

CALIFORNIA COASTAL COMMISSION

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**W3b****RECORD PACKET COPY**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF APRIL 10-13, 2001
Radisson Hotel- Santa Barbara
1111 East Cabrillo Blvd.
Santa Barbara

Tuesday, April 10, 2001 pages 1 to 6

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, April 10, 2001, at 10:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dean, Desser, Dettloff, (Alternate) Allgood, Hart, Kruer, McCoy, Nava, Neal, Reilly, Sanders and Sweeney. Absent: Woolley. McClain-Hill arrived at 12:15 p.m.

ENERGY, OCEAN RESOURCES and WATER QUALITY**3. ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. E-00-20 (Fish & Game and Project Pacific, San Diego)** Staff recommended approval with special conditions.

Steve Wurtz, representing F&G, answered a question from McCoy.

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

SOUTH COAST DISTRICT

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

(4b) Jonathan Horne submitted a request to speak in favor of the project. (4d & e) Robert Mackenzie, representing the applicants, submitted a request to speak in favor of the projects.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

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.

a. **Chevron 4H Platform Shell Mounds.** Staff recommended hearing comments on the report.

George Steinbach, representing Chevron, submitted a request to speak in favor of the project. Carla Frisk, representing Senator Jack O'Connell & Assemblymember Hannah-Beth Jackson, submitted a request to speak in favor of the project. Tom Raftican, representing United Angles SC, submitted a request to speak in favor of the project. Gordon Cota, representing Commercial Fishermen of S.B. Inc., submitted a request to speak in favor of the project. Michael McCorkle, representing Southern Ca. Trawlers Assn., submitted a request to speak in favor of the project. Mark Page submitted requests to speak. Linda Krop, representing EDC, Env't. Coalition, PCFFA, submitted a request to speak in opposition to the project. Tanya Gulesserian, representing Env. Coalition, PCFFA, Environmental Defense Center, submitted a request to speak in opposition to the project. Ariana Katovich, representing Citizens for Goleta Valley, submitted a request to speak in opposition to the project. Christopher Chatto, representing Citizens Planning Assoc., submitted a request to speak in opposition to the project. Diane Conn, representing Get Oil Out!, submitted a request to speak in opposition to the project. Robert Sollen, representing Sierra Club (Los Padres Chapter), submitted a request to speak in opposition to the project.

Motion & Vote for Future Hearing: Nava moved to schedule a hearing in June to determine whether an amendment would be required, seconded by Desser, and Chairman Wan ruled that the vote was unanimous. **Passed.**

McClain-Hill arrived during the following item.

5.5 PERMIT AMENDMENT.

a. **Permit No. E-00-8-A (Global West, Morro Bay)** Staff recommended approval with special conditions.

Tom Umberg, representing Global Photon, spoke in favor of the project. Travis O. Evans, representing Port San Luis - Morro Bay Fishers Assoc., spoke in opposition to the project.

Motion & Vote: Kruer moved staff recommendation, seconded by Potter, and the roll call vote was 10 in favor, 0 opposed and 1 abstention (McClain-Hill). **Passed.**

6. **SONGS Status.** A written report was distributed prior to the meeting.

SOUTH COAST DISTRICT

Hart left during the following item.

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

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

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

PUBLIC STATEMENTS. Tanya Gulesserian, representing EDC, Channelkeeper, spoke in favor of more stringent standards for drill effluents. Andrew Bohan, representing Channelkeeper, said that third party monitoring had not worked. Dr David DeLange, representing Coalition to Save the Marina, submitted a request to speak.

LUNCH RECESS. The Commission recessed for lunch at 12:30 and returned at 1:50 p.m.

9. NEW APPEAL.

a. **Appeal No. A-5-01-66 (Capital Pacific, Rancho Palos Verdes)** 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.

10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-00-400 (Playa Capital, Los Angeles)** Staff recommended continuance.

Rick Zbur waived the time limit.

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

b. **Appeal No. A-5-00-417 (Playa Capital, Los Angeles)** The hearing was combined with item a above, and **continued**.

c. **Application No. 5-00-450 (AES, Los Angeles)** **Withdrawn.**

d. **Application No. 5-00-476 (Kirkwood, Los Angeles)** **Postponed.**

e. **Application No. 5-01-75 (Beachfest, Long Beach)** Staff recommended approval with special conditions as modified in addendum.

Todd Wallin, representing Beach Charities, spoke in favor of the project.

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

11. PERMIT AMENDMENTS.

a. **Permit No. 5-95-55-A4 (Long Beach & Aquarium of the Pacific, Long Beach)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-97-30-A (Ronen, Los Angeles)** Staff recommended approval with special conditions as modified in addendum.

Pamela S. Schmidt, representing the applicant, spoke in favor of the project. David Ronen submitted a request to speak in favor of the project. Jack Allen, representing Pacific Palisades Community Council, spoke in opposition to the project.

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

c. **Permit No. 5-00-358-A (Touber, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

d. **Permit No. A-5-01-10-A (A-381-78-A12) (Calvary Church & Los Angeles)** Postponed.

12. FINDINGS.

a. **Application No. 5-99-28 (Palisades Bay Club, Los Angeles)** Staff recommended approval of findings.

Jack Allen, representing Pacific Palisades Community Council, submitted a request to speak in favor of the project.

Motion & Vote: McClain-Hill moved staff recommendation, seconded by Desser, and the hand vote was 6 in favor and 0 opposed. **Passed.**

b. **Permit No. 5-99-376-A (Langley, San Clemente)** Staff recommended approval of findings.

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

13. **REVOCATION of Permit No. 5-91-463-A2 (Playa Capital, Los Angeles)** Staff recommended denial.

Marcia Hanscom, representing Wetlands Action Network, spoke in favor of the revocation. Ellen Stern Harris, representing Council for Planning & Conservation, spoke in favor of the revocation. Edith Read, representing Psomas, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, spoke in favor of the revocation. David DeLange, Ph.D., representing Coalition to Save the Marina, submitted a request to speak in favor of the revocation. Challis Macpherson submitted a request to speak in favor of the revocation. Bill Pope submitted a request to speak in favor of the revocation. Sabrina D. Venskus, representing Ballona Wetlands Land Trust, spoke in favor of the revocation. Peggy Forster spoke in favor of the project. Leslie Purcell spoke in favor of the revocation. Dell Morgan submitted a request to speak in opposition to the project. Rick Zbur, representing Playa Vista, submitted a request to speak in favor of the staff recommendation.

Motion & Vote to Continue: Nava moved to continue the hearing, seconded by Desser, and the roll call vote was 4 in favor (Desser, McCoy, Nava & Wan), and 6 opposed (Dettloff, Allgood, Kruer, McClain-Hill, Potter & Reilly). **Failed.**

Motion & Vote to Revoke: Kruer moved to revoke the permit, seconded by McClain-Hill, and the roll call vote was 3 in favor (Desser, McCoy & Nava), and 7 opposed. **Failed.**

RECESS. The Commission recessed for the day at 4:20 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, April 11, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dean, Dettloff, (Alternate) Allgood, Hart, Kruer, McCoy, Nava, Reilly, Sweeney and Woolley. Absent: Neal and Sanders. McClain-Hill arrived at 9:30 a.m.; and Desser arrived at 10:15 a.m.

SAN DIEGO COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-01-34 (San Diego parking lot)** Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a through d on page 8 of the Meeting Notice. Item a was postponed. Staff recommended approval with special conditions on the remainder of the Calendar.

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

STATEWIDE

5. **APPROVAL OF MINUTES.** None.
6. **COMMISSIONERS' REPORTS.** Informational only.
7. **CONSERVANCY REPORT.** A written report was distributed prior to the meeting.

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

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

10. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation.

a. **2002 Meeting Schedule.** Discussion only.

b. **Periodic Review of Certified LCPs.** Mark Massara, representing Sierra Club, and Norbert Dall spoke about the importance of this matter. **Postponed.**

c. **Legislation.** Norbert Dall submitted a request to speak on SB 908, the coastal trail.

Staff recommended support of AB 62 & SB 31.

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

Staff recommended support of AB 556.

Motion & Vote: Nava moved staff recommendation, seconded by Allgood, and the hand vote was unanimous. **Passed.**

Staff recommended support of AB 960.

Motion & Vote: Reilly moved staff recommendation, seconded by Nava, and the hand vote was unanimous. **Passed.**

Staff recommended support of SB 116.

Motion & Vote: Allgood moved staff recommendation, seconded by Nava, and the hand vote was unanimous. **Passed.**

d. **Tides Center Memorandum of Agreement.** Staff recommended approval.

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

e. **Public Education Marketing Contract.** Staff recommended approval.

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

SOUTH COAST DISTRICT

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 14b to the Calendar, and recommended approval with special condition.

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

12. LOCAL COASTAL PROGRAMS (LCPs).

a. **Huntington Beach LCP Amendment No. 1-99 (16th to 18th Streets) Findings.** Staff recommended approval of findings.

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

b. **Huntington Beach LCP Amendment No. 2-00 (Downtown Parking Plan) Time Extension.** Staff recommended approval.

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

Desser arrived during the following item.

13. NEW APPEAL.

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

Phillip Wyatt spoke in favor of the project.

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

14. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-98-255 (Capistrano Shores, San Clemente)** **Postponed.**

b. **Application No. 5-00-479 (Bender, San Clemente)** Moved to expanded Consent Calendar. **Approved.**

15. **PERMIT AMENDMENTS.**

a. **Permit No. 5-83-959-A7 (County of Orange & AWMA, Laguna Beach)** Staff recommended approval with special conditions.

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

b. **Permit No. 5-97-316-A3 (County of Orange, Laguna Beach)** Staff recommended approval with special conditions.

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

c. **Permit No. A-5-97-166-A3 (County of Orange, Laguna Beach)** Staff recommended approval with special condition.

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

Potter left before the following items.

d. **Permit No. 5-92-188-A4 (CPH Resorts, Dana Point)** Staff recommended approval with special conditions.

Andi Culbertson, representing the applicant, spoke in favor of the project. John Adams spoke in opposition to the project.

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

16. **PERMIT EXTENSIONS.**

a. **Permit No. 5-92-188-E5 (CPH Resorts, Dana Point)** Staff recommended approval. There being no objection Chairman Wan ruled that the permit was **extended.**

b. **Permit No. 5-92-188-E6 (CPH Resorts, Dana Point)** Staff recommended approval. There being no objection Chairman Wan ruled that the permit was **extended.**

c. **Permit No. 5-92-188-E7 (CPH Resorts, Dana Point)** Staff recommended approval. There being no objection Chairman Wan ruled that the permit was **extended.**

SAN DIEGO COAST DISTRICT

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

a. **Encinitas LCP Amendment No. 1-2001 (Minor).** Staff recommended concurrence with Executive Director's determination. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

18. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 22a to the Calendar, and recommended approval with special conditions.

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

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

a. **San Diego LCP Amendment No. 6-2000A (Naval Training Center).** **Postponed.**

20. **NEW APPEALS.**

a. **Appeal No. A-6-00-187 (Shepard, Imperial Beach)** Staff recommended that the appeal raised substantial issue. There being only one 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.

Stephanie Dall, representing the applicants, spoke in favor of the project.

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

b. **Appeal No. A-6-01-47 (Conway & Associates, Encinitas)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

21. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-6-00-193 (Robinson, Encinitas)** **Postponed.**

b. **Application No. 6-01-29 (San Diego boardwalk widening)** Staff recommended approval with special conditions.

Terri Williams, representing City of San Diego, submitted a request to speak in favor of the project.

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

22. **PERMIT AMENDMENT.**

a. **Permit No. 6-90-225-A2 (Encinitas sand replenishment)** Moved to expanded Consent Calendar. **Approved.**

During the following item, Dean left at 12:10 and McClain-Hill left 12:50 p.m.

PUBLIC STATEMENTS. Sean Hastings & Matt Pickett presented the Channel Islands sanctuary program. Norbert Dall commented on SB 908. Hilary Hauser, representing Heal the Ocean, said the water quality & biological productivity of Mission Creek should be enhanced. Eddie Harris, representing S.B. Urban Creeks Council, opposed the Army Corps proposal for lower Mission Creek. David Nelson said the Morro Bay power plant cooling system was destroying the estuary habitat. Linda Krop, representing EDC, said the entire Channel should be in the management plan. Jesse Swanhuyser said marine reserves are necessary. Jack McCurdy, representing Coastal Alliance on Plant Expansion, said the Morro Bay power plant is not compatible with protection of coastal resources. Brian Trautwein said the lower Mission Creek project is not consistent with the coastal act.

RECESS. The Commission recessed for the day at 1:10 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, April 12, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Desser, Dettloff, (Alternate) Allgood, Hart, Kruer, (Alternate) Lee, McCoy, Reilly and Woolley. Absent: Dean, Neal and Sanders. (Alternate) Weinstein arrived at 9:05 a.m.; Sweeney arrived at 9:10 a.m.; and Nava arrived at 10:15 a.m.

SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through c on page 13 of the Meeting Notice. Staff recommended approval with special conditions.

(a) Richard Lucinio spoke in opposition to the project. (c) Don Schmitz, representing the applicant, submitted a request to speak in favor of the project.

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

NORTH COAST DISTRICT

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

5. FINDINGS.

a. **Permit No. 1-83-223-A (Webber, Mendocino Co.)** Staff recommended approval of findings.

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

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

c. **Crescent City LCP Amendment No. CRC-MAJ-1-00 (Del Norte Healthcare Dist.).**
Staff recommended approval of findings as modified orally.

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

NORTH CENTRAL COAST DISTRICT

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

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

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

a. **Half Moon Bay LCP Amendment No. 1-00 (Residential Standards) Time Extension.** Staff recommended approval.

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

9. **NEW APPEALS.**

a. **Appeal No. A-2-00-20 (Balsamo & Cohn, Pacifica)** 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.

Jeff Tate submitted a request to speak in opposition to the project.

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

b. **Appeal No. A-2-01-8 (Mahon, San Mateo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

Nava arrived during the following item.

10. **COASTAL PERMIT APPLICATION.**

a. **Appeal No. A-2-00-28 (Blank, San Mateo Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Rick Zbur, representing the applicant, spoke in favor of the project. Steve Blank spoke in favor of the project. Joey Jacobs, representing Coastside Habitat Coalition, submitted a request to speak in opposition to the project. George Cattermode, representing Coastside Habitat Coalition, spoke in opposition to the project. Ron Sturysan spoke in opposition to the project.

Motion & Vote: Kruer moved staff recommendation, seconded by Reilly, and the roll call vote was 11 in favor, 0 opposed, and 1 abstention (Nava). **Passed.**

11. **PERMIT AMENDMENT.**

a. **Permit No. 2-00-42-A (Cirincione-Coles, Marin Co.)** **Postponed.**

12. **FINDINGS.**

a. **Appeal No. A-2-00-44 (Caltrans, Half Moon Bay)** Staff recommended approval of findings as modified orally.

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

STATEWIDE

13. **FEDERAL CONSISTENCY REPORT.** Federal Consistency Coordinator Raives reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

14. **FEDERAL CONSISTENCY.** This item was trailed until after lunch.

Sweeney left during the following item.

a. **CD-23-01 (Air Force, Santa Barbara Co.)** Staff recommended denial.

Lt. Col. Scott Westfall, representing USAF, 30 Space Wing, spoke in favor of the project. Nancy Read Francine, representing Vandenberg Air Force Base, submitted a request to speak in favor of the project. Dianne Meester, representing Santa Barbara County Planning & Development, submitted a request to speak in favor of the project. Steve Henry, representing US FWS, submitted a request to speak in opposition to the project. Lee Ann Carranza, representing U.S. Fish and Wildlife Service, submitted a request to speak in opposition to the project. Steve Kirkland, representing U.S. Fish and Wildlife Service, submitted a request to speak in opposition to the project. S. Barbara County Supervisor Joni Gray, representing Santa Barbara Co. Surf Beach Commission, spoke in opposition to the project. Alice Milligan, representing Ocean/Surf Beach Alliance & Lompoc Chamber, submitted a request to speak in opposition to the project. Dick DeWees, Mayor of City of Lompoc, submitted a request to speak in opposition to the project. Linda Martinson, representing Surf & Ocean Beach Commission, submitted a request to speak in opposition to the project. Philip Tsing spoke in opposition to the project. Kendy Radasky, representing Santa Barbara Audubon Society, spoke in opposition to the project. David Wass, representing Santa Barbara Audubon, spoke in opposition to the project. Ariana Katovich, representing Citizens for Goleta Valley/A.S. Environmental Affairs Board, spoke in opposition to the project. Susan Warnstrom submitted a request to speak in opposition to the project. Lee Moldauer, President, National Audubon Society Central Coast Council, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in favor of the project. Tarren Collins, representing Santa Lucia Chapter of Sierra Club, SLO Coast Alliance, spoke in opposition to the project. Carl Walton, representing Surf Beach Alliance, submitted a request to speak in opposition to the project. Scott Somens submitted a request to speak in opposition to the project. Frances Romero, representing Surf Beach Alliance, submitted a request to speak in opposition to the project. Alice McCurdy, representing SB County OB Commission, submitted a request to speak in opposition to the project. Scott Martinson submitted a request to speak in opposition to the project. Angela Poyntger submitted a request to speak in opposition to the project. Tanya Gulesserian, representing Environmental Defense Center, submitted a request to speak in opposition to the project.

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

SOUTH CENTRAL COAST DISTRICT

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

16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved nine items (18b, 18c, 18e, 18g, 18h, 18j, 18k, 19a & 19b) to the Calendar, and recommended approval with special conditions.

(18h) Navy Banvard submitted a request to speak in favor of the project. (19b) Don Schmitz, representing the applicants, submitted a request to speak in favor of the project.

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

Susskind replaced Kruer during the following item.

17. LOCAL COASTAL PROGRAM (LCP).

a. **Santa Barbara Co. LCP Amendment No. MAJ-1-00 (Lot Size & Lot Line Adjustment).** Staff recommended approval with suggested modifications.

Dianne Meester or Dave Ward, representing SB County Planning & Development, spoke in favor of the amendment. Alan Seltzer, representing Santa Barbara County, spoke in favor of the amendment. Steve Velyvis, representing Environmental Defense Center, spoke in favor of the staff recommendation. Keith Zandona, representing Santa Barbara Surfrider, spoke in favor of the staff recommendation. Nathan Post spoke in favor of the lot line program. Ken Palley, representing Surfrider Foundation S.B. Chapter submitted a request to speak in favor of the project. Ariana Katovich, representing Citizens for Goleta Valley, spoke in favor of the amendment. Mindy Wolfe, representing Hatch & Parent Law Firm, spoke in opposition to the amendment.

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

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

PUBLIC STATEMENTS. Keith Zandona, representing Santa Barbara Surfrider, commented on UCSB emergency permit and the railroad dumping rocks at Tajiguas. Mark Massara, representing Sierra Club, said the two violations were reported 2 years ago. Ty Simpson representing UCSB said they would remove any illegal fill. Vicky Finan, representing Beacon Foundation, urged the Commission to hold a hearing on SWEF non-compliance. Steve Velyvis, representing Environmental Defense Center, raised the issue of clearing ESHA for agricultural expansion.

LUNCH RECESS. The Commission recessed for lunch at 12:55 and returned at 2:40 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Smiley v. CCC, and discussed two other matters for information only.

18. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-98-264 (Diva Partners, Malibu)** Staff recommended denial.

Shahab Ghods, representing Plus Architects, submitted a request to speak in favor of the project.

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

b. **Application No. 4-99-237 (Gould, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-99-283 (Gumins, Malibu)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 4-00-131 (Fioramonti, Los Angeles Co.)** **Postponed.**

e. **Application No. 4-00-142 (Hosseini, Malibu)** Moved to expanded Consent Calendar. **Approved.**

f. **Appeal No A-4-00-172 (Suncal, Oxnard)** Staff recommended approval with special conditions.

Andi Culbertson, representing the applicant, spoke in favor of the project. Bill Rattazzi, representing the applicant, submitted a request to speak in favor of the project. Marilyn Miller, representing City of Oxnard, spoke in favor of the project. Robert L. Sills, representing Harbour Island HOA, spoke in favor of the project. Tom Conway spoke in favor of the project. Thomas Collet submitted a request to speak in favor of the project. Robert Snyders submitted a request to speak in favor of the project. John Buse, representing Environmental Defense Center, spoke in opposition to the project. Lee Quaintance, representing the Beacon Foundation, spoke in opposition to the project. Ariana Katovich, representing Citizens for Goleta Valley, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Lynda Loie Paxton spoke in opposition to the project. Steve Blanchard spoke in opposition to the project.

Motion: Reilly moved staff recommendation, seconded by Dettloff.

Motion & Vote: Reilly moved to delete the subordination on the agricultural deed restriction, seconded by Lee, and the roll call vote was 6 in favor (Hart, Susskind, Lee, Weinstein, Reilly & Woolley) and 5 opposed (Desser, Dettloff, McCoy, Nava & Wan). **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 8 in favor and 3 opposed (Desser, Nava & Wan). **Passed.**

g. **Application No. 4-00-175 (Rust, Malibu)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-00-214 (Banvard, Malibu)** Moved to expanded Consent Calendar. **Approved.**

Ruddock replaced McCoy and Weinstein left during the following item.

i. **Application No. 4-00-218 (L.A. Co. Public Works Dept., Malibu)** Staff recommended approval with special conditions.

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

j. **Application No. 4-00-224 (Vogl, Malibu)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 4-00-247 (Hawkins, Malibu)** Moved to expanded Consent Calendar. **Approved.**

l. **Application No. 4-01-12 (Lechuza Villas West, Malibu)** Staff recommended approval with special conditions.

Norm Haynie, representing the applicant, spoke in favor of the project. Mark Massara, representing Sierra Club, spoke in favor of the project. Robert H. Philibosian, representing Malibu Encinal Homeowners Assn., spoke in opposition to the project. Terrence M. Sternberg, representing Malibu Encinal Home Owners, Inc., spoke in opposition to the project. Tony Giordano, representing Malibu Encinal Homeowners Assn., spoke in opposition to the project. Shari Sant Plummer spoke in opposition to the project. Michael Kamen spoke in opposition to the project. Lisa Kamen spoke in opposition to the project.

Motion: Desser moved staff recommendation, seconded by Reilly.

Amending Motion & Vote: Reilly moved to add the property owner as an option to plan & manage the access, seconded by Woolley, and the roll call vote was 9 in favor and 2 opposed (Susskind & Lee).

Passed.

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 11 in favor and 0 opposed. **Passed.**

m. **Application No. 4-00-222 (Socal Communications Sites, Los Angeles Co.)** Staff recommended approval with special conditions.

Don Schmitz, representing So-Cal, spoke in favor of the project.

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

n. **Application No. 4-00-55 (Stark, Los Angeles Co.)** **Postponed.**

19. **PERMIT AMENDMENTS.**

a. **Permit No. 4-97-71-A (Megdal, Malibu)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 4-98-329-A2 (Shaheen, Malibu)** Moved to expanded Consent Calendar. **Approved.**

RECESS. The Commission recessed for the day at 7:15 a.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, April 13, 2001, at 9:00 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Commissioners Desser, Dettloff, (Alternate) Allgood, (Alternate) Lee, (Alternate) Ruddock, Reilly and Woolley. Absent: Dean, Neal, Potter, Sanders and Sweeney. Hart, Susskind & Nava arrived at 9:05 a.m.
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CENTRAL COAST DISTRICT

3. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Grove reported on matters not requiring public hearings, and on comments from the public.
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4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items (6b & 7b) to the Calendar, and recommended approval with special conditions.

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

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

- a. San Luis Obispo Co. LCP Amendment No. SLO-MAJ-2-99B&C (land division & grading). Withdrawn.

6. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-00-136 (Virkkunen, Carmel)** Staff recommended approval with special condition.

Craig Holdren, representing the applicant, spoke in favor of the project.

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

b. **Application No. 3-00-140 (Carmel armoring)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 3-00-162 (Miller, Pacific Grove)** Staff recommended approval with special conditions as modified in addendum.

Eric Miller spoke in favor of the project.

Motion: Reilly moved staff recommendation, seconded by Woolley.

Amending Motion & Vote: Desser moved to replace the fence condition with a deed restriction concerning the habitat restoration area, seconded by Allgood, and the roll call vote was 9 in favor and 2 opposed (Ruddock & Wan). **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 10 in favor and 1 opposed (Wan). **Passed.**

7. **PERMIT AMENDMENTS.**

a. **Permit No. 3-83-200-A2 (Gibson, Santa Cruz Co.)** **Postponed.**

b. **Permit No. 3-90-41-A4 (Capitola lagoon management)** Moved to expanded Consent Calendar. **Approved.**

8. **NEW APPEAL.**

a. **Appeal No. A-3-01-28 (Silva, San Luis Obispo Co.)** Staff recommended continuance. There being no objection Chairman Wan opened the hearing and **continued** it to a future meeting. _____

PUBLIC STATEMENTS. Pat Kelly, representing City of SB, spoke about Mission Creek. _____

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

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

