

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY****W3**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF NOVEMBER 13-16, 2001
Hyatt Regency Los Angeles
711 South Hope Street
Los Angeles

Tuesday, November 13, 2001 pages 1 to 9

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, November 13, 2001, at 10:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, Dettloff, (Alternate) Allgood, Kruer, McCoy, Neal, (Alternate) Orr, (Alternate) Rose and Sanders. Absent: Desser, Hart, Potter and Woolley. McClain-Hill arrived at 10:10 a.m., and Sweeney arrived at 11:10 a.m.

SOUTH COAST DISTRICT

- 2.5 **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on the addendum to the meeting notice. Staff recommended approval with special conditions.

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

3. **CONSENT CALENDAR.**

a. **Application No. 5-01-245 (Walker & Dupler, Los Angeles)** Staff recommended approval with special conditions.

Tim Dupler submitted a request to speak in favor of the project. John Wentworth, representing South Shores homeowners association, submitted a request to speak in opposition to the project. Vernon Hall, representing South Shores HO Assn., submitted a request to speak in opposition to the project. Ken Osterstock submitted a request to speak in opposition to the project. Peter Jokanovich submitted a request to speak in opposition to the project. Frank M. Borelli submitted a request to speak in opposition to the project.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

4. **CONTAMINATED SEDIMENTS TASK FORCE WORKSHOP.** Informational only.

5. **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.

6. **SONGS Status.** A written report was mailed for information only.

STATEWIDE

7. **FEDERAL CONSISTENCY REPORT.** Coastal Planner Simón reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

a. **CD-4-00 (Navy, Virtual Test Capability, Port Hueneme)** and Surface Warfare Engineering Facility (**SWEF**). Informational only. Capt. Alan Maiorano, representing US Navy, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project. Four speakers representing the Beacon Foundation submitted requests to speak in favor of the project: Jean Rountree, Gordon Birr, John Buse and Lee Quaintance. Phil Bardos

submitted a request to speak in favor of the project. T.V. Phillips submitted a request to speak in favor of the project. Diane Markham submitted a request to speak in favor of the project. Jim Estomo submitted a request to speak in favor of the project. Sandra M. Bardos submitted a request to speak in favor of the project. Harvey Paskowitz submitted a request to speak in favor of the project. Anthony Volante, Mayor Pro Tem representing City of Port Hueneme, submitted a request to speak in favor of the project.

PUBLIC STATEMENTS. Doug Korthof commented on Orange County's level of sewage treatment.

LUNCH RECESS. The Commission recessed for lunch at 12:25 and returned at 1:40 p.m. Neal left during the break.

8. FEDERAL CONSISTENCY.

a. **CD-61-01 (Fish & Wildlife Service, Orange Co.)** Staff recommended denial.

Jack Fancher, representing Fish & Wildlife Service, submitted a request to speak in favor of the project. Osman Pekin PhD PE submitted a request to speak in opposition to the project. Dr. Louann W. Murray submitted a request to speak in favor of the project. Doug Korthof submitted a request to speak in favor of the project. Adrienne Morrison, representing Bolsa Chica Conservancy, submitted a request to speak in favor of the project. Tim Anderson, representing Le Bateau du Audubon, submitted a request to speak in favor of the project. Victor Leipzig submitted a request to speak in favor of the project. Six speakers representing Amigos de Bolsa Chica submitted requests to speak in favor of the project: Linda Moon, Tom Livengood, David Carlberg, Robert Harrison, Terry A. Dolton, and Karen Dolton. Howard Zelefsky, representing City of Huntington Beach, submitted a request to speak in favor of the project. Mike Tope, representing Calif. State Parks, submitted a request to speak in favor of the project.

Motion & Vote: Dettloff moved approval of the modified project, seconded by McCoy, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Lee replaced McClain-Hill during the following item.

9. FINDINGS.

a. **CD-117-99 (Corps of Engineers, Santa Barbara)** Staff recommended approval of findings.

Patrick Kelly, representing City of Santa Barbara, submitted a request to speak in favor of the project. John Buse, representing Environmental Defense Center, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project.

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

Dean, Sanders and Sweeney left before the following items.

SOUTH COAST DISTRICT

10. **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. 3-99 (Coastal Element) 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.**

b. **Laguna Beach Plan Amendment No. 1-01 (Trails) 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. **Laguna Beach LCP Amendment No. 1-00 (Downtown Specific Plan) 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.**

11. **CONSENT CALENDAR (removed from Regular Calendar):** Staff moved five items (13c, f, j, l & o) to the Calendar, and recommended approval with special conditions.

(13f) There being more than 3 votes to remove it, this item was returned to the regular calendar, below.

(13l) There being more than 3 votes to remove it, this item was returned to the regular calendar, below.

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

12. **NEW APPEALS.**

a. **Appeal No. A-5-01-336 (Bell, Dana Pt.)** 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-5-01-392 (King, 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.

13. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-5-00-296 (Rancho Palos Verdes, beach and bluff park)**
Postponed.

b. **Application No. 5-01-196 (Rand, Santa Monica)** Staff recommended approval with special conditions.

Bonnie Holmes, representing RAND, submitted a request to speak in favor of the project. Gary Hamrick, representing the applicant, submitted a request to speak in favor of the project.

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

c. **Application No. 5-01-209 (Santa Monica Redevelopment)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-01-259 (Linskey, Seal Beach)** Staff recommended approval with special condition.

Diana Linskey submitted a request to speak in favor of the project. Stephen Reg Clewley submitted a request to speak in opposition to the project. Lee Whittenberg, representing City of Seal Beach, submitted a request to speak in favor of the project.

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

Kruer left during the following item.

e. **Application No. 5-01-269 (Parks & Rec., Laguna Beach)** Staff recommended approval with special conditions.

Richard Rozzelle, representing CA State Parks, submitted a request to speak in favor of the project. Doug Korthof submitted a request to speak in opposition to the project. Laura Davick, representing Alliance to Rescue Crystal Cove Crystal Cove Conservancy, submitted a request to speak in favor of the project. Bruce Hostetter, representing Crystal Cove Community Trust, submitted a request to speak in opposition to the project.

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

f. **Application No. 5-01-275 (BANCAP Seaport Village & Long Beach)** Staff recommended approval with special conditions.

William Reseigh, representing the applicant, submitted a request to speak in favor of the project. Stephen Conley, representing Bancap Seaport Village, submitted a request to speak in favor of the project. Paul Yost submitted a request to speak. Armand DeWeese, representing Alamitos Bay Beach Preservation Group, submitted a request to speak in opposition to the project. Brigida Knauer, representing Alamitos Bay Beach Preservation Group, Inc., submitted a request to speak in opposition to the project.

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

g. **Application No. 5-01-288 (Hellman, Seal Beach)** Staff recommended approval with special conditions as modified orally.

Wayne Brechtel, representing Hellman Properties, submitted a request to speak in favor of the project. Jerry Tone, representing Hellman Properties, submitted a request to speak in favor of the project. Dave Bartlett submitted a request to speak in favor of the project. Lee Whittenberg, representing City of Seal Beach, submitted a request to speak in favor of the project. Paul Yost, representing Seal Beach City Council, submitted a request to speak in favor of the project. John Bahorski, representing City of Seal Beach, submitted a request to speak in favor of the project. Doug Korthof submitted a request to speak in favor of the project. Stephen Reg Clewley submitted a request to speak in favor of the project.

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

h. **Appeal No. A-5-01-280 (Los Angeles Grand Canal rehabilitation)** Staff recommended approval with special conditions as modified in addendum.

Ruth Galanter, representing City of Los Angeles, submitted a request to speak in favor of the project. Russell Ruffing, representing City of L.A.-Bureau of Engineering, submitted a request to speak in favor of the project. Ken Fritz, representing Venice Canal Association, submitted a request to speak in favor of the project. Howard Wiesenfeld submitted a request to speak in favor of the project. Mark Van Gessel submitted a request to speak in favor of the project. Myrna Dubin, representing Ballona Lagoon Marine Preserve, submitted a request to speak in favor of the project. Darryl DuFay, representing Venice Canal Association, submitted a request to speak in opposition to the project. Michael Hickok submitted a request to speak in opposition to the project. Donald Klein, representing Coalition to Save the Marina, submitted a request to speak in opposition to the project. Gordon Laughlin submitted a request to speak in opposition to the project. Doug Korthof submitted a request to speak in opposition to the project. Marcia Hanscom, representing Wetlands Action Network, 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: Allgood moved staff recommendation, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**

i. **Application No. 5-01-289 (Los Angeles Grand Canal rehabilitation)** Staff recommended approval with special conditions as modified in addendum.

The hearing was combined with item h above.

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

j. **Application No. 5-01-319 (Balboa Bay Club, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 5-01-322 (San Clemente, Casa Romantica)** Staff recommended approval with special conditions.

Gregory Smith, representing Casa Romantica Cultural Center, submitted a request to speak in favor of the project. Jim Pechous, representing City of San Clemente, submitted a request to speak in favor of the project.

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

l. **Application No. 5-01-327 (Storey & Delossa, Los Angeles)** Staff recommended approval with special conditions.

Scott Storey submitted a request to speak in favor of the project. Ken Fritz submitted a request to speak in favor of the project. Darryl DuFay submitted a request to speak in favor of the project.

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

m. **Application No. 5-01-377 (Loo, Los Angeles)** **Postponed.**

n. **Application No. 5-01-409 (Conger, Torrance)** Staff recommended approval with special conditions as modified orally.

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

o. **Application No. 5-01-331 (Santa Monica retaining wall)** Moved to expanded Consent Calendar. **Approved.**

14. **DEVELOPMENT AGREEMENT Application No. 5-01-207 (Hellman, Development Agreement, Seal Beach)** Staff recommended approval.

The hearing was combined with item 13g above.

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

RECESS. The Commission recessed for the day at 8:15 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 14, 2001, at 8:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners (Alternate) Soto, Dettloff, (Alternate) Allgood, Hart, McClain-Hill, McCoy, (Alternate) Orr and (Alternate) Rose. Absent: Dean, Neal, Sanders and Sweeney. (Alternate) Susskind arrived at 8:15 a.m. Potter arrived at 8:30 a.m. Woolley arrived at 9:30 a.m.

CENTRAL COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 8 of the meeting notice. Staff recommended approval with special conditions.

(a) Steve Puglisi, representing Rose's Landing, submitted a request to speak in favor of the project. Greg Fuz, representing City of Morro Bay, submitted a request to speak. Daniel Dorn, representing Dorn's Breakers Café, submitted a request to speak in opposition to the project.

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

STATEWIDE

5. **APPROVAL OF MINUTES.** McClain-Hill moved approval of the minutes of October 2001, seconded by Allgood, and unanimously **approved**, with Susskind abstaining.
6. **COMMISSIONERS' REPORTS.** Informational only.
7. **CONSERVANCY REPORT.** Informational only.
8. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Informational only.
9. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

10. **EXECUTIVE DIRECTOR'S REPORT.** Informational only.

a. **Western Snowy Plover Plan. Postponed.**

b. **Agreement with State Water Resources Control Board.** Staff recommended approval.

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

c. **Public Education Program Contract Amendment.** Staff recommended approval.

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

11. **SONGS MITIGATION PROGRAM. Postponed.**

12. **PERIODIC REVIEW of CERTIFIED LCPs.** Dean Francois, representing Friends of the South Bay Bicycle Path, submitted a request to speak. Jonathan Aurthur submitted a request to speak. Leslie Purcell submitted a request to speak.

SOUTH COAST DISTRICT

12.3 NEW APPEALS.

a. **Appeal No. A-5-01-281 (Playa Capital, 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. Staff recommended approval with special conditions as modified orally.

Councilmember Ruth Galanter, representing Los Angeles City Council, submitted a request to speak in favor of the project. Deputy Mayor Brian Williams, representing Los Angeles Mayor James Hahn, submitted a request to speak in favor of the project. Rick Zbur, Steve Soboroff & Catherine Tyrrell, representing Playa Vista, submitted a request to speak in favor of the project. Jay Kim, representing Los Angeles Dept. of Transportation, submitted a request to speak in favor of the project. Thirty-two other speakers submitted requests to speak in favor of the project: Martin Alcala, representing Gabrielino/Tongva Tribe; Terry Allen, representing Allen Ambu. Ser.; Mike Arias; Charlotte Austin-Jordan, representing Save Our Future; James K. Campbell; Larry

Chaffers; D.A. "Curt" Curtiss; Mathew Dorame, representing Gabrielino Tongva; J. Jr. Dzubak, representing Boys & Girls Club of Venice; Doug Ehlers; Alfred L. Encinas, representing Southwest Regional Council of Carpenters; Hugo Francis; Ralph Garcia, representing PV Jobs; Carol Elliott Greenhalgy; Skip Henke, representing LA Building Trades Council; Lloyd Hild; Michael Hill; Stephen Knight, representing Del Rey Home Owners; Ruth Lansford, representing Friends of Ballona Wetlands; Heather Lemmon, representing Title Real Estate Consultants; Martin Ludlow, Deputy Chief of Staff-Assemblyman Herb Wesson; Challis Macpherson; Pat McGinn, representing Southwest Regional Council of Carpenters; Steve Miller, representing LA Sheriff; Dr. James Moore; Rene Moore; Richard Musella, representing Westchester/LAX-Marina del Rey Chamber of Commerce; Winnie Northrup, representing Westchester Seniors and Boys & Girls Club; Michael D. Reagan, representing Los Angeles Fire Dept.; H.L. Saulsberry; Linda Shafritz; and Donald Spate, representing Masiano Plastering (PV Jobs Programs).

Eighty-four speakers submitted requests to speak in opposition to the project: Zaina Alwan, representing Ballona Wetlands Land Trust; Lois Arkin, representing CRSP/L.A. Eco-Village; Cindy Aronberg, Deputy Controller representing State Controller Kathleen Connell; Elinor Aurthur; Jonathan Arthur; Bonnie Barclay; Eric Barnard; Christy Boardman; Henry Borenstien, representing Ballona Wetlands Trust; Kerrie Brady; Bruce Campbell; James L. Campbell, Ph.D.; Dee Cappelli; Cecil Carpio, representing LAX Expansion-No! and Wetlands Action Network; Andrew Christie, representing Sea Shepherd; Daniel Cohen; Alison Copeland; John Davis, representing Coalition to Save the Marina; Greg Diete; David S. Ewing; Steve Fleischli, representing Santa Monica Baykeeper; Tom Ford; Peggy Forster; Tom Francis, representing Ballona Wetlands Land Trust; Dean Francois, representing Friends of the South Bay Bicycle Path; Rex Frankel, representing Ballona Ecosystem Education Project; Gary Freeman, representing Sierra Club; Heather George, representing Santa Monica Bay Keeper; Noah Golden-Krasner, representing Santa Monica Bay Keeper; Georgia Goldfarb; Rebecca Goldfarb, representing Ballona Wetlands Land Trust; Bryan Gordon; Cynthia Grant, representing Ballona Wetlands Land Trust; Susanne Griffin, representing National Lawyers Guild; Marcia Hanscom, representing Wetlands Action Network; Valerie Hastings; Patricia Bell Hearst, representing Federation of Hillside & Canyon Assoc.; Christopher J. Jones, representing Surfrider Foundation-So. Bay Chapter; David Kaplowitz; Carey Kawaye, representing Belmont High School; Gerald Kikin; Kathy Knight, representing Spirit of the Sage Council/Grassroots; Erika Krauss, representing Ballona Wetlands Land Trust; Beth Kudlicki, representing Surfrider Foundation; Angela Lee, representing Sierra Club; Dr. Travis Longcore, representing The Urban Wildlands Group; Chris Lueber; Mark Massara, representing Sierra Club; Don May, representing Calif. Earth Corps; Debbie McAfee, representing Ballona Wetlands Land Trust; Deirdre Montgomerie, representing Ballona Wetlands Land Trust; John Montgomerie, representing Ballona Wetlands Land Trust; Michael Moore, representing Sportfishing Association; Jesse Moorman; Peter Morgan; Ellen Murphy, representing Bolsa Chica Land Trust; Faramarz Nabavi, representing Coalition to Save All of Ballona; Lynne Newton, representing Wetlands Action Network; William O'Neill, representing Ballona Wetlands Land Trust; Polly Perlman, representing Wetlands Act. Net; Tom Ponton; Bill Pope, representing Ballona Wetlands Land Trust;

Leslie Purcell; Denise Munro Robb; Nita Rosenfeld, representing Coast and Mts.; Brigid Saukaitis, representing Ballona Wetlands Land Trust; Michael Saulenas; Susan Shannon, representing Americans for Democratic Action; Mieke Solari; Greg Sotir; Curt S. Steindler, representing Southwestern Herpetologists Society; David Stephan; Mike Stevens, representing LAX Expansion No; Bonnie Stout; Susan Suntree; Mary Jane Taylor, representing Ballona Wetlands Land Trust; Lola Terrell; David Tress; John Jay Ulloth; Roy Van de Hoek, representing Sierra Club Ballona Wetland Task Force; Jeanette Vosburg, representing Grassroots Coalition; Alice Welchert, representing Ballona Wetlands Land Trust; Carole Woolley; and Eric Lloyd Wright. Bruce Robertson, representing Ballona Valley Preservation League, submitted a request to speak.

PUBLIC STATEMENTS. Mark Massara introduced the Sierra Club's great coastal places campaign.

LUNCH RECESS. The Commission recessed for lunch at 1:05 and returned at 2:10 p.m.

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

Susskind and Soto left near the end of this item.

Motion & Vote to Continue to Friday: McClain-Hill moved to trail the items to Friday, seconded by Potter, and the roll call vote was 8 in favor (Dettloff, Allgood, Hart, McClain-Hill, McCoy, Potter, Rose & Woolley) and 2 opposed (Orr & Wan). **Passed.**

Motion & Vote: On Friday McClain-Hill moved staff recommendation, seconded by Potter, and the roll call vote was 10 in favor and 1 opposed (Wan). **Passed.**

12.5 COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-01-38 (CalTrans, Los Angeles) Withdrawn.**

b. **Application No. 5-01-184 (CalTrans, Los Angeles) Postponed.**

c. **Application No. 5-01-223 (Playa Vista Capital, Los Angeles)** Staff recommended approval with special condition as modified orally.

The hearing was combined with item 12.3 above.

Motion & Vote: On Friday McClain-Hill moved staff recommendation, seconded by Potter, and Chairman Wan substituted the previous roll call vote (10-1). **Passed.**

d. **Appeal No. A-5-00-417 (Playa Vista Capital, Los Angeles)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item 12.3 above.

Motion & Vote: On Friday McClain-Hill moved staff recommendation, seconded by Potter, and Chairman Wan substituted the previous roll call vote (10-1). **Passed.**

e. **Application No. 5-01-382 (Playa Capital, Los Angeles)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item 12.3 above.

Motion & Vote: On Friday McClain-Hill moved staff recommendation, seconded by Potter, and Chairman Wan substituted the previous roll call vote (10-1). **Passed.**

12.7 PERMIT AMENDMENT.

a. **Permit No. A-5-98-164-A (Playa Capital, Los Angeles)** Staff recommended approval with special conditions.

The hearing was combined with item 12.3 above.

Motion: On Friday McClain-Hill moved staff recommendation, seconded by Potter.

Amending Motion & Vote: McClain-Hill moved to replace the condition on litigation, seconded by Potter, and the roll call vote was 10 in favor and 1 opposed (Wan). **Passed.**

Vote on Main Motion: Chairman Wan substituted the previous roll call vote (10-1) for the main motion, as amended above. **Passed**

REPORT of CLOSED SESSION. In closed session the Commission took action in the matter of Appeal No. A-3-01-35 (Felos) and discussed one other matter for information only.

NORTH COAST DISTRICT

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

a. **Humboldt Co. LCP Amendment No. HUM-MAJ-1-00 B (SMARA) 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.**

b. **Del Norte Co. LCP Amendment No. DNC-MIN-1-01 (Minor) (Kelly).** 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.**

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

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

15. **NEW APPEALS.**

a. **Appeal No. A-1-01-51 (Meredith, Mendocino Co.) Postponed.**

b. **Appeal No. A-1-01-56 (Williams, Mendocino Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

16. **COASTAL PERMIT APPLICATION.**

a. **Application No. 1-01-48 (Cal-Pacific Carbon, Humboldt Co.)** Moved to expanded Consent Calendar. **Approved.**

17. **FINDINGS.**

a. **Permit No. NCR-78-CC-807-A (Hollander & Kiss, Mendocino Co.)** Staff recommended approval of findings.

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

b. **Permit No. 1-92-200-A (Sanders, Mendocino Co.)** Staff recommended approval of findings.

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

c. **Revocation of Permit No. A-1-97-46 (Riley, Mendocino Co.)** Staff recommended approval of findings.

Julie Verran submitted a request to speak in opposition to the project.

Motion & Vote: Potter moved staff recommendation, seconded by Woolley, and the hand vote was 7 in favor and 0 opposed. **Passed.**

d. **Application No. 1-01-19 (Simpson Paper, Humboldt Co.)** Staff recommended approval of findings.

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

NORTH CENTRAL COAST DISTRICT

18. **DEPUTY DIRECTOR'S REPORT.** None.

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

20. **COASTAL PERMIT APPLICATION.**

a. **Application No. 2-00-41 (Pacifica boardwalk)** **Postponed.**

21. **PERMIT AMENDMENT.**

a. **Permit No. 2-01-22-A (Cirincione-Coles, Marin Co.)** 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.**

22. FINDINGS.

a. **Appeal No. A-2-01-11 (Keenan Land, Half Moon Bay)** Staff recommended approval findings.

John Fogarty, representing Keenan Land Co., submitted a request to speak in favor of the project.

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

CENTRAL COAST DISTRICT

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

a. **Marina LCP Amendment MAR-MAJ-1-01 (Bruno) 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.**

24. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items (27f & 28b) to the Calendar, and recommended approval with special conditions, as modified on item 28b.

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

25. LOCAL COASTAL PROGRAM (LCP).

a. **Watsonville LCP Amendment No. WAT-MAJ-1-01 (Permit Timing & Agricultural Buffer).** Staff recommended approval with suggested modifications.

John Doughty, representing City of Watsonville, submitted a request to speak in favor of the project. John Casey, Superintendent PVUSD, submitted a request to speak in favor of the project. Juanita Wulff submitted a request to speak in opposition to the project.

Motion & Vote on Plan as Submitted: Potter moved approval of the Land Use Plan Amendment as submitted, seconded by McCoy, and the roll call vote was 0 in favor, 7 opposed (Dettloff, Allgood, Hart, McCoy, Potter, Woolley & Wan) and 2 abstentions (Orr & Rose). **Failed.**

Motion & Vote on Plan with Modifications: Potter moved approval of the Land Use Plan Amendment with suggested modifications, seconded by McCoy, and the roll call vote was 7 in favor, 0 opposed and 3 abstentions (McClain-Hill, Orr & Rose). **Passed.**

Motion & Vote to Reject Implementation: Potter moved to reject the implementation amendment as submitted, seconded by Allgood, and Chairman Wan substituted the previous roll call vote (7-0-3). **Passed.**

Motion & Vote on Implementation with Modifications: Potter moved approval of the implementation with suggested modifications, seconded by McCoy, and Chairman Wan substituted the previous roll call vote (7-0-3). **Passed.**

26. NEW APPEALS.

a. **Appeal No. A-3-00-118 (Kahloghli, San Luis Obispo Co.)** **Postponed.**

b. **Appeal No. A-3-01-35 (Felos, Monterey Co.)** **Withdrawn.**

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

d. **Appeal No. A-3-01-86 (Patel, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission **found substantial** issue. Chairman Wan opened the hearing on the merits of the project **and continued** it to a future meeting.

e. **Appeal No. A-3-01-92 (Debruin, San Luis Obispo Co.) Postponed.**

f. **Appeal No. A-3-01-96 (Colmer, Morro Bay)** Staff recommended that the appeal raised no substantial issue.

Wayne Colmer, representing Colmer Development, submitted a request to speak in favor of the project. Marshall Ochylski, representing Colmer Development, submitted a request to speak in favor of the project. Greg Fuz, representing City of Morro Bay, submitted a request to speak. Betty Winholtz submitted a request to speak in opposition to the project. Jon Halas submitted a request to speak in opposition to the project.

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

g. **Appeal No. A-3-01-97 (Zaninovich, Pismo Beach) Postponed.**

h. **Appeal No. A-3-01-106 (Ranch Properties, Monterey Co.) Postponed.**

i. **Appeal No. A-3-01-107 (Burnett, Monterey Co.) Postponed.**

27. COASTAL PERMIT APPLICATIONS.

a. **Application No. 3-01-15 (Cal Poly & Unocal, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Phil Bailey, Dean College Science & Math, Cal Poly, submitted a request to speak in favor of the project. Frank Lebens, representing California Polytechnic State Uni, submitted a request to speak in favor of the project.

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

b. **Application No. 3-01-77 (Beruccio, Carmel)** Staff recommended approval with conditions.

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

c. **Application No. 3-01-78 (Corrigan, Carmel) Postponed.**

d. **Application No. 3-01-81 (Winterbotham, Carmel)** Staff recommended approval with conditions.

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

e. **Application No. 3-01-83 (Duchesne & Hamilton, Carmel)** Staff recommended approval with conditions.

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

f. **Application No. 3-01-84 (R J C & Fife, Pacific Grove)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 3-01-85 (Martin, Carmel) Postponed.**

28. **PERMIT AMENDMENTS.**

a. **Permit No. 4-83-490-A2 (Cliffs Hotel, San Luis Obispo Co.)** Staff recommended approval with special conditions as modified orally.

David Watson, representing La Noria IMS, LLS, submitted a request to speak in favor of the project.

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

b. **Permit No. 3-96-102-A2 (Johnson, Pacific Grove)** Moved to expanded Consent Calendar. **Approved.**

RECESS. The Commission recessed for the day at 7:30 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 15, 2001, at 8:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dettloff, Estolano, McClain-Hill, McCoy, Nava and (Alternate) Rose. Absent: Dean, Desser, Hart, Neal and Sanders. Woolley arrived at 8:15 a.m. Potter arrived at 8:20 a.m. Kruer arrived at 9:20 a.m. Nichols arrived at 9:45 a.m.

SOUTH COAST DISTRICT

2.5 COASTAL PERMIT APPLICATIONS.

- a. **Application No. 5-01-190 (Calvary Church & Los Angeles)** Staff recommended denial.

Kristen Montet, Planning Deputy representing Councilwoman Miscikowski, submitted a request to speak in favor of the project. Ellen Oppenheim, representing City of LA-Recreation & Parks Dept., submitted a request to speak in favor of the project. Sheri Price, representing Calvary Christian School, submitted a request to speak in favor of the project. Carlyn Peterson, representing Calvary Christian School, submitted a request to speak in favor of the project. Kurt Toppel, representing AYSO, submitted a request to speak in favor of the project. Victoria Grinsfelder, representing Calvary Christ School, submitted a request to speak in favor of the project. Craig Johnson submitted a request to speak in favor of the project. Barrie Dane, representing Calvary Christian School, submitted a request to speak in favor of the project. Aaron Willis, representing Calvary Christian School, submitted a request to speak in favor of the project. Cassie Geibel, representing Calvary Christian School, submitted a request to speak in favor of the project. Robert Greig, representing Calvary Christian School/Church, submitted a request to speak in favor of the project. Will Morgan, representing CCS, submitted a request to speak in favor of the project. Teresa Roberson, representing Calvary Christian School, submitted a request to speak in favor of the project. Gianna Masi, representing Calvary Christian School, submitted a request to speak in favor of the project. Andrew Park, representing Calvary Christian School, submitted a request to speak in favor of the project. Susanne Vaughn, representing Calvary Christian School, submitted a request to speak in favor of the project. Beck Johnson, representing CCS, submitted a request to speak in favor of the project. Cody Gornberg submitted a request to speak in favor of the project. Caitlin Blosser, representing Calvary Christian School, submitted a request to speak in favor of the project. Negar Mahmodi, representing Calvary Christian School, submitted a

request to speak in favor of the project. Jasmine Schlichting, representing Calvary Christian School, submitted a request to speak in favor of the project. Chris Vaughn, representing Calvary Christian School, submitted a request to speak in favor of the project. Cheyne Renner, representing Calvary Christian, submitted a request to speak in favor of the project. Timmy Gerlach, representing Calvary Christian School, submitted a request to speak in favor of the project. Jenny Van Konynenburg submitted a request to speak in favor of the project. Robert Peddicord submitted a request to speak in favor of the project. Mike Van Konynenburg submitted a request to speak in favor of the project. Mary Meidinger Wilson, representing Calvary Christian School & PPRA, submitted a request to speak in favor of the project. Rev. Dr. Steve Faubion, representing Calvary Christian School, submitted a request to speak in favor of the project. Jim Wadsworth, representing Calvary Church, submitted a request to speak in favor of the project. Mark Allen, representing Calvary, submitted a request to speak in favor of the project. Thomas P. Knapp, MD, representing Calvary Christian School Foundation, submitted a request to speak in favor of the project.

Patrick Robinson submitted a request to speak in opposition to the project. Barbara Kohn, representing PPRA, submitted a request to speak in opposition to the project. Dr. Herwarth Giesecke submitted a request to speak in opposition to the project. Susan Orenstein submitted a request to speak in opposition to the project. J. Evelyn Nankivell submitted a request to speak in opposition to the project. Paul Henry Nankivell II submitted a request to speak in opposition to the project. Lawrence E. Stewart, representing Miramar Home Owners Association, submitted a request to speak in opposition to the project. Bob Locker, representing Pacific Palisades Residents assoc., submitted a request to speak in opposition to the project.

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

b. **Application No. 5-01-341 (Shelton, Los Angeles)** Staff recommended approval with special conditions.

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

SOUTH CENTRAL COAST DISTRICT

3. LOCAL COASTAL PROGRAM (LCP).

a. **Draft Malibu Land Use Plan.** Staff recommended holding a public hearing.

Joseph Edmiston, representing Santa Monica Mts. Conservancy, submitted a request to speak in favor of the project. Suzanne Goode, representing California State Parks, submitted a request to speak. Ron Hoffman, representing Los Angeles County - Dept. of Regional Planning, submitted a request to speak. Jeff Bouse, representing Los Angeles County Public Works (sewer maint.), submitted a request to speak. Stephanie Reeder, representing Caltrans, submitted a request to speak in favor of the project. Jeff Jennings, Mayor pro tem City of Malibu, submitted a request to speak in opposition to the project. Joan House, Mayor City of Malibu, submitted a request to speak in opposition to the project. Mark Gold, representing Heal the Bay, submitted a request to speak. Rosi Dagit, representing Resource Conservation District of SMM, submitted a request to speak.

LUNCH RECESS. The Commission recessed for lunch at 12:00 and returned at 1:20 p.m.

PUBLIC STATEMENTS. David DeLange, PhD, representing Coalition to Save the Marina, requested a cease & desist order to protect Great Blue Herons in Marina del Rey.

Mona Loo submitted a request to speak in opposition to the project. Three speakers representing Ramirez Canyon Homeowners submitted a request to speak in opposition to the project: Ruth White, Kathryn Holguin and Lotte Cherin. Geoffrey Gee, representing Serra Canyon Property Owners Assn., submitted a request to speak in opposition to the project. C.W. Carson, representing Serra Canyon Property Owners, submitted a request to speak in opposition to the project. Sharon Gee, representing Serra Canyon Property Owners, submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the project. Judy Decker, Co/Chair Point Dume Community Assn., submitted a request to speak in opposition to the project. Geoffrey Hunter submitted a request to speak in opposition to the project. Andy Stern submitted a request to speak in opposition to the project. Mary Ayerst submitted a request to speak in opposition to the project. Patti Healy, representing Malibu Coalition Slow Growth, submitted a request to speak. Jo Ruggles, representing Malibu LCP Committee Member (ex), submitted a request to speak. Art London submitted a request to speak in favor of the project. Werner Koenig, M.D., Ex City of Malibu LCP Committee Chair, submitted a request to speak. Ozzie Silva, representing Malibu Coastal Land Conserv., submitted a request to speak. David Reznick, representing Malibu Bay Company, submitted a request to speak. Susan McCabe & Grant Adamson, both representing Mariposa Land Company, submitted requests to speak. Dodd Darin submitted a request to speak in opposition to the project. Georgianna McBurney submitted a request to

speaking in opposition to the project. John Mazza, representing Malibu Riviera I, Malibu Riviera II, Malibu Riviera III and community assn., submitted a request to speak in opposition to the project. Marilyn C. Santman submitted a request to speak in opposition to the project. David Kagon submitted a request to speak in opposition to the project. Brad Callaway submitted a request to speak in opposition to the project. Vit Petrusis submitted a request to speak in opposition to the project. Jack Evans, representing Malibu Little League, submitted a request to speak in opposition to the project. Paul Grisanti, representing Kiwanis, submitted a request to speak in opposition to the project. Ann Fulton submitted a request to speak in opposition to the project. Kay Furgurson submitted a request to speak in opposition to the project. Frank Basso, representing Malibu Township Council, Inc., submitted a request to speak. Stephen Bilson, representing Rewater Systems, Inc., submitted a request to speak in favor. Norman R. Haynie submitted a request to speak. Norbert Dall submitted a request to speak in favor of the project. Alan Armstrong, representing Latigo Cove Property Owners Assoc., submitted a request to speak in opposition to the project. Ted Vaill submitted a request to speak in opposition to the project. Jeff Harris, MD, submitted a request to speak in opposition to the project. Jill Riordan-Harris submitted a request to speak in opposition to the project. Efrom Fader, representing Malibu Township Council, submitted a request to speak. David Gottlieb, representing Resource Conservation Dist., submitted a request to speak in favor of the project. P.A. Buckley submitted a request to speak in opposition to the project. Martin Burton submitted a request to speak in opposition to the project. Alicia Roberts, representing Malibu Trails Association, submitted a request to speak. Sam Hall Kaplan submitted a request to speak. Joan Plummer submitted a request to speak. Bob Purvey, representing Malibu Coastal Land Conservancy, submitted a request to speak. Thomas Ashley, representing Crummer Trust, submitted a request to speak in opposition to the project. Donald Nierlich, representing Coastwalk, submitted a request to speak. Huston Lillard submitted a request to speak in opposition to the project. Janet L. MacPherson submitted a request to speak in opposition to the project. Suzanne Zimmer submitted a request to speak in opposition to the project. John Harlow submitted a request to speak in opposition to the project. Holly Sawyer, representing City of Malibu, submitted a request to speak in opposition to the project. Sharon Barovsky, representing City of Malibu, submitted a request to speak in opposition to the project. Miki Warner submitted a request to speak in opposition to the project. Chairman Wan **continued** the hearing to the January meeting.

RECESS. The Commission recessed for the day at 3:55 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 16, 2001, at 8:05 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners (Alternate) Soto, Dettloff, (Alternate) Allgood, (Alternate) Susskind, McClain-Hill, McCoy, (Alternate) Rose and Woolley. Absent: Dean, Sanders and Sweeney. Hart arrived at 8:30 a.m.; Neal arrived at 8:50 a.m. and Nava arrived at 9:45 a.m. After the five trailed items from Wednesday were voted on: Soto left; Estolano replaced Allgood; Kruer replaced Susskind; Lee replaced McClain-Hill; and Nava arrived at the meeting.
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SOUTH CENTRAL COAST DISTRICT

3. CONSENT CALENDAR.

a. **Application No. 4-01-125 (Keach, Malibu)** Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

4. **CONSENT CALENDAR.** See items a through c on page 17 of the meeting notice. Item a was postponed. Staff recommended approval with special condition on the remaining items.

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

SOUTH CENTRAL COAST DISTRICT

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

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved seven items (9h, i, j, l, m, o & 10b) to the Calendar, and recommended approval with special conditions.

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

7. **UCSB NOTICE of IMPENDING DEVELOPMENT No. 1-01 (Snowy Plover Protection).** Staff recommended approval with special conditions.

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

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

a. **Oxnard LCP Amendment No. MAJ-1-00 (Annexation of North Shore at Mandalay Bay)** Postponed.

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-97-236 (NOAS, Malibu)** Staff recommended denial.

Motion & Vote: Woolley moved approval of the application, seconded by Rose, and the roll call vote was 0 in favor, 9 opposed and 1 abstention (Nava). **Failed.**

b. **Application No. 4-00-223 (La Chusa Highlands Assn., Malibu)** Postponed.

c. **Application No. 4-01-136 (Santa Barbara Co., Goleta winter dikes)** Staff recommended approval with special conditions.

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

d. **Application No. 4-00-225 (Caltrans, Malibu)** Postponed.

Neal left during the following item.

e. **Application No. 4-01-34 (B.A.S.E. 22 & Shoenbaum, Malibu)** Staff recommended denial.

Motion: Rose moved approval of the application, seconded by Nava.

Amending Motion & Vote: Estolano moved to add condition described orally, seconded by Kruer, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 6 in favor (Estolano, Hart, Kruer, Lee, McCoy & Potter) and 5 opposed (Dettloff, Nava, Rose, Woolley & Wan). **Passed**

f. **Application No. 4-01-41 (B.A.S.E. 22 & Shoenbaum, Malibu)** Staff recommended denial.

Motion: Estolano moved approval of the application, seconded by Potter.

Amending Motion & Vote: Estolano moved to add conditions described orally, seconded by Potter, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 6 in favor and 5 opposed. **Passed**

Rose left at 12:30 p.m., before the following items.

REPORT of CLOSED SESSION. In closed session the Commission took action on State of California, et al. v. Norton, et al., Brown v. CCC, Hartunian v. CCC, City of Encinitas v. North San Diego County Transit Development Board, et al., San Diego County Superior Court Case No. GIN015191, Railsback, et al. v. CCC, et al., Friends of Neary Lagoon, et al. v. CCC, et al., Ralph Herzig v. CCC & P. Douglas, and discussed five other matters for information only.

Estolano, Hart and Potter left at 1:05 p.m., before the following items.

g. **Application No. 4-01-80 (Asfour, Malibu)** Staff recommended approval with special conditions as modified orally.

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

h. **Application No. 4-01-89 (Geffen, Malibu)** Moved to expanded Consent Calendar. **Approved.**

i. **Application No. 4-01-95 (Azzi, Malibu)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 4-01-96 (Azzi, Malibu)** Moved to expanded Consent Calendar. **Approved.**

LUNCH RECESS. The Commission recessed for lunch at 1:25 and returned at 2:05 p.m. Neal left during the break.

k. **Application No. 4-01-99 (Parks & Rec., Oxnard)** Staff recommended approval with special conditions as modified orally.

Richard A. Rojas and Virginia Gardner, both representing CA Dept. of Parks & Recreation-Channel Coast District, submitted requests to speak in favor of the project.

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

l. **Application No. 4-01-101 (Bluewater Builders, Malibu)** Moved to expanded Consent Calendar. **Approved.**

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

n. **Application No. 4-01-139 (University of California, Santa Barbara Co.)** Staff recommended approval with special conditions.

The hearing was combined with item 7 above.

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

o. **Application No. 4-01-155 (Carpinteria sand berm)** Moved to expanded Consent Calendar. **Approved.**

10. PERMIT AMENDMENTS.

a. **Permit No. 5-85-214-A4 (Cold Canyon 10, Malibu)** Staff recommended approval with special conditions.

Mark Handel, representing the applicant, submitted a request to speak in favor of the project.

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

b. **Permit No. 4-99-273-A (Kramer, Malibu)** Moved to expanded Consent Calendar. **Approved.**

11. FINDINGS.

a. **Application No. 4-00-135 (Perez, Malibu)** Staff recommended approval of findings.

Frank Angel, representing Save Open Space Sta. Monica Mtns, submitted a request to speak in opposition to the project.

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

SAN DIEGO COAST DISTRICT

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

14. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved six items (16c, e, f, h, i & j) to the Calendar, and recommended approval with special conditions.

(16e & f) David Lyon, representing the applicant, submitted a request to speak in favor of the project.

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

15. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 2-2001-A (Lynn).** Staff recommended approval.

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

b. **Encinitas LCP Amendment No. 1-2001 (museum overlay).** Postponed.

c. **San Diego LCP Amendment No. 2-2001-A (stormwater regulations).** Staff recommended approval.

Karen Henry and Cal Chong, both representing City of San Diego, submitted requests to speak in favor of the project.

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

d. **Imperial Beach LCP Amendment No. 2-2001 (use restrictions).** Staff recommended approval.

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

e. **Port Plan Amendment No. 30 (National Distribution Center).** Postponed.

f. **Port Plan Amendment No. 31 (South Embarcadero).** Postponed.

16. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-01-80 (Cabrillo Power, Carlsbad)** Postponed.

b. **Application No. 6-01-81 (NCTD, Del Mar)** Staff recommended approval with special conditions.

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

c. **Application No. 6-01-87 (Calvary Lutheran Church, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-01-101 (San Diego treatment plant improvements)** Postponed.

e. **Application No. 6-01-112 (Pacific View Estates, Del Mar)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 6-01-113 (Pacific View Estates, Del Mar)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 6-01-115 (Ostanik, Solana Beach)** Staff recommended approval with special conditions.

Susan Ostanik submitted a request to speak in favor of the project.

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

h. **Application No. 6-01-135 (San Diego treatment plant fuel cells)** Moved to expanded Consent Calendar. **Approved.**

i. **Application No. 6-01-142 (Chula Vista sewer pipe)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 6-01-143 (Equilon Enterprises, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 6-01-144 (UCSD, San Diego) Postponed.**

l. **Application No. 6-01-152 (Coronado utility undergrounding)** Staff recommended approval with special conditions.

Ann McCaull, representing City of Coronado, submitted a request to speak in favor of the project.

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

17. **PERMIT AMENDMENT.**

a. **Permit No. 6-84-578-A4 (Mira Costa College, Encinitas) Postponed.**

ENFORCEMENT

18. **ENFORCEMENT REPORT. Postponed.**

19. **COMMISSION CEASE & DESIST ORDER No. CCC-01-CD-2 (Beko, Pismo Beach) Postponed.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 2:45 p.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg