

## CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

**Tu 4a**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF MAY 9-12, 2000  
Fountain Grove Inn  
101 Fountain Grove Parkway  
Santa Rosa

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Tuesday, May 9, 2000 pages 1 to 9

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, May 9, 2000, at 10:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, (Alternate) Soto, Dettloff, Estolano, Hart, (Alternate) Kruer, McClain-Hill and (Alternate) Orr. Absent: Daniels, Neal, Potter and Sanders. Nichols arrived at 10:15 a.m.. Woolley arrived at 10:45 a.m.. Reilly arrived at 11:45 a.m..

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## **SOUTH CENTRAL COAST DISTRICT**

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

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

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## SOUTH COAST DISTRICT

4. **CONSENT CALENDAR.** See items a & b on page 4 of the Meeting Notice. Staff recommended approval with special conditions.

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

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## 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.

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### 6. **FEDERAL CONSISTENCY.**

a. **CC-78-99 (Newport Beach)** Staff recommended approval of revised project.

Dave Kiff, representing City of Newport Beach, spoke in favor of the project. Tony Melum, representing City of Newport Beach, submitted a request to speak in favor of the project.

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

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b. **CC-30-00 (Corps of Engineers, statewide)** Staff recommended denial.

Mark Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

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

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7. **FINDINGS.**

a. **CD-89-99 (U.S. Navy, San Diego)** Staff recommended approval of findings as modified orally.

Mitchell Perdue and David Silverstein, both representing Dept. of Navy, submitted requests to speak in favor of the staff recommendation. Marilyn G. Field spoke in opposition to the project. Laura Hunter, representing Envl' Health Coalition, spoke in opposition to the project. John Rogers, representing U.S. Navy, spoke in favor of the staff recommendation.

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

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b. **CD-4-00 (U.S. Navy, Port Hueneme)** Staff recommended approval of findings.

Vickie Finan, representing the Beacon Foundation, spoke in favor of the staff recommendation.

**Motion & Vote:** Woolley moved staff recommendation, seconded by Dettloff, and the hand vote was 4 in favor and 0 opposed. **Passed.**

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## **SOUTH CENTRAL COAST DISTRICT**

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

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9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 12a to the Calendar, and recommended approval with special conditions.

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

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10. **NEW APPEALS.**

a. **Appeal No. A-4-00-78 (Bauman, Ventura Co.)** Staff recommended continuance. There being no objection Chairman Wan opened the hearing and **continued** it to a future meeting.

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# DRAFT

b. **Appeal No. A-4-00-82 (Santa Barbara Co., Goleta Beach seawall)** Staff recommended continuance. There being no objection Chairman Wan opened the hearing and **continued** it to a future meeting.

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## 11. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-95-111 (LACDPW, Malibu)** Staff recommended approval with special conditions.

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

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**PUBLIC COMMENT.** Mark Massara, representing Sierra Club, mentioned protest over a beach volleyball court in Australia.

**LUNCH RECESS.** The Commission recessed for lunch at 11:50 a.m. and reconvened at 1:10 p.m..

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b. **Application No. 4-99-211 (Lever, Malibu)** **Postponed.**

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c. **Application No. 4-99-268 (Geffen, Malibu)** Staff recommended denial.

Susan McCabe, representing the applicant, spoke in favor of the project. Reg Browne, representing Pacific Engineering Group, submitted a request to speak in favor of the project. Mark A. Massara, representing Sierra Club, spoke in opposition to the project. Vickie Finan submitted a request to speak in opposition to the project.

**Motion & Vote:** McClain-Hill moved approval of the project with 4 conditions described orally, seconded by Kruer, and the roll call vote was 7 in favor and 3 opposed (Orr, Reilly & Wan). **Passed.**

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# DRAFT

d. **Application No. 4-99-276 (Malibu High School, Malibu)** Staff recommended approval with special conditions as modified in addendum.

Teri Wissler, representing the applicant, submitted a request to speak in favor of the project.

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

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e. **Application No. 4-00-14 (Newlon, Malibu)** Staff recommended approval with special conditions.

**Motion & Vote to Continue:** Orr moved to continue the hearing, seconded by Dettloff, and the hand vote was unanimous. **Passed.**

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f. **Application No. 4-00-37 (Mednick, Malibu)** Staff recommended approval with special conditions as modified in addendum.

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

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## 12. PERMIT AMENDMENTS.

a. **Permit No. 5-87-132-A4 (22601 Pacific Coast Highway, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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b. **Permit No. 4-94-122-A4 (Schmitz, Malibu)** Staff recommended approval with revisions to original special conditions.

Don Schmitz spoke in favor of the project.

**Motion:** Hart moved staff recommendation, seconded by Reilly.

**Amending Motion & Vote:** Hart moved to delete recording deed restriction, seconded by Estolano, and Chairman Wan ruled that the vote was unanimous. **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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# DRAFT

## 13. FINDINGS.

a. **Application No. 4-97-243 (Higgins, Malibu)** Staff recommended approval of findings.

Don Schmitz, representing the applicant, submitted a request to speak in favor of the project.

**Motion & Vote:** Reilly moved staff recommendation, seconded by Kruer, and the hand vote was 5 in favor and 0 opposed. **Passed.**

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## 14. RECONSIDERATION.

a. **Application No. 4-97-243-R (Higgins, Malibu)** Staff recommended denial of reconsideration.

Don Schmitz, representing the applicant, submitted a request to speak in favor of the project. Paula Yankopoulos spoke in opposition to the project.

**Motion & Vote:** Kruer moved approval of reconsideration, seconded by Estolano, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. **Failed.**

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## 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 2-98 (Minor).** **Postponed.**

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16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved seven items (19b, 19d, 19f, 19h, 19j, 19k & 20b) to the Calendar, and recommended approval with special conditions.

(19f) Conn J. Flatley submitted a request to speak in favor of the project.

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

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## 17. LOCAL COASTAL PROGRAM (LCP).

a. **Huntington Beach LCP Amendment 2-98 (Carls & Kiosks).** Staff recommended approval with suggested modifications.

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

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

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## 18. NEW APPEAL.

a. **Appeal No. A-5-99-225 (Mt. Holyoke Homes, et al., Los Angeles)** 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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## 19. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-99-206 (Smith & Swinden, Laguna Beach)** **Postponed.**

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b. **Application No. 5-99-303 (Muir, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

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c. **Application No. 5-99-351 (McMurray, San Clemente)** Staff recommended approval with special conditions.

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

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d. **Application No. 5-99-385 (Reddington, San Clemente)** Moved to expanded Consent Calendar. **Approved.**

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e. **Application No. 5-00-5 (Podleski, Los Angeles)** Staff recommended approval with special conditions as modified orally.

David Podleski spoke in favor of the project. Dante Cacace, representing Superba Ave. Group, spoke in opposition to the project.

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

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f. **Application No. 5-00-15 (Flatley & Vincent, Hermosa Beach)** Moved to expanded Consent Calendar. **Approved.**

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g. **Application No. 5-00-30 (Mackin, Los Angeles)** Staff recommended approval with special conditions.

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

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h. **Application No. 5-00-56 (Weeda, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

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i. **Application No. 5-00-93 (Catalina Island Camps, Los Angeles Co.)** **Postponed.**

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j. **Application No. 5-00-101 (Catalina Island Yacht Club, Avalon)** Moved to expanded Consent Calendar. **Approved.**

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k. **Application No. 5-00-123 (Newport Beach recreation storage)** Moved to expanded Consent Calendar. **Approved.**

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

The hearing was combined with item 6a above.

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

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## 20. PERMIT AMENDMENTS.

a. **Permit No. 5-96-176-A (Los Angeles Parks Dept. Los Angeles)** Staff recommended approval with special condition.

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

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b. **Permit No. 5-93-225-A (Natural Touch, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

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## 21. FINDINGS.

a. **Long Beach LCP Amendment 1-99B (Mariott Hotel)** **Postponed.**

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b. **Application No. 5-99-331 (Makena, Seal Beach)** Staff recommended approval of findings.

**Motion & Vote:** Dettloff moved staff recommendation, seconded by Woolley, and the hand vote was 4 in favor and 0 opposed. **Passed.**

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## ENFORCEMENT

22. **Commission Cease & Desist Order No. CCC-00-CD-2 (Marine Forests Society).** Staff recommended approval.

Ronald A. Zumbrun, representing Marine Forests Society, spoke in opposition to the staff recommendation. Rudolphe Streichenberger, representing Marine Forests Society, spoke in opposition to the staff recommendation. Mark A. Massara, representing Sierra Club, spoke in favor of the staff recommendation.

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

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**RECESS.** The Commission recessed for the day at 5:35 p.m..

# DRAFT

Wednesday, May 10, 2000 pages 10 to 18

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, May 10, 2000, at 9:05 a.m. by Chairman Wan.
  2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dean, Dettloff, Hart, (Alternate) Kruer, (Alternate) Orr and Woolley. Absent: Dessler, McClain-Hill, Neal and Sanders. Reilly arrived at 9:10 a.m.. Estolano arrived at 9:35 a.m.. Sweeney arrived at 11 a.m..
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## SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through d on page 10 of the Meeting Notice. Staff recommended approval with special conditions.

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

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## STATEWIDE

4. **APPROVAL OF MINUTES.** The minutes of April 2000 were **approved** by a hand vote of 8 in favor and 0 opposed.
  5. **COMMISSIONERS' REPORTS.** None.
  6. **CONSERVANCY REPORT.** The informational report was written.
  7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
  8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
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9. EXECUTIVE DIRECTOR'S REPORT.

a. Legislation.

Staff recommended support of AB 1835.

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

Staff recommended support of AB 2144.

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

Staff recommended support of AB 2147.

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

Staff recommended support of AB 2746.

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

Staff recommended support of AB 2748.

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

b. Additional **Legislation.** Staff recommended support of AB 2492.

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

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c. **Amendment to Contract with San Diego State University Foundation.** Staff recommended approval.

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

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10. **EXECUTIVE DIRECTOR EVALUATION.** In closed session the Commission discussed the performance evaluation of the Executive Director.

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# DRAFT

## 11. **INTERPRETIVE GUIDELINES.** Staff recommended rescission.

Stephanie Dall spoke in opposition to the staff recommendation. Norbert Dall spoke in opposition to the staff recommendation. Lucille Vinyard spoke in opposition to the staff recommendation. Mark Massara, representing Sierra Club, spoke in opposition to the staff recommendation.

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

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## **SAN DIEGO COAST DISTRICT**

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

a. **San Diego LCP Amendment No. 3-98 (Subarea III of the North City Future Urbanizing Area – Pacific Highlands Ranch) 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. **Approved.**

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### 13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 14f to the Calendar, and 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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### 14. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-98-69 (North Co. Transit Dist., San Diego Co.)** Staff recommended approval with special conditions.

Tom Lichterman, representing North County Transit District, spoke in favor of the project. Melissa A. Booker, representing Merkel & Associates, answered a question from Potter. Scott Williams, representing North County Transit District, submitted a request to speak in favor of the project.

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

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# DRAFT

b. **Application No. 6-98-127 (San Diego State Route 56)** Staff recommended approval with special conditions as modified in addendum and orally.

Frank Belock, representing City of San Diego, submitted a request to speak in favor of the project. Mike Kelly, representing Friends of Penasquitos Canyon/Lagoon, submitted a request to speak in favor of the project. Tom Cleary, representing Citizens for 56, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak. Cid Tesoro, representing Caltrans, answered questions.

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

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c. **Application No. 6-99-43 (Spiritos & Ferrero, Carlsbad)** Staff recommended denial.

Mary Ferrero spoke in favor of the project. Edmond Bourke, representing the applicants, spoke in favor of the project. Dr Jack Spirtos spoke in favor of the project. David Moore, representing the applicants, submitted a request to speak in favor of the project. Leni Ferrero submitted a request to speak in favor of the project. Peter Koulos, representing the applicants, submitted a request to speak in favor of the project.

**Motion & Vote:** Orr moved approval of the application, seconded by Estolano, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. **Failed.**

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**PUBLIC COMMENTS.** Lucille Vinyard, representing Sierra Club, North Group-Redwood Chapter, spoke in favor of the Eureka office of the Commission. Mark Massara, representing Sierra Club, spoke about contamination of Cambria's water supply from a Chevron gas station, and presented the 1999 voting chart. Robert W. Matson, travel author, presented his book and read the dedication.

**LUNCH RECESS.** The Commission recessed for lunch at 12:45 and returned at 3:10 p.m. after closed session.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Lampl v. CCC, Sara Wan, Paula Daniels, et al.; Lampl v. CCC, et al.; Steltenpohl, Bailey v. CCC, et al.; and discussed two other matters for information only.

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# DRAFT

d. **Appeal No. A-6-99-140 (Outback Growers, Encinitas)** Staff recommended denial.

Phil Silverman, the applicant, 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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Dean left during the following item.

e. **Appeal No. A-6-99-160 (Summit Resources, San Diego)** Staff recommended approval with special conditions.

Matt Peterson, representing the applicant, spoke in favor of the project. Tim Martin, representing the applicant, submitted a request to speak in favor of the project. Curtis Burdett, representing Christian Wheeler Engineering, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, spoke in favor of the staff recommendation.

**Motion & Vote:** Orr moved staff recommendation, seconded by Daniels, and the roll call vote was 8 in favor and 1 opposed (Kruer). **Passed.**

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f. **Application No. 6-00-26 (Pacific Bell Wireless, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

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## 15. FINDINGS.

a. **Application No. 6-99-75 (IJS BA, San Diego)** Staff recommended approval of findings.

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

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b. **Application No. A-6-99-115 (Lampl, Encinitas)** Staff recommended approval of findings.

Matt Peterson, representing the applicant, spoke in favor of the project.

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

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# DRAFT

## 16. RECONSIDERATION.

a. **Application No. A-6-99-115-R (Lampl, Encinitas)** Staff recommended denial of reconsideration.

Matt Peterson, representing the applicant, spoke in favor of the project.

**Motion & Vote:** Daniels moved to reconsider, seconded by Woolley, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. **Failed.**

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## NORTH COAST DISTRICT

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

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

## 19. LOCAL COASTAL PROGRAMS (LCPs).

a. **Mendocino Co. LCP Amendment No. 1-99(Part A).** Staff recommended approval.

Julie Verran, representing Sierra Club Redwood Chapter, spoke in opposition to the staff recommendation. Roanne Withers, representing Sierra Club Mendocino/Lake Group & Mendocino Coastwatch, spoke in opposition to the staff recommendation. Peter Dobbins, representing Friends of the Garcia River, spoke in opposition to the staff recommendation. Alan Levine, representing Coast Action Group, spoke in opposition to the staff recommendation. Hillary Adams, representing Navarro Watershed Protection Ass., spoke in opposition to the staff recommendation. Mark Massara, representing Sierra Club, spoke in opposition to the staff recommendation. Rixanne Wehren spoke in opposition to the staff recommendation. Lori Hubbard, representing Calif. Native Plant Soc., submitted a request to speak in opposition to the project. Raymond Hall, representing Co. of Mendocino, spoke in favor of the staff recommendation.

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

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# DRAFT

b. **Mendocino Co. LCP Amendment No. 1-99 (Part B).** Staff recommended approval.

Raymond Hall, representing Mendocino County, spoke in favor of the staff recommendation. Rixanne Wehren spoke in opposition to the staff recommendation. Alan Levine, representing Coast Action Group, submitted a request to speak in favor of public access to process on coast. Roanne Withers, representing Sierra Club Mendocino/Lake Group & Mendocino Coastwatch, spoke in opposition to the staff recommendation. Mary Walsh submitted a request to speak in opposition to the staff recommendation. Mark Massara, representing Sierra Club, spoke in opposition to the staff recommendation. Lori Hubbard, representing Calif. Native Plant Society, spoke in opposition to the project. Hillary Adams, representing Navarro Watershed Protection Assn., spoke in opposition to the staff recommendation. Julie Verran, representing Redwood Chapter Sierra Club, spoke in opposition to the staff recommendation. Peter Dobbins, representing Friends of the Garcia River, submitted a request to speak in opposition.

**Motion & Vote to Reject Implementation:** Woolley moved to reject the implementation amendment as submitted, seconded by Estolano, and the roll call vote was 8 in favor and 2 opposed (Daniels & Dettloff). **Passed.**

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## 20. NEW APPEALS.

a. **Appeal No. A-1-00-16 (Sand Pointe, Humboldt Co.)** Staff recommended that the appeal raised no substantial issue.

Patricia Hassen, representing Concerned Citizens of McKinleyville, spoke in opposition to the project. Steve Moser spoke in favor of the project.

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

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b. **Appeal No. A-1-00-20 (Beacon, Mendocino Co.)** Staff recommended continuance. There being no objection Chairman Wan opened the hearing and **continued** it to a future meeting.

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## 21. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-1-00-2 (Ottoson, Mendocino Co.)** Staff recommended approval with special conditions as modified orally.

Sally Ottoson spoke in favor of the project. Robert Zimmer, representing Pacific Star Winery, spoke in favor of the project. Raymond Hall, representing County of Mendocino, spoke in favor of the project. Mary Walsh spoke. Rixanne Wehren, representing Sierra Club Mendo-Lake Group, spoke in opposition to the project. Roanne Withers, representing Sierra Club Mendocino/Lake Group & Mendocino Coastwatch, spoke in favor of the staff recommendation. Mark Massara, representing Sierra Club, spoke in opposition to the project. Lucille Vinyard spoke in opposition to the project.

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

**Amending Motion & Vote:** Potter moved to delete condition #4, seconded by Reilly, and the roll call vote was 7 in favor and 3 opposed (Orr, Woolley & Wan). **Passed.**

**Vote on Main Motion:** The roll call vote, on the main motion, as amended above, was 8 in favor and 2 opposed (Orr & Wan). **Passed.**

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b. **Application No. 1-99-77 (Eureka boardwalk & dock)** Staff recommended approval with special conditions.

Sidnie L. Olson, representing City of Eureka, answered a question on runoff.

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

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## 22. FINDINGS.

a. **Appeal No. A-1-99-81 (DeMartini, Mendocino Co.)** Staff recommended approval of findings.

J. Verran, representing Redwood Cha. Sierra Club, suggested changes.

**Motion & Vote:** Potter moved staff recommendation, seconded by Reilly, and the hand vote was 5 in favor and 0 opposed. **Passed.**

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# DRAFT

b. Mendocino Co. LCP Amendment No. 2-98 (Major: Gualala Town Plan and Zoning). Postponed.

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**RECESS.** The Commission recessed for the day at 8:10 p.m..

# DRAFT

Thursday, May 11, 2000 - pages 19 to 24

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, May 11, 2000, at 9:05 a.m. by Chairman Wan.
  2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dettloff, Estolano, Hart, (Alternate) Kruer, (Alternate) Orr, Reilly, Sanders and Woolley. Absent: Desser, Dean and Neal. Sweeney arrived at 9:10 a.m., and McClain-Hill arrived after lunch.
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## CENTRAL COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 15 of the Meeting Notice. Staff recommended approval with conditions.

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

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## ENERGY, OCEAN RESOURCES and WATER QUALITY

4. **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. **Moss Landing Power Plant Report. Postponed.**
  - b. **Guadalupe Oil Field Remediation Status Report.** The informational report was written.
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5. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. E-98-27 and CC-41-00 (PC Landing & PAC Landing, San Luis Obispo Co.) Postponed.**
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# DRAFT

b. **Application No. E-98-29 and CC-39-00 (AT&T, San Luis Obispo Co.)** Staff recommended approval in part with special conditions as modified in the addendum.

Paul Shorb, representing AT&T, spoke in favor of the project. Michael Dungan, Esq.; Jim Burroughs; Dan Inzalaco; Gary Smith; Chris Brungardt; Kevin Lorenzini and Nancy Lucast, all representing AT&T, submitted requests to speak to answer questions. Alan Levine, representing Coast Action Group, spoke about the project. Kaitilin Gaffney, representing Center for Marine Conservation, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project.

**Motion & Vote to Continue Part:** Reilly moved to continue part E1, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Motion & Vote on part of Permit:** Reilly moved staff recommendation on S7 fiber optic cable, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Motion & Vote on part of Federal Consistency:** Reilly moved staff recommendation on Federal Consistency Certification for S7 fiber optic cable, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

6. **SONGS STATUS.** The informational report was written.

## CENTRAL COAST DISTRICT

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

a. **Watsonville MOU.** **Postponed.**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items (12e & 13b) to the Calendar, and recommended approval with special conditions.

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

# DRAFT

## 9. LOCAL COASTAL PROGRAM (LCP).

a. **Morro Bay LCP Amendment No. MRB-1-99 (Caratan/Colmer).** Staff recommended denial.

Mayor Rodger Anderson, representing City of Morro Bay, spoke in favor of the project. Robert Malone, representing City of Morro Bay, spoke in favor of the project. Dr Dennis Fry, representing City of Morro Bay, spoke in favor of the project. Janice Peters-City Councilperson, representing City of Morro Bay, spoke in favor of the project. Wayne Colmer, representing Colmer Dev., spoke in favor of the project. Jeff Edwards, representing Caratan Family, spoke in favor of the project.

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

**LUNCH RECESS.** The Commission recessed for lunch at 12:55 and reconvened at 1:55 p.m.. McClain-Hill arrived at 2:55 p.m..

**Motion & Vote on Plan with Modifications:** Reilly moved approval of the Land Use Plan Amendment with suggested modifications in appendix A as revised in addendum, seconded by Hart, and Chairman Wan ruled that the vote was unanimous. **Passed.**

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

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

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**PUBLIC STATEMENT.** Paul Bruno, representing Ralph & Kathleen Edwards spoke about status of acquisition for Millennium High School.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Topanga Assn. for a Scenic Community, et al. v. CCC, et al. (Olson, Sayles) and Encinitas Country Day School Inc., et al. v. CCC, and discussed four other matters for information only.

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# DRAFT

## 10. NEW APPEALS.

a. **Appeal No. A-3-99-82 (Tri W., Morro Bay) Postponed.**

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b. **Appeal No. A-3-99-92 (Rancho Chiquita, Monterey Co.) Postponed.**

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c. **Appeal No. A-3-99-97 (Treebones Campground, Monterey 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 as modified in addendum.

John Handy, Michael Groves and John Bridges, all representing the applicant, submitted requests to speak in favor of the project. Gary Ruggerone, representing Caltrans District 5, submitted a request to speak to answer questions.

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

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d. **Appeal No. A-3-00-10 (Caltrans, Monterey Co.)** Staff recommended that the appeal raised no substantial issue.

Christine Gianascol, representing Citizens for Hatton Canyon, spoke in opposition to the project. Gary Ruggerone, representing Caltrans District 5, spoke in favor of the project. Rod Mills, representing Carmel Valley Property Assoc., spoke in favor of the staff recommendation. Joyce Stevens, representing Hatton Canyon Coalition, spoke in favor of the staff recommendation. Gary Tate, representing Hatton Canyon Coalition, spoke in favor of the staff recommendation.

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

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e. **Appeal No. A-3-00-33 (Hinman & Skees, Santa Cruz Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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f. **Appeal No. A-3-00-35 (Caltrans, Monterey Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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g. **Appeal No. A-3-00-40 (Schneider, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting. \_\_\_\_\_

h. **Appeal No. A-3-00-41 (Conopco, Santa Cruz)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting. \_\_\_\_\_

## 11. VESTED RIGHTS.

a. **Application No. 3-99-48-VRC (Charles A. Pratt Construction, San Luis Obispo Co.)** **Postponed.** \_\_\_\_\_

## 12. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-3-98-87 (Charles Pratt Construction & Central Coast Engineering, San Luis Obispo Co.)** **Postponed.** \_\_\_\_\_

b. **Application No. 3-97-27 (Hooper & Filizetti, Santa Cruz Co.)** **Postponed.** \_\_\_\_\_

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

d. **Appeal No. A-3-99-83 (Wright, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Jeff Edwards, representing the applicant, spoke in favor of the project. Niall McCarten, representing the applicant, spoke in favor of the project. Ron Popowski, representing U.S. Fish & Wildlife Service, spoke in opposition to the staff recommendation using an interpreter. Gordon Hensley, representing EDC/ECOSLO/MEGA, spoke in opposition to the project.

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

e. **Application No. 3-00-22 (Villas Di Mare Investors, Carmel)** Moved to expanded Consent Calendar. **Approved.** \_\_\_\_\_

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## 13. PERMIT AMENDMENTS.

a. Permit No. 3-83-119-A3 (Santa Cruz Co. Sanitation Dist.) Postponed.

b. Permit No. 3-92-63-A (Abalonetti's Restaurant, Monterey) Moved to expanded Consent Calendar. Approved.

## 14. PERMIT EXTENSION.

a. Permit No. A-4-89-134-E9 (Tri-W (Williams Brothers), Morro Bay) Postponed.

15. PUBLIC WORKS PROJECT No. PW-2-82-4 (Parks & Recreation, Wilder Ranch State Park) Postponed.

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



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Friday, May 12, 2000 - pages 25 to 27

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, May 12, 2000, at 9:00 a.m. by Chairman Wan.
  2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dettloff, Hart, (Alternate) Kruer, Reilly and Woolley. Absent: Dean, Desser, Estolano, McClain-Hill, Neal, Sanders and Sweeney. Orr arrived at 9:05 a.m..
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## NORTH CENTRAL COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 2-00-11 (San Francisco PUC)** Staff recommended approval with special conditions.

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

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

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5. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 7c to the Calendar, and recommended approval with special conditions.

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

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## 6. NEW APPEAL.

a. **Appeal No. A-2-00-10 (Pacifica revetment)** The City requested a continuance.

Mark Massara, representing Sierra Club, spoke in opposition to the continuance.

**Motion & Vote to Continue:** Reilly moved to continue the hearing to July, seconded by Orr, and the hand vote was 9 in favor. **Passed.**

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## 7. COASTAL PERMIT APPLICATIONS.

Kruer left at 10:00 a.m., during the following item.

a. **Appeal No. A-1-99-22 (Ailanto Properties, Half Moon Bay)** Staff recommended continuance.

Robert Henry, representing the applicant, spoke in favor of the project. Deborah Ruddack spoke about planning solutions and traffic problems. Jerry Donovan, representing City Council, spoke in favor of the project. Naomi Patridge spoke in favor of the project. Blair King, City Manager of Half Moon Bay, spoke in favor of the project. Jack Olsen, representing San Mateo County Farm Bureau, spoke in favor of the project. William Nack, representing Building & Construction Trades Council of San Mateo County, spoke in favor of the project. Eleanor Wittrop, representing the appellants, spoke in opposition to the project. Bill Parkin, representing the appellants, spoke in opposition to the project. Pat O'Brien spoke in opposition to the project. Robert Clinton submitted a request to speak in opposition to the project. George Carman spoke in opposition to the project. Kristen Fuchs spoke in opposition to the project. Kathryn Slater Carter spoke in opposition to the project. James Benjamin spoke in opposition to the project. Michael Ferreira spoke in opposition to the project. Mark Massara, representing Sierra Club Coastal Program & Loma Prieta Chapter, spoke in opposition to the project. Chris Mickelsen spoke in opposition to the project. Paul Perkovic spoke in opposition to the project. Anna Shimko, representing the applicant, spoke in rebuttal. Betsy Hood, Mark Zborowski, Leonard Woren, Robert Rees & Carl Lee submitted requests to speak. Chairman Wan **continued** the hearing to a future meeting.

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b. **Application No. 2-00-1 (Marin Co. Parks)** Staff recommended approval with special condition.

Bobbi Stumpf spoke about accessibility to the beach. Gerry Coles spoke in opposition to the staff recommendation.

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

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c. **Application No. 2-00-6 (Burns & Stoneman, Sonoma Co.)** Moved to expanded Consent Calendar. **Approved.**

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**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 11:20 a.m..

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

pmg

