

## CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF FEBRUARY 3-6, 1998**  
Quality Resort  
875 Hotel Circle South  
San Diego

**Tuesday, February 3, 1998 pages 1 to 7**

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, February 3, 1998, at 1:40 p.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Armanasco, Holanda, (Alternate) Rose and Tuttle. Absent: Branham, Brennan, Flemming, Kehoe, Nava Potter, Sanders and Staffel.

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**SOUTH COAST DISTRICT**

3. **CONSENT CALENDAR.** See items a. through k. on pages 3-4 of the agenda. Item c. was postponed. Staff recommended approval with special conditions on the remainder of the Calendar.

(3a) Chris Pike, representing Sangria, submitted a request to speak in favor of the project if there was opposition.

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

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## STATEWIDE

4. **APPROVAL OF MINUTES.** Chairman Areias ruled that the two sets of minutes (October 1996 & December 1997) were unanimously **approved**.
5. **COMMISSIONERS' REPORTS.** Information only.
6. **CONSERVANCY REPORT.** None.
7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.
9. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Legislation.** There being no objection, Chairman Areias ruled that the staff proceed on legislation pertaining to the coastal license plate.

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

a. **Status Briefing (Navy, Port Hueneme) Postponed.**

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11. **FEDERAL CONSISTENCY.**

a. **CD-118-97 (Navy, Coronado) Postponed.**

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b. **CD-173-97 (National Marine Fisheries Service, northern California)** Staff recommended approval.

Nadine L. Scott, representing California Ass'n of Resource Conservation Districts, submitted a request to speak in opposition to the staff recommendation.

**Motion & Vote:** Tuttle moved staff recommendation, seconded by Armanasco, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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c. **CD-2-98 (Corps of Engineers, Los Angeles Co.) Postponed.**

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d. CD-172-97 (Corps of Engineers, Port of Los Angeles) Postponed.  
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## SOUTH COAST DISTRICT

12. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public.  
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13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff added two items to the Calendar (16a & 16i) and recommended approval with special condition.

(16i) Susan Ross & Richard Rozzelle, representing California Dept. of Parks & Recreation, submitted a request to speak in favor of the project.

**Motion & Vote:** Armanasco moved staff recommendation, seconded by Wan, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**  
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14. **LOCAL COASTAL PROGRAMS (LCPs).**

a. **Manhattan Beach LCP Amendment No. 3-97 (temporary events).** Staff recommended approval with suggested modifications as modified orally.

Richard Thompson, Director of Community Development for City of Manhattan Beach, submitted a request to speak in favor of the staff recommendation. Bill Eisen submitted a request to speak in favor of the staff recommendation. Donley Falkenstien, representing South Bay Coastal Defense Alliance, submitted a request to speak in opposition to the project. Harry Ford submitted a request to speak in opposition to the staff recommendation. Jennifer Pautz and Gerald Needle both submitted requests to speak in opposition to the project. Duke Noor, representing S.B. Coastal Alliance, submitted a request to speak in opposition to the staff recommendation. Neil Boyer, representing South Bay Coastal Defense, submitted a request to speak in opposition to the project.

**Motion & Vote to Reject Implementation as Submitted:** Wan moved to reject implementation amendment as submitted, seconded by Armanasco, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

# DRAFT

**Motion & Vote on Implementation with Modifications:** Wan moved approval of implementation amendment with suggested modifications, seconded by Herron,

**Amending Motion & Vote:** Wan moved to limit the amendment to 3 years (instead of 5), seconded by Herron, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

**Amending Motion & Vote:** Wan moved to require permits for events with 500 participants or more, seconded by Rose, and the roll call vote was 4 in favor (Armanasco, Rose, Wan & Areias) and 2 opposed (Herron & Tuttle). **Passed.**

**Vote on Main Motion as Amended:** The roll call vote on the main motion (for approval of the implementation with suggested modifications) as amended above was 6 in favor and 0 opposed. **Passed.**

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b. **San Clemente LCP Implementation. Postponed.**

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c. **San Clemente Plan Amendment No. 1-97 (W. Pico Corridor). Postponed.**

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## 15. NEW APPEALS.

a. **Appeal No. A-5-97-166 (Orange Co., Laguna Beach)** Substantial issue having been found in July, staff recommended approval with special conditions as modified in addendum.

Michael Wellborn & Larry Paul, both representing County of Orange, submitted a request to speak in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Herron, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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b. **Appeal No. A-5-97-344 (Huntington Beach preferential parking)** Staff recommended 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 denial.

Scott Hess, representing City of Huntington Beach, submitted a request to speak in favor of the project. Richard Ludlow, representing Intrepid Ln. & Remora Dr., submitted a request to speak in favor of the project. Phyllis Maywhort, representing Sunset Beach Community Assn., submitted a request to speak in opposition to the project. Francis Maywhort submitted a request to speak in opposition to the project. Gerald A. Jones, representing Community Association, submitted a request to speak in opposition to the project.

# DRAFT

**Motion & Vote:** Rose moved approval of the application, seconded by Wan, and the roll call vote was 0 in favor and 6 opposed. **Failed.**

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## 16. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-97-223 (Shea & Albert, Huntington Beach)** Moved to expanded Consent Calendar. **Approved.**

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b. **Application No. 5-97-232 (Orange Co., Dana Point)** Staff recommended approval with special conditions.

**Motion & Vote:** Wan moved staff recommendation, seconded by Armanasco, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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c. **Application No. 5-97-283 (Long Beach & Shoreline Management)** Staff recommended approval with special conditions.

Dennis Eschen, representing City of Long Beach, Parks, Rec. & Marine, submitted a request to speak in favor of the project. Jack Raith, representing Shoreline Yacht Club, submitted a request to speak in favor of the project. Michael J. Malbon, representing Shoreline Management LLC, submitted a request to speak in favor of the project. Lena Mercurio, representing Shoreline Yacht Club, submitted a request to speak in favor of the project. Brian Cutler, representing Shoreline Management LLC, submitted a request to speak in favor of the project. Myron F. Hittinger submitted a request to speak in opposition to the project. Fred Hesse, representing Shoreline Management LLC, submitted a request to speak in favor of the project. Michael P. Spinelli submitted a request to speak in opposition to the project.

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

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d. **Application No. 5-97-292 (Long Beach Sunday farmers market)** **Postponed.**

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e. **Application No. 5-97-300 (Nasr, Los Angeles)** Staff recommended denial.

**Motion & Vote:** Tuttle moved approval of the application, seconded by Herron, and the roll call vote was 0 in favor and 6 opposed. **Failed.**

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# DRAFT

f. **Application No. 5-97-316 (Orange Co., Laguna Beach)** Staff recommended approval with special conditions.

Michael Wellborn & Larry Paul, both representing County of Orange, submitted a request to speak in favor of the project. Wayne Baglin, Mayor Pro Tem of Laguna Beach submitted a request to speak in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Armanasco, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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g. **Application No. 5-97-371 (Conrad, Laguna Beach)** **Postponed.**

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h. **Application No. 5-97-398 (TLA, Newport Beach)** Staff recommended approval with special condition as modified in addendum.

Jonathan Rodriguez-Atkatz, representing TLA Incorporated, submitted a request to speak in favor of the project. Dave Neish was available for questions.

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

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i. **Application No. 5-97-401 (Parks & Rec., Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

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## 17. FEDERAL CONSISTENCY.

a. **CC-138-97 (Orange County)** Staff recommended approval.

The hearing was combined with item 16b above.

**Motion & Vote:** Wan moved staff recommendation, seconded by Armanasco, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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## 18. PERMIT AMENDMENT.

a. **Permit No. 5-85-177-A2 (Edgemar, Santa Monica)** Staff recommended approval with special conditions as modified orally.

Kenneth Kutcher or Lawrence Harding, representing applicant, submitted a request to speak in favor of the project. Corbett Barkue, representing Loretta Theatre

# DRAFT

submitted a request to speak in favor of the project. Rick Laudati submitted a request to speak in opposition to the project. Jeff Gilbert, representing Ocean Park Community Organization, submitted a request to speak in opposition to the project. Janet Gilbert submitted a request to speak.

**Motion & Vote:** Rose moved staff recommendation, seconded by Herron, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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b. **Permit No. 5-83-959-A4 (Aliso Water, Laguna Beach)** Staff recommended approval with special conditions.

Michael Wellborn & Larry Paul, both representing County of Orange, submitted a request to speak in favor of the project. David A. Caretto, representing Aliso Water Mgt. Agency, submitted a request to speak in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Herron, and Chairman Areias substituted the previous roll call vote (6-0). **Passed.**

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**PUBLIC STATEMENTS.** Duke Noor, representing South Bay Coastal Defense Alliance; and Jennifer Pautz; Donley Falkenstien, representing South Bay Coastal Defense Alliance; and Neil Boyer: all spoke about their disappointment with the closing of the beaches.

**REPORT of CLOSED SESSION.** In closed session the Commission discussed one case for information only.

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**RECESS.** The Commission recessed for the day at 6:50 p.m..

# DRAFT

Wednesday, February 4, 1998 pages 8 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, February 4, 1998, at 9:05 a.m. by Chairman Areias.

2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Armanasco, Brennan, Holanda, Kehoe, Reilly, Sanders and Tuttle. Absent: Branham and Potter. Nava arrived at 9:15. Flemming arrived at 10:00; and Staffel arrived after lunch.

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## SAN DIEGO COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-97-163 (Gerhard, Del Mar)** There being no objection, Chairman Areias ruled that this administrative permit be issued by the Executive Director. **Approved.**

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### 4. CONSENT CALENDAR.

a. **Application No. 6-97-162 (Coronado, City buildings)** Staff recommended approval with special conditions.

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

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## ENERGY and OCEAN RESOURCES

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

a. **Workshop** on Slant Drilling Techniques. Information only.

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# DRAFT

## 6. COASTAL PERMIT APPLICATION.

a. **Application No. E-96-28 (Macpherson, Hermosa Beach)** Trailed until after lunch. Staff recommended approval with special conditions.

Ten speakers submitted requests to speak in favor of the project: Donald Macpherson, Jr., representing Macpherson Oil Co.; Steve Burrell, City Manager of Hermosa Beach; Sol Blumenfeld, Director of Community Development of Hermosa Beach; Jim Fees, representing Steamfitters Local 250; Patricia Spiritus, representing business owner; Pat Davis, representing Macpherson Oil; Robert Benz; James Vincent, representing Macpherson Oil; Richard Hankus; and Gloria Anderson, representing Abel Ybarra. Twelve speakers submitted requests to speak in opposition to the project: J.R. Rekczy; Rosamond Fogg, representing Stop Oil; George Sacks, representing Hermosa Beach Stop Oil Coalition; Jan Chatten-Brown, representing Hermosa Beach Stop Oil Coalition, Heal the Bay, and Am. Oceans Campaign; Florence Sacks, representing Hermosa Beach Stop Oil Coalition; Michael Kliszewski, representing Stop Oil; Claudia Kliszewski, representing Stop Oil; Susan Jordan, representing League for Coastal Protection; Joseph Di Monda, representing Hermosa Beach Stop Oil Coalition; Robert Sonchik, representing Stop Oil; Jim Ouillet, representing Hermosa Beach Stop Oil Coalition; David Smith Bates, representing Hermosa Beach Stop Oil Coalition; and Scott Frantz, representing Stop Oil.

**Motion & Vote:** Staffel moved staff recommendation, seconded by Tuttle, and the roll call vote was 7 in favor (Herron, Armanasco, Flemming, Kehoe, Staffel, Tuttle & Wan), 2 opposed (Nava & Reilly) and 1 abstention (Areias). **Passed.**

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## CENTRAL COAST DISTRICT

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

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

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## 9. COASTAL PERMIT APPLICATIONS.

a. **Application No. A-3-97-23 (Wesnousky, San Luis Obispo Co.) Postponed.**

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b. **Application No. 3-98-1 (Morro Bay dredging) Postponed.**

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c. **Application No. 3-97-65 (Motroni & Bardwell, Capitola) Postponed.**  
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## SAN DIEGO COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public.  
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11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (12e, 12f & 13b) to the Calendar, and recommended approval with special conditions.

(12f) Dale Jones and David Evans, both representing Caltrans, submitted requests to speak in favor of the project.

**Motion & Vote:** Wan moved staff recommendation, seconded by Armanasco, and the roll call vote was 9 in favor and 0 opposed. **Passed.**  
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**BREAK.** the Commission took a recess from 10:25 to 11:25 a.m..

**PUBLIC COMMENT.** Rear Admiral V.Z. Froman, representing Navy, spoke on Navy's channel dredging project. Captain Thomas Boothe, representing Navy was available for questions. Paula Forbis, representing Environmental Health Coalition, submitted a request to speak about the project.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on CCC v. U.S.A., Dept. of the Navy.

**LUNCH RECESS.** The Commission recessed for lunch after closed session at 1:15 and reconvened at 2:35 p.m.. Staffel arrived during the break.  
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## 12. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-97-11 (Carlsbad Cannon Road extension & bridge)** Staff recommended approval with special conditions as modified in addendum.

Julie Nygaard, representing City of Carlsbad, submitted a request to speak in favor of the project. Tim Dillingham, representing California Department of Fish & Game, submitted a request to speak in favor of the project. Lloyd B. Hubbs, Brian Arnold, Richard Allen and Sherry Howard, all representing City of Carlsbad, submitted

# DRAFT

requests to speak in favor of the project. Bob Richards, representing Agua Hedionda Lagoon Foundation, submitted a request to speak in favor of the project.

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

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b. **Application No. 6-97-83 (SDG & E, Carlsbad)** Staff recommended approval with special conditions as modified in addendum and orally.

Mike Loper, Jim Dodson and Mark Chomyn, all representing SDG&E, submitted requests to speak in favor of the project. Three other speakers submitted requests to speak in favor of the project: Bob Richards, representing Agua Hedionda Lagoon Foundation; Gene Huber and David Turner, representing Bristol Cove Association.

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

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c. **Application No. 6-97-98 (Camino Holdings, San Diego)** **Postponed.**

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d. **Application No. 6-97-145 (ESPN X Games, San Diego)** Staff recommended approval with special conditions.

Jennifer Malane and Jack Wienert, both representing ESPN X-Games, submitted requests to speak in favor of the project. Ky Snyder, representing International Sports Council, submitted a request to speak in favor of the project. Geoff Robinson, representing ESPN X-Games, submitted a request to speak in favor of the project.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Herron, and Chairman Areias substituted the previous roll call vote from item 11 (9-0). **Passed.**

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e. **Application No. 6-97-161 (Pier 1 Imports, San Diego)** Moved to expanded Consent Calendar. **Approved.**

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f. **Application No. 6-97-167 (Caltrans, seismic retrofit)** Moved to expanded Consent Calendar. **Approved.**

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# DRAFT

## 13. PERMIT AMENDMENT.

a. **Permit No. A-6-96-162-A (Hicks, San Diego)** Staff recommended approval with special conditions.

Matt Peterson, representing applicant, Tom Hicks, Cinda Hicks and Drex Patterson, representing applicant, all submitted requests to speak in favor of the project. Twenty four other speakers submitted requests to speak in favor of the project: Caroline Veerman; Michael Wirts; Barbara Greenwood; Raymond Cinttton; Jackie Porreco; Kit Leeger; Susan F. Patterson; Tim Wilson; Scott Appleby; Mary Appleby; Michael Conway, representing Mueller Custom Homes; Mary F. Smith; Dick Smith; Henry Patterson; Ann Patterson; Scot Leeger; Edward Mracek; Tony Crisafi, representing Island Architects; Donna Cleary; Helen Davis; Robert Thiele; Michael Pallamary; C.K. Noah and B. Noah. Five speakers submitted a request to speak in opposition to the project: Sherri Lightner, representing La Jolla Shores Association; Peter K. Solecki, representing Joyce Corrigan; Dick Dahlberg; Tim Doudera, representing La Jolla Shores Assoc. and Robert Bregman, representing Pt. Loma Lucinda St. View Preservation Committee. Joanne Pearson, representing La Jolla Town Council, submitted a request to state concerns about the project

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Herron, and the roll call vote was 8 in favor (Herron, Armanasco, Flemming, Kehoe, Reilly, Staffel, Wan & Areias) and 2 opposed (Nava & Tuttle). **Passed.**

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b. **Permit No. 6-94-131-A7 (Olson Company, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

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**RECESS.** The Commission recessed for the day at 7:25 p.m..

# DRAFT

Thursday, February 5, 1998 - pages 13 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, February 5, 1998, at 9:15 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Armanasco, Denisoff, Brennan, Flemming, Holanda, Kehoe, Nava, Potter, Reilly, Sanders, Staffel and Tuttle. Absent: None.

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## NORTH COAST DISTRICT

### 3. CONSENT CALENDAR.

- a. **Application No. 1-97-86 (Bluestone, Sonoma Co.)** Staff recommended approval with special condition.

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

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## SOUTH CENTRAL COAST DISTRICT

4. **CONSENT CALENDAR.** See items a. through c. on page 12 of the agenda. Staff recommended approval with special conditions.

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

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## NORTH COAST DISTRICT

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

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# DRAFT

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 8a to the Calendar, and recommended approval with conditions.

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

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

a. **Mendocino Co. LCP Amendment No. 1-97 Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Areias ruled that the Commission concurred. **Approved.**

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7.5 **NEW APPEAL.**

a. **Appeal No. A-1-98-8 (Jones, Humboldt Co.)** Staff recommended that the hearing be continued.

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

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8. **PERMIT AMENDMENT.**

a. **Permit No. 1-94-107-A3 (Cresson, Half Moon Bay)** Moved to expanded Consent Calendar. **Approved.**

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9. **MINOR BOUNDARY ADJUSTMENT BA 1-97 (Redwood Care Centers, Humboldt Co.)** Staff recommended approval.

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

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## **SOUTH CENTRAL COAST DISTRICT**

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

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# DRAFT

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (14a, 16a, 16c & 16d) to the Calendar, and recommended approval with special conditions.

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

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## 12. LOCAL COASTAL PROGRAMS (LCPs).

a. **Santa Barbara LCP Amendment 2-97 (Airport Plan).** Staff recommended approval of time extension. There being no objection, Chairman Areias ruled that the Commission **approved** the time extension.

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b. **Pepperdine LRDP Amendment No. 1-97.** Staff recommended concurrence with the Executive Director's determination that the amendment was minor. There being no objection, Chairman Areias ruled that the Commission **concurred** that the amendment is minor.

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c. **Pepperdine LRDP Amendment No. 2-97.** Staff recommended approval with suggested modifications as modified orally.

Andrew K. Benton, Phil Phillips, and Gary Hanson, all representing Pepperdine University, submitted requests to speak in favor of the both recommendations (12b & c). Kathy Patey, representing Envicom Corp. submitted a request to speak in favor of the both recommendations (12b & c). Robert H. (Bob) Thomas and Joe Johns, both representing Pepperdine University, submitted requests to speak in favor of the both recommendations (12b & c).

**Motion & Vote on Plan as Submitted:** Wan moved approval of LRDP Plan amendment as submitted, seconded by Herron, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

**Motion & Vote on Plan with Modifications:** Wan moved approval of LRDP Plan amendment with suggested modifications, seconded by Herron, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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**REPORT of CLOSED SESSION.** In closed session the Commission took action on City of Malibu v. CCC, et al. and discussed two other matters for information only.

# DRAFT

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

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d. **Los Angeles Co. (Malibu/Santa Monica Mts.) Plan Amendment No. 1-97 (Soka University).** Trailed to the end of the day to be heard together with item 16e. Staff recommended approval with suggested modifications as modified in addendum.

Twenty eight speakers submitted requests to speak in favor of the project: John Schwartz, representing Los Angeles Co. Regional Planning; Ginny Kruger, representing Supervisor Zev Yaroslavsky; Andi Culbertson, representing SOKA University; Dave Neish, representing SOKA University; Joe Ortiz, representing Latin Business Assn.; Tony Nicholas, representing Rosa Parks; Dolores Lohr; Mike Gittelsohn, representing Simon Wiesenthal Center; Brian Boudrcem, representing Malibu Valley Farms; Roslyn Wolin; Mary Montes; Laurie Golden, representing Valley Industry & Commerce Association; Tom Kaye; Peter Brockman; Carolyn Tynan; Starlet Vinci; Peter Wiere; Jeff Farr; Priscilla Wolf; Steve Bucklin; Barbara Wright-Cullen; Lynette Yettor; Colleen Bachman representing SOKA University; Alexis Byfuglin; Elizabeth Kuwahara, representing SUA; Carol Guilford; Gail Holloway; Nancy Heinesen, representing SUA; Joseph Edmiston, representing Santa Monica Mountains Conservancy, submitted a request to speak in favor of the staff recommendation. Patricia Hearst submitted a request to speak in opposition to the staff recommendation. Forty one speakers submitted requests to speak in opposition to the project: Madelyn Glickfeld, representing Heal the Bay; Elizabeth Lambe, representing Sierra Club; Sandy Brown, representing Senator Tom Hayden; Steve Craig, Environmental Coordinator, representing City Council of Calabasas; Diane Churchyard; David M. Brown, representing City of Calabasas; Janis Wells; Frank Angel; Jeanne Wallace; Les Hardie; Melinda Becker, President of Monte Nido Community Ass'n; James D. Wrigley, representing Cold Creek Community Council; Martin Litton, Sequoia Alliance; Dr Rosemary White; Joan H. Kay, representing Coalition to Preserve Las Virgenes; David Pevsner; Gary Bardovi; James E. Woodlock; Rosemary Woodlock; Stephanie Abronson; Yehuda Netanel, representing Malibu Oak Property Owners Ass.; Mary E. Wiesbrock, representing Save Open Space; Margot Feuer, representing Save Open Space/Santa Monica Mts.; Ruth Willer; Mark Massara, representing Sierra Club; Susan Geneilin, representing Sierra Club; William P. Wells; Toby Keeler, representing Las Virgenes Homeowners Federation; Kenneth Wikle, President of Cold Creek Community Council; Victoria Wikle, representing Cold Creek Community Council; Susan Barr Nelson; Don Wallace; Stephen Jones, representing Broadbeach Homeowners; Mary Frampton, representing Save Our Coast, Malibu; Gloria Tregutha; Barry Read, representing Mulholland Tomorrow; Raquel Ortiz, representing Los Angeles Alliance for a Drug Free Community; Fran Pavley; Betty Schnaar; Willis Simms; and Melba Simms.

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

# DRAFT

**Motion on Plan with Modifications:** Reilly moved approval of Land Use Plan amendment with suggested modifications, seconded by Staffel.

**Amending Motion & Vote:** Wan moved to amend modifications concerning buffers and view corridors, seconded by Reilly, and the roll call vote was 7 in favor (Kehoe, Nava, Potter, Reilly, Tuttle, Wan & Areias) and 4 opposed (Herron, Armanasco, Flemming & Staffel). **Passed.**

**Vote on Plan with Modifications:** The roll call vote on the main motion as amended above was 11 in favor and 0 opposed. **Passed.**

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## 13. NOTICE OF IMPENDING DEVELOPMENTS.

a. **Pepperdine LRDP 1-97.** Staff recommended approval with special condition.

Andrew K. Benton, Phil Phillips, and Gary Hanson, all representing Pepperdine University, submitted requests to speak in favor of the projects. Kathy Patey, representing Envicom Corp. submitted a request to speak in favor of the projects. Robert H. (Bob) Thomas and Joe Johns, both representing Pepperdine University, submitted requests to speak in favor of the projects.

**Motion & Vote:** Wan moved staff recommendation, seconded by Potter, and Chairman Areias substituted the previous roll call vote (10-0) from item 12c above. **Passed.**

b. **Pepperdine LRDP 2-97.** Staff recommended approval with special condition.

The hearing was combined with item 13a above.

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

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## 14. PERMIT AMENDMENT.

a. **Permit No. 4-97-89-A (Austin, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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## 14.5 PERMIT EXTENSIONS.

a. **Permit No. 5-87-458-E9 (Bernstein, Malibu)** **Postponed.**

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- b. **Permit 5-91-136-E5 (Saddle Peak, Malibu)** Staff recommended approval.
- c. **Permit 5-91-139-E5 (Saddle Peak, Malibu)** Staff recommended approval.

There being no objection Chairman Areias ruled that both permits be extended.  
**Approved.**

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- d. **Permit No. 4-92-115-E4 (Star Sapphire, Los Angeles Co.)** Postponed.

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## 15. FINDINGS.

- a. **Application No. 4-97-71 (Schaeffer, Malibu)** Staff recommended approval of findings.

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

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## 16. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 4-96-215 (Zinini & Connolly, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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- b. **Application No. 4-97-160 (Danson, Malibu)** Staff recommended approval with special conditions as modified in addendum.

Since the interested parties were not present to answer Commissioner questions and concerns, Chairman Areias ruled that the hearing be continued to a later meeting.  
**Postponed.**

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- c. **Application No. 4-97-230 (Union Pacific Railroad, Santa Barbara Co.)** Moved to expanded Consent Calendar. **Approved.**

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- d. **Application No. 4-97-241 (Santa Barbara sand berm)** Moved to expanded Consent Calendar. **Approved.**

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# DRAFT

e. **Application No. 4-97-123 (Soka University, Los Angeles Co.)** Staff recommended approval with special conditions.

The hearing was combined with item 12d above.

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

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**RECESS.** The Commission recessed for the day at 6:00 p.m..

# DRAFT

Friday, February 6, 1998 - pages 20 to 22

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, February 6, 1998, at 9:05 a.m. by Chairman Areias.

2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, Flemming, Holanda, Kehoe, Staffel and Tuttle. Absent: Armanasco, Branham, Nava, Potter, Reilly, and Sanders. Brennan arrived at 9:10 a.m. during closed session and left at 9:20 a.m..

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**REPORT of CLOSED SESSION.** In closed session the Commission took action on CCC v. U.S.A., Dept. of the Navy.

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## SAN DIEGO COAST DISTRICT

### 3. LOCAL COASTAL PROGRAM (LCP).

a. **Encinitas LCP Amendment No. 2-97 (Time Shares, et al.)** Staff recommended approval with suggested modifications as modified in addendum.

Sheila Cameron, City Councilmember from Encinitas, submitted a request to speak in opposition to the staff recommendation. Sandy Holder and Bill Weedman, both representing City of Encinitas, submitted requests to speak in opposition to the staff recommendation. Maria Sougias and Robert H. Barelmann also submitted requests to speak in opposition to the staff recommendation. Chairman Areias left during the hearing at 9:55 a.m..

**Motion & Vote to Reject Part of Implementation as Submitted:** Kehoe moved to reject implementation amendment as submitted except temporary uses and timeshare projects, seconded by Tuttle, and the roll call vote was 0 in favor and 6 opposed. **Failed.**

**Motion & Vote to Reject Part of Implementation as Submitted:** Kehoe moved to reject implementation amendment regarding timeshare projects and temporary uses as submitted, seconded by Herron, and the roll call vote was 6 in favor and 0 opposed. **Passed.**

# DRAFT

**Motion on Implementation with Modifications:** Kehoe moved approval of implementation amendment with suggested modifications, seconded by Tuttle.

**Amending Motion & Vote:** Herron moved to substitute the City's recommended modifications with a 25% minimum for traditional lodging, seconded by Flemming, and the roll call vote was 4 in favor (Herron, Flemming, Kehoe & Staffel) and 2 opposed (Tuttle & Wan). **Passed.**

**Vote on Implementation with Modifications:** The roll call vote on the main motion as amended above was 6 in favor and 0 opposed. **Passed.**

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b. **Encinitas LCP Amendment No. 3-97 (Encinitas Ranch).** Staff recommended approval with suggested modifications.

Chris Calkins, representing Cartas Compay, submitted a request to speak in favor of the staff recommendation. Patrick Murphy, representing City of Encinitas, submitted a request to speak in favor of the staff recommendation.

**Motion & Vote on Part of Plan as Submitted:** Herron moved approval of Land Use Plan Policy 8.8 amendment as submitted, seconded by Flemming, and the roll call vote was 6 in favor and 0 opposed. **Passed.**

**Motion & Vote on Part of Plan as Submitted:** Herron moved approval of Encinitas Ranch Land Use Plan amendment as submitted, seconded by Kehoe, and the roll call vote was 0 in favor and 6 opposed. **Failed.**

**Motion & Vote on Plan with Modifications:** Herron moved approval of Encinitas Ranch Land Use Plan amendment with suggested modifications, seconded by Kehoe, and the roll call vote was 6 in favor and 0 opposed. **Passed.**

**Motion & Vote to Reject Part of Implementation as Submitted:** Herron moved to reject implementation amendment except revisions to Open Space Zone & Implementation as submitted, seconded by Kehoe, and the roll call vote was 0 in favor and 6 opposed. **Failed.**

**Motion & Vote to Reject Part of Implementation as Submitted:** Herron moved to reject the Open Space Zone & Implementation amendment as submitted, seconded by Kehoe, and the roll call vote was 6 in favor and 0 opposed. **Passed.**

**Motion & Vote on Implementation with Modifications:** Herron moved approval of implementation amendment with suggested modifications, seconded by Kehoe, and Vice Chairman Wan substituted the previous roll call vote (6-0). **Passed.**

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# DRAFT

**Encintas Planning Report.** Patrick S. Murphy, representing City of Encinitas, presented a status report on the City's comprehensive planning effort.

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**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 11:00 a.m..

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

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