

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

TO: ALL COMMISSIONERS  
FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF OCTOBER 10-13, 2000  
City Council Chambers  
Oceanside City Hall  
300 North Coast Highway  
Oceanside

Tuesday, October 10, 2000 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, October 10, 2000, at 10:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dean, Desser, Dettloff, Estolano, Hart, (Alternate) Kruer, Nava, Neal and (Alternate) Rose. Absent: Sanders and Sweeney. Woolley arrived during the lunch break. McClain-Hill arrived at 2:40 p.m..

SAN DIEGO COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATION.**
  - a. **Application No. 6-00-115 (UCSD, San Diego)** Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a through d on page 3 of the meeting notice. Staff recommended approval with special conditions.

# DRAFT

4b) Dr Gary Fogel, representing Torrey Pines Soaring Council, spoke concerning the project.

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

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

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6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 9i to the Calendar, and recommended approval with special conditions.

Leslea Meyerhoff, AICP, representing Cabrillo Power, submitted a request to speak in favor of the project.

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

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

a. **San Diego LCP Amendment No. 3-00 (Affordable Housing).** The City requested postponement.

Betsy McCullough, representing City of San Diego, requested continuance to November. Ted H. Ball, representing De Anza Homeowners Comm., submitted a request to speak in favor of retention of existing development. Ernie Abbit, pres. De Anza Cove Homeowners Assoc., submitted a request to speak. Bob Spellmak, representing De Anza Mobile Home Park, submitted a request to speak in opposition to destruction of mobile home park. Mark A. Massara, representing Sierra Club, spoke in favor of the staff recommendation.

**Motion & Vote to Continue & Extend Time Limit:** Potter moved to continue the hearing and extend the time limit for action, seconded by Kruer, and the roll call vote was 9 in favor and 1 opposed (Desser). **Passed.**

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8. **NEW APPEALS.**

a. **Appeal No. A-6-00-86 (Encinitas soccer park) Postponed.**

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# DRAFT

b. Appeal No. A-6-00-124 (Oceanside weir replacement) Postponed.

c. Appeal No. A-6-00-125 (Oceanside weir replacement) Postponed.

## 9. COASTAL PERMIT APPLICATIONS.

a. Appeal No. A-6-99-133 (Ligouri, Oceanside) Postponed.

b. Appeal No. A-6-99-147 (Rutherford, San Diego) Postponed.

c. **Application No. 6-00-25 (UCSD, San Diego)** Staff recommended approval with special conditions.

Milt Phegley, representing the applicant, spoke in favor of the project.

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

d. Application No. 6-00-54 (Encinitas soccer park) Postponed.

e. **Application No. 6-00-66 (Monroe & Pierce, Solana Beach)** Staff recommended approval with special conditions as modified orally.

Walt Crampton, representing the applicants, spoke in favor of the project. Robert F. Monroe spoke in favor of the project. Beatrice Pierce spoke in favor of the project. Marion Dodson, Councilmember, City of Solana Beach, spoke in favor of the project. Don Conley spoke in favor of the project. Keith Presnell spoke in favor of the project. Sheelagh Williams spoke in opposition to the project. Roy Warden submitted a request to speak in opposition to the project. Jim Joffe submitted a request to speak in opposition to the project. Scott Williams spoke in opposition to the project. Mark A. Massara, representing Sierra Club, spoke in opposition to the project.

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

**Amending Motion & Vote:** Daniels moved to add sand mitigation fee, seconded by Potter, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Amending Motion & Vote:** Krueger moved to delete the notch, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Vote on Main Motion:** The roll call vote, on the main motion, as amended above, was 9 in favor and 1 opposed (Estolano). **Passed.**

f. **Appeal No. A-6-00-67 (Chart House, San Diego) Postponed.**

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**PUBLIC COMMENTS.** Laura Hunter, representing Envl' Health Coalition, spoke in opposition to the USS Midway project, and asked about the Coronado emergency measures. Diane Nygaard, representing Sierra Club - Oceanside Beach Sub-Committee, spoke in opposition to the Oceanside beach project. Robert L. Kline spoke supporting the Oceanside Beach Resort. Sam Shanely spoke in favor of the Manchester project. Carolyn Krammer, representing Citizens for Preservation of Parks & Beaches, spoke in opposition to the upcoming project from the City of Oceanside. Jeannette Elmquist spoke in favor of the project to improve access for inland residents. Anne-Marie Make spoke in favor of the Manchester project and pedestrian access. Tom LeBus spoke in favor of the project and improvement of the City. Linda Johnson, representing City of San Diego, urged hearing for the City's categorical exclusion request.

**LUNCH RECESS.** The Commission recessed for lunch at 12:15 and returned at 1:25 p.m. after closed session. Woolley arrived during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Harfenist v. CCC and Kenny & Starz v. County of Los Angeles, CCC, et al., and discussed two other matters for information only.

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g. **Application No. 6-00-98 (Kelly, Solana Beach)** Staff recommended approval with special conditions.

George Kelly spoke in favor of the project.

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

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h. **Application No. 6-00-102 (LampI, Encinitas)** Staff recommended approval with special conditions.

Matt Peterson, representing the applicant, spoke in favor of the project. Jack LampI submitted a request to speak in favor of the project. Mark A. Massara submitted a request to speak in opposition to the project.

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

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# DRAFT

i. **Application No. 6-00-111 (Cabrillo Power, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

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j. **Application No. 6-00-118 (Van Der Hoeven, Del Mar)** Staff recommended approval with special conditions.

Thomas Nelson, representing the applicant, spoke in opposition to the staff recommendation. Gary Firestein, representing Coral Canyon Homeowners Assoc., spoke in opposition to the project.

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

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k. **Application No. 6-00-123 (San Diego boardwalk encroachments)** Staff recommended approval with special conditions.

Terri Williams, representing City of San Diego, spoke in favor of the project. Gary D. Aronson spoke in opposition to the project. Mike Meyer spoke in favor of the project. Victor G. Grinius spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in favor of the project. Barbara Beckstrand spoke in opposition to the project. Michael H. Riney, representing Ocean Front Walk Homeowners, spoke in opposition to the project. Kathleen Norman submitted a request to speak in opposition to the project. Elaine Hall spoke in opposition to the project. Ruth Kalwa submitted a request to speak in opposition to the project. Mary K. Jansky spoke in opposition to the project. J. Joseph Fenton spoke in opposition to the staff recommendation. Tony Allos submitted a request to speak in opposition to the project. H.M. Elliot spoke in opposition to the project.

**Motion & Vote:** Rose moved staff recommendation, seconded by Potter, and the roll call vote was 11 in favor, 0 opposed and 1 abstention (McClain-Hill). **Passed.**

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## 10. PERMIT AMENDMENT.

a. **Permit No. 6-99-117-A (Mission Bay Hotel, San Diego)** **Postponed.**

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**STATEWIDE**

11. **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.

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11.5 **NEW APPEAL.**

a. **Appeal No. A-2-00-35 (Caltrans, San Mateo Co.)** Staff recommended that the appeal raised no substantial issue.

Lennie Roberts, representing Committee for Green Foothills, spoke in favor of the project.

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

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12. **FEDERAL CONSISTENCY.**

a. **CC-94-00 (Caltrans, San Mateo Co.)** Staff recommended approval as modified orally.

Lennie Roberts, representing Committee for Green Foothills, spoke in favor of the staff recommendation. Zoe Kersteen-Tucker, representing Citizens Alliance for the Tunnel, spoke in favor of the staff recommendation. Chris Thollaug, representing Sierra Club, spoke in favor of the staff recommendation. Michael Murphy, representing Rural Coast Open Space Trust, spoke in opposition to the staff recommendation. Gary L. Peterson, representing Squier Associates, spoke in opposition to the staff recommendation. Skip Sowko, representing CalTrans, spoke in favor of the staff recommendation.

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

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b. **CD-101-00 (Gulf of the Farallones Nat'l Marine Sanctuary, San Francisco)** Staff recommended approval.

Ed Ueber, representing G.F.N.M.S., spoke in favor of the staff recommendation. Lennie Roberts, representing GGNRA Advisory Commission, spoke in favor of the staff recommendation. Mark Massara submitted a request to speak.

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

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# DRAFT

## 13. FINDINGS.

a. **CD-50-00 (Corps of Engineers, Port of Los Angeles)** Staff recommended approval of findings.

Ruth Villalobos, representing U.S. Army Corps of Engineers, answered questions on monitoring.

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

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**RECESS.** The Commission recessed for the day at 3:40 p.m..

# DRAFT

Wednesday, October 11, 2000 pages 8 to 13

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, October 11, 2000, at 9:00 a.m. by Chairman Wan.
  2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dean, Dettloff, Estolano, Hart, (Alternate) Kruer, McClain-Hill, Nava, (Alternate) Rose and Woolley. Absent: Neal, Sanders and Sweeney. Desser arrived at 10:30 a.m..
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## SOUTH COAST DISTRICT

3. **CONSENT CALENDAR.**
  - a. **Application No. 5-00-338 (Ayeroff & Longbine, Los Angeles) Withdrawn.**
  - b. **Application No. 5-00-353 (Jimenez, Los Angeles)** Staff recommended approval with special conditions.

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

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## STATEWIDE

4. **APPROVAL OF MINUTES.** Woolley moved approval of the minutes of September 2000, seconded by Estolano, and unanimously **approved.**
5. **COMMISSIONERS' REPORTS.** Informational only.
6. **CONSERVANCY REPORT.** The report was written, for information only.
7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only
9. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation.  
Federal Program change. On Thursday, staff presented the proposed change.

# DRAFT

Susan Jordan spoke in favor of the staff recommendation. Gordon Hensley, representing Env Defense Center, spoke in favor of the staff recommendation.

**Motion:** Estolano moved that the Executive Director withdraw the letter, seconded by Kruer.

**Substitute Motion & Vote:** Potter moved that the letter be sent and that the Commission hold a workshop on the program, seconded by Hart. The roll call vote to substitute this motion for the main motion, was 8 in favor (Desser, Dettloff, Hart, Nava, Potter, Rose, Woolley & Wan) and 2 opposed (Estolano & Kruer). **Passed.**

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

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## SOUTH COAST DISTRICT

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

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11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (13b, h & i) to the Calendar, and recommended approval with special conditions.

(13b) Nick Herbert submitted a request to speak in favor of the project. (13i) Don Ito, Carl Shaffer & Paul Webb, all representing California State Parks, submitted requests to speak in favor of the project.

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

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## 12. LOCAL COASTAL PROGRAMS (LCPs).

a. **Hermosa Beach LCP Time Extension.** Staff recommended approval.

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

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b. **Long Beach LCP Amendment No. 1-00 (City wide).** Staff recommended approval.

There were no speakers.

**Motion & Vote to Reject Part A of Implementation:** Estolano moved to reject part A of the implementation amendment as submitted, seconded by Potter, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. The motion failed so the amendment was **approved**.

**Motion & Vote to Reject Part B of Implementation:** Estolano moved to reject part B of the implementation amendment as submitted, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. The motion failed so the amendment was **approved**.

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c. **San Clemente Implementation Program (City wide). Withdrawn.**

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### 13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-99-205 (Catalina Express & County of Orange, Dana Point)** Staff recommended approval with special conditions as modified orally.

Greg Bombard, representing Catalina Express, spoke in opposition to the staff recommendation. Clare Fletcher, representing County of Orange, spoke in favor of the project.

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

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b. **Application No. 5-99-461 (Herbert, San Clemente)** Moved to expanded Consent Calendar. **Approved**.

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c. **Application No. 5-00-34 (McKinley & Bass, San Clemente) Postponed.**

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d. **Application No. 5-00-141 (Montesinos, San Clemente)** Staff recommended approval with special conditions.

Arlene Button spoke in opposition to the project. Gary Button submitted a request to speak in opposition to the project. Frank E. Denison Jr., representing Historical Society, submitted a request to speak in opposition to the project. Jack Pastorok submitted a request to speak in opposition to the project. Mary Schroeder submitted a request to speak in opposition to the project.

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

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# DRAFT

e. **Application No. 5-00-157 (Lido Isle & Newport Beach)** Staff recommended approval with special conditions.

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

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f. **Application No. 5-00-264 (Tobias, Laguna Beach)** **Postponed.**

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g. **Application No. 5-00-306 (Playa Capital, Los Angeles)** **Postponed.**

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h. **Application No. 5-00-317 (Neill, Long Beach)** Moved to expanded Consent Calendar. **Approved.**

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i. **Application No. 5-00-325 (State Parks, Huntington Beach)** Moved to expanded Consent Calendar. **Approved.**

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## 14. PERMIT AMENDMENTS.

a. **Permit No. 5-97-367-A (Hellman Properties, Seal Beach)** Trilled until after lunch. Staff recommended approval with special conditions as modified orally.

Jerry Tone, representing the applicant, spoke in favor of the project. Dave Bartlett, representing the applicant, spoke in favor of the project. Wayne Brechtel, representing the applicant, submitted a request to speak in favor of the project. Dwight Worden, representing the applicant, submitted a request to speak in favor of the project. Lee Whittenberg, representing City of Seal Beach, spoke in favor of the project. Mayor Patty Campbell, representing City of Seal Beach, spoke in favor of the project. Tony Bomkamp, representing Glenn Lukos Associates, submitted a request to speak in favor of the project. Paul Yost submitted a request to speak. Tim McSunas, representing John Laing Homes, submitted a request to speak in favor of the project. Nino Mascolo, representing Southern California Edison Co., spoke regarding the project. Paul Perkovic spoke concerning the project. Don May spoke about Los Cerritos wetlands. Marcia Hanscom, representing Wetlands Action Network, spoke in opposition to the project. Susan Jordan, representing League for Coastal Protection, spoke in opposition to the project. Doug Korthof spoke in opposition to the project. Lillian Robles, representing Acajchamem nation (Juaneños), spoke in opposition to the project. Lisa Rosen submitted a request to speak in opposition to the project. Bruce Monroe, representing Friends of the Refuge, submitted a request to speak in opposition to the project. Stephen Reg Clewley spoke in opposition to the project. Elizabeth

# DRAFT

Summerwood submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Lester Denevan submitted a request to speak in opposition to the project. Ann Cantrell, representing El Dorado Audubon, submitted a request to speak in opposition to the project. Ann Denison submitted a request to speak in opposition to the project. Mario Voce submitted a request to speak.

**Motion:** Dettloff moved staff recommendation, seconded by McClain-Hill.

**Motion & Vote:** Estolano moved allow archaeological work prior to issuance of permit, seconded by Kruer, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

**Vote on Main Motion:** Chairman Wan ruled that the vote, on the main motion, as amended above, was unanimous. **Passed.**

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b. **Permit No. 5-98-251-A (21 Bay Drive, Laguna Beach)** Staff recommended approval with special conditions.

Robert Philibosian, representing the applicant, spoke in favor of the staff recommendation. Morris Skenderian, representing the applicant, submitted a request to speak in favor of the project.

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

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## 15. FINDINGS.

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

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## NORTH COAST DISTRICT

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

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17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 18b to the Calendar, and recommended approval with special conditions.

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

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**PUBLIC STATEMENTS.** Frank White spoke in opposition to the San Clemente LCP. David Metzger submitted a request to speak in opposition to the San Clemente LCP. Marcia Hanscom, representing Sierra Club California Coast & Ocean Committee spoke in favor of public access at Lechuza Beach. Doug Korthof & Lester Denevan spoke about the Queensway Bay project and public trust tidelands. Five speakers submitted requests to speak about Bolsa Chica: George Cross, representing Bolsa Chica Alliance; Pat Davis, representing Council on Aging H.B.; Domenic Iorfino; Carl Lawrence, representing Bolsa Chica Alliance; and Sandra Ward. Four speakers representing COAST submitted requests to speak in favor of the Oceanside beach resort: Derek Ashton, David Shore, Nancy Staehr & Richard Staszak. Five other speakers submitted requests to speak regarding the Oceanside beach resort project: James Hanna, Norton Hathaway, Ollie Speraw, Wally Stevens, and David L. Nydegger, representing Oceanside Chamber of Commerce.

**LUNCH RECESS.** The Commission recessed for lunch at 11:55 and returned at 1:05 p.m..

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18. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-1-00-28 (Jones, Mendocino Co.) Postponed.**

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b. **Application No. 1-00-34 (Cal-1 Cellular, Del Norte Co.) Moved to expanded Consent Calendar. Approved.**

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19. **FINDINGS.**

a. **Mendocino Co. LCP Amendment No. 2-98 (Gualala Town Plan).** Staff recommended approval of findings.

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

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20. **NEW APPEALS.**

a. **Appeal No. A-1-00-43 (Williams Communications, Mendocino Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing on substantial issue and **continued** it to a future meeting.

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b. **Appeal No. A-1-00-44 (Appell, Mendocino Co.) Postponed.**

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**RECESS.** The Commission recessed for the day at 4:35 p.m..

# DRAFT

Thursday, October 12, 2000 - pages 14 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, October 12, 2000, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Estolano, Hart, (Alternate) Kruer, Nava, Poché, (Alternate) Rose and Woolley. Absent: Daniels, McClain-Hill, Neal, Sanders and Sweeney.

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## CENTRAL COAST DISTRICT

### 2.5 CONSENT CALENDAR.

a. **Application No. 3-00-132 (Carmel Mission, Carmel)** Staff recommended approval with special conditions.

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

## NORTH CENTRAL COAST DISTRICT

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

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

### 5. NEW APPEAL.

a. **Appeal No. A-2-00-24 (Caltrans, San Mateo Co.)** Staff recommended that the appeal raised no substantial issue.

Paul Perkovic, representing Midcoast Community Council, spoke in favor of the project. Mike Ferreira spoke in favor of a hearing at the City. Bijan Sartipi, representing CalTrans, spoke in favor of the project. Paul Dawdy, representing CalTrans, submitted a request to speak in favor of the project. Kathryn Slater-Carter spoke about the project.

# DRAFT

**Motion & Vote:** Dettloff moved staff recommendation, seconded by Potter, and the roll call vote was 9 in favor, and 0 opposed and 1 abstention (Hart). **Passed.**

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b. **Appeal No. A-2-00-28 (Blank, San Mateo 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.

Steve Blank spoke in favor of the project.

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

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c. **Appeal No. A-2-00-16 (Aloise, Sonoma 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 and **continued** it to a future meeting.

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d. **Appeal No. A-2-00-31 (Moss Beach Highlands, San Mateo Co.)** **Postponed.**

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e. **Appeal No. A-2-00-34 (Mickelsen, San Mateo Co.)** Staff recommended continuance. There being no objection Chairman Wan opened the hearing on substantial issue and **continued** it to a future meeting.

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**PUBLIC STATEMENTS.** Nine speakers submitted a request to speak regarding Bolsa Chica: Fred Ameri; Casey Estrada, representing Bolsa Chica Alliance; Mark Hoover, representing BIA; Chad Morgan, representing CA Young Americans for Freedom; Reed L. Royalty, representing Orange County Taxpayers Ass'n; Richard Tiffin, representing Bolsa Chica Alliance; Carole Ann Wall, representing Bolsa Chica Alliance; Brad White; and Robert S. Zemel II, representing CA Young Americans for Freedom. Eight speakers submitted requests to speak in favor of the Oceanside resort project: Marilyn Armstrong; Ruth Clifford; Norton Hathaway; City Council candidate Georgeo Kerpani; Janet Nichols, representing COAST; Sam Oliver, representing COAST; John A Steiger; and Eli Whitney. Eva L. Dausel asked the Commission to look into an alleged violation next door to her.

**LUNCH RECESS.** The Commission recessed for lunch at 12:40 and reconvened at 2:10 p.m..

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6. **COASTAL PERMIT APPLICATION.**

a. **Appeal No. A-1-99-51 (Wavecrest Village, Cabrillo School Dist. and Boys & Girls Club, Half Moon Bay)** Staff withdrew its recommendation.

Bob Campbell, representing Cabrillo Unified School Dist., spoke in favor of the project. Six speakers representing City of Half Moon Bay submitted requests to speak in favor of the project: Vice Mayor Deborah Ruddock, Councilmember Naomi Patridge, Ed Marlow, City Attorney Steve Mattas, City Manager Blair King, and Marina Fraser from the Parks & Recreation Commission. Bill Barrett, Pat Fitzgerald and Dr Mike Josselyn, representing the applicant, submitted requests to speak in favor of the project. Nine speakers representing the Boys & Girls Club submitted requests to speak in favor of the project: Joe Angelini, Vincent P. Benitez, Owen Byrd, David Cline, Norbert Dall, Stephanie Dall, David B. Kelley, Dr Carol Lewis and Kris Mason. Thirteen speakers representing Cabrillo School District submitted requests to speak in favor of the project: Anne Bailey, Dr John Bayless, Randy Chapin, Lewis Cohen, Kelly Huber Matt Huber, B. J. Mackle, Shari Noguchi, Dr Elizabeth Schuck, Jerry Trenter, Jonathan Jesus Ureña, María Ureña and Amy Worden. Frank Guardino submitted a request to speak in favor of the project. Jack Olsen, representing San Mateo County Farm Bureau, submitted a request to speak in favor of the project.

John T. Callan, representing San Mateo Land Exchange & Wayward Lot Investment Co., submitted a request to speak in opposition to the project. Helen J. Carey submitted a request to speak in opposition to the project. Mike Ferreira submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project. Kathryn Slater-Carter submitted a request to speak in opposition to the project. Paul Perkovic submitted a request to speak about the project.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on West Village, Inc. v. CCC, et al. and Morro Bay Mini Storage, Inc. v. CCC, and discussed one other matter for information only.

There being no recommendation to act upon, the hearing was **continued** to a future meeting.

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Orr replaced Nava for the rest of the meeting.

## **CENTRAL COAST DISTRICT**

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

# DRAFT

a. **Watsonville LCP Amendment No. 1-99 (PVUSD High School) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director.

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8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 11c & e to the Calendar, and recommended approval with special conditions.

(11e) Cathy Stettler, representing CalTrans District 5, submitted a request to speak in favor of the project.

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

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9. **NEW APPEALS.**

a. **Appeal No. A-3-99-82 (Tri W, Morro Bay)** Staff recommended that the appeal raised no substantial issue.

Jack McCurdy spoke in opposition to the project. Susan Mullen spoke in opposition to the project. Mark Massara, representing appellant Jack McCurdy, submitted a request to speak. Marshall Ochylski, representing the applicant, spoke in favor of the project.

**Motion & Vote:** Desser moved staff recommendation, seconded by Orr, and the roll call vote was 1 in favor (Dettloff), 8 opposed (Desser, Estolano, Kruer, Orr, Potter, Rose, Woolley & Wan) and 1 abstention (Hart). **Failed.**

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b. **Appeal No. A-3-00-78 (Seaberg, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission found substantial issue, and opened the hearing on the merits of the project. Staff recommended approval with special conditions.

Chris Seaberg spoke in favor of the project.

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

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c. **Appeal No. A-3-00-79 (Seaberg, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission found substantial issue, and opened the hearing on the merits of the project. Staff recommended approval with special conditions.

The hearing was combined with item b above.

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

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d. **Appeal No. A-3-00-121 (Hogan, San Luis Obispo 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 and **continued** it to a future meeting.

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e. **Appeal No. A-3-00-130 (Kasulka, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing on substantial issue and **continued** it to a future meeting.

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f. **Appeal No. A-3-00-134 (LaCount, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing on substantial issue and **continued** it to a future meeting.

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#### 10. LOCAL COASTAL PROGRAMS (LCPs).

a. **Santa Cruz Co. LCP Amendment No. SCO-MAJ-1-00 (timber harvesting).** **Postponed.**

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#### 11. COASTAL PERMIT APPLICATIONS.

a. **Application No. 3-00-31 (Cypress Inn Investors, Carmel)** **Postponed.**

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b. **Appeal No. A-3-00-33 (Hinman & Skees, Santa Cruz Co.)** **Postponed.**

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c. **Application No. 3-00-34 (Santa Cruz Port District, Santa Cruz)** Moved to expanded Consent Calendar. **Approved.**

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d. **Application No. 3-00-42 (Carmel preferential parking) Postponed.**  
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e. **Application No. 3-00-125 (Caltrans, Santa Cruz Co.) Moved to expanded Consent Calendar. Approved.**  
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## **ENERGY, OCEAN RESOURCES and WATER QUALITY**

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

a. **Guadalupe Oil Field Remediation Status Report.** The report was a written one, for information only.  
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### 13. **FINDINGS.**

a. **Permit No. E-00-3 (Unocal, San Luis Obispo Co.)** Staff recommended approval of findings.

**Motion & Vote:** Estolano moved staff recommendation, seconded by Kruer, and the hand vote was 6 in favor and 0 opposed. **Passed.**  
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14. **SONGS Status.** The report was written for information only.  
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15. **SONGS Behavioral Barriers (Condition B).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director.  
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**RECESS.** The Commission recessed for the day at 5:10 p.m..

Friday, October 13, 2000 - pages 20 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, October 13, 2000, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Hart, (Alternate) Kruer, (Alternate) Orr, Poché, (Alternate) Rose and Woolley. Absent: Daniels, Estolano, Neal, Sanders and Sweeney. McClain-Hill arrived at 9:10 a.m..

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## SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through e on page 12 of the meeting notice. Staff recommended approval with special conditions.

(3b) Roy Nutter & Bill Duree, both representing Verizon Communication, submitted a request to speak representing the applicant.

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

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4. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public.
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5. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 6d & 6e to the Calendar, and recommended approval with special conditions.

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

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6. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-00-16 (Sitrick, Malibu)** Staff recommended approval with special conditions.

Andrew Kent, representing the applicant, spoke in favor of the project.

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

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b. **Application No. 4-00-21 (Herzig, Malibu) Postponed.**

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Desser left at 9:25 a.m. during the following item.

c. **Application No. 4-00-126 (Malibu & State Parks)** Staff recommended approval with special conditions.

Barry Hogan, representing City of Malibu, spoke in favor of the project. Hayden W. Sohm, representing Calif. State Parks, spoke in favor of the project.

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

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d. **Application No. 4-00-193 (SB Co. Parks Goleta Beach berm)** Moved to expanded Consent Calendar. **Approved.**

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e. **Application No. 4-00-1 (Sholty, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

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7. **UCSB Notice of Impending Development 2-00:** Staff recommended approval with special conditions.

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

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8. **Pepperdine University Request to Modify Notice of Impending Development (Upper Campus).** Staff recommended approval.

Eleven speakers, representing Pepperdine University, submitted requests to speak in favor of the project: Andy Benton, Frederick Behardt, Loren Montgomery, Gary Hanson, Joe Johns, Jerry Pabbruwee, Jon M. Ziegler, Inge Rose, Andrew Price, Leslie Dkkey & Bob Thomas. Cindy Starrett, representing Pepperdine, spoke in favor of the project. Mark Gold, representing Heal the Bay, spoke in favor of the staff recommendation.

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

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9. **PERMIT AMENDMENTS.**

a. **Permit No. 4-96-25-A3 (Jason, Los Angeles Co.) Postponed.**

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Potter left at 11:00 a.m. during the following item.

b. **Permit No. 4-99-61-A (3854 R.O., Malibu)** Staff recommended approval with special condition.

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

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c. **Permit No. 5-91-436-A2 (Rancho Malibu, Los Angeles Co.)** Staff recommended denial of part and approval of part with special condition and revisions to previous conditions.

Tim Tosta, representing BMIF/BSLFII Rancho Malibu LP, spoke in favor of the project. Patt Healy, representing Malibu Coalition for Slow Growth, submitted a request to speak in opposition to the project. Klaus Radtke spoke in opposition to the project.

**Motion & Vote on TDC part:** Orr moved approval of the amendment regarding TDCs, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. **Failed.**

**Motion & Vote on grading part:** Orr moved staff recommendation on the grading revision, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous. **Passed.**

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Hart left at 11:35 a.m. during the following item.

10. **PERMIT EXTENSION.**

a. **Permit No. 5-91-436-E4 (Rancho Malibu, Los Angeles Co.)** Staff recommended approval.

Patt Healy, representing Malibu Coalition for Slow Growth, spoke in opposition to the project. Tim Tosta, representing BMIF/BSLFII Rancho Malibu LP, spoke in favor of the project.

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There being no objection, Chairman Wan ruled that the permit was **extended**.

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## 11. FINDINGS.

a. **Application No. 4-00-4 (Daly, Los Angeles Co.)** Staff recommended approval of findings as revised orally.

Diane Abbitt, representing the applicants, spoke in favor of the staff recommendation as revised.

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

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**PUBLIC STATEMENTS** on Manchester Project in Oceanside: Eric Hayek submitted a request to speak in favor of the project. John Dunzer submitted a request to speak in favor of the project. Patty Richenberger submitted a request to speak in favor of the project. Raymond Rhubottom submitted a request to speak in favor of the project. John A. Steiger, representing Greater San Luis Rey Planning Area Planning Council, submitted a request to speak in favor of the project. Jose R. Medrano submitted a request to speak in favor of the project. Mary Lee Tooker spoke in favor of the project. Robert Almanza spoke in favor of the project.

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**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 10:15 a.m.

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

pmg