

# CALIFORNIA COASTAL COMMISSION

## CONSERVATION VOTING CHART 2003



Perenchio Golf Course, Malibu (July '03)



Seabridge Subdivision., Oxnard (July '03)



Marine Land, Palos Verdes (c.1972) Approved for 600 room private luxury Resort (June '03)



Pleasure Point Seawall under construction 2004 (denied by CCC Nov. '03)

Sierra Club Coastal Program,  
League for Coastal Protection  
California Coastkeeper Alliance  
Surfrider Foundation

ANY AND ALL REPRODUCTION OF THIS DOCUMENT IS ENCOURAGED AND FULLY PERMISSIBLE BY LAW IN THE INTEREST OF COASTAL PROTECTION AND PUBLIC PARTICIPATION

All Photos Courtesy of Ken Adelman, California Coastal Records Project @ [www.californiacoastline.org](http://www.californiacoastline.org)

## CALIFORNIA COASTAL COMMISSION CONSERVATION VOTING CHART 2003

### INTRODUCTION

This California Coastal Commission Conservation voting chart is the product of a joint enterprise of the Sierra Club Coastal Program, the Surfrider Foundation, the League for Coastal Protection (LCP) and the California Coastkeeper Alliance. These voting charts have been prepared for the last 18 years.

The CCC voting chart for 2003 examines 35 votes. Votes analyzed were selected in consultation with coastal environmental activists based on their likely impact on natural coastal resources and their potential to set important statewide precedents. A description of the issues affected by each vote, as well as a record of individual Commissioners' votes and their alternates, appears in Appendix A. These votes have been compared with the official records kept by Coastal Commission staff. However, any errors are the sole responsibility of the preparers.

For in-depth discussion of key votes on a monthly basis, the Sierra Club publishes a free monthly newsletter, "California CoastWatcher", that is available free by subscription at <http://www.sierraclub.org/ca/coasts/coastwatcher.asp>.

### BACKGROUND

The California Coastal Commission is an independent state agency created by the California Coastal Act of 1976 (<http://www.coastal.ca.gov/ccatc.html>). The mission of the Coastal Commission is to protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations.

The Commission itself is comprised of 12 voting members and 4 non-voting members. Of the 12 voting members, 6 are elected officials and 6 are drawn from the public. The local elected official seats are filled by elected officials selected from specific geographical areas: San Diego, Central, North, North Central, South, South Central coasts regions.

The Commissioners come together for approximately one week per month in different coastal communities to deliberate the merits of proposed coastal development projects within the 1.5 million acre, 1100-mile long California coastal zone. The Commission and its staff review over 1,000 development proposals annually. More information regarding coastal commission members, staff, staff analysis and upcoming meetings and agendas can be found on the Commission's website at <http://www.coastal.ca.gov/>

The independence, balance and integrity of the Commission is dependent upon its appointment process. California's Governor, the Senate Rules Committee under the leadership of the President Pro Tem of the Senate, and the Assembly Speaker each are entitled to select four Commissioners. Each Commissioner is entitled to appoint an alternate, subject to the approval of their appointing authority.

Appointments are normally made shortly after an appointing authority either assumes office (as in the case of the Governor), or a legislator ascends to the leadership of the

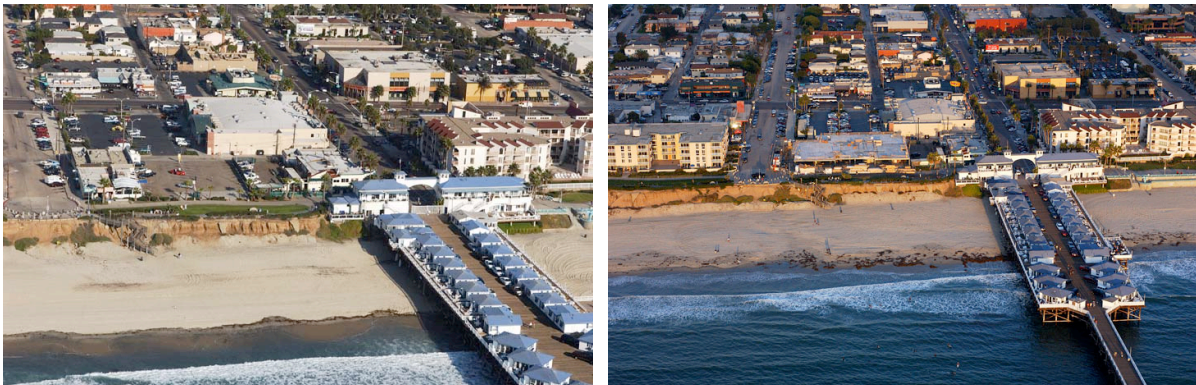
Senate or the Assembly. During the period covered by this voting chart Commissioners were appointed to two-year terms, but served at the pleasure of their appointing authority and could be removed at any time.

In 2003, the law concerning terms was amended, and now all eight legislative appointments (four appointed by the Speaker of the Assembly and four appointed by Senate Rules Committee) are considered “tenured” appointments. That is, once appointed the Commissioner will sit on the Commission for a four year term and cannot be removed until the expiration of the full appointment term.

In addition to the twelve voting Commission members, there are also four non-voting members who are appointed by their respective agencies: Trade and Commerce, Resources, State Lands Commission, and Business, Transportation, and Housing.

During 2003 the public members of the Commission were Chris Desser (who was replaced by Mary Nichols\* in December 2003) and Cynthia McClain-Hill (appointed by Gov. Davis), Pedro Nava and Sara Wan (appointed by the Senate Rules Committee lead by President Pro Tem John Burton), and Dr. William Burke and Patrick Kruer (appointed by Assembly Speaker Herb Wesson).

Regarding elected official positions on the Commission, during 2003 Scott Peters (San Diego City Council) (appointed by Assembly Speaker Herb Wesson) represented the San Diego region; Shirley Dettloff\*\* (Huntington Beach City Council) (appointed by the Senate Rules Committee lead by President Pro Temp John Burton and was replaced on her retirement by Laguna Beach City Council member Toni Iseman in February 2003) representing the South region; Gregg Hart (Santa Barbara City Council) (appointed by Gov. Davis) representing the South Central region; Dave Potter (Monterey Co. Board of Supervisors)(appointed by Speaker Wesson) represented the Central region; Mike Reilly (Sonoma Co. Board of Supervisors) (appointed by the Senate Rules Committee) represented the North Central region, and; John Woolley (Humboldt Co. Brd Supervisors)(appointed by Gov. Davis) represented the North region.



Miller Hotel Project, (2002 & 2004) Pacific Beach (former parking lot, site of Skip Frye's surf shop) (Oct. '03)

## KEY FINDINGS

- Since 1985, the California Coastal Commission's voting scores have ranged from a low of 25% in the latter half of 1996 to a high of 76% in 1997. The average Conservation Voting Score for the Coastal Commission over the intervening 18 years is 50%.
- The overall Commission's Conservation score for 2003 was 46%\*\*\*, with the Coastal Commission voting for the preferred alternative just over half the time. Based on an average of individual voting records, the commissioners voted for the preferred alternative 52% of the time\*\*\*\*. Subsequent data provided in this document is based on voting pattern of the individual commissioners.
- The all-time high Commission Conservation score of 76% in 1997 is attributed primarily to the high visibility of coastal protection in the 1996 election, and the return of the Assembly from a Republican majority under Speaker Curt Pringle to a Democratic majority under Speaker Cruz Bustamante. Speaker Pringle's appointments, at 6%, had the lowest Conservation score for any appointing authority over the last 16 years and were largely responsible for the Commission's all-time low Conservation score of 25% in the latter half of 1996.
- The Commission's 2003 overall voting score (52%) represents a slight increase from the 2002 score, continuing the upward trend observed in 2002. The 2002 score represented the first upward trend in the previous four years. The Commission's Conservation score in 1999 was 64%. In 2000, the Commission's Conservation score dropped 14 points to 50%. In 2001, the Commission's Conservation score dropped even further by 9 points to 41%. Finally, the Commission's Conservation score increased 9 points to 50% in 2002, and further increase by 2 points to 52% in 2003.
- The factors contributing to the slight increase in the Commission's Conservation voting score (2 points) observed from 2002 to 2003 are difficult to pinpoint. However, the 2002 increase is attributed to the voting patterns of Commissioners under each appointing body. In 2003 Pro Tem John Burton's appointments voting score increased by 1 point to 65%, Speaker Herb Wesson appointments increased by also increased by one point to 45%, and Governor Gray Davis' appointments increased by 1 point to 45%\*\*\*\*\*.
- In 2003, there was a 20-point range in scores between Commissioners appointed by the three appointing bodies. Those Commissioners appointed by the Senate Rules Committee under the leadership of State Senator John Burton earned the highest Conservation score of 65%, Assembly Speaker Herb Wesson's appointees earned a Conservation score of 45%, and Governor Gray Davis' appointees earned a Conservation score of 45%.
- The Gubernatorial appointees earned a Conservation score of 45%, which was the second highest score ever received by the Commissioners appointed by the Governor.
- Between individual commissioners, there was a 56-point range in score from a high of 84% by Commissioner Sara Wan to a low score of 28% for Commissioner Gregg Hart. Three Commissioners had scores of 60% or higher: Sara Wan (84%), Pedro Nava (66%), and Chris Desser (61%)\*\*\*\*\*.

- Of the 6 'elected' members (including the replacement of Shirley Dettloff\*\* with Toni Iseman in February) that served on the Commission during 2003, Toni Iseman had the highest Conservation voting score at 58%. Councilmember Gregg Hart had the lowest voting score at 28%.
- Of the 6 'public' members (including the replacement of Chris Desser with Mary Nichols\* in December), Sara Wan had the highest Conservation voting score at 84%. Partick Kruer had the lowest Conservation scores of the 'public' members at 43%\*\*\*\*\*.

\*Please note, due to Mary Nichols appointment to the commission in December she only participated in 3 votes evaluated as part of this document, these votes are not included in the proceeding figures.

\*\* Please note, due to Shirley Dettloff replacement in the commission in February she only participated in 1 vote evaluated as part of this document, this vote is not included in the proceeding figures.

\*\*\*The overall commission score is calculated by dividing the total number of times in which the commission as a whole voted in favor of coastal protection in the view of the Sierra Club Coastal Program, League for Coastal Protection, the Surfrider Foundation, and California Coastkeeper Alliance by the total number of commission votes.

\*\*\*\*Individual Commissioner scores are calculated using the total number of '+' votes\*\*\*\*\* divided by the total number of votes for each Commissioner.

\*\*\*\*\*Appointee scores are calculated using the total number of '+' votes divided by the total number of votes for each of the Commissioners appointed by the appointee.

\*\*\*\*\*It should be noted that the Conservation voting score for each Commissioner includes the votes of the Commissioner's alternate which can raise or lower a Commissioner's score depending on the number of votes the alternate is present for and the alternate's voting pattern. Complete voting tables in Attachment A detail if a vote was made by the sitting Commissioner or his/her alternate.

\*\*\*\*\*A '+' vote denotes a vote favoring coastal protection in the view of the Sierra Club Coastal Program, League for Coastal Protection, the Surfrider Foundation, and California Coastkeeper Alliance while a '-' vote denotes a vote damaging to the coast.



**2002      Grossman Seawall, Shell Beach (August 2003)      2004**

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING SCORES: 1985-2003**

<b>Year</b>	<b>Senate</b>	<b>Assembly</b>	<b>Governor</b>	<b>Commission</b>
1987	71%	64%	26%	66%
1988/89	63%	50%	14%	60%
1990/91	89%	55%	19%	58%
1992	83%	59%	30%	53%
1993	65%	38%	32%	34%
1994	68%	43%	31%	38%
1995	79%	42%	35%	50%
1996 (1-5/96)	85%	31%	21%	41%
1996 (6-11/96)	87%	6%	20%	25%
1997	78%	87%	42%	76%
1998	66%	66%	24%	44%
1999	72%	62%	54%	64%
2000	59%	46%	42%	50%
2001	56%	35%	28%	41%
2002	64%	44%	44%	50%
<b>2003</b>	<b>65%</b>	<b>45%</b>	<b>45%</b>	<b>52%</b>

The Sierra Club and the League for Coastal Protection have tracked the Coastal Commission's Conservation Voting Record for the last 18 years.

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART 2003  
COMPARISON OF 2001 VS 2002 VS 2003**

<b>Senate Appointments</b>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Wan	66%	72%	84%
Nava	71%	75%	66%
Iseman	NA	NA	58%
Reilly	5%	56%	52%

<b>Assembly Appointments</b>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Peters	NA	31%	52%
Burke	NA	63%	50%
Kruer	19%	34%	42%
Potter	20%	43%	38%

<b>Governor Appointments</b>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Desser	45%	55%	61%
Woolley	38%	50%	50%
McClain-Hill	20%	32%	45%
Hart	18%	38%	28%

<b>Average by Appointing Authority</b>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Senate	56%	64%	65%
Assembly	35%	44%	45%
Governor	28%	44%	45%

**Overall Coastal Commission:**      2001: 41%                      2002: 50%                      2003: 52%

**Observation:**

The Commission's overall Conservation score increased by 9% from 2001 (41%) to 2002 (50%), and by 2% from 2002 to 2003 (52%).

**CALIFORNIA COASTAL COMMISSION  
 CONSERVATION VOTING CHART 2003  
 RANKINGS BY APPOINTING AUTHORITY**

<b>Senate Appointments</b>	
Wan	84%
Nava	66%
Iseman	58%
Reilly	52%

<b>Assembly Appointments</b>	
Peters	52%
Burke	50%
Kruer	42%
Potter	38%

<b>Governor Appointments</b>	
Desser	61%
Woolley	50%
McClain-Hill	45%
Hart	28%

<b>Average by Appointing Authority</b>	
Senate Pro Tem John Burton	64%
Assembly Speaker Herb Wesson	46%
Governor Gray Davis	46%

**Observation:**

Coastal Commissioners appointed by the Senate Rules Committee earned a Conservation score of 64%, Assembly Speaker appointees earned a Conservation score of 46%, and gubernatorial appointees earned a Conservation score of 46%.



**CALIFORNIA COASTAL COMMISSION  
 CONSERVATION VOTING CHART 2003  
 OVERALL COMMISSIONER RANKING**

<b>Overall Commissioner Ranking</b>		
	<b>Commissioner</b>	
1	Wan	84%
2	Nava	66%
3	Desser	61%
4	Iseman	58%
5	Peters	52%
6	Reilly	52%
7	Wooley	50%
8	Burke	50%
9	McClain-Hill	45%
10	Kruer	42%
11	Potter	38%
12	Hart	28%

**Average Voting Score:** **52%**

**Observation:**

Between individual commissioners, there was a 56 point range in score from a high of 84% by Commissioner Sara Wan to a low score of 28% for Commissioner Gregg Hart. Three Commissioners had scores of 60% or higher: Sara Wan (84%), Pedro Nava (66%), and Chris Desser (61%).

**CALIFORNIA COASTAL COMMISSION  
 CONSERVATION VOTING CHART 2003  
 COMPARISON OF ELECTED & PUBLIC MEMBERS**

<b>Elected Members</b>	
Iseman	58%
Peters	52%
Reilly	52%
Wooley	50%
Potter	38%
Hart	28%

**Average Voting Score: 46%**

<b>Public Members</b>	
Wan	84%
Nava	66%
Desser	61%
Burke	50%
McClain-Hill	45%
Kruer	42%

**Average Voting Score: 58%**

**Observation:**

Of the 6 'elected' members (including the replacement of Shirley Dettloff with Toni Iseman) that served on the Commission, Toni Iseman had the highest conservation voting score at 58%. Councilmember Gregg Hart had the lowest voting score at 28%.

Of the 6 'public' members (including the replacement of Chris Desser with Mary Nichols), Sara Wan had the highest conservation voting score at 84%. Patrick Kruer had the lowest conservation scores of the 'public' members at 42%.

**Coastal Commission Conservation  
Voting Chart  
2003**

**For More Information Call:**

**Mark Massara, Sierra Club Coastal Program: 805-895-0963**  
**Chad Nelsen, Surfrider Foundation: 949-492-8170**  
**Mel Nutter, League for Coastal Protection: 562-432-8715**  
**Linda Sheehan, California CoastKeeper Alliance: 510-770-9764**



**West Cliff Drive seawalls Santa Cruz 2004**



**Luers Barn (center) Davenport**

Appendix "A"



**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
JANUARY 2003**

January	CalTrans Los Angeles 9-Jan 5-01-450
<b>Commissioner</b>	
Desser	+
Dettloff	+
Burke	+
Hart	+
Kruer	-
McClain-Hill	+
Peters	+
Nava	+
Potter	+
Reilly	+
Wan	+[Alt.]
Woolley	+
<b>Outcome</b>	<b>Positive Vote</b>

**CalTrans Ballona Creek Bridge, Los Angeles.** In denying a plan to demolish an existing historic art deco bridge over Ballona Creek, the Commission sided with environmentalists who sought to protect the bridge and wetlands below. CalTrans had sought to replace the historic bridge with a larger 4-lane bridge, thereby enlarging Lincoln Boulevard (Hwy #1) in order to accommodate future traffic increases. In denying the project the Commission not only protected the historic bridge and wetlands, but also found that under the Coastal Act roadway expansion projects can only be approved in cases where the highway expansion is necessary to meet existing traffic congestion, and that road expansion projects may not, as a rule, be constructed merely to facilitate future development of the coast.



**Ballona Creek 2004**

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
FEBRUARY 2003**

February	La Jolla LCP San Diego 5-Feb	Beach Restaurant Santa Barbara 6-Feb A-4-95-103	SDG&E Reactor Haul San Diego 7-Feb E-00-1-A
<b>Commissioner</b>			
Desser	+	-	-
Iseman	+	-	+
Burke	+	-	- [Alt.]
Hart	-	-	-
Kruer	-	-	+
McClain-Hill	Absent	-	-
Peters	-	Absent	+
Nava	+	-	+
Potter	Absent	-	-
Reilly	+	-	-
Wan	+	+	+
Woolley	+	-	-
<b>Outcome</b>	<b>Positive Vote</b>	<b>Negative Vote</b>	<b>Negative Vote</b>

**La Jolla Community Plan & LCP update:** The Commission voted 7-3 to deny a proposal to weaken the proposed La Jolla LCP and allow seawalls for blufftop development set back 30-ft or more. As a result, all new coastside development in La Jolla must now avoid use of seawalls in the future. Following the vote on seawalls the Commission unanimously voted to approve an improved LCP for La Jolla that will protect steep hillsides, natural areas and mansions of the coastal terrace.

**Beach Restaurant, Santa Barbara:** The Commission approved an after-the-fact permit for an illegal 115-ft timber seawall that filled in over 10-ft of Mission Creek in order to allow for expansion of a private restaurant and hotel.

**Nuclear Reactor Haul, San Onofre, San Diego Co:** In one of the most disappointing votes of the year, the Commission voted 7-5 to allow San Diego Gas & Electric Co. to use a 192-wheeled tractor to haul a 1,000-ton radioactive nuclear reactor core 14 miles up a State Beach and across wetlands and 14 separate creeks, drainages and endangered species habitat. Edison proposed the beach haul because the company was too cheap to purchase insurance required for train transport. Postscript: the nuclear haul has never been completed due to numerous environmental constraints and international opposition (the core was to be shipped through the Panama Canal, and, when that was denied, around Cape Horn).

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
MARCH 2003**

	<b>Scism Seawall Solana Bch SD Co.</b>	<b>Arco Golf Course Gaviota Coast Santa Barbara Co.</b>	<b>Oceano Dunes San Luis Obispo</b>
March	4-March	5-March	7-March
	A-6-02-84	A-4-93-154-R2	4-82-300
<b>Commissioner</b>			
Desser	-	+	Absent
Iseman	-[Alt.]	+ [Alt.]	+
Burke	Absent	+ [Alt.]	+ [Alt.]
Hart	Absent	+	-
Kruer	Absent	Absent	+ [Alt.]
McClain-Hill	-	+	Absent
Peters	-[Alt.]	+ [Alt.]	+ [Alt.]
Nava	- [Alt.]	+	Absent
Potter	- [Alt.]	+	+
Reilly	-	+	+
Wan	+	+	+
Woolley	Absent	+	+
<b>Outcome</b>	<b>Negative Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>

**Scism Seawall, Solana Beach, San Diego Co:** Failing to establish a strategic plan to prevent further seawall development in Solana Beach, the Commission voted to approve a 35-ft high, 50-ft long upper bluff-armoring device including nine 35-ft deep caissons designed to artificially prolong the life of a bluffside home.

**Arco Golf Course, Gaviota, Santa Barbara Co:** Following the Commission's denial in Dec. '02 of the proposal to convert a coastal ranch and a mile of beachfront to a golf course, the Commission again voted unanimously to reject the developer's attempt to resurrect the project on reconsideration.

**Oceano Dunes State Beach, San Luis Obispo Co:** Appalled at the continued harassment and killing of endangered Western Snowy Plovers by off-highway vehicle (OHV) riders at Oceano, the Commission ignored the advice of both their staff and the Attorney General, and voted 7-1 to "ask" that State Parks put up greater amounts of "plover survival patch" fencing to keep dune buggy drivers from running over the diminutive, near extinct birds. To date State Parks has refused to protect the birds or provide greater fencing security, which would limit the area in which OHV's drive, and the Commission remains too timid to do anything about it.

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
MAY 2003**

May	Veneco Oil SB Co.	SeaWorld San Diego	Horizon Seabright, Grover Bch	W. Cliff Dr. Santa Cruz
	6-May-2003	7-May-2003	8-May-2003	8-May-2003
	E-01-30	A-6-03-6	A-3-02-86	A-3-01-99
<b>Commissioner</b>				
Burke	-	+	+ [Alt.]	Absent
Desser	-	+	+	+
Hart	-	-	-	Absent
Iseman	- [Alt.]	Absent	+	+
Kruer	Absent	Absent	+ [Alt.]	-
McClain-Hill	- [Alt.]	+	+	-
Nava	-	+	+ [Alt.]	+ [Alt.]
Peters	Absent	+	+ [Alt.]	+ [Alt.]
Potter	- [Alt.]	-	+	-
Reilly	Absent	+	-	-
Wan	-	+	+	+
Woolley	Absent	-	+	-
<b>Outcome</b>	<b>Negative Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>

**Veneco, Santa Barbara Co:** In approving a proposal to extend the life of a negligible, dilapidated pier and oil facility, the Commission allowed repair of a dirt access road and the addition of 645 tons of rock to an ancient seawall located on a public beach in Goleta, (State Lease 421).

**SeaWorld, San Diego Co:** Finding that pavement is no way to remediate a toxic waste dump, the Commission denied a proposal by SeaWorld to construct a 1,353 spot parking lot on Mission Bay, San Diego.

**Horizon Seabright, Grover Beach, San Luis Obispo Co:** In seeking to protect ESHA adjacent to Pismo Lake, the Commission denied a proposal to divide a .98-acre parcel in order to build a second home.

**West Cliff Drive Path Widening, Santa Cruz Co:** Finding the City of Santa Cruz seriously delinquent in efforts to protect against further seawall proliferation along West Cliff Drive, the Commission voted to deny a proposal to enlarge an existing bike path along the bluffs.



**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
JUNE 2003**

June	Mt. Holyoke Los Angeles	Destination Resort Palos Verdes	A.V.P Manhattan Beach	Luers Barn Davenport Santa Cruz
	11-June-2003	11-June-2003	11-June-2003	11-June-2003
	A-5-99-225	A-5-02-324	A-5-03-75	A-3-02-117
<b>Commissioner</b>				
Burke	+	-	-	Absent
Desser	+	-	+	-
Hart	+	-	-	-
Iseman	+	-	+	+
Kruer	+	-	-	Absent
McClain-Hill	Absent	-	-	-
Nava	Absent	Absent	Absent	Absent
Peters	+	-	-	-
Potter	+	-	-	-
Reilly	+	-	-	+
Wan	+	+	+	+
Woolley	+	+	+	-
<b>Outcome</b>	<b>Positive Vote</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Negative Vote</b>

**Mt. Holyoke, Pacific Palisades, Los Angeles Co:** Supporting public coastal and views, the Commission denied a proposal by Mt. Holyoke Homes to divide a 1-acre lot into three residential lots at 425 Mt. Holyoke Avenue.

**Destination Development, Long Pt., Palos Verdes, Los Angeles Co:** In one of the worst decisions of the entire year, the Commission failed even to require a full public hearing in approving, without improvement, a massive new luxury resort in Palos Verdes for 582 room resort (400 hotel rooms, 50 three-keyed "casitas", and 32 "villas",) golf practice facility, club house, conference center, restaurants, related commercial uses at 6610 Palos Verdes Drive (former Marine Land Park). In their haste the Commission missed a significant opportunity protect and restore coastal sage scrub habitat and instead condoned a mini-golf course.

**A.V.P Manhattan Beach, Los Angeles Co:** The Commission abandoned a longtime standard by allowing the Association Of Volleyball Professionals (A.V.P.) to sell preferred seating on the public beach for a volleyball tournament. By allowing a private sporting event on public beach to take over public coastal resources for private gain, the Commission set an adverse precedent.

**Luers Barn, Santa Cruz Co.** In approving a commercial/residential project too large for the site, the Commission failed to require any buffer to ESHA riparian habitat onsite, in direct violation of the Coastal Act and the Santa Cruz LCP. **Postscript: Pursuant to a Sierra Club legal challenge, this approval was invalidated February 2005.**

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
JULY 2003**

	<b>Surfsong Solana Bch San Diego</b>	<b>Oly Mandalay Ventura Co.</b>	<b>Perenchio Malibu LA Co.</b>	<b>Feduniak Pebble Bch Monterey Co.</b>
	9-July-2003	10-July-2003	10-July-2003	11-July-2003
July	6-03-33	A-4-03-14	5-82-192-A	CCC-03-CD-9 & CCC-03-RO-7
<b>Commissioner</b>				
Burke	-	-	+	+
Desser	Absent	Absent	Absent	Absent
Hart	-	-	+	+
Iseman	-	-	Absent	+ [Alt.]
Kruer	-	-	+	+ [Alt.]
McClain-Hill	- [Alt.]	- [Alt.]	+ [Alt.]	+ [Alt.]
Nava	-	-	+	+
Peters	-	-	+	+
Potter	-	-	+	+
Reilly	-	-	+	+
Wan	-	-	+	+
Woolley	-	-	+	+
<b>Outcome</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>

**Surfsong, Solana Beach, San Diego Co:** The Commission erred in allowing Surfsong Condominium Homeowners Association to construct 120-ft-long 35-ft-high concrete seawall and a 342 linear feet of notch and sea cave fills, on the public beach below 72 condominiums, at 205-245 South Helix Avenue.

**Oly Mandalay, Oxnard, Ventura Co:** Over the objection of the Beacon Foundation & Sierra Club, the Commission approved (without allowing a full public hearing) "Seabridge," a project on 135-acres of prime agricultural soils that converts the farm to channels, waterways, streets and pavement to allow construction of 708 homes (276 single-family homes, 42 multi-family homes, and 390 homes in visitor-serving & mixed use designations); 169,000 sq.ft. of commercial floor area on 35 acres; 16.5 acres of recreational land uses; 32.2 acres of open water; 503 boat slips (241 public & 235 private); public trail system (10,755 feet of lateral access and 3,841 feet of vertical access); on west side of Victoria Avenue, between Wooley Road & Hemlock Street.

**Perenchio, Malibu, Los Angeles Co:** In delaying action on a request by A.J. Perenchio for after-the-fact approval of an unpermitted 10-acre private golf course, the Commission provided time and support for Perenchio's subsequent decision to donate the property to California Dept. State Parks, a gift valued in excess of \$20 million.

**Feduniak, Pebble Beach, Monterey Co:** In supporting their enforcement program and staff, the Commission took positive action to require removal a private, unpermitted three-hole golf course in conflict with terms and conditions of a previously issued Coastal Permit designed to protect sensitive habitat at 3145 Seventeen Mile Drive.

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
August 2003**

	<b>Grossman Seawall, Pismo</b>	<b>Santa Cruz Dredging</b>	<b>Luers Findings, Santa Cruz</b>	<b>S.B. LCP, "Funk Zone"</b>	<b>Carlsbad Golf Course SD Co.</b>
	6-Aug	6-Aug	6-Aug	6-Aug	8-Aug
August	A-3-02-16	A-2-00-10	A-3-02-117	MAJ-2-02	A-6-00-87
<b>Commissioner</b>					
Burke	Absent	Absent	UTV	Absent	Absent
Desser	-	+	-	+	+
Hart	-	-	-	-	+
Iseman	+	+	UTV	+	+
Kruer	-	-	UTV	+	+[Alt.]
McClain-Hill	Absent	-[Alt.]	Absent	+[Alt.]	+[Alt.]
Nava	+	-	UTV	+	+
Peters	-	-	Absent	+	+
Potter	-	-	-	+	+
Reilly	-	-	UTV	+	+
Wan	+	+	UTV	+	+
Woolley	-	-	-	+	+
<b>Outcome</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>

**Grossman Seawall, Pismo Beach, San Luis Obispo Co:** Proposal for a 165-ft long, 11-ft high seawall on public beach approved by the Commission despite the fact the home was brand new, permit conditions for setbacks were ignored and construction of house itself contributed to dramatic erosion, at 121 & 125 Indio Drive.

**Santa Cruz Harbor:** Despite health concerns of adjacent residents, Commission approved project to reinterpret annual testing requirements for SC Harbor to allow fine-grained sediments to be dumped in nearshore ocean waters, where it contacts swimmers and migrates up onto public beach.

**Luers Findings, Davenport, Santa Cruz Co:** The Commission approved findings for a development despite it's being explicitly inconsistent with LCP requirements for a buffer area and protection of ESHA-riparian habitat onsite. UTV= Unable To Vote (only Commissioners prevailing in the initial vote can vote on findings. **Postscript: In February 2005 this project was invalidated as a result of a Sierra Club lawsuit.**

**Santa Barbara LCP, "Funk Zone":** Commission conditioned LCP to protect against proliferation of condos, which angered developers, in an area generally bounded by Helena Ave., Highway 101, Garden St. and Cabrillo Blvd.

**Carlsbad Golf Course, San Diego Co:** Supporting San Diego BayKeeper, the Commission facilitated approval of the first organic golf course in California.

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
SEPTEMBER 2003**

	<b>Shoreview Pacifica San Mateo Co.</b>
September	10-Sep-2003
	A-2-02-27
<b>Commissioner</b>	
Burke	Absent
Desser	Absent
Hart	-
Iseman	-
Kruer	Absent
McClain-Hill	Absent
Nava	-[Alt.]
Peters	-[Alt.]
Potter	-
Reilly	-
Wan	-
Woolley	-
<b>Outcome</b>	<b>Negative Vote</b>

**Shoreview, Pacifica, San Mateo Co:** In approving a request by Shoreview Homeowners to repair and maintain existing quarry stone revetment seawall, at 154 to 220 Shoreview Avenue, Pacifica, San Mateo County, the Commission allowed private homeowners to cover a public beach, and failed to consider or require less environmentally damaging alternatives.



Shoreview seawall Pacifica: before (c. 1979) and after (2004)

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
OCTOBER 2003**

	<b>Carnevale, Carpinteria</b>	<b>Miller, Pacific Beach</b>	<b>Beach House, Encinitas</b>
October	7-Oct A-4-03-16	7-Oct A-6-03-61	7-Oct 6-02-119
<b>Commissioner</b>			
Burke	-	-	+
Desser	Absent	Absent	Absent
Hart	-	-	+
Iseman	-	-	+
Kruer	Absent	-	+
McClain-Hill	-[Alt.]	+[Alt.]	+[Alt.]
Nava	+	-	+
Peters	-	-	+
Potter	-[Alt.]	-[Alt.]	+[Alt.]
Reilly	-[Alt.]	-[Alt.]	+[Alt.]
Wan	Absent	Absent	Absent
Woolley	Absent	Absent	Absent
<b>Outcome</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Positive Vote</b>

**Carnevale, Carpinteria, Santa Barbara Co:** In approving a new home and ignoring the Carpinteria Creek Foundation, the Commission failed to protect neighborhood community character and sensitive habitat at corner of Carpinteria Avenue, Arbol Verde Street, and Concha Loma Drive.

**Miller, Pacific Beach, San Diego Co:** Over the objection of neighbors, the Commission approved a 3-story, 44-room hotel, restaurant and outdoor dining terrace and 85 parking spaces, on .51-acre oceanfront site, at 4551 Ocean Boulevard, in a very crowded, very congested area.

**Beach House, Encinitas, San Diego Co:** In a positive vote, the Commission acted to protect beach access and remediate a decade old public access obstruction erected by adjacent restaurants, in which the businesses had used a public access path for restaurant seating, at 2530 South Highway 101.



**Beach House-Restaurant Row, Encinitas 2004**

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
NOVEMBER 2003**

	<b>Newport Senior Housing OC Co.</b>	<b>Caltrans LA Co.</b>	<b>Harrington &amp; Lynch, Ventura County</b>	<b>Pleasure Point Seawall, Santa Cruz Co.</b>
November	5-Nov	5-Nov	6-Nov	7-Nov
	5-03-91	5-03-248	CCC-03-CD-7	CD-21-03
<b>Commissioner</b>				
Burke	-	-	+	Absent
Desser	+	-	+	+
Hart	-	-	+	+
Iseman	-	-	+	+
Kruer	-	-	+	Absent
McClain-Hill	-	-	+[Alt.]	+[Alt.]
Nava	+	-	+	+
Peters	Absent	Absent	+	+
Potter	-	-	+	+
Reilly	+	-	+	+
Wan	+	-	+	+
Woolley	-	-	+	+
<b>Outcome</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Positive Vote</b>	<b>Positive Vote</b>

**Newport Senior Housing, Newport Beach, Orange Co:** In approving a proposal to build 120-units of senior affordable housing (along with 146 parking spaces, pool & patio, Wetlands Restoration & Detention Basin & Pond area (on lower part), and public passive park (on upper part), with 38,162 cu.yds. of grading), on 15-acre site, at northwest corner of Coast Highway & Jamboree Road, the Commission sided with developers, voting to allow a portion of the housing on wetlands, in violation of the Coastal Act, which eliminated the potential for wetlands restoration in an area.

**Caltrans, Los Angeles Co:** Commission permitted wetlands destruction for a Route 90 roadway expansion project.

**Harrington & Lynch, Malibu, Ventura Co:** In an effort to protect coastal resources, the Commission supported an enforcement action against Elizabeth Harrington and William Lynch, owners of 42500 Pacific Coast Highway, to remove unpermitted development including a seawall/planter, retaining wall, fence with shade fabric and landscaping that blocked ocean views.

**Pleasure Point Seawall, Santa Cruz Co:** To protect a world famous surfing beach and significant coastal resources, the Commission voted unanimously to deny a proposal by US Corps of Engineers and the County of Santa Cruz, for a bluff high 1,100 foot long seawall (from 33rd to 36th Ave.) at East Cliff Drive, Live Oak beach area of Santa Cruz. **Postscript: Subsequent to the Commission's denial, the County of Santa Cruz issued itself an emergency permit and built a portion of the seawall, ignoring the Commission and badly damaging the reputation of the County. Eventually, the County will be required to process a legal permit on the project, at which time the Commission may require the seawall be removed.**

**CALIFORNIA COASTAL COMMISSION  
CONSERVATION VOTING CHART  
DECEMBER 2003**

December	Weber Marin Co.	Bren-Haley LA County	Kay LA County
	10-Dec	11-Dec	12-Dec
	A-2-03-8	4-02-19	CCC-03-CD-15/03-RO-9
<b>Commissioner</b>			
Burke	+	-	Absent
Nichols	-	+	+
Hart	-	-	Absent
Iseman	-	-	+
Kruer	-	-	+
McClain-Hill	-	-[Alt.]	+
Nava	-	+[Alt.]	+
Peters	-	-	Absent
Potter	-	-	+
Reilly	+	-	+
Wan	+	+	+
Woolley	-	-	+
<b>Outcome</b>	<b>Negative Vote</b>	<b>Negative Vote</b>	<b>Positive Vote</b>

**Weber, Bolinas, Marin Co:** In a decision to Tomales Bay allow removal of 153-cu.yds. of materials & rock debris and permit construction of a fence, and maintaince two drainage ditches next to Bolinas Lagoon at 95 Olema-Bolinas Road and 850 Lauff Road, Bolinas, the Commission ignored wetlands protection issues raised by the Tomales Bay Association.

**Bren-Haley, Malibu, Los Angeles Co:** Unconcerned about habitat protection, the Commission approved a 4,838 sq.ft. 35-ft-high single-family home, a 512 sq.ft. attached garage, a 968 sq.ft. detached structure (506 sq.ft. guest house with 462 sq.ft. garage below), a 250 sq.ft. detached cabana, pool, deck, a 20-ft-wide driveway, septic system, water tank, and 16,761 cu.yds. of grading, at 25858 Mulholland Highway.

**Kay, Santa Monica Mountains, Los Angeles Co:** In an effort to protect environmentally sensitive habitat, the Commission approved an order requiring cessation of illegal work, grading and development and restoration of habitat at Panorama Ranch, next to and north of Castro Motorway.