

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
FAX (415) 904-5400
TDD (415) 597-5885

**Th6**

DATE: September 30, 2021
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of August 11-13, 2021
Virtual Meeting #8

WEDNESDAY, AUGUST 11, 2021

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Vice Chair Brownsey. **Present:** Vice Chair Brownsey, Aminzadeh, Bochco, Groom, Harmon, Hart, Rice, Mann(alternate), Uranga, Wilson. Escalante arrived at 9:30 a.m.: **Non-voting present:** Dumlao, Gold, Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**
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. **Capstone Project Presentation.** Information only.
 - d. **Legislative Report.** Information only.
 - e. **Public Education Grant Program.** Staff recommended approval.

Motion & vote: Wilson moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 10 in favor (Aminzadeh, Bochco, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Brownsey) and none opposed. **Approved.**

7. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions. Item **7a** was removed from the consent calendar and postponed.

Motion & vote: Hart moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Harmon. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Brownsey) and one opposed (Wilson). **Approved with conditions.**

- a. **Application No. 5-21-0022 (Lane, Hermosa Beach) [POSTPONED]**
 - b. **Application No. 5-21-0090 (RDR Properties, LLC, Venice)**
 - c. **Application No. 5-21-0142 (Venice Ventures, LLC, Venice)**
 - d. **Application No. 5-21-0143 (Rosen Family Trust, Hermosa Beach)**
8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 1 item (**11a**) to the expanded consent calendar and recommended approval.
 - a. **Motion & vote:** Wilson moved to approve the expanded consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 11 in favor (Aminzadeh, Bochco, , Escalante, Groom, Hart, Harmon, Rice, Mann, Uranga, Wilson, Brownsey) and none opposed. **Approved as recommended.**

SOUTH CENTRAL COAST DISTRICT

9. **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, Vice Chair Brownsey ruled that the Commission concurred.
10. **NEW APPEALS.**
 - a. **Appeal No. A-4-STB-21-0040 (Hughes-Hollister Ranch Parcel 130, Santa Barbara)** Staff recommended that the Commission determined that Appeal No. A-4-STB-21-0040 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Vice Chair Brownsey ruled that the Commission found substantial issue and continued the denovo hearing. **Substantial Issue found. Continued.**
11. **NOTICE OF IMPENDING DEVELOPMENT.**
 - a. **Application No. 9-21-0258 (City of Santa Barbara, Santa Barbara Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-19-0826 (California State Parks, Los Angeles Co.)**[POSTPONED]

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

13. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** 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, Vice Chair Brownsey ruled that the Commission concurred.

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-19-0953 (Los Angeles Jazz Festival, Los Angeles Co.)**
Staff recommended approval with conditions. (Mann recused)

Motion & vote: Escalante moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- b. **Application No. 5-20-0541 (Southbay Land Management & Development Company, LLC, Hermosa Beach)** Staff recommended approval with conditions.

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

Amending motion & vote: Hart moved to add a requirement to report any advertising and rental income and recommended a yes vote, seconded by Rice. The roll call vote was 8 in favor (Aminzadeh, Bochco, Groom, Harmon, Hart, Rice, Uranga, Brownsey) and 3 opposed (Escalante, Mann, Wilson). **Passed.**

Vote on main motion: The roll call vote was 6 in favor (Bochco, Groom, Harmon, Hart, Rice, Uranga) and 5 opposed (Aminzadeh, Escalante, Mann, Wilson, Brownsey). **Approved with conditions.**

- c. **Application No. 5-20-0696 (Fitzgerald, Venice)** Staff recommended approval with conditions. [Harmon out for vote]

Motion & vote: Groom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Mann, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

15. **PERMIT EXTENSION.**

- a. **Permit No. 5-90-789-E27 & E28 (Pacific Coast Management, LLC, Venice)**
Staff recommended denial.

Motion & vote: Bochco moved to determine that the Commission found that there are changed circumstances that affect the consistency of the development approved in Coastal Development Permit Number 5-90-789 with the Chapter 3 policies of the Coastal Act and recommended a yes vote, seconded by Wilson. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Mann, Uranga, Wilson, Brownsey) and none opposed. **Denied.**

16. **RECONSIDERATION.**

- a. **Application No. 5-20-0485-REC (Lopez, Hermosa Beach)** Staff that the Commission reject the request for reconsideration.

Motion & vote: Bochco moved to grant the request for reconsideration and recommended a no vote, seconded by Wilson. The roll call vote none in favor and 10 opposed (Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Mann, Uranga, Wilson, Brownsey). **Reconsideration denied.**

STATEWIDE

The following items were trailed to Friday's agenda:

17. **APPROVAL OF MINUTES.**
18. **COMMISSIONERS' REPORTS.** None.
19. **COMMISSION SUB-COMMITTEE REPORTS.** None
20. **CONSERVANCY REPORT.** Information only.
21. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
22. **SANTA MONICA BAY RESTORATION REPORT.** None.
23. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 5:15 p.m. and held closed session.

THURSDAY, AUGUST 12, 2021

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Vice Chair Brownsey. Present: Vice Chair Brownsey, Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson. Absent: Chair Padilla. Non-voting present: Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

Report of Closed Session.

The Commission received litigation information and advice on the following cases:

Santa Monica Bayside Owners Association v. City of Santa Monica, et al.

EcoLogic Partners, Inc., et al. v. CCCC

Friends of Oceano Dunes v. California Department of Parks and Recreation, et al.

Friends of Oceano Dunes v. CCC, et al. (County of San Luis Obispo, et al., RPIs)

Friends of Oceano Dunes v. CCC, et al. (California Department of Parks and Recreation, et al., RPIs)

5. **CONSENT CALENDAR.** None.

CONSENT CALENDAR – (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [10a] 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 Bochco. The roll call vote was 11 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed.

Approved with conditions.

ENFORCEMENT

7. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program. None.

NORTH COAST DISTRICT

8. **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, Vice Chair Brownsey ruled that the Commission concurred.
9. **LOCAL COASTAL PROGRAMS (LCPs).** [POSTPONED]
10. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 1-20-0261 (City of Eureka, 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, Vice Chair Brownsey ruled that the Commission concurred.
 - a. **ND-0038-20 (BLM, Eureka).** Information only. No action taken.
12. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 9-20-0458 (Ocean Fathoms, Santa Barbara Co.)**
[WITHDRAWN]
 - b. **Application No. 9-21-0165 (RTI Infrastructure, Inc., Humboldt Co.)**

Motion & vote: Wilson moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 11 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

13. **FEDERAL CONSISTENCY.**
 - a. **CC-0004-21 (RTI Infrastructure, Inc., Humboldt Co.)** Staff recommended that the Commission concur.

Motion & vote: Wilson moved to conditionally concur with Consistency Certification CC-0004-21 on the grounds that, if modified pursuant to the staff recommendation, the project would be consistent with the enforceable policies of the California Coastal Management Program and recommended a yes vote,

seconded by Groom. The roll call vote was 11 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Conditional concurrence.**

NORTH CENTRAL COAST DISTRICT

14. **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, Vice Chair Brownsey ruled that the Commission concurred.

a. **Marin County LCP Update.** Information only. **No action taken.**

CENTRAL 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, Vice Chair Brownsey ruled that the Commission concurred.

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

a. **City of Pismo Beach LCP Amendment No. LCP-3-PSB-21-0037-1 (ADUs)**
Staff recommended approval of the Implementation Plan as submitted.

Motion & vote: Harmon moved to reject the Implementation Plan as submitted and recommended a no vote, seconded by Wilson. The roll call vote was none in favor and 11 opposed (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey). **Approved as submitted.**

b. **City of Pacific Grove LCP Amendment No. LCP-3-PGR-21-0038-1 (American Tin Cannery Standards).** Staff recommended approval of the Implementation Plan as submitted.

Motion & vote: Groom moved to reject the Implementation Plan as submitted and recommended a no vote, seconded by Hart. The roll call vote was none in favor and 11 opposed (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey). **Approved as submitted.**

c. **City of Morro Bay LCP Amendment No. LCP-3-MRB-21-0047-1 (Land Use Plan Update).** Staff recommended certification of the Land Use Plan as submitted.

Motion & vote: Groom moved to certify the Land Use Plan as submitted and recommended a yes vote, seconded by Bochco. The roll call vote was 11 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved as submitted.**

17. **NEW APPEALS.**

[Wilson out]

- a. **Appeals No. A-3-PSB-21-0032 (Chapman Estate, Pismo Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Groom moved to determine that Appeal No. A-3-PSB-21-0032 raised no substantial issue and recommended a yes vote, seconded by Harmon. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Brownsey) and none opposed. **No substantial issue found.**

- b. **Appeal No. A-3-SLO-21-0039 (Cobb Hotel, Cayucos)** Staff recommended that the Commission determine that Appeal No. A-3-SLO-21-0039 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Vice Chair Brownsey ruled that the Commission found substantial issue and continued the denovo hearing. **Substantial issue found. Continued.**

18. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-18-1081 (Santa Cruz Wharf Maintenance, Santa Cruz)**[POSTPONED]
- b. **Application No. 3-20-0546 (Avila Pier Rehabilitation, Avila Beach)**[POSTPONED]

19. **PERMIT AMENDMENTS.**

- a. **Permit Amendment No. 3-15-0144-A5 (San Lorenzo River Culvert, Santa Cruz)**[POSTPONED]

20. **REVISED FINDINGS.**

- a. **Oceano Dunes CDP Review.** Staff recommended approval of the revised findings.

Motion & vote: Escalante moved to adopt the revised findings and recommended a yes vote, seconded by Aminzadeh. The vote of the prevailing side was 8 in favor (Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Uranga, Brownsey) and none opposed. **Approved.**

The Commission recessed for the day at 3:59 p.m.

FRIDAY, AUGUST 13, 2021

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Vice Chair Brownsey. Present: Vice Chair Brownsey, Bochco, Escalante, Groom, Harmon, Diamond(alternate), Rice, Turnbull-Sanders, Uranga, Wilson. Absent: Aminzadeh, Padilla. Non-voting present: Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
5. **CONSENT CALENDAR.**

Motion & vote: Bochco moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 9 in favor (Bochco, Escalante, Groom, Harmon, Diamond, Rice, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- a. **Application No. 5-21-0059 (Dorey, San Clemente)**

CONSENT CALENDAR – (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved five items [8a, 10c, 13a, 13c, 14a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Bochco moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 9 in favor (Bochco, Escalante, Groom, Harmon, Diamond, Rice, Uranga, Wilson, Brownsey) and none opposed. **Approved as recommended.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

7. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** 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, Vice Chair Brownsey ruled that the Commission concurred.
 - a. **SEA LEVEL RISE ADAPTATION BRIEFING.** Information only. **No action taken.**

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

- a. **City of Laguna Beach LCP Amendment No. LCP-5-LGB-21-0042-1. Time Extension.** Moved by staff to the expanded consent calendar. **Approved as recommended.**

9. **NEW APPEALS.**

- a. **Appeal No. A-5-DPT-21-0038 (Zhang and Li, Dana Point)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-5-DPT-21-0038 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Groom. The roll call vote was 9 in favor (Bochco, Escalante, Groom, Harmon, Diamond, Rice, Uranga, Wilson, Brownsey) and none opposed. **No substantial issue found.**

[Item 9b was trailed and heard after Item 10d]

- b. **Appeal No. A-5-NPB-21-0026 (City of Newport Beach, Newport Beach)**

10. **COASTAL PERMIT APPLICATIONS.**

[Bochco and Turnbull-Sanders out]

- a. **Application No. A-5-20-0050 (Dig Coast Inn, LLC, Laguna Beach)** Staff recommended approval with conditions.

Motion & vote: Uranga moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Wilson. The roll call vote was 8 in favor (Escalante, Groom, Harmon, Diamond, Rice, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- b. **Application No. 5-20-0427 (Giobbi, San Clemente) [POSTPONED]**

- c. **Application No. 5-21-0472 (Brusco, Newport Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

[Turnbull-Sanders returned]

- d. **Application No. 5-21-0079 (Ben Vilorio, San Clemente)** Staff recommended approval with conditions.

Motion & vote: Wilson moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 9 in favor (Escalante, Groom, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

e. **Application No. 5-21-0109 (California State Parks, Orange Coast District, Laguna Beach) [POSTPONED]**

9. **NEW APPEALS.** Trailed item.

b. **Appeal No. A-5-NPB-21-0026 (City of Newport Beach, Newport Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Groom moved to determine that Appeal No. A-5-NPB-21-0026 raised no substantial issue and recommended a yes vote, seconded by Rice. The roll call vote was 9 in favor (Escalante, Groom, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **No Substantial Issue found.**

11. **PERMIT AMENDMENTS.**

a. **Permit Amendment No. 5-11-302-A1 (City of Newport Beach, Newport Beach)** Staff recommended approval with conditions.

Motion & vote: Rice moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 9 in favor (Escalante, Groom, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

SAN DIEGO COAST DISTRICT

12. **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, Vice Chair Brownsey ruled that the Commission concurred.

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

a. **City of Carlsbad LCP Amendment No. LCP-6-CVR-21-0041-1 (Village and Barrio Master Plan Decision Making)** Moved by staff to the expanded consent calendar. **Approved with recommended.**

b. **City of San Diego LCP Amendment No. LCP-6-SAN-20-0045-2 (Inclusionary Housing Regulations)** Staff recommended denial as submitted and approval with modifications.

Motion & vote: Rice moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Groom. The roll call vote was 9 in favor (Escalante, Groom, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Denied as submitted,**

Motion & vote: Rice moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Groom. The roll call vote was 9 in favor (Escalante, Groom, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with modifications.**

c. **City of Encinitas LCP Amendment No. LCP-6-ENC-21-0002-2 (ADU and JADU Update)** Moved by staff to the expanded consent calendar. **Approved with modifications.**

14. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-19-1426 (City of San Diego South Mission Beach Storm Drain Improvements, San Diego)** 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 3:10 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted_____

Donne Brownsey
Vice Chair