

## CALIFORNIA COASTAL COMMISSION

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# W6a

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF NOVEMBER 2-5, 1999**  
Four Points Hotel  
530 West Pico Blvd.  
Santa Monica

Tuesday, November 2, 1999 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, November 2, 1999, at 10:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Daniels, Desser, Dettloff, Estolano, (Alternate) Kruer, Nava and Sanders. Absent: Bornstein, Dohn, Flemming, McClain-Hill, Potter, Reilly and Sweeney.

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## SOUTH COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 5-99-283 (Jensen, Newport Beach)** Staff recommended approval with special condition.

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

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# DRAFT

## 4. CONSENT CALENDAR.

a. **Application No. 5-99-346 (116 Lighthouse Mall, Los Angeles)** Staff recommended approval with special conditions.

**Motion & Vote:** Dettloff moved staff recommendation, seconded by Estolano , and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## STATEWIDE

5. **CONTAMINATED SEDIMENTS TASK FORCE WORKSHOP.** Dean R. Smith, representing Los Angeles County - Beaches & Harbors, submitted a request to speak. Mark Gold & Mitzy Taggart, both representing Heal the Bay, submitted requests to speak. Informational only.

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## SOUTH COAST DISTRICT

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

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7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items (10k, 10l & 10n) to the Calendar, and recommended approval with special conditions.

(10k) There being 3 votes to remove it, this item was returned to the regular calendar below. (10l) Pete Swift, representing the applicant, submitted a request to speak in favor of the project.

**Motion & Vote:** Estolano moved staff recommendation on the remainder of the Calendar, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 8. LOCAL COASTAL PROGRAM (LCP).

a. **Long Beach LCP Amendment No. 3-99 (reasonable accommodations).** Staff recommended extension of the time limit.

**Motion & Vote to Extend Time Limit:** Dettloff moved staff recommendation, seconded by Estolano, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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# DRAFT

## 9. NEW APPEAL.

a. **Appeal No. A-5-99-369 (McSorley, Manhattan Beach)** Staff recommended that the appeal raised no substantial issue.

Robin Olney spoke in opposition to the project. Regina Barton, representing Venice Historical Society, spoke in opposition to the project. Elizabeth Stout, representing the applicant, spoke in favor of the project. Rob Stroyler, representing the applicant, submitted a request to speak in favor of the project.

**Motion & Vote on No Substantial Issue:** Dettloff moved staff recommendation, seconded by Daniels, and the roll call vote was 4 in favor (Daniels, Dettloff, Kruer & Wan) and 3 opposed (Desser, Estolano & Nava). **Passed.**

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## 10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-98-210 (Nelson, San Clemente)** **Previously acted upon.**

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b. **Application No. 5-98-273 (McKinley & Bass, San Clemente)** **Withdrawn.**

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c. **Application No. 5-99-19 (Santa Monica preferential parking)** Postponed.

d. **Application No. 5-99-45 (Santa Monica preferential parking)** Postponed.

e. **Application No. 5-99-46 (Santa Monica preferential parking)** Postponed.

f. **Application No. 5-99-47 (Santa Monica preferential parking)** Postponed.

g. **Application No. 5-99-48 (Santa Monica preferential parking)** Postponed.

h. **Application No. 5-99-49 (Santa Monica preferential parking)** Postponed.

i. **Application No. 5-99-50 (Santa Monica preferential parking)** Postponed.

j. **Application No. 5-99-51 (Santa Monica preferential parking)** Postponed.

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# DRAFT

k. **Application No. 5-99-261 (Atkins, Newport Beach)** Staff recommended approval with special condition.

**Motion & Vote:** There being no speakers, Desser moved staff recommendation, seconded by Daniels, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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l. **Application No. 5-99-297 (Fournier, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

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**PUBLIC COMMENTS.** Doug Kortof described illegal fill in Los Cerritos wetlands for carnival rides. Mark A. Massara invited the Commission to a slide show on the Gaviota coast. Isabel Snyder requested enforcement action on an alleged violation.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Co. of Riverside v. Superior Court, and discussed one other matter for information only.

**LUNCH RECESS.** The Commission recessed for lunch at 12:30 and reconvened at 1:40 p.m..

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m. **Application No. 5-99-377 (Caltrans Vincent Thomas Br., Los Angeles)** Staff recommended approval with special conditions as modified orally.

Anthony Cole, representing Caltrans, spoke in favor of the project. Adolfo V. Nodal, Gen. Mgr. City of LA Cultural Affairs Dept., spoke in favor of the project. Louis Dominguez, Chair of Vincent Thomas Bridge Committee, spoke in favor of the project. David Mathewson, representing Port of Los Angeles, spoke in favor of the project. Eric Moody, representing Councilman Rudy Svorinich's office, spoke in favor of the project. Julie Reeves, representing Lighting Design Alliance, spoke in favor of the project. John Case submitted a request to speak in favor of the project. Travis Longcore, representing The Urban Wildlands Group, spoke in opposition to the project. Billie C. Sheaffer submitted a request to speak in opposition to the project. Frank Angel, representing Sierra Club (Coastal Program), spoke in opposition to the project. Catherine Rich submitted a request to speak in opposition to the project. Tom Francis, representing Ballona Wetlands Land Trust, submitted a request to speak in opposition to the project. Ann Cantrell, representing El Dorado Audubon, spoke in opposition to the project. Richard Moore, representing El Dorado Audubon Society, submitted a request to speak in opposition to the project. Joseph H. Fierstein, representing South Bay Astronomical Assn/Int'l Dark Sky Assn., spoke in opposition to the project. Ron

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Rennie, representing South Bay Astronomical Society, submitted a request to speak in opposition to the project. LaVerne Booth, representing International Dark Sky, spoke in opposition to the project. Norm Peterson spoke in opposition to the project. Doug Kortof spoke in opposition to the project. Diana Mann, representing Surfrider, ECO-Link, spoke in opposition to the project. Pat Saletore, representing Local Group Astronomy Club, spoke in opposition to the project. Dr Sallie Baliunas, representing Mount Wilson Observatory, spoke in opposition to the project. Sabrina Venskus, representing Ballona Wetlands Land Trust, submitted a request to speak in opposition to the project. Lita Albuquerque, artist for project, spoke in rebuttal.

**Motion & Vote:** Nava moved staff recommendation, seconded by Desser, and the roll call vote was 2 in favor (Daniels & Kruer) and 5 opposed (Desser, Dettloff, Estolano, Nava & Wan). **Failed.**

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n. **Application No. 5-99-317 (Parkos, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

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## 11. PERMIT AMENDMENTS.

a. **Permit No. 5-95-219-A2 (Jones, Newport Beach)** **Postponed.**

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b. **Permit No. 5-98-156-A (City of Long Beach & McMillan)** Staff recommended approval with special conditions.

Tony Parker, representing the applicant, submitted a request to speak in favor of the project. Robert Paternoster, representing City of Long Beach, submitted a request to speak.

**Motion & Vote:** Kruer moved staff recommendation, seconded by Estolano, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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c. **Permit No. 5-99-278-A (Cha, Los Angeles)** Staff recommended denial.

Andrew Cha spoke in favor of the project. A. M. Man spoke concerning the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Tom Francis, representing Ballona Wetlands Land Trust, submitted a request to speak in opposition to the project. Sabrina Venskus submitted a request to speak in opposition to the project. Doug Kortof submitted a request to speak in opposition to the project.

**Motion & Vote:** Estolano moved to approve the application, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous in opposition. **Failed.**

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d. **Permit No. A-5-93-5-A14 (Ocean Trails, Rancho Palos Verdes)** Staff recommended denial.

Ken Zuckerman, Scott Magorien, Mark Schluter, Barbara Dye & Dr Bill T. D. Lu, all representing the applicant, submitted requests to speak in favor of the project. Mayor Pro Tem Lee Byrd and Councilmembers Marilyn Lyon, John McTaggart & Barbara Ferraro, from the City of Rancho Palos Verdes, all submitted requests to speak in favor of the project. Mike Kennedy spoke in favor of the project. Russell Harrison spoke in favor of the project. Rick Redfern spoke in favor of the project. Bill Griffin submitted a request to speak in favor of the project. Les Evans, representing City of Rancho Palos Verdes, submitted a request to speak in favor of the project. John L. Beringer, President, Mediterranean Homeowners Association, spoke in opposition to the project. Michael Sribney, President of Nautilus Dr Homeowners Assoc., spoke in opposition to the project. Doug Kortof submitted a request to speak in opposition to the project. Uday K. Patil, representing Seaview Homeowner's Association, spoke in opposition to the project. Sharon Solari spoke in opposition to the project. Mary Casaburi, Board Member of Sea View Homeowners Assn., spoke in opposition to the project. Craig Douglass, Board Member of Nautilus Homeowners Assoc., spoke in opposition to the project. Chris Stavros submitted a request to speak in opposition to the project. Lois Knight Larue submitted a request to speak in opposition to the project.

**Motion & Vote:** Nava moved to approve the amendment, seconded by Estolano, and the roll call vote was 0 in favor and 7 opposed. **Failed.**

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## STATEWIDE

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

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13. **FEDERAL CONSISTENCY.**

a. **CD-101-99 (National Marine Fisheries Service, San Diego) Withdrawn.**

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b. **CD-102-99 (National Marine Fisheries Service, San Diego Co.) Postponed.**

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# DRAFT

## 14. FINDINGS.

- a. CC-64-99 (Metropolitan Transit Development Board, San Diego) **Postponed.**

## ENERGY and OCEAN RESOURCES

### 15. ENERGY & OCEAN RESOURCES REPORT. informational only.

Nava left at 5:20 p.m., during the following item.

a. **Chevron 4H Platform Shell Mounds.** Michael Valentine, representing State Lands Commission, submitted a request to speak in favor of the staff recommendation. George Steinbach, representing Chevron, submitted a request to speak. Linda Krop, representing EDC, spoke in opposition to the staff recommendation. Tanya Gulesserian, representing EDC, spoke in opposition to the staff recommendation. Informational only.

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**RECESS.** The Commission recessed for the day at 5:30 p.m..

# DRAFT

Wednesday, November 3, 1999 pages 8 to 13

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 3, 1999, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, Estolano, Flemming, (Alternate) Krueer, Nava and Reilly. Absent: Bornstein, Dohn, Sweeney and Sanders. McClain-Hill arrived at 9:45 a.m..

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## CENTRAL COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATIONS.

- a. **Application No. 3-99-65 (Heritage Harbor, Monterey) Postponed.**
- b. **Application No. 3-98-69 (Elkhorn Yacht Club, Moss Landing)** Staff recommended approval with special conditions.

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

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## STATEWIDE

4. **APPROVAL OF MINUTES.** None.
5. **COMMISSIONERS' REPORTS.** None.
6. **CONSERVANCY REPORT.** None.
7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

# DRAFT

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

a. **interagency agreement** with CalTrans. Trailed until Friday. On Friday, staff recommended acceptance of up to \$640,000. Desser moved approval, seconded by Kehoe, and Chairman Wan ruled that the vote was unanimous. **Approved.**

b. **Legislative Report.** Informational only

c. **Budget Report.** Informational only

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10. **LCP PLANNING GRANTS.** Staff recommended approval as modified in addendum.

Vic Holanda, Planning Director S.L.O. County. spoke in favor of the staff recommendation. Dave Durlinger, Interim City Manager, and Brad Stein, Mayor, both representing City of Carpinteria, spoke in favor of the staff recommendation. Dianne Meester, representing S.B. County, spoke. Carolyn Johnson, representing City of Pismo Beach, submitted a request to speak in favor of an additional request. Mark Massara, representing Sierra Club, submitted a request to speak.

**Motion & Vote:** Desser moved staff recommendation except Mendocino Co. & Fort Bragg, seconded by Reilly, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## ENERGY and OCEAN RESOURCES

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

a. **Avila Beach Remediation Status Report.** Informational only.

b. **Guadalupe Oil Field Remediation Status Report.** Informational only.

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12. **SONGS STATUS.** Informational only. Rimmon C. Fay spoke about changes to the project mitigation.

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# DRAFT

## 13. COASTAL PERMIT APPLICATION.

a. **Application No. E-99-9 (Unocal, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Gonzalo Garcia, representing Unocal, spoke in favor of the project. Harvey Packard, representing Regional Water Quality Control, submitted a request to speak in favor of the project.

**Motion & Vote:** Krueer moved staff recommendation, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 14. FINDINGS.

a. **Permit No. E-98-26 (Chevron, San Luis Obispo Co.)** Staff recommended approval of findings.

Joe Gonzalez, representing Chevron, submitted a request to speak in favor of the project.

**Motion & Vote to Continue:** Potter moved to continue the hearing, seconded by Daniels, and Chairman Wan ruled that the vote was unanimous. **Passed.**

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## CENTRAL COAST DISTRICT

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

a. **Monterey Co. LCP Amendment No. 1-98 Certification Review Time Extension.** Staff recommended approval. Flemming moved to extend the time limit, seconded by Potter, and Chairman Wan ruled that the vote was unanimous. **Approved.**

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b. M.O.U. regarding Offer to Dedicate **Public Access Easement Program.** Trilled until Thursday, and discussed again on Friday. Staff recommended approval of revised document.

**Motion & Vote:** Desser moved staff recommendation, seconded by Estolano, and Chairman Wan ruled that the hand vote was unanimous. **Passed.**

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# DRAFT

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

Kirsten Gilardi, representing Oiled Wildlife Care Network, submitted a request to speak in favor of the project.

**Motion & Vote:** Potter moved staff recommendation, seconded and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 17. NEW APPEALS.

a. **Appeal No. A-3-99-14 (Morro Bay Ltd., San Luis Obispo Co.)** The Commission having found substantial issue in June, staff recommended approval with special conditions as modified in addendum and orally.

Robert Philibosian, representing the applicant, spoke in favor of the project. Dan Lloyd and Revel Robin, both representing the applicant, submitted requests to speak in favor of the project.

**Motion:** Potter moved staff recommendation, seconded by Flemming.

**Amending Motion & Vote:** Potter moved to delete §i sub i and change offer to dedicate to 21 years, seconded by McClain-Hill, and the roll call vote was 9 in favor (Daniels, Dettloff, Estolano, Flemming, Kruer, McClain-Hill, Potter, Reilly & Wan) and 1 opposed (Nava).

**Passed.**

**Vote on Main Motion:** Chairman Wan substituted the previous roll call vote (9-1) for approval of the main motion as amended above. **Passed.**

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b. **Appeal No. A-3-99-32 (Morro Bay Ltd., San Luis Obispo Co.)** The Commission having found substantial issue in June, staff recommended approval with special conditions modified by the previous amending motion.

The hearing was combined with item a above.

**Motion & Vote:** Potter moved staff recommendation, seconded by McClain-Hill, and Chairman Wan substituted the previous roll call vote (9-1). **Passed.**

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c. **Appeal No. A-3-99-56 (Hooper & Filizetti, Santa Cruz Co.)** Postponed.

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d. **Appeal No. A-3-99-67 (Pran, San Luis Obispo Co.)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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e. **Appeal No. A-3-99-68 (Bonita Homes, San Luis Obispo Co.)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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f. **Appeal No. A-3-99-77 (Mehring, San Luis Obispo Co.)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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g. **Appeal No. A-3-99-79 (Linsley, San Luis Obispo Co.)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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## 18. COASTAL PERMIT APPLICATION.

a. **Application No. 3-99-54 (BDC, San Luis Obispo Co.)** Postponed.

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## 19. PERMIT AMENDMENTS.

a. **Permit No. 3-83-76-A12 (UCSC Long Marine Lab., Santa Cruz)** Moved to expanded Consent Calendar. **Approved.**

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b. **Permit No. 3-93-64-A (Youssef, Pacific Grove)** Staff recommended approval with special conditions.

Ehab Youssef spoke in favor of the project. David M. Spradling spoke in favor of the project.

**Motion & Vote to Continue:** Potter moved to continue the hearing, seconded by Desser, and the roll call vote was 8 in favor and 3 opposed (Daniels, Flemming & McClain-Hill). **Passed.**

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# DRAFT

## 20. RECONSIDERATION.

a. **Appeal No. A-3-99-36-R (Cain, Monterey Co.)** The applicant requested continuance.

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

**RECESS.** The Commission recessed for the day at noon.

# DRAFT

Thursday, November 4, 1999 - pages 14 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 4, 1999, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Flemming, Nava and Reilly. Absent: Bornstein, Dohn, Sanders and Sweeney. Kehoe arrived at 9:05 a.m.. Daniels arrived at 9:15 a.m.. Estolano arrived at 9:25 a.m.. McClain-Hill arrived at 10:00 a.m..

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## SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a & b on page 12 & addendum of the agenda. Staff recommended approval with special conditions.

(3b) Joseph & Lillian McCoy submitted a request to speak in favor of the project.

**Motion & Vote:** Reilly moved staff recommendation, seconded by Desser, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## SAN DIEGO COAST DISTRICT

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

a. **San Diego LCP Amendment No. 1-98C (Carmel Valley MSCP) Certification Review.** Staff recommended concurrence with Executive Director's determination. The being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

b. **San Diego LCP Amendment No. 1-98A (MSCP) Certification Review.** Staff recommended concurrence with Executive Director's determination. The being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

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c. **San Diego LCP Amendment No. 1-98B (Land Development Code) Certification Review.** Staff recommended concurrence with Executive Director's determination. The being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

d. **San Diego LCP Amendment No. 2-98C (Planned District Ordinances) Certification Review.** Staff recommended concurrence with Executive Director's determination. The being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

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

**Motion & Vote:** Reilly moved staff recommendation, seconded by Potter, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 6. LOCAL COASTAL PROGRAM (LCP).

a. **Del Mar Implementation Plan.** Staff recommended approval with suggested modifications as modified orally.

Adam Birnbaum representing City of Del Mar, spoke in favor of the staff recommendation.

**Motion & Vote to Reject Implementation:** Kehoe moved to reject the implementation amendment as submitted, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

**Motion & Vote on Implementation with Modifications:** Kehoe moved approval of the implementation with suggested modifications, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 6.5. NEW APPEALS.

a. **Appeal No. A-6-99-133 (Ligouri, Oceanside)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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# DRAFT

## 7. COASTAL PERMIT APPLICATIONS.

a. Application No. 6-97-170 (S.D.G.& E., Carlsbad) Postponed.

b. Application No. 6-98-127 (San Diego, SR 56) Postponed.

c. Application No. 6-99-48 (Beach King, Carlsbad) Postponed.

d. Application No. 6-99-78 (Rancho La Noria, San Diego Co.) Staff recommended approval with special conditions as modified in addendum.

**Motion & Vote:** There being no speakers, Kehoe moved staff recommendation, seconded by Estolano, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

e. Application No. 6-99-94 (22nd Dist. Ag. Assn., Del Mar) Staff recommended denial.

Trish Butler, representing the applicant, spoke in favor of the project. Jacqueline Winterer, representing Friends of San Dieguito River Valley, spoke in opposition to the project. Crystal Crawford, Councilmember San Dieguito River Valley JPA and City of Del Mar and San Dieguito Lagoon Committee, spoke in opposition to the project.

**Motion & Vote:** Kehoe moved approval of the application, seconded by Daniels, and Chairman Wan ruled that the roll call vote was unanimous in opposition. **Failed.**

## 8. PERMIT AMENDMENTS.

a. Permit No. 6-87-680-A11 (Brehm-Aviara III, Carlsbad) Moved to expanded Consent Calendar. **Approved.**

b. Permit No. 6-90-219-A7 (Carlsbad maintenance dredging) Staff recommended approval with special conditions.

**Motion & Vote:** Kehoe moved staff recommendation, seconded by Dettloff, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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c. Permit No. 6-97-11-A2 (Carlsbad revised mitigation) Postponed.

## 9. RECONSIDERATION.

a. **Application No. 6-99-8-R (Lampl, Encinitas)** The applicant requested postponement.

**Motion & Vote to Continue:** Kehoe moved to continue the hearing, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous. **Passed.**

## SOUTH CENTRAL COAST DISTRICT

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

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

## 12. LOCAL COASTAL PROGRAM (LCP).

a. **Port Hueneme LCP Amendment No. 1-99 (Moonlite Motel).** Staff recommended extension of the time limit.

**Motion & Vote to Extend Time Limit:** Kehoe moved staff recommendation, seconded by Potter, and Chairman Wan ruled that the vote was unanimous. **Passed.**

## 13. NEW APPEALS.

a. **Appeal No. A-4-99-200 (Santa Barbara Beach Prop. & Santa Barbara)** Staff recommended that the appeal raised substantial issue. There being 3 votes to hear testimony on substantial issue, Chairman Wan opened the hearing on substantial issue.

Tanya Gulesserian, representing EDC-appellants, spoke in opposition to the project. James E. Marino, representing Cars Are Basic, CAB, spoke in opposition to the project. Thomas Becker, Martha Santrizos & Scott Wenz, all representing Cars Are Basic, submitted requests to speak in opposition to the project. Bonnie Raisin, Catherine McCommon & Patricia Shewczyk also submitted requests to speak in opposition to the project. Douglas E. Fell, representing the applicant, spoke in favor of the project. David Davis, representing City of Santa Barbara, spoke in favor of the project.

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

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b. **Appeal No. A-4-99-206 (Santa Barbara skateboard park)** Staff recommended that the appeal raised no substantial issue.

Dennis Howard, representing Santa Barbara Waterfront Coalition, spoke in opposition to the project. John Allen submitted a request to speak in opposition to the project. David Davis, representing City of Santa Barbara, spoke in favor of the project. Billy Goodnick, representing City of Santa Barbara - Parks & Recr. Dpt., spoke in favor of the project. Henry Sarria spoke in favor of the project.

**Motion & Vote on No Substantial Issue:** Nava moved to find that the appeal raised no substantial issue, seconded by Potter, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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c. **Appeal No. A-4-99-224 (Ventura beach sand)** Staff recommended that the hearing be continued. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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## 14. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-98-115 (Gray, Malibu)** Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Estolano moved staff recommendation, seconded by Kehoe, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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b. **Application No. 4-98-334 (Santa Monica Mts. Conservancy, Los Angeles Co.)** **Postponed.**

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c. **Application No. 4-99-185 (Broad, Malibu)** Staff recommended approval with special conditions as modified orally.

John H. Baker, representing the applicant, submitted a request to speak in favor of the project. Michael Palladino, representing the applicant, spoke in favor of the project. Andrew Cushnir, representing the applicant, spoke in favor of the project.

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**Motion & Vote:** McClain-Hill moved staff recommendation, seconded by Kehoe, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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d. **Application No. 4-98-127 (Berg, Malibu)** Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Potter moved staff recommendation, seconded by McClain-Hill, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 15. PERMIT AMENDMENT.

a. **Permit No. 5-90-246-A2 (Gilliland, Malibu)** **Postponed.**

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**PUBLIC STATEMENTS.** Mindy Sheps opposed continued operation of the Streisand Center while the permit was pending. Julie Verran showed pictures of dead trees and suggested alternative permit conditions. Linda Krop supported the Commission's previous position on oil leases. Susan Jordan said the company that spilled oil off Huntington Beach owns the majority of offshore leases. Micky Flacks said the citizens of Santa Barbara support controls on development.

**LUNCH RECESS.** The Commission recessed for lunch at 12:50 and reconvened at 3:20 p.m. after closed session.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Affinito v. City of Fort Bragg, et al., CCC v. Kondratief, and prospective OCS litigation and discussed three other matters for information only.

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16. **WORKSHOP** on late materials submitted for agenda items. Staff identified possible changes.

Stephanie Dall, representing Dall & Associates, spoke about additional options.

After discussion, Chairman Wan summarized that the Committee of Daniels & McClain-Hill would continue to work with staff to change guidelines for the public.

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**RECESS.** The Commission recessed for the day at 5:40 p.m..

# DRAFT

Friday, November 5, 1999 - pages 20 to 22

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 5, 1999, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, (Alternate) Pavley, (Alternate) Allgood, Flemming, Kehoe, Nava and Reilly. Absent: Bornstein, Dohn, Sanders and Sweeney. McClain-Hill arrived at 9:40 a.m..

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## NORTH COAST DISTRICT

### 3. **CONSENT CALENDAR.**

a. **Application No. 1-99-69 (Burluson & Montgomery, Humboldt Co.)** Staff recommended approval with conditions.

**Motion & Vote:** Reilly moved staff recommendation, seconded by Allgood, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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

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

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### 5.5 **NEW APPEAL.**

a. **Appeal No. A-1-99-70 (Hathcoat, Mendocino Co.)** Staff recommended that the hearing be continued. There being no objection Chairman Wan opened the hearing and **continued** it to a future meeting.

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# DRAFT

## 6. FINDINGS.

a. **Appeal No. A-1-99-26 (Klute, Mendocino Co.)** Staff recommended approval of findings as modified orally.

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

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## NORTH CENTRAL COAST DISTRICT

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

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

## 9. NEW APPEAL.

a. **Appeal No. A-1-99-51 (Wavecrest Village, Half Moon Bay)** Staff recommended that the appeal raised substantial issue, with findings corrected orally.

Leonard Beuth, the appellant, spoke in opposition to the project. Helen J. Carey spoke in opposition to the project. Blair King, representing City of Half Moon Bay, spoke in favor of the project. Owen Byrd, representing Boys & Girls Club of the Coastside, spoke in favor of the project. John Bayless, representing Cabrillo Unified School District, submitted a request to speak in favor of the project.

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

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## 11. PERMIT AMENDMENT.

a. **Permit No. 1-97-22-A (Thomas, Half Moon Bay)** Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Reilly moved staff recommendation, seconded by Flemming, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

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## 12. COASTAL PROGRAM DIRECTIONS. Continued.

**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 10:05 a.m..

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

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