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CALIFORNIA COASTAL COMMISSION

500 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200



TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF November 4 to 7, 1997**

Radisson Hotel  
30100 Agoura Road  
Agoura Hills

**Tuesday, November 4, 1997 pages 1 to 4**

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, November 4, 1997, at 10:05 a.m. by Vice Chairman Wan.
2. **ROLL CALL.** Present: Vice Chairman Wan, Commissioners, Allen, (Alternate) Busey, (Alternate) Johnson, Pavley, Reilly, (Alternate) Wright, and (Alternate) Hickox. Absent: Areias, Brennan, Branham, Holanda, Nava, Potter and Sanders. (Alternate) Armanasco arrived at 10:25 a.m..

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**SAN DIEGO COAST DISTRICT**

3. **CONSENT CALENDAR.** See items a. through c. on page 3 of the agenda. Staff recommended approval with special conditions.

**Motion & Vote:** Allen moved staff recommendation, seconded by Reilly, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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## STATEWIDE

4. **APPROVAL OF MINUTES.** Reilly moved approval of the October 1997 minutes, seconded by Allen, and the hand vote was 8 in favor and 0 opposed.

5. **COMMISSIONERS' REPORTS.** Information only.

6. **CONSERVANCY REPORT.** Written report for information only.

7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.

8. **DEPUTY ATTORNEY GENERAL'S REPORT.** None.

9. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Interagency Agreement.** Staff recommended approval. Wright moved staff recommendation, seconded by Allen, and the hand vote was 9 in favor and 0 opposed. **Approved.**

b. **Memorandum of Agreement.** Staff recommended approval. Acting Chairman Pavley substituted the previous hand vote (9-0) for **approval** of the staff recommendation.

c. **Temporary Events.** Information only.

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## SAN DIEGO COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public.

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11. **CONSENT CALENDAR (removed from Regular Calendar).** None.

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

a. **Carlsbad Plan Amendment No. 1-97 (Aviara Lot 308).** Postponed.

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b. **San Diego LCP Amendment No. 2-97 (La Jolla Rezone).** Staff recommended approval.

**Motion & Vote to Reject Implementation as Submitted:** Johnson moved to reject implementation amendment as submitted, seconded by Allen, and the roll call vote was 0 in favor and 8 opposed. **Failed.**

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## 13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-97-46 (SDG&E, Carlsbad)** Staff recommended approval with special conditions.

Mark Chomyn, representing SDG&E, submitted a request to speak in favor of the project. Julianne Nygaard, representing City, submitted a request to speak in favor of the project with conditions. Steven Jantz, representing City, submitted a request to state concerns about the project. Bob Richards, representing Agua Hedionda Lagoon Foundation, submitted a request to speak in favor of the project. John Nash, representing Bristol Cove Property Homeowners Assoc., submitted a request to speak in favor of the project.

**Motion & Vote:** Wright moved staff recommendation, seconded by Reilly, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

**Motion & Vote to direct staff:** Allen moved to direct staff to ask SDG&E for a lagoon-wide plan as described orally by Faust, seconded by Johnson, and the hand vote was 9 in favor and 0 opposed. **Passed.**

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b. **Application No. 6-97-106 (Solana Beach bluff & shoreline stabilization)** Staff recommended approval with special conditions as modified in addendum.

**Motion & Vote:** Allen moved staff recommendation, seconded by Johnson, and Acting Chairman Pavley substituted the previous roll call vote (9-0). **Passed.**

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## 14. FINDINGS.

a. **Application No. 6-97-45 (SDG&E, Carlsbad)** Staff recommended approval of findings.

Mark Chomyn, representing SDG&E, submitted a request to speak in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Reilly, and the hand vote was 5 in favor and 0 opposed. **Passed.**

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b. **Application No. 6-97-65 (Glatthorn, San Diego Co. )** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Reilly moved staff recommendation, seconded by Allen, and the hand vote was 3 in favor and 0 opposed. **Passed.**

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**RECESS.** The Commission recessed for the day at 12:55 p.m..

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Wednesday, November 5, 1997 pages 5 to 13

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 5, 1997, at 9:10 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Brennan, (Alternate) Armanasco, (Alternate) Busey, Kehoe, Pavley, Potter, Reilly, Sanders, (Alternate) Wright and (Alternate) Hickox. Absent: Branham, Holanda and Nava.

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## SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a. through h. on page 6 of the agenda. Item f. was postponed. Staff recommended approval with special conditions.

(3a) Don Schmitz, representing applicant, submitted a request to speak in favor of the project. (3b) Mike Barsocchini, architect representing R. Shears, submitted a request to speak in favor of the project. Bruce Gall submitted a request to speak in opposition to the project. (3b & 3c) Bill Young, representing Malibu Estate Condos, submitted a request to speak in opposition to the projects. (3h) Jaime Harnish, representing Alan & Kelly Brown, submitted a request to answer questions in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Allen, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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## SOUTH COAST DISTRICT

4. **CONSENT CALENDAR.** See items a. through c. on page 7 of the agenda. Staff recommended approval with special conditions.

**Motion & Vote:** Wan moved staff recommendation, seconded by Allen, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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## ENERGY and OCEAN RESOURCES

5. **ENERGY & OCEAN RESOURCES REPORT.** Deputy Director Hansch reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

a. **SONGS Mitigation Work Program & Budget.** Staff recommended approval.

**Motion & Vote:** Pavley moved staff recommendation, seconded by Kehoe, and Chairman Areias substituted the previous roll call vote (11-0). **Passed.**

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b. **El Niño Report.** Information only. Norm Haynie submitted a request to speak.

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6. **CONDITION COMPLIANCE on Permit No. 6-81-330-A (formerly 183-73) SONGS, Southern California Edison.** Staff recommended approval with special conditions as revised in addendum.

Michael Hertel, representing Southern California Edison, submitted a request to speak in favor of the project. Pam Slater, representing San Dieguito JPA, submitted a request to speak in favor of the project. Don May, representing California Earth Corps, submitted a request to speak in favor of the staff recommendation. Brad Gessner, representing 22<sup>nd</sup> District Agricultural Assn., submitted a request to speak in favor of the project with concerns.

**Motion & Vote:** Allen moved staff recommendation, seconded by Kehoe, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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## SOUTH CENTRAL COAST DISTRICT

Staffel replaced Wright at the beginning of the next item.

7. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Scholl reported on matters not requiring public hearings, and on comments from the public.

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8. **CONSENT CALENDAR (removed from Regular Calendar).** None.

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## 9. LOCAL COASTAL PROGRAMS (LCPs).

a. **Santa Barbara Co. Plan Amendment No. 2-97-C (Ellwood Beach & Goleta).**  
**Postponed.**

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b. **Ventura LCP Amendment No. 2-96 (Ventura Harbor) Findings.** Staff recommended approval of findings.

**Motion & Vote:** Pavley moved staff recommendation, seconded by Hickox, and the hand vote was 6 in favor and 0 opposed. **Passed.**

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c. **Port Hueneme LCP Amendment No. 1-97 (Update) Time Extension.** Staff recommended approval.

Alan Sanders, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

**Motion & Vote:** Allen moved staff recommendation, seconded by Pavley, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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## 10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-97-41 (Pousette, Malibu)** Staff recommended approval with special conditions.

Don Schmitz, representing applicant, spoke in favor of the project. Klaus Radtke, representing Nat'l Foundation for Environmental Safety, submitted a request to speak in opposition to the project. Frank P. Angel, representing Corral Canyon Homeowners Assn., submitted a request to speak in opposition to the project.

**Motion & Vote:** Potter moved staff recommendation, seconded by Allen, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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b. **Application No. 4-97-71 (Schaeffer, Malibu)** Staff recommended approval with special conditions as modified in addendum and orally.

Sherman Stacey, representing applicant, submitted a request to speak in favor of the project. Frank P. Angel, representing Daniel D. Hillman MD and citizens and beach users, submitted a request to speak in opposition to the bulkhead and deck encroachment.

**Motion & Vote:** Allen moved staff recommendation, seconded by Staffel, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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c. **Application No. 4-97-73 (Keenan, et al., Los Angeles Co.)** Staff recommended approval with special conditions.

Russell Wyluda spoke in favor of the project.

**Motion & Vote:** Allen moved staff recommendation, seconded by Kehoe, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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d. **Application No. 4-97-136 (Gauthier, Malibu)** Staff recommended approval with special conditions with findings modified orally.

**Motion & Vote:** Allen moved staff recommendation, seconded by Wan, and Chairman Areias substituted the previous roll call vote (11-0). **Passed.**

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**PUBLIC STATEMENTS.** Kay & Martin Walden spoke about proposed parking for public access.

**LUNCH RECESS.** The Commission recessed for lunch after closed session at 12:10 and reconvened at 1:50 p.m.. Chairman Areias left during the break. Flemming replaced Busey during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Bolsa Chica Land Trust, et al. v. CCC.

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## 11. RECONSIDERATIONS.

- a. **Appeal No. A-4-96-318-R (CalTrans, Ventura Co.)** Staff recommended denial.

Tony Anziano and Kenneth Nelson, both representing applicant, submitted requests to speak in favor of the project. Anthony Brown, representing Rincon Del Mar Ranch, submitted a request to speak in favor of the project. Three speakers submitted a request to speak in opposition to the project: Mark Massara, representing Sierra Club Coastal Program; David Shelton, representing Friends of the Scenic Highway; and Alan Sanders, representing Sierra Club.

**Motion & Vote to Continue:** Potter moved to continue the hearing, seconded by Allen, and the roll call vote was 8 in favor (Allen, Armanasco, Flemming, Pavley, Potter, Reilly, Staffel & Hickox) and 2 opposed (Kehoe & Wan). **Passed.**

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- b. **Appeal No. A-4-97-131-R (CalTrans, Santa Barbara Co.)** Staff recommended denial.

The hearing was combined with the item above.

**Motion & Vote to Continue:** Potter moved to continue the hearing, seconded by Allen, and the roll call vote was 7 in favor (Allen, Armanasco, Flemming, Pavley, Potter, Staffel & Hickox) and 2 opposed (Kehoe & Wan). **Passed.**

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## SOUTH COAST DISTRICT

12. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public.

a. **Dana Point LCP Amendment No. 1-96 Certification Review (South Laguna/Monarch Beach)** Staff recommended concurrence with the Executive Director's determination. There being no objection Vice Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

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13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 16f. and 17c. to the Calendar, and recommended approval with special conditions.

**Motion & Vote:** Potter moved staff recommendation, seconded by Hickox, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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## 14. LOCAL COASTAL PROGRAMS (LCPs).

a. **Laguna Beach LCP Amendment 2-96 (Hillside Dev. & Vista del Sol).** Staff recommended approval of part and approval with suggested modifications of part.

**Motion & Vote on Part of Plan as Submitted:** Flemming moved approval of part A of Land Use Plan amendment as submitted, seconded by Kehoe, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Pavley). **Passed.**

**Motion & Vote to Reject Part of Implementation as Submitted:** Flemming moved to reject part A of implementation amendment as submitted, seconded by Kehoe, and the roll call vote was 0 in favor, 8 opposed and 1 abstention (Pavley). **Failed.**

**Motion & Vote on Part of Plan as Submitted:** Flemming moved approval of part B of Land Use Plan amendment as submitted, seconded by Kehoe, and Vice Chairman Wan substituted the previous roll call vote (0-8-1). **Failed.**

**Motion & Vote on Plan with Modifications:** Flemming moved approval of Land Use Plan amendment with suggested modifications, seconded by Allen, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Pavley). **Passed.**

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b. **San Clemente Plan Amendment 1-97 & Implementation Time Extension.** Staff recommended approval.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Allen, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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## 15. NEW APPEAL.

a. **Appeal No. A-5-97-183 (Los Angeles Venice preferential parking)** Staff recommended the appeal raised substantial issue. There being no objection Vice Chairman Wan ruled that the Commission found substantial issue, and opened the hearing on the merits of the project. Staff recommended denial.

Sergio Valdez, representing Los Angeles Dept. of Transportation, submitted a request to speak on behalf of the applicant. Three speakers submitted requests to speak in opposition to the project: Bambi Martins, Jennifer Smith and James Smith. Francine Dorsey submitted a request to state concerns about the project

**Motion & Vote:** Kehoe moved approval of the project, seconded by Reilly, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

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16. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-97-136 (Marblehead Coastal, San Clemente)** Staff recommended approval with special condition.

**Motion & Vote:** There being no speakers, Flemming moved staff recommendation, seconded by Armanasco, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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b. **Application No. 5-97-182 (Fourth St. Sr. Housing & Santa Monica)** Staff recommended approval with conditions.

Howard Katz spoke on behalf of the applicant. Agnes Feingersh, representing neighborhood, submitted a request to speak in favor of the project. Frank Connelly, representing Charmont Apartments, submitted a request to speak in opposition to the project.

**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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Pavley left before the next item.

c. **Application. A-5-97-188 (Bolsa Chica fence, Orange Co.)** Staff recommended approval with special conditions.

David Neish, representing Koll Real Estate Group, agreed with recommendation. Ellen Murphy and Nancy Donaven, both representing Bolsa Chica Land Trust, submitted requests to speak in opposition to the project.

**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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d. **Application No. 5-97-196 (Griffith, Seal Beach)** Staff recommended approval with special conditions as modified orally.

Paul Geijer, representing Geijer Architects, submitted a request to speak in favor of the project. Lee Whittenberg, representing City of Seal Beach, submitted a request to speak in favor of the project. Bob Griffith, applicant, submitted a request to speak in favor of the project. Don Schmitz, representing applicant, submitted a request to speak in favor of the project.

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**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and Vice Chairman Wan substituted the previous roll call vote (9-0). **Passed.**

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e. **Application No. 5-97-230 (Newport Beach Balboa I. bridge)** Staff recommended approval with special conditions as modified in addendum.

Bill Patapoff, representing City, and Scott Holbrook, representing LSA Associates, both submitted requests to speak in favor of the project.

**Motion:** Potter moved staff recommendation, seconded by Flemming.

**Amending Motion & Vote:** Allen moved to replace condition 5a with weekly monitoring per the City's letter dated 10/3, seconded by Kehoe, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

**Vote on Main Motion:** Vice Chairman Wan substituted the previous roll call vote (9-0) for approval of the main motion as amended above. **Passed.**

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f. **Application No. 5-97-249 (Weeda, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

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g. **Application No. 5-97-256 (Noah, San Clemente)** Staff recommended approval with special conditions.

Victor Patel, representing applicant, submitted a request to speak in favor of the project.

**Motion & Vote:** Flemming moved staff recommendation, seconded by Potter, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Wan). **Passed.**

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Sanders left during the following item.

h. **Application No. 5-97-258 (Newport Beach street ends)** Staff recommended approval with special conditions.

Stephen Luy, representing City, submitted a request to speak in favor of the project. Three speakers submitted requests to speak in opposition to the project: Bob Schumann, representing William & Lillian Schumann; Michael Barmé and Carol Barmé.

**Motion & Vote:** Potter moved staff recommendation, seconded by Staffel, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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## 17. PERMIT AMENDMENTS.

a. **Permit No. 5-95-19-A4 (Black, Los Angeles) Postponed.**  
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b. **Permit No. 5-95-19-A5 (Nichols, Los Angeles) Postponed.**  
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c. **Permit No. 5-94-36-A (Goodell, Newport Beach) Moved to expanded Consent Calendar. Approved.**  
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d. **Permit No. 5-96-185-A (CalTrans, Los Angeles) Staff recommended approval with conditions.**

Anthony Cole, representing Caltrans, submitted a request to speak in favor of the project.

**Motion & Vote:** Allen moved staff recommendation, seconded by Potter, and the roll call vote was 8 in favor and 0 opposed. **Passed.**  
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**RECESS.** The Commission recessed for the day at 6:15 p.m..

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Thursday, November 6, 1997 - pages 14 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 6, 1997, at 9:10 a.m. by Vice Chairman Wan.
2. **ROLL CALL.** Present: Vice Chairman Wan, Commissioners Allen, (Alternate) Cava, Brennan, Calcagno, Flemming, Kehoe, Pavley, Potter, Reilly, Staffel and (Alternate) Hickox. Absent: Holanda, Nava and Sanders. Branham arrived at 10:25 a.m..

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## CENTRAL COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application 3-97-74 (Monterey stormwater)** Staff recommended approval with special conditions.

There being no objection, Vice Chairman Wan ruled that this administrative permit be issued by the Executive Director. **Approved.**

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### 4. CONSENT CALENDAR.

- a. **Application No. 3-97-1 (Johnson, Pacific Grove)** Staff recommended approval with special conditions.

**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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### 5. DEPUTY DIRECTOR'S REPORT. Deputy Director Grove reported on matters not requiring public hearings, and on comments from the public.

- a. **Periodic Review San Luis Obispo Co. LCP.** Staff recommended no action.

Sara Christie, representing S.L.O. Co. Board of Supervisors, submitted a request to speak in opposition to the staff recommendation. Mark Massara submitted a request to speak in opposition to the staff recommendation. Susan Jordan, representing LCP, submitted a request to speak.

**Motion & Vote to Continue:** Allen moved to continue the item to January, seconded by Kehoe, and the hand vote was 11 in favor and 0 opposed. **Postponed.**

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6. **CONSENT CALENDAR (removed from Regular Calendar).** None.

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7. **LOCAL COASTAL PROGRAM (LCP).**

a. **Morro Bay LCP Amendment No. 1-97 (water management) Time Extension.**  
Staff recommended approval.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Flemming, and the hand vote was 11 in favor and 0 opposed. **Passed.**

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8. **NEW APPEALS.**

a. **Appeal No. A-3-97-72 (Brown, San Luis Obispo Co.)** Staff recommended the appeal raised no substantial issue.

Gregory W. Sanders, representing applicant, and Joshua Brown both spoke in favor of the project. Jesse Arnold and Richard Hawley both submitted a request to speak in opposition to the project.

**Motion & Vote:** Flemming moved staff recommendation, seconded by Staffel, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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b. **Appeal No. A-3-97-79 (Fehr & Sanders, Monterey Co.)** Staff recommended postponement.

**Motion & Vote to Continue:** Allen moved to continue the hearing, seconded by Staffel, and Vice Chairman Wan ruled that it was unanimously **approved.**

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9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-97-54 (Cannery Row Marketplace, Monterey)** Staff recommended approval with special conditions.

Daniel Summers spoke on behalf of the applicant.

**Motion & Vote:** Potter moved staff recommendation, seconded by Flemming, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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b. **Application No. 3-97-66 (Smith & Dormody, Carmel)** Staff recommended approval with conditions.

Mrs Smith and Pamela D. Smith spoke. Cheryl Heyerman, representing Dormody, spoke in favor of the project. Nancy Isakson, representing applicants, submitted a request to speak.

**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and the roll call vote was 10 in favor and 1 opposed (Reilly). **Passed.**

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c. **Application No. 3-97-68 (Tognazzini & Lyon, San Luis Obispo Co.) Postponed.**

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## 10. PERMIT AMENDMENT.

a. **Permit No. 3-83-217-A4 (Carmel riprap)** Staff recommended approval with special conditions.

**Motion & Vote:** Allen moved staff recommendation, seconded by Flemming, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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11. **PUBLIC WORKS PLAN # PWP-7-97 and PUBLIC WORKS PROJECT # PWP-7-97-1 (Parks & Recreation).** Staff recommended approval with conditions as corrected orally.

David Vincent, representing California State Parks, submitted a request to speak in favor of the staff recommendation. Keith Kelsen, representing Mountain Bikers of Santa Cruz; Chuck Beebe, representing Santa Cruz Horsemen Assn.; and Katherine Anderton, representing Save-the-Redwoods League; all submitted requests to speak in favor of the staff recommendation.

**Motion & Vote:** Potter moved staff recommendation, seconded by Flemming, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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## STATEWIDE

12. **FEDERAL CONSISTENCY REPORT.** Deputy Director Grove reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

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## 13. FEDERAL CONSISTENCY.

a. **CD-47-97 (Forest Service, Monterey Co.)** Staff recommended approval as modified in addendum.

Bruce Emmons , representing U.S. Forest Service, spoke in favor of the staff recommendation.

**Motion & Vote:** Potter moved staff recommendation, seconded by Allen, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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b. **CD-136-97 (National Park Service, San Diego)** Staff recommended approval.

Terry DiMattio, representing National Park Service, submitted a request to speak in favor of the staff recommendation.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Allen, and Vice Chairman Wan substituted the previous roll call vote (11-0). **Passed.**

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**PUBLIC STATEMENTS.** Lee Quaintance and Jean Rountree, both representing The Beacon Foundation, submitted requests to speak to request scheduling an item for the January agenda. Kat McConnell, representing North Coast Advisory Council, submitted a request to speak in opposition to the staff recommendation on the SLO 5-year review.

**LUNCH RECESS.** The Commission recessed for lunch at 12:30 and reconvened at 1:55 p.m. after closed session. Calcagno left during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on City of Malibu v. CCC and discussed 2 other items for information only.

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c. **CD-140-97 (Navy, San Diego Co.)** Staff recommended denial.

John Coon, representing Navy, modified project. Laura Hunter, representing Environmental Health Coalition, submitted a request to speak in favor of amending the project. Ramona Finnila, Mayor Pro Tem of Carlsbad, submitted a request to speak in favor of the staff recommendation. James Bond, representing City of Encinitas; Carol McCauley, representing City of Oceanside; and Robert Semple, representing City of Solana Beach; all submitted requests to speak in favor of the staff recommendation. Dennis C. Lhota, representing Assemblyman Howard Kaloogian, submitted a request to speak in favor of the staff recommendation.

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**Motion & Vote:** Allen moved approval of the project, seconded by Reilly, and the roll call vote was 1 in favor (Allen) and 8 opposed (Cava, Flemming, Kehoe, Pavley, Reilly, Staffel, Hickox & Wan). **Failed.**

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## **SOUTH CENTRAL COAST DISTRICT**

### **14. LOCAL COASTAL PROGRAM (LCP).**

a. **Los Angeles Co. LCP Amendment No. 1-97 (Soka).** Staff recommended approval with suggested modifications as modified in addendum and orally.

Ron Hoffman spoke representing Los Angeles County. Six speakers spoke in favor of the project: Andriette Culbertson, representing Soka University; Ginny Kruger, representing Supervisor Yaroslavsky; Joseph T. Edmiston, representing Santa Monica Mts. Conservancy; Barbara Wright-Cullen; Alan Klipp; and Brian Boudreau. Thirty nine speakers spoke in opposition: Clarke Weissman, representing California Traditional Music Society; Janice Fera; Diane Burgess; Susan Little, representing Congressman Brad Sherman; Laura Plotkin, Chief Deputy for Speaker pro tem Sheila Kuehl; Lesley Devine, Mayor of Calabasas; Peter Ireland, representing Mountains Restoration Trust; David M. Brown, representing City of Calabasas; Steve Craig, Environmental coordinator for City of Calabasas; Clyde Ade, representing California Native Plant Society; Suzanne Goode, representing State Parks; Frank P. Angel, representing Sierra Club, Save Our Scenic S.M., and Monte Nido Valley Property Owners Assn., Inc.; Yehuda Netanel; Margot Feuer, representing Save Open Space of Santa Monica Mts; Mrs Patricia Bell Hearst, representing Federation of Hillside and Canyon Assoc.; Glen Peterson; Susan Genelin, representing Sierra Club Soka Committee; Kenneth Wikle, representing Cold Creek Community Council; Mary Altmann, representing Resource Conservation District of the S.M. Mountains; David Ecklund, representing California Native Plant Society; Klaus Radtke; Toby Keeler, representing Las Virgenes Homeowners Fed.; Mark Massara, representing Sierra Club Coastal Program; Don Wallace; Chester King; Joan Kay; Victoria Wikle; James D. Wrigley; Lee Renger; Thorneta L. Smith; Joan Slimocosky; Melinda Becker; Brad Childs, representing The Wilderness Institute; David Troy III; Pat Healy, representing Malibu Coalition for Slow Growth; Sandra A. Russell, representing West Malibu Community Council; Jill Swift, representing Friends of Caballero Canyon; Roger Pugliese, representing Topanga Association for Scenic Community; and Scott Solomon, representing Deer Springs HOA. David Neish, representing Soka University, responded to proposed amendments.

Thirty four people submitted requests to speak in favor of the project but did not speak: Dean Bergan; Steve Bucklin; Alexis Byfuglin, representing Friends of Soka University; Deborah di Cesare; Alfredo Diego; Elise Bentley Dragu; Laurie Golden; Richard Goodman; William Hardy; George L. Hingot; Tom Hollow; Thomas Kaye; Eric Kimura;

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Gary R. Larson; Valeria Leiva; Carlos A. Montes; Clifford D. Mosher; Rick Richards; Paul Ripps; Georgina Ruelas; Erik J. Shaw, representing Wilderness Education Program; Prof. William L. Shaw; Nancy Simms; Nora Tompkins; Carolyn M. Tynan; John Vinci; Ronald Vinci; Starlet Vinci; Anthony Volante; David Wheeler; Peter B. Wienu; Gary J. Williams; Priscilla V. Wolf; and Roslyn Wolin. Fifty one people submitted requests to speak in opposition to the project but did not speak: Stephanie Abronson, representing Equestrian Trails, Inc., Corral 36; Kathy Allison; Martin Atkinson-Barr; Gary Bardovi; Bill Becker; Lynn Benjamin; Claude Binyon; Byron Botker; B. Camboelp; Russ Costa; Tricia Costa; Bob DaSilva; Sherry L. DaSilva; Gerry Fleeman; Philip Fleeman; Patricia Anne Gaunt; Ann Gish; Grant Gorson; Peggy Grusin; Les Hardie, representing Monte Nido Community Ass'n; Susan Johnson, representing Monte Nido Home Owners; Karen Lee, representing MHOA; Sonia Maasik, representing Calabasas Highlands; Robin Martin; Cynthia Maxwell; Gary Maxwell; Susan Barr Nelson, representing Friends of SMMTNS Parks & Seashore; Victoria Nodiff-Netanel; Alicia Gonzalez Olvera; Sharon Pevsner; Angelique Pitney; Christopher Pitney; Elsa T. Pontoppidan; Erik Pontoppidan; Josephine Powe; Kathy Renger; Alan Roubik; Ralph Sabiego; Kris Schipper; Natasha Selfridge; Barbara Singer; Bob Singer; Maureen Smith; Carol Sokol; Isabel Snyder; Jess Thomas, representing Old Agoura Homeowners Assn.; Jeanne Wallace; Janis Wells; William P. Wells, representing Coalition to Preserve Las Virgenes; Jan Woodfill; and Sidney N. Wrigley.

**Motion & Vote to Continue:** Reilly moved to continue the hearing on this item, seconded by Staffel, and the roll call vote was 9 in favor and 1 opposed (Pavley). Postponed.

## 15. COASTAL PERMIT APPLICATION.

a. **Application No. 4-97-123 (Soka University, Los Angeles Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item 14a, above.

**Motion & Vote to Continue:** Allen moved to continue the hearing on this item, seconded by Reilly, and Vice Chairman Wan substituted the previous roll call vote (9-1). **Postponed.**

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**RECESS.** The Commission recessed for the day at 7:15 p.m..

# DRAFT

Friday, November 7, 1997 - pages 20 to 22

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 7, 1997, at 9:15 a.m. by Vice Chairman Wan.
2. **ROLL CALL.** Present: Vice Chairman Wan, Commissioners (Alternate) Herron, Branham, Flemming, Holanda, Kehoe, Potter, Reilly, Staffel and (Alternate) Hickox. Absent: Areias, Brennan, Calcagno, Nava, Pavley and Sanders.

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## STATEWIDE

### 3. EXECUTIVE DIRECTOR'S REPORT.

- a. **Performance Audit.** Staff recommended selection of ILPP as consultant.

**Motion & Vote:** Reilly moved staff recommendation, seconded by Potter, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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### 4. ENFORCEMENT.

- a. **Commission Cease & Desist Order No. CCC-97-CD-6 (Allen, Malibu)** Staff recommended issuance.

Michael Allen submitted a request to speak. Keith Young, representing City of Malibu, submitted a request to speak. John Cary submitted a request to speak in favor of the staff recommendation.

**Motion & Vote:** Potter moved staff recommendation, seconded by Hickox, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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# DRAFT

## NORTH COAST DISTRICT

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Scholl reported on matters not requiring public hearings, and on comments from the public.

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6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 7a & 7b to the Calendar, and recommended approval with special conditions.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Flemming, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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7. **PERMIT AMENDMENTS.**

a. **Permit No. 1-95-40-A2 (Pacifica wastewater treatment plant)** Moved to expanded Consent Calendar. **Approved.**

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b. **Permit No. 1-95-54-A (Feiner, Mendocino Co.)** Moved to expanded Consent Calendar. **Approved.**

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8. **NEW APPEAL.**

a. **Appeal No. A-1-97-67 ("Practical Magic", Mendocino Co.)** Staff recommended the appeal raised substantial issue. There being no objection Vice Chairman Wan ruled that the Commission found substantial issue, and opened the hearing on the merits of the project. Staff recommended approval with special conditions as modified orally.

Michael Walbrecht, representing Warner Brothers, submitted a request to speak in favor of the project. Renee Pasquinelli, representing Ca. State Parks, submitted a request to speak. Alan Sussex and Lee Edmundson both submitted requests to speak in favor of the project. Five speakers submitted requests to speak in opposition to the project: Charles Peterson; Joan Currey, representing Committee to Protect Integrity of the Headlands; Betsy Holliday, representing Comm. to Protect the Integrity of Mendocino; Mary Weaver; and Gisela Linder.

**Motion & Vote:** Flemming moved staff recommendation, seconded by Reilly, and the roll call vote was 7 in favor and 1 opposed (Potter). **Passed.**

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# DRAFT

**PUBLIC STATEMENT.** Shirley Slater submitted a request to speak.

**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 11:35 a.m.

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

pmg