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CALIFORNIA COASTAL COMMISSION

15 FREMONT, SUITE 2000  
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VOICE AND TDD (415) 904-5200



RECORD PACKET COPY

*Tu 6c*

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF NOVEMBER 4-6, 1998  
Radisson Hotel  
30100 Agoura Road  
Agoura Hills

Wednesday, November 4, 1998 pages 1 to 8

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 4, 1998, at 10:05 a.m. by Vice Chairman Wan.
2. **ROLL CALL.** Present: Vice Chairman Wan, Commissioners (Alternate) Herron, Holanda, (Alternate) Johnson, Nava, Potter, Reilly and Tuttle. Absent: Areias, Branham, Brennan, Dettloff, Flemming and Sanders. Armanasco arrived during the lunch break.

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## SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through d on page 3 of the agenda. Items a & c were postponed. Staff recommended approval with special conditions on the remainder of the Calendar.

(b) Elliot Felman, the applicant, submitted a request to speak in favor of the project. (d) James C. Corcoran, architect, submitted a request to speak in favor of the staff recommendation.

# DRAFT

**Motion & Vote:** Johnson moved staff recommendation, seconded by Potter, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

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## STATEWIDE

4. **APPROVAL OF MINUTES.** None.
5. **COMMISSIONERS' REPORTS.** None.
6. **CONSERVANCY REPORT.** None .
7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
9. **EXECUTIVE DIRECTOR'S REPORT.** Informational only.

a. **Interagency Agreements** to transfer of federal funds. Staff recommended approval. There being no objection Vice Chairman Wan ruled that the agreements were unanimously **approved**.

b. **Interagency Agreements. Postponed.**

c. **Agreement with State Water Resources Control Board.** Staff recommended approval. There being no objection Vice Chairman Wan ruled that the agreements were unanimously **approved**.

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10. **REGIONAL CUMULATIVE ASSESSMENT PROJECT (ReCAP) WORKSHOP.** Informational only. Ron Hoffman, representing L.A. County Dept. of Regional Planning, commented. Joseph Edmiston, representing Santa Monica Mts. Conservancy, spoke. Norman R. Haynie commented on the staff recommendation. Carrie Kim added to Mr Haynie's comments. Linda Palmer, representing Santa Monica Mts. Trails Council, spoke. Frank Angel, representing Sierra Club, suggested requiring acceptance of OTDs as part of permit conditions.

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

**PUBLIC STATEMENTS.** Lee Quaintance, representing The Beacon Foundation, spoke about progress with the SWEF project.

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12. **FEDERAL CONSISTENCY.**

a. **ND-122-98 (IBWC, San Diego Co.)** Staff recommended approval.

Charles Fischer, representing IBWC, said the project will eliminate beach quarantines. Elizabeth Borwicz, representing U.S. Environmental Protection Agency, spoke in favor of the staff recommendation. Bart Christensen, representing State Water Resources Control Board, submitted a request to speak in favor of the staff recommendation.

**Motion & Vote:** Johnson moved staff recommendation, seconded by Herron, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

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## ENERGY and OCEAN RESOURCES

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

a. **Vessel Traffic for Monterey Bay Marine Sanctuary.** Staff recommended concurrence with the proposed letter. There being no objection Vice Chairman Wan ruled that the letter was unanimously **approved.**

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**LUNCH RECESS.** The Commission recessed for lunch at 11:55 and reconvened at 1:25 p.m. after closed session. Armanasco arrived during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission discussed Ramirez Canyon Preservation Fund et al. v. Santa Monica Mountains Conservancy et al..

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Nava was not present for the following item.

## 13.5 NEW APPEAL.

a. **Appeal No. A-3-98-91 (Unocal, San Luis Obispo Co.)** Staff recommended that the hearing be continued.

John Cohn, representing Surfer's Environmental Alliance, spoke before lunch on the settlement. Mark Massara, representing Sierra Club, spoke in opposition to the project.

**Motion & Vote to Continue:** Herron moved staff recommendation, seconded by Potter, and the hand vote was 7 in favor and 0 opposed. **Continued.**

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## SOUTH CENTRAL COAST DISTRICT

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

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15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (18b, 18c, 18d, 18e & 19d) to the Calendar, and recommended approval with special conditions.

(18b) Burt Rashby, the applicant, submitted a request to speak in favor of the project. (18d) Brian & Amy Weitman, representing applicants, submitted a request to speak in favor of the project.

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

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## 16. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carpinteria LCP Amendment No. 1-98 (various).** Staff recommended approval with suggested modifications.

There were no speakers.

# DRAFT

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

**Motion & Vote on Implementation with Modifications:** Nava moved approval of the implementation with suggested modifications, seconded by Johnson, and Vice Chairman Wan substituted the previous roll call vote (8-0). **Passed.**

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b. **Carpinteria LCP Amendment No. 2-98 (Creekwood).** Staff recommended approval of a time extension.

Carl Stucky, representing Carpinteria Valley Association, submitted a request to speak in opposition to the project.

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

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## 17. NEW APPEAL.

a. **Appeal No. A-4-98-225 (Breakers Way Property Owners, Ventura Co.)** **Postponed.** Mark Massara, representing Sierra Club, requested that the next hearing be in Santa Barbara.

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## 18. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-97-67 (Corley, Malibu)** Staff recommended approval with special conditions.

Kip Corley submitted a request to speak in favor of the project.

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

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b. **Application No. 4-98-96 (Rashby, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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c. **Application No. 4-98-169 (Connolly, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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# DRAFT

d. **Application No. 4-98-184 (Weitman, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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e. **Application No. 4-98-194 (Sittig, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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f. **Application No. 4-98-230 (Hannigan, Malibu)** **Postponed.**

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g. **Application No. 4-98-50 (Gallo, Malibu)** Staff recommended approval with special conditions.

Susie McCabe, representing the applicants, spoke.

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

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h. **Application No. 4-98-51 (Tuchman, Malibu)** Staff recommended approval with special conditions.

Susie McCabe, representing the applicants, submitted a request to speak in favor of the project.

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

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i. **Application No. 4-98-52 (Neiter & Behar, Malibu)** Staff recommended approval with special conditions.

Susie McCabe, representing the applicants, submitted a request to speak in favor of the project. Elizabeth Stevens submitted a request to speak in favor of the project. Richard M. Neiter, representing the applicants, submitted a request to speak in favor of the project.

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

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# DRAFT

## 19. PERMIT AMENDMENTS.

a. **Permit No. 5-88-794-A (Kelly, Malibu) Postponed.**  
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b. **Permit No. 5-88-794-A2 (Kelly, Malibu) Postponed.**  
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c. **Permit No. 5-91-436-A (Rancho Malibu, Malibu)** Staff recommended approval with revision to original special condition.

Timothy Tosta, representing the applicant, submitted a request to speak in favor of the project.

**Motion & Vote:** Johnson moved staff recommendation, seconded by Potter, and the roll call vote was 8 in favor and 0 opposed. **Passed.**  
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d. **Permit No. 4-95-224-A (Wilson, Malibu)** Moved to expanded Consent Calendar. **Approved.**  
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e. **Permit No. 5-91-136-A (West Pointe Homes, Malibu)** Staff recommended approval.

Don Schmitz, representing West Pointe Homes, submitted a request to speak in favor of the project.

**Motion & Vote:** Johnson moved staff recommendation, seconded by Herron, and the roll call vote was 8 in favor and 0 opposed. **Passed.**  
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f. **Permit No. 5-91-139-A (West Pointe Homes, Malibu)** Staff recommended approval.

Don Schmitz, representing West Pointe Homes, submitted a request to speak in favor of the project.

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

g. **Permit No. 4-95-34-A (West Pointe Homes, Malibu)** Staff recommended approval.

Don Schmitz, representing West Pointe Homes, submitted a request to speak in favor of the project.

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

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h. **Permit No. 4-95-36-A (West Pointe Homes, Malibu)** Staff recommended approval.

Don Schmitz, representing West Pointe Homes, submitted a request to speak in favor of the project.

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

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i. **Permit No. 4-95-37-A (West Pointe Homes, Malibu)** Staff recommended approval.

Don Schmitz, representing West Pointe Homes, submitted a request to speak in favor of the project.

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

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## 20. **PERMIT EXTENSION.**

a. **Permit No. 5-91-436-E2 (Rancho Malibu, Malibu)** Staff recommended approval.

Timothy Tosta, representing the applicant, submitted a request to speak in favor of the project.

**Approved:** There being no objection, Vice Chairman Wan ruled that the permit be extended.

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**RECESS.** The Commission recessed for the day at 3:00 p.m..

# DRAFT

Thursday, November 5, 1998 - pages 9 to 17

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 5, 1998, at 8:0 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Armanasco, Brennan, Holanda, (Alternate) Johnson, Nava, Reilly and Tuttle. Absent: Branham, Dettloff and Sanders. Potter arrived at 9 a.m., and Flemming arrived during the lunch break.

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## CENTRAL COAST DISTRICT

### 2.5 ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 3-98-81(San Luis Obispo Co. seawall & ramp)** Staff recommended approval with special conditions.

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

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## SAN DIEGO COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-98-110 (Sherman, Carlsbad)** Staff recommended approval with special condition.

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

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

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

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# DRAFT

## STATEWIDE

**4.3 CONTAMINATED SEDIMENTS TASK FORCE WORKSHOP.** Informational only. Mark Gold, representing Heal the Bay, submitted a request to speak in favor of the staff recommendation. Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the staff recommendation. Thomas D. Johnson, representing Port of Long Beach, submitted a request to speak. Ralph Appy, representing Port of Los Angeles, submitted a request to comment. Dean Smith, representing Los Angeles County - Beaches & Harbors, submitted a request to speak. Michael Lyons, representing Los Angeles Regional Water Quality Control Board, submitted a request to speak in favor of the staff recommendation.

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### **4.7 PERMIT AMENDMENT.**

a. **Permit No. 5-96-231-A (Port of Long Beach)** Staff recommended approval with special conditions.

Thomas D. Johnson, representing Port of Long Beach, spoke in favor of the project.

**Motion & Vote:** Armanasco moved staff recommendation, seconded by Johnson, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

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## SAN DIEGO COAST DISTRICT

**5. DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee 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 three items (8b, 8d & 8f) to the Calendar, and recommended approval with special conditions.

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

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## 7. LOCAL COASTAL PROGRAM (LCP).

a. **National City LCP Amendment 1-98B (Harbor Specific Plan).** Staff recommended approval of the revised amendment submittal.

Paul Desrochers, representing City of National City, spoke in favor of the staff recommendation. Stephanie Dall, representing City of National City, submitted a request to speak in favor. David Kelley, representing City of National City, submitted a request to answer questions. John Goddard, representing City of National City, submitted a request to answer questions. Roger Post, representing City of National City, submitted a request to answer questions.

**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 8 opposed. The motion failed so the amendment was **approved**.

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b. **Carlsbad LCP Amendment No. 2-98 (May rezone).** Staff recommended approval.

Herb Palmtag, representing Carlsbad Estates LLC, submitted a request to speak in favor of the staff recommendation and to answer questions.

**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 7 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 7 opposed. The motion failed so the amendment was **approved**.

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## 7.5 NEW APPEAL.

a. **Appeal No. A-6-98-129 (Brandywine, Encinitas)** Staff recommended continuance.

**Motion & Vote:** Johnson moved staff recommendation, seconded by Herron, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

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# DRAFT

## 8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-98-39 (Canter & Denver, Encinitas)** Staff recommended approval with special conditions.

Bob Campbell, representing applicants, spoke.

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

**Amending Motion & Vote:** Johnson moved to change monitoring to 3 years, seconded by Armanasco, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

**Vote on Main Motion:** The roll call vote on the main motion as amended above was 7 in favor and 2 opposed (Nava & Wan). **Passed.**

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b. **Application No. 6-98-102 (San Diego seawall/boardwalk improvements)** Moved to expanded Consent Calendar. **Approved.**

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Potter left before the next item.

c. **Application No. 6-98-103 (Oceanside, Pacific St. crossing)** Staff recommended approval with special conditions.

Conrad "Skip" Hammann, representing City of Oceanside, submitted a request to speak in favor of the project.

**Motion & Vote:** Johnson moved staff recommendation, seconded by Herron, and the roll call vote was 6 in favor and 0 opposed. **Passed.**

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d. **Application No. 6-98-108 (Nextel, Encinitas)** Moved to expanded Consent Calendar. **Approved.**

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e. **Application No. 6-98-113 (Coronado, storm drains)** Staff recommended approval with special condition as modified in addendum.

**Vote:** Herron moved staff recommendation, seconded by Johnson.

**Amending Motion & Vote:** Herron moved to delete "prior to issuance", seconded by Johnson, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

**Vote on Main Motion:** The roll call vote on the main motion as amended above was 7 in favor and 0 opposed. **Passed.**

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# DRAFT

f. **Application No. 6-98-114 (San Diego, Mission Bay Park utilities)** Moved to expanded Consent Calendar. **Approved.**

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## 9. FINDINGS.

a. **Appeal No. A-6-98-98 (Levy, Carlsbad)** **Postponed.**

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## CENTRAL COAST DISTRICT

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

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a. **Periodic Review of San Luis Obispo Co. LCP.** Staff recommended not undertaking a periodic review at that time.

Bud Laurent, County Supervisor, District 2, S.L.O. County, submitted a request to speak. Mike Ryan, representing San Luis Obispo County, submitted a request to speak in opposition to the staff recommendation. Michael Drazee, representing San Luis Obispo County Planning, submitted a request to speak in favor of the staff recommendation. Gordon Hensley submitted a request to speak. Susan Jordan, representing LCP, submitted a request to speak. Linda Krop, representing Environmental Defense Center (Friends of the Ranchland), submitted a request to speak. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak in favor of periodic review. Kat McConnell, representing North Coast Advisory Council, submitted a request to speak. Pat Veasart, representing Sierra Club, submitted a request to speak.

**Motion & Vote:** Reilly moved to direct staff to prepare a list of periodic reviews and budgets, seconded by Armanasco, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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# DRAFT

## 11. LOCAL COASTAL PROGRAMS (LCPs).

a. **Santa Cruz Revised Post-LCP Map (Santa Cruz Boardwalk).** Staff recommended approval.

**Motion & Vote to Continue:** Reilly moved to continue the hearing, seconded by Nava, and the roll call vote was 8 in favor and 0 opposed. **Continued.**

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b. **Morro Bay LCP Amendment No. 1-97 (Water Allocation).** Staff recommended approval with suggested modifications as modified orally.

Bud Laurent, District Two, S.L.O. County, submitted a request to speak about concerns. Shauna Nauman, representing City of Morro Bay, submitted a request to speak in favor of the project. David Hunt, representing City of Morro Bay, submitted a request to speak in favor of the staff recommendation with modifications. Kat McConnell submitted a request to speak in favor of the staff recommendation with modifications.

**Motion & Vote on Plan as Submitted:** Wan moved approval of the Land Use Plan Amendment as submitted, seconded by Tuttle, and the roll call vote was 0 in favor and 8 opposed. **Failed.**

**Motion & Vote on Plan with Modifications:** Wan moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Tuttle, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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

**Motion on Implementation with Modifications:** Tuttle moved approval of the implementation with suggested modifications, seconded by Nava,

**Amending Motion & Vote:** Tuttle moved to delete the end of the retrofit program, seconded by Reilly, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

**Vote on Main Motion:** Chairman Areias substituted the previous roll call vote (8-0) for approval of the main motion as amended above. **Passed.**

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**PUBLIC STATEMENTS.** Ray Bunnell, representing Shelter Cove Lodge - Pismo Beach, submitted a request to speak for emergency consideration and to reject upcoming appeal.

# DRAFT

**LUNCH RECESS.** The Commission recessed for lunch at 12:20 and reconvened at 1:45 p.m. after closed session. Flemming arrived during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on CCC v. Blake and discussed one other matter for information only.

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## 12. NEW APPEALS.

a. **Appeal No. A-3-98-86 (Zulim, Santa Cruz)** Staff recommended continuance. There being no objection Chairman Areias opened the hearing and **continued** it to a future meeting.

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b. **Appeal No. A-3-98-87 (Charles Pratt & Central Coast Engineering, San Luis Obispo Co.)** Staff recommended continuance. There being no objection Chairman Areias opened the hearing and **continued** it to a future meeting.

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Holanda left during the following item.

c. **Appeal No. A-3-98-49 (Cliffs Hotel riprap, Pismo Beach)** Substantial issue was found at a previous meeting. Staff recommended denial.

Sherman Stacey, representing applicant, submitted a request to speak in favor of the project. Mark Burnes submitted a request to speak in opposition to the project. Robin Chilton, representing Eden Productions, submitted a request to speak about concerns. David McFarlan submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club Coastal Program, submitted a request to speak in favor of the staff recommendation. Philip Teresi, representing San Luis Bay Chapter, Surfrider Foundation, submitted a request to speak representing appellant.

**Motion & Vote:** Nava moved to approve the project, seconded by Johnson, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

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# DRAFT

## 13. PERMIT AMENDMENT.

a. **Permit No. 4-83-490-A (Tokyo Masuiwaya, Pismo Beach)** Staff recommended approval with special conditions.

The hearing was combined with item 12c above.

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

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b. **Permit No. 3-90-41-A3 (Capitola, Soquel Cr. mgmt.)** Postponed.

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## 14. COASTAL PERMIT APPLICATION.

a. **Appeal No. A-3-97-40 (San Luis Obispo Co., Los Osos wastewater)** Staff recommended approval with special conditions.

Fifteen speakers submitted requests to speak in favor of the project: Mike Ryan, representing SLO County Board of Supervisors; Tim Nanson, representing County of San Luis Obispo; Bill Chatsworth, representing Los Osos residents for County Sewer; John Graffio, representing So. Bay Property Owners; Ronald J. Graffio, representing So. Bay Property Owners; Ron Holland, representing SBPOA, representing South Bay Properties Assoc.; Rosemarie Kalemkarian, representing South Bay Property Assoc.; Gerda E. Maxey, representing So Bay Prop Association; Al Switzer; Gerald O. Wahlstrom, representing Sewers Now; Charles W. Walker; Charles W. Walker II; William Walter, representing South Bay Property Owners Assn.; and Jeff Young, attorney for Williams Shellfish Farms. Mary F. Clement submitted a request to speak. Brad Hagemann, representing Regional Water Quality Control Board, submitted a request to speak. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak in favor of the Solutions Group. Sarah Christie, representing Rep. Lois Capps, submitted a request to speak in opposition to the staff recommendation.

Ten speakers submitted requests to speak in opposition to the project: Bud Laurent, County Supervisor representing District Two S.L.O. County; Aaron Armstrong; Louise Gonderman; Audrey Halsell, representing Abel Maldonado, Mayor of Santa Maria & Assemblyman-elect; Richard LeGros; Kat McConnell; Margaret Mehring, representing CSD-Los Osos; Caytano D. Moreno; George L. Taylor; and Gewynn M. Taylor.

TAPPS submitted 69 requests to speak in opposition to the project: Stan Gustafson, Director-elect Los Osos CSD; Geof Gurley; Gordon Hensley, CSD Director Elect representing TAPPS; Rosemary Bowker, Director Elect; Frank Freiler, Director elect;

# DRAFT

Pandora Nash-Karner, CSD Director-elect; David Mayfield, representing Taxpayers Against Percolation Ponds (TAPPS); Arlie Lepp; Jim Hensley; Audrey Hensley; Virginia R. Schmenger; Ulrich Keller; Gary Karner, representing Solution Group; Laura Hersey; Shirley Nach; Curt Lint; Lynne Corenbaum; Dorothy Rooney; Wade Akle; Roger Prier; Dale Flynn; Gretchen Moreno; Mike Davis; Macabee Magid; Elsie Deitz; Sylvia Smith, CSD Director Elect; William C. Thompson; Barbara Akle; Judy Westroth; Catherine Topp; Joyce Albright; Al Barrow; Edwin C. Schafer; Crystal Schafer; Walter G. Wulff; Roy E. Wolf; Nancy Ruhl; Marian Gautier; Mary M. Leizear; LaVelle Sloniker; Dianne Burke; Elaine J. Johnson; Ginny Dobias; Ted Dobias; Dorothy Barnet; Roxanna Griggs; Dorothy J. Norwood; Laird H. Hail; Ed Rush; Charles Kostas; Daniel Braverman; Don Cone; Doris Cone; Ann Calhoun; M.E. Graves; Helen Graves; Ron Gaston; Phil Campbell; May R. Cothran; John Hamilton; Shirley Hamilton; James Dickens; Elizabeth Dickens; William H. Warren, representing Solutions Group; Elizabeth S. Warren, representing Solutions Group; Jon Chatten-Brown, representing Tapps; Mary Clement; James Smith; and Marie Smith.

**Motion & Vote to Continue:** Nava moved to continue the hearing to June, seconded by Tuttle, and the roll call vote was 9 in favor and 0 opposed. **Continued.**

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**RECESS.** The Commission recessed for the day at 6:15 p.m..

# DRAFT

Friday, November 6, 1998 - pages 18 to 25

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 6, 1998, at 8:15 a.m..
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Armanasco, Flemming, (Alternate) Johnson, Nava, Reilly and Tuttle. Absent: Branham, Dettloff, Holanda and Sanders. Brennan arrived at 8:40 a.m., and Potter arrived at 8:50 a.m..

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## SOUTH COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through h on page 11 of the agenda. Staff recommended approval with special conditions.

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

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## NORTH COAST DISTRICT

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

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

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# DRAFT

## 6. NEW APPEALS.

a. **Appeal No. A-1-98-80 (O'Neal & Dalpino, Mendocino Co.)** Staff recommended that the appeal raised no substantial issue.

Jackie Peterson spoke in opposition to the project.

**Motion & Vote on No Substantial Issue:** Flemming moved staff recommendation, seconded by Tuttle, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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b. **Appeal No. A-1-98-81 (McGregor & Michaelian, Half Moon Bay)** Staff recommended that the appeal raised no substantial issue.

Paul McGregor spoke in favor of the project.

**Motion & Vote on No Substantial Issue:** Johnson moved staff recommendation, seconded by Reilly, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

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## 7. FINDINGS.

a. **Appeal No. A-1-98-49 (Neel & Charnock, San Mateo Co.)** Staff recommended approval of findings.

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

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## STATEWIDE

8. **CONTAMINATED SEDIMENTS TASK FORCE WORKSHOP.** This was heard on Thursday item 4.3.

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## SOUTH COAST DISTRICT

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

a. **Long Beach 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.**

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

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

a. **Long Beach Port Plan Amendment No. 13 (Navy Property & police academy).** Staff recommended approval.

Gordon Palmer, representing Port of Long Beach, submitted a request to speak in favor of the staff recommendation.

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

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b. **Long Beach LCP Amendment No. 1-97B (Sign Code).** Postponed.

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c. **Dana Point LCP Amendment No. 1-98 (Capistrano Beach).** Staff recommended approval with suggested modifications as modified orally.

Ed Knight, representing City of Dana Point, submitted a request to speak in opposition to the staff recommendation. George Proodian, representing Homeowners Assoc., submitted a request to speak in opposition to or concerned about the project. Bill Huber, representing Capistrano Bay Community Services District, submitted a request to speak concerned about the project. Eileen Marsden submitted a request to speak concerned about the project. Wayne Rayfield, new Dana Point councilman-elect, submitted a request to speak concerned about the project. Wayne Schafer submitted a request to speak concerned about the project. Fred Jahnke submitted a request to speak concerned about the project.

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**Motion & Vote on Plan as Submitted:** Nava moved approval of the Land Use Plan Amendment as submitted, seconded by Flemming, and the roll call vote was 0 in favor and 8 opposed. **Failed.**

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

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

**Motion on Implementation with Modifications:** Johnson moved approval of the implementation with suggested modifications, seconded by Reilly.

**Amending Motion & Vote on landward expansion:** Allen moved to allow 10% landward expansion of building footprint, seconded by Flemming, and the roll call vote was 5 in favor (Allen, Armanasco, Flemming, Johnson & Potter) and 5 opposed (Nava, Reilly, Tuttle, Wan & Areias). **Failed.**

**Amending Motion & Vote on 3-way expansion:** Allen moved to allow expansion of the footprint on any side except seaward up to 10%, seconded by Potter, and the roll call vote was 7 in favor (Allen, Armanasco, Flemming, Johnson, Potter, Reilly & Areias) and 3 opposed (Nava, Tuttle & Wan). **Passed.**

**Vote on Implementation with Modifications:** The roll call vote on the main motion as amended above was 10 in favor and 0 opposed. **Passed.**

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d. **Huntington Beach De Minimus LCP Amendment 1-98 (Holly Seacliff Plan).** Staff recommended concurrence with Executive Director's determination. There being no objection Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

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## 12. NEW APPEALS.

a. **Appeal No. A-5-98-315 (Los Angeles, Venice gates)** Staff recommended that the appeal raised substantial issue. There being no objection Chairman Areias ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended continuance.

Jeffrey Harlan, Deputy to LA City Councilmember Ruth Galanter, submitted a request to speak representing the applicant. Mistie M. Joyce, representing City of Los Angeles, submitted a request to speak. Darryl DuFay, representing Venice Canals

# DRAFT

Association, submitted a request to speak in favor of the project. John Davis submitted a request to speak in opposition to the project.

Chairman Areias **continued** the hearing to a future meeting.

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b. **Appeal No. A-5-98-222 (EMC/Snyder, Los Angeles) Withdrawn.**

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## 13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-98-43 (First Interstate Bank, Newport Beach) Postponed.**

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b. **Application No. 5-98-82 (Westberg, San Clemente)** Staff recommended approval with special conditions as modified in addendums and orally.

Glendon Miller submitted a request to speak about patio.

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

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c. **Application No. 5-98-263 (Los Angeles Venice gates) Postponed.**

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d. **Application No. 5-98-300 (Loughnane, San Clemente)** Staff recommended approval with special conditions as modified orally.

Leo Fitzsimon, representing the applicants, spoke in favor of the project.

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

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e. **Application No. 5-98-304 (420 S. Broadway, Redondo Beach)** Staff recommended approval with conditions.

Elizabeth Srour, representing applicant, spoke in favor of the project. Monica Moore, representing Redondo Beach Historical Society, spoke in opposition to demolition of historic buildings

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

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# DRAFT

f. **Application No. 5-98-331 (Huff, Los Angeles)** Staff recommended approval with special conditions.

Arkey Miller, submitted a request to speak in opposition to the project. Ken Meares submitted a request to speak concerning project.

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

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g. **Application No. 5-98-334 (Diversified Holdings, Los Angeles)** Staff recommended approval with special conditions.

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

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h. **Application No. 5-98-335 (Diversified Holdings, Los Angeles)** Staff recommended approval with special conditions.

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

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i. **Application No. 5-98-359 (Santa Monica stormwater treatment)** Staff recommended approval with special condition.

Roger Gorke, representing City of Santa Monica, submitted a request to speak in favor of the project.

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

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j. **Application No. 5-98-371 (Wells, Redondo Beach)** Staff recommended approval with conditions.

Elizabeth C. Srour, representing the applicant, spoke in favor of the project. Rick Becker, representing Redondo Beach Historic Society, spoke about historic significance. Cindy Hsu-Becker, representing Redondo Beach Historical Society, spoke about historic preservation. Monica Moore, representing Redondo Beach Historical Society, spoke about history of home.

# DRAFT

**Motion & Vote:** Flemming moved staff recommendation, seconded by Johnson, and the roll call vote was 8 in favor and 2 opposed (Potter & Areias). **Passed.**

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k. **Application No. 5-98-395 (Moshayedl, Newport Beach)** Staff recommended approval with conditions.

Lynn Burnett submitted a request to speak in opposition to the project.

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

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## 14. PERMIT AMENDMENT.

a. **Permit No. 5-91-463-A3 (Playa Capital, Los Angeles Co.)** **Postponed.**

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Armanasco left before the following items.

## 15. FINDINGS.

a. **Laguna Beach LCP Amendment No. 1-98 (Treasure Island).** Staff recommended approval of findings as modified orally.

Toni Iseman, representing Carolyn Wood, submitted a request to speak in opposition to the staff recommendation.

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

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b. **Application No. 5-97-371 (Conrad, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Flemming moved staff recommendation, seconded by Johnson, and the hand vote was 8 in favor and 0 opposed. **Passed.**

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c. **Application No. 5-98-20 (Conrad, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Flemming moved staff recommendation, seconded by Johnson, and the hand vote was 8 in favor and 0 opposed. **Passed.**

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# DRAFT

d. **Application No. 5-98-64 (Barnes, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Flemming moved staff recommendation, seconded by Johnson, and the hand vote was 8 in favor and 0 opposed. **Passed.**

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e. **Application No. 5-98-178 (McMullen, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Flemming moved staff recommendation, seconded by Johnson, and the hand vote was 8 in favor and 0 opposed. **Passed.**

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f. **Application No. 5-98-165 (Denninger & Tassin, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** There being no speakers, Johnson moved staff recommendation, seconded by Flemming, and the hand vote was 6 in favor and 0 opposed. **Passed.**

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**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 12:40 p.m..

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

pmg

