

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885

**W30**

DATE: August 21, 2012
TO: Coastal Commissioners
FROM: Charles Lester, Executive Director
SUBJECT: **DRAFT MINUTES of MEETING of AUGUST 8-10, 2012**
Santa Cruz Board of Supervisors Chambers
701 Ocean Street
Santa Cruz, CA 95060

WEDNESDAY, AUGUST 8, 2012

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Blank, Bloom, Brennan, Burke, Gurney (alternate), McClure, Mitchell, Shallenberger, Stone, Zimmer. Sanchez arrived at 9:09a.m. Bochco
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

SOUTH CENTRAL COAST**4.5 REVOCATION.**

- a. **Revocation Request No. R-4-07-098 (California Dept. Parks & Rec, Malibu)** Staff recommended denial of the revocation request.

Motion & vote: Sanchez moved to grant the revocation request and recommended a no vote, seconded by Bloom. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Denied.**

SOUTH COAST DISTRICT (Los Angeles County)

5. ADMINISTRATIVE CALENDAR.

- a. **Application No. 5-12-165 (Ashley, Long Beach)** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

6. CONSENT CALENDAR. Staff recommended approval of the consent calendar.

- a. **Application No. 5-12-137 (Verizon Wireless, Pacific Palisades)**
- b. **Application No. 5-12-138 (Verizon Wireless, Los Angeles)**
- c. **Application No. 5-12-139 (Verizon Wireless, Pacific Palisades)**

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

SOUTH COAST DISTRICT (Los Angeles County)

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

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

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

9. PERMIT AMENDMENTS.

- a. **Permit No. 5-95-55-A12 (City of Long Beach, Long Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

SOUTH CENTRAL COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Ainsworth 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 Shallenberger ruled that the Commission concurred.

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [12c] to the expanded consent calendar and recommended approval with conditions.

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

11.1 PUBLIC WORKS PROJECT.

- a. **Santa Barbara City College PWP Amendment No. SBCC-PWPA-1-12.** Staff recommended approval as submitted.

Motion & vote: Sanchez moved to certify the Public Works Plan Amendment as submitted and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

11.3 NOTICE OF IMPENDING DEVELOPMENT.

- a. **SBCC-NOID-1-12 (Santa Barbara City College).** Staff recommended that the Commission approve the notice of impending development with conditions.

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

11.5 NEW APPEALS.

- a. **Appeal No. A-4-MAL-12-048 (Kaplan, Malibu) [POSTPONED]**

12. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 4-09-013 (Mariposa Land Company, Malibu)** Staff recommended approval with conditions.

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

- b. **Application No. 4-09-026 (Ventura Port District and Sondermann Ring Partners, San Buenaventura)** Staff recommended approval with conditions.

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

- c. **Application No. 4-11-063 (Hansson, Malibu)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

NORTH CENTRAL COAST DISTRICT

- 13. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Carl 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 Shallenberger ruled that the Commission concurred.

- 14. **CONSENT CALENDAR (removed from Regular Calendar).** None.

15. LOCAL COASTAL PROGRAMS (LCPs)

- a. **San Mateo County LCP Amendment No. SMC-1-11 (Midcoast Update).** Staff recommended approval as submitted.

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

Motion & vote: Blank moved to reject the Implementation Plan Amendment as submitted and recommended a no vote, seconded by Stone. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Approved as submitted.**

LUNCH RECESS. The Commission recessed for lunch at 1:00 p.m. and returned at 1:45 p.m.

16. **NEW APPEALS.**

- a. **Appeal No. A-2-SMC-11-021 (Big Wave LLC and Scott Holmes, San Mateo Co.)** Staff recommended that the Commission determine that the appeal raised substantial issue on the grounds in which the appeal was filed. There being no objection, Chair Shallenberger ruled that the Commission **found substantial issue** and opened the hearing on the merits of the project. Staff recommended denial of the project.

Motion & vote: Blank moved to approve and recommended a no vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Denied.**

17. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 2-11-24 (City of Daly City Revetment)** Staff recommended approval with conditions.

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

CENTRAL COAST DISTRICT

18. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Carl 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 Shallenberger ruled that the Commission concurred.

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

20. **VESTED RIGHTS CLAIMS.**

- a. **Application No. 3-12-013-VRC (McCarthy, Avila Beach, San Luis Obispo Co.)**
[POSTPONED]

21. **NEW APPEALS.**

- a. **Appeal No. A-3-SLO-11-061 (McCarthy, San Luis Obispo Co.)** [POSTPONED]

STATEWIDE

22. **APPROVAL OF MINUTES. Motion & vote:** Stone moved to approve the minutes of July 11-13, 2012 as written, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved as written.**
23. **COMMISSIONERS' REPORTS.** Information only.
24. **CONSERVANCY REPORT.** Information only.
25. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.
26. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.
27. **EXECUTIVE DIRECTOR'S REPORT** including reports and possible Commission action on legislation and water quality. [**TRAILED TO FRIDAY'S AGENDA**]

The Commission recessed for the day at 6:30 p.m.

THURSDAY, AUGUST 9, 2012

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:03 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Stone, Bochco, Brennan, Burke, Gurney (alternate), McClure, Mitchell, Sanchez, Zimmer. Blank and Bloom arrived at 9:05 a.m.
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

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 Shallenberger ruled that the Commission concurred.
 - a. **Application No. 5-12-100 (California Department of Transportation (Caltrans) District 12, Huntington Beach).**
 - b. **Application No. 5-12-136 (601 Lido Homeowner's Assc., Newport Beach)**
6. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.
 - a. **Application No. 5-12-70 (City of Newport Beach and Irvine Public Works Departments)**
 - b. **Application No. 5-12-173 (Sackin & Pryor, Huntington Beach)**

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

SAN DIEGO DISTRICT

7. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.
 - a. **Application No. 6-12-45 (Murray, Solana Beach)**

SOUTH COAST DISTRICT (Orange County)

8. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** Report by Deputy Director Sarb 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 Shallenberger ruled that the Commission concurred.
- a. **City of Dana Point LCP Amendment No. DPT-MAJ-2-10 (Del Obispo).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items [10b, 10c] to the expanded consent calendar and recommended approval with conditions.

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

10. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-11-302 (City of Newport Beach Public Park (Sunset Ridge Park))**
Staff recommended approval with conditions.

Motion: Zimmer moved to subject to the conditions set forth in Exhibit 26 of the staff report and recommended a yes vote, seconded by Bochco.

Amending Motion & vote: Zimmer moved to require the Executive Director to approve an off-site habitat management plan and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

Vote on main motion: The roll call vote was 8 in favor (Blank, Bloom, Bochco, Brennan, Burke, McClure, Mitchell, Zimmer) and 4 opposed (Gurney, Sanchez, Stone, Shallenberger). **Approved with conditions.**

- b. **Application No. 5-12-65 (Goodwin, Richard, Langston, Ritchie, Unatin, Glesy, Wong, Younessi, Campbell, Ross, Wood, Lacy, Thorne, Kawaguchi, Preston, Gallagher, Malchow & Butler, Huntington Beach,)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 5-12-66 (D'Onofrio, Fujioka, Appel/Stanko, Nisbet, Woods, Myers/Rieder, Rieser, Opdahl & Azoulay, Huntington Beach)** Moved by staff to the expanded the consent calendar. **Approved with conditions.**

LUNCH RECESS. The Commission recessed for lunch at 12:00 p.m. and returned at 1:30 p.m.

REPORT OF CLOSED SESSION:

City of Carlsbad v. Energy Resources Development & Conservation Commission (CCC et al)-

The Commission received litigation information.

Shea Homes LP v. CCC—The Commission received litigation information and gave direction.

Wetlands Defense Fund et al v. CCC (Cal. Dept. Parks & Recreation, RPI)—The Commission received litigation information and gave direction.

The Commission also discussed a matter of potential litigation.

[Burke departed for the day]

SAN DIEGO COAST DISTRICT

11. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Sarb 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 Shallenberger ruled that the Commission concurred.

- a. **City of San Diego LCP Amendment No. 3-10 (Mission Beach PDO Update) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

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

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

- a. **Chula Vista LCP Amendment No. 1-11 (Chula Vista Bayfront Master Plan).** Staff recommended denial as submitted and approval if modified as suggested in the staff report.

Motion & vote: Sanchez moved to certify the Land Use Plan Amendment as submitted and recommended a no vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Certification denied as submitted.**

Motion & vote: Sanchez moved to certify the Land Use Plan Amendment if modified as suggested pursuant to the staff recommendation and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

Motion & vote: Sanchez moved to reject the Implementation Plan Amendment as submitted and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Certification denied as submitted.**

Motion & vote: Sanchez moved to certify the Implementation Plan Amendment if modified as suggested pursuant to the staff recommendation and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

- b. **Port Master Plan Amendment No. 41 (Chula Vista Bayfront Master Plan).** Staff recommended approval as submitted.

Motion & vote: Sanchez moved to approve the Port Master Plan Amendment No. 41 as submitted and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

- c. **Imperial Beach LCP Amendment No. 1-12 (Commercial/Recreation-Ecotourism) Time Extension.** Staff recommended approval of the time extension.

[Brennan out of the room]

Motion & vote: Sanchez moved to grant the time extension and recommended a yes vote, seconded by Bochco. The roll call vote was 9 in favor [Blank, Bloom, Bochco, Gurney, McClure, Sanchez, Stone, Zimmer, Shallenberger] and one opposed [Mitchell]. **Approved.**

- d. **Solana Beach Land Use Plan Adoption of Suggested Modifications. Time Extension.** Staff recommended approval of the time extension.

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

- e. **San Diego LCP Amendment 2-12 (Successor Agency). Time Extension.** Staff recommended approval of the time extension.

Motion & vote: Sanchez moved to grant the time extension and recommended a yes vote, seconded by Bochco. Chair Shallenberger that the vote was unanimous in favor of the motion. **Approved.**

[Brennan returned]

14. **NEW APPEALS.**

- a. **Appeal No. A-6-ENC-12-42 (Lux Art Institute, Encinitas)** Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds in which the appeal was filed.

Motion & vote: Sanchez moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

- b. **Appeal No. A-6-OCB-12-44 (Burks, San Diego)** Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds in which the appeal was filed.

Motion & vote: Sanchez moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

14.5 **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-11-10 (Oceanus GHAD, San Diego)** Staff recommended approval with conditions.

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

Amending motion & vote: Zimmer moved to delete Condition #5 and recommended a yes vote, seconded by Mitchell. **Motion withdrawn.**

Vote on main motion: Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

CENTRAL COAST DISTRICT

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

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

- a. **San Luis Obispo County LCP Amendment No. SLO-1-10 (Grading and Stormwater Management).** Staff recommended approval of the Land Use Plan Amendment as submitted, denial of the Implementation Plan Amendment as submitted and approval of the Implementation Plan Amendment if modified as suggested pursuant to the staff recommendation.

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

Motion & vote: Mitchell moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Certification denied as submitted.**

Motion & vote: Mitchell moved to certify the Implementation Plan if modified as suggested pursuant to the staff recommendation and recommended a yes vote. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

b. **City of Seaside LCP Amendment No. SEA-1-11 (Seaside LCP). [POSTPONED]**

c. **Santa Cruz County LCP Amendment No. SCO-1-12 Part 1 (Nonconforming Regulations). [POSTPONED]**

d. **Santa Cruz County LCP Amendment No. SCO-1-12 Part 2 (Commercial Uses).** Staff recommended approval of the Implementation Plan Amendment as submitted.

Motion & vote: Stone moved to reject the Implementation Plan Amendment as submitted and recommended a no vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Approved as submitted.**

e. **Santa Cruz County LCP Amendment No. SCO-1-12 Part 3 (Geologic Review).** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

f. **Santa Cruz County LCP Amendment No. SCO-1-12 Part 4 (Level 4 Permits).** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

g. **Santa Cruz County LCP Amendment No. SCO-1-12 Part 5 (Implementation Plan Cleanup).** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

17. COASTAL PERMIT APPLICATIONS.

- a. **Application No. A-3-MRB-11-001 (City of Morro Bay and Cayucos Community Services District) [POSTPONED]**

The Commission recessed for the day at 4:30 p.m.

FRIDAY, AUGUST 10, 2012

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:03 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Stone, Bloom, Bochco, Brennan, Gurney (alternate), Stone, Zimmer. Sanchez arrived at 9:25 a.m. Mitchell arrived at 10:10 a.m. Absent: Blank, Burke.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

5. **ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY.** Report by the Deputy Director Dettmer 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 Shallenberger ruled that the Commission concurred.
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 4 items [**7a, 7b, 8a, 8b**] to the expanded consent calendar and recommended approval pursuant to the staff recommendations.

Motion & vote: Stone moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved pursuant to the staff recommendations.**

7. **PERMIT AMENDMENTS**
 - a. **Permit No. E-02-005 (Coast Seafoods Company, Eureka)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - b. **Permit No. E-05-007 & CC-076-05 (Monterey Bay Aquarium Research Institute, Moss Landing)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

8. **FEDERAL CONSISTENCY.**

- a. **CC-009-12 (San Diego Association of Governments (SANDAG), San Diego)** Moved by staff to the expanded consent calendar. **Approved.**
- b. **CD-014-12 (U.S. Coast Guard, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

NORTH COAST DISTRICT

9. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Dettmer 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 Shallenberger ruled that the Commission concurred.

10. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 4 items [12a, 12b, 12c, 13a] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **Humboldt County LCP Amendment No. HUM-MAJ-1-08 (Samoa).** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-11-18 (O'Reilly, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 1-12-7 (California Department of Fish & Game, Region 1, Del Norte Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 1-09-13 (Decker, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

13. **PERMIT AMENDMENTS.**

- a. **Permit No. 1-07-13-A2 (California Department of Transportation (Caltrans), Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENFORCEMENT

14. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on the Statewide Enforcement Program. No action taken.

- 14.3 **Consent Cease and Desist Order No. CCC-12-CD-04 (Linder – Malibu, Los Angeles County)** [POSTPONED]

- 14.5 **Consent Restoration Order No. CCC-12-RO-04 (Linder – Malibu, Los Angeles County)** [POSTPONED]

CENTRAL COAST DISTRICT

15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items [18a, 18b] to the expanded consent calendar and recommended approval with conditions.

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

16. **LONG-RANGE DEVELOPMENT PLAN.**

- a. **University of California, Santa Cruz Notice of Impending Development No. 4.** [WITHDRAWN]
- b. **University of California of Santa Cruz Notice of Impending Development No. 5.** Staff recommended approval of the Notice of Impending Development.

Motion & vote: Stone moved to determine that the Notice of Impending Development is consistent with the Coastal Long Range Development Plan and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

17. **NEW APPEALS.**

- a. **Appeal No. A-3-SCO-12-006 (Next G, Santa Cruz Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds in which the appeal was filed.

Motion & vote: Stone moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

[*Mitchell arrived*]

18. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-11-003 (California Department of Parks and Recreation and Aramark, Pacific Grove)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 3-11-034 (Novak, Santa Cruz Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

19. **PERMIT AMENDMENTS.**

- a. **Permit Number 3-04-027-A3 (City of Pacific Grove Parking Program).** Staff recommended approval with conditions.

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

Amending motion & vote: Stone moved to include a two-year residential parking program and require the applicant to submit a survey regarding the effects of the residential parking program prior to any future reauthorization of the residential parking program and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

Vote on the main motion: Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

27. **EXECUTIVE DIRECTOR'S REPORT** including reports and possible Commission action on legislation and water quality. [**TRAILED FROM WEDNESDAY'S AGENDA**]

- a. **Legislation.** Legislative report and possible Commission action. Staff recommended that the Commission oppose Proposition 31.

Motion & vote: Stone moved to oppose Proposition 31 and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Opposed.**

- b. **Interagency Agreement.** Interagency Agreement between the California Coastal Commission and the Bay Conservation and Development Commission (BCDC). Approval of transfer of federal funds to BCDC for implementation of the California Coastal Management Program for Fiscal Year 2012-2013.

Motion & vote: Stone moved to authorize the interagency agreement pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

- c. **Public Education Grant Program.** Public hearing and action on proposed targeted grant awards from sales of the WHALE TAIL[®] License Plate.

Motion & vote: Stone moved to approve and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

- c. **Coastal Cleanup Day History & Tsunami Debris Report.** Introduction to history and success of Coastal Cleanup Day and briefing on the status of preparations for the arrival of debris from the March 2011 tsunami in Japan. Information only.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:15 p.m.

Respectfully submitted,

Charles Lester
Executive Director