

CALIFORNIA COASTAL COMMISSION

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**W19**

DATE: November 1, 2022
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of April 6-8, 2022
Ventura County Government Center
800 S. Victoria Avenue
Ventura, CA 93002

WEDNESDAY, APRIL 6, 2022

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Brownsey. **Present:** Chair Brownsey, Vice Chair Hart, Aminzadeh, Bochco, Escalante, Harmon, Aguirre, Rice, Uranga, Wilson. **Absent:** Groom, Turnbull-Sanders . **Non-voting present:** Ketchum, Kunkel .
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. **Legislative Report.** Staff recommended support of the following bills:

AB2160 (Bennett) Staff recommended support.

Motion & vote: Rice moved to support AB2160 and recommended a yes vote, seconded by Bochco. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Support Approved.**

AB1910 (Garcia). Staff recommended support.

Motion & vote: Bochco moved to support AB1910 and recommended a yes vote, seconded by Uranga. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Support approved.**

d. **Commission Briefing.** Informational briefing only.

e. **Commission Resolution.** Staff recommended adoption of the resolution to eliminate plastic use at Commission meetings.

Motion & vote: Escalante moved to adopt the resolution and recommended a yes vote, seconded by Hart. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Adopted.**

The Commission recessed for lunch and held closed session.

Report of Closed Session.

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

Cotsen v. CCC

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

Friends of Oceano Dunes Inc. v. CCC (22CV-0024)

Shear v. CCC

North County Transit District v. CCC

Friends, Artists, and Neighbors of Elkhorn Slough v. CCC

The Commission also received litigation information and advice regarding one matter of potential litigation.

7. CONSENT CALENDAR.

a. **University of California Santa Barbara Notice of Impending Development No. UCS-NOID-0001-22 (Devereux Building 7900 Abatement/Demolition)**

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

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items (13a, 17d) to the expanded consent calendar and recommended approval.
 - a. **Motion & vote:** Rice moved to approve the consent calendar and recommended a yes vote, seconded by Uranga. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Approved as recommended.**

ENFORCEMENT

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

SOUTH CENTRAL COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.
11. **LOCAL COASTAL PROGRAM (LCPs).**
 - a. **County of Ventura LCP Amendment No. LCP-4-VNT-21-0069-2 (ESHA Update).**

Motion & vote: Bochco moved to certify the Land Use Plan as submitted and recommended a no vote, seconded by Uranga. The roll call vote was none in favor of the motion and 9 opposed (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, Browsey). **Certification denied as submitted.**

Motion & vote: Bochco moved to approve the Land Use Plan if modified as suggested and recommended a yes vote, seconded by Uranga. The roll call vote was 9 (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, Browsey) in favor of the motion and none opposed. **Approved with modifications.**

Motion & vote: Bochco moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Uranga. The roll call vote was 9 in favor (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, Browsey) of the motion and none opposed. **Certification Denied as submitted.**

Motion & vote: Bochco moved to approve the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Uranga. The roll call vote was 9 (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, Browsey) in favor of the motion and none opposed. **Approved with modifications.**

- b. **City of Santa Barbara LCP Amendment No. LCP-4-SBC-21-0052-1 (Accessory Dwelling Unit). Certification Review. Concurred.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-21-0103 (City of Santa Barbara Waterfront Department) [POSTPONED].**

13. **DEVELOPMENT AGREEMENT.**

- a. **Application No. 4-21-0569 (Goleta Gardens LLC, Goleta) Moved by staff to the expanded consent calendar. Approved as recommended.**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

14. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.

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

- a. **City of Redondo Beach LCP Amendment No. LCP-5-RDB-21-0017-1. (Accessory Dwelling Units).** 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 Bochco. The roll call vote was 9 in favor (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, 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 Bochco. The roll call vote was 9 in favor (Aminzadeh, Bochco, Escalante, Harmon, Hart, Padilla, Rice, Uranga, Brownsey) and none opposed. **Approved with modifications.**

16. **NEW APPEALS.**

- a. **Appeal No. A-5-VEN-22-0007 (Popkes and Fister, Venice)** Staff recommended that the Commission determine that Appeal No. A-5-VEN-22-0007 raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Brownsey ruled that the Commission found substantial issue and continued the denovo hearing. **Substantial issue found. Continued.**

17. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-21-0539 (Gomez, Venice, City of Los Angeles)** Staff recommended approval with conditions.

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

- b. **Application No. 5-21-0649 (Sprague, Hermosa Beach)** [POSTPONED]

- c. **Application No. 5-21-0706 (Los Angeles County Public Works, Playa del Rey)**

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

- d. **Application No. 5-19-0357 (Foley, Hermosa Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

STATEWIDE

18. **APPROVAL OF MINUTES.** None.

19. **COMMISSIONERS' REPORTS.** None.

20. **COMMISSION SUB-COMMITTEE REPORTS.** None

21. **CONSERVANCY REPORT.** None.

22. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.

23. **SANTA MONICA BAY RESTORATION REPORT.** None.

24. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 3:02 p.m.

THURSDAY, APRIL 7, 2022

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Brownsey. Present: Chair Brownsey, Vice Chair Hart, Aminzadeh, Bochco, Escalante, Harmon, Padilla, Rice, Uranga, Wilson. Absent: Groom, Turnbull-Sanders. Non-voting present: Gold, Ketchum, Kunkel.
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.** None.
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 5 items (10a, 10b, 13a, 13b, 16a) to the expanded consent calendar and recommended approval.

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

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

7. **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 Brownsey ruled that the Commission concurred.
8. **FEDERAL CONSISTENCY.**
 - a. **CD-0001-22 (Bureau of Ocean Energy Management, Humboldt Co.)** Staff recommended conditional concurrence.

Motion & vote: Wilson moved to conditionally concur that the project, if modified as recommended by staff, would be fully consistent with the enforceable policies of the CCMP and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 9 in favor of the motion (Aminzadeh, Bochco, Harmon, Hart, Padilla, Rice, Uranga, Wilson, Brownsey) and none opposed. **Conditionally Concurred.**

NORTH CENTRAL COAST DISTRICT

9. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.
10. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 2-22-0102 (Caltrans, Marshall)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - b. **Application No. 2-21-0504 (L'Heureux SFD, Seadrift)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

CENTRAL COAST DISTRICT

11. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.
12. **LOCAL COASTAL PROGRAMS (LCPs).** None.
13. **PUBLIC WORKS PLAN.**
 - a. **Notice of Impending Development No. VTP-NOID-0002-22 (Skylark Ranch, Santa Cruz Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - b. **Notice of Impending Development No. VTP-NOID-0003-22 (Last Chance Road, Santa Cruz Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
14. **NEW APPEALS.**
 - a. **Appeal No. A-3-PSB-22-0005 (Beach House Vacation Rental, Pismo Beach)** Staff recommended that the Commission determine that Appeal No. A-3-PSB-22-0005 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Brownsey ruled that the Commission **found substantial issue** and **continued** the denovo hearing.

NORTH COAST DISTRICT

15. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.

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

- a. **Humboldt County LCP Amendment No. LCP-1-HUM-21-0034-2 (Individual Hemp Cultivation).** Moved by staff to the expanded consent calendar. **Approved.**

17. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-20-0560 (County of Humboldt Department of Public Work, Humboldt Co.)** Staff recommended approval with conditions.

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

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

18. **FEDERAL CONSISTENCY.**

- a. **CD-0006-20 (National Park Service, Marin Co.)**

Motion & vote: Aminzadeh moved to approve NPS' March 24, 2022 Water Quality Strategy for the General Management Plan Amendment for Point Reyes National Seashore and North District Golden Gate National Recreation Area, First Year Version on the grounds that it is consistent with Conditions I and II of the Commission's conditional concurrence with Consistency Determination No. CD-0006-20 and recommended a no vote, seconded by Hart. The roll call vote was none in favor and 10 in opposition (Escalante, Harmon, Hart, Padilla, Rice, Uranga, Wilson, Aminzadeh, Bochco, Brownsey). **Rejected NPS's Water Quality Plan.**

The Commission recessed for the day at 6:25 p.m.

FRIDAY, APRIL 8, 2022

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Brownsey. Present: Chair Brownsey, Vice Chair Hart, Aminzadeh, Bochco, Escalante, Harmon, Padilla, Rice, Uranga, Wilson. Absent: Groom, Turnbull-Sanders. Non-voting: Gold, Ketchum, Kunkel.
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. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Vice Chair Brownsey ruled that the Commission concurred.
 - a. **Application No. 5-21-0506 (Fanticola, Newport Beach)**
 - b. **Application No. 5-21-0719 (Godoy, Newport Beach)**
6. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

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

 - a. **Application No. 5-20-0654 (Kindness, Huntington Beach)**
 - b. **Application No. 5-22-0043 (Rosen, Newport Beach)**
7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 5 items (9a, 9b, 11a, 11b, 13a) to the expanded consent calendar and recommended approval with conditions.

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

SAN DIEGO COAST DISTRICT

8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.
9. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0086-3 (Downtown Commercial Uses) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - b. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0087-3 (Time Extensions) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
10. **NEW APPEALS.**
 - a. **Appeal No. A-6-NOC-22-0008 (Oliver, San Diego)** Staff recommended that the Commission determine that Appeal No. A-6-NOC-22-0008 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Brownsey ruled that the Commission found substantial issue and continued the denovo hearing. **Substantial Issue found. Continued.**
11. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 6-21-0502 (KWD Holdings LLC, Carlsbad)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - b. **Application No. 6-21-0628 (Oceanside Opportunistic Beach Fill Program, Oceanside)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - c. **Application No. 6-22-0113 (San Diego Point La Jolla Seasonal Closure, San Diego).** Staff recommended approval with conditions.

Motion & vote: Padilla moved to approve pursuant to the staff recommendation as modified to expand the area of the enclosure and require that the City presents its annual report to the Commission, and recommended a yes vote, seconded by Bochco. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Approved with conditions as amended.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

12. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, local government acceptance of modifications for LCP certification, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Brownsey ruled that the Commission concurred.
13. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 5-21-0281 (Searing, Newport Beach)** 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 12:20 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted _____

Donne Brownsey
Chair