

CALIFORNIA COASTAL COMMISSION

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

**W4****RECORD PACKET COPY**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF MAY 7-11, 2001
Monterey Hyatt Regency
1 Old Golf Course Road
Monterey

Monday, May 7, 2001 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Monday, May 7, 2001, at 10:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, (Alternate) Luna, Hart, Kruer, McCoy and (Alternate) Orr. Absent: Dean, Estolano, McClain-Hill, Neal, Reilly, Sanders, Sweeney and Woolley.

SOUTH COAST DISTRICT**3. CONSENT CALENDAR.**

a. **Application No. 5-01-105 (Conway, Los Angeles)** Staff recommended approval with special conditions.

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

CENTRAL COAST DISTRICT

4. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Grove reported on matters not requiring public hearings, and on comments from the public. Joseph Bileci Jr., attorney representing Lobos Lodge, submitted a request to speak in opposition to the waiver for the Tally Ho Inn. John Thodos, representing Tally Ho Inn, submitted a request to speak in favor of the project.

5. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 7a & b to the Calendar, and recommended approval with special conditions.

(7b) Paul Baldacci spoke in favor of the project. D. Dilworth, representing HOPE, spoke in opposition to the project.

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

6. **NEW APPEALS.**

a. **Appeal No. A-3-99-93 (MBARI, Monterey Co.) Postponed.**

b. **Appeal No. A-3-01-18 (Gonyer, San Luis Obispo Co.)** Staff recommended that the appeal raised no substantial issue.

Ken Renshaw submitted a request to speak in opposition to the project. Joyce Renshaw submitted a request to speak in opposition to the project. John Gonyer spoke in favor of the project.

Motion & Vote on No Substantial Issue: Desser moved to find that the appeal raised no substantial issue, seconded by Orr, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. **Failed.**

c. **Appeal No. A-3-01-34 (Rogers, Santa Cruz Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

d. **Appeal No. A-3-01-35 (Felos, Monterey Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

e. **Appeal No. A-3-01-40 (Brett, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

f. **Appeal No. A-3-01-41 (Cypress Point Club, Monterey Co.)** **Postponed.**

7. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-98-113 (Santa Cruz Port District, Santa Cruz)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 3-01-13 (Baldacci, Pacific Grove)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 3-01-19 (Monterey Co. Water Agency)** **Postponed.**

8. **CONDITION COMPLIANCE on Permit No. 3-83-76-A13 (UCSC Long Marine Lab., Santa Cruz)** **Postponed.**

9. **FINDINGS.**

a. **Application No. A-3-00-33 (Hinman & Skees, Santa Cruz Co.)** Staff recommended approval of findings as modified orally.

Ed Davidson submitted a request to speak in favor of the project. D. Dilworth submitted a request to speak in opposition to the project.

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

b. **Permit No. 4-82-300-A5 (Parks & Rec., San Luis Obispo Co.)** Staff recommended approval of findings.

Tarren Collins, representing Santa Lucia Chapter of Sierra Club, submitted a request to speak in favor of the project. Gordon Hensley, representing EDC, submitted a request to speak in favor of the project. Kim Kammer, representing CORVA, submitted a request to speak in favor of the project. Rick LeFlore & Dennis Doberneck,

representing California Dept. of Parks & Recreation, submitted a request to speak in favor of the project. Guy Blase submitted a request to speak in opposition to the project. Jim Suty, representing Friends of Oceano Dunes, submitted a request to speak in opposition to the project. Karen Suty submitted a request to speak in opposition to the project. Joel Suty submitted a request to speak in opposition to the project.

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

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. **Long Beach Port Plan Amendment No. 16 Certification Review.** Staff recommended concurrence with the Executive Director.

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

b. **Manhattan Beach LCP Amendment No. 2-00 Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

c. **Redondo Beach Plan Amendment No. 1-00 Certification Review.** Staff recommended concurrence with the Executive Director. 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 items 13c & 14a to the Calendar, and recommended approval with special conditions.

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

12. **NEW APPEAL.**

a. **Appeal No. A-5-01-111 (Genesis, Long Beach)** 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.

George Medak, representing Genesis Real Estate, submitted a request to speak in favor of the project. Dennis Apodaca submitted a request to speak in opposition to the project. Lester M. Denevan submitted a request to speak in opposition to the project. James Mewes submitted a request to speak in opposition to the project. Ron Selge submitted a request to speak in opposition to the project.

13. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-00-11 (3 Arch Bay CSD, Laguna Beach)** **Withdrawn.**

b. **Application No. 5-00-452 (Cowan, Newport Beach)** Staff recommended approval with special conditions as modified orally.

Jay Cowan spoke in favor of the project.

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

c. **Application No. 5-00-492 (Palm, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-00-501 (Brue, San Clemente)** Staff recommended approval with special conditions as modified in addendum and orally.

Rod & Susan Brue submitted a request to speak in favor of the project. Allen Bell, representing the applicants, submitted a request to speak in favor of the project.

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

e. **Application No. 5-01-31 (Greene, Santa Monica)** Staff recommended approval with special conditions.

Steve Potter, representing the applicant, submitted a request to speak in favor of the project.

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

f. **Application No. 5-01-114 (Redondo Beach parking fees)** Staff recommended approval with special conditions as modified in addendum.

Lou Garcia, representing City of Redondo Beach, submitted a request to speak in favor of the project.

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

14. PERMIT AMENDMENT.

a. **Permit No. 5-99-386-A (Straight, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

15. FINDINGS.

a. **Application No. 5-00-257 (Cencak, Seal Beach)** Staff recommended approval of findings.

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

PUBLIC STATEMENTS. Lester M. Denevan said the State Lands Commission had concerns about the Queensway Bay project. Babak Naficy, representing EDC representing Sierra Club, said the Department of Parks & Recreation operation of Oceano Dunes did not comply with the endangered species laws. Janie Figen, representing Sierra Club CA, submitted a request to speak. David Dilworth, representing Helping Our Peninsula's Environment, said a 17-year-old condition was never complied with on the Spanish Bay project in Pebble Beach. Mark Massara, representing Sierra Club, spoke against vehicles on Oceano Dunes and to protect snowy plovers. Tarren Collins, representing Santa Lucia Chapter of Sierra Club, said the beach needs to be closed at Oceano. Gordon Hensley, representing EDC,

recommended that staff investigate Oceano Dunes situation and report on possible violations. J. Cowan said the City of Newport Beach should compensate the private property owners in order to increase public use of the bluff area. Jeff Yazel spoke about the history of court decisions addressing the constitutionality of the Commission. Ed Davidson said the Commission should consider adequate public access provisions in the City of Santa Cruz's upcoming LCP amendment. Charles Paulden, representing People for Preservation of Pleasure Point, said the community supported increased acquisition of habitat area next to Corcoran Lagoon.

RECESS. The Commission recessed for the day at 1:05 p.m.

Tuesday, May 8, 2001 pages 8 to 13

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, May 8, 2001, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, Desser, Dettloff, Kruer, McCoy, (Alternate) Orr and (Alternate) Weinstein. Absent: Estolano, Hart, Neal, Reilly and Sanders. Woolley arrived at 10:10 a.m. Sweeney arrived at 11:25 a.m. (Alternate) Lee arrived at 11:35 a.m.

SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a & b on page 8 of the Meeting Notice. Staff recommended approval with special condition.

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

SOUTH CENTRAL COAST DISTRICT

4. **CONSENT CALENDAR.** See items a through c on page 8 of the Meeting Notice. 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.**

SAN DIEGO COAST DISTRICT

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

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

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

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

a. **San Diego LCP Amendment No. 6-2000-B (Second Quarterly Update of LDC).** Staff recommended approval.

Motion & Vote to Reject Implementation: There being no speakers, Kruer moved to reject the implementation amendment as submitted, seconded by Desser, and Chairman Wan ruled that the vote was unanimous in opposition to the motion. The motion failed so the amendment was **approved.**

b. **Imperial Beach LCP Amendment No. 1-01 (Churches & Secondhand stores).** Staff recommended approval with suggested modifications.

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

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

8. **NEW APPEAL.**

a. **Appeal No. A-6-01-47 (Conway & Associates, Encinitas) Postponed.**

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-00-165 (Vicino, Solana Beach) Moved to expanded Consent Calendar. Approved.**

b. **Appeal No. A-6-01-20 (Thoryk Architecture, Carlsbad)** Staff recommended approval with special conditions.

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

c. **Application No. 6-01-37 (CRV Stallions Crossings, San Diego)** Staff recommended approval with special conditions.

Claudia Troisi, representing the applicant, spoke in favor of the project. Robert Bennett, representing SeaCountry Homes, submitted a request to speak in favor of the project. William Yen, representing Evangelical Formosan Church of San Diego, spoke concerning the project. Michael Chiang, representing Evangelical Formosan Church of San Diego, spoke concerning the project.

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

d. **Application No. 6-01-46 (Harden, San Diego)** **Postponed.**

e. **Application No. 6-01-64 (NCTD passing track)** Staff recommended approval with special conditions.

Hayley Peterson & Bruce Smith, both representing North County Transit Development Board, submitted requests to speak in favor of the project.

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

SOUTH CENTRAL COAST DISTRICT

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

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (14a, f, g & l) to the Calendar, and recommended approval with special conditions.

(14l) Viviana L. Heger, representing ARCO Products Co., submitted a request to speak in favor of the project.

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

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

a. **Oxnard LCP Amendment No. 1-00 (Northshore at Mandalay Bay) Time Extension.** Staff recommended approval.

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

13. **NEW APPEALS.**

a. **Appeal No. A-4-01-21 (St. George, Santa Barbara 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.

b. **Appeal No. A-4-01-22 (St. George, Santa Barbara 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.

14. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-99-231 (Reik, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 4-99-239 (Sol Brothers, Malibu)** **Postponed.**

c. **Application No. 4-00-55 (Stark, Los Angeles Co.)** Staff recommended approval with special conditions.

Jonathan Stout, representing the applicants, spoke in favor of the project.

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

Woolley arrived during the following item.

d. **Application No. 4-00-131 (Fioramonti, Los Angeles Co.)** Staff recommended approval with special conditions.

Dan Freeman spoke in favor of the project. Randi Johnson spoke in favor of the project. Glory Fioramonti spoke in favor of the project. Kevin S. Reed, representing the applicant, spoke in favor of the project.

Motion: Desser moved staff recommendation, seconded by Orr.

Amending Motion & Vote: Desser moved to allow the stairs and paving, seconded by Orr, and the roll call vote was 3 in favor (Desser, Orr & Weinstein) and 5 opposed (Deffloff, Kruer, McCoy, Woolley & Wan). **Failed.**

Amending Motion & Vote: Kruer moved to retain the stairs, seconded by Woolley, and the roll call vote was 7 in favor and 1 opposed (Wan). **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 8 in favor and 0 opposed. **Passed.**

e. **Application No. 4-00-183 (Sekerka, West & Lee, Malibu)** **Postponed.**

f. **Application No. 4-00-195 (Simons & Rundel, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-00-196 (Simons, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-00-229 (Purucker, Malibu)** **Postponed.**

i. **Application No. 4-00-234 (Rochester Fund I, Malibu) Postponed.**

j. **Application No. 4-00-259 (Herzig, Malibu) Postponed.**

k. **Application No. 4-00-278 (Hirsch, Los Angeles Co.) Postponed.**

l. **Application No. 4-01-52 (ARCO, Malibu) Moved to expanded Consent Calendar. Approved.**

m. **Appeal No. A-4-00-78 (Bauman, Ventura Co.)** Staff recommended approval with special conditions.

Don W. Schmitz II, representing Paul Betoulliere, spoke in favor of the project.

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

ENFORCEMENT

15. **ENFORCEMENT REPORT.** Chief of Enforcement Roach reported on the Statewide Enforcement Program.

16. **COMMISSION CEASE & DESIST ORDER No. CCC-01-CD-1 (Rubinroit, Los Angeles Co.)** Staff recommended approval of the Order.

Howard Rubinroit spoke in favor of the project.

Motion & Vote: Orr moved staff recommendation, seconded by Woolley, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

REPORT of CLOSED SESSION. In closed session the Commission took action on CCC v. Furmanski, et al., and discussed three other matters for information only.

RECESS. The Commission recessed for the day at 12:05 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, May 9, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dean, Desser, Dettloff, Kruer, McCoy, Nava, Reilly and Woolley. Absent: Neal and Sanders. Sweeney and (Alternate) Lee arrived at 9:15 a.m. Hart arrived at 9:40 a.m. Estolano arrived at 10:10 a.m.

STATEWIDE

3. **APPROVAL OF MINUTES.** The minutes of March and April 2001 were unanimously approved.
4. **COMMISSIONERS' REPORTS.** Informational only.
5. **CONSERVANCY REPORT.** A written report was distributed.
6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only
8. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation.
 - a. **2002 Meeting Schedule.** Staff recommended approval.

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

b. **Periodic Review of Certified LCPs.** Staff recommended San Mateo County for the next periodic review.

Vic Holanda, Plan'g Dir. San Luis Obispo County, spoke. James Colangelo spoke representing Monterey County. Mark Massara spoke.

Chairman Wan ruled that the Commission continued to support Monterey County for the next periodic review.

c. **Legislation.** Staff recommended neutral on SB 516. Chairman Wan ruled that the vote was unanimous. Staff recommended support of SB 908 if amended.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

9. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Executive Director Douglas reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

10. **SONGS Status.** The written report was mailed prior to the meeting.

STATEWIDE

11. **FEDERAL CONSISTENCY REPORT.** Executive Director Douglas reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

12. **FEDERAL CONSISTENCY.**

a. **CD-117-99 (Corps of Engineers, Santa Barbara) Postponed.**

b. **CD-23-01 (Air Force, Vandenberg AFB)** Staff recommended objection.

Lt. Col. Scott Westfall, representing USAF, 30SW @ VAFB, spoke in favor of the project and later revised the proposal. Steve Henry, representing U.S. Fish & Wildlife Service, spoke in opposition to the project. Tanya Gulesserian, representing Environmental Defense Center, submitted a request to speak in opposition to the project. Dilworth, representing Helping Our Peninsula's Environment, spoke in opposition to the project.

Motion & Vote: Reilly moved approval of the revised proposal, seconded by Hart, and Chairman Wan ruled that the vote was unanimous. **Passed.**

c. **CD-25-01 (Navy, San Diego)** Staff recommended approval.

Wayne Murphy, representing U.S. Navy PMS465, spoke in favor of the project.

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

d. **CD-28-01 (Corps of Engineers, Long Beach)** Staff recommended objection.

Jim Fields, representing US Army Corps of Engineers, spoke in favor of the project. Dennis Eschen, representing City of Long Beach, spoke in favor of the project.

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

e. **CD-31-01 (Navy, San Diego)** Staff recommended approval.

Capt. Len Hering, representing Dept. of the Navy, spoke in favor of the project. Nine other speakers, all representing Dept of the Navy, submitted requests to speak in favor of the project: David Nelson, Grace Peñapuerta, Perry Sobel, Andrew Lissner, Brian Gordon, Soliman Labrador, Carol Davis, Mitch Perdue, and Cdr. Cliff Maurer.

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

CENTRAL COAST DISTRICT

13. DEPUTY DIRECTOR'S REPORT.

a. **Carmel LCP Progress.** Mayor Sue McCloud, Councilmember Barbara Livingston, Ralph Tober, and David Dilworth commented on City of Carmel-by-the-Sea's progress to complete a Local Coastal Program. Jim Wright, David Marada, Melanie Bilig, Enid Sales, and Anne Bell submitted requests to speak in opposition to the project.

PUBLIC STATEMENTS. David Dilworth, representing Helping Our Peninsula's Environment, said that power plant cooling water would heat Monterey Bay. Jay R. Murray spoke about deployment of LFAs.

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

REPORT of CLOSED SESSION: In closed session the Commission took action on Marine Forests Society, et al. v. CCC, CA State Lands Commission and Marine Forests Society, et al. v. CCC, CA Dept. of Fish & Game, et al.

RECESS. The Commission recessed for the day at 1:50 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, May 10, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dean, Desser, Dettloff, Hart, Kruer, (Alternate) Ruddock, Nava, Reilly and Woolley. Absent: Neal, Sanders and Sweeney. Estolano and (Alternate) Lee arrived at 9:20 a.m.

CENTRAL COAST DISTRICT

3. DEPUTY DIRECTOR'S REPORT.

Desser left the meeting during the following item.

- a. **Carmel-by-the-Sea Status Report.** Staff presented alternatives for processing coastal permits.

Mayor Sue McCloud, representing Carmel by the Sea, spoke in favor of Option 1. Chip Rerig & Brian Roseth, both representing City of Carmel, submitted requests to speak in favor of the project. Carmel City Attorney Don Freeman spoke in favor of the project. Clay Berling spoke in favor of the project. David Marada spoke in favor of a moratorium on demolitions. Jim Wright spoke in favor of the protection of resources. Barbara Livingston spoke in opposition to Option 1. Claudine Van Vleet, representing Carmel Preservation Fdn., spoke in opposition to the demolitions. Enid Sales, representing Carmel Preservation Fdn., spoke in favor of Option 2. Dilworth, representing Helping Our Peninsula's Environment, spoke in favor of option 2 plus incentives to complete the LCP. Sheryl McKenzie, representing Monterey County Assoc. of Realtors, submitted a request to speak in favor of the project. Carla Belgrano Ramsey submitted a request to speak in favor of the project.

Motion & Vote: Reilly moved to direct staff to develop criteria based on option 2 and other parts of the report, seconded by Hart, and the hand vote was 11 in favor and 0 opposed. **Passed.**

4. COASTAL PERMIT APPLICATION.

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

NORTH CENTRAL COAST DISTRICT

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

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 9c & 10a to the Calendar, and recommended approval with special conditions.

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

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

a. **San Mateo Co. LCP Amendment No. SMC-MAJ-3-00-A (Residential Standards).**
Postponed.

8. **NEW APPEALS.**

a. **Appeal No. A-2-00-10 (Pacifica reveitment)** 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.

Jim Farnsworth spoke in favor of the project. J. Kevin O'Neil spoke in favor of the project. Scott Holmes, representing City of Pacifica, spoke in favor of the project. Mary Devitt submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Patrick O'Brien & Mike Ferreira both submitted requests to speak in opposition to the project.

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

b. **Appeal No. A-2-01-8 (Mahon, San Mateo Co.) Postponed.**

Desser returned to the meeting before the following item.

c. **Appeal No. A-2-01-11 (Keenan Land, Half Moon Bay)** Staff recommended that the permit was appealable.

Bill Crowell, representing the applicant, spoke in favor of the project. Annie Mudge, representing Keenan Land (Beachwood Subdivision), spoke in opposition to the staff recommendation. Michael Ferreira spoke in opposition to the project. Patrick O'Brien submitted a request to speak in opposition to the project.

Motion & Vote on Appealability: Nava moved to find that the permit was appealable, seconded by Estolano, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

Staff recommended that the appeal raised substantial issue. There being more than 3 votes to consider no substantial issue, Chairman Wan opened the hearing on substantial issue.

Michael Ferreira spoke in opposition to the project. Annie Mudge, representing Keenan Land (Beachwood Subdivision), spoke in opposition to the staff recommendation.

Motion & Vote on No Substantial Issue: Desser moved to find that the appeal raised no substantial issue, seconded by Nava, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

9. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-2-SMC-99-66 (Lee, San Mateo Co.)** **Postponed.**

b. **Application No. 2-00-9 (Pacifica revetment)** Staff recommended approval with special conditions.

The hearing was combined with item 8a above, and **continued.**

c. **Application No. 2-00-23 (Bollinas Rod & Boat Club, Marin Co.)** Moved to expanded Consent Calendar. **Approved.**

10. **PERMIT AMENDMENT.**

a. **Permit No. 3-88-90-A (Amesport Landing, Half Moon Bay)** Moved to expanded Consent Calendar. **Approved.**

REPORT of CLOSED SESSION. In closed session the Commission took action on Cole v. County of Santa Barbara, Morro Bay Mini Storage, Inc. v. CCC, Coalition to Save the Marina, Inc. v. CCC, a County of Sonoma matter regarding old maps, and discussed three other matters for information only.

RECESS. The Commission recessed for the day at 12:50 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, May 11, 2001, at 9:00 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Hart, (Alternate) Ruddock, Nava, Reilly and Woolley. Absent: Dean, Estolano, Krueer, McClain-Hill, Neal, Sanders and Sweeney.
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NORTH COAST DISTRICT

3. **DEPUTY DIRECTOR'S REPORT.** District Manager Merrill reported on matters not requiring public hearings, and on comments from the public.
 - a. **Crescent City LCP Amendment No. 1-00 (Del Norte Healthcare) Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**
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4. **CONSENT CALENDAR (removed from Regular Calendar).** None.
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5. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-00-32 (Caltrans, Mendocino Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Doris Alkebulan, representing Caltrans, spoke in favor of the project.

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

- b. **Appeal No. A-1-00-33 (Del Norte Healthcare District, Crescent City)** Postponed.
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6. **PERMIT AMENDMENT.**

a. **Permit Nos. 1-98-100-A & A-1-99-6-A (Caltrans, Fort Bragg)** Staff recommended approval with special conditions as modified orally.

Doris Alkebulan, representing Caltrans, spoke in favor of the project. Guy Preston, representing Caltrans, spoke in favor of the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Vince Taylor, representing Dharma Cloud, spoke in opposition to the project.

Motion & Vote on 1-98-100-A: Reilly moved staff recommendation on 1-98-100-A, seconded by Dettloff, and the roll call vote was 7 in favor and 2 opposed (Nava & Wan). **Passed.**

Motion & Vote on A-1-99-6-A: Woolley moved staff recommendation on A-1-99-6-A, seconded by Dettloff, and Chairman Wan substituted the previous roll call vote (7-2). **Passed.**

7. **FINDINGS.**

a. **Appeal No. A-1-00-28 (Jones, Mendocino Co.)** Staff recommended approval of findings.

Motion & Vote: There being no speakers, Reilly moved staff recommendation, seconded by Potter, and the hand vote was 6 in favor and 0 opposed. **Passed.**

8. **NEW APPEAL.**

a. **Appeal No. A-1-01-22 (Humboldt Area Foundation, Humboldt Co.)** **Postponed.**

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

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

