

CALIFORNIA COASTAL COMMISSION

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

**W5****RECORD PACKET COPY**

TO: ALL COMMISSIONERS
FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF SEPTEMBER 11-14, 2001**
Eureka Inn
7th & F Streets
Eureka

Tuesday, September 11, 2001 pages 1 to 11

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, September 11, 2001, at 10:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Estolano, (Alternate) Ruddock, Neal and (Alternate) Orr. Absent: Dean, Hart, Kruer, McClain-Hill, Reilly, Sanders and Sweeney. Woolley arrived at 11:30 a.m.

SAN DIEGO COAST DISTRICT**3. ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. 6-01-106 (Sprint PCS, San Diego Co.)** Staff recommended approval with special conditions.

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

4. **CONSENT CALENDAR.**

a. **Application No. 6-01-89 (Cherry, Del Mar)** Staff recommended approval with special conditions.

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

b. **Application No. 6-01-97 (HPC Puckett, San Diego)** **Postponed.**

SOUTH CENTRAL COAST DISTRICT

5. **CONSENT CALENDAR.** See items a through c on pages 3-4 of the meeting Notice. Staff recommended approval with special conditions.

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

SOUTH COAST DISTRICT

6. **CONSENT CALENDAR.** See items a through g on page 6 of the meeting notice. Staff recommended approval with special conditions.

(c) Chris Handing, representing the applicant, submitted a request to speak in favor of the project.

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

SAN DIEGO COAST DISTRICT

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

a. **Del Mar Implementation Plan Certification Review.** Staff recommended concurrence with the Executive Director's determination. Adam Birnbaum, representing the City of Del Mar, submitted a request to speak in favor of the project. Julie Hamilton, representing Del Mar Sandy Lane Association, submitted a request to speak in opposition to the project. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

b. **San Diego LCP Amendment No. 6-2000A (NTC) 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.**

c. **Del Mar LCP Amendment No. 1-2001 (Pacific View Estates) De Minimis.** Staff recommended concurrence with the Executive Director's determination. Adam Birnbaum, representing the City of Del Mar, submitted a request to speak in favor of the project. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (12a, b, c, d & e) to the Calendar, and recommended approval with special conditions. Item 12c was trailed until later in the agenda.

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

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

a. **Port Plan Amendment No. 29 (D Street Fill Wetland Mitigation).** Staff recommended approval as modified in addendum.

Bill Chopyk, representing the Port of San Diego, submitted a request to speak in favor of the project. Tony Heinrichs, representing the Port of San Diego, submitted a request to speak in favor of the project. Eileen Maher, representing the Port of San Diego, submitted a request to speak in favor of the project.

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

10. **PERMIT AMENDMENT.**

a. **Permit No. 6-84-617-A (Kelly Land, Carlsbad)** Staff recommended approval with special conditions as modified orally.

Christer Westwan, representing the City of Carlsbad, submitted a request to speak in favor of the project. Larry Clemens, representing the applicant, 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.**

11. **NEW APPEALS.**

a. **Appeal No. A-6-99-84 (Kelly Land, Carlsbad)** Staff recommended that the appeal raised no substantial issue.

Larry Clemens, representing the applicant, 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.**

b. **Appeal No. A-6-01-121 (Kelly Land, Carlsbad)** Staff recommended that the appeal raised no substantial issue.

The hearing was combined with item a above.

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

c. **Appeal No. A-6-01-116 (Refold, Encinitas)** **Postponed.**

12. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-01-65 (Coronado pump station improvements)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 6-01-67 (Goldwyn, San Diego)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-01-72 (Aquatic Adventures Foundation, San Diego)** Staff recommended approval with special conditions.

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

d. **Application No. 6-01-98 (Karley, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 6-01-99 (Prewitt, Schmucker & Cavadias, San Diego)** Moved to expanded Consent Calendar. **Approved.**

f. **Appeal No. A-6-01-103 (Petersen, Encinitas)** **Postponed.**

SOUTH CENTRAL COAST DISTRICT

13. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public. Stephanie Reeder, representing Caltrans, submitted a request to speak in favor of the project.

14. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved eight items (16e, 16f, 16g, 16i, 16j, 16k, 16l & 17b) to the Calendar, and recommended approval with special conditions.

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

15. UCSB NOTICES of IMPENDING DEVELOPMENT.

a. **Notice of Impending Development No. 2-01 (Life Sciences Building).** Staff recommended approval with special conditions.

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

b. **Notice of Impending Development No. 3-01 (Marine Science Research Building).** Staff recommended approval with special conditions.

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

16. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-00-76 (Wilkins, Los Angeles Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Jeffery Wilkins, the applicant, submitted a request to speak in favor of the project.

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

b. **Application 4-00-128 (Farinella, Los Angeles Co.) Postponed.**

c. **Application No. 4-00-135 (Perez, Malibu)** Staff recommended approval with special conditions as modified in addendum.

Mike Barsocchini, architect representing the applicant, submitted a request to speak in favor of the project. Frank Angel, representing Sierra Club & Save Open Space Sta. Monica Mtns., 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.

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

PUBLIC STATEMENTS. Tarren Collins, Chair, Santa Lucia Chapter of Sierra Club, spoke about the decline of the western snowy plover, and requested that vehicles be more limited at Oceano Dunes. Nell Langford showed a video of vehicles on the beach, and said that pedestrians were being driven away from the beach.

LUNCH RECESS. The Commission recessed for lunch at 12:50 and returned at 2:20 p.m.

d. **Application No. 4-00-184 (Moore, Malibu)** Staff recommended approval with special conditions.

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

e. **Application No. 4-01-20 (Norland, Malibu)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 4-01-047 (Z Tronix, Malibu)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-01-48 (Z Tronix, Malibu)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-01-56 (Sprint PCS, Malibu)** Staff recommended approval with conditions.

Dean Brown, representing the applicant, submitted a request to speak in favor of the project.

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

i. **Application No. 4-01-69 (Goleta Sanitary District, Santa Barbara Co.)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 4-01-103 (Harges, Malibu)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 4-01-104 (Malibu Investors, Malibu)** Moved to expanded Consent Calendar. **Approved.**

l. **Application No. 4-00-275 (Spears, Malibu)** Moved to expanded Consent Calendar. **Approved.**

17. **PERMIT AMENDMENTS.**

a. **Permit No. 5-85-214-A4 (Cold Canyon 10, Malibu)** **Postponed.**

b. **Permit No. 4-99-17-A2 (Smillie, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Permit No 4-00-59-A (Haag, Malibu)** Staff recommended approval with previous conditions.

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

18. **FINDINGS.**

a. **Application No. 4-00-131 (Fioramonti, Los Angeles Co.)** Staff recommended approval of findings.

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

SOUTH COAST DISTRICT

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

20. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items (23i & 24b) to the Calendar, and recommended approval with special conditions.

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

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

a. **Redondo Beach LCP Amendment No. RDB-MAJ-1-1 (400 Diamond Street).** Staff recommended approval.

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

22. **NEW APPEALS.**

a. **Appeal No. A-5-01-279 (Los Angeles, Ballona Lagoon Enhancement III)** 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.

b. **Appeal No. A-5-01-280 (Los Angeles, Grand Canal rehabilitation)** 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.

c. **Appeal No. A-5-01-336 (Bell, Dana Point)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

23. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-00-459 (Laidlaw, San Clemente)** **Postponed.**

b. **Application No. 5-01-169 (Ronen, Los Angeles)** Staff recommended approval with special conditions.

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

c. **Application No. 5-01-177 (On The Waterfront Café, Los Angeles)** **Postponed.**

d. **Application No. 5-01-185 (Ackerman, Newport Beach)** **Withdrawn.**

e. **Application No. 5-01-193 (Maron, Los Angeles)** Staff recommended approval with special conditions.

Marshall Innins, representing the applicant, submitted a request to speak in favor of the project.

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

f. **Application No. 5-01-199 (Butterfield, Newport Beach)** **Postponed.**

g. **Application No. 5-01-219 (Voit, Newport Beach)** **Postponed.**

h. **Application No. 5-00-495 (Schulze, Newport Beach)** Staff recommended approval with special conditions.

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

i. **Application No. 5-01-232 (Creighton, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

24. **PERMIT AMENDMENTS.**

a. **Permit No. A-5-97-188-A2 (Hearthside Homes, Huntington Beach)** **Postponed.**

b. **Permit No. 5-85-224-A (Santa Monica, school)** Moved to expanded Consent Calendar. **Approved.**

REPORT of CLOSED SESSION. In closed session the Commission took action on Sierra Club, et al. v. CCC, et al. (SOKA University, RPI), and discussed 15 other matters for information only.

RECESS. The Commission recessed for the day at 3:00 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, September 12, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, (Alternate) Orr, Reilly and Woolley. Absent: Dean, Hart, Kruer, McClain-Hill, Neal, Sanders and Sweeney. Estolano and (Alternate) Ruddock arrived at 9:10 a.m.

CENTRAL COAST DISTRICT

3. CONSENT CALENDAR.

a. **Application No. 3-01-64 (Tucker, Pacific Grove)** Staff recommended approval with special conditions.

Jack Alderson, representing Port San Luis Harbor Dist., submitted a request to speak in favor of the project.

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

STATEWIDE

4. **APPROVAL OF MINUTES.** Orr moved approval of the minutes of August 2001, seconded by Estolano, and unanimously **approved.**

5. **COMMISSIONERS' REPORTS.** Informational only.

6. **CONSERVANCY REPORT.** None.

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

7.5 **SELECTION of ALTERNATE REPRESENTATIVE to SANTA MONICA MOUNTAINS CONSERVANCY.** Estolano moved to elect Allgood as alternate representative to the Santa Monica Mountains Conservancy, seconded by Orr, and unanimously **approved.**

8. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

9. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Public Education Grant Program.** Staff recommended approval.

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

b. **Legislation.** Staff recommended support of AB 1011 & SB 1069.

Motion & Vote on AB 1011: Reilly moved staff recommendation on AB 1011, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Motion & Vote on SB 1069: Reilly moved staff recommendation on SB 1069, seconded by Woolley, and Chairman Wan ruled that the vote was unanimous. **Passed.**

c. **Caltrans bridge rail design.** **Postponed.**

d. **Additional legislation.** Staff recommended support of SB 497.

Motion & Vote on SB 497: Reilly moved staff recommendation on SB 497, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

ENERGY, OCEAN RESOURCES and WATER QUALITY

10. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Executive Director Douglas reported on matters not requiring public hearings.

11. **COASTAL PERMIT APPLICATION.**

a. **Application No. E-01-12 (Duke, Morro Bay)** **Postponed.**

12. FINDINGS.

a. **Permit No. E-01-8 (Monterey Abalone, Monterey)** Staff recommended approval of findings.

Arthur Seavey, representing the applicant, submitted a request to speak in favor of the project.

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

13. **SONGS Status.** A written status report was distributed prior to the meeting for information only.

STATEWIDE

14. **PERIODIC REVIEW of CERTIFIED LCPs.** Tim McKay, representing North Coast Environmental Center, submitted a request to speak. Sandra Jerabek, representing LCP - Lake Earl Pt St. George, submitted a request to speak. Karen Roth, representing Friends of Del Norte, submitted a request to speak. Ted Weston, representing Friends of Del Norte, submitted a request to speak. Sue Leskiw, representing LCP Lake Earl & Pt St. George, submitted a request to speak. Lefa Morse, representing FDN - LCP Lake Earl & Pt St. George, submitted a request to speak. Walt Morse, representing FDN - LCP Lake Earl Pt St. George, submitted a request to speak. Jarretta Lamore, representing FDN - LCP Lake Earl Pt St. George, submitted a request to speak. Kelly Miess, representing LCP Lake Earl & Pt St. George, submitted a request to speak. Ronald Thompson, representing Friends of Del Norte, submitted a request to speak. Donna Thompson, representing Friends of Del North, submitted a request to speak. Alan D. Barron, representing Friends of Del Norte, submitted a request to speak. Eileen Cooper, representing Friends of Del Norte, submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the project. Lucille Vinyard, representing Sierra Club, North Group, Redwood Chapter, submitted a request to speak. Barbara Kelly submitted a request to speak. Sharon K. Stussman, representing Sierra Club, submitted a request to speak in favor of the project. Diane Beck, representing Sierra Club, submitted a request to speak. Diane Ryerson submitted a request to speak. Julie Verran submitted a request to speak. Melvin McKinney, representing Sierra Club, North Group, submitted a request to speak. Michael L. Rilla, representing Sierra Club, submitted a request to speak. Heidi Kunstal, representing Del Norte County Planning Dept., submitted a request to speak. Darryle Story, representing Freshwater Working Group, submitted a request to speak in favor of the project. Lynn Ryan, representing Sierra Club North Group, submitted a request to speak. Christian

Ambrose, representing Environmental Protection Information Center, submitted a request to speak.

CENTRAL COAST DISTRICT

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

a. **Santa Cruz Co. LCP Amendment No. SCO-MIN-1-1 (minor).** Staff recommended concurrence with the Executive Director's determination. There being no objection Acting Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

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

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

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

a. **Santa Cruz Co. LCP Amendment No. SCO-MAJ-1-1 (New Millennium HS MOU & Park Sites).** Staff recommended approval of part 1, and approval with suggested modifications of part 2 as modified in addendum.

Motion & Vote on Part 1 of Plan as Submitted: Potter moved approval of part 1 of the Land Use Plan Amendment as submitted, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Motion & Vote to Reject Part 1 of Implementation: Potter moved to reject part 1 of the implementation amendment as submitted, seconded by Orr, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. The motion failed so the amendment was **approved.**

Motion & Vote on Part 2 of Plan as Submitted: Potter moved approval of part 2 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.**

Motion & Vote on Plan with Modifications: Potter moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Motion & Vote to Reject Part 2 of Implementation: Potter moved to reject part 2 of the implementation amendment as submitted, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

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

b. **Watsonville LCP Amendment No. WAT-MAJ-1-01 (New Millennium HS, Permit Timing & Ag Buffer).** **Postponed.**

c. **Marina LCP Amendment No. MAR-MAJ-1-01 (Bruno).** Staff recommended approval with suggested modifications as modified in addendum.

Jim Felton, representing City of Marina, submitted a request to speak in favor of the project. Paul Bruno submitted a request to speak in favor of the project. Mark Massara submitted a request to speak in opposition to the project.

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

d. **Morro Bay LCP Amendment 1-99 (Colmer & Carantan) Certification Review & Time Extension.** Staff recommended approval of time extension, and concurrence with Executive Director's determination.

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

PUBLIC STATEMENTS. Stacy Hardy, representing American Sand Association, said off-roaders are responsible beach users. Eric Greening, representing ECOSLO - Environmental Center of SLO County, said Caltrans should consider alternatives to herbicides, such as a steamer or goats. Don Klusman, representing CA4WDC, said OHV users should be able to use the beach also. Paula Hartman, representing Oceano Dunes State Vehicular Recreation Area, spoke about progress of scientific committee at Oceano Dunes. Nell Langford said the emergency permit for the sand ramp was used to circumvent the appeal process. Karen Suty said OHVs were being found guilty without any defense. Jim Suty, representing Friends of Oceano Dunes, said the OHV park was there before many of the homeowners bought their homes at

Oceano. Tarren Collins, representing Sierra Club, discussed bird deaths, and described problems with formation of the technical review team. Dr Robert Burton, representing Cal State University, said Parks had been pro-active in managing and protecting birds before the law. Darryle Story commended Commissioners past & present for saving the coast.

LUNCH RECESS. The Commission recessed for lunch at 12:10 and returned at 1:50 p.m.

18. **NEW APPEALS.**

a. **Appeal No. A-3-01-35 (Felos, Monterey Co.) Postponed.**

b. **Appeal No. A-3-01-56 (Soto, 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. Staff recommended approval with special conditions.

Debra Soto submitted a request to speak in favor of the project. Robert Soto submitted a request to speak in favor of the project. Tarren Collins submitted a request to speak in opposition to the project.

Motion & Vote: Orr moved staff recommendation, seconded by Ruddock, and the roll call vote was 5 in favor (Desser, Dettloff, Ruddock, Orr & Woolley) and 2 opposed (Reilly & Wan). **Passed.**

c. **Appeal No. A-3-01-61 (Parks & Rec., San Luis Obispo Co.)** Staff recommended that the Commission find no substantial issue raised by the appeal.

Nell Langford submitted a request to speak in opposition to the project. Tarren Collins, representing Sierra Club Santa Lucia Chapter, submitted a request to speak in opposition to the project. Eric Greening, representing ECOSLO-Environmental Center of SLO County, submitted a request to speak in opposition to the project. Rick LeFlore, representing Cal State Parks, submitted a request to speak in favor of the project. Jim Suty, representing Friends of Oceano Dunes, submitted a request to speak in favor of the project. Dr. Robert Burton, representing Cal. State University, submitted a request to speak in favor of the project. Andrew Zilke, representing CA State Parks, submitted a request to speak in favor of the project. Stacy Hardy, representing American Sand Association, submitted a request to speak in favor of the project. Karen Suty submitted a request to speak in favor of the project. Don Klusman, representing CA4WDC, submitted a request to speak in opposition to the project.

There being no objection Chairman Wan **continued** the hearing to a future meeting.

d. **Appeal No. A-3-01-67 (Triad, Watsonville) Postponed.**

e. **Appeal No. A-3-01-71 (Searock, Monterey Co.) Postponed.**

19. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-00-82 (Pressley, Carmel) Postponed.**

b. **Application No. 3-00-90 (Mandurrago & Adams, Carmel) Postponed.**

c. **Application No. 3-01-50 (Morro Bay Fuel Dock, Morro Bay)** Staff recommended approval with special conditions.

Gene Doughty, representing the applicant, 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.**

d. **Application No. 3-01-58 (Monte Foundation, Santa Cruz Co.)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 3-01-66 (Port San Luis Harbor, San Luis Obispo Co.)** Moved to expanded Consent Calendar. **Approved.**

20. **PERMIT AMENDMENTS.**

a. **Permit No. 3-81-41-A22 (Santa Cruz, wharf repair & restroom demolition)** Staff recommended approval with special conditions.

Jim Lang, representing City of Santa Cruz, submitted a request to speak.

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

b. **Permit No. 3-90-41-A5 (Capitola, Soquel Creek Lagoon breaching)** Moved to expanded Consent Calendar. **Approved.**

c. **Permit No. 3-99-11-A (Moss Landing Harbor, Monterey Co.)** **Postponed.**

21. **FINDINGS.**

a. **Application No. 3-01-32 (Martin, Carmel)** **Postponed.**

22. **RECONSIDERATION.**

a. **Application No. 3-01-32-R (Martin, Carmel)** Staff recommended approval of reconsideration.

Gary A. Martin & Susan Martin 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.**

23. **Appeal No. A-3-SLO-99-83 (A.J. Wright, San Luis Obispo Co.)** Staff recommended that the Commission set aside prior actions on the appeal.

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

RECESS. The Commission recessed for the day at 3:20 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, September 13, 2001, at 9:00 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dettloff, Estolano, (Alternate) Ruddock, (Alternate) Orr, Reilly and Woolley. Absent: Dean, Hart, Kruer, McClain-Hill, Neal, Sanders and Sweeney. Desser arrived at 10:15 a.m.
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STATEWIDE

3. **FEDERAL CONSISTENCY REPORT.** Executive Director Douglas reported on Negative Determinations issued by the federal consistency staff.
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NORTH COAST DISTRICT

4. **DEPUTY DIRECTOR'S REPORT.** District Manager Merrill 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. **NEW APPEAL.**

- a. **Appeal No. A-1-01-43 (Wright, Mendocino 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.

7. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 1-99-73 (Parks & Rec., Humboldt Co.)** Staff recommended approval with special conditions.

John Kolb, representing State Parks, submitted a request to speak in favor of the project. Bob Anderson, representing State Parks, submitted a request to speak in favor of the project. Michelle Forsys, representing CA State Parks, submitted a request to speak in favor of the project.

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

b. **Application No. 1-01-19 (Simpson Paper, Humboldt Co.)** Staff recommended approval with special conditions as modified orally.

Alice Berg, representing the applicant, submitted a request to speak in favor of the project.

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

c. **Application No. 1-01-38 (Hartman, Humboldt Co.)** Staff recommended approval with special conditions as modified orally.

Travis Schneider, representing Pacific Affiliates, submitted a request to speak in favor of the project.

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

8. **FINDINGS.**

a. **Application No. 1-99-75 (Fish & Game, Humboldt Co.)** **Postponed.**

STATEWIDE

8.5 **REPORT on CROWDING The RIM SUMMIT. Postponed.**

Desser arrived at the beginning of the following item.

9. **TSUNAMI WORKSHOP.** Informational only.

PUBLIC STATEMENTS. Julie Verran spoke about assistance for the citizens of Gualala.

RECESS. The Commission recessed for the day at 11:05 a.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, September 14, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Estolano, Reilly and Woolley. Absent: Dean, Hart, Kruer, McClain-Hill, Neal, Sanders and Sweeney. (Alternate) Orr arrived at 9:05 a.m., and (Alternate) Ruddock arrived at 9:10 a.m.

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.

- a. **San Mateo Co. LCP Amendment No. SMC-MAJ-3-00 A (standards for housing size) Certification Review.** Staff recommended concurrence with Executive Director's determination. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 5b to the Calendar, and recommended approval with special conditions as modified in addendum.

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

5. COASTAL PERMIT APPLICATIONS.

- a. **Appeal No. A-2-01-11 (Keenan Land, Half Moon Bay)** Staff recommended approval with special conditions as modified in addendums and orally.

Bill Crowell, representing the applicant, submitted a request to speak in favor of the project. Annie Mudge, representing Beachwood Subdivision, submitted a request to speak in favor of the project. Patrick O'Brien submitted a request to speak in opposition to the project.

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

b. **Application No. 2-01-9 (Lee, Pacifica)** Moved to expanded Consent Calendar. **Approved.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 10:50 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg