

**CALIFORNIA COASTAL COMMISSION**

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

**Wxx**

DATE: August 24, 2023  
TO: Coastal Commissioners  
FROM: Kate Huckelbridge, Executive Director  
SUBJECT: **DRAFT MINUTES** of MEETING of April 12-14, 2023  
Virtual Meeting #2

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**WEDNESDAY, APRIL 12 , 2023**

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, Bochco, Cummings, Harmon, Diamond(alternate), Notthoff, Rice, Turnbull-Sanders, Wilson. Aguirre arrived at 9:05am, Uranga arrived at 9:15am, Escalante arrived at 9:30am. **Non-voting present:** Calfee, Ketchum, Kounalakis
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:  
(Escalante & Notthoff recused)

**SB272(Laird)**

**Motion & vote:** Cummings moved to support SB272 and recommended a yes vote, seconded by Uranga. The roll call vote was 10 in favor (Aguirre, Bochco, Cummings, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Support.**

**AB1150(AWPWC)**

**Motion & vote:** Aguirre moved to support AB1150 and recommended a yes vote, seconded by Bochco. The roll call vote was 10 in favor (Aguirre, Bochco, Cummings, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Support.**

**AB1287(Alvarez)**

**Motion and vote:** Bochco moved to oppose AB1287 unless amended and recommended a yes vote, seconded by Turnbull-Sanders. The roll call vote was 10 in favor (Aguirre, Bochco, Cummings, Harmon, Diamond, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Oppose unless amended.**

- d. **Informational Presentation on MRCA/SMMC 2022 Coastal Access Program Accomplishments and 2023 Work Plan.** Information only. No action taken.
- e. **Reconsideration of 2023 Meeting Schedule.** Staff recommended approval.

**Motion & vote:** Harmon moved to approve the revised meeting schedule and recommended a yes vote, seconded by Wilson. The roll call vote was 12 in favor (Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved.**

- 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. 5-22-0234 (Del Villar, Huntington Beach)**
  - b. **Application No. 5-22-0501 (Kang, Sunset Beach)**
  - c. **Application No. 5-22-0895 (Archer, Newport Beach)**

- 8. **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 Rice. The roll call vote was 10 in favor (Aguirre, Bochco, Cummings, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- a. **Application No. 5-21-0887 (Goodman Development, Inc., Seal Beach)**
- b. **Application No. 5-21-0888 (Goodman Development, Inc., Seal Beach)**
- c. **Application No. 5-22-0562 (Bowman, Newport Beach)**

- d. **Application No. 5-22-0843 (Randolph, Seal Beach)**
  - e. **Application No. 5-22-0962 (Olson, Seal Beach)**
9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 5 items (11c, 14b, 14c, 15a, 15b) to the expanded consent calendar and recommended approval.

**Motion & vote:** Bochco moved to approve the expanded consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Cummings. The roll call vote was 10 in favor (Aguirre, Bochco, Cummings, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **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.

11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-21-0460 (City of Newport Beach, Newport Beach)**  
**[WITHDRAWN]**
- b. **Application No. A-5-LGB-22-0025 (Gray, Laguna Beach)** Staff recommended approval with conditions.

**Motion & vote:** Bochco moved to continue and recommended a yes vote, seconded by Wilson. The roll call vote was 11 in favor (Aguirre, Bochco, Cummings, Escalante, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Continued.**

- c. **Application No. 5-22-0627 (Orange County Public Works, Irvine)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

12. **NEW APPEALS.**

- a. **Appeal No. A-5-LGB-22-0060 (City of Laguna Beach, Laguna Beach)** Staff recommended that the Commission determine no substantial issue.

**Motion & vote:** Bochco moved to determine that the appeal raised a substantial issue and recommended a yes vote, seconded by Aguirre. The roll call vote was 9 in favor (Aguirre, Bochco, Cummings, Escalante, Diamond, Notthoff, Turnbull-

Sanders, Uranga, Wilson) and 2 opposed (Rice, Brownsey). **Substantial Issue found.**

- b. **Appeal No. A-5-LGB-22-0061 (Corwin, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-22-0061 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 opened the denovo hearing.

**Motion & vote:** Wilson moved to approve Coastal Development Permit No. A-5-LGB-22-0061 as proposed by the applicant and recommended a no vote. The roll call vote was none in favor and 12 opposed (Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey). **Denied.**

- c. **Appeal No. A-5-DPT-23-0004 (Seidensticker, Dana Point)** Staff recommended that the Commission determine that Appeal No. A-5-DPT-23-0004 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.**

## **SAN DIEGO COAST DISTRICT**

13. **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.
14. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **City of Oceanside LCP Amendment No. LCP-6-OCN-21-0077-2 (Coast Highway Incentive District) [WITHDRAWN]**
  - b. **City of San Diego Amendment No. LCP-6-SAN-22-0044-2 (Build Better SD)** Moved by staff to the expanded consent calendar. **Concurred.**
  - c. **City of San Diego Amendment No. LCP-6-SAN-22-0065-3 (Pushcart Repeal)** Moved by staff to the expanded consent calendar. **Approved as submitted.**

15. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-21-0738 (Del Mar Sand Compatibility and Opportunistic Use Program (SCOUP), Del Mar)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 6-23-0106 (San Diego La Jolla Navigation Buoys, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

**STATEWIDE**

16. **APPROVAL OF MINUTES.** Staff recommended approval of the December 2022 minutes.

**Motion & vote:** Bochco moved to approve the minutes and recommended a yes vote, seconded by Wilson. The roll call vote was 6 in favor (Bochco, Escalante, Rice, Uranga, Wilson, Brownsey) one abstention (Turnbull-Sanders), and none opposed. **Approved as written.**

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

The Commission recessed for the day at 4:35 p.m. and went into closed session.

## THURSDAY, APRIL 13, 2023

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by. Present: Chair Brownsey, Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond(alternate), Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson. Non-voting present: Calfee, Dumlao, Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**

### Report of Closed Session.

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

*Carmel Valley, LLC v. CCC*

*Casa Mira Homeowners Association, et al v. CCC*

*Hain v. CCC*

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

*Friends of Oceano Dunes, Inc. v. CCC et al (22CV0024)*

*Levy, et al v. City of Los Angeles, et al.*

*Pacific Palisades Residents Association, Inc. v. City of Los Angeles, et al.*

*Hurst v. CCC*

*Spencer, et al v. City of Palos Verdes Estates*

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, Chair Brownsey ruled that the Commission concurred.
  - a. **Application No. 5-22-0663 (Harris, Pacific Palisades)**
6. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.

**Motion & vote:** Bochco moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. The roll call vote was 12 in favor (Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- a. **Application No. 5-21-0715 (Noonan, Santa Monica)**

b. **Application No. 5-22-0927 (Antin, Venice, Los Angeles)**

7. **CONSENT CALENDAR (removed from Regular Calendar)**. Staff moved 2 items [12a, 14a] to the expanded consent calendar and recommended approval with conditions.

**Motion & vote:** Wilson moved to approve the expanded consent calendar as recommended and recommended a yes vote, seconded by Harmon. The roll call vote was 12 in favor (Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved as recommended.**

## **ENFORCEMENT**

8. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program. [Harmon departed]
9. **Consent Cease and Desist Order No. CCC-23-CD-01 (1205-1207 Wooster Street LLC and Henri Levy, Pacific Palisades, Los Angeles Co.)** Staff recommended that the Commission issue the Consent Cease & Desist Order.

**Motion & vote:** Cummings moved to issue Consent Cease & Desist Order No. CCC-23-CD-01 pursuant to the staff recommendation and recommended a yes vote, seconded by Diamond. The roll call vote was 11 in favor (Aguirre, Bochco, Cummings, Escalante, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved.**

## **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. **NEW APPEALS.**
- a. **Appeal No. A-1-FTB-23-0002 (Caltrans, Fort Bragg) [POSTPONED]**
12. **COASTAL PERMIT APPLICATIONS.**
- a. **Application No. 1-22-0251 (Sorrel Leaf Healing Center, Inc, Eureka)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

## **SOUTH CENTRAL COAST DISTRICT**

13. **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.
14. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **County of Santa Barbara LCP Amendment No. LCP-4-STB-23-0007-1 (Childcare Facilities) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
15. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application No. A-4-STB-19-0214 (Cosmoledo Trust, Santa Barbara County)**  
Staff recommended approval with conditions.

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

- b. **Application No. 4-22-0459 (Caltrans)** 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 11 in favor (Aguirre, Bochco, Cummings, Escalante, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved with conditions.**

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

16. **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.

The Commission recessed for the day at 11:10 a.m.



## FRIDAY, APRIL 14, 2023

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by. Present: Chair Brownsey, Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Turnbull-Sanders, Wilson. Uranga arrived at 9:05a.m. Non-voting present: Calfee, 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.** None.
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 1 items [13a] to the expanded consent calendar and recommended approval as recommended.

**Motion & vote:** Rice moved to approve the expanded consent calendar and recommended a yes vote, seconded by Wilson. The roll call vote was 12 in favor (Aguirre, Bochco, Cummings, Escalante, Harmon, Diamond, Notthoff, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Approved as recommended. Concurred.**

## 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. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application No. 9-22-0733 (City of Ventura, Ventura Co.) [POSTPONED]**
9. **FEDERAL CONSISTENCY.** See AGENDA CATEGORIES description on page 15.
  - a. **Consistency Determination No. CD-0010-22 (United States Air Force) [POSTPONED]**

## **NORTH 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. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application Number 2-22-0004 (Surf Schools, Pacifica) [POSTPONED]**

## **CENTRAL COAST DISTRICT**

12. **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.
13. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **Santa Cruz County LCP Amendment No. LCP-3-SCO-23-0003-1-Part A (Tiny Homes).** Moved by staff to the expanded consent calendar. **Concurred.**
  - b. **City of Santa Cruz LCP Amendment No. LCP-3-STC-23-0005-1 Part A (Flexible Density Units).** [POSTPONED]

There being no old or new business, the meeting of the California Coastal Commission adjourned at 10:15 a.m.

Respectfully submitted,

Kate Huckelbridge  
Executive Director

Approved as Submitted \_\_\_\_\_

Chair