



CALIFORNIA COASTAL COMMISSION

April 2011 Agenda

**Santa Barbara County
Board of Supervisors Chambers
105 East Anapamu Drive
Santa Barbara, CA 93101
(805) 451-6053**

[Phone number will only be available during the meeting]



Wednesday, April 13, 2011, 9:00 a.m.

Thursday, April 14, 2011, 8:00 a.m.

NOTE: Start time for Thursday, April 14, may be adjusted to 9 a.m. so please check the Commission web site by 5pm Wednesday, April 13, 2011.

This has been posted at 4 p.m., Friday, April 1, 2011.

Visit the Commission's web: www.coastal.ca.gov for the latest updates.

9:00 A.M.

WEDNESDAY, APRIL 13, 2011

1. CALL TO ORDER.

2. ROLL CALL.

3. GENERAL PUBLIC COMMENT. Public comments will be heard at 9 a.m. for no more than 30 minutes. For attendees who are unable to attend the early comment period, there will be a second comment period prior to or after the lunch break. Agenda items will begin or resume after public comment.

NORTH COAST DISTRICT

4. ADMINISTRATIVE CALENDAR. See AGENDA CATEGORIES.

a. [Application No. 1-11-2 \(Shepherd, Humboldt Co.\)](#) Application of Marilyn Shepherd to replace 940 sq.ft. mobile home with new 960 sq.ft. single family home, at 3708 Patricks Point Drive, Trinidad, Humboldt County. (MBK-E)

SOUTH COAST DISTRICT (Orange County)

5. ADMINISTRATIVE CALENDAR. See AGENDA CATEGORIES.

a. [Application No. 5-10-69 \(Steelberg, Newport Beach\)](#) Application of Ryan Steelberg for removal of existing "U" shaped boat dock and one pile and replacement with new 8' x 30' single finger dock with two new 14" concrete piles, existing pier and gangway will remain. The dock system will be composed of Douglas Fir and Trex decking, at 800 So. Bayfront, Newport Beach, Orange County. (FSY-LB)

b. [Application No. 5-10-92 \(Padova & Allen, Newport Beach\)](#) Application of Marilyn Padova & Kaki Allen to modify dock system consisting of: removing existing 10' x 22' finger and install new 8' x 26' finger with attached 8' x 3' lobe; remove and replace one 14" pile, install one new 14" pile; re-deck remaining portion of existing dock; replace an existing 12 x 13ft pier platform & 31ft. x 3ft pier with a 12' x 12' pier platform and 27' x 3' pier; remove and replace three 14" "T" piles under pier; and install new 3' x 24' gangway. The dock system will be composed of steel pipe pile, Douglas Fir and Trex decking, at 1209/1211 Bay Front, Balboa Island, Orange County. (FSY-LB)

c. [Application No. 5-10-193 \(Sutherlin, Newport Beach\)](#) Application of Mike & Mary Sutherlin to remove pier and pier platform, gangway, boat dock float, and piles, and construct new pier and boat dock consisting of 10' x 14' pier platform with two, 14" diameter "T" piles, a 3' x 24' gangway, and 10' x 50' single finger float with three 14 inch diameter piles, at 14 Bay Island, Newport Beach, Orange County, (MV-LB)

d. [Application No. 5-11-009 \(Argyros, Newport Beach\)](#) Application of George Argyros to remove 38' x 89' long U-shaped float, 8 concrete piles, and 4' x 26' wood gangway, and replace with new float, piles, and gangway of same dimensions. The dock system will be composed of Douglas Fir and Timber Tech decking, at 31 Harbor Island Dr., Newport Beach, Orange County. (JDA-LB)

6. CONSENT CALENDAR. See AGENDA CATEGORIES.

a. [Application No. 5-10-100 \(Walter & Anne Adams, Newport Beach\)](#) Application of Walter & Anne Adams to demolish single-family home and construct new 5,470 sq.ft. single-family home with 2 garages (total of 3 parking spaces totaling 796 sq. feet). Grading will consist of 2,900 cu.yds. of cut and export of 2,450 cu.yds. of export to location outside the coastal zone, at 1232 Polaris Drive, Newport Beach, Orange County. (FSY-LB)

SAN DIEGO DISTRICT

7. CONSENT CALENDAR. See AGENDA CATEGORIES.

a. [Application No. 6-11-14 \(San Elijo Lagoon Conservancy & San Diego County Parks\)](#) Application of San Elijo Lagoon Conservancy & San Diego County, Parks & Recreation Dept. for multiple openings of San Elijo Lagoon inlet for five-year period to remove sand and cobble deposits and place sand on adjacent beach, at mouth of San Elijo Lagoon, west of South Coast Highway 101, Cardiff, Encinitas, San Diego County. (ES-SD)

SOUTH COAST DISTRICT (Orange County)

8. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Long Beach office at (562) 590-5071.

9. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

9.5. **LOCAL COASTAL PROGRAMS (LCPS)** See **AGENDA CATEGORIES.**

a. [City Of Laguna Beach LCP Amendment No. LGB-MAJ-1-11 \(Hazards & Nonconforming Structures & Other Title 25 Changes\)](#). [Time Extension](#). Public hearing and action on extension of time limit to act on request by City Of Laguna Beach to amend the Implementation Plan to change grading/construction material hauling hours, modify threshold for development requiring design review, modify design review noticing requirements, exempt elevator shafts from floor area calculation, allow development on nonconforming lots and additions to legal nonconforming structures without a variance; establish/clarify what constitutes a 'major remodel' and redefine the term 'kitchen'; update the floodplain/hazards ordinance; update residential development guidelines; and revise City hedge height claim process, Laguna Beach, Orange County. (KFS/MV-LB)

10. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 5-09-202 (Burg Family Trust, Newport Beach)** Application of Irving X. & Eleanor J. Burg, Burg Family Trust to demolish wood bulkhead/seawall and construct new 47 ft.-long fiberglass bulkhead/seawall, in same as existing alignment, tied back to new deadman, to protect existing single family home, top elevation of new structure will be raised to 9.25 feet MLLW and remove and replace patio, at 2301 Bayside Drive, Newport Beach, Orange County. (KFS-LB) **[POSTPONED]**

b. **Application No. 5-10-58 (Mahfood, San Clemente)** Application of James Mahfood for coastal bluff slope stabilization consisting of vertical soldier piles, wood lagging and backfill, tieback anchors at each soldier pile and shotcrete wall connected to piles with reinforcing steel to protect existing 9-unit multiple-family residential structure on bluff top, at 813 Buena Vista, San Clemente, Orange County. (LR-LB)

c. **Application No. 5-10-282 (Clarke, Newport Beach)** Application of James Clarke to remove existing dock, gangway, and 2 of 4 concrete piles (leaving 2 in the water), and install new 10.5' x 45.66' dock, 24' x 3' wood gangway, four 16- in. concrete piles, and one 14-in. concrete pile. The dock system will be composed of Douglas fir, at 127 Harbor Island Rd., Newport Beach. (JDA-LB)

11. **REVISED FINDINGS.** See **AGENDA CATEGORIES.**

a. [City of Dana Point LCP Amendment No. DPT-MAJ-1-10](#). Public hearing and action on request by City of Dana Point to revise findings for the approval of the City of Dana Point LCP Amendment No. DPT-MAJ-1-10 (Dana Point Harbor Revitalization Plan (IP Only) to implement the recently approved (October 2009) Land Use Plan (LUP) amendment, replacing, in its entirety, the implementation sections in the Dana Point Specific Plan Local Coastal Program relevant to the Dana Point Harbor. (FSY-LB)

12. **RECONSIDERATION.** See **AGENDA CATEGORIES.**

a. **Application No. 5-10-32-R (Evensen, Corona Del Mar)** Reconsideration of Commission action to deny permit of Mr. & Mrs. Christian Evensen to demolish existing 2.5 level single-family home at top of coastal bluff and demolish detached 1-story, 3-car garage at toe of bluff and construct new 4,715 sq.ft., 4-story single-family home and tunnel and elevator to 1,084 sq.ft., 1-story, 3-car garage. Grading consisting of 944 cu.yds. of cut, 16 cu.yds. of fill and 928 cu.yds. of export to location outside of coastal zone, at 3225 Ocean Blvd, Corona Del Mar, Orange County. (FSY-LB)

SAN DIEGO DISTRICT

13. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's San Diego office at (619) 767-2370.

14. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

15. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. [City of Carlsbad LCP Amendment No. 3-10A \(Inclusionary Housing\)](#) and [B \(Municipal Golf Course HMP Revisions\) Time Extension](#). Public hearing and action to extend the 90-day time limit for Commission action up to one year on request by the City of Carlsbad to first amend its certified Implementation Plan to revise citywide housing provisions and then, secondly, amend both the land use and zoning designations on the Municipal Golf Course to reflect revisions in the certified Habitat Management Plan. (DNL-SD)

b. [City of Carlsbad LCP Amendment No 1-11 \(Non-conforming Buildings and Uses Resubmittal\) Time Extension](#). Public hearing and action to extend the 60-day time limit for Commission action up to one year on request by the City of Carlsbad to amend several chapters of its certified Implementation Plan (IP), including replacing Chapter 21.48 – Nonconforming Building and Uses in its entirety, and amending other relevant chapters to encourage the rehabilitation of nonconforming buildings and uses. (TR-SD)

16. **NEW APPEALS.** See **AGENDA CATEGORIES.**

a. [Appeal No. A-6-PSD-11-6 \(CCDC & San Diego Unified Port District, San Diego\)](#) Appeal by Kathryn Rhodes, Conrad Hartsell, Scott Andrews and Commissioners Shallenberger & Sanchez from decision of Port of San Diego granting permit with conditions to CCDC & San Diego Port District to realign North Harbor Drive from B Street Pier to south of Broadway Pier eastward resulting in net loss of 146 parking spaces; construct 105-ft. wide esplanade; public plaza at foot of West Broadway; shade pavilions; ticket kiosks; information building; walk-up café; restroom; median improvements on West Broadway between North Harbor Drive and Pacific Highway; restriping to provide additional turn lane to Grape Street and North Harbor Drive intersection; & construct public park/plaza in 150-ft. setback from Harbor Drive on Lane Field, at North Harbor Drive, from B Street Pier to south of Broadway Pier; Grape Street and North Harbor Drive intersection, San Diego, San Diego County. (DL-SD)

17. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. [Application No. 6-10-41 \(UCSD, San Diego\)](#) Application of University of California, San Diego (Scripps Institution of Oceanography) to construct 38,600 sq.ft., 3-story Marine Ecosystem Sensing, Observation, and Modeling (MESOM) research and education facility, including laboratories, office, conference and support space, on 2 existing parking lots along the west side of La Jolla Shores Drive at Biological Grade Road, Scripps Institution of Oceanography campus, La Jolla, San Diego, San Diego County. (TR-SD)

b. [Application No. 6-10-89 \(T-Mobile West Corp., San Diego Co.\)](#) Application of T-Mobile West Corp. for after-the-fact permit to install 52.5 ft. monopole with 12 antennas and equipment shelter, at 2144 B Street, Camp Pendleton, San Diego County. (TR-SD)

NORTH COAST DISTRICT

18. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Eureka office at (707) 445-7833.

19. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

20. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. **Humboldt County LCP Amendment No. HUM-MAJ-4-09 (Barry/Peterson/Chisum).** Public hearing and action on request by Humboldt County to amend the Certified Land Use Plan to amend Section 3.22-(B)(3) to include a road connection between Humboldt Hill Road and Tompkins Hill Road south of Eureka. (MBK-E)

b. **County of Del Norte LCP Amendment No. DNC-MAJ-1-10 (Elk Valley Rancheria) Time Extension.** Public hearing and action on extension of time limit to act on request by County of Del Norte for Land Use Text Amendment to the Local Coastal Plan Element for the purpose of allowing the extension of public utilities to Elk Valley Rancheria. (JB-E)

21. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 1-07-18 (City of Arcata)** Application of City of Arcata Samoa Blvd Gateway Improvement project entailing conversion of 4-lane roadway to 2 lanes, construct drainage improvements, curbs, sidewalks, ADA ramps, drop curb driveways, paving, landscaping, street lights, signage and striping along 5,270 feet of Highway 255 from Union Street to V Street, Arcata, Humboldt County. (JB-E)

SOUTH COAST DISTRICT (Los Angeles County)

22. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Long Beach office at (562) 590-5071.

23. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. **City of Long Beach, LCP Amendment No. LOB-MAJ-02-10.** Public hearing and action for City of Long Beach, LCP Amendment Request No. 2-10. Amendment No 2-10 would amend the Downtown Shoreline Planned Development District (PD 6) to remove the 150,000 gross square foot limit on the size of the aquarium allowed in Shoreline Park (Subarea 6). (CP-LB)

b. **City of Long Beach, LCP Amendment No. LOB-MAJ-01-10.** Public hearing and action for City of Long Beach, LCP Amendment Request No. 1-10. Amendment No. 1-10 would divide Subarea 1 of the Downtown Shoreline Planned Development District (PD-6) into Subareas 1 and 1a, expand the list of allowable land uses (to include office, residential, retail and hotel uses) and adopt development standards for Subarea 1a (including a 500-foot height limit), and incorporate the Golden Shore Master Plan into the certified LCP. (CP-LB) **[POSTPONED]**

24. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 5-10-295 (Covespring Partners, LLC, Playa del Rey, Los Angeles Co.)** Application of Covespring Partners, LLC to demolish 4,290 sq.ft., 1-story school and construct 3,987 sq.ft. and 3,917 sq.ft., 3-story buildings with 16 tandem parking spaces for each building, at 309-315 Culver Blvd., Playa del Rey, Los Angeles County. (AP-LB)

25. **PERMIT AMENDMENTS.** See **AGENDA CATEGORIES.** An Amendment below may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed like other Consent Calendar items (See above) except that if that item is subsequently removed from the Consent Calendar by a vote of 3 or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner material amendments are processed.

a. **Permit No. 5-95-55-A11 (City of Long Beach)** Request by City of Long Beach to expand footprint and facilities of existing aquarium use in Shoreline Park, including construction of proposed 23,330 sq.ft. "Pacific Visions" aquarium expansion project, at 100 Aquarium Way, Long Beach, Los Angeles County. (CP-LB)

STATEWIDE

CLOSED SESSION. At a convenient time during the meeting, the Commission (CCC) will have a closed session to discuss items of pending litigation, including:

Bay Island Club v. CCC , Govt. Code § 11126(e)(2)(A)
Catanzarite v. City of Newport Beach, CCC , Govt. Code § 11126(e)(2)(A)
City of Los Angeles v. CCC , Govt. Code § 11126(e)(2)(A)
Frank v. CCC , Govt. Code § 11126(e)(2)(A)
Arnold Land Co. LLC v. CCC , Govt. Code § 11126(e)(2)(A)
Baltimore Land Co. LLC v. CCC , Govt. Code § 11126(e)(2)(A)
Fiery et al. v. Dept. of Fish & Game et al. , Govt. Code § 11126(e)(2)(A)
Hyman et al. v. CCC (Crosby, RPI), Govt. Code § 11126(e)(2)(A)
Laguna Terrace Park LLC v. CCC , Govt. Code § 11126(e)(2)(A)
Loynes et al. v. CCC , Govt. Code § 11126(e)(2)(A)
Malibu Colony Neighbors Alliance et al. v. CCC (Cal. Dep't of Parks & Recreation, RPI), Govt. Code § 11126(e)(2)(A)
Save the Park v. CCC (Colmer, RPI), Govt. Code § 11126(e)(2)(A)
Wetlands Defense Fund et al. v. CCC (Cal. Dep't of Parks & Recreation et al., RPI), Govt. Code § 11126(e)(2)(A)
Coalition for Low Income Housing v. CCC Govt.Code section 11126(3)(2)(A).
Save the Park v. CCC (Colmer, RPI) Govt.Code section 11126(3)(2)(A)

The Commission is authorized to discuss these matters in a closed session pursuant to Government Code Sections 11126(e)(2)(A) and (2)(C). In addition, the Commission may consider matters which fall under Government Code Section 11126(e)(2)(B) or (2)(C). The Commission may also consider personnel matters which fall under Government Code Section 11126(a).

26. **APPROVAL OF MINUTES.**

27. **COMMISSIONERS' REPORTS.**

28. **CONSERVANCY REPORT.**

29. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.**

30. **DEPUTY ATTORNEY GENERAL'S REPORT.**

31. **EXECUTIVE DIRECTOR'S REPORT** including reports and possible Commission action on legislation and water quality.

a. [2012 Meeting Dates and Locations.](#)(PD-SF)

8:00 a.m.

THURSDAY, APRIL 14, 2011

NOTE: Start time may be adjusted to 9 a.m. so please check the Commission web site by 5pm Wednesday, April 13, 2011.

1. **CALL TO ORDER.**

2. **ROLL CALL.**

3. **GENERAL PUBLIC COMMENT.** Public comments will be heard at 9 a.m. for no more than 30 minutes. For attendees who are unable to attend the early comment period, there will be a second comment period prior to or after the lunch break. Agenda items will begin or resume after public comment.

SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See **AGENDA CATEGORIES.**

a. **Notice of Impending Development De Minimis No. 6-10 (UC Santa Barbara (Robertson Field Turf Expansion Project, Santa Barbara Co.)** Public hearing and action on Notice of Impending Development by University of California, Santa Barbara to convert existing grass athletic field (Robertson Field) and adjacent dirt berm to 2.2-ac. artificial turf field, including relocating utility lines, replace lighting system, install subsurface drainage system and weir, addition of 5,800 sq.ft. paved entrance plaza with 100-150 new bicycle parking spaces, remove 15 non-native trees and replace with native trees, remove and relocate 25 cu.yds. of topsoil with miniature lupine seedbank to existing habitat restoration area, 12,500 cu.yds. of grading (9,250 cu.yds. cut, 3,250 cu.yds. fill, 6,000 cu.yds. export), and addition of 2,300 cu.yds. of gravel, located on western edge of Main Campus at University of California, Santa Barbara, Santa Barbara County. (KB-V)

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

4. **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. For specific information contact the Commission's Energy, Ocean Resources, and Federal Consistency Division office at (415) 904-5240.

5. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. E-11-002 (City of Goleta, Santa Barbara Co.)** Application by City of Goleta to re-abandon 3 historic oil wells, abandon 5 non-functioning water wells and remove 1 groundwater monitoring well and conduct associated soil remediation in Ellwood Mesa Open Space, in Goleta, Santa Barbara County. (KHH-SF)

6. **FEDERAL CONSISTENCY.** See **AGENDA CATEGORIES.**

a. **CD-063-10 (Bureau of Indian Affairs, Del Norte Co.)** Consistency determination by Bureau of Indian Affairs for fee-to-trust land acquisition of 3 parcels of land totaling 22.6 acres for Smith River Rancheria, in order to provide trust land for the Rancheria to construct residential and commercial/office/retail projects, Del Norte County. (LJS-SF)

NORTH CENTRAL COAST DISTRICT

7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's San Francisco office at (415) 904-5260.

CENTRAL COAST DISTRICT

8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Eureka office at (707) 445-7833.

9. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. [City of Pismo Beach LCP Amendment No. PSB-1-10 Part 1 \(Open Space Landscaping\)](#). Public hearing and action on request by City of Pismo Beach to amend the LCP to allow for an increase in landscaping for certain open space properties. (MC-SC)

b. [City of Santa Cruz LCP Amendment STC-1-11 \(La Bahia Hotel\). Time Extension Only](#). Public hearing and action on extension of time limit to act on request by the City of Santa Cruz to amend the LCP to apply a new zoning district and site standards for the historic La Bahia building to facilitate redevelopment of the site as a condo-hotel with restaurant and conference facilities. (SC-SC)

c. [San Luis Obispo County LCP Amendment No. SLO-MAJ-2-09 Part 2 \(Inclusionary Housing\). Certification Review](#). Concurrence with the Executive Director's determination that the action by San Luis Obispo County, accepting certification of SLO-MAJ-2-09 Part 2 with modifications (changing LCP standards related to inclusionary housing requirements), is legally adequate. (MC-SC)

d. [San Luis Obispo County LCP Amendment No. SLO-3-09 \(Framework for Planning Update\). Certification Review](#). Concurrence with the Executive Director's determination that the action by San Luis Obispo County, accepting certification of SLO-3-09 with modifications (updating the LCP's Framework for Planning), is legally adequate. (MC-SC)

10. **PUBLIC WORKS PLANS (PWPs)** See **AGENDA CATEGORIES.**

a. [Opal Cliffs Public Works Plan \(PWP 8-09\) \(Soquel Union Elementary School District, Capitola\)](#). Soquel Union Elementary School District's proposed public works plan to guide future preschool and elementary school development on a portion of Jade Street Park at 4400 Jade Street in Capitola, Santa Cruz County. (SC-SC)

11. **NEW APPEALS.** See **AGENDA CATEGORIES.**

a. [Appeal No. A-3-MRB-11-010 \(San Luis Coastal Unified School District, San Luis Obispo Co.\)](#) Appeal by Julie Tacker and Betty Winholtz of City of Morro Bay decision granting permit with conditions to San Luis Coastal Unified School District for installation of nine solar arrays with associated structures and mechanical equipment at 235 Atascadero Road in Morro Bay, San Luis Obispo County. (MC-SC)

SOUTH CENTRAL COAST DISTRICT

12. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Ventura office at (805) 585-1800.

13. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

14. LOCAL COASTAL PROGRAMS (LCPs) See AGENDA CATEGORIES.

a. [City of Malibu Local Coastal Program Amendment No. 3-09 \(TDC Program\) Certification Review](#). Concurrence with Executive Director's determination that action by the City of Malibu accepting certification of Amendment No. 3-09 with modifications, is legally adequate. (DC-V)

15. COASTAL PERMIT APPLICATIONS. See AGENDA CATEGORIES. Attention: Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. [Application No. 4-09-047 \(Los Angeles County Dept. of Public Works\)](#) Application of LA County of Dept. of Public Works to replace 5 damaged corrugated metal pipe (CMP) culverts varying in size from 18-in. to 48-in. diameter with reinforced concrete pipe (RCP) culvert, including headwalls, wingwalls, metal hand railings, and light class riprap, remove 1 sycamore tree and 4 willow trees and reconstruct roadway, along 1/3 mile-long section of Newton Canyon Road at Culvert Markers 0.03, 0.06, 0.16, 0.28, and 0.32, Santa Monica Mountains, Los Angeles County. (JJ-V)

b. [Application No. 4-10-097 \(Bailey, Los Angeles Co.\)](#) Application of Robert E. Bailey to combine 3 lots into 1 and construct 2-story, 35-ft. high, 2,425 sq.ft. single-family home with 492 sq.ft. attached garage, 37 sq.ft. covered porch, 1,408 sq.ft. of decks, replace septic tank with new 1,200-gal. tank, and 165 cu.yds. of grading (7 cu.yds. cut, 158 cu.yds. fill), located at 26380 Ingleside Way in the Malibu Bowl small lot subdivision, Los Angeles County. (KB-V)

16. REVOCATION. See AGENDA CATEGORIES.

a. [Revocation Request No. R-4-06-163 \(Malibu Valley Farms, Inc., Santa Monica Mountains, Los Angeles Co.\)](#) Request by Save Open Space to revoke CDP 4-06-163 granted to Malibu Valley Farms, Inc. for after-the-fact approval for equestrian facility used for horse breeding, raising, training, stabling, exercising, boarding and rehabilitation, including as-built riding arenas, fencing, dirt access road with two at-grade crossings through Stokes Creek, corrals, paddock, mare motel, shelters, covered pipe barns, tack rooms, barn, manure storage areas, and parking lot. The project also includes addition of vegetative swales, bioretention basin with riprap pad, and 0.5-ac. riparian restoration, and removal of various pipe and covered corrals, cross-tie areas, storage containers, and tack rooms, located at 2200 Stokes Canyon

ENFORCEMENT

17. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program. (LAH-SF)

17.3. **Consent Cease and Desist Order No. CCC-11-CD-03 (Newport Banning Ranch –Orange County)** Public hearing and Commission action on proposed Consent Cease and Desist Order authorizing and directing Newport Banning Ranch LLC; Aera Energy LLC; Cherokee Newport Beach, LLC; Herman Weissker, Inc.; Southern California Edison; and the City of Newport Beach, to cease and desist from engaging in any further development, including but not limited to removal of vegetation providing habitat for the federally-designated-as-threatened coastal California gnatcatcher, on the properties designated by the Orange County Assessor's Office as Parcel Nos. 424-041-04, 424-041-10, 114-170-43, and 114-170-79, all of which are located immediately inland of the 5000 block of W. Coast Highway in Newport Beach. Furthermore, Newport Banning Ranch LLC; Aera Energy LLC; Cherokee Newport Beach, LLC; and the City of Newport Beach shall remove materials from the areas impacted by the subject unpermitted development, including, but not limited to, the following: gravel, concrete, and construction materials. The Consent Order also resolves civil liability associated with the unpermitted development addressed by the Consent Order. (AJW-LB)

17.5. **Consent Restoration Order No. CCC-11-RO-02 (Newport Banning Ranch –Orange County)** Public hearing and Commission action on proposed Consent Restoration Order authorizing and directing: 1) Newport Banning Ranch LLC, Aera Energy LLC, Cherokee Newport Beach, LLC, and the City of Newport Beach to restore portions of their respective properties designated by the Orange County Assessor's Office as Parcel Nos. 424-041-04, 424-041-10, 114-170-43, and 114-170-79, all of which are located immediately inland of the 5000 block of W. Coast Highway in Newport Beach; such restoration including, but not being limited to, mitigating for loss of habitat by creating or enhancing areas of coastal sage scrub that will provide habitat for the federally-designated-as-threatened coastal California gnatcatcher at a 3:1 ratio (creation/enhancement area to area impacted by the subject unpermitted development); and 2) Herman Weissker, Inc., and Southern California Edison to avoid taking any action inconsistent with the purpose of these Orders, including, but not limited to impeding the ability of Newport Banning Ranch LLC and the City of Newport Beach to perform and carry out the restoration activities. The Consent Order also resolves civil liability associated with the unpermitted development addressed by the Consent Order. (AJW-LB)

18. **GENERAL PUBLIC COMMENT.** Public comments will be heard for no more than 30 minutes.

Future Meetings: The next meetings of the Coastal Commission are May 11-13 in Santa Rosa and June 15-17 in Marina del Rey.

See **future agenda items** (these are items submitted to the Coastal Commission and *could* be scheduled on future meeting agendas).

Future Agenda Items

Updated March 30, 2011

The items listed below may be coming before the Commission during the next few months. Publication of this list is provided for the purpose of facilitating public participation in the Commission's activities and is not required by law. The list's inclusion in this Meeting Notice also does not constitute, nor substitute for any of the notice requirements contained in the Coastal Act and Commission regulations. Also, please be aware that the details of a submittal may change as staff review proceeds, and that not all submittals of potential significance may appear on the listing below.

Statewide

- **Workshop on Recreational Boating Issues and Concerns in Marina Redevelopment, A** Workshop will be held at the November meeting on issues related to redevelopment of recreational harbors and marinas and the Coastal Act policies to protect recreational boating opportunities, including lower cost boating, with emphasis on marinas from Santa Barbara County south. The Workshop will include panel participants drawn from agencies, public and private marina interests and recreational boating groups. The workshop agenda and materials related to the workshop will be available on the Commission's website prior to the hearing.

Energy, Ocean Resources & Federal Consistency Unit

- **Poseidon Huntington Beach** desalination project
- **Caltrans High Speed Rail**, LOSSAN Mass Transit. High Speed Train throughout California (south of Sacramento to the San Francisco Bay Area, the Central Valley, and southern California) with one component, which may be separate or combined with it, is LOSSAN, Passenger Rail Improvements, Los Angeles to San Diego (LOSSAN) Rail Corridor

North Coast District

- **Samoa Town Plan.** Humboldt County LCP Amendment to redesignate and rezone the industrial designation of the town of Samoa to a mix of residential, commercial, natural resources and business park uses and extend the urban limit line within the approximately 138-acre Samoa town site on the Samoa Peninsula west of Humboldt Bay (RSM-E)
- **Arcata LCP Update.** LCP Amendment for a comprehensive update of the City of Arcata's certified LCP

Central Coast District

- **Santa Cruz Harbor Dredging.** Santa Cruz Port District CDP application for a multi-year permit to authorize recurring dredging operations at the Santa Cruz Harbor. (SC-SC)

South Central Coast District

- **Coastal Development Permit Application Nos. 4-10-040, 041, 042, 043, 044, & 045 (Lunch, Vera, Mulryan, Morleigh, & Ronan Properties LLLPs)** for a lot line adjustment between two parcels; five new single family residences ranging from 7,220 sq. ft. to 12,785 sq. ft. in size on five adjoining parcels; a 6,010 linear ft., 20 ft. wide access road; retaining walls; a new 7,800 linear ft. waterline with 900 linear ft., 10 ft. wide maintenance road; three Fire Department staging areas; placement and contour grading of 13,950 cu. yds. of excess excavated material; and approximately 95,050 cu.yds. of grading.

**FUTURE AGENDA ITEMS
(continued)**

SouthCoast District

- **Coastal Development Permit Application No. 5-09-182 Shea Homes (Parkside Estates)** coastal development permit application for up to 170 residential lots, roads and park; construction of up to 170 single family homes, related infrastructure, public active park and/or open space area, new storm drain, new pump facility at the Slater/Wintersburg storm water pump station, improvements to the flood control channel, replace sewer pump, and new sewer force-main, occurring within a vacant 50 acre area in Huntington Beach, Orange County.
- **Aquarium of the Pacific Expansion Plans.** City of Long Beach LCP amendment to remove the 150,000 gross square foot limit on the size of the aquarium allowed in Shoreline Park (Subarea 6), and a permit amendment to allow the proposed 23,330 square foot "Pacific Visions" aquarium expansion project at 100 Aquarium Way, City of Long Beach, Los Angeles County.
- **Golden Shore Master Plan.** City of Long Beach LCP amendment to incorporate the Golden Shore Master Plan into the certified LCP. Subarea 1 of the Downtown Shoreline Planned Development District (PD-6) would be divided into Subareas 1 and 1a, the height limit would be set at 500 feet, and the list of allowable land uses would be expanded to include office, residential, retail and hotel uses.
- **California Coastal Commission's Evaluation of Los Angeles County's First Year Response to the Periodic Review of the Marina del Rey Local Coastal Program.**
- **Los Angeles County Marina Del Rey Local Coastal Program Amendment** involving five "Pipeline" projects. The LCP amendment proposes to change land uses within specific parcels and re-allocate approved development intensity and allow the development of visitor-serving commercial, residential and senior housing, dry stack boat storage, and a Department of Beaches and Harbors administrative building.

San Diego Coast District

- **City of Solana Beach Land Use Plan (LUP)** The submittal consists of only the Land Use Plan portion of the City's LCP at this time; future review and certification of an Implementation Plan would be required to fully certify the City's LCP and consider delegation of coastal development permit authority.
- **Permit No. F6760-A6/Permit No. A-133-79-A5 (Kretowicz, San Diego)** Request by Ure and Dianne Kretowicz to amend permit for home addition to delete requirement to record public access easements, pay \$3.3 million for public access improvements in La Jolla and after-the-fact approval of various improvements to home on blufftop lot, at 7957 Princess Street, La Jolla, San Diego, San Diego County.
- **Application 6-10-84 (22nd District Agricultural Association, San Diego)** Application of 22nd District Agricultural Assoc. to install 6,650 sq.ft. fabric tent structure to accommodate existing golf related uses; install approximately 1,500 sq.ft. pre-fabricated structure for golf training; install practice putting greens, sand bunkers, safety netting & two 20 ft.-high light posts; continued use of existing 13,500 sq.ft. fabric tent structure for youth volleyball activities & special events; and after the fact request for swimming school, swimming pool, and associated 2,500 sq.ft. fabric tent, at Del Mar Fairgrounds "Surf & Turf" facility, at 15555 Jimmy Durante Blvd., San Diego, San Diego County.
- **Appeal No. A-6-ENC-09-40 (Okun, Encinitas)** Appeal by Commissioners Wan and Shallenberger from decision of City of Encinitas granting permit with conditions to Leonard Okun to demolish portions of existing home and construction 2,986 sq. ft., 2-story home with 447 sq. ft. attached garage and 1,677 sq. ft. basement on coastal blufftop lot, at 828 Neptune Avenue, Encinitas, San Diego County
- **Appeal No. A-6-ENC-09-41 (Okun, Encinitas)** Appeal by Commissioners Wan and Shallenberger from decision of City of Encinitas granting permit with conditions to Leonard Okun to demolish portions of existing home and construction 3,136 sq. ft., 2-story home with 459 sq. ft. attached garage and 1,798 sq. ft. basement on coastal blufftop lot, at 828 Neptune Avenue, Encinitas, San Diego County

Agenda Categories

Below are described the standard categories of agenda items.

ADMINISTRATIVE PERMIT APPLICATIONS. If a person objects to issuance of an administrative permit or permit conditions, that person is allowed 3 minutes to request removal of the application from the administrative calendar. If four or more Commissioners vote to remove an item from this calendar, the approval is revoked, and the application will be scheduled for action at a later meeting.

COASTAL PERMIT APPLICATIONS. The Commission may vote at the conclusion of the public hearing, or it may continue the matter to a subsequent meeting. Time limits are determined by the Chair but generally are 15 minutes combined total time per side. The applicant may reserve some time for rebuttal after the opponents speak.

CONSENT CALENDAR. Three minutes will be allowed to each side to address the Commission on whether to remove an application from this calendar. It takes 3 or more Commissioners to remove an item from the consent calendar, in which case it will be scheduled for further hearing & action at a later meeting.

ENFORCEMENT ACTIONS. Public hearing and action on proposed Cease and Desist Orders, Restoration Orders, and recordation of Notices of Violation.

FEDERAL CONSISTENCY. See time limits under COASTAL PERMIT APPLICATIONS above.

LOCAL COASTAL PROGRAMS (LCPs). LCPs consisting of a land use plan and implementation plan are prepared by local governments and provide the standards for issuing coastal permits after approval by the Commission. Copies of LCP reports are available on request from the Commission office. Oral testimony may be limited to 5 minutes or less for each speaker, depending on the number wishing to be heard. Copies of all correspondence will be provided to the Commission.

NEW APPEALS. (Note: This agenda item requires an initial determination of whether the appeal raises a “substantial issue” and may **not** include a *de novo* public hearing on the merits of the project.)

When staff recommends “substantial issue,” a public hearing on the question will only be held if 3 or more Commissioners ask for it. If three Commissioners do not request a hearing on “substantial issue” the matter automatically proceeds to *de novo* public hearing either at this or a later Commission meeting. If staff recommends “no substantial issue,” public testimony will be taken only on the question whether the appeal raises a “substantial issue.” Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side.

If the Commission finds “substantial issue” and there is no staff recommendation on the merits of the project, the *de novo* hearing will be scheduled for a subsequent meeting.

PERMIT AMENDMENTS or EXTENSIONS. Public hearing and action on requests to amend or extend permits previously issued by the Commission.

RECONSIDERATIONS. Public hearing and action to reconsider previous actions.

REVISED FINDINGS. Public hearing and vote to approve revised findings for a previous Commission action. The only issue is whether the findings adequately reflect the Commission action. The hearing is not to reargue the merits of the prior action.

VOTING on APPLICATIONS. Hearing and action on coastal development permits continued from a previous meeting. The time limits are 5 minutes combined total time per side, and the applicant may reserve time for rebuttal.

Meeting Rules and Procedures

SPEAKER SIGN-UP & TIME LIMITS. If you wish to speak, please fill out a "Request to Speak" form and give it to a staff person. Forms are available near the door to the meeting room. Time limits are indicated on the back of speaker sign-up forms, and under 'agenda categories' later in this summary. Generally, the Chairman will determine time limits for each speaker. Time limits for permit items are **combined total time** for all speakers in favor of or in opposition to the project.

SUGGESTIONS FOR SUBMISSION OF WRITTEN MATERIALS. Written materials should be submitted to Commission staff no later than three working days before the hearing. In the upper right hand corner of the first page of your submittal please identify the agenda item number & your name. Please summarize your position in two or three pages. You may attach any exhibits you feel are necessary. **Please Note:** You are discouraged from submitting written materials to the Commission on the day of the hearing, unless they are visual aids. It is difficult for Commissioners to carefully consider late submittals.

LOCATION of MEETINGS. The Commission meets once a month in different locations of the State in order to facilitate public participation. Staff attempts, whenever possible, to schedule matters for hearings that will be relatively close to the location of a proposed development. However, legal deadlines for action may require that the hearing on an item take place in a different area than the proposed project.

NO FAXs will be accepted at the meeting site. You may be able to make prior arrangements with staff or a Commissioner to send a fax, but you will be responsible for paying the hotel or meeting site for its receipt.

CAMPAIGN CONTRIBUTIONS. Government Code Section 84308 requires Commissioners to disqualify themselves from voting on any matter if they have received a campaign contribution of more than \$250 from an interested party. If you intend to speak on any hearing item, please indicate on your speaker slip and/or in your testimony, if you have made campaign contributions of more than \$250 to any Commissioner within the last year, and if so, to which Commissioners you contributed.

CONTACTS with COMMISSIONERS. Written materials sent to Commissioners must also be sent to staff. All non-procedural communications must become part of the record. For a summary of these requirements, please call the receptionist at (415) 904-5200.

PUBLIC STATEMENTS ABOUT ITEMS NOT ON THIS AGENDA. Before lunch each day there will be time for public statements about Commission work other than items that are pending before the Commission. Persons wishing to speak should fill out a sign-up slip, and limit presentations to 3 minutes. You may always submit written comments to the Commission office, and copies will be distributed to Commissioners.

WHEN WILL MY AGENDA ITEM BE HEARD? It is not possible to predict how quickly the Commission will complete agenda items or how many will be postponed to a later date. The Commission begins each session at the time listed on the Meeting Notice and considers each item in the sequence listed, except in extraordinary circumstances. The Commission may consider an item even though interested persons are not present.

STAFF RECOMMENDATIONS. A written staff report is available for most items on this agenda. At the end of the agenda description the author's initials and a code indicating his/her headquarters office are identified (E=Eureka SF=San Francisco SC=Santa Cruz V=Ventura LB=Long Beach SD=San Diego). Staff reports are usually distributed 10 days before the meeting. If you are interested in any item on this Meeting Notice contact the nearest Commission office to get a copy of the staff report. It may also be on the Commission's web site.

VISUAL PRESENTATIONS/MATERIALS. Powerpoint presentations must be accompanied by a USB flash drive, flash memory card, or compact disk. A slide projector & laptop will be available from our audio-visual technician, and they can assist you in its use. All materials exhibited to the Commission during the hearing (slides, maps, etc) are part of the public record and must be kept by the Commission for 60 days after final Commission action on the matter. Your materials will be returned upon written request.

PUBLIC & ADMINISTRATIVE RECORDS. Some public records for agenda items are available for inspection at the meeting, and are available in the Commission office. Please call to make an appointment to see any file you are interested in. If you need a verbatim transcript of the proceedings, a court reporter is present at the hearing. If you decide to challenge a final decision of the Commission in court, please request preparation of the administrative record by letter to the Administrative Records Section at the Commission office in San Francisco, and indicate in your letter a description of the agenda item and date(s) of Commission action. Such a record must include a transcript of the proceedings at the hearing and you must contact the court reporter to order the transcript for the record.

CLOSED SESSION. At any time during the meeting the Commission may meet to consider possible and pending litigation in a session closed to the public pursuant to the attorney-client privilege and statutory exemption to the Open Meeting Act (Government Code Section 11126e).

ACCESS TO HEARINGS. The hearings are wheelchair accessible. If accommodation for other disabilities is required, please call (415) 904-5200.

MORE INFORMATION. For more information about this agenda, contact one of the following staff members:

(Del Norte, Humboldt & Mendocino Counties) Bob Merrill (707) 445-7833;
 (Sonoma, Marin, San Francisco & San Mateo Counties) Ruby Pap (415) 904-5260,
 (Santa Cruz, Monterey & San Luis Obispo Counties) Dan Carl (831) 427-4863,
 (Santa Barbara & Ventura Counties, Malibu & Santa Monica Mountains) Steve Hudson (805) 585-1800,
 (Los Angeles & Orange Counties) Teresa Henry (562) 590-5071,
 (San Diego County) Sherilyn Sarb (619) 767-2370,
 (Energy) Alison Dettmer (415) 904-5240,
 (Federal Consistency) Mark Delaplaine (415) 904-5280,
 (Statewide) Vanessa Miller (415) 904-5200.

A Telecommunication Device for the Deaf (TDD) is available at (415) 904-5200.

The Coastal Commission is not equipped to receive comments on any official business by electronic mail. Any information relating to official business should be sent to the appropriate Commission office using U.S. Mail or courier service.

COMMISSION OFFICES

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North Coast District	710 "E" Street Suite 200 Eureka, CA 95501-6813	707-445-7833
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Central Coast District	725 Front Street Suite 300 Santa Cruz CA 95060-4508	831-427-4863
South Central Coast District	89 S. California Street Suite 200 Ventura CA 93001-2801	805-585-1800
South Coast District	200 Oceangate 10th Floor Long Beach CA 90802-4325	562-590-5071
San Diego Coast District	7575 Metropolitan Drive Ste. 103 San Diego, CA 92108-4402	619-767-2370
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