environmentally sensitive habitat areas from which major vegetation was removed), on property identified by the Los Angeles County Assessor's Office as Assessor Parcel Number 4472-028-028. The proposed Restoration Order also includes provisions for resolving claims for injunctive relief and civil liability for undertaking development in violation of the Coastal Act. (EAD-SF)

11.3. Commission Consent Cease and Desist Order No. CCC-11-CD-02 (Davies, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Consent Cease and Desist Order, ordering Gareth Davies to: (1) to cease and desist from maintaining or undertaking any unpermitted development on property located within the Coastal Zone; and (2) not to interfere with implementation of Commission Cease and Desist Order No. CCC-11-CD-01 and Commission Restoration Order No. CCC-11-RO-01, on property identified by the Los Angeles County Assessor's Office as Assessor Parcel Number 4472-028-028. The proposed Consent Order also includes provisions for resolving claims for injunctive relief and civil liability for undertaking development in violation of the Coastal Act. (EAD-SF)

02-04-2011 20:17 FROM-HMA-WESTERN REGION

T-335 P.001/001 F-793

February 4, 2011

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105

Subject: 11.1 Cease and Desist Order CCC-11-CD-01
11.2 Restoration Order CCC-11-RO-01
11.3 Cease and Desist Order CCC-11-CD-02

Dear Members of the Coastal Commission:

I am writing to support the recommendations of the above-mentioned staff report regarding the Coastal Act violations at 3525 Encinal Canyon Road in Malibu. The recommended cease and desist and restoration orders are necessary to preserve the precious natural resources of our coast. I understand that Coastal Commission staff has worked closely with and obtained the cooperation of the property owners, a great accomplishment. I would like to express my admiration of the Commission's remarkable enforcement staff, and I urge the Commission to approve staff's recommendations.

Thank you all for your efforts to protect California's coastal resources.

Sincerely,



Deborah Koken

Elijah Davidian

From: Penny Elia
Sent: Friday, February 04, 2011 1:39 PM
To: Elijah Davidian
Subject: Agenda Items Th11.1, 11.2 and 11.3 - letter of support

Dear Members of the Coastal Commission:

Once again the Enforcement Division has been able to work with property owners on a consent order that benefits our finite natural resources. I applaud their incredible work and thank the respondents for their cooperation. I urge the Commission to approve staff's recommendations.

Thank you for considering my comments and for all you to do uphold the Coastal Act and protect and preserve our coastal resources.

Penny Elia

ENFORCEMENT

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Addendum Soloway-Davies Page 9 of 9
