

CALIFORNIA COASTAL COMMISSION

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**W16**

DATE: April 12, 2023
TO: Coastal Commissioners
FROM: Kate Huckelbridge, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of December 14-16, 2022
Long Beach Civic Center
Council Chambers
411 W. Ocean Blvd.
Long Beach, CA 90802

WEDNESDAY, DECEMBER 14, 2022

1. **CALL TO ORDER and ROLL CALL and TRIBAL ACKNOWLEDGEMENT.** 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, Rice, Turnbull-Sanders, Uranga, Wilson. Absent: Groom, Harmon, **Non-voting present:** Gibson, Ketchum, Kunkel.

The Commission went into closed session and resumed the meeting at 1:30 p.m.

[Turnbull-Sanders and Uranga left the meeting]

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.** [POSTPONED].
- d. **2023 Meeting Schedule.** Staff recommended approval.

Motion & vote: Bochco moved to adopt the revised 2023 meeting schedule and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor of the motion (Aminzadeh, Bochco, Escalante, Hart, Rice, Wilson, Brownsey) and none opposed. **Approved.**

- e. **Annual Report of the Open Space/Conservation OTD Program.**
[POSTPONED]
- f. **Strategic Plan Update.** [POSTPONED]
- g. **Public Education Program Annual Update.** Information only.

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

- a. **Application No. 5-22-0612 (Devir, Newport Beach)**
- b. **Application No. 5-22-0114 (Bill Foster, Huntington Beach)**

8. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.

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

- a. **Application No. 6-22-0490 (Del Mar Riverpath Trail Phase III Extension, Del Mar)**
- b. **Application No. 6-22-0491 (UCSD Kendall-Frost Field Station and Learning Center, San Diego)**

9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 7 items (11a, 14a, 16b, 16c, 16d, 18c, 18d) to the expanded consent calendar and recommended approval.

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

SOUTH COAST DISTRICT (ORANGE COUNTY)

10. **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.
 - a. **Informational Presentation on San Clemente Railroad Track Stabilization.** Information only.
11. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
12. **NEW APPEALS.**
 - a. **Appeal No. A-5-LGB-22-0061 (Corwin, Laguna Beach) [POSTPONED]**
13. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 5-21-0910 (South Coast Water District, Laguna Beach)**

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 with conditions.**
14. **PERMIT AMENDMENTS.**
 - a. **Application No. 5-10-220-A1 (City of Seal Beach, Seal Beach)** 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, 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. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0091-3 (Spaces as Places).** Staff recommended denial of the Implementation Plan as submitted and approval if modified as suggested.

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

Motion & vote: Rice moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Aminzadeh. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

- b. **City of San Diego LCP Amendment No. LCP-6-SAN-22-0044-2 (Build Better SD). Time Extension.** Moved by staff to the expanded consent calendar. Approved.
- c. **City of San Diego LCP Amendment No. LCP-6-22-0045-2 (Climate Action Plan). Time Extension.** Moved by staff to the expanded consent calendar. Approved.
- d. **City of San Diego LCP Amendment No. LCP-6-SAN-22-0046-2 (Housing Action Package ADU Amendment). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

17. **NEW APPEALS.**

- a. **Appeal No. A-6-NOC-22-0023 (Salk Institute, San Diego)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-6-NOC-22-0023 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Escalante. Chair Brownsey ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

- b. **Appeal No. A-6-ENC-22-0059 (Newman, Encinitas)** Staff recommended that the Commission determine that Appeal No. A-6-ENC-22-0059 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 de novo portion of the hearing. **Substantial issue found. Continued.**

18. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-6-ENC-20-0022 (Hanlon, Encinitas)** Staff recommended approval with conditions.

Motion & vote: Bochco moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Rice. The roll call vote was 5 in favor (Bochco, Hart, Rice, Aminzadeh, Brownsey) and 2 opposed (Escalante, Wilson). **Approved with conditions.**

- b. **Application No. 6-21-0758 (Pollock, Solana Beach) [WITHDRAWN]**
- c. **Application No. 6-22-0185 (CHSP TRS Mission Bay LLC, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 6-22-0448 (Toppila Chang, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

STATEWIDE

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

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

THURSDAY, DECEMBER 15, 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, Groom, Rice, Mann(alternate), Wilson. Absent: Harmon, Uranga. Non-voting present: Gibson, 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.

Report of Closed Session: Chair Brownsey announced that Dr. Kate Huckelbridge was chosen as the new Executive Director.

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

a. **Application No. 4-22-0497 (Harwood, Ventura)**

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

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

a. **Application No. 5-22-0590 (117 Hart, LLC, Santa Monica)**

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 6 items [9a, 10a, 11a, 14a, 16d, 16e] to the expanded consent calendar and recommended approval with conditions.

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

SOUTH CENTRAL 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.**
 - a. **City of Carpinteria LCP Amendment No. LCP-4-CPN-22-0050-1 (ADUs).** Moved by staff to the expanded consent calendar. **Concurred.**
10. **NOTICE OF IMPENDING DEVELOPMENT.**
 - a. **Pepperdine University Notice of Impending Development No. PEP-NOID-0002-22 (Athletics/Events Center Project).** Moved by staff to the expanded consent calendar. **Approved.**
11. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 4-22-0897 (Caltrans, Malibu)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENFORCEMENT.

12. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program. Information only.

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, 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.
14. **POST LCP JURISDICTION MAP.**
 - a. **Revised City of Long Beach Post LCP Certification Permit and Appeal Jurisdiction Map.** Moved by staff to the expanded consent calendar. **Approved.**

15. **NEW APPEALS.**

- a. **Appeal No. A-5-VEN-22-0048 (Gottlieb, Venice) [POSTPONED]**
- b. **Appeal No. A-5-VEN-22-0054 (JPM-Clark Avenue 1, LLC, Venice)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Aminzadeh moved to determine that Appeal No. A-5-VEN-22-0054 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Bochco. The roll call vote was 6 in favor (Groom, Hart, Rice, Aminzadeh, Bochco, Brownsey) and 2 opposed (Escalante, Wilson) Mann abstained. **No substantial issue found.**

- c. **Appeal No. A-5-VEN-22-0056 (Walker, Venice)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-5-VEN-22-0056 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 7 in favor (Groom, Hart, Rice, Mann, Aminzadeh, Bochco, Brownsey) and 2 opposed (Escalante, Wilson). **No substantial issue found.**

- d. **Appeal No. A-5-VEN-22-0057 (Rousselin, Venice)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-5-VEN-22-0057 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Hart. The roll call vote was 6 in favor (Groom, Hart, Rice, Mann, Bochco, Brownsey) and 3 opposed (Aminzadeh, Escalante, Wilson). **No substantial issue found.**

16. **COASTAL PERMIT APPLICATIONS.**

- a. **Appeal No. A-5-VEN-21-0011 (Wynkoop Properties, Venice)** Staff recommended approval with conditions.

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

- b. **Application No. 5-21-0343 (Halikis, Torrance Beach) [WITHDRAWN]**

- c. **Application No. 5-21-0541 (California Department of Fish & Wildlife (CDFW) and Friends of Ballona Wetlands, Playa del Rey)** Staff recommended approval with conditions.

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

- d. **Application No. 5-22-0198 (Gregg Telshof, Long Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- e. **Application No. 5-22-0506 (29 6th Street, LLC, Hermosa Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- f. **Application No. 5-22-0750 (California Department of Fish & Wildlife (CDFW), Playa del Rey)** Staff recommended approval with conditions.

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

The Commission recessed for the day at 6:00 p.m.

FRIDAY, DECEMBER 16, 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, Mann, Rice. Absent: Groom, Harmon, Uranga, Wilson. Non-voting: Gibson, Ketchum, Kunkel.

Report of Closed Session.

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

AMJT Capital, LLC v. CCC
Pappas, et al v. State Coastal Conservancy, et al
Sorenson, et al v. Symphony Asset Pool, et al

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.** Staff recommended approval of the consent calendar.

Motion & vote: Hart moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 7 in favor (Aminzadeh, Bochco, Escalante, Hart, Rice, Mann, Brownsey) and none opposed. **Approved with conditions.**

a. **Permit Amendment No. A-1-HMB-99-022-A2 (Pacific Ridge, Half Moon Bay)**

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 7 items [8a,11a, 13a, 15a, 17a, 19a, 19b] 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 Hart. The roll call vote was 7 in favor (Aminzadeh, Bochco, Escalante, Hart, Rice, Mann, Brownsey) and none opposed. **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. Informational only.
8. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 9-21-0717 (Southern California Gas Co., Goleta)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
9. **FEDERAL CONSISTENCY.**
 - a. **Consistency Determination No. CD-0006-22 (National Oceanic and Atmospheric Administration [NOAA] Restoration Center;**, Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey, and San Luis Obispo Counties)

Motion & vote: Aminzadeh moved to concur that CD-0006-22 is fully consistent and recommended a yes vote, seconded by Bochco. The roll call vote was 7 in favor (Escalante, Hart, Rice, Mann, Aminzadeh, Bochco, Brownsey) and none opposed. **Concurred.**

NORTH 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 PROGRAMS.**
 - a. **City of Trinidad LCP Amendment No. LCP-1-TRN-22-0034-1 (STR Update).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
12. **NEW APPEALS.**
 - a. **Appeal No. A-1-MEN-22-0016 (Caltrans District 1, Mendocino County)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-1-MEN-22-0016 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor (Hart, Rice, Mann, Aminzadeh, Bochco, Escalante, Brownsey) and none opposed. **No substantial issue found.**

13. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-22-0616 (Strachan, Humboldt County)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

NORTH CENTRAL COAST DISTRICT

14. **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.

15. **LOCAL COASTAL PROGRAM (LCPs).** None.

- a. **City of Pacifica LCP Amendment No. LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

CENTRAL COAST DISTRICT

16. **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.

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

- a. **City of Grover Beach LCP Amendment No. LCP-3-GRB-22-0030-1 (IP Housing Update).** Moved by staff to the expanded consent calendar. **Approved as submitted.**

(Aminzadeh departed)

18. **NEW APPEALS.**

- a. **Appeal No. A-3-PSB-22-0064 (Mittry SFD, Pismo Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that Appeal No. A-3-PSB-22-0064 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Hart. The roll call vote was 5 in favor (Rice, Mann, Bochco, Hart, Brownsey) and one opposed (Escalante). **No substantial issue found.**

19. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-22-0165 (Murray Street Bridge Improvements, Santa Cruz)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 3-22-0280 (Santa Cruz Harbor Minor Improvements Program, Santa Cruz)** 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 1:15 p.m.

Respectfully submitted,

Kate Huckelbridge
Executive Director

Approved as Submitted _____

Donne Brownsey
Chair