

CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF November 12 to 15, 1996

Radisson Hotel in Mission Valley
 1433 Camino del Rio South
 San Diego

Tuesday, November 12, 1996 pages 1 to 11

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, November 12, 1996, at 10:00 a.m. by Chairman Calcagno.
2. **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners Areias, Belgard, Holanda, Pavley, Rick, (Alternate) Wright, Steinberg, Wan and Wear. Absent: Sanders. Brennan arrived at 11:20 a.m.. Denisoff, Giacomini, and Randa arrived in the afternoon.

STATEWIDE

3. **APPROVAL OF MINUTES.** Flemming moved approval, seconded by Pavley, and the hand vote was 7 in favor and 0 opposed.
4. **COMMISSIONERS' REPORTS.** Information only.
5. **CONSERVANCY REPORT.** Information only.
6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
7. **DEPUTY ATTORNEY GENERAL'S REPORT.** None.

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8. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Minor Port of L.A. Plan Amendment.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

b. **Port of Los Angeles Plan Amendment No. 15 Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

c. **Port of Long Beach Plan Amendment No. 8 Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

d. **Interagency Agreements** Staff recommended approval. Wear moved staff recommendation, seconded by Belgard, and the hand vote was 10 in favor and 0 opposed. **Approved.**

NORTH COAST DISTRICT

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

a. **Del Norte Co. LCP Amendment No. 4-96 (Minor) Currie.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

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

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

SOUTH CENTRAL COAST DISTRICT

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

a. **Port of Hueneme Certification Review.** Staff recommended concurrence with the Executive Director. Belgard moved approval, seconded by Flemming, and the hand vote was 10 in favor and 0 opposed. **Approved.**

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b. **Carpinteria LCP Amendment No. 1-95 Certification Review, (Carpinteria Bluffs)** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

12. **CONSENT CALENDAR.** See items a. through f. on pages 4-5 of the agenda. Items a. and c. were postponed. On the remaining items staff recommended approval with special conditions.

(12b) Lucy & Warren Eakens submitted a request to speak in favor of the project if questions. (12d) Robert Carrola answered questions about the trail easement.

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

SAN DIEGO COAST DISTRICT

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

a. **Carlsbad LCP Amendment No. 1-96H (Biological Habit Preserve).** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

b. **Coronado LCP Amendment No. 1-96 (city-wide regulations).** Staff recommended concurrence with the Executive Director. Ed Kleeman, representing City, submitted a request to speak in response to questions. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

c. **Port Briefing.** Information only.

14. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a. through c. on pages 5-6 of the agenda. Staff recommended approval with special conditions.

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

15. **CONSENT CALENDAR.** See items a. and b. on page 6 of the agenda. Staff recommended approval with special condition and correction on 15a.

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

NORTH COAST DISTRICT

16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items to the Calendar (18a & 19a), and recommended approval with special conditions.

(19a) Barbara Reed, representing Reed Manor, submitted a request to speak in favor of the project.

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

17. NEW APPEAL.

a. **Appeal No. A-1-96-58 (Johnson, Humboldt Co.)** Staff recommended the appeal raised substantial issue. There being 3 votes to hear testimony on substantial issue Chairman Calcagno opened the hearing on substantial issue.

William Rourke submitted a request to speak in opposition to the project. Carol Rees-Johnson, Allan M. Baird, and Gary R. Johnson, all representing applicant, submitted requests to speak in favor of the project.

Motion & Vote on No Substantial Issue: Flemming moved to find that the appeal raised no substantial issue, seconded by Belgard, and the roll call vote was 7 in favor and 3 opposed (Areias, Pavley & Wan). **Passed.**

b. **Appeal No. A-1-96-70 (Moser & Hunt, Humboldt Co.)** The Commission found substantial issue on the appeal in February. Staff recommended denial.

Motion & Vote to Continue: Wear moved to continue the hearing, seconded by Belgard, and the hand vote was 10 in favor and 0 opposed. **Passed.**

18. COASTAL PERMIT APPLICATION.

a. **Application No. 1-95-35 (Ralph & DeMello, Humboldt Co.)** Moved to expanded Consent Calendar. **Approved.**

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19. PERMIT AMENDMENT.

a. **Permit No. 1-87-167-A5 (Reed, Mendocino Co.)** Moved to expanded Consent Calendar. **Approved.**

SOUTH CENTRAL COAST DISTRICT

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

21. LOCAL COASTAL PROGRAM (LCP).

a. **Port Hueneme LCP Amendment No. 1-96.** Staff recommended approval with suggested modifications.

There were no speakers.

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

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

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

22. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-96-130 (Levy & Gershoy, Malibu)** **Postponed.**

b. **Application No. 4-96-150 (Rein, Brown, Hudson, Goodwin, Larson & Betancourt, Los Angeles Co.)** **Postponed.**

c. **Application No. 4-96-168 (Southern California Gas, Santa Barbara Co.)** **Postponed.**

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23. **PERMIT EXTENSION.**

a. **Permit No.. 4-93-116-E2 (Mapmaker's Trust, Malibu)** Staff recommended approval.

Sherman L. Stacey, Aric Gless and Sharon Gless, all representing applicant, submitted requests to speak in favor of the project.

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

24. **CONSERVANCY PROJECT.**

a. **CP-2-96 (Pt. Dume Plan, Malibu)** Staff recommended approval.

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

SAN DIEGO COAST DISTRICT

24.5 **DEPUTY DIRECTOR'S REPORT.**

d. **Beach Erosion Briefing.** Information only. Dan Wilkins (and staff), representing Port of San Diego, submitted a request to speak.

25. **CONSENT CALENDAR (removed from Regular Calendar).** Staff added two items (28c & 29a) to the Calendar, and recommended approval with special conditions.

(29a) Willis M. Allen, Jr., representing Crystal Pier Hotel, Inc., 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 10 in favor and 0 opposed. **Passed..**

LUNCH RECESS. The Commission recessed for lunch at 12:00 and reconvened at 1:30 p.m.. Denisoff arrived at 1:40 p.m., and Randa arrived at 5:00 p.m..

Giacomini arrived during the break between items.

26. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 3-95 C (Aviara Trails).** Staff recommended approval with suggested modifications.

Michael Grim, representing City, submitted a request to speak in favor of the project. Frances Block, representing Aviara & Sanderling, submitted a request to speak in favor of the pedestrian gates.

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

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

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

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

b. **San Diego LCP Amendment No. 2-96 (North City Plans and various regulations).** Staff recommended approval with suggested modifications.

Twenty one speakers submitted requests to speak in opposition to the staff recommendation: Betsy McCullough, Prescilla Dugard & Kerry Varga-Sautoro, all representing City; Philip D. Taylor; Kirk O'Brien, representing Peninsula Community Planning Board; Rebecca Michael; Mary F. Smith, representing La Jolla Community Planning Assn.; Dick Smith, La Jolla Community Planning Association; George Champion; Mark Lyon, representing La Jolla Community Planning Assoc.; Opal Trueblood; Marc Kaye; Randi Coopersmith; Linda Ledenen;; Fritz Liebhardt; William Zongker; John Schenck; John Ziebarth; Tom Romstad & Kelly Broughton, both representing City; and Jack Klausen. Winifred Klausen submitted a request not to speak in opposition to the staff recommendation. Eight speakers submitted requests to speak in favor of the staff recommendation: Richard Smith, representing Save Everyone's Access; David Diehl, representing OB Preservation League; Al Strohle; Catherine Strohle; Jim Peugh; Robert Lewis, representing Torrey Pines Community Planning Group; Joanne Pearson, representing La Jolla Town council; and Sara Moser.

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

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

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

Amending Motion & Vote: Wear moved to delete modification #1 and 1st paragraph of #4, seconded by Belgard, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Vote on Main Motion: Chairman Calcagno substituted the previous roll call vote (11-0) for approval of the Land Use Plan with suggested modifications as amended above. **Passed.**

Motion & Vote to Reject Part of Implementation as Submitted: Wear moved to reject 4 parts 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 implementation amendment on resource protection as submitted, seconded by Belgard, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

c. **Port of San Diego Plan Amendment No. 23 (Convair Lagoon).** Staff recommended approval as modified in addendum.

Dan Wilkens, representing Port of San Diego, submitted a request to speak in favor of the staff recommendation.

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

Denisoff and Rick left during the previous item. Calcagno left during the break between items 27b and 27a.

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27. NEW APPEAL.

a. **Appeal No. A-6-96-104 (Casa De La Playa Homeowners, San Diego)** Trailed until after item 27b. Staff recommended the appeal raised substantial issue. There being no objection Vice Chairman Flemming ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended approval with special conditions as modified orally.

Eight speakers submitted requests to speak in favor of the project: Herb Bell, representing Casa de la Playa; Harold Bunch; B. K. Taylor & Walt Crampton, both representing Casa de la Playa HOA; Robert Korch, representing City; Keith Merkel, representing Merkel & Associates; Eileen Lower, representing Casa de la Playa HOA; and Richard Mellen, representing Casa de la Playa Homeowners Association. Jim Peugh, representing San Diego Audubon Society, submitted a request to speak. Richard Scuba submitted a request to speak in favor of the staff report. Nineteen speakers submitted requests to speak in opposition to the project: Alexis C. Rovira, representing Surfrider Foundation; Mark Miller; Richard Smith, representing Save Everyone's Access; Sandra Silverstein, representing Ocean Beach Town Council & Planning Board; Guy Jensen; Clay Westling, representing Surfrider Foundation; Michael Laude; Geoffrey M. Northrop; Julie Klein, representing Ocean Beach Planning Board; Kristen Glass; Carol Metzger; Florence Dormer; Oscar Gonzales, representing Surfrider Foundation; and Mary M. Northrop. Ellen Wade submitted a request to speak.

Motion: Wear moved staff recommendation, seconded by Belgard.

Amending Motion & Vote: Wear moved to delete upper stair, seconded by Belgard, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Vote on Main Motion: Vice Chairman Flemming substituted the previous roll call vote (10-0) for approval of the main motion as amended above. **Passed.**

b. **Appeal No. A-6-96-144 (Downtown Encinitas Main St., Encinitas)** Staff recommended the appeal raised substantial issue. Scott Sebastian, Chairman of Downtown Encinitas Main St. Assoc., and James Bond, Mayor of City of Encinitas, both submitted requests to speak. There being no objection Chairman Calcagno ruled that the **Commission found substantial issue**. Chairman Calcagno continued the hearing on the merits of the project to a later meeting. **Postponed.**

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28. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-96-89 (Casa De La Playa, San Diego)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item 27a above.

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

b. **Application No. 6-96-102 (Solana Beach & Tennis Club)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-96-116 (Oceanside & LaPaz Co. Landfill)** Staff recommended approval with special conditions.

Three speakers submitted requests to speak in favor of the project: Ray Duncan, Lifeguard Manager of City of Oceanside Dept. of Harbor & Beaches; Hany Elwany and Jerry Hittleman, representing City. Two speakers were available for questions: Diane Van Leggelo, representing City, and Kelly Sarber, representing LaPaz County, Arizona.

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

29. PERMIT AMENDMENTS.

a. **Permit No. 6-94-142-A (Crystal Pier Hotel, San Diego)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 6-94-207-A (NCTDB, Solana Beach)** Staff recommended approval with special conditions.

Betty Laurs, representing North County Transit District, submitted a request to speak in favor of the project. Five speakers representing City of Solana Beach submitted requests to speak in favor of the project: Robert Semple, Chandra Collure, Steven Apple, and Marion Dodson representing City Council. Eric Bowlby, representing San Diego County Chapter of Surfrider Foundation, submitted a request to speak in favor of the project with conditions. Bill Farquhar, representing North San Diego County Transit, submitted a request to speak in favor of the project to answer questions. Two speakers

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submitted requests to speak in opposition to the project: Genevieve Asher, representing COOSA, and David Holzman, representing Save Old Solana.

Motion & Vote: Wright moved staff recommendation, seconded by Giacomini, and the roll call vote was 8 in favor (Areias, Belgard, Giacomini, Randa, Wright, Steinberg, Wear & Flemming) and 1 opposed (Pavley). **Passed.**

30. FINDINGS.

a. **Application No. A-6-96-34 (Fletcher, Encinitas)** Staff recommended approval of findings.

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

31. MANAGEMENT AUDIT COMMITTEE: Postponed.

RECESS. The Commission recessed for the day at 6:10 p.m..

Wednesday, November 13, 1996 pages 12 to 15

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 13, 1996, at 9:05 a.m. by Vice Chairman Flemming.
2. **ROLL CALL.** Present: Vice Chairman Flemming, Commissioners (Alternate) Cava, Belgard, Brennan, (Alternate) Armanasco, Denisoff, Giacomini, Holanda, Pavley, Randa, Rick, Staffel, Wan and Wear. Absent: Sanders. Steinberg arrived at 9:30 a.m..

ENERGY and OCEAN RESOURCES

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

- a. **Guadalupe Oil Field Status Report.** Information only. Bill Sharrer & Paul West, both representing Unocal, submitted requests to speak. Gonzalo Garcia, representing Unocal, submitted a request to answer questions.

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

- a. **Santa Barbara Co. LCP Amendment 2-96-C ("Measure A") Time Extension.** Staff recommended approval.

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

5. **NEW APPEAL.**

- a. **Appeal No. A-4-96-48 (Molino Gas Project, Santa Barbara Co.).** Staff recommended the appeal raised no substantial issue.

Alan Waltner, representing Get Oil Out, Inc., submitted a request to speak in opposition to the project. Kevin J. Lamb, representing Molino Energy Company, submitted a request to speak in favor of the project. Susan Jordan, representing LCP, submitted a request to speak. Richard Kasa submitted a request to speak in favor of the project.

Motion & Vote: Staffel moved staff recommendation, seconded by Belgard, and the roll call vote was 11 in favor, 0 opposed and 1 abstention (Pavley). **Passed.**

6. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. E-95-5 (Marine Forests Society, Newport Beach) Postponed.**

b. **Application No. E-96-22 (Unocal, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Bill Sharrer, representing applicant, spoke in favor of the project.

Motion & Vote: Rick moved staff recommendation, seconded by Belgard, and the roll call vote was 11 in favor, 0 opposed and 1 abstention (Randa). **Passed.**

LUNCH RECESS. The Commission recessed for lunch at 10:20 and reconvened at 1:15 p.m. after closed session. Steinberg returned at 1:45 p.m.. (Alternate) Wright replaced Staffel during the break. Rick left during the break.

REPORT of CLOSED SESSION. In closed session the Commission took action on Thorne v. CCC et al., Topanga Assn. for A Scenic Community et a. v. CCC et al., Brittinghame et al. v. CCC et al., and a case involving the Los Angeles County sunshelters; and discussed to other matters for information only.

7. **PERMIT AMENDMENT and CONDITION COMPLIANCE.**

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

Michael Hertel and Nino Moscolo, both representing Southern California Edison, spoke in favor of the project. Pamela Slater, representing San Dieguito River Valley Joint Powers Auth., spoke in opposition to project. Warner Chabot, representing Center for Marine Conservation, spoke in opposition to the staff recommendation. Six speakers spoke in favor of the project: Pat Sweeney, representing Greater Oxnard Economic Development Corporation; Stephen Maulhardt, representing Maulhardt Industrial Center; Florence LaManno, representing Oxnard Chamber of Commerce; Dana Austin, representing San Diego Port Tenants Association; Esther Zertuche, representing Self Employed Trader Analyst; and Jose Zertuche, Hispanic Outreach Taskforce. Robert Kinosian, representing CPUC, Office of Ratepayer Advocates, stated concerns. Robert Hoffman & Jack M. Fancher, both representing National Marine Fisheries Service, spoke in opposition to the project. Steve Horn, representing State Coastal Conservancy, stated concerns about the project. Diane B. Coombs, representing San Dieguito River Park JPA, spoke in opposition to the project. Kumar

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Patel, representing UCLA, and Michael Mantell, representing Resources Agency, stated concerns about project. Milton Shedd, representing United Anglers of Southern California, spoke in opposition to the project. Bob Fletcher & Don Kent, representing ASA-UASC, spoke. Daniel Frumkes, representing ASA-UASC, spoke in opposition to the project. Dr. Larry G. Allen, representing California State University Northridge, spoke. John F. Skinner, representing Stop Polluting Our Newport, spoke in favor of the project. Norma Glover, representing City of Newport Beach, spoke in opposition to the project. Tom Rosmeller, representing County of Orange, spoke in opposition to the project. Dr. Robert LaRosa, representing The Nature School, spoke about the project. Sat Tamaribuchi, representing The Irvine Company, spoke in opposition to the project. Jack H. Morse & Dick Glenn, both representing San Diego Oceans Foundation, spoke in favor of the project. Robert L. Woodard, representing South West Yacht Club & San Diego Oceans Found., spoke in opposition to the project. Dick Long, representing San Diego Oceans Foundation, spoke in opposition to the project. Joy Zedler spoke in opposition to the project. John B. Murdock, representing Fund for the Environment, spoke in opposition to the project. Ann Notthoff, representing Natural Resources Defense Council, spoke in opposition to the staff recommendation. Mel Nutter, representing League for Coastal Protection, spoke in opposition to the project. Lori Jablonski, representing Center for Energy Efficiency & Renewable Technologies, spoke in opposition to the project. Linda Sheehan, representing Center for Marine Conservation, spoke in opposition to the project. Michael Shames, representing Utilities Consumers Action Network, spoke in opposition to the project. Susan Jordan, representing League for Coastal Protection, spoke in opposition to the project.

DINNER RECESS. The Commission recessed for dinner at 6:05 and reconvened at 7:30 p.m.. Randa & Steinberg returned at 8:05 p.m.. (Alternate) Wright returned at 7:40 p.m.. Pavley left at 11:00 p.m..

Margaret Schlesinger, representing League of Women Voters of San Diego, spoke in opposition to the amendments. Alice Goodkind, representing Friends of the San Dieguito River Valley, spoke in opposition to the amendment. Jim Peugh, representing San Diego Audubon, spoke in opposition to the project. Joanna Louis, MD, representing San Dieguito Lagoon Committee, spoke in opposition to the project. Don May, representing California Earth Corps, spoke in opposition to the amendment. Nancy Weare, representing San Dieguito Lagoon Committee, spoke in opposition to the amendments. Dwight Worden, attorney for San Dieguito River Park, spoke. Jaque Forrest, representing Heal the Bay, spoke in opposition to the project. John Gillies spoke in opposition to the amendment. Margaret Bonas, representing Agua Hedionda Lagoon Foundation, spoke in opposition to the project. Ramona Salisbury spoke in opposition to the project. Eric Bowlby, San Diego County Chapter of Surfrider Foundation, spoke in opposition to the project. Ellen Stephenson spoke in opposition to the project. Ann Pogue spoke in opposition to the project. Celine A. Olson, former Mayor of Solana Beach, spoke in opposition to the project. Dr. Craig Barilotti, spoke in opposition to the project. Doug Gibson, representing San Elijo Lagoon Conservancy, stated concerns. Rimmon C. Fay spoke in opposition to the amendment. Billy Paul

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spoke in opposition to the project. Howard Chang, Dr. Scott A. Jenkins, Thomas Dean and Dr. Michael Josselyn, all representing Edison, spoke in favor of the project.

Motion & Vote to Continue: Giacomini moved to continue the hearing, seconded by Wan, and the roll call vote was 4 in favor (Cava, Giacomini, Pavley & Wan) and 7 opposed (Belgard, Armanasco, Randa, Wright, Steinberg, Wear & Flemming). **Failed.**

Motion & Vote to Continue: After further discussion Giacomini moved to continue the hearing, seconded by Cava, and the roll call vote was 7 in favor (Cava, Giacomini, Pavley, Wright, Steinberg, Wan & Flemming) and 3 opposed (Belgard, Armanasco & Wear). **Passed.**

RECESS. The Commission recessed for the day at 12:05 a.m..

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Thursday, November 14, 1996 - pages 16 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 14, 1996, at 9:10 a.m. by Chairman Calcagno.
2. **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners Areias, Belgard, Denisoff, Holanda, (Alternate) Rynerson, Randa, Rick, Staffel, Steinberg, Wan and Wear. Absent: Sanders. Brennan arrived at 9:30 a.m.. Giacomini arrived at 9:35 a.m..

- 2.5 **MANAGEMENT AUDIT COMMITTEE REPORT. Postponed.**

SOUTH COAST DISTRICT

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

a. **Orange Co. LCP Amendments: Bolsa Chica 1-96, Newport Coast (Irvine Coast) 2-96, Sunset Beach 1-96, Emerald Bay 1-96, and Aliso Viejo 1-96 (Minor).** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

4. **CONSENT CALENDAR.** See items a. through d. on page 13 of the agenda. Staff recommended approval with special conditions.

(a) Erick Enfield & John Delanno, representing Portofino Hotel Partners, submitted a request to speak in favor of the project. (c) Cheryl L. Hodge, representing Pelican Point Community Assoc., requested more time to review the project. Ronilee Clark, representing State Parks, described the benefits and timing of the project. There being only 2 votes to remove it, the project remained on the Calendar. (d) Miguel A. Flores, representing Wilton Corp. submitted a request to answer questions.

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

a. **Mendocino Co. LCP Town Segment Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

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

a. **Mendocino Categorical Exclusion Order No. E-96-1 for Town of Mendocino.** Staff recommended approval with special conditions as modified in addendum.

Barbara Reed requested inclusion of 4 residential parcels.

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

Motion & Vote: Flemming moved to direct staff to work with the County on expanding the Exclusion, seconded by Randa, and the hand vote was 11 in favor and 0 opposed. **Passed.**

CENTRAL COAST DISTRICT

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

a. **Pismo Beach LCP Amendment No. 3-96 (Minor).** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Calcagno ruled that the Commission concurred. **Approved.**

8. **CONSENT CALENDAR.** Staff moved two items (11a & c) to the Calendar, and recommended approval with special conditions.

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

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

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a. **Pismo Beach LCP Amendment No. 2-96 (Pismo Pier).** Staff recommended approval with suggested modifications.

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 0 in favor and 11 opposed. **Failed.**

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

Motion & Vote to Reject Implementation as Submitted: Flemming moved to reject implementation amendment as submitted, seconded by Staffel, and Chairman Calcagno substituted the previous roll call vote (11-0). **Passed.**

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

b. **Pismo Beach LCP Amendment No. 3-96 (Permit Streamlining).** Staff recommended approval with suggested modifications.

There were no speakers.

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

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

10. NEW APPEALS.

a. **Appeal No. A-3-96-94 (Marina Dunes Resort, Marina)** Staff recommended the appeal raised substantial issue. There being no objection, Chairman Calcagno ruled that the Commission found substantial issue and opened the hearing on the merits of the project. Staff recommended approval with special conditions as modified in addendum.

David Watson, representing King Ventures, submitted a request to speak in favor of the project. Jeffrey Dack, representing City, submitted a request to speak in favor of

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the project. Seven other speakers submitted requests to speak in favor of the project: Michael Eakins, representing Monterey Bay Aero Sportsplex; Jim Vocelka, Mayor of City of Marina; John Langley, representing City of Marina; Candy Myers, representing Marina Chamber of Commerce; Fernando A. Manzanal; Patti Bradshaw; and Frank Geisler, representing Formsnet, Inc.. Janie Figen, representing Sierra Club, submitted a request to speak in opposition to the project. Gary Tate, representing Monterey Peninsula Regional Park District, submitted a request to speak in opposition to the project. Three other speakers submitted a request to speak in opposition to the project: Joyce Stevens, representing Sierra Club & Monterey Bay Dunes Coalition; Susan Brandt-Hawley, representing Sierra Club; and Susan Jordan, representing LCP.

Motion & Vote to Continue: Areias moved to continue the hearing, seconded by Rynerson, and the roll call vote was 8 in favor and 4 opposed (Belgard, Flemming, Randa & Steinberg). **Passed.**

b. **Appeal No. 3-96-100 (Tokyo Masuiwaya, Pismo Beach) Postponed.**

LUNCH RECESS. The Commission recessed for lunch at 12:45 and reconvened at 2:15 p.m.. Steinberg returned at 2:35 p.m..

11. COASTAL PERMIT APPLICATIONS.

a. **Application No. 3-96-64 (Gilbert, Monterey)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 3-96-73 (Bram, Monterey) Postponed.**

c. **Application No. 3-96-89 (Monterey Harbor)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 3-96-102 (Page, Pacific Grove)** Staff recommended approval with special conditions.

Mary-Margaret O'Connell submitted a request to speak representing the applicant. Three other speakers submitted a request to speak in favor of the project: Kirstie Wilde, Gary Tate and Paul Miller. Susan Jordan submitted a request to speak in opposition to the project. Stephen J.L. Page submitted a request to speak in favor of the project.

Motion: Steinberg moved staff recommendation, seconded by Belgard.

Amending Motion: Steinberg moved to substitute conditions from the stipulated judgment as modified orally, seconded by Belgard.

Motion & Vote to Continue: Areias moved to continue the hearing, seconded by Wan, and the roll call vote was 3 in favor (Areias, Rynerson & Wan) and 7 opposed (Belgard, Flemming, Randa, Rick, Staffel, Steinberg & Calcagno). **Failed.**

Vote on Amending Motion: The roll call vote on the amending motion was 6 in favor (Belgard, Flemming, Randa, Staffel, Steinberg & Calcagno) and 4 opposed (Areias, Rynerson, Rick & Wan). **Passed.**

Vote on Main Motion: The roll call vote on the main motion as amended above was 6 in favor (Belgard, Flemming, Randa, Staffel, Steinberg & Calcagno) and 4 opposed (Areias, Rynerson, Rick & Wan). **Passed.**

12. **CONDITION COMPLIANCE on Permit No. A-3-95-70 (Caltrans, San Luis Obispo Co.)**
Staff recommended approval.

Tony Anziano spoke representing Caltrans.

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

SOUTH COAST DISTRICT

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

(16c) Matthew Hensel, representing Fletcher General Construction for City of Los Angeles Dept. of Rec. & Parks, submitted a request to answer questions and speak in favor of the project.

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

14. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-96-118 (Hoag Hospital, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 5-96-156 (Dafa Equity, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 5-96-194 (Woodbridge, San Clemente)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-96-212 (Hermosa Beach pier)** Staff recommended approval with special condition.

Julie Oakes, Mayor of Hermosa Beach, submitted a request to speak in favor of the project. Steve Burrell & Sol Blumenfeld, both representing City, submitted requests to speak in favor of the project. Richard Hankus, representing Hermosa Beach Chamber of Commerce, submitted a request to speak in favor of the project.

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

e. **Application No. 5-96-219 (L.A. Co. and Parks & Rec. "sunshelters")** Postponed.

f. **Application No. 4-96-179 (L.A. Co. "sunshelters")** Postponed.

g. **Application No. 5-96-182 (Port of Long Beach container terminal)** Staff recommended approval with special condition.

Geraldine Knatz submitted a request to speak representing the applicant. Mike Murchison, representing Long Beach Community Partnership, submitted a request to speak in favor of the project. Abbie Winter, representing Assemblyman Steven T. Kuykendall, submitted a request to speak in favor of the project. Ann Cantrell, representing Audubon Society & Save the Park, submitted a request to speak in opposition to the project. Peter Deveraux, representing Long Beach Heritage, submitted a request to speak in opposition to the project. Billie Sheaffer, representing Save the Park, submitted a request to speak in opposition to the project. Colette Marie McLaughlin submitted a request to speak in opposition to the project.

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

15. **FEDERAL CONSISTENCY.**

a. **CC-129-96 (Port of Long Beach, offshore Los Angeles Co.) Postponed.**

16. **PERMIT AMENDMENTS.**

a. **Permit No. 5-92-108-A2 (Bel-Air Bay Club, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-92-203-A2 (Dror, Los Angeles)** Staff recommended approval with special conditions as modified orally.

Sherman L. Stacey, representing applicant, submitted a request to speak in favor of the project. Mary Goodfader and Robert Goodfader both submitted requests to speak.

Motion & Vote: Flemming moved staff recommendation, seconded by Staffel.

Amending Motion & Vote: Flemming moved to delete parking attendant, seconded by Staffel, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

Vote on Main Motion: The roll call vote on the main motion as amended above was 9 in favor and 0 opposed. **Passed.**

c. **Permit No. 5-95-293-A (Los Angeles/temporary trestle)** Moved to expanded Consent Calendar. **Approved.**

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17. PERMIT EXTENSIONS.

a. **Permit No. 5-92-186-E3 (Monarch Bay Resort, Dana Point)** Staff recommended approval.

b. **Permit No. 5-92-188-E3 (Monarch Bay Resort, Dana Point)** Staff recommended approval.

There being no objection Calcagno ruled that both permits be **extended**.

RECESS. The Commission recessed for the day at 6:45 p.m..

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0.3 **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 15, 1996, at 9:00 a.m. by Chairman Calcagno.

0.7 **ROLL CALL.** Present: Chairman Calcagno, Vice Chairman Flemming, Commissioners Areias, Belgard, Brennan, Holanda, (Alternate) Rynerson, Randa, Rick, Staffel, Wan and Wear. Absent: Denisoff, Giacomini, Sanders and Steinberg.

SAN DIEGO COAST DISTRICT

3. LOCAL COASTAL PROGRAM (LCP).

a. **San Diego LCP Amendment No. 1-95 (Mission Bay/Bahia Point).** Staff recommended approval with suggested modifications.

Penny Culberth Graft, Assistant City Manager, and John Leppert, Assistant City Manager, both spoke in favor of the amendment. Deborah Sharpe, manager of the planning project, presented background information. Ignacio Bunster-Ossa, planning consultant, described recreational goals of the plan. Ann Evans and Bill Evans, representing Bahia Hotel, spoke in favor of the hotel expansion. Mary Ann McCarthy, representing Assemblywoman Alpert, spoke in favor of the staff recommendation. Lisa Hirsh Medina, representing Congressman Filner, spoke in favor of the staff recommendation. Howard Wayne spoke in favor of public access. John Visapp said passive recreation was being displaced by sailors. Jacqueline Landis opposed staff recommendation. Dan Auld, representing Friends of Mission Bay Park, spoke in favor of the bike path. Noel Neudeck spoke in favor of the staff recommendation and requested additional wheelchair access. Krista Sandler spoke in favor of the plan as submitted. Wes Johnson, representing Accessible San Diego, spoke in favor of the plan. Helen Duffy spoke in favor of the plan. Gretchen Glazener applauded the plan. Steve Pelzer, representing the Convention & Visitors Bureau, spoke in favor of the plan. Steve Billings supported the hotel expansion and relocation of parking to provide access for the handicapped. Mike Waters, representing Mission Bay Sunfleet, said the area should be used for recreation not hotel expansion. Mary Lynn Hyde, representing Friends of Bahia Point, spoke in favor of parking for recreational users. Greg Gieselman said the parking is essential for some recreational users. Miriam Kirshner, representing Friends of Bahia Point Park, urged retention of public use and public parking. Al Strohleim spoke in favor of the staff recommendation. Dan LeVine spoke in favor of public access. Salvatore D'Autria said the hotel should pay a market-rate rent. David Ghio, representing Ocean Beach planning board, supported retention of the road & parking and allowing the hotel to expand on site. Gary Hann, representing bicyclists,

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opposed giving up access for a bike path. Eric Bowlby, representing San Diego County Chapter of the Surfrider Foundation, supported the staff recommendation. Michael Bufalry supported access for people who don't live in the area. Mario Cefalu spoke in favor of public access for families. Herman Collins said access has a downside and supported the City's plan. Steve Marino supported keeping the point open for family parties. Dr. Art Salzbury spoke in favor of the park as a resource for people of all economic backgrounds. Cynthia deGruchy supported the staff recommendation. Mark Schlesinger said parking is necessary for kayakers; a tram wouldn't be practical. Jace Miller of the Ocean Beach Preservation League said it was time to stop giving away public park land. John Storey, representing, the Ocean Beach Greens, supported the parking and the bike path. Janet Anderson, representing Sierra Club, spoke in favor of the staff recommendation. Maria Falcone spoke in favor of keeping the point as is. Salvatore D'Anna spoke in favor of continued access. Rolf Schreiber, representing San Diego Windsurfing Association & San Diego County Bicycle Coalition, spoke in favor of the staff recommendation. Janice Thiel spoke in favor of the staff recommendation. Sal D'Aquisto spoke in favor of keeping Bahia a family beach. George McClenahan spoke in favor of the staff recommendation. Richard Smith, representing Save Everyone's Access, spoke in favor of the staff recommendation. Bill Bradshaw, representing Bayside Residents' Association, opposed the hotel expansion. Ross Tyler, representing Hobie Cat Fleet 4, supported the staff recommendation. Billy Paul spoke in favor of access for the disabled and not expanding the hotel site. William Brougham said he needed the parking. Les Bartlett agreed with the previous speakers in support of the staff recommendation. Richard Roe opposed expansion of the hotel footprint. Filippo Busalachi opposed privatizing the point. Charles Markham spoke in favor of the staff recommendation. Margarita Tarantino spoke in favor of public parking. Joanne Pearson spoke in favor of the staff recommendation. Katherine Tarantino spoke in favor of public use. Peter Jensen spoke in favor of the bike path and the plan. Mike Hammond opposed elimination of parking. Bill Adams said the parking was key for the surf fishermen. Dave Ridgeway, representing the Santa Clara Racing Association, spoke in favor of saving parking and access at Bahia Point. Philip Shaffer spoke in favor of the staff recommendation with exceptions. Patrick Flynn asked the Commission to maintain the road, parking & access.

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

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

Amending Motion & Vote: Wear moved to substitute modification #17 as described orally, seconded by Belgard, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

Vote on Plan with Modifications: Chairman Calcagno substituted the previous roll call vote (9-0) to approve the main motion as amended above. **Passed.**

STATEWIDE

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

5. **FEDERAL CONSISTENCY.**

a. **CD-119-96 (Navy, San Diego)** Staff recommended approval.

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

b. **CD-121-96 (IBWC, San Diego Co.)** Staff recommended approval as modified orally.

Bill Ruth, representing IBWC, spoke in favor of the staff recommendation. Alan Langsworth was available for questions. Ken Moser, representing San Diego Baykeeper and Natural Resources Defense Council, urged denial because of water quality.

Motion & Vote: Rynerson moved approval of the project, seconded by Flemming, and the roll call vote was 1 in favor (Rynerson) and 7 opposed. **Failed.**

c. **CD-123-96 (Navy, Ventura Co.)** Staff recommended approval.

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

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d. **CD-127-96 (IBWC, San Diego)** Staff recommended approval.

Bill Ruth, representing IBWC, spoke in favor of the project. Art Letter, representing Tia Juana Valley County Water District, opposed staff recommendation. Eric Anderson, president of San Diego County Farm Bureau, opposed the project. Rueben D. Marshall spoke in opposition to the project. Gilbert Forester opposed the project.

Motion & Vote: Randa moved approval of the project, seconded by Wear, and the roll call vote was 1 in favor (Rynerson) and 6 opposed (Belgard, Flemming, Randa, Rick, Wear & Calcagno). **Failed.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 2:00 p.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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