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CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

RECORD PACKET COPY



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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF MARCH 14-17, 2000**

Carmel Mission Inn
3665 Rio Road
Carmel

Tuesday, March 14, 2000 pages 1 to 11

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, March 14, 2000, at 10:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Daniels, Desser, Dettloff, Estolano, (Alternate) Kruer, Nava, Neal, (Alternate) Rose and Woolley. Absent: Dean, Potter, Sanders and Sweeney. McClain-Hill arrived at 10:20 a.m..

SOUTH COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATION.**

α. **Application No. 5-00-27 (Hill, Newport Beach)** Staff recommended approval with conditions.

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

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4. **CONSENT CALENDAR.** See items b & c on page 3 of the agenda. Item a was postponed. Staff recommended approval with special conditions.

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

SOUTH CENTRAL COAST DISTRICT

5. **CONSENT CALENDAR.** See items a through e on pages 3-4 of the agenda. Item f was postponed. Staff recommended approval with special conditions.

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

STATEWIDE

6. **ELECTION of REPRESENTATIVE to SANTA MONICA MOUNTAINS CONSERVANCY.** Woolley nominated Albert as the representative, seconded by Estolano, and unanimously **approved.**
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7. **APPROVAL OF MINUTES.** The minutes of January & February 2000 were unanimously **approved.**
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8. **COMMISSIONERS' REPORTS.** None.

9. **CONSERVANCY REPORT.** Bill Ahern presented a report for information only.

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

11. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
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12. EXECUTIVE DIRECTOR'S REPORT including report on legislation.

a. Amendment to Memorandum of Agreement. Staff recommended approval.

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

b. Amendment to SFSUF Agreement. Staff recommended approval.

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

c. Legislation. Staff recommended positions on pending legislation.

Motion & Vote on AB 2310: Estolano moved staff recommendation on AB 2310, seconded by Kruer, and Chairman Wan ruled that the hand vote was unanimous. **Passed.**

Motion & Vote on AB 1781: Woolley moved staff recommendation on AB 1781, seconded by Rose, and Chairman Wan ruled that the hand vote was unanimous. **Passed.**

12.5 **Late submittal of materials.** Staff recommended approval of revised advice to the public as modified orally.

Norbert Dall suggested changes.

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

13. **FEDERAL CONSISTENCY REPORT.** Federal Consistency 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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14. FEDERAL CONSISTENCY.

- a. **CC-78-99 (Newport Beach, dredging)** The City requested a continuance.

Tony Melum, representing City of Newport Beach, extended the time limit. Chairman Wan ruled that the item was **continued**

- b. **CD-117-99 (Corps of Engineers, Santa Barbara)** **Postponed.**
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- c. **CD-10-00 (Fish & Wildlife Service, Santa Barbara & San Luis Obispo Cos.)** Staff recommended approval.

Mark W. Thomas, representing Surfer's Environmental Alliance, spoke in favor of the project. Philip Persons spoke in favor of the staff recommendation. Alice McCurdy, representing Santa Barbara County, spoke. Kara Smith, representing TNC, spoke in favor of the project. David Angello, property & business owner, submitted a request to speak in opposition to the staff recommendation. Lori Angello submitted a request to speak in opposition to the staff recommendation. Justin Ruhge, representing Santa Barbara Taxpayer Assoc., spoke in opposition to the staff recommendation. Richard Searcy, representing Oceano Community Service District, spoke about proposed boundary.

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

- d. **CD-11-00 (National Park Service, Humboldt & Del Norte Cos.)** Staff recommended approval.

Andrew Ringgold, representing National Park Service, spoke in favor of the staff recommendation. Norbert Dall spoke. June Craig, representing Western Bus Nuts, spoke in opposition to the project. Norm Carr, representing Calif. Commercial Beach Fishermen Association, spoke in opposition to the project. Charles Rylee, representing sport fishermen, spoke in opposition to the staff recommendation. Edward Salsedo, representing Save Orick Committee, spoke in opposition to the staff recommendation. Ron Simmons, representing Redwood Burl Shops of Orick CA, spoke in opposition to the staff recommendation.

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

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e. **CD-12-00 (EPA, San Luis Obispo Co.)** Staff recommended approval.

Cheryl McGovern, representing EPA-Morro Bay National Estuary Program, submitted a request to speak in favor of the project.

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

LUNCH RECESS. The Commission recessed for lunch at 12:55 and reconvened at 2:30 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Save Ellwood Shores, et al. v. CCC, et al., Holland and Rodman v. CCC, and Hill and Daniel v. County of Santa Barbara, et al., and discussed three other matters for information only.

f. **CD-19-00 (Air Force, Santa Barbara Co.)** Staff recommended approval.

Lt. Col. Scott Westfall, representing USAF @ Vandenberg AFB, spoke in favor of the management plan. Lee Ann Naue, representing USFWS, spoke in favor of the project. Philip Persons, representing Audubon Snowy Plover Task Force, spoke in favor of the staff recommendation. Haley Daria spoke in favor of the staff recommendation. Brian Trautwein, representing Environmental Defense Center, spoke in favor of the staff recommendation. Mark W. Thomas, representing Surfer's Environmental Alliance, spoke about the project. Joni Gray, representing Santa Barbara County, spoke in opposition to the staff recommendation. Alice McCurdy, representing Santa Barbara County, spoke in opposition to the staff recommendation. Camille Boren, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Dick DeWees, representing City of Lompoc, spoke in opposition to the staff recommendation. Claude Gancin, representing Santa Barbara County, spoke in opposition to the staff recommendation. Bill Fedusko, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Joseph Collett, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Judith Grames-Lyra, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. R. Sterling Collett, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Justin M. Ruhge, representing Santa Barbara Co. Taxpayers Assoc., spoke in opposition to the staff recommendation. Scott Martinson, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Paul Woyak, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Julie Jacobs, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Harry Keim, representing Surf Beach Alliance, spoke in opposition to

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the staff recommendation. Matt Rambo, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Alice Milligan, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Scott Somers, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. LeRoy Scolari, representing Surf Alliance, submitted a request to speak in opposition to the staff recommendation. Susan Warnstrom, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Don Giles, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. John Roskoski, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Katrina Romanowsky, representing Surf Beach Alliance, submitted a request to speak. Will Schuyler, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Jon Lyra, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. C. Dennis Anderson, representing Lompoc Valley Chamber of Commerce & Visitors Bureau, spoke in opposition to the staff recommendation. Ruth Schuyler, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Suzanne Nicastro, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Mark Scodellaro, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Joan Scolari, representing Surf Beach Alliance, submitted a request to speak in opposition to the staff recommendation. Linda Martinson, representing Surf Beach Alliance, spoke in opposition to the staff recommendation. Nancy Read, representing US Air Force, Vandenberg Air Force Base, spoke in favor of the staff recommendation.

Motion & Vote: Estolano moved staff recommendation, seconded by Kruer, and the roll call vote was 8 in favor and 2 opposed (Estolano & Kruer). **Passed.**

SOUTH COAST DISTRICT

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

a. **Huntington Beach LCP Amendment No 1-99 (Downtown Specific Plan) Time Extension.** Staff recommended approval.

Howard Zelefsky, representing City of Huntington Beach, submitted a request to speak in favor of the staff recommendation and to answer questions.

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

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b. **Huntington Beach LCP Amendment No. 2-99 (Minor).** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

c. **Redondo Beach Plan Amendment No. 1-00 Time Extension.** Staff recommended approval.

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

16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (18b, 18c, 19a & 19d) to the Calendar, and recommended approval with special conditions.

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

17. **NEW APPEAL.**

a. **Appeal No. A-5-00-54 (Wyatt, Orange Co.)** **Postponed.**

18. **COASTAL PERMIT APPLICATIONS..**

a. **Application No. 5-99-282 (Newport Beach beach nourishment)** Staff recommended approval with special conditions.

Tony Melum, representing City of Newport Beach, requested a continuance.

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

b. **Application No. 5-99-375 (Smith, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 5-99-477 (Watson, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

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19. PERMIT AMENDMENTS.

a. **Permit No. 5-95-116-A2 (Bailey, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-98-156-A4 (Long Beach & D D R OliverMcmillan)** Staff recommended approval with revisions to previous special conditions and one new special condition.

Tony Pauker, representing DDR OliverMcMillan, spoke in favor of the project.

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

c. **Permit No. 5-98-345-A (Gerson Bakar, Newport Beach)** Staff recommended approval with special conditions.

John Ko, representing the applicant, spoke in favor of the project.

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

d. **Permit No. 5-99-232-A (Los Angeles Co. Dept. of Beaches & Harbors, Redondo Beach or Playa Del Rey)** Moved to expanded Consent Calendar. **Approved.**

20. **CONDITION COMPLIANCE on Permit No 5-98-156 (Employee Parking Program)** Staff recommended approval.

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

SOUTH CENTRAL COAST DISTRICT

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

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22. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (23f, 23g, 23j, 23l & 23m) to the Calendar, and recommended approval with special conditions.

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

23. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-97-216 (LACDPW, Los Angeles Co.)** Staff recommended approval with special conditions.

Mark Massara, representing Sierra Club, Topanga Canyon Town Council & Topanga Scenic Association, spoke in opposition to the project and seeking continuance.

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

b. **Application No. 4-99-29 (Cornfield, Papazian & Besbeck, Los Angeles Co.)** Postponed.

c. **Application No. 4-99-187 (Leonard, Malibu)** Staff recommended approval with special conditions.

Mike Barsocchini, architect for the applicants, spoke in favor of the staff recommendation.

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

d. **Application No. 4-99-198 (Halbreich, Los Angeles Co.)** Postponed.

e. **Application No. 4-99-227 (Megdal, Malibu)** Staff recommended approval with conditions.

Elliot Megdal submitted a request to speak in favor of the project.

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

f. **Application No. 4-99-234 (Bindley, Malibu)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-99-249 (Mechanic, Malibu)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-99-265 (Kent, Malibu)** **Postponed.**

i. **Application No. 4-99-266 (Daly, Malibu)** **Postponed.**

j. **Application No. 4-99-270 (Burg & Steinitz, Malibu)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 4-99-279 (Harbor Restaurant, Santa Barbara)** Staff recommended denial.

Fred Clough, representing Harbor Restaurants, spoke in favor of the project. John Bridley, representing City of Santa Barbara, spoke in favor of the project. Mark Massara spoke in opposition to the project.

Motion & Vote: Nava moved approval of the application with conditions described orally, seconded by McClain-Hill, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

l. **Application No. 4-00-2 (Wedelstadt, Malibu)** Moved to expanded Consent Calendar. **Approved.**

m. **Application No. 4-00-15 (Gallin, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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24. PERMIT AMENDMENT.

a. **Permit No. 4-97-33-A (Sweet, Malibu)** Staff recommended approval with special conditions.

Susan McCabe, representing the applicant, submitted a request to speak.

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

25. **REVOCATION of Permit No. 4-97-71 (Schaeffer, Malibu)** Staff recommended that the permit not be revoked.

Motion & Vote to Revoke: There being no speakers, Estolano moved to revoke the permit, seconded by Daniels, and Chairman Wan ruled that the roll call vote was unanimous in opposition to the motion. **Failed.**

RECESS. The Commission recessed for the day at 6:15 p.m..

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Wednesday, March 15, 2000 pages 12 to 15

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, March 15, 2000, at 9:00 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, Kehoe, McClain-Hill, Nava, Neal, Reilly and Woolley. Absent: Daniels, Sanders and Sweeney. Estolano arrived at 9:05 a.m..
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SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a & b on page 11 of the agenda. Item c was postponed. Staff recommended approval with special conditions.

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

4. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee reported on matters not requiring public hearings, and on comments from the public.
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5. **CONSENT CALENDAR (removed from Regular Calendar).** None.
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6. **LOCAL COASTAL PROGRAM (LCP).**

a. **Oceanside LCP Amendment No. 2-99 (Vacation clubs) Time Extension.** See below.

- 6.5 **LOCAL COASTAL PROGRAM (LCP).**

a. **Oceanside LCP Amendment No. 2-99 (Vacation clubs) Time Extension.** Staff recommended approval.

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

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7. COASTAL PERMIT APPLICATIONS.

a. Application No. 6-98-127 (San Diego State Route 56) Postponed.

Frank Belock, representing City of San Diego, answered questions on water quality measures. Joe Hall, representing CalTrans, presented concerns about costs, maintenance, and hydrocarbon levels.

b. Application No. 6-99-148 (Horseman's Valley, San Diego Co.) Staff recommended approval with special conditions.

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

c. Application No. 6-00-1 (San Diego boardwalk widening) Staff recommended approval with special condition.

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

NORTH COAST DISTRICT

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

a. **Mendocino Co. LCP Amendment No. 2-98 (Gualala) Certification Review Time Extension.** Staff recommended approval.

Julie Verran, representing Redwood Chapter Sierra Club, wanted a local hearing & raised notification issue

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

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

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10. LOCAL COASTAL PROGRAM (LCP).

- a. **Mendocino Co. LCP Amendment No. 3-99.** Staff recommended approval.

Bud Kamb, representing Van Peer, submitted a request to speak in favor of the project.

Motion & Vote on Plan as Submitted: Reilly moved approval of the Land Use Plan Amendment as submitted, seconded by Woolley, and Chairman Wan ruled that the roll call vote was unanimous. **Passed.**

Motion & Vote to Reject Implementation: Reilly moved to reject the implementation amendment as submitted, seconded by Woolley, and Chairman Wan ruled that the roll call vote was unanimous in opposition to the motion. The motion failed so the amendment was **approved.**

11. NEW APPEALS.

- a. **Appeal No. A-1-00-1 (Bell & Aniline, Humboldt 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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- b. **Appeal No. A-1-00-2 (Ottoson, Mendocino Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Vice Chairman Potter ruled that the Commission **found substantial issue.** Vice Chairman Potter opened the hearing on the merits of the project. Staff recommended denial.

Robert Zimmer, representing Ottoson, spoke in favor of the project. Bud Kamb, representing Ottoson, spoke in favor of the project. Sally Ottoson spoke in favor of the project. Rixanne Wehren, representing Sierra Club, Mendo-Lake group, spoke. Mark Massara, representing Sierra Club, spoke in opposition to the project.

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

12. COASTAL PERMIT APPLICATION.

- a. **Application No. 1-99-74 (Caltrans, Eureka)** Staff recommended approval with special conditions.

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Charlie Fielder, representing Caltrans, submitted a request to speak in favor of the project.

Motion & Vote: Reilly moved staff recommendation, seconded by Woolley, and the roll call vote was 7 in favor (Daniels, Dettloff, McClain-Hill, Nava, Reilly, Woolley & Wan) and 3 opposed (Desser, Estolano & Kehoe). **Passed.**

13. PERMIT AMENDMENT.

a. **Permit No. 1-95-54-A2 (Feiner, Mendocino Co.)** Staff recommended approval with special conditions.

Donna Feiner spoke in favor of the project.

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

Amending Motion & Vote: McClain-Hill moved to reorient the house for solar reception, seconded by Daniels, and acting Chairman Reilly ruled that the roll call vote was unanimous. **Passed.**

Vote on Main Motion: Acting Chairman Reilly ruled that the roll call vote (on the main motion as amended above) was unanimous. **Passed.**

PUBLIC COMMENTS. David Dilworth, representing H.O.P.E Helping Our Peninsulas Environment, spoke about the Monterey Pine.

RECESS. The Commission recessed for the day at 11:45 a.m..

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Thursday, March 16, 2000 - pages 16 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, March 16, 2000, at 9:05 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, Estolano, Kehoe, Nava, Reilly, Sweeney and Woolley. Absent: Dean, Neal and Sanders. McClain-Hill arrived at 9:15 a.m..
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ENERGY, OCEAN RESOURCES and WATER QUALITY

3. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Executive Director Douglas reported on matters not requiring public hearings.
 - a. **Guadalupe Oil Field Remediation Status Report.** Informational only. Richard Walloch, representing Unocal, submitted a request to speak to answer questions.
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- 3.5 **SONGS STATUS.** Informational only.
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ENFORCEMENT

4. **COMMISSION RESTORATION ORDER No. CCC-00-RO-1 (Cliffs Hotel, Pismo Beach, San Luis Obispo Co.)** Staff recommended approval.

David Watson, representing La Noria LLC - owners of Cliffs Hotel, spoke in favor of the project and requested a continuance. Mark Massara, representing Sierra Club, spoke in favor of the staff recommendation.

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

5. **COMMISSION CEASE & DESIST ORDER No. CCC-00-CD-4 (Cliffs Hotel, Pismo Beach, San Luis Obispo Co.)** Staff recommended approval.

The hearing was combined with item 4 above.

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

CENTRAL COAST DISTRICT

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

a. **Carmel-by-the-Sea LCP Status Report.** Informational only. Mayor Ken White spoke. Brian Roseth spoke. Michael Groves, representing the City, submitted a request to speak. Jere Kersnar, representing City of Carmel-by-the-Sea, submitted a request to speak.

7. **SAN LUIS OBISPO CO. LCP PERIODIC REVIEW & NORTH COAST AREA PLAN UPDATE.** Informational only. Vic Holanda, representing San Luis Obispo County Planning Dept., spoke in favor of the project. Harlan Hobgood, representing Avila Valley Advisory Council, commented.

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

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

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

a. **Watsonville LCP Amendment No. 1-99 (PVUSD High School).** Staff recommended approval with suggested modifications as modified in addendum and orally.

Ana Ventura Phares, representing City of Watsonville, spoke in favor of amendment to the staff recommendation. Dr John Casey, representing PVUSD, spoke in favor of the project. John Doughty, representing City of Watsonville, spoke in favor of the project. Robert Ketley, representing City of Watsonville, spoke in favor of the project. Assemblyman Fred Keeley, representing City of Watsonville, spoke in favor of the project. Bruce McPherson, representing California State Senate-15th Dist., spoke in favor of the project. Paul A. Bruno, representing Ralph & Kathleen Edwards, spoke in favor of the project. Terry McHenry, representing PVUSD, submitted a request to speak

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in favor of the project. Chris Christianson submitted a request to speak in favor of the project. Ralph Edwards submitted a request to speak in favor of the project.

Celia Scott, representing League for Coastal Protection, spoke in opposition to the staff recommendation. Bill Parkin, representing Sierra Club (Santa Cruz Group), spoke in opposition to the staff recommendation. Sandra Nichols, representing Committee for a Safe & Sane High School & Environmental Council, spoke in opposition to the staff recommendation. Caitlen Gaffney, representing Center for Marine Conservation, spoke in opposition to the staff recommendation. Marilyn Hummel, representing Sierra Club, spoke in opposition to the staff recommendation. Vince Cheey, representing Native Plant Society, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the staff recommendation. Kimberley Hayes submitted a request to speak in opposition to the project.

LUNCH RECESS. The Commission recessed for lunch at 1:40 and reconvened at 2:05 p.m.. Estolano left during the break

Natalie Hanna submitted a request to speak in favor of the project. Mitzi Mock, representing Watsonville High, submitted a request to speak in opposition to the staff recommendation. Juan L. Gutierrez, Watsonville High School student, submitted a request to speak in opposition to the staff recommendation. Mildred Stauffer submitted a request to speak in opposition to the staff recommendation. Carlos Torres, representing Aptos High School, submitted a request to speak in favor of the project. Ed Davidson spoke in favor of the project. Elisa Frost spoke in favor of the project. Dana Sales, representing Watsonville Realtors, spoke in favor of the project. Nelson Santiago, representing California Bank & Trust, spoke in favor of the project. Catalina Martínez, representing Padres Migrantes, submitted a request to speak in favor of the project. Juan Rosillo, representing Padres Migrantes, pedia aprobar con cambios. Providence Martinez spoke in favor of the staff recommendation with amendment. Bedella Sebastian, representing Padres Migrantes, pedia aprobar con cambios. Beatriz V. Flores spoke in favor of the staff recommendation with amendment. Eric Frost spoke in favor of the staff recommendation with changes. Monica Molina, representing Brown Berets, spoke in favor of the project. Jose Sanchez V., representing student empowerment project, spoke in favor of the project. Scotty Correa-Mickel, representing Pajaro Valley Federation of Teaches, spoke in favor of the project. Laura Dow & Rosemarie spoke in favor of the project. Chris Ballin, representing Latino Strategic Planning, submitted a request to speak in favor of the project. Paul Johnston, E.D., representing the Citizenship Project, submitted a request to speak in favor of the project. Geoffrey D. Smith, representing Santa Cruz New Teacher Project, submitted a request to speak in favor of the project. Gary Martindale, representing Watsonville H.S., submitted a request to speak in favor of the project. Alejandro Chavez, representing United Farmworkers Union, spoke in favor of the project. Rodney Brooks spoke in opposition to the staff recommendation. Debra Whitmore, representing Watsonville High School, spoke in opposition to the staff recommendation. Barbara Palmer, representing Aptos Chamber/Aptos parent, spoke in opposition to the staff recommendation. Ellen Pirie spoke in opposition to the staff recommendation. Marc

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Monte, representing Monte Foundation, submitted a request to speak in opposition to the staff recommendation. Harold Shaw spoke in opposition to the staff recommendation. Juanita H. Wulff spoke in opposition to the staff recommendation. Francis de Winter spoke in opposition to the staff recommendation. Marian Martinez spoke in opposition to the staff recommendation. Craig George, representing Coastal Agricultural Association, spoke in opposition to the staff recommendation. Christi Keller spoke in opposition to the staff recommendation. Pat O'Hara, representing CSSHSS, submitted a request to speak in opposition to the staff recommendation. Bernie Feldman, representing CSSHSS, spoke in opposition to the staff recommendation. Bruce W. Woolpert, representing Santa Cruz County Business Council, spoke in opposition to the staff recommendation. Sergio Lopez, representing Teamsters Union, spoke in opposition to the staff recommendation. Shelley Betz, representing Green Valley Action Committee, spoke in opposition to the staff recommendation. Royce D. Stauffer spoke in opposition to the staff recommendation. Dr Richard Marks, representing Surfrider Foundation, submitted a request to speak in opposition to the staff recommendation. Cliff McCollum spoke in opposition to the staff recommendation.

Ann Soldo, representing Watsonville Women's Club, spoke in favor of the staff recommendation. Jim Van Houten, representing Watsonville Wetlands Watch, spoke in favor of the staff recommendation. Avrum Alejo, representing Brown Berets, submitted a request to speak in favor of the staff recommendation. Patricia Matejcek spoke in favor of the staff recommendation. Gary Harrold, representing Toxics Action Coalition, spoke in opposition to the staff recommendation. Sylvia Previtali, representing CFAS & SHS Committee for a Safe & Sane High School, spoke in opposition to the staff recommendation. Jerry Thomas submitted a request to speak in opposition to the project. Sandy Henn, representing Alliance for Resource Conservation, spoke in opposition to the project as proposed. Debbie Bulger submitted a request to speak in favor of the staff recommendation. Tim Moore, representing Committee for a Safe & Sane High School, submitted a request to speak in favor of the staff recommendation with qualifications. David Dilworth, representing Helping Our Peninsula's Environment, spoke in opposition to the project. Maureen Davidson spoke in opposition to the project. Jim Boyle, representing Sierra Club, spoke in opposition to the project. Norma L. Johnson submitted a request to speak in opposition to the project. Elsie Trovato, representing Sierra Club, submitted a request to speak in opposition to the project. Cecile Mills submitted a request to speak in opposition to the project. Susan Young submitted a request to speak in opposition to the project site.

Ken Kimes, representing Community Alliance Family Farmers, submitted a request to speak in favor of the project. Elias Alonzo, representing Third High School Public Info Center, submitted a request to speak in opposition to the staff recommendation. Michael Theriot, representing Santa Cruz County Farm Bureau, submitted a request to speak in opposition to the staff recommendation. Mas Hashimoto, representing Watsonville Japanese American Citizen League, submitted a request to speak in opposition to the staff recommendation. Daniel Joe Hernandez, representing school site council south P.U.S.D., submitted a request to speak in favor of the project. David Grabost submitted a request to speak in favor of the project. Jose Gamboa,

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representing Latino Chamber of Commerce S. Cruz County, submitted a request to speak in favor of the project. Teresa Alvarado, representing Latino Chamber of Commerce of Santa Cruz County, submitted a request to speak in favor of the project.

Janie Figen, representing Sierra Club, submitted a request to speak in opposition to the project. Leora Worthington submitted a request to speak in opposition to the project. Andrew Burgess, representing Sierra Club, submitted a request to speak in opposition to the project. Patrick J. Coulston, representing Ca. Dept. of Fish & Game, submitted a request to speak in favor of the staff recommendation. Pedro Soto, representing Watsonville High School parents, submitted a request to speak in favor of the school site. Antoinette Lemma, representing Hope Ministries, submitted a request to speak in favor of approval. Juan Carlos Valtierra, representing B.A.T.A. Watsonville high, submitted a request to speak in favor of the staff recommendation with amendment. Henry Mello, representing PVUSD, submitted a request to speak in favor of the project. Alejandra Herrera, representing Congressman Sam Farr, submitted a request to speak in favor of the staff recommendation with amendment. Tony Campos, Santa Cruz Supervisor, submitted a request to speak. Oscar Rios, Mayor of City of Watsonville, submitted a request to speak in favor of the staff recommendation with amendments. Jerry Busch, representing Watsonville Wetland Watch, submitted a request to speak in favor of the staff recommendation with amendment.

Nine speakers submitted requests to speak in rebuttal: Maureen Hill, representing PVUSD; Dave Neish, representing Pajaro Valley U.S.D.; James Di Camillo, representing WLC Architects Inc.; Jane Royer Barr, representing PVUSD; Gary Deghi, representing Hulfman & Associates Inc.; Chris Boyle, representing Des Architects & Engineers; Alan Smith, representing City of Watsonville; Harold Freiman, representing Pajaro Valley Unified School Dist.; and Andy Mills, representing the applicant. Marcela Tavantzis, representing City of Watsonville, answered a question. David Koch, representing City for Watsonville, was available for questions.

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

Motion & Vote on Plan as Submitted: Potter moved approval of the Land Use Plan Amendment as submitted, seconded by Kehoe, and Chairman Wan ruled that the roll call vote was unanimous in opposition to the motion. **Failed.**

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

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Motion on Plan with Modifications: Potter moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Reilly.

Amending Motion & Vote on Agricultural buffers: Potter moved to adjust the setback from agricultural areas, seconded by Reilly, and the roll call vote was 8 in favor and 2 opposed (Daniels & Desser).

Passed.

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

Motion & Vote on Implementation with Modifications: Potter moved approval of the implementation with suggested modifications, seconded by Kehoe, and Chairman Wan substituted the previous roll call vote (9-1). **Passed.**

Orr replaced Nava before the following item. Kehoe, Sweeney & Wan left the meeting.

b. **Morro Bay LCP Amendment No. 1-99 (Caratan & Colmer).** Staff recommended denial.

Robert Malone, City Planner representing City of Morro Bay, spoke in favor of the project. Robert Schultz, representing City of Morro Bay, spoke in favor of the project. Jonathan Stern, representing Bay Area Economics, spoke in favor of the project. Janice Peters, representing Morro Bay City Council, spoke in favor of the project. Jeff Edwards, representing Luis Caratan, spoke in favor of the project. David W. Bridge, representing Sierra Club, submitted a request to speak in opposition to the project. Tish Tefft spoke in favor of the project. Robert Tefft spoke in favor of the project. Jeff Odell spoke in favor of the project. Wayne Colmer, representing Colmer Development, spoke in opposition to the staff recommendation. Colby Crotzer spoke in favor of the staff recommendation. Betty Winholtz spoke in opposition to the staff recommendation. Raymond McKelligott, representing Advocates for a Better Community, spoke in opposition to the staff recommendation. Nelson Sullivan spoke in opposition to the staff recommendation.

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

c. **San Luis Obispo Co. LCP Amendment No. 2-99 Time Extension.** Staff recommended approval.

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

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10. NEW APPEALS.

a. **Appeal No. A-3-99-19 (La Playa San Simeon Homeowners, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection Vice Chairman Potter ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended denial.

Dean Benedix, representing La Playa San Simeon HOA, spoke in favor of the project. Dick Porter, representing La Playa San Simeon, spoke in favor of the project. Margaret S. Porter, representing La Playa San Simeon HOA, submitted a request to speak. Diana Hall, representing Castle View Condos, spoke in favor of the project. Patricia Alvarez, representing homeowners, spoke in favor of the project.

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

b. **Appeal No. A-3-00-8 (Pebble Beach, Monterey Co.)** Staff recommended continuance. There being no objection, Vice Chairman Potter opened the hearing and **continued** it to a future meeting.

c. **Appeal No. A-3-00-10 (Caltrans, Monterey Co.)** Staff recommended continuance. There being no objection, Vice Chairman Potter opened the hearing and **continued** it to a future meeting.

Al Cottingham submitted a request to speak in opposition to the project; David Dilworth, representing Helping Our Peninsula's Environment, submitted a request to speak in opposition to the project. George Ferguson, representing Citizens for Hatton Canyon, submitted a request to speak in opposition to the project. Mary & Ellen Gannon submitted a request to speak in opposition to the project, because they favor Hatton Canyon to widening Hwy1. Christine Gianascol, representing Citizens for Hatton Canyon, submitted a request to speak in opposition to the project. (Mrs) Sydney D. Henderson, representing Citizens for Hatton Canyon, submitted a request to speak in opposition to the project. James M. Rodda, representing Citizens for Hatton Canyon, submitted a request to speak in opposition to the project. William Shepard submitted a request to speak in opposition to the project.

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11. PERMIT AMENDMENT.

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

John Matthams, representing the applicant, spoke in favor of the project. Judy MacClelland, chief planner, City of Pacific Grove, spoke. Robert Naeggler spoke in opposition to the project. Celeste Davison, representing Asilomar neighborhood, spoke in opposition to the project. Maryanne Spradling spoke in opposition to the project. Bruce F. Singer spoke in opposition to the project. Tarah Nutter submitted a request to speak in opposition to the project. Ehab Youssef spoke in favor of the project.

Motion & Vote to Continue: McClain-Hill moved to continue the hearing, seconded by Orr, and the roll call vote was 6 in favor (Desser, McClain-Hill, Orr, Reilly, Woolley & Potter) and 2 opposed (Daniels & Dettloff). **Passed.**

RECESS. The Commission recessed for the day at 9:05 p.m..

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Friday, March 17, 2000 - pages 24 to 25

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, March 17, 2000, at 9:00 a.m. by Vice Chairman Potter.
2. **ROLL CALL.** Present: Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, (Alternate) Allgood, (Alternate) Orr, Reilly, (Alternate) Albert and Woolley. Absent: Dean, Kehoe, Neal, Sanders and Sweeney. McClain-Hill arrived at 9:20 a.m..

STATEWIDE

3. **SEA LEVEL BRIEFING.** Informational only.

NORTH CENTRAL COAST DISTRICT

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

a. **Pacifica LCP Amendment No. 1-99-Minor (Surface Mining & Reclamation).**
Postponed.

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5. **NEW APPEAL.**

a. **Appeal No. A-1-99-22 (Ailanto, Half Moon Bay)** Staff recommended that the appeal raised substantial issue. There being no objection, Vice Chairman Potter ruled that the Commission **found substantial issue**. Vice Chairman Potter opened the hearing on the merits of the project, and **continued** it to a future meeting.

Daniels left during the following item.

6. **REVOCATION of Permit No. R-1-94-5 (Pera, Half Moon Bay)** Staff recommended that the permit not be revoked.

Scott Singer spoke in opposition to the project. Herman Kalfen, representing Garrison Law Corp., spoke in opposition to the project. Timothy Cremin, representing

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Baker & McKenzie, Mr & Mrs Labuda, spoke in opposition to the project. Rosanne Garrison, representing Augeas Corporation, spoke in opposition to the project. Dan Siegel, representing the applicant, spoke in rebuttal.

Motion & Vote: McClain-Hill moved to revoke the permit, seconded by Orr, and Vice Chairman Potter ruled that the roll call vote was unanimous in opposition to the motion. **Failed.**

7. LOCAL COASTAL PROGRAM (LCP).

a. **Pacifica LCP Amendment No. 1-99- (Surface Mining & Reclamation) Time Extension.** Staff recommended approval.

Motion & Vote: There being no speakers, Woolley moved staff recommendation, seconded by Reilly, and Vice Chairman Potter ruled that the hand vote was unanimous. **Passed.**

PUBLIC COMMENTS. David Dilworth, representing Helping Our Peninsula's Environment, spoke about past decisions. Janie Figen, representing Sierra Club, spoke about delay of Gondor project. Gary Tate spoke about delay of a project from May. Eleanor Wittrup spoke about local government review of projects and development in Half Moon Bay.

ADJOURNMENT. There being no old or new business, the meeting adjourned at 10:40 a.m..

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

