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CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF JANUARY 12-16, 1998
Embassy Suites
333 Madonna Road
San Luis Obispo

Monday, January 12, 1998 pages 1 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Monday, January 12, 1998, at 10:15 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Flemming, (Alternate) Johnson, Nava, Potter, Reilly, Staffel, and Tuttle. Brennan arrived at 11:00 a.m.. Pavley arrived in the afternoon. Absent: Armanasco, Branham, Holanda and Sanders.

SOUTH CENTRAL COAST DISTRICT

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

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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SAN DIEGO COAST DISTRICT

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

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

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

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

SOUTH COAST DISTRICT

6. **ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. 5-97-280 (Long Beach Grand Prix)** Staff recommended approval with special conditions.

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

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

(7a) Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the project. (7g) Christopher Otis Bradley submitted a request to speak in favor of the project. Georgeann Erskine, representing Rose Huff, submitted a request to speak in opposition to the project. Rose Huff submitted a request to speak in opposition to the project.

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

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8. **APPROVAL OF MINUTES.** Reilly moved approval of the minutes of November 1997, seconded by Staffel, and unanimously approved with Tuttle abstaining.
9. **COMMISSIONERS' REPORTS.** Information only.
10. **CONSERVANCY REPORT.** None.
11. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
12. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.
13. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Agreement with Oregon State University.** Staff recommended approval. There being no objection Chairman Areias ruled that the agreement was unanimously approved.

ENERGY and OCEAN RESOURCES

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

Linda Krop, representing EDC, submitted a request to speak on Federal oil transportation.

- a. **Guadalupe Oil Field Remediation Project Status Report.** Information only. Alex Hines, James Caruso & Lou Blanc, representing San Luis Obispo County, submitted a request to speak. G.F. Garcia and Paul West, both representing Unocal, submitted requests to speak. Five other speakers submitted requests to speak: Larry Bross; Stewart Johnson, representing Sta Maria Valley Water Conservation; Christine Mulholland; Saro Rizzo, representing Vechioli Family; and Raymond MacKenzie, representing San Luis Bay Chapter of Surfrider Foundation.

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b. **Avila Beach Remediation Project Status Report.** Information only. Supervisor Peg Pinard, Alex Hinds, and David Church requested to speak on behalf of the County. Gerhardt Hubner requested to speak representing Regional Water Board. Twelve other speakers also submitted requests to speak: Raymond MacKenzie, representing San Luis Bay Chapter of Surfrider Foundation; C. Baring Farmer; Greg Abel, representing Beach Properties; Lucy Lepley; James Cummings; Tom Guernsey; Matthew Farmer, representing Avila Alliance; "J.T" Jason Griffin; Mark Massara, representing Sierra Club Coastal Program; James J. (Jim) Allen; Perry Martin; Roger C. Mackenzie; Brenda Kay Owens; and Dennis W. Lamb.

15. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. E-97-24 (Thriftyway, Santa Barbara Co.)** Staff recommended approval with special condition.

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

PUBLIC COMMENT. Eric Greening, representing Life on Planet Earth, submitted a request to speak. Diana Tanquary opposed vehicles on the beach. Kathlene Goddard Jones, representing People for the Nipomo Dunes, submitted a request to speak. Larry Bross, representing Oceano Coalition, submitted a request to speak. Bill Denneen, representing Citizens for a Vehicle Free Nipomo Dunes, submitted a request to speak.

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

LUNCH RECESS. The Commission recessed for lunch after closed session at 1:55 and reconvened at 3:10 p.m..

SOUTH CENTRAL COAST DISTRICT

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

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

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

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

a. **Santa Barbara Co. LCP Amendment No. 2-97-C (Ellwood Beach - Santa Barbara Shores)** Staff recommended approval with suggested modifications.

Nancy Lucast, Randy Fox and Bill Boyd, all representing Santa Barbara Dev. Partnership, submitted requests to speak in favor of the staff recommendation. John Patton, representing Santa Barbara County, submitted a request to speak in favor of the project. Seven other speakers submitted requests to speak in favor of the staff recommendation: Linda Krop, representing Save Ellwood Shores; Justin Ruhge, representing SB Taxpayers Assoc.; Bonnie Raisin; Tom Braunger; Sal Aparicio; Bob Shoemaker; and Stanley U. Bartlett. Thirteen speakers submitted requests to speak in opposition to the recommendation coordinated by the Urban Creeks Council: Ellisar Folk, representing SBSHA/Urban Creeks Council; David Wappler, representing Santa Barbara Urban Creeks Council; Terry Fealey; Wanda Michaelenko, representing Urban Creeks Council; Cynthia Brock, representing Santa Barbara Shores Homeowner's Assoc.; DeAnn Sarver; Catherine J. Walsh, representing SBSHA/UCC; Susan M. Barstow; Pete Hembrow; Teresa C. Eggemeyer, representing Santa Barbara Shores Homeowner's Assoc.; Laura Brands, representing Environmental Affairs Board; Jessica Scheeter and Leslie Meyer, both representing UCSB Environmental Affairs Board. Twenty one other speakers submitted requests to speak in opposition to the staff recommendation: Mark Massara, representing Sierra Club Coastal Program; Chris Lange; Lola N. Guerra; Melanie Alciati; Jonathan Strnad, representing Environmental Affairs Board; Gerald Carpenter; Cynthia King; Jeff Haight; Jeff Kuyper, representing Santa Barbara Earth First!; Patricia Gruber; Beth Oakes Wood; Kathryn Toney, representing EAB; Eric Cardenas, representing Environmental Affairs Board; Daryn Mapel; Marcia Pepper; Mary Gadsby; Duane B. Walsh; Betty Kaaz; Meghan Conklin, representing UCSB Environmental Affairs Board; Ken Taylor, representing Care about Goleta; and Jane Taylor. James A. Caldwell, representing coalition of Labor, Ag & Business, and Jon Martin both submitted requests to speak in favor of the project. Gail Marshall, representing 3rd District Supervisor for Santa Barbara County, submitted a request to speak in opposition to the project. Five other speakers submitted requests to speak in opposition to the project: Roger Jahnke; Rebecca McLean; Mike Fealy; Laura Craig, representing Save Ellwood Shores; and Nancy Hembrow.

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

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19. NEW APPEAL.

a. **Appeal No. A-4-97-185 (Santa Barbara Development, Santa Barbara Co.)** Staff recommended the appeal raised no substantial issue.

The hearing was combined with item 18a above.

Motion & Vote on No Substantial Issue: Nava moved to find the appeal raised no substantial issue, seconded by Staffel, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

20. PERMIT AMENDMENTS.

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

b. **Permit No. 5-89-878-A (Cariker, Malibu)** Staff recommended approval with special conditions.

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

21. PERMIT EXTENSIONS.

a. **Permit 5-91-136-E5 (Saddle Peak, Malibu) Postponed.**

b. **Permit 5-91-139-E5 (Saddle Peak, Malibu) Postponed.**

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

Flemming left during the following item.

22. RECONSIDERATIONS.

a. **Appeal No. A-4-96-318-R (CalTrans, Ventura Co.)** Staff recommended denial.

Tony Anziano, representing State of California, Dept. of Transportation, submitted a request to speak in favor of the project. Geoffrey Daves Latham, representing Sierra Club Los Padres, submitted a request to speak in opposition to the staff

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recommendation. David Shelton, representing Friends of the Scenic Highway, submitted a request to speak in opposition to the project. Walter S. Barrows Sr. submitted a request to speak in opposition to the project. Brandon Nyitrai, representing McKinley School, submitted a request to speak in favor of the staff recommendation. Whitney Abbott submitted a request to speak in opposition to the project. Mark Massara submitted a request to speak in opposition to reconsideration.

Motion & Vote: Potter moved to grant reconsideration, seconded by Nava, and the roll call vote was 1 in favor (Areias) and 9 opposed (Allen, Johnson, Nava, Pavley, Potter, Reilly, Staffel, Tuttle & Wan). **Failed.**

b. **Appeal No. A-4-97-131-R (CalTrans, Santa Barbara Co.)** Staff recommended denial.

The hearing was combined with item (a) above.

Motion & Vote: Potter moved to grant reconsideration, seconded by Nava, and Chairman Areias substituted the previous roll call vote (1-9). **Failed.**

23. **CLAIM of VESTED RIGHTS No. VR-4-97-1 (Witter, Los Angeles Co.)** **Postponed.**

SAN DIEGO COAST DISTRICT

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

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

25. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 28a to the Calendar, and recommended approval with special conditions.

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

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26. LOCAL COASTAL PROGRAM (LCP).

a. **Carlsbad LCP Amendment No. 1-97(B) (Aviara Lot 308).** Staff recommended approval with suggested modifications.

Larry Clemens, representing Aviara Land Associates, submitted a request to speak in favor of the project.

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

Motion on Plan with Modifications: Allen moved approval of Land Use Plan amendment with suggested modifications, seconded by Johnson.

Amending Motion & Vote: Wan moved to change modification to site homes with no fuel modifications or thinning in open space areas, seconded by Pavley, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Vote on Plan with Modifications: Chairman Areias substituted the previous roll call vote (10-0) to approve the main motion as amended above. **Passed.**

Motion & Vote to Reject Implementation as Submitted: Allen moved to reject implementation amendment as submitted, seconded by Johnson, and Chairman Areias substituted the previous roll call vote (10-0). **Passed.**

Motion & Vote on Implementation with Modifications: Allen moved approval of implementation amendment with suggested modifications, seconded by Johnson, and Chairman Areias substituted the previous roll call vote (10-0). **Passed.**

27. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-96-147 (Parks & Rec. shoreline protection & facility modifications)** Staff recommended approval with special conditions as modified in addendum.

Paul Webb, representing California State Parks, submitted a request to speak in favor of the project.

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

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b. **Application No. 6-97-108 (Airtouch Cellular, Carlsbad)** Staff recommended approval with special condition.

Kathleen Wagner, representing Airtouch Cellular, submitted a request to speak in favor of the project.

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

c. **Application No. 6-97-121 (Sea World, San Diego)** Staff recommended approval with special conditions as modified in addendum.

Patrick Owen, representing Sea World of California, submitted a request to speak to answer questions.

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

28. PERMIT AMENDMENT.

a. **Permit No. 6-96-27-A (Macleod, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

SOUTH COAST DISTRICT

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

a. **Long Beach LCP Amendment No. 1-97 A (Minor)** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Areias ruled that the Commission concurred with the Executive Director. **Approved.**

30. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (32a, 32b & 33a) to the Calendar, and recommended approval with special conditions.

(32a) There being 3 votes to remove it, this item was returned to the public hearing calendar below.

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Motion & Vote: Johnson moved staff recommendation on the remainder of the Calendar, seconded by Allen, and Chairman Areias substituted the previous roll call vote (10-0). **Passed.**

31. LOCAL COASTAL PROGRAMS (LCPs).

a. **Long Beach LCP Amendment No. 1-97 B Time Extension.** Staff recommended approval.

Jack Humphrey, representing City of Long Beach, submitted a request to speak in favor of the project.

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

b. **Long Beach LCP Amendment No. 2-97 (Downtown standards)** Staff recommended approval.

Motion & Vote to Reject Implementation as Submitted: Johnson moved to reject implementation amendment as submitted, seconded by Allen, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

c. **Bolsa Chica Plan Amendment No. 1-95 & Implementing Program Findings.** Staff recommended approval of findings as modified orally.

Terry Dolton, representing Amigos de Bolsa Chica, submitted a request to speak in favor of the Bolsa Chica wetlands.

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

d. **Bolsa Chica Plan Amendment No. 1-95 & Implementation Program Certification Review.** Postponed.

32. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-97-282 (Sangster, Newport Beach)** Staff recommended approval with special conditions.

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Dennis Eshen, representing City of Long Beach, submitted a request to speak in favor of the project.

Motion: Potter moved staff recommendation, seconded by Johnson.

Amending Motion & Vote: Potter moved to add a condition to monitor car stacking for 2 years & report to Commission, seconded by Johnson, and the roll call vote was 8 in favor (Allen, Johnson, Nava, Pavley, Potter, Reilly, Wan & Areias) and 2 opposed (Staffel & Tuttle). **Passed.**

Vote on Main Motion: Chairman Areias substituted the previous roll call vote (8-2) to approve the main motion as amended above. **Passed.**

b. **Application No. 5-97-331 (Long Beach Parks, Long Beach)** Moved to expanded Consent Calendar. **Approved.**

Potter left during the following item.

c. **Application No. 5-97-379 (Restaurants Unlimited, Redondo Beach)** Staff recommended approval with special conditions.

Barry Kielsmeier, representing City of Redondo Beach, submitted a request to speak in favor of the project. David Ward, representing City of Redondo Beach, submitted a request to answer questions. Ed Wilson, representing Restaurants Unlimited, submitted a request to speak in favor of the project.

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

33. PERMIT AMENDMENTS.

a. **Permit No. 5-89-622-A2 (Birtcher Senior, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-95-19-A4 (Black, Los Angeles)** Staff recommended approval with special conditions.

Guy A. Bartoli, representing Mr & Mrs P. Nichols and Mr & Mrs L. Black, submitted a request to speak in favor of both projects (33b & c).

Motion & Vote: Wan moved staff recommendation, seconded by Allen, and Chairman Areias substituted the previous roll call vote (9-0). **Passed.**

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c. **Permit No. 5-95-19-A5 (Nichols, Los Angeles)** Staff recommended approval with special conditions.

Motion & Vote: Wan moved staff recommendation, seconded by Allen, and Chairman Areias substituted the previous roll call vote (9-0). **Passed.**

RECESS. The Commission recessed for the day at 9:30 p.m..

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Tuesday, January 13, 1998 pages 13 to 17

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, January 13, 1998, at 9:10 a.m. by Vice Chairman Wan.

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

NORTH COAST DISTRICT

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

4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 7a to the Calendar, and recommended approval with special conditions.

Ron Noble, representing Seadrift Assoc., submitted a request to speak in favor of the project if there were questions.

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

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

a. **Del Norte Co. LCP Amendment No. 2-97 (Martin).** Staff recommended approval.

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

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b. **Del Norte Co. LCP Amendment No. 3-97 (Swisher TPZ rezone).** Staff recommended approval.

Motion & Vote to Reject Implementation as Submitted: Flemming moved to reject implementation amendment as submitted, seconded by Allen, and Vice Chairman Wan substituted the previous roll call vote (0-9). **Failed.**

6. NEW APPEAL.

a. **Appeal No. A-1-97-79 (Smiley, Mendocino Co.)** Staff recommended the appeal raised substantial issue. There being no objection Vice Chairman Wan ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended denial.

Robert Smiley and four other speakers, representing applicant, submitted a request to speak in favor of the project: Hal Frincke; Marliss Waidhofer; Stephen Heukeroth; and Karl Waidhofer. Beth Corwin submitted a request to speak in favor of the project. Mark Massara, representing Mendocino Coastwatch, submitted a request to speak in opposition to the project.

Motion & Vote: Reilly moved approval of the application, seconded by Potter, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

7. COASTAL PERMIT APPLICATION.

a. **Application No. 1-97-58 (Seadrift Beach & Tennis Club, et al., Marin Co.)** Moved to expanded Consent Calendar. **Approved.**

8. FINDINGS.

a. **Appeal No. A-1-97-33 (Miller, Fort Bragg)** Staff recommended approval of findings.

Motion & Vote on Permit Findings: Tuttle moved staff recommendation on the de novo portion of the findings, seconded by Potter, and the hand vote was 5 in favor and 0 opposed. **Passed.**

Motion & Vote on Appeal Findings: Tuttle moved staff recommendation on substantial issue portion of the findings, seconded by Potter, and the hand vote was 3 in favor and 0 opposed. **Passed.**

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9. **FEDERAL CONSISTENCY REPORT.** Deputy Director Grove 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.**

10. **FEDERAL CONSISTENCY.**

a. **CD-90-97 (Coast Guard, Sonoma Co.) Postponed.**

b. **CD-160-97 (Coast Guard, Monterey Co.)** Staff recommended objection.

Dave Stalters, representing U.S. Coast Guard, submitted a request to answer questions. John O'Neil, representing Central Coast Lighthouse Keepers, submitted a request to speak in favor of the staff recommendation. Ken Stroube, representing GTE Wireless, submitted a request to speak in favor of the project.

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

c. **CD-166-97 (Navy, Ventura Co.)** Staff recommended approval.

Jack D. Dodd submitted a request to speak in favor of the project.

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

d. **CD-168-97 (Corps of Engineers, San Buenaventura)** Staff recommended approval.

Richard Parsons, representing Ventura Port District, submitted a request to speak in favor of the project.

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

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- e. **CD-169-97 (Navy, Coronado)** Staff recommended approval.

Motion & Vote: Allen moved staff recommendation, seconded by Johnson, and Vice Chairman Wan substituted the previous roll call vote (9-0). **Passed.**

- f. **CD-172-97 (Corps of Engineers, Port of Los Angeles)** **Postponed.**

11. **PERMIT REGULATIONS.** Staff recommended to begin rulemaking process to revise portions of Chapters 5 & 6 of the regulations governing coastal permits .

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

12. EXECUTIVE DIRECTOR'S REPORT.

- a. **LCP Grants Priorities.** Staff recommended approval as modified orally.

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

CENTRAL COAST DISTRICT

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

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

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

a. **Morro Bay LCP Amendment No. 1-97 (Water Management & Allocation)**
Postponed.

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16. NEW APPEAL.

a. **Appeal No. A-3-97-89 (Bricker, Monterey Co.)** Staff recommended that the hearing be continued.

Motion & Vote to Continue: Allen moved to continue the hearing, seconded by Potter, and the hand vote was 8 in favor and 0 opposed. **Passed.**

17. COASTAL PERMIT APPLICATION.

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

PUBLIC STATEMENTS. Barbara Collins submitted a request to speak in opposition to the Oceano Vehicle State Park. Bill Denneen, representing CFVFN, submitted a request to speak. James M. Wakefield, representing Pacific Shores Cal. Water District, submitted a request to speak. Randy Knight or Marla Morrissey, representing Morro Estuary Greenbelt Alliance, submitted a request to speak. Jeff & Rosemary Thompson, representing Jeffrey's Grill & Catering, submitted a request to speak about development of San Simeon.

REPORT of CLOSED SESSION. In closed session the Commission discussed two cases for information only.

RECESS. The Commission recessed for the day at 1:50 p.m..

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Wednesday, January 14, 1998

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, January 14, 1998, at 8:40 a.m. by Vice Chairman Wan.
2. **ROLL CALL.** Present: Vice Chairman Wan, Commissioners Allen, Brennan, Flemming, Holanda, Nava, Pavley, Potter, Reilly, Staffel, (Alternate) Wright, Tuttle and (Alternate) Hickox. Absent: Areias, Armanasco, Branham, Kehoe and Sanders.

ORIENTATION. Commission and San Luis Obispo County staff presented an overview of the land areas and general proposals covered by the North Coast Area Plan Update (San Luis Obispo County LCP Amendment No. 1-97, to be heard Thursday) and the Los Osos Wastewater Treatment Project (Application No. A-3-97-40, to be heard Friday).

FIELD TRIP. The Commission traveled by bus to the North Coast for site tours of portions of Cambria, the East-West Ranch, sites of the proposed Hearst Resorts, other sites in the planning area, and to Los Osos to view sites of the proposed wastewater treatment plant and percolation basins.

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Thursday, January 15, 1998 - pages 19 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, January 15, 1998, at 9:10 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Armanasco, Branham, Brennan, Flemming, Holanda, Kehoe, Nava, Pavley, Potter, Reilly, (Alternate) Wright and Tuttle. Absent: Sanders.

CENTRAL COAST DISTRICT

3. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Grove reported on comments from the public.

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

- a. **San Luis Obispo Co. LCP Amendment No. 1-97 (North Coast Area Plan Update).** Staff recommended approval with suggested modifications as modified in addendum and orally.

121 speakers submitted requests to speak indicating opposition to staff recommendation: Anna Alexander, giving time to Gwyn Henry; John Angel; Michelle Apitz; Dave Baldwin, representing Cement Masons Local #600; Dorothy Baldwin, representing Cement Masons Local #600; Jack Baldwin, representing Cement Masons Local #600; Marcella Ball, representing AFL/CIO; Philip M. Battaglia, representing Hearst Corp.; G.B. Barry; William C. Beals, representing Four C's; Matthew Betts, representing AFL/CIO Laborers Local 402; Owen F. Betts, representing AFL/CIO Laborers Local 402; Victoria Betts, representing AFL/CIO Laborers Local 402; Ed Biaggini; Dr. Robert C. Blair, Director UCSD; Jay Blatter, representing East West Ranch; Dr. Howard Brown; Glenda Bruner; Andy Calwell, representing Coalition of Labor Ag & Business; Fred Campbell; Ben Castro, representing Plasters & Cement Masons Local 600; Patrick Child; Stanton Child; Bill Christiansen; Mike Cooke, Local #12 Operating Engineers; Dave Coronel; Allison Darren, representing Atascadero High School; Joe DiPietro, representing local horse farmer; Karen Ericksen; Orbie Estelle; Richard Etzler; Caroline Ferrell, representing Central Coast Natural History Assn.; Lee Ferrero, representing Private Industry Council; Patrick Foss; Timothy W. Furness, representing Operating Engineers; Stan Garland, representing Local 639 IBEW Electricians; Grant Garson, representing AFL/CIO; Roberta Garson, representing AFL/CIO; Lawrence N. Geist; Nigel Gomersall, representing East West Ranch; Gregg Goodwin, representing Economic

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Vitality Corp.; Gerald Gray; Jim Greathouse; Ted Hall, representing members of IBEW local union #639; John Hammond, representing Plumbers & Pipefitters Local 403; Wayne Harris & Dave Fairman; Carle Harmsen; Doug Hay; Douglas Hehnke, representing Sheet Metal Workers Local #273; Dean R. Helble; Joan Jones Holtz; Haruet Huber, representing Laborers 402; Chris Ivey, representing United Food & Commercial Workers Union; Mark R. Jennings, representing Wayne's Tire Inc.; Joe Johns, representing Envicom Corp.; Kenneth H. Johnson; Lesley Johnson, yeild to AFL-CIO; Steven H. Kaufmann, representing East West Ranch; Jim Kelt; George S. Kiler; Michael S. Kovacs; Daniel Kramer; Larry J. Kroger; Paul Kyrilach; Max Langley, representing Operating Engineers; Dennis T. Larson, representing Carpenters Union; George Layman; Steve Leopard, representing 402 Laborers; Hank Lewes, representing IBEW; Gavin Liao, representing East West Ranch; Tyann Linden; W. H. Long; Nancy Lucast, representing East West Ranch; Walt Mankins, representing Operating Engineers Local #12; Jim McAllister, representing Carpenters Local 1800; Dawn K. McGee, representing A.L. Central Coast Estates; Steve McShane, representing students at Cal Poly; John McVickar; Matthew Machen, representing Northern Santa Lucia Watershed Council; Dorien Meredith; Victor Montgomery, representing Hearst; Andrew Moynagh, representing Building Trades AFL/CIO; Todd Moynagh, member of AFL/CIO; Carol Myers; Don Nielsen, yielding to AFL-CIO; Jim O'Mahoney, representing AFL-CIO; Tom O'Mahoney, representing AFL-CIO; Steve Orosz, Penfield & Smith Engineers/Hearst Resorts; Bruce Owens; Norman Palmer; Gerard L. Parsons, representing 3 Parsons' families; Ron Pearce; Reg Perkins; Daniel O. Peterson; Bill Powers; Carl Radke, representing Phoenix Studios; Peter Rasmussen; Michael C. Read; Paul Reynolds; Jay Rockey, representing Hearst Corp.; Gwen Raintree, representing AJHS; John E. Russell, representing Cambria Coast Ranch; Orrin Sage, representing Hearst; Budd Sanford; Rob Saperstein, representing East West Ranch; Elaine Schneider, representing Chumash Nation; Nancy Severson; Fred Sommers; Cindy Stolper, member of AFL/CIO; Sid Stolper, representing United Ass. D.C. #16; Chris Strom; Gene Tamplin; Sonya Tamplin; Emil J. Tellez; Gerald R. Thiessen, representing IBEW Local 639; Charles W. Walker & Chuck Walker, representing IBEW Local 639; Bill Walter, representing Walter & Bornholdt; Clyde Warren, representing Van Gordon Creek Property/Rancho San Simeon; Ed Wood, representing Camp Emmanuel; Ted Zenich, representing Hotel Employees & Restaurant Union Local 19.

LUNCH RECESS. The Commission recessed for lunch at 12:25 p.m. and reconvened at 1:10 p.m.. Staffel replaced Wright during the break.

32 speakers submitted requests to speak not indicating position: Craig Anderson; Lou Blanc, representing Central Coast Geologic Society; Doug Buckmaster, representing Friends of the Ranchland; Lee Buckmaster, ceding time to Friends of the Ranchland; Cynthia Butterfield, representing Coalition to Save Cambria & San Simeon; Crystal Evans, representing Cambria Save the Animals Club; David Fiscalini, representing Save Agri.; Jack Forrest; Leslie Gainer; Lois E. Gerard, ceding time to Bill Parkin (attorney); Janda Hay, President of Cambria Save the Animals Club; Elizabeth Lamb, ceding to MBNMS; Susan Lewis; Maureen Marten, representing League of

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Women Voters; Mark Massara, representing Sierra Club Coastal Campaign; Matt McGurrin; Thomas McGurrin; Toni Mertens, ceding to Craig Anderson; Annie Notthoff, representing NRDC; Jon Pedotti, representing Save Agriculture Committee; Tarika Ryburn, ceding to Mark Massara; Monique Sonoquie, representing KSH Foundation; Ferris Sandiford, representing East West Ranch; Katie Sterling, representing Coalition to Save Cambria & San Simeon; Walter V. Sterling, representing Coalition to Save Cambria & San Simeon; Ellen Stern Harris, representing Fund for the Environment; Karin Strasser Kauffmann, chair of MBNMS Advisory Council; Don Streeter, ceding to Geologic Society; James Vilkitis, representing East West Ranch & Cal Poly SLO; Barbara Wellington, ceding time to Friends of the Ranchland; Rebecca Wells, representing Cambria Save the Animals Club; and Paul Wolff.

147 speakers submitted requests to speak in favor of the recommendation: Mary Jane Adams; D'Anne Albers, representing Sierra Club, Ventana Chapter; Bill Allen, representing Cambria Forum; Kat Anderson, representing KSH Foundation; John Ashbaugh; Phil Ashley, representing Canyons & Streams Alliance; Michael Aviani; Deborah L.K. Barker, representing Access Piedras; John Beccia; Ed Begley; Shirley Bianchi; Wm C. Bianchi; James Birchler; Francesca Bolognini; Ginger Booz-Ullrey, representing Surfrider Foundation, Santa Cruz Chapter; Geraldine Brasher; David Braun; Chris J. Brokate; Don Bruce representing Green Party; Patrick Bruce, representing Green Party & Sierra Club; Doug Buckmaster; Ruth Carns-Baker; Lucia Capacchione; Anna Carey; David Chipping, representing California Native Plant Soc.; Andrew Christie, representing Sea Shepherd; Lynn Christie; Sarah Christie; Joe Clokey; Beverly Cospier; Dennis Curry; Vivian Curry; Hilah Danell, representing Friends of the Ranchland; Mark DiMaggio; Joel Diringer; Miguel Donoso, representing Fuerza, Inc.; Charles Duncan; Kathy Duncan; Julie Eliason; Pat Elke, representing North Coast Alliance; Hari Nam Elliott; John R. Ewan; Harry Farmer; Betty Fiscalini; Clare Flaherty; Norman Fleming; Frederick N. Fox; Fred Frank; Patricia Frank; Carla D. Frisk, representing Sen. Jack O'Connell; Emelio Ghergo; Neva Glenn; Margaret Joy Granger; Nancy Graves, representing Coastwalk; R. Gail Green; Eric Greening, representing Life on Planet Earth; Ann Grossman; Dianne K. Hall; James Harley; Claudia Harmon, chairperson of NCAC; Giles Healy, representing Surfrider; Patricia Bell Hearst, representing Federation of Hillside & Canyon Association; Louis Holden, representing Coastal Alliance; Ilona Ing; Jane Jewett, representing League of Women Voters of Monterey Peninsula; Lionel Johnston; Susan Jordan, representing League for Coastal Protection; Vern Kalshan; Holly Kathary, representing Green Party; Livia Kellerman, representing Life on Planet Earth; Pilulaw Khus, representing Coastal Band of Chumash; Suzanne Knapp; Mike Kovacs; Dan Kramer; Richard Kramzdorf, representing Coalition to Save Cambria & San Simeon; Bill Kraven, representing Sierra Club; Dr. Richard J. Krejsa; Linda Krop, representing Friends of Ranchland; Karl Krueger; Kurt Kupper, representing CUSP; Lloyd Lambert; Geoff Land, representing ECOSLO; Bud Laurent, representing Dist. 2 San Luis Obispo County; Mark Lawler; Jerry Levitz, representing North Coast Alliance Walking Club; George Luna, Councilman from Atascadero; Ursula Luna; Raymond Mackenzie, representing San Luis Bay Chapter of Surfrider Foundation; Kurt Mammen; Jan Howell Marx, representing North Coast Alliance; Steven Marx, representing Canyons & Streams

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Alliance; Elizabeth Mathews; Mary Ann Mathews, representing Calif. Native Plants Soc.; Bert Maxted, representing North Coast Alliance; Kat McConnell, representing North Coast Advisory Council; Bob McDonnell; Patrick McGibny; Whitney McIlvaine; Ann McMahon; Greg McMillan; Dorothy McNeil; Marian Mellow; Lynda Merrill; Jack Meyers; Irv Millian, representing Life on Planet Earth; Michael Miller; Vita Miller; Bruce Monroe, representing American Cetacean Society; Robert Moynier, representing North Coast Alliance; Cleve Nash; Holly Naylor; George Nedleman; Judy Neuhauser; Joan O'Keefe; Orval Osborne, representing Green Party of SLO; Mike Phelan, representing Save Agriculture Committee; Amy Phenix; Britt Phillips, representing Santa Lucia Fly Fishers; Carol Pimentel; Don Pimentel; Bob Powers, representing Life on Planet Earth; Virginia Powers, representing Canyons & Streams Alliance; James M. Quinn; Dianne E. Randazzo; Andrew Reames; Herb Richert; Marshall Rickard; Nancy Rucci; Thomas A. Ruehr, representing Soil Science Dep't Cal Poly; Thomas A. Rusch; Klaus Schumann, representing Green Party; Barbara Scott; Allen Settle, Mayor of San Luis Obispo; Turko Semmes; Wallace Stahle; Laurel Stewart; David Stroup; Michael C. Sullivan; Gwynn Taylor; Philip Teresi, representing San Luis Bay Chapter Surfrider Foundation; Brian Trautwein, representing E.D.C.; Elaine Traxel; Arthur Van Rhyn, representing Greenspace; Pat Veesart, representing Sierra Club, Santa Lucia Chapter; Don Villeneuve; Alice Winterbottom; Arlene Winn; and Mary Helen Wood, representing Green Party.

DINNER RECESS. The Commission recessed for dinner after at 6:25 p.m. and reconvened at 7:15 p.m..

94 other speakers submitted requests to speak: Craig Anderson representing Sierra Club; Jesse Arnold; Marcell Bakula; Frojon Banwell, representing Surfrider Foundation; Zdrarko Barov; Michael J. Beauchemin; Bob Bell; Brent Berry; Dr. Robert L. Blair; Lou Blanck, professional engineering geologist; Jim Blomquist; Patty Bozanich; Tom Brajkovich, representing Northcoast Alliance; Kwili aka Melody Brazzil, representing The KSH Foundation; Sandy Brockway; Lynz Buck-Moyer, representing Atascadero Jr. High; Jim Buckley, representing The Pewter Plough Playhouse; Olga Buckley; John Burch, representing Indigenous People; Jo Ellen Butler; Scott Chapman; Tubuloq Chase, representing Hicking and Environmental Club; Debbie Cook, representing Huntington Beach Tomorrow; Bill Corcoran; Colby Crotzer, representing Advocates for a Better Community; Judy Deertrack; Don Dollar; Nancy Donovan, representing Bolsa Chica Land Trust; Constance Faber; Julie Fallon; Suzy Ficker, representing Cambria Legal Defense Fund; Dennis Fudd; Dorothy Geisler, representing Sierra Club Angeles Chapter; Russell Goodrich, Jr.; Patty Mara Gourkey, representing Heart & Spirit; Karen Hammon; Tom Harrington; Richard Hawley, representing Greenspace & The Cambria Land Trust; Gwen Henry, representing League of Women voters; Tim Henry; Marvin Heskett; Mark Jacobs, representing Sierra Club; Seneca Jacobson, representing Coalition to Save Cambria & San Simeon; Eugene Jud, representing Jud Consultants; Kim Karnes, representing San Simeon Water Committee; Paul Keegan, representing Surfrider Foundation, Santa Cruz Chapter; Jacqueline D. Kelly; Peggy Koteen, representing Animal Emancipation; Barbara Kummerson; Sherry Lewis; Bill MacKay,

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representing Carpenter's Local 1800; Michael Manion; Dr. Pamela Martens, representing Coast Unified School District; Jill McCall, representing North Coast Alliance; Dave Melendy, representing Cambria Community Healthcare Dist.; Carolyn Moffatt; Edward Molinari; Michele Monetta; Lyndsy Monetta-Detzer; Beatrice Morrow, representing Sierra Club Long Beach Chapt.; Jack Morrow, representing Sierra Club Long Beach; Maria Moynier, representing North Coast Alliance; Christine Mulholland; Eileen Murphy, representing Bolsa Chica Land Trust; Susan Barr Nelson; Lei Lynn Odom, representing Chumash Cultural Resource Manager; John Joshua Olejczak, representing Straight Edge Construction; Debbie A. Parker; Bill Parkin, representing Coalition to Save Cambria; Lee Perkins; Michael Pick, Jr., representing San Luis Bay Chapter-Surfrider Foundation; Will Power, representing Will Power Construction; Sandra Price; Suzanne Reames; Warren Rejk; Jann Reynolds; Galaxia Rivera, representing Atascadero Save the Earth Club; Paul Rosenberger; Nancy Ross; Eric Schug; Holly Sletieland, representing North Coast Alliance; Diane L. Smalley; Amanda E. Stimson, representing Coalition to save Cambria/San Simeon; William R. Straw; Diana Tanquary; Ken Topping, representing Cambria Community Services; Genie Van Schoten, representing League of Women Voters; Tom Vaughan, representing Vaughan Survey/AL Central Coast; Rudy Vietmeier, representing Sierra Club; Eva Vigil; Akiva Werbalowsky; Angela White; Kenneth Wilson, representing Envicom Corporation; W. Duane Waddell; Martin Worcey; and Ann Wyatt.

Motion & Vote on Plan as Submitted: Potter moved approval of Land Use Plan amendment as submitted, seconded by Kehoe, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

Motion & Vote on Plan with Modifications: Potter moved approval of Land Use Plan amendment with suggested modifications, seconded by Kehoe, and the roll call vote was 9 in favor (Allen, Kehoe, Nava, Pavley, Potter, Reilly, Tuttle, Wan & Areias) and 3 opposed (Armanasco, Flemming & Staffel). **Passed.**

b. **Periodic Review of San Luis Obispo Co. LCP.** Discussed as part of item above.

RECESS. The Commission recessed for the day at 10:00 p.m..

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Friday, January 16, 1998 - pages 24 & 25

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, January 16, 1998, at 9:05 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Armanasco, Flemming, Pavley, Reilly, Staffel and Tuttle. Absent: Branham, Brennan, Holanda, Kehoe, Nava, and Sanders. Potter arrived at 9:10 a.m..

CENTRAL COAST DISTRICT

3. COASTAL PERMIT APPLICATION.

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

Twenty two speakers submitted requests to speak in favor of the project: Roger Briggs, Executive Officer of Regional Water Quality Control Board; Chris Clark, representing County of San Luis Obispo; Elizabeth Dice, representing Solutions Group; Michael Drazee, representing San Luis Obispo County Planning; Jeff Edwards; Ron Gaston, representing CAWG; George Gibson, representing County of San Luis Obispo; Ron Holland, representing South Bay Property Owners; Mark Hutchinson, Environmental Coordinator for San Luis Obispo County; Lynn D. Mahin; Nadine Martin; Annie Mueller, President of Baywood Park Chamber of Commerce; Tim Nanson, representing Engineering Department of San Luis Obispo County; Sandra Price, representing CAWS; Brent Richissin; June Rickard, representing Solutions Group; Noel Rodman, representing South Bay Property Owners; Sylvia Smith, Executive Manager of Los Osos Baywood Park Chamber of Commerce; Al Switzer; Chuck Walker; Neil Watson, representing South Bay Property Owners Assc.; and Bill Williams.

Eight speakers submitted requests to express concerns about the project: Shirley Bianchi; William Bianchi; David Chipping, representing California Native Plant Society; Marla Morrissey, representing Morro Estuary Greenbelt Alliance; Michael C. Read; Tom Rice; Dennis Sheridan, representing Audubon Society; and Carolina Van Stone.

Six speakers submitted requests to speak without indicating a position: Barbara Chipper; Cindi Huntley; George Huntley; Kurt Kupper; Bud Laurent, San Luis Obispo District 2 Supervisor; and Kate Symonds, representing U.S. Fish & Wildlife Office.

PUBLIC STATEMENTS. Five speakers spoke about items not on the agenda: Barbara Collins; Jacqueline C. Cozmier; Nell Langford; Allan Martin; and Terianna Riley.

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LUNCH RECESS. The Commission recessed for lunch at 12:10 p.m. and reconvened at 1:40 p.m.. Potter returned at 1:55 p.m.. Allen left at 3:15 p.m..

Seventy six speakers submitted requests to speak in opposition to the project: Beth Ales; Aaron Armstrong; Todd Barnes; Al Barrow; Sandra Blankenship; Wade D. Brim; Robin Brown, representing Biolet Composting Toilets; Ann Calhoun; Jean Cavanaugh, representing TAPPS; Jan Chatten-Brown, representing TAPPS; Jerri Chadwick; Linda Chevalier; Jude Clark-Warnisher; Richard Clark; J. Cole-Orcutt; Nancy Dahl, representing TAPPS; Marilyn Dauffenbach, representing Solutions Group; Elizabeth D. Dickens, representing TAPPS; James E. Dickens, representing TAPPS; Ron Dickey; Ted Dobias; Dean H. DuVernet; Patrice Engle; John Fergus; Betty Field-Haley; Frank Freiler; Jerry Garzen, representing Solutions Group; Eric Greening, representing Life on Earth Planet; Roxanna Griggs, representing TAPPS; JoAnn Grover; G W. Gurley, representing TAPPS; Stanley R. Gustafson; Audrey Hensley, representing TAPPS; Gordon Hensley, representing TAPPS; Jim Hensley, representing TAPPS; Rick Hernandez; Torre Houlgate-West; Russell B. Huffman; Jeannine Jacobs; Virgil L. Just; Gary E. Karner, representing Solutions Group; George Kastner; Barbara Lorenzen; Terry Mackenzie; Evelyn Maddex; Pam Marshall; Les Martin; David Mayfield, representing TAPPS; Kat McConnell; Sean McKeown; Lynda Merrill; Tina Metzger; Michael Miller; Cayetano Moreno; Gretchen Moreno; Bill Moylan; Pandora Nash-Karner; Judy Neuhauser; Dr. Orcutt, representing Solutions Group; Steve Rebuck; Paul Reynolds, Los Osos Community Advisory Council; Thomas A. Ruehr, representing Solutions Group; Toby Sacher; Edwin Schafer; June Shepard; Mark Skinner; Stan Stein, representing Los Osos County Services Area 9; Dean Sullivan; Gwynn Taylor; George Taylor; Leilani Timko; James Tkach; Katie Tool, representing Solutions Group; Kevin Tool; Pearl Veasart; William H. Warren, representing CAWG; Dawn C. Wright, representing Los Osos Community Advisory Council; and Ed Zolkoski.

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

ADJOURNMENT. There being no old or new business, the meeting adjourned at 4:25 p.m..

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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