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CALIFORNIA COASTAL COMMISSION

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



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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF SEPTEMBER 8-11, 1998
Eureka Inn
7th & F Streets
Eureka

Tuesday, September 8, 1998 pages 1 to 4

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, September 8, 1998, at 10:10 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, (Alternate) Brothers, (Alternate) Busey, (Alternate) Johnson, Reilly and Tuttle. Absent: Branham, Brennan, Dettloff, Holanda, Nava and Potter. Sanders arrived at 10:35 a.m..

CENTRAL COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a. & b. on page 3 of the agenda. Staff recommended approval with special conditions.

Approved: There being no objection, Chairman Areias ruled that these administrative permits be issued by the Executive Director.

STATEWIDE

5. **APPROVAL OF MINUTES.** The minutes of **July & August 1996** were unanimously approved as written. The minutes of August 1998 were unanimously approved with a correction by Tuttle of the second amending motion on page 17.
6. **COMMISSIONERS' REPORTS.** Informational only.
7. **CONSERVANCY REPORT.** There was a written report for information only.
8. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
9. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
10. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Public Education Grant Program.** Staff recommended approval of grant programs as modified in addendum. Reilly moved staff recommendation, seconded by Johnson, and the hand vote was 8 in favor and 0 opposed. **Approved.**
 - b. **FY 1999/2000 Proposed Budget.** Informational only.
 - c. **Contract with SMBRP for Boating Campaign.** Staff recommended approval of contract as modified in addendum. Wan moved staff recommendation, seconded by Allen, and the hand vote was 7 in favor and 0 opposed. **Approved.**

ENERGY and OCEAN RESOURCES

11. **ENERGY & OCEAN RESOURCES REPORT.** Deputy Director Hansch reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.
 - a. **Briefing** on Commission's authority in oil spill remediation matters. Informational only.
 - b. **Sea Otter Briefing** by Steve Alcorn of U.S. Dept. of Interior on status of southern sea otters and translocation program. Harry Liquornik, representing California Abalone Association, spoke about impacts on fishermen.

LUNCH RECESS. The Commission recessed for lunch at 12:35 and reconvened at 2:00 p.m..

Brothers left before the following item.

12. COASTAL PERMIT APPLICATION.

a. **Application No. E-98-13 (Unocal, San Luis Obispo Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Tom Guernsey, representing Avila Beach C.S.D. and San Luis Obispo Chumash, spoke in favor of the project. Bill Sharrer, manager of environmental affairs for Unocal, spoke in favor of the project.

Motion & Vote: Reilly moved staff recommendation, seconded by Allen, and the roll call vote was 5 in favor (Allen, Busey, Johnson, Reilly & Tuttle), 1 opposed (Areias) and 1 abstention (Wan). **Passed.**

13. NEW APPEAL.

a. **Appeal No. A-3-98-72 (Unocal, San Luis Obispo Co.)** Trailed until Friday. On Friday the appeal was **withdrawn.**

CENTRAL COAST DISTRICT

14. DEPUTY DIRECTOR'S REPORT. District Manager Lester reported on matters not requiring public hearings, and on comments from the public.

a. **Santa Cruz Co. LCP Amendment No. 1-98 Certification Review. Postponed.**

15. NEW APPEALS.

a. **Appeal No. A-3-98-62 (Gustafson, Pismo Beach) Postponed.**

b. **Appeal No. A-3-98-74 (King, San Luis Obispo Co.) Postponed.**

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c. **Appeal No. A-3-98-80 (Del Ciervo, Monterey Co.)** Staff recommended postponement. There being no objection Chairman Areias opened the hearing and continued it to a later meeting.

16. PERMIT AMENDMENTS.

a. **Permit No. 3-95-67-A (Santa Cruz Port Dist., Santa Cruz)** Postponed.

b. **Permit No. A-3-96-8-A (McKenzie, San Mateo Co.)** Staff recommended approval with special conditions as modified orally.

Norm Hantzsche, representing applicant, submitted a request to speak in favor of the project if needed. Kathleen McKenzie submitted a request to speak in favor of the project. James E. Keith spoke in favor of the project. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak in opposition to the project.

Motion & Vote: Allen moved staff recommendation, seconded by Johnson, and the roll call vote was 5 in favor (Allen, Busey, Johnson, Reilly & Tuttle) and 2 opposed (Wan & Areias). **Passed.**

RECESS. The Commission recessed for the day at 3:40 p.m..

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Wednesday, September 9, 1998 pages 5 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, September 9, 1998, at 9:10 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, (Alternate) Brothers, Flemming, (Alternate) Johnson, Potter, Reilly, Sanders and Tuttle. Absent: Branham, Brennan and Holanda. Dettloff arrived at 9:40 a.m., and (Alternate) Miller arrived at 10:30 a.m..

SOUTH COAST DISTRICT

3. **CONSENT CALENDAR.** See items a. through j. on pages 6-7 of the agenda. Staff recommended approval with special conditions.

j. **Application No. 5-98-311 (Morley Construction, Santa Monica)** There being 3 votes to remove it, this item was **set for hearing** at a later meeting.

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

SOUTH COAST DISTRICT

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

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

6. **NEW APPEAL.**

a. **Appeal No. A-5-98-222 (Emc/Snyder, Los Angeles)** **Postponed.**

Sanders left during the following item.

7. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-97-367 (Hellman Ranch, Seal Beach)** This item was trailed to the end of the day. Staff recommended approval with special conditions as modified orally.

Fourteen speakers submitted requests to speak in favor of the project: D. Dwight Worden, Jerry Tone & Dave Bartlett, all representing Hellman; Keith Till, City Manager of Seal Beach; Shawn Boyd & Patty Campbell of the Seal Beach City Council; Gwen Forsythe, former Seal Beach City Councilperson; Paul Yost of the Seal Beach City Council; Mayor Gease Brown of Seal Beach; Seretta Fielding; Mario Musso; Les Nederveld; Steven Kaufman, representing City of Seal Beach; and Chris Webb, representing Moffatt & Nichol Engineering, for questions if needed. Two speakers submitted requests to speak in favor of the staff recommendation: Don May & Charles Post, both representing California Earth Corps. Ten speakers submitted requests to speak in opposition to the project: Marcia Hanscom, representing Wetlands Action Network; Ellen Stern Harris, representing Fund for the Environment; David Hiltz; Doug Kortof; Mark A. Massara, representing Sierra Club Coastal Program; Tim McKay, representing Northcoast Environmental Center; Bruce Monroe, representing Sierra Club California Ramsar Wetlands Task Force; Ninia Parks; Dan Perez; and Linda Rosen.

Motion: Potter moved staff recommendation, seconded Dettloff.

Amending Motion & Vote: Allen moved to allow the golf course with a deed restriction described orally, seconded by Johnson, and the roll call vote was 7 in favor (Allen, Brothers, Flemming, Johnson, Miller, Potter & Areias) and 4 opposed (Dettloff, Reilly, Tuttle & Wan).

Passed.

Vote on Main Motion: The roll call vote on the main motion as amended above was 6 in favor (Allen, Brothers, Flemming, Johnson, Miller & Areias) and 5 opposed (Dettloff, Potter, Reilly, Tuttle & Wan). **Passed.**

b. **Application No. 5-98-218 (Ramezani, Los Angeles)** Staff recommended approval with special conditions as modified orally.

Kemal Ramezani spoke in favor of the project.

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

7.5. PERMIT AMENDMENT.

a. **Permit No. 5-88-784-A2 (Lindorf, San Clemente)** Staff recommended continuance. Alan Block, representing applicant, spoke in favor of the project. There being no objection Chairman Areias ruled that the hearing be **continued** to a later meeting.

8. **PUBLIC WORKS PROJECT PWP-4-82-12 (Crystal Cove St. Park)** Staff recommended approval.

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

NORTH COAST DISTRICT

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

Dettloff arrived before the following item.

10. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved items 12c. & e. to the Calendar, and recommended approval with special conditions.

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

Miller arrived during the following item.

11. LOCAL COASTAL PROGRAMS (LCPs).

a. **Mendocino Co. LCP Amendment No. 1-98.** Staff recommended approval of part of the amendment, and denial of part of the amendment, as modified orally.

Four speakers submitted requests to speak in opposition to the staff recommendation: Raymond Hall, representing Mendocino County; Bud Kamb; John Pinches; and Peggy Merrill. Ronald Daniels submitted a request to speak in favor of the project. Barbara Reed agreed with the staff recommendation. Four speakers submitted requests to speak in favor of the staff recommendation on the Reed project: Joan Curry; David Wells; Clinton Smith; and Grail Dawson. Lee Edmundson submitted a request to speak in favor of the staff recommendation.

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Motion & Vote on Plan as Submitted: Reilly moved approval of the Land Use Plan Amendment as submitted, seconded by Flemming, and the roll call vote was 8 in favor (Allen, Brothers, Flemming, Johnson, Miller, Potter, Reilly & Areias) and 3 opposed (Dettloff, Tuttle & Wan). **Passed.**

Motion & Vote to Reject Implementation: Reilly moved to reject the implementation amendment as submitted, seconded by Flemming, and the roll call vote was 3 in favor (Dettloff, Tuttle & Wan), and 8 opposed (Allen, Brothers, Flemming, Johnson, Miller, Potter, Reilly & Areias). **Failed.**

b. Eureka Plan Amendment No. 1-97 (Update). Staff recommended approval with suggested modifications as modified orally.

Kevin Hamblin, representing the City, spoke in favor of the staff recommendation. Bonnie Neely, Humboldt Co. Supervisor, spoke in favor of the staff recommendation. John Graves, representing City of Arcata Planning Commission, spoke in favor of the staff recommendation. John Woolley representing Board of Supervisors, Humboldt County, submitted a request to speak in favor of the staff recommendation. Bruce Emad submitted a request to speak in favor of the staff recommendation. Sara Michael, representing Ellis Art & Engineer, submitted a request to speak in opposition to Wal-Mart. John Gierak, representing Greater Eureka Chamber of Commerce, submitted a request to speak in favor of the staff recommendation. Bill Pierson, representing Pierson Building Centers, spoke in favor of the staff recommendation. Jeff Smith submitted a request to speak in favor of the staff recommendation. Tim Needham submitted a request to speak in opposition to the project. Dennis Hunter, representing Humboldt Bay Harbor District, submitted a request to speak in favor of the staff recommendation. Howard E. Rien, representing Humboldt Taxpayers League, submitted a request to speak in favor of the staff recommendation. Rob Sadler & Laura Runeau submitted a request to speak in opposition to Walmart and in favor of the waterfront. Thomas Stewart submitted a request to speak in opposition to the project. Dan Ihara, representing Center for Environmental Economic Development, submitted a request to speak in favor of the staff recommendation. Larry Glaes, representing the Works, submitted a request to speak in favor of the staff recommendation. Craige McKnight, representing Arcata Auto Inc., spoke in opposition to the project. Kaye Strickland, representing Citizens for Port Development spoke in favor of the staff recommendation. Aldo Bongio submitted a request to speak. Pete Oringer submitted a request to speak in opposition to the staff recommendation. Philip Haysmer submitted a request to speak. Judy Davidoff, representing Walmart, requested deletion of Modification #1. Perry Bradford-Wilson submitted a request to speak in opposition to the staff recommendation. Don Coppin submitted a request to speak in favor of the staff recommendation. Marc Matteoli, representing Humboldt Economic Development Forum, submitted a request to speak

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in favor of the staff recommendation and to keep the parcel Port dependent industrial.

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

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

PUBLIC STATEMENTS. Lee Edmundson asked the Commission to reconsider the Reed decision, and said the "cap" on development should not be modified in a piecemeal fashion. Ellen Stern Harris, representing Fund for the Environment, repeated her hope that the Commission would use the Governmental Affairs Institute at Berkeley to schedule a workshop on procedural issues. John DeBenedetti urged the Commission to vote on 11d.

LUNCH RECESS. The Commission recessed for lunch at 12:45 and reconvened at 2:00 p.m.. Miller returned after the break at 2:35 p.m..

c. **Del Norte Co. LCP Amendment No. 2-98 (McNamara)** Staff recommended approval.

Diane Mutchie, representing Del Norte County, spoke in favor of the staff recommendation. Jenny McNamara, Richard J. McNamara and Richard C. McNamara all spoke in opposition to the staff recommendation.

Motion & Vote to Reject Implementation: Flemming moved to reject the implementation amendment as submitted, seconded by Tuttle, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

d. **Half Moon Bay LCP Amendment No. 1-98 (Williamson & DeBenedetti) Time Extension.** Staff recommended approval.

John DeBenedetti spoke in opposition to the staff recommendation.

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

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e. **Humboldt Co. LCP Amendment No. 2-97 (Lomiglio).** Staff recommended approval.

Motion & Vote to Reject Implementation: There being no speakers, Tuttle moved to reject the implementation amendment as submitted, seconded by Allen, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

f. **Humboldt Co. LCP Amendment No. 1-98 Time Extension.** Staff recommended approval.

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

12. COASTAL PERMIT APPLICATIONS.

a. **Application No. 1-97-68 (Arcata Readimix, Humboldt Co.)** Staff recommended approval with special conditions.

Terri Branstetter and Bill O'Neill, representing Arcata Readimix, submitted requests to speak in favor of the project.

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

b. **Application No. 1-98-51 (Kendall & Caughey, Mendocino Co.)** Staff recommended approval with special conditions as modified orally.

John A. Behnke, representing applicant, submitted a request to speak in favor of the project.

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

c. **Application No. 1-98-6 (Eureka revetment)** Moved to expanded Consent Calendar. **Approved.**

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d. **Application No. 1-98-20 (PG&E, Humboldt)** Staff recommended approval with special conditions as modified orally.

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

e. **Application No. 1-98-54 (Marin Co. Parks, sediment removal)** Moved to expanded Consent Calendar. **Approved.**

13. FINDINGS.

a. **Appeal No. A-1-98-17 (Perry & Smith, Fort Bragg)** Staff recommended approval of findings.

Bud Kamb submitted a request to speak in favor of the project. Gary Shannon, representing State Parks, submitted a request to speak concerning the project. Raymond Hall, representing Mendocino County Planning Dept., submitted a request to speak in opposition to the condition. Richard Henderson, representing Don & Margaret Perry, submitted a request to speak in favor of the project. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak.

Motion & Vote: Flemming moved staff recommendation, seconded by Allen, and the hand vote was 7 in favor and 0 opposed. **Passed.**

14. PERMIT AMENDMENT.

a. **Permit No. A-1-98-17-A (Perry & Smith, Fort Bragg)** Staff recommended approval with special conditions as modified orally.

Richard Henderson, representing Don & Margaret Perry, submitted a request to speak in favor of the project. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak. Bud Kamb submitted a request to speak in favor of the project. Susie Smith, representing Smith family, submitted a request to speak in favor of the project. Phillip Smith submitted a request to speak in favor of the project. Don Perry submitted a request to speak in favor of the project. Margaret Perry submitted a request to speak in favor of the project. Robin Hamlin, representing U.S. Fish & Wildlife Service, submitted a request to speak in opposition to the project. Gary Shannon, representing State Parks, submitted a request to speak concerning the project.

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Motion & Vote: Reilly moved staff recommendation, seconded by Allen, and the roll call vote was 7 in favor (Allen, Brothers, Dettloff, Flemming, Johnson, Miller & Reilly), 2 opposed (Tuttle & Wan), and 1 abstention (Areias). **Passed.**

RECESS. The Commission recessed for the day at 8:40 p.m..

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Thursday, September 10, 1998 - pages 13 to 20

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, September 10, 1998, at 9:10 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Dettloff, Flemming, (Alternate) Johnson, Potter, Reilly and Tuttle. Absent: Branham, Brennan, Holanda and Sanders. (Alternate) Brothers arrived at 9:20, and (Alternate) Miller arrived at 9:25 a.m..

SOUTH CENTRAL COAST DISTRICT

2.5 ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 4-98-216 (Keiding, Santa Barbara)** Staff recommended approval with conditions.

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

3. **CONSENT CALENDAR.** See items a. & b. on page 10 & addendum of the agenda. Staff recommended approval with special conditions.

(3b) Don Schmitz, representing applicants, submitted a request to speak in favor of the project.

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

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4. **FEDERAL CONSISTENCY REPORT.** Federal Consistency Supervisor Delaplaine reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

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a. **Status Briefing** Nancy Reed, representing Vandenberg Air Force Base, presented an update and briefing on management of snowy plovers at Vandenberg Air Force Base, Santa Barbara County.

5. **FEDERAL CONSISTENCY.**

a. **CD-144-97 (BLM, Humboldt Co.)** Staff recommended approval.

Al Wright & Lynda Roush, both representing Bureau of Land Management, spoke in favor of the project. Richard G. Botzler submitted a request to speak in favor of the staff recommendation. Tim McKay, representing Northcoast Environmental Center, spoke in favor of the project. Connie Stewart, Council member from City of Arcata, spoke in favor of the staff recommendation. Aryay Kalaki, representing Humboldt Coastal Coalition, spoke in favor of the staff recommendation. Jerry Martien, representing Humboldt Coastal Coalition, spoke in favor of the staff recommendation. Barbara Kelly submitted a request to speak in favor of the staff recommendation. John Springer submitted a request to speak in favor of the staff recommendation. Gisela Hennessy, representing Friends of the Dunes, spoke in favor of the staff recommendation. Claire Courtney, representing Coastal Protection Council, submitted a request to speak in favor of the staff recommendation. Byrd Lochtie, representing League of Women Voters, submitted a request to speak in favor of the staff recommendation. Diane Beck, representing Sierra Club (Redwood Chapter), submitted a request to speak in favor of the staff recommendation. Paul Springer submitted a request to speak in favor of the staff recommendation. Bill Riecl submitted a request to speak in favor of the staff recommendation. Sue Maloney submitted a request to speak in favor of the staff recommendation. William Spencer submitted a request to speak in favor of the staff recommendation. Lucille Vinyard, representing League for Coastal Protection, submitted a request to speak in favor of the staff recommendation. Carol Ralph, representing Northcoast Chapter, California Native Plant Society, submitted a request to speak in favor of the staff recommendation. Marilyn DeWitt, representing Humboldt Coastal Coalition, submitted a request to speak in favor of closure. Marianne De Sobrino, representing Sierra Club - Redwood Chapter, submitted a request to speak in favor of the staff recommendation. Larry Moss submitted a request to speak in favor of the staff recommendation. Mark A. Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. David Wheeler, representing Lost Coast 4x4's, submitted a request to speak in opposition to the staff recommendation. John A. Martin, representing Humboldt Gem & Mineral Soc., submitted a request to speak in opposition to the staff recommendation. Jeremy R. Oliver, representing Lost Coast 4x4, submitted a request to speak in opposition to the staff recommendation. D. J. Miclette, representing Friends of the Beach, submitted a request to speak in opposition to the project. Steve Mobley submitted a request to speak. James Frasier, representing Lost Coast 4x4, submitted a request to speak in opposition to the staff recommendation. Julie Rodgers, representing Representative Frank Riggs, spoke in opposition to the staff

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recommendation. Roger Rodoni, representing Humboldt County Board of Supervisors, submitted a request to speak in opposition to the staff recommendation. Linda J. Franklin submitted a request to speak in opposition to the staff recommendation. L.W. (Lee) Hadley spoke in favor of use of road in Black Sands. Douglas Sinclair spoke in opposition to the staff recommendation. Jim Bramham, representing OHMVR, spoke in opposition to the staff recommendation. Carl Brandt, representing Lost Coast 4x4s & Cal 4-Wheel Assoc., submitted a request to speak in opposition to the staff recommendation. Jim Boyett, representing Lost Coast 4x4, submitted a request to speak in opposition to the staff recommendation. Rae Wheeler, representing Lost Coast 4x4, submitted a request to speak in opposition to the staff recommendation. Clarke Guzzi spoke in opposition to the staff recommendation. Jim Chaille, representing Lost Coast 4x4s, submitted a request to speak in opposition to the staff recommendation. Steven Camshy, representing Cal 4WD, submitted a request to speak in opposition to the staff recommendation. Don Klusman, representing CA4WDC & CORVA, spoke in opposition to the staff recommendation. Mary Etter submitted a request to speak in opposition to the staff recommendation. Cheri Klusman submitted a request to speak in opposition to the staff recommendation. Walter Griffith submitted a request to speak in opposition to the staff recommendation. Patrick Lassiter, representing Lost Coast 4x4's, spoke in opposition to the project. Brian Speelman submitted a request to speak in opposition to the project. Bill Dart, representing American Motorcyclist Assoc., spoke in opposition to the staff recommendation. Frances Ferguson spoke in opposition to the staff recommendation. Sara Starr spoke in favor of the staff recommendation. Sue Hilton spoke in favor of the staff recommendation. Sara Senger, candidate for 5th District Supervisor, Humboldt Co., spoke in favor of the staff recommendation. Barbara Kissler, spoke in opposition to the staff recommendation. Robin Kuhnle, representing Humboldt Track & Trail, spoke in opposition to the staff recommendation. Traci Speelman, representing Friends of the Beach, spoke in favor of access for the elderly. may have some positions in my notes, use with slips

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

b. **CD-6-98 (Air Force, Santa Barbara Co.)** Staff recommended objection.

Jim Johnston, representing U.S. Air Force, submitted a request to speak in opposition to the staff recommendation.

Motion & Vote: Dettloff moved concurrence with the determination, seconded by Johnson, and the roll call vote was 4 in favor (Brothers, Dettloff, Flemming & Johnson) and 7 opposed (Herron, Miller, Potter, Reilly, Tuttle, Wan & Areias). **Failed.**

c. **CD-81-98 (Corps of Engineers, Crescent City)** Staff recommended approval.

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Lindsay Marks, representing Crescent City Harbor District, submitted a request to answer questions.

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

d. **CD-90-98 (Navy, Ventura Co.)** Staff recommended approval.

Jim Danza, representing the Navy, spoke in favor of the project.

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

e. **CD-93-98 (Corps of Engineers, Newport Beach)** Staff recommended approval.

Doland Cheung, representing Corps of Engineers, submitted a request to speak in favor of the project.

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

f. **CD-94-98 (Corps of Engineers, Long Beach)** **Postponed.**

g. **CD-97-98 (Corps of Engineers, Monterey Co.)** Staff recommended approval.

James Stillwell, representing Moss Landing Harbor District, spoke in favor of less expensive alternatives.

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

h. **CD-100-98 (Coast Guard, Monterey Co.)** Staff recommended approval.

Louis Rivero, Dave Stalters, Steve Osgood, Fritz Dutch & Frederick Crawford, all representing U.S. Coast Guard, submitted requests to answer questions.

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

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LUNCH RECESS. The Commission recessed for lunch at 12:40 and reconvened at 1:55 p.m.

SOUTH CENTRAL COAST DISTRICT

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

a. **Santa Barbara Co. LCP Amendment No. 1-98 Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

b. **Santa Barbara LCP Amendment No. 3-97 Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

c. **Carpinteria LCP Amendment No. 1-98 (Minor).** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items to the Calendar (10b, 10g & 11a), and recommended approval with special conditions.

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

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

a. **UCSB Long Range Development Plan Amendment No. 1-98 Time Extension.** Staff recommended approval. Flemming moved staff recommendation, seconded by Allen, and the hand vote was unanimous. **Approved.**

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b. **Santa Barbara Co. LCP Amendment No. 2-97-C (Ellwood Beach - Santa Barbara Shores).** Staff recommended approval of extending time limit for acceptance of the suggested modifications. Allen moved staff recommendation, seconded by Flemming, and the hand vote was unanimous. **Approved.**

9. NEW APPEAL.

a. **Appeal No. A-4-98-225 (Breakers Way Property Owners, Ventura Co.)** Staff recommended postponement. There being no objection Chairman Areias opened the hearing and **continued it to a later meeting.**

10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-96-187 (Sohal, Malibu)** Staff recommended denial.

Norm Haynie, representing applicant, spoke in favor of the project. Richard Knickerbocker, representing homeowners of Mar Vista community, submitted a request to speak in opposition to the project.

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

b. **Application No. 4-98-1 (Levy, Malibu).** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-98-98 (Marin, Malibu)** Staff recommended approval with special conditions.

Lynn Heacox, representing the applicant, described the history of the project.

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

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d. **Application No. 4-98-142 (Duggan & Levenson, Malibu)** Staff recommended approval with special conditions as modified orally.

Mike Barsocchini, architect for the applicants, spoke in favor of the project.

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

e. **Application No. 4-98-143 (Duggan & Levenson, Malibu)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item d above.

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

f. **Application No. 4-98-163 (Duggan & Levenson, Malibu)** Staff recommended approval with special conditions.

The hearing was combined with item d above.

Motion & Vote: Wan moved staff recommendation, seconded by Herron, and Chairman Areias substituted the previous roll call vote (10-0). **Passed.**

g. **Application No. 4-98-64 (Von Wetter, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-98-197 (Shea & Hawkins, Malibu)** **Postponed.**

11. PERMIT AMENDMENTS.

a. **Permit No. 4-89-30-A3 (Santa Barbara marina expansion)** Moved to expanded Consent Calendar. **Approved.**

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b. **Permit No. 4-96-25-A (Jason, Malibu)** Staff recommended approval with conditions.

Don Schmitz, representing applicant, spoke in favor of the project. Frank Angel, representing Dr. Malcolm Lesavoy & Topanga Assn. for a Scenic Community & Tuna United Neighborhood Assn., spoke in opposition to the project.

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

c. **Permit No. 5-88-794-A (Kelly, Malibu)** **Postponed.**

12. FINDINGS.

a. **UCSB LRDP Amendment No. 2-97.** Staff recommended approval of findings.

Motion & Vote: Johnson moved staff recommendation, seconded by Flemming, and the hand vote was 4 in favor and 0 opposed. **Passed.**

b. **UCSB Notice of Impending Development No. 2-97.** Staff recommended approval of findings.

Motion & Vote: Wan moved staff recommendation, seconded by Flemming, and the hand vote was 4 in favor and 0 opposed. **Passed.**

RECESS. The Commission recessed for the day at 3:35 p.m..

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Friday, September 11, 1998 - pages 21 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, September 11, 1998, at 9:10 a.m. by Chairman Areias.

2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Flemming, (Alternate) Johnson, (Alternate) Miller, Potter, Reilly and Tuttle. Absent: Armanasco, Branham, Brennan, Dettloff, Holanda and Sanders.

SAN DIEGO COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a. through d. on page 14 of the agenda. Staff recommended approval with special conditions.

Approved: There being no objection Chairman Areias ruled that these administrative permits be issued by the Executive Director.

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

a. **Encinitas LCP Amendment No. 2-97 Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

b. **Imperial Beach LCP Amendment No. 1-97C Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

c. **San Diego Centre City LCP Amendment No. 3-98 (Minor).** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

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

6. LOCAL COASTAL PROGRAM (LCP).

a. **San Diego LCP Amendment No. 2-98B (North Bay Redevelopment Plan).** Staff recommended approval with suggested modifications as modified orally.

Betsy McCullough and Miriam Kirshner, both representing City of San Diego, submitted a request to speak in favor of the staff recommendation as modified.

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

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

Motion & Vote to Reject Implementation: Johnson moved to reject the implementation amendment as submitted, seconded by Herron, and the roll call vote was 0 in favor, and 9 opposed. **Failed.**

7. NEW APPEAL.

a. **Appeal No. A-6-98-98 (Levy, Carlsbad)** Staff recommended that the appeal raised substantial issue. There being 3 votes to hear testimony on substantial issue, Chairman Areias opened the hearing on substantial issue.

John Levy submitted a request to speak in favor of the project.

Motion & Vote on No Substantial Issue: Johnson moved that the appeal raised no substantial issue, seconded by Herron, and the roll call vote was 6 in favor (Herron, Flemming, Johnson, Potter, Reilly & Areias) and 3 opposed (Miller, Tuttle & Wan). **Passed.**

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8. FINDINGS.

a. Application No. 6-96-159 (Cade, Carlsbad) Postponed.

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

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

