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## CALIFORNIA COASTAL COMMISSION

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



Tu7a

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF OCTOBER 10-13, 1995  
at the Clarion Hotel - Bayview  
660 "K" Street  
San Diego

Tuesday, October 10, 1995 - pages 1 to 6

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday October 10, 1995, at 10:05 a.m. by Chairman Williams.
2. **ROLL CALL.** Present: Chairman Williams, Commissioners Areias, Brennan, Doo, Flemming, Giacomini, Holanda, Karas, (Alternate) Fowler, (Alternate) Wright and Vargas. Absent: Burroughs, Calcagno, Pavley and Sanders. Glickfeld arrived at 10:15 a.m..

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## STATEWIDE

3. **APPROVAL OF MINUTES.** None.
4. **COMMISSIONERS' REPORTS.** None.
5. **CONSERVANCY REPORT.** Written report for information only.

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6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
  7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
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8. **EXECUTIVE DIRECTOR'S REPORT.**

a. Staff recommended approval of **Interagency Agreements to transfer federal funds** to San Francisco Bay Conservation & Development Commission and State Coastal Conservancy, and standard agreement with Elkhorn Slough Foundation. Giacomini moved staff recommendation, seconded by Wright, and the hand vote was 10 in favor and 0 opposed. **Approved.**

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9. **WORKSHOP on Visual Impacts.** Informational only.

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## SAN DIEGO COAST AREA

10. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.

a. **San Diego Sludge Mitigation Funds.** Staff recommended approval of expenditure of sludge mitigation fund. John Leppert, representing City of San Diego, submitted a request to speak in favor of the staff recommendation. Vargas moved approval of staff recommendation, seconded by Karas, and the roll call vote was 10 in favor and 0 opposed. **Approved.**

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11. **CONSENT CALENDAR.**

a. **Application No. 6-95-36 (UCSD & San Diego)** Trained to provide more information. Staff recommended approval with special conditions.

Dr Lawrence J. Fogel, representing Torrey Pines Soaring Council and people concerned about the historic Torrey Pines glider port, said the glider port was a designated State & Federal historic site, the new entrance would impact it, and asked if the project had been coordinated with the agencies that protect historic sites.

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

**Remainder of Calendar.** See items b. and c. on page 4 of the agenda. Staff added four items to the Calendar (13d, 13e, 14a and 14b), and recommended approval with special conditions.

(13e) William Martinez & Bob Turek, both representing Pacific Beach Properties, submitted requests to answer questions. (14b) Keith Merlel submitted a request to speak in favor of the project.

**Motion & Vote on Remainder of Calendar:** Areias moved staff recommendation on the remainder of the expanded Consent Calendar, seconded by Giacomini, and the roll call vote was 9 in favor, 0 opposed and 1 abstention (Fowler). **Passed.**

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## 12. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 2-95 (Development Agreements & Carlsbad Ranch Flower Fields Trail).** Staff recommended approval with suggested modifications.

Don Ney, representing City of Carlsbad, spoke in favor of the staff recommendation.

**Motion & Vote to Reject Carlsbad Ranch Implementation:** There being no speakers, Vargas moved to reject implementation amendment on Carlsbad Ranch as submitted, seconded by Flemming, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

**Motion & Vote to Reject Development Agreement Implementation:** Vargas moved to reject implementation amendment on Development Agreements as submitted, seconded by Flemming, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

**Motion & Vote on Development Agreement with Modifications:** Vargas moved approval of implementation amendment on Development Agreements with suggested modifications, seconded by Doo, and Chairman Williams substituted the previous roll call vote (10-0). **Passed.**

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b. **Encinitas LCP Amendment No. 1-95-B (GPAs + Zoning Revisions).** Staff recommended approval with suggested modifications.

Sandra Holder, representing City of Encinitas, spoke in favor of the staff recommendation.

**Motion & Vote on Plan Amendment:** Vargas moved approval of Land Use Plan amendment as submitted, seconded by Doo, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

**Motion & Vote to Reject First Implementation Package:** Vargas moved to reject first implementation package as submitted, seconded by Doo, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

**Motion & Vote to Reject Second Implementation Package:** Vargas moved to reject second implementation package as submitted, seconded by Doo, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

**Motion & Vote on Second Implementation Package with Modifications:** Vargas moved approval of second implementation package with suggested modifications, seconded by Doo, and Chairman Williams substituted the previous roll call vote (10-0). **Passed.**

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**PUBLIC STATEMENT.** Brother Anilananda, representing Self-Realization Fellowship Church, spoke about erosion and beach nourishment. Tom Matthews, representing Orange County, objected to delay on Bolsa Chica. Ed Mountford, representing KREG, spoke about timing of Bolsa Chica LCP.

**LUNCH RECESS.** The Commission recessed for lunch at 12:05 p.m. and reconvened at 1:45 p.m.

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c. **San Diego LCP Amendment No. 2-95-A (Torrey Pines).** Staff recommended approval with suggested modifications. Vargas requested continuance.

Councilmember Harry Mathis endorsed the continuance. Opal Trueblood, representing Torrey Pines Association, requested a February hearing in San Diego. Dave Odell, representing Save Everyone's Access (SEA), agreed with the February hearing to maximize public participation. Councilmember Jan McMillan, representing City of Del Mar, urged a complete environmental review

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of North Torrey Road. Christina J. Anderson, representing State of California, 22<sup>nd</sup> District Agricultural Association, supported the continuance. Bob Lewis, Chair of Torrey Pines Community Planning Group, supported the continuance to February. Mark Whitehead, City Councilmember from Del Mar, spoke in favor of the staff recommendation. Roy Moeller spoke in favor of continuance.

**Motion & Vote to Continue:** Vargas moved to continue the item, seconded by Giacomini, and the hand vote was 8 in favor and 0 opposed. **Continued.**

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## 13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-94-207 (NCTDB, Solana Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

Four speakers representing the applicant spoke in favor of the project: Betty Laurs, representing North County Transit Development Board; Marion Dodson, representing City of Solana Beach; Bob Semple, representing City of Solana Beach; and Teri Renteria, representing City of Solana Beach. Four other speakers spoke in favor of the project: Michael B. Bixler, Chairman of San Diego Association of Gov'ts; Celine A. Olson; Steven Jantz, representing City of Carlsbad; and Joe Sillstrop. Gary Sirota, representing Surfrider Foundation, spoke about concerns regarding the project. Lance Peto spoke in opposition to the project.

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

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b. **Application No. 6-95-101 (Kaiza Poinsettia, Carlsbad)** Staff recommended approval with special conditions as modified orally.

Doug Avis spoke in favor of the project. Dolores Welty spoke representing Friends of Batiquitos Lagoon.

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

c. **Application No. 6-95-119 (Kaiza Poinsettia, Carlsbad)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item b above.

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

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d. **Application No. 6-95-125 (PacWest Group, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

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e. **Application No. 6-95-126 (Pacific Beach, San Diego)** Moved to expanded Consent Calendar. **Approved.**

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f. **Application No. 6-95-127-G (SDG&E, Carlsbad) - Postponed.**

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g. **Application No. 6-95-130 (O'Neal & Solana Beach)** Staff recommended denial.

Dave Odell, representing Save Everyone's Access (SEA), spoke in opposition to the project. Wendell Gayman spoke in favor of the staff recommendation.

**Motion & Vote:** Giacomini moved approval of the application, seconded by Areias, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

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## 14. PERMIT AMENDMENT.

a. **Permit No. 6-93-75-A (Wesco, San Diego)** Moved to expanded Consent Calendar. **Approved.**

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b. **Permit No. 6-93-175-A (Shea Homes, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

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**RECESS.** The Commission recessed for the day at 4:30 p.m..

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Wednesday, October 11, 1995 - pages 7 to 11

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on October 11, 1995, at 9:10 a.m. by Chairman Williams.

2. **ROLL CALL.** Present: Chairman Williams, Commissioners Areias, Brennan, (Alternate) Doughty, Doo, Flemming, Giacomini, Glickfeld, Holanda, Karas, Pavley, (Alternate) Fowler, Staffel and Vargas. Absent: Burroughs and Sanders.

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## STATEWIDE

3. **COASTAL NONPOINT POLLUTION CONTROL PROGRAM.** Staff recommended adoption of a letter & resolution as modified orally.

Jaqualyn Forrest, representing Heal the Bay, spoke in opposition to the staff recommendation. Leigh Johnson, representing University of California Sea Grant Extension Program, commented on NPS plan. Libby Lucas, representing Environmental Health Coalition, spoke in opposition to the staff recommendation. John Machol, representing Surfrider Foundation San Diego Chapter, spoke in favor with reservations. Mark Massara, representing Sierra Club's Coastal Program, commented on the recommendation. John Norton, representing State Water Resources Control Board, discussed the submittal. Ann Notthoff, representing Natural Resources Defense Council, spoke in favor of modification. Linda Sheehan, representing Center for Marine Conservation, spoke in favor of modification of the recommendation. Sara Wan, representing LCP, spoke in favor of the staff recommendation.

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

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## ENERGY and OCEAN RESOURCES

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

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5. **FISH & GAME ARTIFICIAL REEF PROGRAM STATUS REPORT.** Informational presentation by Greg Walls & Jerry Kashiwada, representing California Dept. of Fish & Game, on status of Department's Artificial Reef Program.

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6. **FEDERAL CONSISTENCY.**

a. **CC-81-95 (Fish & Game, Bolsa Chica Artificial Reef, Federal waters offshore Orange Co.)** Staff recommended approval.

**Motion & Vote:** There being no speakers, Giacomini moved staff recommendation, seconded by Flemming, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

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## STATEWIDE

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

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8. **FEDERAL CONSISTENCY.**

a. **CD-15-95 (Navy, Post-Graduate School, Monterey) - Withdrawn.**

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b. **CD-90-95 (Fish & Wildlife Service, Orange Co.) Postponed.** Tom Mathews, representing County of Orange, spoke in favor of Federal Consistency Determination if comments were accepted. Marcia Hanscom spoke in favor of the staff recommendation.

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c. **CD-91-95 (Navy, Ventura Co.)** Staff recommended approval.

**Motion & Vote:** Fowler moved staff recommendation, seconded by Karas, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

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8.5 **FEDERAL CONSISTENCY REPORT.**

a. **No Effects Determination No. NE-94-95 (San Diego secondary treatment waiver)** Staff recommended approval.



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John Machol, representing Surfrider San Diego Chapter, spoke. Susan Hamilton, representing City of San Diego Metropolitan Wastewater Dept., answered questions. Ken Mosier, representing San Diego Baykeeper, spoke in opposition to the project.

There being no objection Chairman Williams ruled that the no effect letter be sent.

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## **SOUTH COAST AREA**

9. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.

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### **10. ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. 5-95-186 (Long Beach Grand Prix)** Staff recommended approval with special conditions.

Dennis Eschen, representing City of Long Beach, spoke in favor of the project.

**Approved:** There being no objection Chairman Williams ruled that the administrative permit be issued by the Executive Director.

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11. **CONSENT CALENDAR.** See items a. & b. on page 8 of the agenda. Staff added 3 items (14c, 14d & 15a) to the Calendar, and recommended approval with special conditions.

(14c) Dennis Eschen, representing City of Long Beach, spoke in favor of the project. (15a) Robert Paternoster, representing City of Long Beach, submitted a request to speak in favor of the project.

**Motion & Vote:** Giacomini moved staff recommendation, seconded by Doo, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

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### **12. PORT PLAN AMENDMENTS.**

a. **Port of Los Angeles Plan Amendment No. 15. - Postponed.**

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- b. Port of Long Beach Amendment No. 8. - Postponed.
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## 13. LOCAL COASTAL PROGRAM (LCP).

- a. Huntington Beach LCP Amendment No. 2-94 (ADC). - Postponed.
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b. Dana Point LCP Amendment No. 2-95 Time Extension. Staff recommended approval.

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

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c. San Clemente Plan Amendment No. 1-95 (LUP update). Staff recommended approval with suggested modifications as modified orally.

Jim Barnes or Jim Pechous spoke representing City of San Clemente.

**Motion & Vote on Plan as Submitted:** Glickfeld moved approval of Land Use Plan amendment as submitted, seconded by Doo, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

**Motion & Vote on Plan with Modifications:** Glickfeld moved approval of Land Use Plan amendment with suggested modifications, seconded by Doo, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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## 14. COASTAL PERMIT APPLICATIONS.

- a. Application No. 5-95-94 (Cox & Patel, Los Angeles) - Postponed.
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b. Application No. 5-95-185 (Sloan, Seal Beach) Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Doo moved staff recommendation, seconded by Flemming, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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c. **Application No. 5-95-197 (Long Beach bike detour)** Moved to expanded Consent Calendar. **Approved.**  
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d. **Application No. 5-95-206 (Bandera Restaurant, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**  
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## 15. PERMIT AMENDMENT.

a. **Permit No. 5-95-55-A (Long Beach Aquarium)** Moved to expanded Consent Calendar. **Approved.**  
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**PUBLIC STATEMENTS.** Sara Wan, representing LCP, spoke about concerns. Ann Notthoff, representing NRDC, also spoke about concerns. Marsha Hansen, representing Wetlands Action Network, opposed manipulation of Bolsa Chica & Federal Consistency item. Mark Massara spoke. Michael Hertel, representing Southern Calif. Edison, spoke. Eugene Atherton MD spoke about central bluffs in Laguna Beach.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Save Everyone's Access v. City of San Diego, CCC and discussed several other matters for information only.

**RECESS.** The Commission recessed for the day at 2:25 p.m..

# DRAFT

Thursday, October 12, 1995 - pages 12 to 17

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on October 12, 1995, at 9:05 a.m. by Chairman Williams.
2. **ROLL CALL.** Present: Chairman Williams, Commissioners Areias, (Alternate) Doughty, Doo, Giacomini, Glickfeld, Karas, Pavley, (Alternate) Fowler and Staffel. Absent: Brennan, Burroughs, Holanda and Sanders. Vargas arrived at 9:10 a.m., and Flemming arrived at 9:15 a.m..

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## SOUTH CENTRAL COAST AREA

3. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings, and on comments from the public.

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4. **CONSENT CALENDAR.** See items a. through g. on page 10 of the agenda. Staff added six items (7c, 7d, 7f, 7k, 7p & 10b) to the Calendar, and recommended approval with special conditions.

(4a & b) Marny Randall, representing the applicant, submitted a request to speak in favor of the projects. (7k) Roger Miller submitted a request to speak in opposition to the project.

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

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

a. **Santa Barbara Co. LCP Amendment No. 1-95-C & D (Goleta Trails, Goleta Transportation)** Staff recommended approval.

**Motion & Vote on Plan as Submitted:** Staffel moved approval of Land Use Plan amendment as submitted, seconded by Karas, and the roll call vote was 11 in favor, 0 opposed and 1 abstention (Flemming). **Passed.**

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## 6. NEW APPEAL.

a. **Appeal No. A-4-STB-95-175 (Browne, Santa Barbara Co.)** Staff recommended that the appeal raised no substantial issue.

Paul M. Christiansen, representing the appellant, spoke in opposition to the staff recommendation. Donna R. Black, representing the applicant, spoke in favor of the project.

**Motion & Vote:** Staffel moved staff recommendation, seconded by Flemming, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

## 7. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-92-114 (Shinmoto, Los Angeles Co.) - Postponed.**

b. **Application No. 4-94-39 (Bush Oil, Oxnard & Ventura Co.) - Postponed.**

c. **Application No. 4-94-103 (L.A. Co. Malibu Cr. monitoring)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 4-94-104 (Las Tunas Beach owners, Malibu)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 4-94-170 (PNC Mortgage Corp., Malibu) - Postponed.**

f. **Application No. 4-95-6 (Wrye, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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g. **Application No. 4-95-53 (Patrick, Malibu)** Staff recommended approval with special conditions.

Fred Patrick, representing the applicant, spoke in favor of the project.

**Motion & Vote:** Glickfeld moved staff recommendation, seconded by Karas, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

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h. **Application No. 4-95-59 (L.A. Co. culverts)** Staff recommended approval with special condition.

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

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i. **Application No. 4-95-67 (Tahmasebi & Malki, Malibu)** Staff recommended denial.

C. Samuel Blick, representing Mr. Tahmasebi, spoke in favor of the project.

**Motion & Vote:** Glickfeld moved approval of the application, seconded by Giacomini, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

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j. **Application No. 4-95-74 (Javid, Malibu)** Staff recommended approval with special conditions.

K. Watanabe & Alan Block, both representing the applicant, spoke in favor of the project.

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

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k. **Application No. 4-95-80 (Semerau, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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l. **Application No. 4-95-101 (Carlson, Los Angeles Co.)** Staff recommended approval with special conditions as modified orally.

Chester King spoke in opposition to the project. Dan Larson spoke in opposition to the project. Susan Nelson, representing Friend Santa Monica Mountains, spoke in opposition to the project. Fern Mathias, representing American Indian Movement, spoke in opposition to the project. Steve Carlson, representing the applicant, spoke in favor of the project.

**Motion & Vote:** Flemming moved staff recommendation, seconded by Giacomini, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

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m. **Application No. 4-95-115 (Lauber, Stevinson & Smith, Los Angeles Co.) - Postponed.**

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n. **Application No. 4-95-136 (Kaplan, Los Angeles Co.) - Postponed.**

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o. **Application No. 4-95-176 (Hackett, Malibu) - Postponed.**

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p. **Application No. 4-95-188 (Santa Barbara Co. and Parks & Rec.)** Moved to expanded Consent Calendar. **Approved.**

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8. **RESTORATION ORDER No. RO-95-3 (PNC Mortgage, Malibu) - Postponed.**

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## 9. REVOCATIONS.

a. **Permit No. R-4-92-124 (Eide, Los Angeles Co.) - Postponed.**

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b. **Permit No. 4-94-195-A (Eide, Los Angeles Co.)** Staff recommended denial.

Phillip Hess spoke. James H. Fosbinder, representing William & Ann Miller, spoke in favor of revocation. Don & Margarit McKindley, Johannes C. Peeters, Richard & Patricia Hinkel and Elizabeth Lippert Ramey, all spoke in favor of revocation. David Ramey spoke in favor of revocation.

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**Motion & Vote to Continue:** Karas moved to continue the hearing, seconded by Pavley, and the roll call vote was 8 in favor (Areias, Doughty, Doo, Glickfeld, Karas, Pavley, Fowler & Staffel) and 3 opposed (Flemming, Vargas & Williams). **Continued.**

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## 10. PERMIT AMENDMENTS.

a. **Permit No. 5-83-257-A9 (Ventura Port Dist.) - Postponed.**

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b. **Permit No. 5-86-371-A (Wallis, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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c. **Permit No. 5-90-277-A (Harrah, Malibu)** Staff recommended approval with special conditions.

Robert T. Flick, William Rutland & Barna Szabo, all representing the applicant, spoke in favor of the project.

**Motion:** Giacomini moved staff recommendation, seconded by Glickfeld.

**Amending Motion & Vote:** Areias moved to temporarily approve the fence for 3 years or upon the transfer of ownership whichever is sooner, seconded by Flemming, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

**Amending Motion & Vote:** Glickfeld moved to allow the gazebo, and deed restrict the property to prohibit all protective devices for the gazebo, seconded by Flemming, and the roll call vote was 10 in favor and 2 opposed (Karas & Pavley). **Passed.**

**Vote on Main Motion:** The roll call vote on the main motion, as amended above, was 10 in favor and 2 opposed (Karas & Pavley). **Passed.**

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d. **Permit No. 5-90-1097-A5 (Forshpan, Malibu)** Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Giacomini moved staff recommendation, seconded by Karas, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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e. Permit No. 4-94-195-A2 (Eide, Los Angeles Co.) - **Postponed.**

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## CENTRAL COAST AREA

### 11. NEW APPEAL.

a. Appeal No. A-3-95-65 (Feldman, Monterey Co.) Staff recommended continuance.

**Motion & Vote to Continue:** Karas moved staff recommendation, seconded by Doo, and the hand vote was 10 in favor and 0 opposed. **Continued.**

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**PUBLIC STATEMENTS.** Roger Miller spoke about missing a public hearing. Denise Miller said the Commission office had told her twice that 10:00 would be OK. Norm Haynie presented a letter about using State Park land for TDCs. Ralph Rogari asked for a determination on permit #4-95-102 prior to a septic approval.

**RECESS.** The Commission recessed for the day at 1:40 p.m..

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Friday, October 13, 1995 - pages 18 to 22

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, October 13, 1995, at 9:05 a.m. by Chairman Williams.
2. **ROLL CALL.** Present: Chairman Williams, Commissioners (Alternate) Doughty, Doo, Flemming, Glickfeld, Pavley, (Alternate) Fowler, Staffel and Vargas. Absent: Commissioners Areias, Brennan, Burroughs, Giacomini, Holanda, Karas and Sanders.

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## NORTH COAST AREA

3. **NORTH COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings, and on comments from the public.

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### 3.5 ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 1-95-12 (Baer, Humboldt Co.)** Staff recommended approval with conditions.

**Approved:** There being no objection Chairman Williams ruled that this administrative permit be issued by the Executive Director.

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### 4. CONSENT CALENDAR.

a. **Application No. 1-95-51 (N. San Mateo Sanitation District & Daly City, San Francisco)** Staff recommended approval with special conditions.

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

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## 5. COASTAL PERMIT APPLICATION.

a. **Application No. 1-94-103 (Casini, Sonoma Co.)** The applicant requested postponement.

**Motion & Vote to Continue:** Flemming moved to continue the hearing, seconded by Pavley, and the hand vote was 9 in favor and 0 opposed. **Continued.**

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## CENTRAL COAST AREA

6. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings, and on comments from the public.

a. **Monterey Co. LCP Amendment No. 1-95 Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection, Chairman Williams ruled that the Commission concurred with the Executive Director. **Approved.**

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## 6.5 ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 3-95-68 (San Jose State Univ. Foundation, Moss Landing)** Staff recommended approval with special conditions.

**Approved:** There being no objection Chairman Williams ruled that this administrative permit be issued by the Executive Director.

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## 7. CONSENT CALENDAR. None.

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## 8. LOCAL COASTAL PROGRAM (LCP).

a. **San Luis Obispo Co. LCP Amendment No. 2-95 (Cayucos Small Scale Neighborhoods & Misc. Ordinance Amendments).** Staff recommended approval with suggested modifications.

Cary Maffidi, representing Cayucos Property Owner's Association, spoke in opposition to the project. Virginia Newman spoke in favor of the staff recommendation. Alex Hinds, representing San Luis Obispo Co. Planning Dept., spoke in favor of the project. Pati Hutchinson spoke in favor of the staff recommendation.

**Motion & Vote on Plan as Submitted:** Staffel moved approval of Land Use Plan amendment as submitted, seconded by Doo, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

**Motion & Vote on Plan with Modifications:** Staffel moved approval of Land Use Plan amendment with suggested modifications, seconded by Doo, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

**Motion & Vote to Reject Part 1 of Implementation as Submitted:** Staffel moved to reject part 1 of the implementation amendment as submitted, seconded by Doo, and Chairman Williams substituted the previous roll call vote (9-0). **Passed.**

**Motion & Vote on Implementation with Modifications:** Staffel moved approval of implementation amendment with suggested modifications, seconded by Doo, and Chairman Williams substituted the previous roll call vote (9-0). **Passed.**

**Motion & Vote to Reject Part 2 of Implementation as Submitted:** Staffel moved to reject part 2 of the implementation amendment as submitted, seconded by Doo, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

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## 9. NEW APPEAL.

a. **Appeal No. A-3-95-65 (Feldman, Monterey Co.)** On Thursday (as item 11) the hearing was **continued** to a later meeting.

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## 10. COASTAL PERMIT APPLICATION.

a. **Application No. 3-95-67 (Santa Cruz Port District)** Staff recommended approval with special conditions.

Brian Foss, representing Santa Cruz Port District, spoke in favor of the staff recommendation.

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

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## 11. PERMIT AMENDMENTS.

a. **Application No. 3-89-7-A (Shake, Monterey)** Staff recommended approval with modification of original conditions.

Zad Leavy, representing the applicant, spoke in favor of the project.

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

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b. **Application No. 3-93-12-A (Hyler, Monterey)** Staff recommended approval with special conditions as modified orally.

Darryl Hawkins, representing the applicant, spoke in favor of the project.

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

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c. **Application No. 150-12-A (Meyers, Morro Bay)** Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers Glickfeld moved staff recommendation, seconded by Doo, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

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# DRAFT

**PUBLIC STATEMENT.** Dave Odell, representing Save Everyone's Access (SEA), spoke regarding Commission procedures.

**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 10:25 a.m.

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**SUBCOMMITTEE on COMMISSION PROCEDURES.** Subcommittee Chairman Staffel called the meeting to order. Commissioners discussed possible changes in procedures.

**SUBCOMMITTEE ADJOURNMENT.** The subcommittee adjourned at 12:15 p.m.

Respectfully Submitted,

PETER M. DOUGLAS

Executive Director

pmg