

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200



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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF August 11-14, 1998**
 Waterfront Hilton Beach Resort
 21100 Pacific Coast Highway
 Huntington Beach

Tuesday, August 11, 1998 pages 1 to 10

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, August 11, 1998, at 10:15 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Armanasco, Branham, Dettloff, (Alternate) Johnson, Potter and Tuttle. Absent: Brennan, Nava, Reilly and Sanders. Oliver arrived at 10:25 a.m. Flemming arrived at noon.

SOUTH CENTRAL COAST DISTRICT

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

b. **Application No. 4-98-96 (Rashby, Los Angeles Co.)** There being 3 votes to remove it, this item was removed from the Calendar and **set for hearing** at a later meeting.

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

STATEWIDE

4. **APPROVAL OF MINUTES.** Tuttle moved approval of the minutes, seconded by Armanasco, and unanimously **approved**.

5. **COMMISSIONERS' REPORTS.** Informational only. The Commission approved a resolution honoring former Commissioner Dorill B. Wright.

6. **CONSERVANCY REPORT.** None.

7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.

8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

9. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Amendment to Public Education Interagency Agreement.** Staff recommended approval. Wan moved staff recommendation, seconded by Allen, and unanimously **approved**.

b. **Amendment to Interagency Agreement with San Diego State University Foundation.** Staff recommended approval. Chairman Areias ruled the amendment unanimously **approved**.

c. **LCP Planning Grant.** Craig Ewing, representing City of Malibu, submitted a request to speak in favor of the staff recommendation and was available for questions. **Continued** by a vote of 8 in favor and 0 opposed.

d. **FY 1999/2000 Proposed Budget.** Informational only.

e. **Legislation.** Informational only.

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

a. **Status Briefing (Vandenberg snowy plovers).** **Postponed**.

b. **Status Briefing (Navy SWEF, Port Hueneme)** Cdr. Renfield, representing US Navy, submitted a request to speak about the project. Lee Quaintance, representing the Beacon Foundation, spoke requesting an enforcement action. John Buse, representing the Beacon, submitted a request to speak in favor of enforcement. Bill Higgins, representing Channel Islands Beach Community Services District, submitted a request to speak in favor of enforcing the Consistency determination. Mark Massara,

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representing Sierra Club Coastal Program, commented on the project. Susan Jordan, representing League for Coastal Protection, also spoke. Informational only.

11. FEDERAL CONSISTENCY.

a. **CD-144-97 (BLM, Humboldt Co.)** Trailed until after lunch. Staff recommended approval.

Lynda Roush, representing Bureau of Land Management, waived the time limit. Gary Pritchard-Peterson, representing Bureau of Land Management, submitted a request to speak in favor of the staff recommendation. Mark A. Massara, representing Sierra Club Coastal Program, submitted a request to speak in favor. Diane Beck, representing Redwood Chapter, Sierra Club, submitted a request to speak in favor of the staff recommendation. Bill Corcoran, representing Angeles Chapter Sierra Club, submitted a request to speak in favor of the staff recommendation. Beverly Full, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. Robert Gelfand, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. Joan Jones Holtz, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. Frank Angel, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. John Schmill, representing State of California, submitted a request to speak in opposition to the project. Dana Bell, representing American Motorcyclist Assn., submitted a request to speak in opposition to the project. Glen Swank submitted a request to speak in favor of the project. Edward H. Waldheim, representing Calif. Off Road Vehicle Assoc., submitted a request to speak in opposition to the project. Paul Slavik, representing National Off Highway Vehicle Conservation Council, submitted a request to speak in opposition to the project. Steve Slavik submitted a request to speak in opposition to the project. Mike Ahrens, Cal. Assoc. of Four Wheel Drive Clubs, submitted a request to speak in opposition to the project. David Freedman submitted a request to speak in opposition to the project. Don Klusman, representing CA4WDC, submitted a request to speak in opposition to the project. Roy Denner, representing San Diego Off-Road Coalition, submitted a request to speak in opposition to the staff recommendation. Jim Bramham, representing Off Highway Motor Vehicle Recreation Commission, submitted a request to speak in opposition to the project. D.J. Miclette, representing Friends of the Beach, submitted a request to speak in opposition to the project. David Wheeler, representing Lost Coast 4WD Club, submitted a request to speak in opposition to the project. David M. Brown submitted a request to speak in favor of the project. Martin Schlageter, representing Sierra Club, Angeles Chapter, submitted a request to speak in favor of the staff recommendation. Joan Jones Holtz submitted a request to speak.

Motion & Vote to Continue: Flemming moved to continue the hearing, seconded by Armanasco, and the roll call vote was 7 in favor and 1 opposed (Wan). **Continued.**

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b. **CD-70-98 (Navy, San Diego Co.)** Staff recommended approval.

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

c. **CD-80-98 (Corps of Engineers, Crescent City)** Trained until Wednesday. On Wednesday staff recommended approval as modified orally.

Peter LaCivita, representing U.S. Army Corps of Engineers, SF District, submitted a request to speak in favor of the staff recommendation. Lindsay Marks, representing Crescent City Harbor District, submitted a request to speak or to answer questions.

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

SOUTH CENTRAL COAST DISTRICT

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

13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items (15d, 15f & 16a) to the Calendar, and recommended approval with special conditions.

(15f) Cynthia Maxwell stated her concerns. There being more than 3 votes to removed it, this item was returned to the regular calendar below. (16a) Don Schmitz, representing applicants, submitted a request to speak in favor of the project.

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

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

a. **Port Hueneme LCP amendment 1-98 (Update).** Postponed.

14.5 **Notice of Impending Development No. 1-98 Pepperdine University LRDP.** Staff recommended approval of the revised project.

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Robert H. (Bob) Thomas, representing Pepperdine University, submitted a request to speak in favor of the project.

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

15. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-96-187 (Sohal, Malibu) Postponed.**

b. **Application No. 4-97-51 (Hannigan, Malibu)** Staff recommended approval with special conditions.

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

c. **Application No. 4-97-191 (Kim, Malibu)** Staff recommended approval with special conditions as modified orally.

Richard Dodson, representing applicant, spoke in favor of the project. Lynn Heacox & Norm Haynie spoke about concerns for other projects.

Motion: Wan moved staff recommendation, seconded by Dettloff.

Amending Motion & Vote: Armanasco moved to allow proposed wall, seconded by Flemming, and the roll call vote was 2 in favor (Armanasco & Flemming) and 6 opposed (Allen, Dettloff, Johnson, Tuttle, Wan & Areias). **Failed.**

Vote on Main Motion: The roll call vote on the main motion (without amendment) was 8 in favor and 0 opposed. **Passed.**

d. **Application No. 4-98-97 (Seyferth, Malibu)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 4-98-136 (Armstrong, Malibu) Postponed.**

PUBLIC STATEMENTS. John Buse, representing Sierra Club, spoke about scheduling the Port Hueneme LCP Amendment and requested hearing in Agoura Hills. Ellen Stern Harris, representing Fund for the Environment, made suggestions about amendments to the Coastal Act. Doug Kortof, representing Save the Wetlands, presented a petition

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from people concerned about the Hellman Ranch project who would not be able to go to the meeting in Eureka. Stephen Reg Clewley also spoke about the expense and inconvenience of the Eureka hearing on Hellman. Sue Corbin submitted a request to speak about the Hellman Ranch project. Marcia Hanscom, representing Sierra Club California, spoke about the California Environmental Dialogue report, and efforts to raise money to buy the Hellman site. Mark Massara, representing Sierra Club Coastal Program, spoke about Miller beer and AVP ads for the event in Hermosa Beach. Jennifer Joanne Hunter, representing Save Our Shores & AIM, spoke about preservation of natural lands. Elizabeth Sax spoke about the overall Ocean Trails project. Carmen Langford spoke about destruction of wetlands and expense of going to Eureka. Kathy Knight cited comments from Joy Zedler and Rim Fay.

LUNCH RECESS. The Commission recessed for lunch at 1:10 and reconvened at 2:40 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Thorne v. CCC, et al., and discussed one other matter for information only.

f. **Application No. 4-98-138 (Stoutenborough, Los Angeles Co.)** Staff recommended approval with special conditions as modified orally.

Cynthia Maxwell & Victoria Wikle both spoke about concerns with lighting and access to the project.

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

g. **Application No. 4-98-158 (O'Connor, Malibu)** Staff recommended approval with special conditions as modified orally.

Ralph N. Williamson, representing applicant, submitted a request to speak in favor of the project. Marny Randall, representing applicant, submitted a request to speak in favor of the project.

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

h. **Application No. 4-98-181 (Santa Barbara Shellfish & Santa Barbara)** Staff recommended approval with special conditions as modified orally.

John Greer, representing City of Santa Barbara, submitted a request to speak in favor of the project. Fred Clough, representing Santa Barbara Shellfish Co., submitted

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a request to speak in favor of the project. Jana Zimmer, representing Char West & Moby Dick, submitted a request to speak in opposition to the project.

Motion & Vote: Johnson moved staff recommendation, seconded by Allen, and the roll call vote was 7 in favor and 1 opposed (Wan). **Passed.**

16. PERMIT AMENDMENT.

a. **Permit No. 4-92-246-A3 (Ulmer, Malibu)** Moved to expanded Consent Calendar. **Approved.**

17. FINDINGS.

a. **Application No. 4-97-123 (Soka, Los Angeles Co.)** Staff recommended approval of findings.

Frank Angel, representing Sierra Club, Save Open Space, SMM, Monte Nido V. POA, spoke in opposition to the project. David Brown, representing City of Calabasas, spoke in opposition to the findings. Victoria Wikle spoke in opposition to the project. Cynthia Maxwell spoke in opposition to the project. Gary Maxwell spoke in opposition to the project. Andi Culbertson, representing applicant, spoke in favor of the staff recommendation.

Motion & Vote: Flemming moved staff recommendation, seconded by Allen, and the hand vote was 5 in favor and 0 opposed. **Passed.**

b. **Los Angeles Co. Plan Amendment No. 1-97 (Soka).** Staff recommended approval of findings.

The hearing was combined with item a above.

Motion & Vote: Allen moved staff recommendation, seconded by Flemming, and the hand vote was 4 in favor and 1 opposed. **Passed.**

18. **CLAIM OF VESTED RIGHTS No. VR-4-97-1 (Witter, Los Angeles Co.)** Staff recommended approval of part of the claim and denial of part of the claim.

Morton Devore, representing the applicants, spoke in favor of the project. Sherman Stacey, representing the applicant, spoke in favor of the project. Douglas Richarson, representing applicants, spoke in favor of the project. Peter Petrosky spoke in favor of the project. Mark Pestrella; representing L.A. County Building & Safety, spoke in favor of the staff recommendation. Mark A. Massara, representing Sierra Club

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Coastal Program, spoke in favor of the staff recommendation. David M. Brown spoke in opposition to the project.

Motion & Vote on Part of Claim: Wan moved approval of list 1 from the staff recommendation, seconded by Tuttle, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

Motion & Vote on Part of Claim: Wan moved approval of list 2 from the staff recommendation, seconded by Dettloff, and the roll call vote was 0 in favor and 8 opposed. **Failed.**

SOUTH COAST DISTRICT

19. NEW APPEALS.

a. **Appeal No. A-5-98-223 (Manhattan Beach downtown parking prices)** Staff recommended that the appeal raised no substantial issue.

Dave Doyle, representing City of Manhattan Beach, spoke in favor of the project. Harry A. Ford Jr., representing appellant, spoke in opposition to the project.

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

b. **Appeal No: A-5-98-248 (Taylor, Huntington Beach)** Staff recommended that the appeal raised no substantial issue.

Rick Taylor submitted a request to speak in favor of the project.

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

20. PERMIT AMENDMENTS.

a. **Permit No. A-5-93-5-A9 (Ocean Trails, Rancho Palos Verdes)** Staff recommended approval with revisions to previous special conditions.

Ken Zuckerman, representing Ocean Trails, agreed with the staff recommendation. Michael Swesy, representing Dudek & Associates, submitted a request to speak in favor of the project. Barbara Dye, representing Ocean Trails, submitted a request to speak in favor of the project. Elizabeth Sax submitted a request to state concerns about the project.

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

Oliver left before the next item.

b. **Permit No. 5-96-282-A (Seaview Development, Hermosa Beach)** Staff recommended approval.

Craig French, representing applicant, submitted a request to speak in favor of the project.

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

c. **Permit No. 5-97-283-A2 (Long Beach, Parks Dept.)** Staff recommended approval with special conditions.

Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the project. Michael Spinelli, boatowner, said the parking problem would be made worse. Mike Maloban representing Yacht Club answered questions on special events and relocating the harbormaster.

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

d. **Permit No. 5-91-463-A3 (Playa Capital, Los Angeles Co.)** Staff recommended approval.

Robert Miller, representing applicant, agreed with the staff recommendation. Rex Frankel, representing Save All of Ballona, spoke in opposition to the project. Ellen Stern Harris, representing Fund for the Environment, spoke in opposition to the project. Kathy Knight, representing Ballona Eco-system education project, spoke in opposition to the project. Connie Hanson, representing Christians Caring for Creation, spoke in opposition to the project. Valeria Sklarevsky, representing Earth Trust Foundation, submitted a request to speak in opposition to the project. Marcia Hanscom, representing Wetlands Action Network, spoke in opposition to the project. Stephen Reg Clewley submitted a request to speak in opposition to the project. Jane Jo submitted a request to speak in opposition to the project. Doug Kortof, representing Save the Wetlands, spoke in opposition to the project. Joan Jones Holtz, representing Sierra Club, spoke in opposition to the staff recommendation. Stuart Spurling spoke in opposition to the project. Rosemary MacHardy, representing Sierra Club Ballona

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Wetlands Task Force, spoke in opposition to the project. Lola Terrell spoke in opposition to the project. Carolyn Allen spoke in opposition to the project. Thierry Kolpin, representing Surfrider, spoke in opposition to the project. Barbara T. Smith submitted a request to speak in opposition to the project. Al McCurdy spoke in opposition to the project. Dale Neal, representing applicant, spoke in favor of the project.

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

21. PERMIT EXTENSIONS.

a. **Permit No. 5-92-25-E2 (Miller, Seal Beach)** Staff recommended approval. There being no objection, Chairman Areias ruled that the permit be extended. **Approved.**

b. **Permit No. 5-94-74-E3 (Venice Sr Housing, Los Angeles)** **Postponed.**

RECESS. The Commission recessed for the day at 8:35 p.m..

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Wednesday, August 12, 1998 pages 11 to 17

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, August 12, 1998, at 9:15 a.m. by Chairman Areias.
2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners Allen, Armanasco, Branham, Dettloff, Flemming, Oliver, Kehoe, Potter, Reilly and Tuttle. Absent: Brennan and Sanders. Nava arrived at 9:40 a.m..

SAN DIEGO COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 9 of the agenda. Staff recommended approval with special conditions.

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

4. **CONSENT CALENDAR.** See items a & c on page 9 of the agenda. Item b was postponed. Staff recommended approval with special condition.

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

NORTH COAST DISTRICT

5. **CONSENT CALENDAR.**

a. **Application No. 1-98-45 (Lander, Sonoma Co.)** Staff recommended approval with special conditions.

There being 3 votes to remove it, this item was taken off the Calendar and **set for hearing at a later meeting.**

ENERGY and OCEAN RESOURCES

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

7. **ADMINISTRATIVE PERMIT AMENDMENT.**

a. **Permit No. E-98-5-A (Alamitos Bay Fishery and Fish & Game, Long Beach)** Staff recommended approval.

Approved: There being no objection Chairman Areias ruled that the amendment be issued by the Executive Director.

8. **PERMIT AMENDMENT.**

a. **Permit No. E-96-14-A (Mobil Seacliff pier decommissioning, Ventura Co.)** Staff recommended approval with special conditions.

Gary Brooks, representing Mobil Oil Co., submitted a request to speak in favor of the project.

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

PUBLIC STATEMENTS. Erick Greening, representing Life on Planet Earth (LOPE) & Canyons & Streams Alliance (CASA), submitted a request to speak on proposed restoration project at Guadalupe Dunes. William Kortof submitted a request to speak in opposition to the Hellman project. Doug Kortof, representing Save the Wetlands, submitted a request to speak in opposition to the project.

LUNCH RECESS. The Commission recessed for lunch at 12:50 and reconvened at 2:25 p.m. Areias returned at the break. Branham left during the break.

9. **NEW APPEAL.**

a. **Appeal No. A-3-98-72 (Unocal, San Luis Obispo Co.)** Trilled until after lunch. Staff recommended continuance.

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Steve Sawyer, representing Dept. of Fish & Game, submitted a request to speak. Alex Hinds, representing San Luis Obispo Co. Planning Dept., submitted a request to speak in favor of the project. Peg Pinard, representing County of SLO (Avila), spoke in favor of the project. Bill Hart, representing San Luis Yacht Club, submitted a request to speak in favor of the project. Eric Greening, representing Canyons and Streams Alliance (CASA), submitted a request to speak in favor of the project. Archie McLaren, Chairperson of Avila Beach Front Street Enhancement Committee, submitted a request to speak to answer questions. Carolyn Moffatt, representing Port San Luis Harbor District, submitted a request to speak in favor of the project. John M. Robertson, representing Regional Water Quality Control Board, submitted a request to speak in favor of the project. Saro Rizzo, representing Avila Alliance, submitted a request to speak. Tom Guernsey, representing Avila Beach C.S.D., submitted a request to speak concerning the project. Mark Massara, representing Sierra Club Coastal Program, submitted a request to speak concerning damages. John Katavich & Jay Chapel, both representing San Luis Yacht Club, submitted requests to speak in favor of the project.

Motion & Vote to Continue: Kehoe moved staff recommendation to continue, seconded by Allen, and the roll call vote was 9 in favor and 0 opposed. **Continued.**

SAN DIEGO COAST DISTRICT

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

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

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

12. LOCAL COASTAL PROGRAMS (LCP)s.

a. **San Diego LCP Amendment No. 2-98A (Lodge at Torrey Pines).** Staff recommended approval of the land use plan as submitted and approval of the implementation as submitted.

Mark A. Massara, representing Sierra Club Coastal, submitted a request to speak in opposition to the staff recommendation.

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Motion & Vote on Plan as Submitted: Kehoe moved approval of the 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: Kehoe moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Allen, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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

b. **Imperial Beach LCP Amendment Nos. 1-98 & 2-98 (Various Rezones).** Staff recommended approval of the time extension.

There being no objection Chairman Areias ruled that the time extension was unanimously **approved.**

13. NEW APPEALS.

a. **Appeal No. A-6-98-84 (Lodge at Torrey Pines, San Diego)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Areias ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended approval with special conditions.

Mark A. Massara, representing Sierra Club Coastal, submitted a request to speak in opposition to the staff recommendation.

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

b. **Appeal No. A-6-98-85 (Holmes, San Diego)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Areias ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended approval with special conditions as modified orally.

C. Samuel Blick, representing applicant, submitted a request to speak in favor of the project. Douglas Holmes, the applicant, submitted a request to speak in favor of the project.

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

14. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-97-160 (GTE Mobilnet & Nextel, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 6-98-49 (Investors Leasing, Del Mar)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-98-54 (Raoufpur, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-98-72 (Dana Landing, San Diego)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 6-98-74 (Nextel, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 6-98-80 (Thunderboats & San Diego Bayfair, San Diego)** Staff recommended approval with special conditions.

David Lippitt, representing the applicant, spoke in favor of the project. John C. Leppert spoke in favor of the project. Jim Kidrick, representing the applicant, answered a question from Allen on the sign program.

Motion: Nava moved staff recommendation, seconded by Reilly.

Amending Motion & Vote: Allen moved to eliminate option c, and to require mitigation and immediate cessation of the event if a dragboat enters the preserve and to eliminate part "2g" on monitoring traffic circulation, seconded by Kehoe, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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

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g. **Application No. 6-98-83 (Islandia, San Diego)** Moved to expanded Consent Calendar. **Approved.**

NORTH COAST DISTRICT

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

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

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

a. **Del Norte Co. LCP Amendment No. 2-98 (McNamara) Time Extension.** Staff recommended approval.

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

18. **NEW APPEAL.**

a. **Appeal No. A-1-98-56 (Baxman, Fort Bragg)** Staff recommended that the appeal raised no substantial issue.

Wendy Squires, representing the applicant, spoke in favor of the project. Charles Baxman, the applicant, spoke in favor of the project. Mark A. Massara representing Roanne Withers, spoke in opposition to the project.

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

19. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-1-97-46 (Riley, Mendocino Co.)** Staff recommended approval with special conditions as modified orally.

Frank Bacik, representing the applicant, agreed with the recommendation. Gerald P. Heckert submitted a request to speak in favor of the project. Mark A. Massara, representing Sierra Club Coastal Program, spoke in opposition to the project. Julie Verran showed slides. Ralph Matheson, the designer, spoke.

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REPORT of CLOSED SESSION. During this item the Commission held a brief closed session. In closed session the Commission took no action, and discussed future matters for information only.

Motion: Potter moved staff recommendation, seconded by Flemming.

Amending Motion & Vote: Potter moved to revise the Assumption of Risk condition, seconded by Flemming, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Amending Motion & Vote: Potter moved to revise the driveway to not require any cut or tree removal, seconded by Wan, and the roll call vote was 8 in favor (Dettloff, Kehoe, Nava, Potter, Reilly, Tuttle, Wan & Areias) and 3 opposed (Allen, Armanasco & Flemming). **Passed.**

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

b. **Application No. 1-97-68 (Arcata Readimix, Humboldt Co.) Postponed.**

c. **Application No. 1-98-41 (Kramer, Eureka)** Staff recommended approval with special condition as modified orally.

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

RECESS. The Commission recessed for the day at 5:05 a.m..

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Thursday, August 13, 1998 - pages 18 to 26

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

2. **ROLL CALL.** Present: Chairman Areias, Vice Chairman Wan, Commissioners (Alternate) Herron, (Alternate) Brothers, Dettloff, Flemming, Oliver, (Alternate) Johnson, Nava, Potter, Reilly and Tuttle. Absent: Branham, Brennan and Sanders.

SOUTH COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 5-98-224 (Santa Monica carousel dome)** Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a through f on page 15 of the agenda. Staff recommended approval with special conditions.

(b) **Application No. 5-98-218 (Ramezani, Los Angeles)** Kemal Ramezani objected to conditions. Allegra Clegg submitted a request to speak about the project. The item was trailed until later in the day. There being 3 votes to remove it from the Calendar it was **set for hearing at a later meeting.**

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

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

a. **Los Angeles Port Plan Amendment No. 19 Certification Review.** Staff recommended approval.

Motion & Vote: There being no speakers Dettloff moved staff recommendation, seconded by Flemming, and the hand vote was 10 in favor and 0 opposed. **Passed.**

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b. **El Segundo LCP Amendment No. 1-98 (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.**

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved seven items to the Calendar (8a, g, h, i, j, l & m), and recommended approval with special conditions.

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

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

a. **Long Beach LCP Amendment No. 2-98A (Queensway Bay).** Staff recommended approval of the land use plan as submitted, and approval of the implementation with suggested modifications.

Robert Paternoster, representing City of Long Beach, submitted a request to speak in opposition to the staff recommendation. Stan Eckstut, representing EEKA, submitted a request to speak in opposition to the staff recommendation. Dene Oliver, representing DDR Oliver McMillan, submitted a request to speak in opposition to the staff recommendation. Lester Denevan submitted a request to speak in opposition to the staff recommendation. Linda Howell DiMario, representing Long Beach Area Convention & Visitors, submitted a request to speak in opposition to the staff recommendation. F. Phil Infelise, representing Queensway Bay Citizens Advisory Comm., submitted a request to speak in opposition to the staff recommendation. Charles Legeman, representing Queensway Bay Advisory Committee, submitted a request to speak in opposition to the staff recommendation. Jim Gray submitted a request to speak in favor of the staff recommendation.

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

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

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

Amending Motion & Vote: Dettloff moved to approve the City's bridge proposal, seconded by Johnson, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Vote on Implementation with Modifications: The roll call vote on the main motion (approval of the implementation with suggested modifications) as amended was 10 in favor and 0 opposed. **Passed.**

b. **Long Beach LCP Amendment No. 2-98B (Marina Shores).** Staff recommended continuance.

Robert Bernard, representing City of Long Beach spoke in favor of the staff recommendation. Joel Miller, representing Selleck Development Group, wanted a vote that day. Don May, representing Los Cerritos Wetlands Task Force, described negative impacts on wetlands. Four other speakers representing Los Cerritos Wetlands Task Force submitted requests to speak in opposition to the project: Jim La Pointe, Marc Hoshor, Jason Hutcherson, and Connie Lester. Tony Bomkamp, representing Selleck Development, submitted a request to speak in opposition to the staff recommendation. Daniel Selleck, representing Selleck Development Group, submitted a request to speak in favor of the staff recommendation. Lee Whittenberg, representing City of Seal Beach, spoke in opposition to the project. Patrick Breen, representing Selleck Development Group, submitted a request to speak in favor of the project. Kathy Keane, representing Keane Biological Consulting, refuted the existence of wetlands. Ann Cantrell, representing El Dorado Audubon & Los Cerritos Wetlands, said it was once part of extensive wetlands at the mouth of the San Gabriel River and urged denial because the mitigation was inadequate. Ann Denison, representing Los Cerritos Wetlands, submitted a request to speak in opposition to the project. Doug Kortof urged preservation of the last remnant. Patricia Loeffler, representing Los Cerritos Wetlands Task Force, objected to the City's appeal determination. Janice Dahl, representing Los Cerritos Wetlands Task Force, remembered wetlands as a girl, and said the City has a history of destroying wetlands to facilitate development.

Motion & Vote to Continue: Nava moved to continue the hearing to a later meeting, seconded by Wan, and the roll call vote was 10 in favor and 0 opposed. **Continued.**

Motion & Vote on Appeal Process: Nava moved to direct staff to determine the appropriate appeal period, seconded by Wan, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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PUBLIC STATEMENTS. Robert Van't Riet spoke about the need for the Los Osos Sewer project. Gerald R. Wahlstum, representing South Bay Property Owners, spoke about the sewer. Seventeen other speakers submitted requests to speak in favor of the project: Alvin B. Cron; Louise Gonderman; A. A. Rita Runcili Graffio; John Graffio; Kathryn M. Hetherington; Paul Kalemkarian; Rosemarie Kalemkarian; Rosalie Kay; John B. Knight; Carolyn Love; Bob Penfield; representing Los Osos Sewer Committee; Mark Sanford; S. Stanwyck; Edward Tuck; George Tuck; Carolyn Van't Riet; and Frances Wallace. Doug Kortof said holding the hearing on Hellman Ranch in Eureka would deprive people of their democratic rights, and discriminate against native americans, hispanics, students & the elderly. David Balow from Watsonville said the landfill is not screening for toxics and could be polluting the groundwater. Thierry Kolpin said the new fence at Bolsa Chica does not allow wildlife to pass under, and said he would prefer that the Hellman hearing be in Oceanside. Gordon Hemsley, representing TAPPS, spoke about the Los Osos sewer. Connie Lester and Jim La Pointe, representing American Indian Movement of Southern California submitted a request to speak. Jennifer Hunter opposed a proposed project in Newport Shores because of cumulative destruction of habitat. Eli Saunders urged the Commission to listen to the voices of the sacred land.

LUNCH RECESS. The Commission recessed for lunch at 12:25 and reconvened at 1:35 p.m.

Oliver left during the following item.

c. **Laguna Beach LCP Amendment No. 1-98 (Treasure Island).** Staff recommended approval with suggested modifications as modified in the addendum and orally.

Paul Freeman, Councilman from Laguna Beach, submitted a request to speak in favor of the staff recommendation. Cheryl Kinsman, representing City of Laguna Beach Plan. Com., submitted a request to speak in favor of the staff recommendation. Elizabeth Pearson, Planning Commissioner from the City, submitted a request to speak in favor of the staff recommendation. Don Pendergast, representing Village Laguna, submitted a request to speak in opposition to the staff recommendation. Carole Reynolds submitted a request to speak in opposition to the staff recommendation. Dorothy E. Swenson, representing Village Laguna, submitted a request to speak in opposition to the staff recommendation. Seven other speakers representing City of Laguna Beach submitted requests to speak in favor of the staff recommendation: Mike Fenderson; Robert Sawyer; Jack Hefti; Art Casebeer; Bonnie Rohrer; Tom Ahern; and Ken Frank, City Manager. John J. Gabriels and Al Landolph also submitted requests to speak in favor of the staff recommendation. Three speakers submitted requests to speak in favor of the project: Frank Visca; Dave Connell; and Madeline Visca. Douglas Reilly, representing Village Laguna, submitted a request to speak in

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opposition to the project. Anne Cox submitted a request to speak in opposition to the staff recommendation. Ron Harris, representing South Laguna Civic Ass., submitted a request to speak both in favor of and in opposition to the staff recommendation. Anita Dobbs submitted a request to speak about the staff recommendation. Nine speakers submitted requests to speak in opposition to the staff recommendation: Ginger Osborne, representing Village Laguna; Marion Jacobs Ph.D., representing Village Laguna; Jinger Wallace, representing Village Laguna; Mary Lou Ripley; Becky (Kay Becknell) Jones, representing Village Laguna; Ann Christoph, representing Village Laguna; Eugene R. Atherton, MD; G. B. Sollberg; and Johanna Felder, representing Village Laguna. Carolyn Wood, representing Laguna Canyon Conservancy, submitted a request to speak in opposition to the project. Three other speakers submitted requests to speak in opposition to the staff recommendation: Robert Gentry, representing former Laguna Beach elected officials; Charlton Boyd; and Toni Iseman.

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

Motion & Vote on Plan with Modifications: Dettloff moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Johnson, and the roll call vote was 10 in favor and 1 opposed (Wan). **Passed.**

Motion & Vote to Reject Implementation: Dettloff moved to reject the implementation amendment as submitted, seconded by Johnson, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote on Implementation with Modifications: Dettloff moved approval of the implementation with suggested modifications, seconded by Johnson, and the roll call vote was 10 in favor and 1 opposed (Wan). **Passed.**

8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-97-334 (Newport Beach Fire & Marine Dept.)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 5-97-371 (Conrad, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

Six speakers submitted requests to speak in favor of the project: Robert Philibosian, representing applicants; Mark Hetherington, P.E.; Valerie Griswold; Charles Griswold; Troy Barnes and Jim Conrad. Nine speakers submitted requests to speak in opposition to the project: Larry Jansen; George B. Piggott; Pat Kapp; Sid Danenhauer; Tom Reynolds; G.T. (Pete) Fielding; Roger Osenbaugh; Ron Yarly; and Michele

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Reynolds. Osman Pekin submitted a request to answer questions. Bob Sanchis submitted a request to speak concerning the project.

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

c. **Application No. 5-98-20 (Conrad, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

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

d. **Application No. 5-98-64 (Barnes, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

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

e. **Application No. 5-98-178 (McMullen, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

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

f. **Application No. 5-97-399 (Beck, Los Angeles)** Staff recommended approval with special conditions.

Sergeant Andy Simon, representing Los Angeles Police Dept., spoke in favor of the project. Seven other speakers submitted requests to speak in favor of the project: Scott Reeves; Shellee Reeves; John A. Simich; Brian Carolla; Jerry Stephans; George Beck and Michael G. Stavres.

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Motion: Reilly moved staff recommendation, seconded by Dettloff.

Amending Motion & Vote: Reilly moved to allow the razor wire, seconded by Dettloff and the roll call vote was 10 in favor, 0 opposed and 1 abstention (Wan). **Passed.**

Vote on Main Motion: Chairman Areias substituted the previous roll call vote (10-0-1) to approve the main motion as amended above. **Passed.**

g. **Application No. 5-98-10 (Newport Beach, Buck Gully repair)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 5-98-47 (Tabaz, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

i. **Application No. 5-98-151 (Esslinger, Laguna Beach)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 5-98-153 (Tennis Estates Homeowners, Huntington Beach)** Moved to expanded Consent Calendar. **Approved.**

Nava left during the following item.

k. **Application No. 5-98-165 (Danninger & Tassin, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

Susan Burgess submitted a request to speak in favor of the project. Laurence Wilson, representing Three Arch Bay Community Services Dist., submitted a request to answer questions regarding drainage. Roger Osenbaugh & Jeanette Freedman both submitted requests to speak in opposition to the project. Four other speakers submitted requests to speak in opposition to the project: Cedric Channels; Burnie Craig; Mike Freedman and Mitchellene Channels. Brent Danninger submitted a request to speak in favor of the project.

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

l. **Application No. 5-98-177 (Finamore, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

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m. **Application No. 5-98-220 (Zagross, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

CENTRAL COAST DISTRICT

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

a. **Pacific Grove LCP Amendment #1-97 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.**

b. **Condition Compliance for Permit No. 4-82-300 (Parks & Recreation, Oceano)** Postponed.

c. **Condition Compliance for Permit No. A-3-97-37 (Pebble Beach Company)** Informational only. Thomas Jamison & Ed Brown, both representing Pebble Beach Company, submitted requests to speak in favor of the project. Carl E. Nielsen & Ted R. Hunter, both representing Concerned Residents of Pebble Beach, submitted requests to speak in opposition to the project.

10. **NEW APPEAL.**

a. **Appeal No. A-3-98-55 (Santa Cruz Co. & Rocha)** Staff recommended that the appeal raised substantial issue. There being 3 votes to hear testimony on substantial issue, Chairman Areias opened the hearing on substantial issue.

County Supervisor Jeff Almquist spoke in favor of the project. Patrick Mathews, representing Santa Cruz Co. Public Works, spoke in favor of the project. Kim Tschanter, representing County, spoke in favor of the project. County Supervisor Ray Belgard spoke in favor of the project. David Barlow, representing Buena Vista Community Assoc., spoke in opposition to the project. Carl Cole, representing Buena Vista Community Association, said moving & stockpiling would impact strawberries & flower growing. Charles Greenleaf, representing Buena Vista Community Association, spoke in opposition to the project. Karen M. Greenleaf, representing Buena Vista Community Assoc., submitted a request to speak in opposition to the project. Jonathan Wittwer, representing Buena Vista Community Association, wanted Substantial Issue and to work with staff & the Corps of Engineers. The representative of the County agreed to continuance.

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Motion & Vote to Continue: Potter moved to continue the hearing, seconded by Brothers, and the roll call vote was 6 in favor (Herron, Brothers, Flemming, Potter, Reilly & Areias) and 4 opposed (Dettloff, Johnson, Tuttle & Wan). **Continued.**

RECESS. The Commission recessed for the day at 8:05 p.m..

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Friday, August 14, 1998 - pages 27 to 29

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, August 15, 1998, at 9:05 a.m. by Vice Chairman Wan.

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

CENTRAL COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 3-98-56 (Cambria CSD, San Luis Obispo Co.)** Staff recommended approval with special conditions.

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

4. CONSENT CALENDAR.

a. **Application No. 3-98-45 (Esser, San Luis Obispo Co.)** Staff recommended approval with special conditions.

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

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5. LOCAL COASTAL PROGRAMS (LCPs).

a. **Santa Cruz LCP Amendment No. 1-98.** Staff recommended approval.

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

b. **Grover Beach LCP Amendment No. 1-98 (Update) Time Extension.** Staff recommended approval.

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

6. NEW APPEALS.

a. **Appeal No. A-3-98-61 (Farbstein, San Luis Obispo Co.)** Staff recommended continuance. There being no objection Vice Chairman Wan opened the hearing on substantial issue and **continued it to a later meeting.**

b. **Appeal No. A-3-98-62 (Gustafson, Pismo Beach)** Staff recommended continuance. There being no objection Vice Chairman Wan opened the hearing on substantial issue and **continued it to a later meeting.**

c. **Appeal No. A-3-98-70 (Grice, Monterey Co.)** Staff recommended continuance. There being no objection Vice Chairman Wan opened the hearing on substantial issue and **continued it to a later meeting.**

d. **Appeal No. A-3-98-71 (Watsonville, Santa Cruz Co.)** Staff recommended continuance. There being no objection Vice Chairman Wan opened the hearing on substantial issue and **continued it to a later meeting.**

e. **Appeal No. A-3-98-74 (King, San Luis Obispo Co.)** Staff recommended continuance. Tom King requested action in September. There being no objection Vice Chairman Wan opened the hearing on substantial issue and **continued it to a later meeting.**

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7. FINDINGS.

a. **Application No. 3-97-65 (Motroni & Bardwell, Santa Cruz Co.)** Staff recommended approval of findings.

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

ADJOURNMENT. There being no old or new business, the meeting adjourned at 9:15 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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