

**CALIFORNIA COASTAL COMMISSION**

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**Th29**

DATE: April 30, 2020

TO: Coastal Commissioners  
FROM: John Ainsworth, Executive Director  
SUBJECT: **DRAFT MINUTES** of MEETING of February 12-14, 2020  
City of Long Beach  
City Council Chambers  
411 W. Ocean Blvd.  
Long Beach, CA 90802

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**WEDNESDAY, FEBRUARY 12, 2020**

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla.
2. **ROLL CALL. Present:** Chair Padilla, Vice Chair Brownsey, O'Malley(alt), Bochco, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson. **Non-voting present:** Ketchum, Wong-Hernandez.
3. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
5. **Chair's Report.** None.

**STATEWIDE**

6. **EXECUTIVE DIRECTOR'S REPORT.**
  - a. **Executive Director's Report.** Information only.
  - b. **Commission Correspondence.** None.
  - c. **Changes to Commission Regulations.** Briefing for Commissioners and public on regulation changes. **No action taken.**
  - d. **Legislative Report.** Information only.

- e. **California Coastal Commission Public Review Draft Five-Year Strategic Plan (2020-2025).**  
Discussion only. No action taken.
- f. **Commission Resolution.** Commission resolution for Dayna Bocho's service as Chair to the Commission.

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

#### **NORTH CENTRAL COAST DISTRICT**

- 7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.
- 8. **CONSENT CALENDAR. (removed from Regular Calendar)** None.
- 9. **COASTAL PERMIT APPLICATION**
  - a. **Application No. 2-17-0438 (AMJT Capital and BPUD, Bolinas, Marin Co.) [POSTPONED]**

#### **CENTRAL COAST DISTRICT**

- 10. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.
  - a. **ODSVRA PWP Update Report.** [This item was moved to Thursday. See Item **TH4.5**]
- 11. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved one item [12a] to the expanded consent calendar and recommended approval with conditions.

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

#### **12. LOCAL COASTAL PROGRAMS (LCPs).**

- a. **Santa Cruz County LCP Amendment No. LCP-3-SCO-19-0200-3 (Agricultural & School Employee Housing)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

#### **13. NEW APPEALS.**

- a. **Appeal No. A-3-SLO-19-0195 (Swift, Cambria, San Luis Obispo Co.) [WITHDRAWN]**
- b. **Appeal No. A-3-PSB-19-0216 (Addie Street, Pismo Beach, San Luis Obispo Co.) [WITHDRAWN]**

#### 14. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 3-18-1092 (Perry Manufactured Homes, Oceano, San Luis Obispo Co.) [POSTPONED]**
- b. **Application No. 3-18-1230 (Port San Luis Repair and Maintenance, Avila Beach, San Luis Obispo Co.) [POSTPONED]**
- c. **Application No. A-3-SLO-19-0180 (Shear Development Company, Los Osos, San Luis Obispo Co.) [POSTPONED]**
- d. **Application No. 3-19-0416 (Union Pacific Railroad Fencing, Pacific Grove)**

**Motion & vote:** Groom moved to approve pursuant to the staff recommendation and recommended a no vote, seconded by Wilson. Chair Padilla ruled that the vote was unanimous in opposition to the motion. **Denied.**

#### SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

15. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.

- a. **Application No. 5-19-1059 (Logan, Long Beach)**
- b. **Application No. 5-19-1156 (Florie, Long Beach)**
- c. **Application No. 5-19-1197 (Burcham, Long Beach)**
- d. **Application No. 5-19-1200 (Newman, Long Beach)**

16. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

- a. **Application No. 5-18-1225 (Palisades Capital Fund, 3 LLC, Pacific Palisades)**
- b. **Application No. 5-19-0461 (Alger, Venice, Los Angeles)**

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

#### SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

17. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.

18. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 4 items [19a, 19b, 21b, 21c] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **City of Long Beach LCP Amendments No. 3-18C (LCP-5-LOB-18-0100-3-Part C)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **City of Manhattan Beach LCP Amendment No. LCP-5-MNB-19-156-1. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

[W20a and W21a, shared a single combined staff report and hearing.]

20. **NEW APPEALS**

- a. **Appeal No. A-5-VEN-19-0022 (VDM Limited, LLC, Venice, Los Angeles)** Staff recommended that the Commission determine that Appeal No. A-5-VEN-19-0022 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **opened** the de novo hearing.

21. **COASTAL PERMIT APPLICATIONS**

- a. **Application No. 5-19-0949 (VDM Limited, LLC, Venice, Los Angeles)** Staff recommended approval with conditions.

**Motion & vote:** Hart moved to approve Application No. 5-19-0949 pursuant to the staff recommendation and recommended a yes vote, seconded by Wilson. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

**Motion & vote:** Hart moved to approve Appeal No. A-5-VEN-19-0022 pursuant to the staff recommendation and recommended a yes vote, seconded by Wilson. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- b. **Application No. 5-18-0835 (Baker, Pacific Palisades)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 5-18-0999 (Duyne, San Pedro, Los Angeles)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 5-19-1015 & A-5-VEN-18-0049 (Mobile Park Investment, Venice, Los Angeles)** [POSTPONED]

- e. **Application Nos. 5-18-0692 & A-5-PPL-18-0036 (Loving Family Trust, Pacific Palisades)**  
Staff recommended denial.

**Motion & vote:** Wilson moved to approve Application No. 5-18-0692 as proposed by the applicant and recommended a no vote, seconded by Uranga. Chair Padilla ruled that the vote was unanimous in opposition to the motion. **Denied.**

**Motion & vote:** Wilson moved to approve Appeal No. A-5-PPL-18-0036 as proposed by the applicant and recommended a no vote, seconded by Uranga. Chair Padilla ruled that the vote was unanimous in opposition to the motion. **Denied.**

## STATEWIDE

- 22. **APPROVAL OF MINUTES.** The minutes of November 2019 and December 2019 were approved as written.

**Motion & vote:** Groom moved to approve the minutes and recommended a yes vote, seconded by Uranga. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

- 23. **COMMISSIONERS' REPORTS.** Information only.
- 24. **CONSERVANCY REPORT.** Information only.
- 25. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.
- 26. **SANTA MONICA BAY RESTORATION REPORT.** None.
- 27. **DEPUTY ATTORNEY GENERAL'S REPORT.** None.

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

## THURSDAY, FEBRUARY 13, 2020

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla
2. **ROLL CALL. Present:** Chair Padilla, Vice Chair Brownsey, Aminzadeh, Bochco, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson. **Non-voting present:** Gold, Ketchum, Wong-Hernandez.
3. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### CENTRAL COAST DISTRICT

- 4.5. **ODSVRA PWP Update.** Discussion only. No action taken.

[The Commission recessed for lunch and held closed session.]

### Report of Closed Session.

The Commission received litigation information and advice on the following cases as well as three matters of potential litigation:

City of Del Mar v. CCC  
CREED-21 v. CCC  
Friends of the Canyon v. CCC (Longi et al., RPIs)  
Friends of Oceano Dunes, Inc. v. CCC (State Parks, RPI)  
Harbaugh v. CCC  
Pappas, et al. v. State Coastal Conservancy, et al. (Rancho Cuarta, RPI)  
Ralston v. CCC,  
Samuel Lawrence Foundation v. CCC  
Spotlight on Coastal Corruption v. CCC, et al.  
Spotlight on Coastal Corruption v. Kinsey, et al.

The Commission received litigation information and advice and provided direction on the following cases as well as two matters of potential litigation

Hollister Ranch Owners Association v. Becerra, et al.  
Martins Beach I, LLC, et al. v. Ainsworth, et al.  
Ruby Falls Fund, LLC v. CCC, et al.  
Rudisill v. CCC (Pied a Terre)

[Commissioner Howell recused himself from the discussion of Spotlight on Coastal Corruption v. CCC, et al. and Spotlight on Coastal Corruption v. Kinsey, et al.]

## ENFORCEMENT

### 5. ENFORCEMENT REPORT.

[Th5.1 and Th5.2, shared a single combined staff report and hearing.]

- 5.1. **Consent Cease and Desist Order No. CCC-20-CD-01 (Tivoli Cove Homeowners Association, Malibu, Los Angeles Co.)** Staff recommended that the Commission issue the Consent Cease and Desist Order.

**Motion & vote:** Brownsey moved to issue Consent Cease and Desist Order No. CCC-20-CD-01 pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

- 5.2. **Consent Administrative Penalty No. CCC-20-AP-01 (Tivoli Cove Homeowners Association, Malibu, Los Angeles Co.)** Staff recommended that the Commission approve the Consent Administrative Penalty.

**Motion & vote:** Brownsey moved to issue Consent Administrative Penalty No. CCC-20-AP-01 pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

### SOUTH COAST DISTRICT (Orange County)

6. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.

- a. **Application No. 5-19-0991(Tran, Huntington Beach)**
- b. **Application No. 5-19-1159 (Kruse, Newport Beach)**

### SOUTH CENTRAL COAST DISTRICT

7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla 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:** Wilson moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

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

- a. **County of Santa Barbara LCP Amendment No. LCP-4-STB-0098-3-Part B (Agricultural Employee Dwelling Ordinance)** Moved by staff to the expanded consent calendar. **Approved.**

10. **NEW APPEALS.**

- a. **Appeal No. A-4-MAL-19-0213 (City of Malibu Public Parking Installations)** [WITHDRAWN]
- b. **Appeal No. A-4-SBC-19-0215 (Hannah Beachside, LLC, City of Santa Barbara)** [WITHDRAWN]  
  
(Howell & Turnbull-Sanders out of room)
- c. **Appeal No. A-4-MAL-19-0218 (Klein Family Partnership, Malibu)** Staff recommended that the Commission determine that Appeal No. A-4-MAL-19-0218 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **continued** the de novo hearing.  
  
(Howell & Turnbull-Sanders returned)
- d. **Appeal No. A-4-STB-19-0214 (Cosmoledo Trust, Santa Barbara Co.)** Staff recommended that the Commission determine that Appeal No. A-4-STB-19-0214 raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **continued** the de novo hearing.

**SOUTH COAST DISTRICT (Orange County)**

- 11. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred**.

- 12. **Consent Calendar (removed from Regular Calendar)** Staff moved 2 items [13a,15a] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **City of Laguna Beach LCP Amendment No. 2-19 (LCP-5-LGB-20-0004-3) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-17-0465 (City of Newport Beach Western Snowy Plover Habitat Plan for East Balboa Beaches, Newport Beach)** [POSTPONED]

(Uranga departed)



- b. **Application No. 5-19-0288 (Orange County Parks Niguel Shores Revetment, Dana Point)** Staff recommended approval with conditions.

**Main Motion & vote:** Escalante moved to approve pursuant to the staff recommendation and recommended a no vote, seconded by Hart. Chair Padilla ruled that the vote was unanimous in opposition to the motion. **Denied.**

**Amended Motion & vote:** Brownsey moved to approve the six-month waiver and recommended a yes vote, seconded by Bochco. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

(Turnbull-Sanders out of room)

- c. **Application No. 5-19-0909 (Sanson, Laguna Beach)** Staff recommended approval with conditions.

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

## 15. PERMIT AMENDMENTS

- a. **Permit No. 5-02-101-A5 (Mitchell Land & Improvement Co., LLC, Dana Point)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

The Commission recessed for the day at 8:00 p.m.

## FRIDAY, FEBRUARY 14, 2020

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla.
2. **ROLL CALL. Present:** Chair Padilla, Vice Chair Brownsey, Aminzadeh, Bochco, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson. **Non-voting Present:** Gold, Ketchum.
3. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### STATEWIDE

5. **Public Education Grant Program.** Staff recommended approval of the Whale Tail grants.

(Howell out of room)

**Motion & vote:** Uranga moved to approve the grant program and recommended a yes vote, seconded by Wilson. The vote was 10 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and one abstention (Hart). **Approved.**

- 5.1. **Sea Level Rise Adaption Planning Presentation.** Information only.

### SAN DIEGO COAST DISTRICT

6. **Consent Calendar.** Staff recommended approval of the consent calendar.

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

- a. **Application No. 6-18-1228 (MacInnes, Carlsbad)**
- b. **Application No. 6-19-1072 (University of California San Diego I-5 Switch Station, San Diego)**

### NORTH COAST DISTRICT

7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred.**

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

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

9. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-19-0813 (California Dept. Of Transportation (CALTRANS), Humboldt)** Staff recommended approval with conditions.

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

10. **PERMIT AMENDMENTS.**

- a. **Permit No. 1-18-1078-A1 (California Dept. Of Transportation (CALTRANS), Humboldt Co.)**. Moved by staff to the expanded consent calendar. **Approved with conditions.**

**ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY**

11. **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 Padilla ruled that the Commission **concurred**.

12. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items [13a, 13b, 14a] to the expanded consent calendar and recommended approval with conditions.

**Motion and vote:** Brownsey moved to approve the consent calendar and recommended a yes vote, seconded by Wilson. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

**[F13a and F14a, shared a single combined staff report and hearing.]**

13. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 9-19-0880 (RTI Infrastructure, Inc., Hermosa Beach, Los Angeles Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- b. **Application No. 9-19-0858 (California Resources Corporation, Ventura Co.)**. Moved by staff to the expanded consent calendar. **Approved with conditions.**

14. **FEDERAL CONSISTENCY.**

- a. **CC-0004-19 (RTI Infrastructure, Los Osos, San Luis Obispo Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

**SAN DIEGO COAST DISTRICT**

- 15. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being **no objection**, Chair Padilla ruled that the Commission **concurred.**

- 16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 5 items [17a, 17b, 17c, 19a, 20a] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **City of Encinitas LCP Amendment No. LCP-6-ENC-19-0013-1 (Emergency Shelters Certification Review).** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **City of Encinitas LCP Amendment No. LCP-5-ENC-19-0150-2 (Minor Subdivisions/Lot Line Adjustments).** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **City of San Diego LCP Amendment No. LCP-6-SAN-18-0064-2 (Placemaking Certification Review).** Moved by staff to the expanded consent calendar. **Approved with conditions.**

18. **NEW APPEALS.**

- a. **Appeal No. A-6-LJS-19-0198 (San Diego Children's Pool Retaining Wall) [POSTPONED].**

19. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-19-0731 (City of San Diego Public Works Department Dog Beach Improvements)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 6-19-0998 (Ocean Ranch Estates, Solana Beach) [POSTPONED]**

20. **PERMIT AMENDMENTS.**

- a. **Permit No. 6-16-0406-A2 (Loews Coronado Bay Resort and California State Parks Beach Hut, Coronado).** Moved by staff to the expanded consent calendar. **Approved with conditions.**

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:35 p.m.

Respectfully submitted,

John Ainsworth  
Executive Director