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CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF MAY 11-14, 1999**
Flamingo Resort Hotel
2777 Fourth Street
Santa Rosa

Tuesday, May 11, 1999 pages 1 to 8

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, May 11, 1999, at 10:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Daniels, Dettloff, (Alternate) Allgood, Flemming, Holanda, (Alternate) Kruer, (Alternate) Orr and Sanders. Absent: Desser, Potter and Sweeney. McClain-Hill and Reilly arrived at 11:10 a.m..

SOUTH CENTRAL COAST DISTRICT

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

g. **Application No. 4-99-60 (Rogers, Malibu)** There being 3 votes to remove it, this item was **set for hearing** at a later meeting.

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

DRAFT

SOUTH COAST DISTRICT

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

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

STATEWIDE

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

a. **Status Briefing (Navy SWEF, Port Hueneme) Postponed.**

6. **FEDERAL CONSISTENCY.**

a. **CD-22-99 (Corps of Engineers, Los Angeles Co.) Postponed.**

b. **CD-30-99 (Corps of Engineers, Port Hueneme)** Staff recommended approval.

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

c. **CD-31-99 (Corps of Engineers, Pacifica)** Staff recommended approval.

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

d. **CD-32-99 (USGS, southern California)** Staff recommended approval.

Michael D. Carr & Brian Edwards, representing U.S. Geological Survey, spoke in favor of the staff recommendation. Jonathan Childs answered questions. Michael Fisher answered questions.

Motion & Vote: Orr moved staff recommendation, seconded by Allgood, and the roll call vote was 2 in favor (Daniels & Dettloff), 5 opposed (Allgood, Flemming, Krueer, Orr & Wan), and 2 abstentions (McClain-Hill & Reilly). **Failed.**

SOUTH CENTRAL COAST DISTRICT

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

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (9b, 9j, 9k & 10c) to the Calendar, and recommended approval with special conditions.

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

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-97-61 (Lindsay, Malibu) Postponed.**

b. **Application No. 4-97-152 (Richman, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-98-85 (Harris, Malibu) Postponed.**

d. **Application No. 4-98-117 (Holmes, Los Angeles Co.)** Trilled until Wednesday and then **postponed.**

Holanda left at 11:55 during the following item.

e. **Application No. 4-98-202 (Rust, Malibu)** Staff recommended approval with special conditions.

Alan Block, representing the applicant, spoke in favor of the project.

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

PUBLIC STATEMENTS. Mark Massara commented erosion problems at Ocean Beach in San Francisco, and on damage to steelhead trout and sand supply caused by a dam on the Ventura River.

DRAFT

LUNCH RECESS. The Commission recessed for lunch at 12:25 and reconvened at 2:30 p.m. after closed session. Reilly left during the break.

REPORT of CLOSED SESSION. In closed session the Commission took action on Tokyo Masuiwaya California Corp. v. CCC, Peter Douglas, et al.; Daniel & Hill v. Peter Douglas, Jim Burns, et al.; and CCC v. Bradley, and discussed one other matter for information only.

f. **Application No. 4-98-219 (Remote Communications, Los Angeles Co.)** Staff recommended approval with special conditions.

Carolyn Ingram Seitz, representing Remote Communications, spoke in favor of the project.

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

g. **Application No. 4-98-319 (Greenhut, Malibu)** The applicant requested postponement.

Don Schmitz, representing the applicant, spoke in favor of the project.

Motion & Vote to Continue: Dettloff moved to continue the hearing, seconded by Flemming, and the hand vote was 7 in favor and 0 opposed. **Passed.**

h. **Application No. 4-98-329 (Shaheen, Malibu)** Staff recommended approval with special conditions as modified orally.

Don Schmitz, representing the applicant, spoke in favor of the project.

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

i. **Application No. 4-99-5 (Groves, Malibu)** **Postponed.**

j. **Application No. 4-99-12 (Reams, Malibu)** Moved to expanded Consent Calendar. **Approved.**

DRAFT

k. **Application No. 4-99-13 (Platt & Masi, Malibu)** Moved to expanded Consent Calendar. **Approved.**

l. **Application No. 4-99-15 (Goebels, Los Angeles Co.)** Staff recommended approval with special conditions.

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

10. PERMIT AMENDMENTS.

a. **Application No. 5-90-702-A6 (Adelson, Malibu)** Staff recommended approval with special conditions as modified orally.

Jaime Harnish, representing Sheldon Adelson, submitted a request to speak in favor of the project.

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

b. **Application No. 4-92-92-A3 (Loguidice, Los Angeles Co.)** **Postponed.**

c. **Application No. 4-95-210-A2 (Bosworth, Malibu)** Moved to expanded Consent Calendar. **Approved.**

SOUTH COAST DISTRICT

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

12. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items (15e & 17b) to the Calendar, and recommended approval with special conditions.

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

13. LOCAL COASTAL PROGRAM (LCP).

- a. **Redondo Beach Plan Amendment No. 1-99.** Staff recommended approval.

Randy Berler, representing City of Redondo Beach, spoke in favor of the staff recommendation.

Motion & Vote on Plan as Submitted: Flemming moved approval of the Land Use Plan Amendment as submitted, seconded by Dettloff, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

14. NEW APPEAL.

a. **Appeal No. A-5-99-135 (100 E. Ocean, Long Beach)** Staff recommended that the appeal raised substantial issue. The being no objection Chairman Wan ruled that the Commission **found substantial issue.** Chairman Wan opened the hearing on the merits of the project, **and continued** it to a later meeting. Raquel Quezada-Haas, representing The Breakers of Long Beach, submitted a request to speak in opposition to the project. Bernard Rosenson, representing residents, staff, families & management of The Breakers of Long Beach, submitted a request to speak in opposition to the project. Faith Raider, representing Hotel Employees Union Local 2, submitted a request to speak in opposition to the project.

15. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 5-98-448 (Akef, Los Angeles) Postponed.**

Reilly returned during the following item.

- b. **Application No. 5-99-26 (Musso, Seal Beach)** Staff recommended denial.

Dave Bartlett, representing Musso Family, spoke in favor of the project. Shawn Boyd, Councilman from the City of Seal Beach, spoke in favor of the project. Lee Whittenberg, Planning Director of City of Seal Beach, spoke in favor of the project. Les Nederveld spoke in favor of the project. Serretta Fielding spoke in favor of the project. Scott Redsun, representing Avalon Homes, spoke in favor of the project. Vanessa Joe, representing Musso Family project, spoke in favor of the project. Mario Musso spoke in favor of the project. Ellen Musso submitted a request to speak in favor of the project.

Motion & Vote: Dettloff moved approval of the project with standard conditions, seconded by Kruer, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Reilly). **Passed.**

DRAFT

c. **Application No. 5-99-28 (Palisades Bay Club, Los Angeles) Postponed.**

d. **Application No. 5-99-61 (Los Angeles City Parks Dept.)** Staff recommended approval with special conditions.

David Skelly, representing City of L.A. Rec. & Park, submitted a request to speak in favor of the project. Susanne Lawrenz-Miller, representing Cabrillo Marine Aquarium-City of Los Angeles, submitted a request to speak in favor of the project.

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

e. **Application No. 5-99-85 (Menas, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

16. **PUBLIC WORKS PROJECT PWP-4-82-13 (Parks & Rec., Laguna Beach)** Staff recommended approval with special condition.

Mark Massara spoke in opposition to the project.

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

17. **PERMIT AMENDMENTS.**

a. **Permit No. A-5-93-5-A11 (Ocean Trails, Rancho Palos Verdes)** Staff recommended approval with revisions to previous conditions as modified in addendum.

Kenneth Zuckerman & Barbara Dye, both representing Ocean Trails, submitted requests to speak in favor of the project.

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

b. **Permit No. 5-98-259-A (Irvine Ranch Water Dist., Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

c. **Permit No. 5-97-319-A (Steffensen, Seal Beach) Postponed.**

DRAFT

18. **PERMIT EXTENSION.**

a. **Permit No. 5-92-188-E5 (CPH LLC., Dana Point) Postponed.**

RECESS. The Commission recessed for the day at 5:00 p.m..

DRAFT

Wednesday, May 12, 1999 pages 9 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, May 12, 1999, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dettloff, Estolano, Flemming, Kehoe, McClain-Hill, (Alternate) Orr, Reilly and Sanders. Absent: Holanda. Sweeney arrived at 9:25 a.m., and Desser arrived at 10:50 a.m..

SAN DIEGO COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-99-37 (Beach King, Carlsbad)** Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a through d on page 10 of the agenda & addendum. Staff recommended approval with special conditions.

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

STATEWIDE

5. **APPROVAL OF MINUTES.** Reilly moved approval of the minutes of April 1992, February 1999 & April 1999, seconded by Potter, and unanimously **approved.**
6. **COMMISSIONERS' REPORTS.** None.
7. **CONSERVANCY REPORT.** None.
8. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
9. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

10. EXECUTIVE DIRECTOR'S REPORT.

a. **2000 Schedule of Meeting Dates & Locations. Continued,**

b. **Amendment to Interagency Agreement with SDSUF.** Staff recommended approval.

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

c. **Legislation.** Informational only.

Sweeney & Desser arrived during the following item.

11. **COMMISSION WORKSHOP ON OFFSHORE UNDERWATER ACOUSTICS.** Fourteen speakers submitted requests to speak: Mark Berman, representing Earth Island Institute and Hawley & Wright, Inc.; Kurt Fristrip, Ph.D., representing Cornell Laboratory of Ornithology; Eric L. Hanson, representing USN; Will Hershey, representing Save Our Shores; Michael Jasny, representing NRDC; Susan Jordan, representing LCP; Cheryl A. Magill; Jay R. Murray, representing PADI Divemaster; Katy Penland; William Rossiter, representing Cetacean Society International; Lee Tepley; Peter L. Tyack, representing Woods Hole Oceanographic Inst.; Benjamin White Jr., representing Animal Welfare Institute; and Jack Wickham, representing Conservation Working Group of MBNMS. Informational only.

ENERGY and OCEAN RESOURCES

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

a. **SONGS Status.** Informational only.

b. **Avila Beach & Guadalupe Oil Field Remediation Status Reports.** Informational only.

SAN DIEGO COAST DISTRICT

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

DRAFT

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

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

15. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-99-18 (Parks & Rec., access stairs)** Staff recommended approval with special conditions as modified in addendum.

Paul Webb & Norm Kucala, both representing California State parks, submitted requests to speak in favor of the project.

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

b. **Application No. 6-99-23 (San Diego Co. & San Elijo Lagoon Conservancy, viewing decks)** Staff recommended approval with special conditions.

Doug Gibson, representing San Elijo Lagoon Conservancy, submitted a request to speak in favor of the project.

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

c. **Application No. 6-99-31 (22nd Dist. Ag. Assn., practice track)** **Withdrawn.**

d. **Application No. 6-99-56 (Colton, Bennett, Richardson, Solana Beach)** Staff recommended approval with special conditions as modified in addendum.

Walt Crampton, representing the applicant, submitted a request to speak in favor of the staff recommendation.

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

DRAFT

16. PERMIT AMENDMENT.

a. **Permit No. 6-83-201-A5 (Crystal Pier Partners, San Diego)** Moved to expanded Consent Calendar. **Approved.**

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

17. RECONSIDERATION.

a. **Appeal No. A-6-98-158-R (Encinitas Country Day School, Encinitas)** Staff recommended denial as modified in addendum.

Stephanie Dall, Bill Boyd, Christ Nordby & Lou Aspell, all representing Encinitas Country Day School, spoke in favor of the project. Doug Gibson, representing San Elijo Lagoon Conservancy, spoke in favor of the staff recommendation. Mark Massara, representing Sierra Club & San Elijo Conservancy, spoke in favor of the staff recommendation.

Motion & Vote: Potter moved to grant reconsideration, seconded by Kehoe, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

RECESS. The Commission recessed for the day at 1:00 p.m..

DRAFT

Thursday, May 13, 1999 - pages 13 to 16

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, May 13, 1999, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Estolano, Flemming, Holanda, Kehoe, (Alternate) Orr and Reilly. Absent: Sanders and Sweeney. Daniels and McClain-Hill arrived at 9:05 a.m..

CENTRAL COAST DISTRICT

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

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

- a. **Pismo Beach LCP Amendment No. 2-98 (new Zoning, Growth Management, and Access and Downtown Policies).** Postponed.

- b. **Monterey Co. LCP Amendment No. 1-99.** Staff recommended approval.

Paula Huddleston, representing California Dept. of Transportation (Caltrans), submitted a request to speak in favor of the staff recommendation. Gary Tate submitted a request to speak in favor of the project.

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

Motion & Vote to Reject Implementation: Potter moved to reject the implementation amendment as submitted, seconded by Kehoe, and the roll call vote was 0 in favor and 11 opposed. The motion failed so the amendment was **approved.**

- c. **Monterey Co. LCP Amendment No. 1-98 (wireless communication).** Staff recommended approval with suggested modifications as modified orally.

DRAFT

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

Motion & Vote on Implementation with Modifications: Potter moved approval of the implementation with suggested modifications, seconded by Kehoe, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

5. NEW APPEALS.

a. **Appeal No. A-3-98-85 (Pebble Beach, Monterey Co.) Postponed.**

b. **Appeal No. A-3-98-101 (Bailey & Steltenpohl, Santa Cruz Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission **found substantial issue**. Chairman Wan opened the hearing on the merits of the project.

Mark W. Thomas, representing Surfer's Environmental Alliance, spoke in opposition to the project. Louis Bock, representing Citizens for Responsible North Coast Planning, spoke in opposition to the project. Four other speakers submitted requests to speak in opposition to the project: Jean Brown; Phillip Brown; Karen McNally, representing Citizens for Responsible North Coast Planning; and Schaefer Roemmele.

After further discussion Chairman Wan **continued** the hearing to a later meeting.

c. **Appeal No. A-3-99-14 (Morro Bay Limited, San Luis Obispo Co.) Postponed.**

d. **Appeal No. A-3-99-23 (Swenson, Capitola) Postponed.**

e. **Appeal No. A-3-99-25 (Moon, San Luis Obispo Co.)** Staff recommended the appeal raised substantial issue.

Richard Moon and Patricia Moon both spoke in favor of the project.

Motion & Vote on No Substantial Issue: Reilly moved staff recommendation, seconded by Estolano, and the roll call vote was 1 in favor (McClain-Hill), and 9 opposed (Daniels, Desser, Dettloff, Estolano, Kehoe, Orr, Potter, Reilly & Wan). **Failed.**

Chairman Wan opened the hearing on the merits of the project and **continued** it to a later meeting.

DRAFT

f. **Appeal No. A-3-99-26 (Zaninovich, Pismo Beach)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing on substantial issue and **continued** it to a later meeting.

g. **Appeal No. A-3-99-29 (Community Presbyterian, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing on substantial issue and **continued** it to a later meeting.

6. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-3-98-114 (S N G, Sand City)** Staff recommended denial.

The following group represented the applicant: Norbert H. Dall, Eric Koenigshofer, Esq., Larry Seeman, David Ivester Esq., Dr. Daniel Clemens, Lloyd Lowery Esq., John Kasunich, Michael Groves, and Dr. Ed Ghandour. The City presentation was made by: Steve Matarazzo; Marti Noel; James Heisinger; Tom Mancini, Seaside Councilmember; Allyne Hammer, representing Building/Construction Trades Council of Monterey/Santa Cruz Counties; Don Merrill, representing Monterey/Santa Cruz Building Trades; Al Semmler, representing United Brotherhood of Carpenters Local 605; Jackie Lambert; Jerry Smith, Mayor of Seaside; and Mayor David Pendergrass. Anna Nelson Ghandour submitted a request to speak in favor of the project. Ed Davidson submitted a request to speak in favor of the project. Joe Donofrio, representing Monterey Peninsula Regional Park District, spoke in favor of the staff recommendation. Janie Figen, representing Ventana Chapter, Sierra Club, spoke in favor of the staff recommendation. Mark Massara, representing Sierra Club, spoke in opposition to the project. Mary Ann Matthews, representing Calif. Native Plant Society, spoke in favor of the staff recommendation. Gary Tate spoke in opposition to the project. Sheri Tate submitted a request to speak in opposition to the project.

Motion & Vote to Continue: Potter moved to continue the hearing, seconded by Dettloff, and the roll call vote was 9 in favor and 2 opposed (Estolano & McClain-Hill). **Passed.**

b. **Application 3-99-16 (Mack & Green, Carmel) Postponed.**

PUBLIC STATEMENT. George L. Owen & Harry Connor asked the commission to act on a pending Caltrans permit.

NORTH COAST DISTRICT

7. LOCAL COASTAL PROGRAMS (LCPs).

a. **Del Norte Co. LCP Amendment No. 1-99 (Zoning amendments)** Staff recommended approval with suggested modifications.

There were no speakers.

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

Motion & Vote on Implementation with Modifications: Estolano moved approval of the implementation with suggested modifications, seconded by Potter, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

b. **Mendocino Co. LCP Amendment No. 2-98 (Gualala Town Plan)** Postponed.

c. **Half Moon Bay LCP Amendment No. 2-98 (Matteucci).** Postponed.

8. COASTAL PERMIT APPLICATION.

a. **Application No. 1-98-58 (Trianchor Marine & Pique, San Mateo Co.)** Postponed.

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

RECESS. The Commission recessed for the day at 1:35 p.m..

DRAFT

Friday, May 14, 1999 - pages 17 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, May 14, 1999, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, Estolano, Flemming, Kehoe, (Alternate) Orr and Reilly. Absent: Holanda, McClain-Hill, Sanders and Sweeney.

PUBLIC STATEMENTS. Richard Nichols Executive Director of Coastwalk urged the Commission to endorse the coastal trail as a "Heritage Trail."

NORTH COAST DISTRICT

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

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

5. **NEW APPEALS.**

- a. **Appeal No. A-1-99-20 (Coastside Co. Water, Half Moon Bay) Postponed.**

- b. **Appeal No. A-1-99-22 (Ailanto, Half Moon Bay) Postponed.**

- c. **Appeal No. A-1-99-26 (Klute, Mendocino Co.)** Staff recommended continuance. Julie Verran spoke in opposition to the project. There being no objection Chairman Wan **continued** the hearing to a future meeting.

DRAFT

During the following item Kehoe left at 9:45 and Potter left at 10:10 a.m.

6. COASTAL PERMIT APPLICATIONS.

a. **Application No. 1-97-76 (Fish & Game & Del Norte Co.)** Staff recommended approval with special conditions as modified orally.

Herb Pierce, representing Dept. of Fish & Game, spoke in favor of the project. Ernest Perry representing County of Del Norte, spoke in favor of the project. James Wakefield, representing Pacific Shores Water District, spoke in opposition to the project. Janice M. Bowen, representing Tolowa Nation, spoke in opposition to the project. Five speakers submitted requests to speak in favor of the project: Eileen Cooper, representing Friends of Del Norte; Alan Barron; William Richards Sr., representing Smith River Rancheria; John D. Green, representing Elk Valley Rancheria; and Sandra Jerabek. Mickey Jones, representing Tolowa Nation, submitted a request to speak in opposition to the project. Norm Carr submitted a request to speak concerning the project.

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

b. **Application No. 1-98-103 (O'Neil, Humboldt Co.)** Staff recommended denial.

Leslie O'Neil spoke in favor of the project. Jim O'Neil and Carole O'Neil both submitted requests to speak in favor of the project. Eight other speakers submitted requests to speak in favor of the project: Linden Brooks, representing USDA-Natural Resources Conservation Service; Katie Delbar, representing U.S.D.A. Farm Service Agency; Clare Golec, representing Natural Resources Management Corp.; Steve Harrow, representing Harrow Environmental Cons.; Dennis Leonardi, representing Humboldt Creamery Assoc.; Paul Martin, representing Western United Dairymen; Del Westman and Elsie Westman.

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

During the following item Reilly left at 12:50 p.m..

c. **Application No. 1-99-9 (Parks & Rec., Humboldt Co.)** Staff recommended approval with conditions.

John Kolb, representing Calif. State Parks, spoke in favor of the project. Norm Carr, representing Calif. Commercial Fishermens Ass., spoke in opposition to the project. Diane Beck, representing North Group (Redwood Chapter) Sierra Club, spoke

DRAFT

in favor of the project. Chas. Whitehead spoke in opposition to the project. Randy Erickson, representing A& P truck service/commercial fishermen, spoke in opposition to the project. Charles Rylee spoke in opposition to the project. Ron Simmons, representing Wood Gathers, spoke in opposition to the project.

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

ADJOURNMENT. There being no old or new business, the meeting adjourned at 1:05 p.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

