

CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF JUNE 13-16, 2000**
Radisson Hotel-Santa Barbara
1111 East Cabrillo Blvd.
Santa Barbara

Tuesday, June 13, 2000 pages 1 to 11

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, June 13, 2000, at 10:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, Desser, Dettloff, Estolano, Hart, (Alternate) Kruer, Nava, Neal, (Alternate) Rose, Sanders, Sweeney and Woolley. Absent: Potter. McClain-Hill arrived at 10:25 a.m.. Daniels arrived at 10:55 a.m..

SOUTH CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through c on page 3 of the agenda. Item b was waived. Staff recommended approval with special conditions on the remainder of the Calendar.

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

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4. **APPROVAL OF MINUTES.** The minutes of May 2000 were unanimously **approved**.
5. **COMMISSIONERS' REPORTS.** None.
6. **CONSERVANCY REPORT.** The informational report was written.
7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
8. **DEPUTY ATTORNEY GENERAL'S REPORT.** None.
9. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Legislation.** Trailed until Wednesday and also Friday.

Motion: On Wednesday, McClain-Hill moved to support AB 2310 as amended, seconded by Hart.

Amending Motion & Vote: Estolano moved to take a neutral position on AB 2310, seconded by Nava, and the roll call vote was 3 in favor (Estolano, Nava & Wan) and 7 opposed. **Failed.**

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

Motion & Vote: On Friday, Reilly moved to oppose SB 2086 unless modified, seconded by Hart, and Chairman Wan ruled that the vote was unanimous. **Passed.**

Eric Cardenas, representing Environmental Defense Center, spoke in opposition to SB 241.

Motion & Vote: Reilly moved to oppose SB 241 unless amended, seconded by Potter, and the hand vote was 8 in favor and 1 opposed. **Passed.**

b. **2001 Meeting Schedule.** Staff recommended approval as modified orally. Mark Massara, representing Sierra Club, submitted a request to speak. Chairman Wan ruled that the vote was unanimous. **Approved.**

10. **INTERPRETIVE GUIDELINES.** Staff recommended rescission of part of the guidelines.

Howard Zelefsky, representing City of Huntington Beach, submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. Nancy Donaven, representing Bolsa Chica Land Trust, submitted a request to speak in favor of the staff recommendation.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

11. **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. **Guadalupe Oil Field Remediation Status Report.** Informational only.

b. **Briefing on Removal of Mr. Clean II.** Staff recommended approval.

Darryle Waldron, representing Clean Seas, LLC, submitted a request to speak in favor of the project. Jim Grant, representing Department of the Interior, Minerals Management Service, submitted a request to answer questions.

Chairman Wan ruled that the staff recommendation was unanimously **approved.**

Desser was not present for the following item.

c. **Briefing on Duke Energy's Proposal to Upgrade Moss Landing Power Plant.** Informational only. Kirk Marckwald, representing Duke Energy, submitted a request to speak in favor of the staff recommendation. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

12. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. E-98-27 and CC-41-00 (PC Landing & PAC Landing, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Sharri Cook, representing Pacific Crossing, submitted a request to speak in favor of the project. Tarren Collins, attorney for San Luis Obispo County Chumash Council, submitted a request to speak. Kaitilin Gaffney, representing Center for Marine Conservation, 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.

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Motion & Vote on E-98-27: Estolano moved staff recommendation on E-98-27, seconded by Desser, and the roll call vote was 9 in favor and 2 opposed (Nava & Rose). **Passed.**

Motion & Vote on CC-41-00: Estolano moved staff recommendation on CC-41-00, seconded by Kruer, and Chairman Wan substituted the previous roll call vote (9-2). **Passed.**

PUBLIC COMMENT. Linda Hall spoke about the court decision on Vadnais. Alan Sanders described possible violations at Ormond Beach and showed slides of fill. Howard Zelefsky, representing City of Huntington Beach, did not speak. Vicky Finan, representing the Beacon Foundation, said the Navy held a press conference concerning its defiance of the Commission. Donley Falkenstien, representing Hermosa Beach Coastal Conservation Committee, said an unpermitted temporary event in Hermosa Beach used the largest structure ever. Tanya Gulesserian, representing Environmental Defense Center, suggested that Commissioners visit the La Entrada project site and described the court decision.

LUNCH RECESS. The Commission recessed for lunch at 1:30 and reconvened at 2:35 p.m..

b. **Application No. E-98-29 and CC-39-00 (AT&T, San Luis Obispo Co.)** Staff recommended denial.

Ellen Brain, representing AT&T, spoke in favor of the project. Chris Brungardt, representing AT&T, spoke in favor of the project. Four other speakers representing AT&T submitted requests to speak in favor of the project: Eric Wagner, Michael Dungan, James G. Murray, and Nancy Lucast. Randy Larsen, representing Joint Cable/Fisheries Liaison Committee, submitted a request to speak in favor of the project. Trudi O'Brien, representing Morro Bay Commercial Fishermen's Association, submitted a request to speak. Tarren Collins, attorney for San Luis Obispo County Chamber of Commerce, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Rhonda Virgil, representing San Luis Obispo County Chumash Council, spoke in opposition to the project. Jim Burroughs spoke in rebuttal.

Motion & Vote on E-98-29: Kruer moved approval of the application, seconded by McClain-Hill, and the roll call vote was 8 in favor, 2 opposed (Nava & Rose) and 1 abstention (Hart). **Passed.**

Motion & Vote on CC-39-00: Kruer moved approval of the consistency certification, seconded by Estolano, and Chairman Wan substituted the previous roll call vote (8-2-1). **Passed.**

13. **FINDINGS.**

a. **Permit No. E-98-29 and CC-39-00 (AT&T, San Luis Obispo Co.)** Staff recommended approval of findings.

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

14. **SONGS Status.** The report was written.

ENFORCEMENT

15. **Commission Cease & Desist Order No. CCC-00-CD-3 (Birenbaum)** Staff recommended approval.

Sam Birenbaum spoke in favor of the project and postponement. Steven Karl Karsh spoke. Mark Massara spoke in favor of the staff recommendation. Nidia Birenbaum spoke in opposition to the staff recommendation.

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

SOUTH CENTRAL COAST DISTRICT

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

17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (23e, f & h) to the Calendar, and recommended approval with special conditions.

(23e) Steve Potter, representing the applicant, submitted a request to speak in favor of the project. (23f) Ellen Geer, representing Geer Theatricum, submitted a request to speak in favor of the project.

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

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

a. **UCSB LRDP Amendment No. 1-2000.** Staff recommended approval with suggested modifications.

Tye Simpson, representing University of California Santa Barbara, submitted a request to speak in favor of the staff recommendation.

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

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

19. **NOTICES of IMPENDING DEVELOPMENT.**

a. **UCSB Notice of Impending Development No. 3-00.** Staff recommended approval with special conditions.

Tye Simpson, representing University of California Santa Barbara, submitted a request to speak in favor of the staff recommendation.

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

b. **UCSB Notice of Impending Development No. 1-00.** Staff recommended approval with special conditions.

Tye Simpson, representing University of California Santa Barbara, submitted a request to speak in favor of the staff recommendation.

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

20. **NEW APPEALS.**

a. **Appeal No. A-4-00-78 (Bauman, Ventura 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.

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b. **Appeal No. A-4-00-104 (Otto, Ventura Co.) Withdrawn.**

21. **RESCISSION of Permit No. 4-96-172 (Olson, Malibu) Postponed.**

22. **RESCISSION of Permit No. 4-97-15 (Sayles, Malibu) Postponed.**

23. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-97-220 (Monkarsh, Malibu)** Staff recommended approval with special conditions.

Alan Block, representing the applicant, spoke in favor of the staff recommendation.

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

b. **Application No. 4-99-213 (La Chusa Highlands, Malibu) Postponed.**

c. **Application No. 4-00-14 (Newlon, Malibu) Postponed.**

d. **Application No. 4-00-16 (Sitrick, Malibu) Postponed.**

e. **Application No. 4-00-17 (Greene, Malibu)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 4-00-25 (Geer Theatricum, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-00-30 (Unger, Malibu)** Staff recommended approval with special conditions and denial in part.

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

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h. **Application No. 4-00-64 (Mastoras, Malibu)** Moved to expanded Consent Calendar. **Approved.**

Nava & Sanders left the meeting at 5 p.m. during the following item.

i. **Application No. 4-00-118 (Santa Barbara Co. Parks, Goleta Beach riprap removal)** Staff recommended approval with special conditions.

Jennifer Briggs, representing the applicant, spoke in favor of the project. Brian Trautwein, representing Environmental Defense Center, spoke in favor of removal of the project. John Patton, representing Santa Barbara County Planning & Development, submitted a request to speak in favor of the project. Alan Seltzer, Chief Deputy County Counsel, submitted a request to speak to answer questions.

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

24. PERMIT EXTENSION.

a. **Permit No. 4-97-71-E (Megdal, Malibu)** Staff recommended approval.

Ron Goldman submitted a request to speak in favor of the staff recommendation. Marny Randall submitted a request to speak in favor of the staff recommendation.

There being no objection, Chairman Wan ruled that the permit be extended. **Approved.**

25. FINDINGS.

a. **Application No. A-4-99-119 (Clemens & Loeks, Carpinteria)** Staff recommended approval of findings.

Fred Gaines, representing the applicants, spoke in favor of the staff recommendation. Andrea Marcus, representing Vince Mezzio, submitted a request to speak. Gerald B. Velasco submitted a request to speak in opposition to the project.

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

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b. **Application No. 4-99-169 (Trento, Malibu)** Staff recommended approval of findings.

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

c. **Application No. 4-99-266 (Daly, Malibu)** Staff recommended approval of findings.

Elizabeth Watson, representing Gamma Family Trust, submitted a request to speak in favor of the project. Craig Knickerbocker, representing the applicant, submitted a request to speak in favor of the project.

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

d. **Permit No. 4-99-146-A2 (Gamma, Malibu)** Staff recommended approval of findings.

Elizabeth Watson, representing Gamma Family Trust, submitted a request to speak in favor of the project.

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

e. **Permit No. 4-99-185-A (Broad, Malibu)** Staff recommended approval of findings.

Elizabeth Watson, representing Gamma Family Trust, submitted a request to speak in favor of the project.

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

f. **Permit No. 4-99-266-A (Daly, Malibu)** Staff recommended approval of findings.

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

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26. **REVOCAION of Permit No. A-4-99-119 (Clemens, Carpinteria)** Staff recommended that the permit not be revoked.

Gerald B. Velasco spoke in opposition to the project. Andrea Marcus, representing Vince Mezzio, spoke. Fred Gaines, representing the applicants, spoke in favor of the project.

Motion & Vote: Daniels moved to revoke the permit, seconded by Estolano, and the roll call vote was 0 in favor, 9 opposed and 1 abstention (Hart). **Failed.**

STATEWIDE

Hart left the meeting at 5:35 p.m., during the following item.

27. **TEMPORARY EVENTS.** Staff recommended continuation of the current guidelines.

Donald Ito, representing California State Parks, submitted a request to speak in favor of the staff recommendation. Donley Falkenstien, representing Hermosa Beach Coastal Conservation Committee, submitted a request to speak in opposition to the staff recommendation. Mark Massara submitted a request to speak,

Motion & Vote: Woolley moved staff recommendation, seconded by McClain-Hill, and the hand vote was 7 in favor and 2 opposed. **Passed.**

SAN DIEGO COAST DISTRICT

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

a. **San Diego LCP (De minimus) Amendment No. 1-2000 (Emergency Shelters & Transitional Housing Ordinance).** 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. **Imperial Beach LCP Amendment No. 1-99 Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

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29. LOCAL COASTAL PROGRAMS (LCPs).

a. Carlsbad LCP Amendment No. 2-99D (Kelly Ranch). Postponed.

b. **San Diego Port District Boundary Adjustment #4**. Staff recommended approval.

Ralph Hicks, representing the Port of San Diego, submitted a request to speak in favor of the staff recommendation.

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

RECESS. The Commission recessed for the day at 6:25 p.m..

Wednesday, June 14, 2000 pages 12 to 20

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, June 14, 2000, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Dean, Dettloff, Estolano, Hart, (Alternate) Kruer, Nava, Neal, Reilly, Sweeney and Woolley. Absent: Sanders. McClain-Hill arrived at 9:20 a.m., and Desser arrived at 10 a.m..

SAN DIEGO COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 10 of the agenda. Staff recommended approval with conditions.

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

4. **CONSENT CALENDAR.** See items a & b on page 10 of the agenda. Staff recommended approval with special conditions.

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

CENTRAL COAST DISTRICT

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Grove reported on comments from the public.
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During the following item Kruer left at 9:45 a.m., and Desser arrived.

- a. **Watsonville MOU.** Staff recommended approval.

Rodney Brooks, representing PVUSD School Board, submitted a request to speak in favor of the project. John Casey, representing PVUSD, submitted a request to speak in favor of the project. Harold Freiman, representing Pajaro Valley Unified S.D., submitted

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a request to speak in favor of the project. William Yahiro, representing Pajaro Valley Unified Schools, submitted a request to speak in favor of the project. Royce D. Stouffer submitted a request to speak in opposition to the project. Bernard Feldman submitted a request to speak in opposition to the staff recommendation. Mark A. Massara, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation. Sandra Nichols submitted a request to speak in opposition to the staff recommendation. Patricia O'Hara submitted a request to speak in opposition to the staff recommendation. Bill Parkin, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation. Amanda Previtali, representing Committee for a Safe High School Site, submitted a request to speak in opposition to the staff recommendation. Sylvia Previtali, representing Committee for a Safe High School Site, submitted a request to speak in opposition to the staff recommendation. Peter Nichols, representing Telling the Truth.com, submitted a request to speak in favor of no action.

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

6. FINDINGS.

a. **Watsonville LCP Amendment No. 1-99 (PVUSD High School).** Staff recommended approval of findings as modified orally.

Fred Keeley, Speaker Pro Tem, California Assembly, spoke in favor of the staff recommendation. Rodney Brooks, representing PVUSD School Board, submitted a request to speak in favor of the project. John Casey, representing PVUSD, submitted a request to speak in favor of the project. Harold Freiman, representing Pajaro Valley Unified S.D., submitted a request to speak in favor of the project. Oscar Rios, representing City of Watsonville, submitted a request to speak in favor of the project. William Yahiro, representing Pajaro Valley Unified Schools, submitted a request to speak in favor of the project. Bernard Feldman submitted a request to speak in opposition to the staff recommendation. Mark A. Massara, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation. Sandra Nichols submitted a request to speak in opposition to the staff recommendation. Patricia O'Hara submitted a request to speak in opposition to the staff recommendation. Bill Parkin, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation. Sylvia Previtali, representing Committee for a Safe High School Site, submitted a request to speak in opposition to the staff recommendation. Peter Nichols, representing Telling the Truth.com, submitted a request to speak in favor of no action.

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

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7. PERMIT AMENDMENT.

a. Permit No. 3-93-64-A (Youssef, Pacific Grove) Withdrawn.

PUBLIC COMMENTS. Jeanette Y. Merrilees, representing Sierra Club Task Force on Crystal Cove State Park, objected to the plan for Crystal Cove resort. Bill Parkin objected to intensification of a biotechnology goat farm in Santa Cruz County.

LUNCH RECESS. The Commission recessed for lunch at 12:15 and returned at 2:10 p.m. after closed session. Dean left during the break.

REPORT of CLOSED SESSION. In closed session the Commission took action on Steltenpohl, Bailey v. CCC, et al., the matter of Navy SWEF Radar, the matter of 2000 OAL Determination No. 9 and the matter of Santa Cruz Biotechnology, Inc.; and discussed one other matter for information only.

SAN DIEGO COAST DISTRICT

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

(10c) William Metz, architect for the applicant, submitted a request to speak in favor of the project.

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

9. NEW APPEAL.

a. **Appeal No. A-6-00-52 (Fleming, San Diego)** Staff recommended that the appeal raised substantial issue. There being no objection Chairman Wan ruled that the Commission **found substantial issue**. Chairman Wan opened the hearing on the merits of the project, and **continued** it to a future meeting.

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10. COASTAL PERMIT APPLICATIONS.

During the following item Estolano left at 2:30 p.m., and Neal left at 3:05 p.m..

a. **Appeal No. A-6-99-143 (Point Loma Nazarene University & Irving, San Diego)**
Staff recommended approval with special conditions.

Lynne Heidel, representing the applicant, submitted a request to speak in favor of the project. Craig Irving submitted a request to speak in favor of the project. Eric Naslund, representing the applicant, submitted a request to speak in favor of the project. Carolyn "Shammy" Dingus, representing Friends of Sunset Cliffs, 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. Ann Swanson, representing Sunset Cliffs Natural Park Recreation Council, submitted a request to speak in opposition to the project. Eric Swanson submitted a request to speak in opposition to the project.

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

b. **Application No. 6-00-12 (San Diego Mission Beach street improvements)**
Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-00-13 (Pinto, San Diego)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-00-33 (Lichty, San Diego)** Staff recommended approval with special conditions as modified orally.

Chris Cohen-Richards, representing Famosa Apts. Jack Lichty, submitted a request to speak in favor of the project. Robin M. Reynolds submitted a request to speak in opposition to the project. Susy Smith submitted a request to speak in opposition to the project.

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

11. **PERMIT AMENDMENT.**

a. **Permit No. 6-86-396-A4 (Lochtefeld, San Diego)** Staff recommended approval with special conditions.

Thomas Lochtefeld, the applicant, submitted a request to speak in favor of the project. Lorrie Baranek and Michael Powers, both representing MTV Networks, submitted requests to speak in favor of the project. Aundene Hugg, representing San Diego Film Commission, submitted a request to speak in favor of the project.

Motion: Nava moved staff recommendation, seconded by Potter.

Amending Motion & Vote: Hart moved to delete the parking restriction, seconded by Woolley, and the roll call vote was 7 in favor and 2 opposed (Daniels & Nava). **Passed.**

Vote on Main Motion: Chairman Wan ruled that the vote, on the main motion, as amended above, was unanimous. **Passed.**

12. **FINDINGS.**

a. **Application No. 6-99-79 (Klugherz, Solana Beach)** Staff recommended approval of findings.

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

STATEWIDE

13. **FEDERAL CONSISTENCY REPORT.** Division Supervisor Delaplaine reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

14. **FEDERAL CONSISTENCY.**

During the following item Sweeney left at 4:25 p.m..

a. **CD-50-00 (Corps of Engineers, Los Angeles)** Staff recommended approval.

Stephen Fine and Larry Smith, both representing U.S. Army Corps of Engineers, submitted requests to speak in favor of the staff recommendation. Gary Carderone, Ralph Appy, Larry Cattrill & Dave Mathewson submitted a request to speak in favor of

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the staff recommendation. Mitzy Taggart, representing Heal the Bay, submitted a request to speak in opposition to the project.

Motion & Vote to Continue: Daniels moved to continue the hearing, seconded by Nava, and the roll call vote was 6 in favor and 3 opposed (Dettloff, Hart & Reilly). **Passed.**

b. **CD-52-00 (EPA, Los Angeles)** Staff recommended approval.

Michael Montgomery, representing U.S. EPA, submitted a request to speak in favor of the staff recommendation. Larry Smith, representing U.S. Army Corps of Engineers, submitted a request to speak in favor of the staff recommendation. Mitzy Taggart, representing Heal the Bay, submitted a request to speak in favor of the project. Karl Lytz, representing Montrose Chemical Corp. of California, submitted a request to speak in opposition to the staff recommendation. John List, representing Montrose, submitted a request to speak in opposition to the staff recommendation. Jack W. Anderson, representing Chriscraft/Columbia Analytical, submitted a request to speak in opposition to the staff recommendation. Edward Kavazanjan, representing GeoSyntec Consultants, submitted a request to speak in opposition to the staff recommendation. Paul Singarella, representing Latham & Watkins/Montrose Chemical, submitted a request to speak in opposition to the staff recommendation. The item was trailed until Friday.

On Friday, Mike Montgomery, representing USEPA, submitted a request to speak in favor of the staff recommendation. Susan Paulsen, representing Flow Science (Montrose), submitted a request to speak in opposition to the staff recommendation. Edward Kavazanjan, representing GeoSyntec Consultants (Montrose), submitted a request to speak in opposition to the staff recommendation. Paul Singarella, representing L&W, submitted a request to speak in opposition to the staff recommendation. Jack W. Anderson, representing Columbia Analytical (Chriscraft), submitted a request to speak in opposition to the staff recommendation. Jose Allen, representing Chris Craft Industries, Inc., submitted a request to speak in opposition to the staff recommendation.

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

c. **ND-38-00 (Army Corps, Los Angeles)** Informational report only.

d. **ND-51-00 (Army Corps, Los Angeles)** Informational report only.

DINNER RECESS. The Commission recessed for dinner at 6:10 and returned at 7:40 p.m..

SOUTH COAST DISTRICT

15. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee reported on matters not requiring public hearings, and on comments from the public. Susan Grossman, representing Romancing the Sun, submitted a request to speak in favor of the project.

a. **Huntington Beach LCP (Minor) Amendment No. 2-98B.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (17a, 17c & 17g) to the Calendar, and recommended approval with special conditions.

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

17. **COASTAL PERMIT APPLICATIONS.**

a. **Applications No. 5-99-150 & 5-99-382 (San Clemente Pier repair)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 5-99-206 (Smith & Swinden, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

Russ Alley, representing the applicants, submitted a request to speak in favor of the project.

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

c. **Application No. 5-99-432 (Nichols, Laguna Beach)** Moved to expanded Consent Calendar. **Approved.**

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d. **Appeal No. A-5-00-78 (5 Star Resort, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

Kathleen Blackburn, Mayor, City of Laguna Beach, submitted a request to speak in favor of the project. Ken Frank, representing City of Laguna Beach, submitted a request to speak in favor of the project. Paul Freeman, Mayor Pro Tem, representing City of Laguna Beach, submitted a request to speak in favor of the project. Ilse Lenschow, acting chair of Design Review Board, submitted a request to speak in favor of the project. Wayne Peterson, representing Laguna Beach City Council, submitted a request to speak in favor of the project. Three speakers representing Laguna Beach Planning Commission, submitted requests to speak in favor of the project: Bob Chapman, Cheryl Kinsman and Gregory Vail. Seventeen other speakers submitted requests to speak in favor of the project: Tom Ahern, representing Laguna Beach Chamber of Commerce; Gary Alstot, representing Laguna Beach Taxpayers Assoc., Inc.; Garry Brown, representing Orange County Coastkeeper; Tony Ciabattoni; Dave Connell, representing Safety & View Preservation; Bobbi Cox; Warren Daniel; Sheila Lawson; Ann McDonald, representing North Laguna Community Assn.; Ann Quilter, representing J.P. Pipkin; Walker Reed; Frank Ricchiazzi; Morris Skenderian; Dick Varela; Roger von Butow, representing Clean Water Now; Rosemary Walli; and Scott C. Woodard, representing Clean Water Now Coalition & Whaleman Foundation. Sixteen speakers submitted requests to speak in opposition to the project: Eugene R. Atherton; Michael Beanan, representing South Laguna Civic Assoc. & O.C. Coastkeeper; Jeanie Bernstein, representing So. Laguna Civic Assoc.; Charlton Boyd, representing Village Laguna; Ann Christoph, representing Village Laguna; Ely Elliott; Elizabeth Erger, representing Village Laguna; G.A. Granger; Willa Gupta, representing So Laguna Civic Association; Arnold Hano, representing Village Laguna; Bonnie Hano; Toni Iseman, Laguna Beach City Council Member; Mark Massara, representing Sierra Club; Jeannette Y. Merrilees, representing Sierra Club-B.C. Conservation Committee; Barbara Metzger; and Ginger Osborne, representing South Laguna Civic Association.

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

e. **Appeal No. A-5-00-79 (5 Star Resort, Laguna Beach)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item d above.

Motion & Vote: Potter moved staff recommendation, seconded by Dettloff, and Chairman Wan substituted the previous roll call vote (9-0). **Passed.**

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f. **Application No. 5-00-80 (Laguna Beach & 5 Star Resorts)** Staff recommended approval with special conditions.

Michael Beanan, representing South Laguna Civic Assoc., submitted a request to speak about the project.

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

g. **Application No. 5-00-103 (San Clemente, storm drain)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 5-00-111 (Ballard, San Clemente)** Staff recommended denial.

Frank P. Montesinos, representing the applicants, submitted a request to speak in favor of the project. Lisa Stepanski, representing the applicants, submitted a request to speak in favor of the project. Jim Hare, representing City of San Clemente, submitted a request to speak in favor of the project. Eighteen speakers submitted requests to speak in opposition to the project: Arlene Button; Gary Button; Marilyn Conduiti; Frank E. Denison Jr.; Lois Downing; G. Wayne Eggleston; Pat Graves; Carol Hammond; Jon Hammond; Gerald Koger; Sue Koger; John Paez; Jerry Quinlan; Jack Schroeder; Janice Schroeder; Mark Schroeder; Mary Schroeder; and Evelyn Winkel.

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

i. **Application No. 5-99-205 (Catalina Express & Orange Co., Dana Point)** **Postponed.**

18. FINDINGS.

a. **Application No. 5-99-289 (Newport Mesa Schools, Newport Beach)** Staff recommended approval of findings.

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

RECESS. The Commission recessed for the day at 11:10 p.m..

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Thursday, June 15, 2000 - pages 21 to 29

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, June 15, 2000, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, Estolano, Nava, Poché, Reilly and Woolley. Absent: Neal, Sanders and Sweeney. Hart arrived at 9:10 a.m., McClain-Hill arrived at 9:35 a.m.; and (Alternate) Krueer arrived at 9:45 a.m..

SOUTH COAST DISTRICT

3. **CONSENT CALENDAR.**

a. **Application No. 5-00-137 (Westwind, Los Angeles)** Staff recommended approval with special conditions.

William Webb, representing the applicant, submitted a request to speak in favor of the project.

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

CENTRAL COAST DISTRICT

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through c on page 15 of the agenda. Staff recommended approval with special condition.

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

SOUTH COAST DISTRICT

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

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(8a) Wil Nieves, representing the applicant, submitted a request to speak in favor of the project. (8e) Ed Parsons, representing City of Long Beach, Dept. of Parks, Rec. Marine, submitted a request to speak in favor of the project.

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

6. LOCAL COASTAL PROGRAMS (LCPs).

a. **Venice Plan Time Extension.** Staff recommended approval.

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

b. **Huntington Beach LCP Amendment No. 1-2000 (Palm/ Goldenwest).** Staff recommended extension of the time limit for action.

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

c. **Long Beach LCP Amendment 1-99B Findings.** Staff recommended approval of findings.

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

7. NEW APPEAL.

a. **Appeal No. A-5-00-173 (Hartley, Los Angeles)** Staff recommended that the appeal raised substantial issue. There being only 1 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.

8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-99-431 (Irwin, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

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b. **Application No. 5-00-47 (Wilson, Los Angeles)** Staff recommended approval with special conditions.

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

c. **Application No. 5-00-93 (Catalina Island Camps, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-00-99 (Evans, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 5-00-156 (Long Beach, SCMA In-The-Water Boat Show)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 5-00-161 (Los Angeles, Venice storm drains)** Staff recommended approval with special conditions.

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

g. **Application No. 5-00-175 (Beach Charities, Long Beach)** Staff recommended approval with special conditions as modified orally.

Todd Wallin, representing Beach Charities, submitted a request to speak in favor of the project.

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

h. **Appeal No. A-5-00-28 (Getty, Los Angeles)** Staff recommended approval with special conditions as modified in addendum and orally.

Rick Zbur, Steve Rountree and Don Baker, all representing the applicant, submitted requests to speak in favor of the project. Sixty five other speakers submitted requests to speak in favor of the project: Florence Averre; Zel Babkis; Vendella Barnett, representing Neighborhood Youth Assn.; Ed Bryan; Paula Carroll; Renee Chanon; Hetti Czekalla; Ellen B. Drebin; Bill du Bois, representing PTA-Culver City Middle; Charlotte

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Dugdale; Cheri Kelson Faulk; Susan Feingold; Robert Finnerty; Doris Gilbert; Adly Girgis; Michael Grassi; Mervyn Griffiths; Kirsten Grimstad; E. Mark Hartman, representing Free Arts for Abused Children; Dr Lynn Hickey, representing Los Angeles Unified School District; Marit Jentoft-Nilsen; Frederick Kahn; Mira Karlovac; Candice Kelly; Dawson Kiang; Ronald Knechtli; Ruth Koch; Helena Krout; Mrs Wm. Layne; Lionel LeBel; Ethel Levine; Murray Levy; Rita S. Licht; W. Maguire; Elana Markus; Louise Martin; Betty Matzinger; Gerald Mayner; Lorimer McConnell; Paul McDermott; Larry McNamee; Michael W. Myer; Ursula M. Myer; Kenneth Nakama; Malcolm H. Neal; Susan Oakley; Barbara Papkoff; John Perkins; Mrs Berthé Rittenberg; M. Rittenberg; Janice Rugack; Gil Saint-Leon; Shirley Saint-Leon, representing Santa Monica College; Herbert Schwarz, representing Getty Center; Charles Selwitz; Lawrence Sherman; Emile Skaff; Richard Slawson, representing LA/Orange County Building & Trades Council; Francziska Steagall, representing Kayne-Eras Center School; David R. Stepsay; Christopher H. Wain; Blanche Wong; Dorothy C. Yang; Shirley Young; and Evelyn Zwerg.

Twenty four speakers submitted requests to speak in opposition to the project: Ken Aldrich; Jack Allen, representing Palisades Preservation Association; Maria Bane; Kelly Comras, representing Pacific Coast Homeowners; Helen Elmquest Cutler; Loretta Ditlow, representing Sierra Club Task Force & Pac Pal Historical Society; Daryl Doucette; Joan Graves; Shirley Haggstrom, representing Pacific Palisades Community Council & Castellammare Mesa Home Owners; Patricia Bell Hearst, representing Federation of Hillside & Canyons Assoc.; Margaret J. Jose, representing Pacific Coast Homeowners; Barbara Kahn, representing Pacific Coast Homeowners; Carol Leacock, representing Temescal Canyon Association; Paul Leoni, representing Sunset Mesa Property Owners Assn.; Bob Locker, representing Pacific Palisades Residents Association; Michael F. Lofehie, representing Castellammare Mesa Home Owners; Kellie McGee, representing American Oceans Campaign; Thomas B. McNutt; John Murdock, representing Pacific Coast Homeowners; Susan B. Nelson, representing Friends of Santa Monica Mountains Parks & Seashore; Frances Shalant; Mimi Shirzad; Pauletta Walsh; and Randy Young, representing Pacific Coast Homeowners.

Motion & Vote: McClain-Hill moved staff recommendation, seconded by Estolano, and the roll call vote was 9 in favor and 3 opposed (Desser, Nava & Wan). **Passed.**

i. **Application No. 5-00-147 (Getty, Los Angeles)** Staff recommended approval with special condition.

The hearing was combined with item h above.

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

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PUBLIC STATEMENT. Carla Frisk, representing Senator Jack O'Connell, spoke about SB 241. Linda Krop, representing EDC, spoke about SB 241. Jean Holmes, representing League of Women Voters, spoke about SB 241. Kathleen Porterfield, representing Encinitas Country Day, spoke about litigation. Richard LaBerge submitted a request to speak. Diane Meester, representing Santa Barbara County, spoke about SB 241. Mark Massara, representing Sierra Club, spoke in opposition to SB 241.

LUNCH RECESS. The Commission recessed for lunch at 1:20 and reconvened at 2:55 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Lampl v. CCC, Sara Wan, Paula Daniels, et al., Lampl v. CCC, et al., Cain v. CCC, et al., Yamagiwa, et al. v. City of Half Moon Bay, et al. (Case No. 413013), Yamagiwa, et al. v. City of Half Moon Bay, et al. (Case No. 412990), and discussed one other matter for information only.

CENTRAL COAST DISTRICT

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

a. **Santa Cruz Co. LCP Minor Amendment No. 1-2000.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

b. **Status report** on carrying capacity study for day use at Oceano Dunes State Vehicular Recreation Area. Informational only. Linda Hall submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak.

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

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

a. **San Luis Obispo Co. LCP Amendment No. 1-2000 (Avila Beach Specific Plan).** Staff recommended approval with suggested modifications as modified in addendum and orally.

Peg Pinard, Chairperson, Board of Supervisors, spoke in favor of the project. Vic Holanda, Director, Planning & Building Dept. County of San Luis Obispo, submitted a

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request to speak in favor of continuance. John Hand, representing SLO County Planning Dept., submitted a request to speak in favor of the plan. John Euphrat, representing San Luis Obispo County, submitted a request to speak in opposition to the staff recommendation. Sandra Nielsen submitted a request to speak in favor of the project. Erik Midtsjo, representing San Luis Yacht Club, submitted a request to speak in favor of the project. Robert Martin submitted a request to speak in favor of the specific plan with comment. Tom Guernsey, representing Avila Beach CSD, submitted a request to speak in favor of the project. Harlan Hobgood, representing Avila Valley Advisory Council, submitted a request to speak in favor of the project. Charles Yates, representing Port San Luis Marine Institute, submitted a request to speak in favor of the project. Micheal Kidd, representing Innat Avila Beach, submitted a request to speak in opposition to the project with reservations. Linda Hall submitted a request to speak. Rob Bollay, representing San Luis Yacht Club, submitted a request to speak. Jay Alcon, representing C.S.D., submitted a request to speak. David Harrell submitted a request to speak.

Motion & Vote on Plan as Submitted: McClain-Hill moved approval of the Land Use Plan Amendment as submitted, seconded by Estolano, and the roll call vote was 1 in favor (Hart) and 9 opposed (Desser, Dettloff, Estolano, Kruer, McClain-Hill, Potter, Reilly, Woolley & Wan). **Failed.**

Motion & Vote to Continue: Desser moved to continue further action, seconded by Hart, and the roll call vote was 2 in favor (Desser & Hart) and 10 opposed. **Failed.**

Motion on Plan with Modifications: McClain-Hill moved approval of the Land Use Plan Amendment with suggested modifications.

Amending Motion & Vote on Parking Fee: Reilly moved to expand the in-lieu parking fee to residential & lodging uses and to the CR area, seconded by Estolano, and the roll call vote was 3 in favor (Kruer, McClain-Hill & Reilly) and 8 opposed (Desser, Dettloff, Estolano, Hart, Nava, Potter, Woolley & Wan). **Failed.**

Amending Motion & Vote to Delete Modifications 3 & 4: Estolano moved to delete modifications 3 & 4 (priority for visitor-serving), seconded by Kruer, and the roll call vote was 6 in favor (Desser, Estolano, Hart, Kruer, McClain-Hill & Reilly) and 6 opposed (Daniels, Dettloff, Nava, Potter, Woolley & Wan). **Failed.**

Amending Motion & Vote to Delete Modification 9: Estolano moved to delete modification 9 (restrictions on density bonuses), seconded by Kruer, and the roll call vote was 4 in favor (Estolano, Hart, Kruer & McClain-Hill) and 8 opposed. **Failed.**

Vote on Main Motion: The roll call vote on the main motion (approval of the Plan Amendment with suggested modifications) was 9 in favor and 3 opposed (Estolano, Hart & McClain-Hill). **Passed.**

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12. NEW APPEALS.

a. **Appeal No. A-3-99-68 (Bonita Homes, 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.

b. **Appeal No. A-3-00-25 (Wesnousky & Omni Design, 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.

c. **Appeal No. A-3-00-32 (Limberg, Pismo 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.

d. **Appeal No. A-3-00-41 (Conopco, Santa Cruz)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan that the Commission found substantial issue, and opened the hearing on the merits of the project. Staff recommended approval with special conditions.

Tim Tosta, representing the applicant, spoke in favor of the project. Renée Flower spoke in opposition to the project. Rachel Kliger spoke in opposition to the project.

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

e. **Appeal No. A-3-00-45 (Brown, 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 and opened the hearing on the merits of the project. Staff recommended denial.

John Belsher, representing the applicant, spoke in favor of the project. Josh Brown, the applicant, spoke in favor of the project. Linda Hall spoke. Vern Kalshan, representing Shirley Bianchi, spoke in opposition to the project.

Motion & Vote: Nava moved approval of the application, seconded by Estolano, and the roll call vote was 0 in favor and 10 opposed (Desser, Dettloff, Estolano, Hart, Krueer, McClain-Hill, Nava, Reilly, Woolley & Wan). **Failed.**

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f. **Appeal No. A-3-00-70 (James, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

g. **Appeal No. A-3-00-73 (Harpster, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

h. **Appeal No. A-3-00-76 (Santa Cruz Co. Dept. of Public Works)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

i. **Appeal No. A-3-00-78 (Seaberg, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

13. VESTED RIGHTS.

a. **Application No. 3-99-48-VRC (Charles A. Pratt Construction, San Luis Obispo Co.)** Staff recommended denial.

Bill Walter, representing the applicant, submitted a request to speak. Ben L. Maddalena, representing Cabrillo Estates, submitted a request to speak. John Chesnut submitted a request to speak in favor of the staff recommendation.

Motion & Vote: Daniels moved approval of the claim of vested rights for Tract 308 unit II, seconded by Reilly, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

Motion & Vote: Daniels moved approval of the claim of vested rights for Tract 1873, seconded by Estolano, and the roll call vote was 0 in favor and 12 opposed. **Failed.**

14. COASTAL PERMIT APPLICATIONS.

McClain-Hill left at 8:45 during the following item.

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

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Charles Pratt, representing Cabrillo Estates, submitted a request to speak in favor of the project. Dennis Schmidt, representing the applicants, submitted a request to speak in favor of the project. Bill Walter, representing the applicant, submitted a request to speak in favor of the project. Deborah Hillyard, representing CA Dept. of Fish & Game, submitted a request to speak in favor of the staff recommendation. John Chesnut submitted a request to speak in opposition to the project. David Chipping, representing California Native Plant Society, submitted a request to speak in opposition to the project.

Motion & Vote: Estolano moved approval of the application, seconded by Daniels, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

b. **Application No. 3-97-27 (Hooper & Filizetti, Santa Cruz Co.)** Staff recommended denial.

Gary Filizetti submitted a request to speak in favor of the project. Rogers Johnson, geologist, submitted a request to speak in favor of the project. Dana Bland, representing Pacific Resources Group, submitted a request to speak in favor of the project. Becky Blythe, representing JB Associates environmental consultants, submitted a request to speak in favor of the project. Stephen McGuirk, representing Madrone Landscape Group, submitted a request to speak in favor of the project. Jennifer Bragar, representing JB Associates, submitted a request to speak in favor of the project. Charlene Atack, Esq., submitted a request to speak in favor of the project.

Motion & Vote: Daniels moved approval of the application, seconded by Desser, and the roll call vote was 1 in favor (Potter) and 10 opposed. **Failed.**

c. **Appeal No. A-3-99-56 (Hooper & Filizetti, Santa Cruz Co.)** Staff recommended denial.

The hearing was combined with item b above.

Motion & Vote: Daniels moved approval of the application, seconded by Desser, and Chairman Wan substituted the previous roll call vote (1-10). **Failed.**

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

RECESS. The Commission recessed for the day at 9:40 p.m..

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Friday, June 16, 2000 - pages 30 to 33

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, June 16, 2000, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Daniels, Desser, Dettloff, (Alternate) Allgood, (Alternate) Kruer, Poché, Reilly and Woolley. Absent: McClain-Hill, Nava, Neal, Sanders and Sweeney. Hart arrived at 9:05 a.m., and Desser left at 10:45 a.m..

CENTRAL COAST DISTRICT

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

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

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

a. **Capitola LCP Amendment No. CAP-MAJ-1-2000 (Jade St. rezone).** Staff recommended approval.

Owen Lawlor, representing Green Valley Corp., submitted a request to speak in favor of the project.

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

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

5. **NEW APPEALS.**

a. **Appeal No. A-3-99-92 (Rancho Chiquita, Monterey 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-3-00-8 (Pebble Beach, Monterey Co.)** Staff recommended that the appeal raised no substantial issue.

Ed Brown, representing the applicant, spoke in favor of the project.

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

c. **Appeal No. A-3-00-35 (Caltrans, Monterey Co.)** Staff recommended that the appeal raised no substantial issue.

David Silberberger, representing Caltrans, spoke in favor of the project.

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

6. **COASTAL PERMIT APPLICATION.**

a. **Application No. 3-00-12 (Fish Hopper Restaurant, Monterey)** Moved to expanded Consent Calendar. **Approved.**

NORTH CENTRAL COAST DISTRICT

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

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

9. **NEW APPEAL.**

a. **Appeal No. A-2-00-16 (Cohen & Aloise, Sonoma Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing, and **continued** it to a future meeting.

NORTH COAST DISTRICT

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

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

12. **NEW APPEAL.**

a. **Appeal No. A-1-00-20 (Beacon, Mendocino Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission **found substantial issue**. Chairman Wan opened the hearing on the merits of the project, **and continued** it to a future meeting.

13. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 1-99-41 (Pacific Affiliates, Eureka)** Staff recommended denial.

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

Motion & Vote on Re-filing: Allgood moved to waive the fee and time limit for re-filing the application, seconded by Woolley, and Chairman Wan ruled that the vote was unanimous. **Passed.**

b. **Application No. 1-00-5 (Westbrook & Wetherell, Del Norte Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

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

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c. **Application No. 1-00-9 (Mercer, Fraser, Humboldt Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Walt Dragaloski, representing the applicant, spoke in favor of the project.

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

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

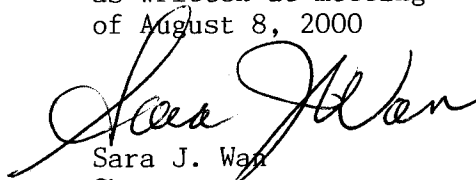
Respectfully Submitted,



PETER M. DOUGLAS
Executive Director

pmg

Approved by Commission
as written at meeting
of August 8, 2000



Sara J. Wan
Chairperson

MINUTES OF: June 2000

APPROVED: 8/8/00

The following action was taken:

Approved by Commission as written

Approved by Commission with following changes:

Reported by: pmg

Changes authorized by: pmg

Dated: 8/14/00

CALIFORNIA COASTAL COMMISSION

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



August 15, 2000

To: Executive Director
From: Mailing & Records (*Soledad Tuazon*)

APPROVED MINUTES

Enclosed are Minutes of the Commission Meeting for June 13-16, 2000 &
July 11-14, 2000

adopted, as typed, by the Commission at its meeting of August 8, 2000

for your signature.

Please use black ink and return to me after you execute.

Thank you.

Enclosure

MINUTES CHECKLIST

Minutes of: Meeting of June 13-16, 2000

Approved at meeting of: August 8, 2000

DATE	ACTION
<u>7-07-00</u>	Unapproved minutes received from hearing reporter.
<u>7-07-00</u>	¹ Copy of unapproved minutes duplicated and stamped DRAFT on copy.
<u>7-11-00</u>	² DRAFT copy of minutes submitted for duplication of CC5 copies plus one.
<u>7-20-00</u>	DRAFT copy of minutes with duplicated copies received from Copy Center.
<u>7-20-00</u>	DRAFT copies of minutes distributed and ready to mail to CC5 list.
<u>7-21-00</u>	CC5 DRAFT copies of minutes mailed.
<u>8-14-00</u>	Change sheet received from Hearing Reporter.
<u>8-14-00</u>	Corrections, if any, made on unapproved minutes; and statement "Approved by Commission as written or (corrected) at meeting of ..." typed on last page.
<u>8-15-00</u>	Official Copy of minutes submitted through Executive Secretary to Executive Director for signature
<u>8-16-00</u>	Official Copy of minutes received back with Executive Director's signature
<u>8-23-00</u>	Official copy of minutes submitted through hearing reporter for Chairperson signature.
<u>9-18-00</u>	Official copy of minutes received back with Chairperson's signature.
<u>9-19-00</u>	³ Approved minutes (w/signatures) stamped OFFICIAL COPY and submitted to Copy Center for reproduction and distribution to: CC3, Mila (1), Richard J.(1) District Offices (5 ea.), extra copies (8)

COPY REQUEST

DATE	NO. OF COPIES	DISTRIBUTION
<u>7-07-00</u>	<u>1</u>	<u>Leatha</u>
<u>7-21-00</u>	<u>2</u>	<u>31</u>
<u>9-19-00</u>	<u>3</u>	<u>55</u>
		<u>CC5 (mailing table), Mila</u>
		<u>CC3, Mila(1), Richard J.(1), Distr. Off.(5 ea.), extra copies(8)</u>