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CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

TO: ALL COMMISSIONERS
FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF October 8 to 11, 1996**
Sheraton Hotel - LAX
6101 West Century Blvd.
Los Angeles

Tuesday, October 8, 1996 pages 1 to g

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, October 8, 1996, at 10:00 a.m. by Vice Chairman Flemming.
2. **ROLL CALL.** Present: Vice Chairman Flemming, Commissioners Brennan, Giacomini, Holanda, Pavley, Randa, Rick, Hight, (Alternate) Wright, Wan and Wear. Absent: none. Steinberg arrived at 10:20 a.m.. Belgard arrived at 10:35 a.m.. Calcagno arrived at 10:40 a.m.. Wheeler arrived at 11:23 a.m.. (Alternate) Cava arrived in the afternoon.

STATEWIDE

3. **APPROVAL OF MINUTES.** None.
4. **COMMISSIONERS' REPORTS.** None.
5. **CONSERVANCY REPORT.** None.

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6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Trailed to Thursday; information only.
8. **EXECUTIVE DIRECTOR'S REPORT.** Information only.
9. **FEDERAL CONSISTENCY REPORT.** Coastal Analyst Simon reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

10. **FEDERAL CONSISTENCY.**

a. **CD-100-96 (Marine Corps, San Diego Co.)** Staff recommended objection as modified in addendum.

Col. W.A. Spencer, J.L. Caspers and Rick Rubin, all representing USMC, spoke in opposition to the recommendation. Gil Challet, representing Orange County Vector Control District, presented the District's position. Ten other speakers submitted requests to speak in favor of the project: W.C. (Woody) Stingley, representing Marine Housing; JoEllen Anderson, representing USMC; Ellen Darnille, representing USMC; Paris Houshman, representing Marine Corp.; Glenn Lajoie, representing RBF; Patt Williams, representing USMC; Andrea Marks, representing Dept. of Navy; Lt. Megan Mason, representing USMC; Richard G. Walls, representing USMC; and Laurayne W. Harvey, representing USMC. Mark Cousineau and Tom Pezman, both representing Surfrider Foundation, spoke in favor of the recommendation. Patricia Costello, representing Surfer's Environmental Alliance, spoke in favor of the recommendation. Susan Jordan, representing League for Coastal Protection, opposed the project. Mr. Robin Rustan, representing Veterans Rights, spoke in favor of the recommendation. Mark Massara, representing Sierra Club Coastal Program, spoke in favor of the recommendation. Four speakers submitted requests to speak in opposition to the project: Michelle Kremer, representing Surfrider Foundation; Ernie Schneider; Marcia Hanscom, representing Wetlands Action Network; and Rick Rayburn, representing Calif. State Parks. Pattie Meader submitted a request to speak as a resident.

Motion & Vote: Wear moved approval, seconded by Randa, and the roll call vote was 7 in favor (Belgard, Flemming, Randa, Rick, Wright, Wear & Calcagno) and 4 opposed (Giacomini, Pavley, Steinberg & Wan). **Passed.**

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b. **CD-101-96 (Marine Corps, San Diego Co.)** Included in project approved above.

c. **CD-104-96 (Corps of Engineers, Ventura)** Staff recommended approval.

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

d. **CD-114-96 (E.P.A., Los Angeles Co.)** **Postponed.**

LUNCH RECESS. The Commission recessed for lunch at 12:15 and reconvened at 1:50 p.m.. Cava arrived during the break. Wheeler returned at 2:25 p.m..

e. **CD-115-96 (Fish & Wildlife Service, Orange Co.)** Staff recommended approval as modified in addendum.

Jack M. Fancher, representing U.S. Fish & Wildlife Service, and William McDonald, representing Department of the Interior, both spoke for the applicant. Melanie Denninger, representing State Coastal Conservancy, spoke in favor of the staff recommendation. Ralph Appy, representing Port of L.A., spoke in favor of the project. Geraldine Knatz, representing Port of Long Beach, spoke in favor of the project. Tom Livengood, representing Amigos de Bolsa Chica, spoke in favor of the recommendation. Five other speakers spoke in favor of the recommendation: Robert Hoffman, representing national Marine Fisheries Service; Robert H. Sulnick, representing American Oceans Campaign; Mary Ellen Houseal, representing Bolsa Chica Foundation; Adrienne Morrison, representing Amigos de Bolsa Chica; and Terry A Dolton, representing Amigos de Bolsa Chica. Nancy Donaven, representing Bolsa Chica Land Trust, stated concerns. Tom Mathews, representing County of Orange, spoke in favor of the recommendation with additional finding. Marcia Hanscom, representing Wetlands Action Network, spoke in opposition to Koll deal with Bolsa Chica. Debbie Cook spoke representing Sierra Club. Eileen Murphy representing BCLT, spoke in opposition to the recommendation. Bill Gregory, representing Surfrider Foundation, spoke in favor of an alternate restoration plan. Rimmon C. Fay spoke in favor of project design. Kathy Knight, representing Coastal Protection Committee, Angeles Chapter, Sierra Club, submitted a request to speak in opposition to the staff recommendation. Lee Whittenberg, representing City of Seal Beach, submitted a request to speak in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Belgard, and the roll call vote was 10 in favor, 0 opposed and 2 abstentions (Pavley & Wan). **Passed.**

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11. CONSERVANCY PROJECT.

- a. **CP-1-96 (Bolsa Chica Lowlands, Orange Co.)** Staff recommended approval.

The hearing was combined with item 10e above.

Motion & Vote: Wright moved staff recommendation, seconded by Belgard, and the roll call vote was 10 in favor, 0 opposed and 2 abstentions (Pavley & Wan). **Passed.**

12. PORT MASTER PLAN AMENDMENTS.

- a. **Port of Los Angeles Plan Amendment No. 15.** Staff recommended approval.

The hearing was combined with item 10e above.

Motion & Vote: Wright moved staff recommendation, seconded by Belgard, and Chairman Calcagno substituted the previous roll call vote (10-0-2). **Passed.**

- b. **Port of Long Beach Plan Amendment No. 8.** Staff recommended approval.

The hearing was combined with item 10e above.

Motion & Vote: Wright moved staff recommendation, seconded by Belgard, and Chairman Calcagno substituted the previous roll call vote (10-0-2). **Passed.**

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.

Mark Massara spoke representing Sierra Club on Guadalupe Dunes.

a. **Supplemental Authorization for Shoreline Inventory Project.** Staff recommended approval.

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

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14. ADMINISTRATIVE PERMIT.

a. **Application No. E-96-19 (San Diego Oceans Foundation and Fish & Game, San Diego)** Staff recommended approval with special conditions.

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

Sanders replaced Hight at 4:15. Rick left at 3:55 p.m..

15. PERMIT AMENDMENT and CONDITION COMPLIANCE.

a. **Permit No. 6-81-330-A (formerly 183-73) (SONGS, Southern California Edison).** Staff recommended approval with revised special conditions.

Michael Hertel and Tom Dean both spoke representing SCE. Pam Slater, Supervisor from San Diego County.

DINNER RECESS. The Commission recessed for dinner at 6:35 and reconvened at 8:20 p.m.. Sanders and Steinberg left during the break. Randa returned at 10:40 p.m..

The following spoke after the recess: Mike Soliba, representing Ventura County Tax Payers Assn.; Robert Hoffman, representing National Marine Fisheries Service; Jack Fancher, representing U.S. Fish & Wildlife Service; Darryl Young, representing State Senate Natural Resources Committee; Steve Horn, representing State Coastal Conservancy; Milton Shedd, representing American Sports Fishing Association; Bill Shedd, representing American Sports Fishing Association; Charles Ulrich, representing Bob Fletcher, King Harbor; Don Kent, representing Hubbs Sea World Institute; Daniel Frumkes, representing John Stevens; Mike Duffy, representing Coordinating Committee; Warner Chabot, representing Environmental, Commercial, & Consumer Group; Zeke Grader, representing Pacific Coast Federation of Fishermen's Association; David Beckman, representing Natural Resources Defense Council; Susan Jordan, representing League for Coastal Protection; Linda Sheehan, representing Center for Marine Conservation; Billy Rutland, representing Fish & Energy Renewable Technology; Don May; Craig Barlotti, representing San Diego; Joy Zedler, representing Pacific Estuarine Research Laboratory; Jean Harris, representing Ormond Beach Observers; Mark Massara, representing Sierra Club; Margaret Schlesinger, representing League of Women Voters; Jan McMillan, representing San Dieguito Lagoon Committee; Alice Goodkind, representing Friends of San Dieguito River Valley; Alan Sanders, representing Sierra Club; Rimmon C. Fay, representing Marine Review Committee; Dan Pearson, representing Pt. Mugu Wildlife Center; Eric Bowlby, representing Surfrider Foundation; David Q; Tinamarie Squieri, representing Cudahy Chamber of Commerce;

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Roma Armbrust representing Ormond Beach Observers; Deanna Walsh, representing City of Oxnard, Planning Department; unidentified speaker; Mr Ashley; Bill Quinn, representing California Council for Environmental and Economic Balance.

Motion & Vote to Continue: Wear moved to continue the hearing, seconded by Flemming, and the roll call vote was 7 in favor (Cava, Belgard, Flemming, Randa, Wright, Wear & Calcagno) and 3 opposed (Giacomini, Pavley & Wan). **Postponed.**

RECESS. The Commission recessed for the day at 12:30 a.m..

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Wednesday, October 9, 1996 pages 7 to 13

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, October 9, 1996, at 9:15 a.m. by Chairman Calcagno.
2. **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners (Alternate) Cava, Belgard, Brennan, Denisoff, Giacomini, Holanda, (Alternate) Rynerson, Randa, Rick, Staffel, Steinberg, Wan and Wear. Absent: Sanders.

SOUTH CENTRAL COAST AREA

3. **CONSENT CALENDAR.** See a. through i. on pages 6-7 of the agenda. Items a. and d. were postponed. Staff recommended approval with special conditions as modified in addendum on the remainder of the Calendar.

(e) W. Gayle Daniel, representing Sam Sinelco, submitted a request to speak in favor of the project. (g) Steven Potter, representing Dobel Development, submitted a request to speak in favor of the project.

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

SAN DIEGO COAST AREA

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a. and b. on page 7 of the agenda. Staff recommended approval with special conditions.

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

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

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

SOUTH CENTRAL COAST

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

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (10b, 10d, 11b, 12a & 12b) to the Calendar, and recommended approval with special conditions.

(10b) Don Schmitz, representing applicant, submitted a request to speak in favor of the project. (12a) Marilyn Santman, representing Malibu Country Estates Homeowners Assoc., raised concerns about geology and runoff. There being 3 votes this item was removed from the Calendar and heard later as item 12a.

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

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

a. **Santa Barbara Co. LCP Amendment No. 1-96 (zoning)** Staff recommended approval with suggested modifications as modified in addendum.

Motion & Vote to Reject Implementation as Submitted: Staffel moved to reject implementation amendment as submitted, seconded by Belgard, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

Motion & Vote on Implementation with Modifications: Staffel moved approval of implementation amendment with suggested modifications, seconded by Belgard, and Chairman Calcagno substituted the previous roll call vote (12-0). **Passed.**

b. **Ventura. LCP Amendment No. 2-96 Time Extension.** Staff recommended approval.

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

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c. **Port of Hueneme Jurisdiction Map.** Staff recommended approval.

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

9. NEW APPEAL.

a. **Appeal No. A-4-96-105 (Gerlach, Santa Barbara)** Staff recommended that the appeal raised no substantial issue.

Jay Gerlach and Steven Wiley, Assistant City Attorney, both supported staff recommendation. Dan Secord also supported the recommendation.

Motion & Vote: Staffel moved staff recommendation, seconded by Giacomini, and the roll call vote was 10 in favor (Cava, Flemming, Giacomini, Rynerson, Rick, Staffel, Steinberg, Wan, Wear & Calcagno) and 2 opposed (Belgard & Randa). **Passed.**

10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-93-206 (Stevens, Los Angeles Co.)** Staff recommended denial.

Sherman Stacey, representing applicant, spoke in favor of the project.

Motion & Vote to Continue: Wan moved to continue the hearing, seconded by Cava, and the roll call vote was 5 in favor (Cava, Giacomini, Rynerson, Wan & Calcagno) and 7 opposed (Belgard, Flemming, Randa, Rick, Staffel, Steinberg & Wear). **Failed.**

Motion & Vote: Randa moved approval of the application with conditions described orally including reduction of building pad on lot #1 to 20,000 sq.ft., seconded by Flemming, and the roll call vote was 7 in favor (Belgard, Flemming, Randa, Rick, Staffel, Steinberg & Wear) and 5 opposed (Cava, Giacomini, Rynerson, Wan & Calcagno). **Passed.**

b. **Application No. 4-95-163 (Sisson, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-96-51 (Tuchman, Malibu)** **Postponed.**

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d. **Application No. 4-96-60 (Serra Canyon Property Owners, Malibu)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 4-96-119 (Santa Barbara desalination).** Staff recommended approval with special conditions as modified orally.

Bill Ferguson & Steve Mack, representing City, submitted a request to speak in favor of the project. Stanley H. Mendes submitted a request to speak in favor of the project.

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

f. **Application No. 4-96-120 (Los Angeles Co. watertank, Malibu)** Staff recommended approval with special conditions.

Manuel Del Real and Mike Johnson, both representing L.A. Co. Public Works, spoke in favor of the project. Bengt T. Hellsten spoke in opposition to the project.

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

11. PERMIT AMENDMENTS.

a. **Permit No. 4-94-195-A3 (Eide, Los Angeles Co.)** Staff recommended approval with special conditions as modified in addendum.

Barbara Eide and Phil Hess both submitted requests to speak in favor of the project. Four speakers submitted requests to speak on behalf of the County: Lance Grindle, representing Los Angeles County Public Works; James Jordan, representing L.A. Co. Fire Dept.; David Michaelson, Deputy County Counsel; and James Safarik, representing L.A. County Building & Safety. William E. Miller and David Ramey spoke in opposition to the project. James H. Fosbinder and Stan Scholl, Civil Engineer, submitted requests to speak in opposition to the project.

Motion: Belgard moved staff recommendation, seconded by Staffel.

Amending Motion & Vote: Cava moved to delete playhouse & pool, seconded by Wan, and the roll call vote was 1 in favor (Cava), 8 opposed (Belgard, Flemming, Giacomini, Rynerson, Rick, Staffel, Steinberg & Wan) and 2 abstentions (Randa & Calcagno). **Failed.**

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Vote on Main Motion: The roll call vote on the main motion (without amendment) was 8 in favor (Belgard, Flemming, Giacomini, Rynerson, Rick, Staffel, Steinberg & Wan), 1 opposed (Cava), and 2 abstentions (Randa & Calcagno). **Passed.**

b. **Permit No. 4-92-207-A (Benjamin, Malibu)** Moved to expanded Consent Calendar. **Approved.**

12. NOTICES of IMPENDING DEVELOPMENT

a. **No. 1-96 (Pepperdine).** Staff recommended approval with special conditions as modified orally.

Marilynn C. Santman, representing Malibu Country Estates Homeowners Assoc., stated concerns.

Motion & Vote: Giacomini moved staff recommendation, seconded by Belgard, and the roll call vote was 10 in favor, 0 opposed and 1 abstention (Staffel). **Passed.**

b. **No. 2-96 (UCSB).** Moved to expanded Consent Calendar. **Approved.**

SAN DIEGO COAST AREA

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

a. **Carlsbad Certification Review.** Staff recommended concurrence with the Executive Director. G.S. Moore, representing growers, spoke in opposition to the project. Ramona Finnilla, representing City Council, spoke in favor of the staff recommendation. Gary Wayne, Assistant Planning Director, responded to questions. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

14. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 17a to the Calendar, and recommended approval with special conditions as modified in addendum.

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

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15. LOCAL COASTAL PROGRAMS (LCPs).

a. **Encinitas LCP Amendment No. 1-96 (Encinitas Ranch)** Staff recommended approval with suggested modifications as modified in addendum.

Chris Calkins, representing Caritas/Paul Ecke Ranch, submitted a request to speak in favor of the staff recommendation.

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

Motion & Vote to Reject Part of Implementation as Submitted: Wear moved to reject lot 44 part of implementation amendment as submitted, seconded by Belgard, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

Motion & Vote to Reject Part of Implementation as Submitted: Wear moved to reject trails part of implementation amendment as submitted, seconded by Flemming, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote on Implementation with Modifications: Wear moved approval of implementation amendment with suggested modifications, seconded by Flemming, and Chairman Calcagno substituted the previous roll call vote (11-0). **Passed.**

16. COASTAL PERMIT APPLICATION.

a. **Application No. 6-96-116 (Oceanside & La Paz Co. landfill)** Postponed.

17. PERMIT AMENDMENT.

a. **Permit No. 6-94-131-A5 (Toyohara, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

LUNCH RECESS. The Commission recessed for lunch at 12:50 and reconvened at 2:05 p.m..

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Goal Setting Workshop -- Joseph E. Bodovitz, former Executive Director of the Coastal Commission, facilitated a workshop to identify coastal program strengths, areas in need of improvement, and potential goals . Ann Notthoff, representing Natural Resources Defense Council, submitted a request to speak.

PUBLIC STATEMENTS. Ellen Stern Harris, Susan Jordan, Ann Notthoff, Norbert Dall, Mark Massara, Norm Haynie, and Jim Lissner spoke.

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

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Thursday, October 10, 1996 - pages 14 to 20

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, October 10, 1996, at 9:05 a.m. by Chairman Calcagno.
2. **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners (Alternate) Cava, Belgard, Giacomini, Holanda, Rick, Staffel and Wan. Absent: Sanders. Pavley and Wear arrived at 9:10 a.m.. Randa arrived at 9:15 a.m.. Brennan and Denisoff arrived at 9:20 a.m.. Steinberg arrived at 11:40 a.m..

SOUTH COAST AREA

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

- a. **Palos Verdes Estates LCP Amendment No. 1-96 Minor.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

4. **ADMINISTRATIVE PERMIT APPLICATIONS.**

- a. **Application No. 5-96-164 (L.A. Co. Dept. of Beaches & Harbors)** Staff recommended approval with conditions.

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

5. **CONSENT CALENDAR.** See items a. through e. on pages 11-12 of the agenda. Staff added four items (8c, 8e, 8f & 9a) to the Calendar, and recommended approval with special conditions.

(5a) Bernard Kinsey submitted a request to speak in favor of the project. (5c&d) Jim Lissner, representing Citizens to Save Hermosa Beach, spoke in opposition to the project. (5d) Bill Lacher submitted a request to speak in favor of the project. (8f) Bruce Whitney & Marilyn Fox, representing Pacific Resident Theatre Ensemble, submitted a request to speak in favor of the project. (9a) Bruce Roberts and Kathleen Chan, both representing Dept. of Rec. & Parks, submitted requests to speak in favor of the project.

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

6. LOCAL COASTAL PROGRAMS (LCPs).

a. **Los Angeles Ordinance Amendment.** Staff recommended approval with suggested modifications.

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

b. **Long Beach LCP Amendment No. 5-96 (rezonings)** Staff recommended approval.

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

c. **Long Beach LCP Amendment No. 6-96 (CSU)** Staff recommended approval.

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

d. **Irvine Coast (Orange Co.) LCP Amendment No. 1-96.** Staff recommended approval with suggested modifications as modified in addendum.

Tom Mathews, Dir. of Planning for Orange County, spoke in favor of the project. Carol Hoffman, representing The Irvine Co., spoke in favor of the staff recommendation. Richard Maxwell, representing Friends of Irvine Coast, spoke in opposition to the project. Dr Elisabeth Brown spoke in opposition to the project. Fern Pirkle, representing Friends of the Irvine Coast, spoke in opposition to the project. Belinda Blacketer, representing Laguna Cyn Conservancy, spoke in opposition to the project. Carolyn Wood, representing Laguna Canyon Conservancy, spoke in opposition to the project. Louis Garfin, representing Laguna North, spoke in opposition to the project. Anne Johnson, representing Laguna Greenbelt, spoke in opposition to the project. Helen Meyer, representing Friends of the Irvine Coast, spoke in opposition to the project. Janet Remington, spoke in opposition to the project. Allan Beek, affiliated with Friends of the Irvine Coast, spoke in opposition to the project. Richard A. Maxwell, representing Friends of the Irvine Coast, spoke in opposition to the project. Terrell Wast and Mary Hudson, representing Friends of the Irvine Coast, spoke in

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opposition to the project. George M. Gallagher, representing the Irvine Conservancy, spoke in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project.

Motion & Vote on Plan as Submitted: Staffel moved approval of Land Use Plan amendment as submitted, seconded by Rick, and the roll call vote was 1 in favor (Calcagno) and 10 opposed. **Failed.**

Motion & Vote on Plan with Modifications: Staffel moved approval of Land Use Plan amendment with suggested modifications, seconded by Rick, and the roll call vote was 9 in favor (Cava, Belgard, Flemming, Giacomini, Randa, Rick, Staffel, Wear & Calcagno) and 2 opposed (Pavley & Wan). **Passed.**

Motion & Vote to Reject Implementation as Submitted: Staffel moved to reject implementation amendment as submitted, seconded by Rick, and the roll call vote was 9 in favor (Cava, Belgard, Flemming, Giacomini, Randa, Rick, Staffel, Wear & Calcagno) and 2 opposed (Pavley & Wan). **Passed.**

Motion & Vote on Implementation with Modifications: Staffel moved approval of implementation amendment with suggested modifications, seconded by Rick, and Chairman Calcagno substituted the previous roll call vote (9-2). **Passed.**

7. NEW APPEAL.

a. **Appeal No. A-5-96-61 (Portuguese Bend Club, Rancho Palos Verdes)** Staff recommended that the appeal raised no substantial issue.

Timi Hallem, representing Portuguese Bend Club Homeowners Assn., spoke in favor of the project. Lois Knight Larue spoke in opposition to the project.

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

PUBLIC STATEMENTS. Six speakers spoke about items not on the agenda: David Watson, representing King Ventures; Susan Jordan, representing LCP; Don Falkenstien, representing petition to keep beach access free forever; Jennifer Pautz; Bill Victor and Norman R. Haynie.

LUNCH RECESS. The Commission recessed for lunch at 12:35 and reconvened at 2:55 p.m. after closed session. Denisoff returned at 4:55 p.m.. Holanda and Rick left during the break.

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REPORT of CLOSED SESSION. In closed session the Commission discussed three cases of pending litigation for information only.

8. COASTAL PERMIT APPLICATIONS.

Giacomini left during the following item.

a. **Application No. 5-96-59 (Santa Monica parking program)** Staff recommended approval with special conditions.

Gary Embrey, representing Committee for Public Access spoke in opposition to the project. Chief James Butts and Suzanne Frick, both representing City of Santa Monica, spoke in favor of the project. Sherman Stacey, representing Friends of Adelaide Drive Neighborhood Ass'n., spoke in favor of the project. Paul Tsou, representing Friends of Adelaide, spoke in favor of the project. Elizabeth Sedlak spoke in opposition to the project. Dennis Kavanault, representing Vista Palisades Home Owners Assoc., submitted a request to speak in opposition to the project. Jeff Wallace spoke in opposition to the project. Kathy Knight, representing Sierra Club, spoke in opposition to the project. Alex Man, representing Focus, spoke about project. Susan Jordan spoke representing LCP. Freida Mock spoke in favor of the project.

Motion: Wan moved staff recommendation, seconded by Flemming.

Amending Motion & Vote: Steinberg moved to delete condition #1, seconded by Belgard, and the roll call vote was 5 in favor (Belgard, Randa, Steinberg, Wear & Calcagno) and 5 opposed (Cava, Flemming, Pavley, Staffel & Wan). **Failed.**

Vote on Main Motion: The roll call vote on the main motion (without amendment) was 5 in favor (Cava, Flemming, Pavley, Staffel & Wan) and 5 opposed (Belgard, Randa, Steinberg, Wear & Calcagno). **Failed.**

Motion & Vote: Randa moved waive time limit & fees for reapplication, seconded by Flemming, and the hand vote was 10 in favor and 0 opposed. **Passed.**

b. **Application No. 5-96-107 (Orange Co., Seal Beach)** **Postponed.**

c. **Application No. 5-96-150 (Pritt, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-96-170 (California State University, Long Beach)** Staff recommended approval with special conditions as corrected in addendum.

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Motion & Vote: There being no speakers, Randa moved staff recommendation, seconded by Pavley, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

e. **Application No. 5-96-171 (Santa Monica artworks)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 5-96-179 (PRTE, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

9. PERMIT AMENDMENTS.

a. **Permit No. 5-91-286-A3 (L.A. Dept of Recreation & Parks)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-94-10-A (Northwestern Mutual Life, Long Beach)** **Postponed.**

10. PERMIT EXTENSION.

a. **Permit No. 5-93-179-E2 (Orange Co. /Mesa Dr.)** Staff recommended approval.

There being no objection Calcagno ruled that the permit be **extended.**

11. RECONSIDERATIONS.

a. **Application No. 5-95-144-R (Los Angeles Co. Beaches & Harbors "sunshelters", Los Angeles, Redondo Beach, Torrance & Los Angeles Co.)**

b. **Application No. 4-95-112-R (LA Co. Dept. of Beaches & Harbors "sunshelters")**

Staff recommended denial of both requests.

Roger Osenbaugh and Dusty Brogan, both representing Beaches & Harbors of L.A. Co., spoke in favor of the project. Challis Macpherson spoke in opposition to the project. Frank P. Angel, representing Sierra Club, spoke in opposition to the project. Susan Jordan, representing LCP, spoke in opposition to the project. Don Falkenstien spoke in opposition to the project. Jennifer Putz spoke in opposition to the project. William Victor spoke in opposition to the project.

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Motion & Vote on 5-95-144-R: Randa moved to reconsider, seconded by Belgard, and the roll call vote was 7 in favor (Belgard, Flemming, Randa, Staffel, Steinberg, Wear & Calcagno) and 3 opposed (Cava, Pavley & Wan). **Passed.**

Motion & Vote on 4-95-112-R: Randa moved to reconsider, seconded by Belgard, and Chairman Calcagno substituted the previous roll call vote (7-3). **Passed.**

CENTRAL COAST AREA

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

a. **San Luis Obispo Co. LCP Amendment No. 1-96 (Miscellaneous) Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Vice Chairman Flemming ruled that the Commission concurred. **Approved.**

b. **Santa Cruz LCP Amendment No. 1-96 Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Vice Chairman Flemming ruled that the Commission concurred. **Approved.**

13. **CONSENT CALENDAR.** None.

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

a. **Morro Bay LCP Amendment 3-95 (Zoning & Map) Postponed.**

15. **NEW APPEAL.**

b. **Appeal No. A-3-96-100 (Tokyo Masuiwaya, Pismo Beach)** Staff recommended that the hearing be continued.

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

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c. **Appeal No. A-3-96-108 (Kymco, San Mateo Co.)** Staff recommended that the hearing be continued.

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

16. COASTAL PERMIT APPLICATION.

a. **Application No. 3-96-34 (Archer, Monterey)** Staff recommended approval with special conditions.

Gary Tate, representing Monterey Peninsula Regional Parks District, requested delay. Judith Lehman spoke in opposition to the project. Susan Jordan, representing LCP, spoke in opposition to the project. Andy Pho spoke in opposition to the project. Annette Held spoke in opposition to the project. Rebecca Hicks spoke in opposition to the project. Daniel F. Archer spoke in favor of the project.

Motion & Vote: Staffel moved staff recommendation, seconded by Randa, and the roll call vote was 7 in favor (Belgard, Flemming, Randa, Staffel, Steinberg, Wear & Calcagno) and 3 opposed (Cava, Pavley & Wan). **Passed.**

17. **CONDITION COMPLIANCE on Permit No. A-3-95-70 (Caltrans, San Luis Obispo Co.)** **Postponed.**

18. **MANAGEMENT AUDIT COMMITTEE:** Bon Smith, Senior Management Auditor for the Office of State Audits & Evaluations, and Susan Jordan spoke.

Trailed to Friday. On Friday Committee Chair Wear presented his recommendation.

Motion & Vote: Staffel moved Wear's recommendation as modified, seconded by Wear, and the voice vote was unanimous. **Passed.**

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

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0.3 **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, October 11, 1996, at 9:00 a.m. by Chairman Calcagno.

0.7 **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners (Alternate) Cava, Belgard, Denisoff, Pavley, Randa, Staffel, Wan and Wear. Absent: Brennan, Giacomini, Holanda and Rick. Steinberg arrived at 9:25 a.m., and Thayer arrived at 9:45 a.m..

3. **MANAGEMENT AUDIT COMMITTEE REPORT.** David Beckmen, representing NRDC, submitted a request to speak in opposition to the committee recommendation. Susan Jordan submitted a request to speak representing LCP. Melvin L. Nutter, representing League for Coastal Protection, submitted a request to state concerns.

Motion & Vote: Belgard moved Committee's recommendation, seconded by Staffel, and **passed** by a hand vote.

NORTH COAST AREA

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

a. **Mendocino Co. LCP Amendment No. 1-95 (Creasey, et al; Peirce/Comer; Taylor; Fearey/Wilson; Wells/Healey; and Kruzic) Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

b. **Mendocino Co. LCP Amendment No. 2-95 (Waidhofer; Compton/Davis; Stuart/Franco/Remitz) Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

c. **Mendocino Co. LCP Town Segment Certification Review. Postponed.**

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5. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a. and b. on page 16 of the agenda. Staff recommended approval with special conditions.

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

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

a. **Sonoma Co. LCP Amendment No. 1-96 (Freeman)** Staff recommended approval.

Melissa Freeman submitted a request to answer questions.

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

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

7. **NEW APPEAL.**

a. **Appeal No. A-1-96-58 (Johnson, Humboldt Co.)** Staff recommended that the hearing be continued.

Nancy Chillag, representing applicant, spoke in favor of the project. William B. Rourke spoke in opposition to the project.

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

8. **REQUEST TO FILE Amendment No. 1-96-44-A.** Staff recommended denial.

Marilyn Schoefer Wagner and Larry R. Wagner spoke in favor of the project. Iylene Weiss, representing Friends of Marina del Rey, spoke in favor of the staff recommendation. Susan Jordan spoke representing LCP.

Motion & Vote: Flemming moved to direct staff to file the amendment, seconded by Wan, and the roll call vote was 4 in favor (Belgard, Randa, Staffel & Steinberg) and 6 opposed (Cava, Flemming, Pavley, Wan, Wear & Calcagno). **Failed.**

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PUBLIC STATEMENT. Jared Carter spoke in favor of future reconsideration to address public access.

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

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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