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CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF April 12 to April 15, 1994**
Crowne Plaza Holiday Inn
5985 West Century Boulevard
Los Angeles

Tuesday, April 12, 1994 - pages 1 to 7

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Tuesday, April 12, 1994, at 10:05 a.m.
2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman Calcagno, Commissioners Cervantes, Doo, Flemming, Giacomini, Glickfeld, Rick, (Alternate) Malcolm and Wright. Moulton-Patterson arrived at 11:05 a.m. Cervantes and (Alternate) Malcolm left at 3:45 p.m. Absent: Brennan, Burroughs, Holanda, Karas, and Sanders.

3. **WORKSHOP ON NORTHRIDGE EARTHQUAKE.** Informational only.

4. **WORKSHOP ON LAND FORM ALTERATION (309 PROGRAM).** Informational only.

5. **APPROVAL OF MINUTES.** None.

6. **COMMISSIONERS' REPORTS.** Informational only.
7. **CONSERVANCY REPORT.** Informational only.
8. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Informational only.
9. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

10. **EXECUTIVE DIRECTOR'S REPORT.**

- a. **Audio-Visual Contract.** Wright moved approval, seconded by Giacomini and the hand vote was 8 in favor and 0 opposed. **Approved.**
- b. **Orange Co. Housing Program. Postponed.**
- c. **Legislation AB 3727 McPherson:** Trained until Friday. Staff recommended a neutral position on the bill. (Commission directed staff to work with the author on amendment.

Motion & Vote: Cervantes moved staff recommendation, seconded by Stevens, and the hand vote was 8 in favor, 0 opposed, and 1 abstention. **Passed.**

NORTH COAST AREA

- 11. **NORTH COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings and on comments from the public.
- 12. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a and b on page 4 of the agenda. Staff recommended approval with special conditions.

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

13. **CONSENT CALENDAR.**

- a. **Application No. 1-94-5 (Pera & Francis, Half Moon Bay)** Staff recommended approval with special conditions.

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

14. COASTAL PERMIT APPLICATION.

- a. **Application No. 1-94-6 (Canevari Timber, Humboldt Co.)** Staff recommended approval with special conditions.

Aldaron Laird, representing applicant, spoke in favor of project. Mark Massara, representing Sierra Club, spoke in opposition.

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

ENERGY and OCEAN RESOURCES

- 15. **ENERGY & OCEAN RESOURCES REPORT.** Acting Division Manager Parry reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

- a. **Briefing on McGrath Lake (Oxnard & Ventura County) Oil Spill.** Postponed.
- b. **Briefing on Point Arguello Producers tanker Permit No. A-4-STB-92-16.** Informational only.
- c. **Exxon removal of OS&T vessel.** Staff recommended finding of no adverse effects from the proposal.

Approved: There being no objection, Chairman Gwyn ruled that the Commission concurred with the recommendation.

16. COASTAL PERMIT APPLICATION.

- a. **Application No. E-94-4 (Ultramar, Los Angeles)** Staff recommended approval with special conditions.

Charles Eddy, representing the applicant, agreed with conditions.

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

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STATEWIDE

17. REGIONAL CUMULATIVE ASSESSMENT PROJECT (309 PROGRAM).

Informational only. Gary Tate, representing Monterey Peninsula Regional Park District, spoke in favor.

18. FEDERAL CONSISTENCY REPORT.

Federal Consistency Coordinator Raives reported on Negative Determinations issued by the federal consistency staff, and status of non-energy federal consistency matters.

PUBLIC STATEMENTS. Gary Tate, representing Monterey Peninsula Regional Park District, presented information on bills to establish a public seashore. John L. Mohr commented on toxicity of Guadalupe Dunes oil spill.

LUNCH RECESS. The Commission recessed for lunch at 12:20 p.m. and reconvened at 2:00 p.m. after closed session.

CLOSED SESSION. In closed session the Commission took action on Ojavan v. CCC and CCC v. Hasson et al., and discussed one other matter for informational purposes only.

19. FEDERAL CONSISTENCY.

a. CD-20-94 (Army Corps, Santa Cruz) Staff recommended approval.

Rod Chisholm, representing applicant, agreed with recommendation. Mark Massara, representing Sierra Club, spoke in opposition.

Motion & Vote: Cervantes moved staff recommendation, seconded by Wright, and the roll call vote was 7 in favor (Calcagno, Cervantes, Doo, Flemming, Rick, Wright & Gwyn) and 3 opposed (Giacomini, Glickfeld & Moulton-Patterson).
Passed.

b. CD-22-94 (Navy, San Nicolas Island) Staff recommended approval.

Three speakers spoke in favor of project: Chris May, representing applicant; Dr Charles Brandt, representing Pacific Northwest Laboratory; and Miriam Becker. Two speakers spoke in opposition: Bruce R. Bacon, representing Royal Palms Beach & Surf Assn.; and Terri Grando.

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Motion & Vote: Wright moved staff recommendation, seconded by Calcagno, and the roll call vote was 7 in favor (Calcagno, Doo, Flemming, Moulton-Patterson, Rick, Wright & Gwyn) and 2 opposed (Giacomini & Glickfeld). **Passed.**

c. **CD-36-94 (EPA, San Francisco)** Staff recommended approval.

Allan Ota, representing applicant, and Sherman Seelinger, representing Navy, both spoke in favor of project. Rod Chisholm, representing Army Corps of Engineers, spoke. Mark Massara, representing Sierra Club, spoke in opposition.

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

CENTRAL COAST AREA

20. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** District Director Grove reported on matters not requiring public hearings and on comments from the public.

- a. **San Mateo Co. LCP Amendment No. 2-92 Certification Review.** Postponed.
- b. **Santa Cruz Co. LCP Amendment No. 1-94 (Minor).** Staff recommended concurrence with the Executive Director.
- c. **San Luis Obispo Co. LCP Amendment No. 1-93 Certification Review.** Staff recommended concurrence with the Executive Director.
- d. **San Luis Obispo Co. LCP Amendment No. 3-92 Certification Review.** Staff recommended concurrence with the Executive Director.

Approved: There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director.

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

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Motion & Vote: There being no speakers, Giacomini moved staff recommendation, seconded by Wright, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

22. NEW APPEALS.

- a. **Appeal No. A-3-94-9 (Campbell, Monterey Co.)** Staff recommended the appeal raised substantial issue. There being three Commissioners voting to hear testimony on substantial issue, Chairman Gwyn opened the hearing on substantial issue.

Anthony Lombardo, representing applicant, spoke. Paul Tran, representing Monterey County, spoke. Three speakers spoke in favor of recommendation: Larry Horan, representing Hanna & Stemler; Janie Figen, representing Sierra Club; and Gary Tate, representing Monterey Peninsula Regional Park District.

Motion & Vote on No Substantial Issue: Giacomini moved that the appeal raised no substantial issue, seconded by Malcolm, and the roll call vote was 8 in favor (Calcagno, Cervantes, Doo, Flemming, Rick, Malcolm, Wright & Gwyn) and 3 opposed (Giacomini, Glickfeld & Moulton-Patterson). **Passed.**

- b. **Appeal No. A-3-94-10 (Kostik, San Luis Obispo Co.)** Staff recommended the appeal raised no substantial issue.

Motion & Vote on No Substantial Issue: There being no speakers, Wright moved staff recommendation, seconded by Rick, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

23. LOCAL COASTAL PROGRAMS (LCPs).

- a. **San Mateo Co. Categorical Exclusion E-81-1 Partial Rescission (Agricultural & Residential Water Wells).** **Postponed.**
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- b. **Santa Cruz Co. LCP Amendment No. 1-94.** County requested continuance of part B (accessory dwellings, sewage disposal and water connection for parcels served by septic systems).

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Motion & Vote to Continue Part B: Wright moved to continue part B and extend the time limit, seconded by Giacomini, and the hand vote was 8 in favor and 0 opposed. **Continued.**

Staff recommended approval with suggested modifications as modified in addendum.

Motion & Vote to Reject Part A1: Glickfeld moved to reject part A1 of implementation (agricultural setbacks), seconded by Flemming, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

Motion & Vote on Part A1 with Modifications: Glickfeld moved approval of part A1 with suggested modifications, seconded by Wright, and Chairman Gwyn substituted the previous roll call vote (8 - 0). **Passed.**

Motion & Vote to Reject Part A2: Glickfeld moved to reject part A2 of implementation (design review), seconded by Flemming, and the roll call vote was 0 in favor and 8 opposed. The motion failed so the amendment was approved.

- c. **Santa Cruz Co. Categorical Exclusion E-82-4-A2 Amendment (Lot line adjustment).** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Flemming moved staff recommendation, seconded by Giacomini, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

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

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Wednesday, April 13, 1994 – pages 8 to 14

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Wednesday, April 13, 1994, at 9:05 a.m.
 2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman Calcagno, Commissioners Brennan, Cervantes, Doo, Flemming, Glickfeld, Holanda, (Alternate) Rynerson, Rick, and Wright. Giacomini arrived at 9:10 a.m., (Alternate) Malcolm arrived at 9:30 a.m., and Karas arrived at 10:25 a.m. Rick left at 11:55 a.m. Absent: Burroughs and Sanders.
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SOUTH CENTRAL COAST AREA

3. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** District Director Grove reported on matters not requiring public hearings and on comments from the public.
 - a. **San Buenaventura LCP Amendment No. 1-94 (Minor).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**
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4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a and b on page 7 of the agenda. Staff recommended approval with special conditions.

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

5. **CONSENT CALENDAR.** See items a and b on page 7 of the agenda. Staff moved five items (8l, 8m, 8n, 9b and 9c) to the Calendar, and recommended approval with special conditions as revised in addendum.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Doo, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

6. LOCAL COASTAL PROGRAMS (LCPs).

a. Santa Barbara Co. LCP Amendment No. 2-93-A (Transportation Corridor).

Staff recommended approval with suggested modifications.

Tony Anziano, representing California Dept. of Transportation, spoke in opposition to recommendation. Alex Pujo, representing Grassroots 101, and Brent Foster both spoke in favor of project.

Motion & Vote on Plan Amendment: Glickfeld moved approval of land use plan amendment as submitted, seconded by Rynerson, and the roll call vote was 10 in favor and 1 opposed (Wright). **Passed.**

Motion & Vote to Reject Implementation Amendment: Glickfeld moved to reject implementation amendment as submitted, seconded by Giacomini, and the roll call vote was 8 in favor and 3 opposed (Calcagno, Flemming & Rick). **Passed.**

Motion & Vote on Implementation with Modifications: Glickfeld moved to approve implementation amendment with modifications, seconded by Giacomini, and the roll call vote was 9 in favor and 2 opposed (Flemming & Rick). **Passed.**

b. Santa Barbara Co. LCP Amendment No. 2-93-C (Ellwood Beach - Santa Barbara Shores). **Postponed.**

c. Santa Barbara Co. LCP Amendment Nos. 3-93-A and 3-93-B (Ag. lands & housing). Staff recommended approval.

Motion & Vote on Plan Amendment: Malcolm moved approval of land use plan amendment as submitted, seconded by Calcagno, 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 Rynerson, and the roll call vote was 0 in favor and 10 opposed. The motion failed so the amendment was **approved.**

d. Santa Barbara LCP Amendment No. 2-93 (Highway 101). Staff recommended approval with suggested modifications.

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Tony Anziano, representing California Dept. of Transportation, opposed recommendation. Elinor Langer, representing Santa Barbara City Council, spoke in favor. Alex Pujo, representing Grassroots 101, spoke in favor of project.

Motion & Vote on Plan Amendment as Submitted: Glickfeld moved approval of land use plan amendment as submitted, seconded by Giacomini, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

Motion & Vote on Plan with Modifications: Glickfeld moved to approve land use plan amendment with modifications, seconded by Doo, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-93-101 (Winding Way Homeowners, Malibu)**
Postponed.

b. **Application No. 4-93-125 (Neale, Los Angeles Co.)** **Postponed.**

c. **Application No. 4-93-134 (Malibu one-way road)** Staff recommended denial.

Edward Cline and Mayor Carolyn Van Horn, both representing City, spoke in favor of project. Five speakers spoke in opposition: Sara Wan, representing LCP; John Hearne, representing Malibu Chapter Surfrider Foundation; Doug Kirk; Jan Salvay, representing Sierra Club; and Mark Massara, representing Surfers Environmental Alliance.

Motion & Vote: Malcolm moved approval of project, seconded by Doo, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

d. **Application No. 4-93-135 (Malibu No Parking signs)** Staff recommended denial.

Edward Cline, Deputy Sheriff Kevin Mauch and Mayor Carolyn Van Horn, all representing City, spoke in favor of project. Six speakers spoke in opposition: Sara Wan, representing LCP; Doug Kirk; Debi Tappis, representing Malibu Chapter Surfrider Foundation; Mark Massara & Jan Salvay, both representing Sierra Club; and Don Schmitz.

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Motion & Vote: Glickfeld moved approval of project, seconded by Giacomini, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

- e. **Application No. 4-93-144 (World Wide Resources, Los Angeles Co.)** Staff recommended postponement.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

- f. **Application No. 4-93-145 (World Wide Resources, Los Angeles Co.)** Staff recommended postponement.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

- g. **Application No. 4-93-146 (Lough, Los Angeles Co.)** Staff recommended postponement.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

- h. **Application No. 4-93-147 (Lough, Los Angeles Co.)** Staff recommended postponement.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

- i. **Application No. 4-93-148 (Lough, Los Angeles Co.)** Staff recommended postponement.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

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- j. **Application No. 4-93-149 (Lough, Los Angeles Co.)** Staff recommended postponement.

Michael Friedman, representing applicants, spoke in favor of the staff recommendation.

Motion & Vote to Continue: Giacomini moved to continue the item, seconded by Calcagno, and the hand vote was 10 in favor and 0 opposed. **Continued.**

PUBLIC STATEMENT. Janet Hargrove presented information about CalTrans barrier from Rincon to La Conchita.

LUNCH RECESS. The Commission recessed for lunch at 11:55 a.m. and reconvened at 1:40 p.m.

- k. **Appeal No. A-4-93-154 (ARCO, Santa Barbara Co.)** Trained until after lunch. Staff recommended denial.

Nancy Lucast, representing applicant, presented overview of the project and addressed access and agricultural conversion issues. John Patton, representing County, said the County supported the project and described surrounding land uses. Orrin Sage, representing applicant, said agriculture is not viable on the site. Whitt Hollis, representing applicant, described public access and habitat protection benefits of the project. Mark Massara, representing Surfrider Foundation, said approval would be a bad precedent for conversion of other agricultural lands. Robyn Oaks, representing Surfrider Foundation, described lack of water and adverse impacts from pesticides. Linda Krop, representing Environmental Defense Center, urged denial and commented on traffic impacts. Bob Keats, representing Surfrider Foundation, showed overheads & slides of relationship to surrounding property. Sara Wan, representing League for Coastal Protection, described procedural problems and planning impacts. Debi Tappis said access for surfers will be meaningless. Nathan Post said impacts from toxic chemicals had been inadequately studied. David Wass, representing Audubon Society, said approval would encourage further urbanization. Brent Foster said the permit violates the LCP. Keith Zandona, representing Save Our Coast, described problems with public access because of inadequate parking and deletion of lateral access trail. Louis Andazoro urged protection of the coast. Deron Walters said another golf course would be unnecessary. Jacob Newell cited habitat value of Naples Reef.

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Motion & Vote: Malcolm moved approval with conditions proposed by applicant, seconded by Flemming, and the roll call vote was 4 in favor (Doo, Flemming, Malcolm & Wright) and 6 opposed (Calcagno, Cervantes, Giacomini, Glickfeld, Rynerson & Gwyn). **Failed.**

- l. **Application No. 4-93-200 (Heacox, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**
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- m. **Application No. 4-93-205 (Santa Barbara Co. Flood District)** Moved to expanded Consent Calendar. **Approved.**
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- n. **Application No. 4-94-25 (Murillo, Malibu)** Moved to expanded Consent Calendar. **Approved.**
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- o. **Application No. 4-94-30 (Santa Monica Schools, Malibu)** Staff recommended approval with special conditions as modified orally.

Janet Hargrave spoke in opposition to the project. Sherman Stacey, representing the applicant, spoke in opposition to special condition #1. Mike Mathews, representing Malibu High School, answered a question regarding the equestrian trail.

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

9. PERMIT AMENDMENTS.

- a. **Permit No. 5-89-1034-A2 (Chiate, Malibu)** **Postponed.**
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- b. **Permit No. 4-93-113-A (Mandel, Malibu)** Moved to expanded Consent Calendar. **Approved.**
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- c. **Permit No. 5-91-534-A (Carlson, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**
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10. PERMIT EXTENSION.

- a. **Permit No. 5-91-534-E (Carlson, Los Angeles Co.)** Staff recommended approval.

Approved: There being no objection, Chairman Gwyn ruled that the permit be extended.

RECESS. The Commission recessed for the day at 4:50 p.m.

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Thursday, April 14, 1994 – pages 15 to 20

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Thursday, April 14, 1994, at 9:10 a.m.
 2. **ROLL CALL.** Present: Chairman Gwyn, Commissioners Brennan, (Alternate) Doughty, Doo, Flemming, Giacomini, Glickfeld, Holanda, Karas, (Alternate) Rynerson, Rick, (Alternate) Malcolm and Wright. Cervantes arrived at 9:40 a.m. and left at 5:20 p.m., Giacomini left at 3:30 p.m., Glickfeld left at 4:25 p.m., and Holanda left at 3:50 p.m. Absent: Burroughs and Sanders.
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SOUTH COAST AREA

3. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings and on comments from the public.

Bolsa Chica testimony: Jeanne Fietze, representing Janeno Tribal Council, stated that her people have been represented at Bolsa Chica and have been in compliance from day one. Donald E. Mueller, representing Bolsa Chica Land Trust, disagreed with staff's recommendation. Susan Hori, representing Koll Real Estate Group, stated they have been in compliance with all Coastal Commission permits.

3.5 ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application No. 5-94-31 (Fish & Game, Newport Beach)** Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a through e on page 10 of the agenda. Staff moved four items (7h, 7i, 7j, and 7m) to the Calendar, and recommended approval with special conditions.

(7l) Robert A. Clark II submitted a speaker's slip in opposition to the project.

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

5. LOCAL COASTAL PROGRAM (LCP).

- a. **Dana Point LCP Amendment No. 1-94 Time Extension.** Staff recommended approval.

Motion & Vote: Wright moved to extend time limit, seconded by Giacomini, and the hand vote was 11 in favor and 0 opposed. **Passed.**

6. NEW APPEAL.

- a. **Appeal No. A-5-94-62 (Huntington Beach bluff park)** Staff recommended the appeal raised no substantial issue.

Robert E. Connor Jr. and John Walt both spoke in opposition to project. Wayne G. Carvalho, representing City, spoke in favor.

Motion & Vote: Giacomini moved staff recommendation, seconded by Glickfeld, and the roll call vote was 5 in favor (Doo, Flemming, Rynerson, Malcolm & Wright) and 7 opposed (Doughty, Cervantes, Giacomini, Glickfeld, Karas, Rick & Gwyn). **Failed.**

- b. **Appeal No. A-5-93-387 (Hunt, Rancho Palos Verdes)** Staff recommended the appeal raised no substantial issue.

George Hillyard and Gene Carpenter, both representing applicant, and Dr Robert Hunt all spoke in favor of project. Five speakers spoke in opposition: Carolynn Petra and Terry Silverman, both representing City; Mintra Sharma; Dr Rick Quintero; and Harley Rennick.

Motion & Vote: Giacomini moved staff recommendation, seconded by Wright, and the roll call vote was 10 in favor, 0 opposed and 1 abstention (Glickfeld). **Passed.**

7. COASTAL PERMIT APPLICATIONS.

a. Application No. 5-90-274 (Lusk, San Clemente) **Postponed.**

b. Application No. 5-93-214 (Ramos, San Clemente) **Withdrawn.**

c. Application No. 5-93-253 (Hoag Hospital, Newport Beach) Staff recommended approval with special conditions as modified orally.

Michael D. Stephens, representing applicant, and Dr William L. Bretz, representing UC Natural Reserve System, both spoke in favor of project. David Neish, representing applicant, proposed alternative conditions. Four speakers spoke in opposition: Sandra Woods Skahew; David R. Fovrmer, representing Balboa Coves Comm. Assoc., William Jennings and Jan Vanderstort.

Motion: Glickfeld moved staff recommendation, seconded by Rynerson.

Amending Motion & Vote: Malcolm moved to revise Condition #1 to conform to 6.08 acres as shown in maps handed out and to change #4 to begin construction of mitigation prior to grading, seconded by Flemming, and the roll call vote was 9 in favor (Doughty, Cervantes, Doo, Flemming, Karas, Rick, Malcolm, Wright & Gwyn) and 3 opposed (Giacomini, Glickfeld & Rynerson). **Passed.**

Vote on Main Motion as Amended: The Chairman Gwyn substituted the previous roll call vote (9 - 3) for approval of the main motion as amended above. **Passed.**

PUBLIC COMMENT. Larry Goodhue suggested having future workshops on parking issues.

LUNCH RECESS. The Commission recessed for lunch at 12:25 p.m. and reconvened at 2:15 p.m. after closed session.

CLOSED SESSION. In closed session the Commission took action on Landgate v. CCC and CCC v. Transamerica, and discussed two other matters for informational purposes only.

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- d. **Appeal No. A-5-93-353 (Long Beach & Pacific Coast Sailing)** Staff recommended approval with special conditions.

Vince Abbay, representing Dept. of Parks Recreation and Marine, spoke in favor of the project. Mike Seagerblaum, representing Pacific Coast Sailing Foundation, spoke in favor of the project. Bill Waterhouse spoke in favor of the project. Patricia Kempster requested conditions for any restrooms facilities constructed on the site. Norman Folley spoke in opposition to the project. Rich Gibson, Amy Sarka, Teresa Marino all representing the Alamitas Bay Beach Preservation Group, spoke in opposition to the project. Patty Zegg spoke in opposition to the project.

Motion & Vote to Continue: Cervantes moved to continue, seconded by Flemming, and the roll call vote was 8 in favor (Glickfeld, Karas, Rynerson, Rick, Doughty, Cervantes, Doo, and Flemming), and 2 opposed (Wright and Gwyn). **Continued.**

- e. **Application No. 5-93-377 (Meisha, Los Angeles)** Staff recommended approval with special condition.

Richard Collview spoke regarding the parking issues.

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

- f. **Application No. 5-94-10 (Shoreline Village, Long Beach)** **Postponed.**
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- g. **Application No. 5-94-18 (Santa Monica Yacht Club & Los Angeles Co.)** Staff recommended approval with special conditions as revised orally.

Gene Leventhal, representing Santa Monica Yacht Club, spoke in favor of the project.

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

- h. **Application No. 5-94-36 (Goodell & Beattie, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**
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i. **Application No. 5-94-48 (Kim, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 5-94-51 (Stanul, Orange Co.)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 5-94-52 (Dana Point bluff)** Staff recommended approval with special conditions.

Mort August, representing the City of Dana Point, spoke in favor of the project.

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

l. **Application No. 5-93-261 (Santa Monica Art Plan)** Staff recommended approval with special condition.

Maria DeHarra, representing Santa Monica County, spoke in favor of the project. Maria Finkel spoke in favor of the project. Paul Leaf spoke in favor of the project. Bob Gabriel spoke in opposition to the project. Sharon Jakewith spoke in opposition to the project. Al Rosen, representing Sea Colony One Homeowners Association, spoke in opposition to the project. Louise Gabriel, and John Farqua, both representing the Santa Monica Historical Society, spoke in opposition to the project. Mita Fletcher spoke in favor of the project. Ken Genzer spoke in favor of the project.

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

m. **Application No. 5-94-84 (Seal Beach sand nourishment)** Moved to expanded Consent Calendar. **Approved.**

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8. PERMIT AMENDMENTS.

- a. **Permit No. 5-92-204-A (Shorecliffs Golf Course, San Clemente)** Staff recommended approval with special conditions.

Floyd Kate, representing the applicant, spoke in favor of the project and accepted all the conditions. Ron Wilson spoke in opposition to the project.

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

- b. **Permit No. 5-93-275-A (Dana Point slope)** Staff recommended approval with special conditions. Combined with item 7k above.

Motion & Vote: Rick moved staff recommendation, seconded by Karas, and Chairman Gwyn substituted the previous roll call vote from 7k (7 - 0). **Passed.**

9. PERMIT EXTENSION.

- a. **Permit No. 5-86-174-E6 (MDR, Los Angeles)** Staff recommended approval of extension.

Chris Funk, representing MDR, spoke requesting approval of the extension.

Approved. There being no objection, Chairman Gwyn ruled that the extension be granted.

RECESS. The Commission recessed for the day at 5:45 p.m.

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Friday, April 15, 1994 – pages 21 to 25

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Friday, April 15, 1994, at 9:05 a.m.
 2. **ROLL CALL.** Present: Chairman Gwyn, Commissioners (Alternate) Doughty, Cervantes, Doo, Flemming, (Alternate) Stevens, Moulton-Patterson, Rick and Wright. Absent: Brennan, Burroughs, Giacomini, Holanda, Karas, Sanders and Williams.
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SAN DIEGO COAST AREA

3. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings and on comments from the public.

- a. **San Diego Sludge Mitigation Funds.** Staff recommended a revised work program.

John C. Leppert, representing the City of San Diego, gave an update of the sludge operations. Susan Hamilton, representing City of San Diego, spoke in favor of the project.

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

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through c on pages 13 of the agenda. Staff recommended approval with special conditions

Approved. There being no objection Chairman Gwyn ruled that the permits be issued by the Executive Director.

5. **CONSENT CALENDAR.** See item a on page 13 of the agenda. Staff moved six items (7c, 7e, 7g, 7h, 8a and 8b) to the Calendar and recommended approval with special conditions.

(7e) Michael Pauls spoke in opposition to the project and requested it be moved from the Consent Calendar. Trish Butler, representing the 22nd District Ag.

Assn., spoke in favor of the project and requested it be kept on the Consent Calendar. (7h) Marilyn Adams and Karen Bullette, both representing the Unitarian Fellowship, submitted speaker's slips in favor of the project. (8a) Susan Hamilton, representing the applicant, spoke in favor of the project.

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

6. LOCAL COASTAL PROGRAM (LCP).

- a. **Carlsbad LCP Amendment No. 1-94 Time Extension.** Staff recommended approval.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and Chairman Gwyn substituted the previous roll call vote (9 – 0). **Passed.**

7. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 6-93-64 (Borrelli, Encinitas)** Staff recommended approval with special conditions as modified orally.

Patricia Day, representing the applicant, spoke requesting an amendment to the project.

Motion & Vote: Flemming moved staff recommendation, seconded by Moulton-Patterson, and Chairman Gwyn substituted the previous roll call vote (9 – 0). **Passed.**

- b. **Application No. 6-93-136 (Favero, Encinitas)** **Postponed.**
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- c. **Application No. 6-94-3 (Carlsbad road extension)** Moved to expanded Consent Calendar. **Approved.**
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- d. **Application No. 6-94-7 (Coast Nissan, Encinitas)** Staff recommended approval with special conditions as modified orally.

Peggy Anderson representing Signtech, Inc. spoke in favor of the project. Wayne Meyer, representing Coast Nissan, spoke in favor of the project.

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Motion: Moulton-Patterson moved staff recommendation, seconded by Flemming.

Amending Motion & Vote: Moulton-Patterson moved to delete revised sign program, seconded by Flemming, and the roll call vote was 5 in favor (Stevens, Rick, Wright, Doughty, and Gwyn), and 3 opposed (Doo, Flemming, and Moulton-Patterson). **Passed.**

Amending Motion & Vote: Wright moved to allow sign height, but remove hillside sign, seconded by Stevens, and Chairman Gwyn substituted the previous roll call vote (5 – 3). **Passed.**

Vote on Main Motion as Amended: The roll call vote on the main motion as amended above was 8 in favor and 0 opposed. **Passed.**

- e. **Application No. 6-94-13 (22nd Dist. Ag. Assn., San Diego)** Moved to expanded Consent Calendar. **Approved.**
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- f. **Application No. 6-94-20 (Texaco, San Diego)** Staff recommended approval with special condition.

Mark A. Hayden, representing the applicant, spoke in favor of the project.

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

- g. **Application No. 6-94-27 (Whittier, Del Mar)** Moved to expanded Consent Calendar. **Approved.**
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- h. **Application No. 6-94-31 (Unitarian Fellowship, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**
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- i. **Application No. 6-94-41 (Pac West, Carlsbad)** **Postponed.**
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8. PERMIT AMENDMENTS.

- a. **Permit No. 6-86-651-A8 (S.D. Water Dept.)** Moved to expanded Consent Calendar. **Approved.**
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- b. **Permit No. A-6-90-269-A (Coronado Yacht Club, Port of San Diego)**
Moved to expanded Consent Calendar. **Approved.**
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9. FINDINGS.

- a. **Application No. 6-92-256 (Johnson & Andrews, Encinitas)** Staff recommended approval of findings.

Ray Johnson spoke in favor of the project. Otis G. Andrews submitted a speaker's slip in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Moulton-Patterson, and the hand vote was 6 in favor and 0 opposed. **Passed.**

- b. **Application No. 6-93-206 (Prime Car Wash, Carlsbad)** Staff recommended approval of findings.

Motion & Vote: Rick moved staff recommendation, seconded by Flemming, and the hand vote was 3 in favor and 0 opposed. **Passed.**

- c. **Application No. 6-93-113 (Hubbs-Sea World, Carlsbad)** Staff recommended approval of findings.

Ruth Besecker, representing the applicant, spoke in favor of the project. Joyce James spoke in opposition to the project. Margaret J. Bonas, representing P.O.E., spoke in opposition to the project.

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

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ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:15 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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