

CALIFORNIA COASTAL COMMISSION

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**W4b****RECORD PACKET COPY**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF JULY 10-13, 2001
Fountain Grove Inn
101 Fountain Grove Parkway
Santa Rosa

Tuesday, July 10, 2001 pages 1 to 10

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, July 10, 2001, at 10:05 a.m. by Acting Chairman Dettloff.
2. **ROLL CALL.** Present: Acting Chairman Dettloff, Commissioners Dean, (Alternate) Allgood, Hart, Krue, McCoy, (Alternate) Orr and (Alternate) Weinstein. Absent: Neal, Sanders, Reilly and Woolley. McClain-Hill arrived at 10:10 a.m.; Wan arrived at 10:30 a.m.; Sweeney arrived at 11:35 a.m.; and Desser arrived at 11:50 a.m.

SOUTH COAST DISTRICT

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

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

SOUTH CENTRAL COAST DISTRICT

4. CONSENT CALENDAR.

a. **Application No. 4-00-200 (Zimmerman, Malibu)** Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

5. CONSENT CALENDAR.

a. **Application No. 6-01-73 (San Diego pump station)** There being more than 3 votes to remove it, this item was **set for hearing** at a future meeting.

b. **Application No. 6-01-77 (Walker, Del Mar)** Staff recommended approval with special condition.

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

SOUTH COAST DISTRICT

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

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (9d, 9e & 9h) to the Calendar, and recommended approval with special conditions.

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

8. LOCAL COASTAL PROGRAMS (LCPs).

a. Hermosa Beach LCP Amendment No. 1-01 & Implementation. Postponed.

b. Marina del Rey Plan Amendment 1-01 Time Extension. Staff recommended approval.

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

9. COASTAL PERMIT APPLICATIONS.

a. Application No. 5-00-473 (Los Angeles Co. Public Works, Long Beach) Staff recommended approval with special conditions.

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

b. Application No. 5-01-40 (Slavik, San Clemente) Staff recommended approval with special conditions as modified in addendum.

James Slavik spoke in favor of the project.

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

Wan arrived during the following item.

c. Application No. 5-01-41 (Long Beach Water Dept., Long Beach) Staff recommended approval with special condition.

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

d. Application No. 5-01-84 (Muench, Newport Beach) Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 5-01-126 (Berlea, Laguna Beach)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 5-01-131 (Smith, Los Angeles)** Staff recommended approval with special conditions.

Barbara Ellis, representing the applicants, spoke in favor of the project.

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

g. **Application No. 5-01-139 (Haldeman, Los Angeles)** Staff recommended approval with special conditions.

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

Motion: Allgood moved staff recommendation, seconded by McCoy.

Amending Motion & Vote: McCoy moved to add a condition for monitoring the native plants for 5 years, seconded by Orr, and Acting Chairman Dettloff ruled that the vote was unanimous. **Passed.**

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

h. **Application No. 5-01-164 (Lee, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

10. **PERMIT AMENDMENTS.**

a. **Permit No. 5-91-584-A4 (Los Angeles, Venice alley improvements)** Staff recommended approval with special conditions.

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

Sweeney & Desser arrived during the following item.

b. **Permit No. 5-83-959-A8 (County of Orange & AWMA, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

Larry Paul, representing County of Orange, spoke in favor of the project. Tom Rossmiller, representing Orange County Public Facilities & Resources Dept., spoke in favor of the project. Garry Brown, representing Orange County Coastkeeper, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project.

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

c. **Permit No. 5-97-316-A4 (County of Orange, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with items b above & d below.

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

d. **Permit No. A-5-97-166-A4 (County of Orange, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with items b & c above.

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

11. **NEW APPEAL.**

a. **Appeal No. A-5-01-200 (Playa Capital, Los Angeles)** **Postponed.**

SOUTH CENTRAL COAST DISTRICT

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

a. **Santa Barbara Co. LCP Amendment MAJ-1-00 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.**

13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved eleven items (14b, 14e, 14f, 14g, 14h, 14i, 14l, 14m, 15a, 15b & 15c) to the Calendar, and recommended approval with special conditions.

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

LUNCH RECESS. The Commission recessed for lunch at 12:45 and returned at 2:20 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission discussed one item of pending litigation for information only.

14. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-99-239 (Sol Brothers, Malibu)** Staff recommended approval with special conditions.

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

b. **Application No. 4-00-31 (Kahan, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-00-67 (Harris, Malibu)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Kruer moved staff recommendation, seconded by McClain-Hill, and the roll call vote was 9 in favor and 1 opposed (Allgood). **Passed.**

d. **Application No. 4-00-110 (Gurvitz, Malibu)** Staff recommended approval with special conditions.

Marny Randall and Lewin Wertheimer, both representing the applicant, submitted requests to speak in favor of the project.

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

e. **Application No. 4-00-149 (Moore, Malibu)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 4-00-115 (Stewart, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-00-277 (Zinneman, Malibu)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-00-278 (Hirsch, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

i. **Application No. 4-01-26 (Singh, Malibu)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 4-01-27 (Koursaris, Malibu)** Staff recommended approval with special conditions.

Michael Barsocchini, architect for the applicant, spoke in favor of the project.

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

k. **Application No. 4-01-46 (PCH-Tyler, Malibu)** Staff recommended approval with special conditions as modified orally.

Ron Goldman, the applicant, spoke in favor of the project.

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

l. **Application No. 4-01-54 (Malibu Hillside View Estate, Malibu)** Moved to expanded Consent Calendar. **Approved.**

m. **Application No. 4-01-62 (Burdge, Malibu)** Moved to expanded Consent Calendar. **Approved.**

15. PERMIT AMENDMENTS.

a. **Permit 4-91-46-A2 (Malibu Porterdale, Malibu)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 4-95-133-A2 (Lewis, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Permit No. 4-99-126-A (Frymer, Malibu)** Moved to expanded Consent Calendar. **Approved.**

15.5 FINDINGS.

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

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

SAN DIEGO COAST DISTRICT

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

a. **Carlsbad LCP Amendment No. 2-99D (Kelly Ranch) Certification Review.** Staff recommended concurrence with the Executive Director's determination. Paul Klukas, representing Kelly Ranch, submitted a request to speak in favor of the project. There being no objection, Chairman Wan ruled that the Commission concurred with the Executive Director. **Approved.**

17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (18c, 18d & 19a) to the Calendar, and recommended approval with special conditions.

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

18. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-00-150 (AT&T, San Diego Co.)** Staff recommended approval with special conditions.

Penny Eckert, representing AT&T Corp., answered questions about the project.

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

b. **Application No. 6-00-170 (Del Mar street & storm drain improvements)**
Postponed.

c. **Application No. 6-01-59 (AT&T Wireless, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-01-91 (Del Mar Village Merchants, Del Mar)** Moved to expanded Consent Calendar. **Approved.**

19. **PERMIT AMENDMENT.**

a. **Permit No. 6-00-38-A2 (SANDAG sand replenishment)** Moved to expanded Consent Calendar. **Approved.**

20. **FINDINGS.**

a. **Application No. 6-00-66 (Monroe & Pierce, Solana Beach)** **Postponed.**

21. **NEW APPEAL.**

a. **Appeal No. A-6-01-88 (Stoner, Oceanside)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

RECESS. The Commission recessed for the day at 3:15 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, July 11, 2001, at 9:00 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dettloff, (Alternate) Allgood, Hart, Krueer, McCoy, Nava, Sanders and Woolley. Absent: Dean, Neal and Reilly. McClain-Hill arrived at 9:10 a.m.; Sweeney arrived at 9:25 a.m.; and Desser arrived at 10:10 a.m.

ENERGY, OCEAN RESOURCES and WATER QUALITY

2.5 ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application No. E-00-5 (Texaco, Long Beach) Postponed.**

STATEWIDE

3. **APPROVAL OF MINUTES.** None.
4. **COMMISSIONERS' REPORTS.** None.
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.**
 - a. **Public Access Action Plan Status Report.** Informational only.
 - b. **Legislation.** Staff recommended support of SB 908.

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

- c. **Status of Public Education Program.** Informational only.

d. Public Education Sponsorship Policy. Postponed.

9. **PERIODIC REVIEW of CERTIFIED LCPs.** Twenty four speakers submitted requests to speak: Mark Massara, representing Sierra Club; Elizabeth Lambe, representing Sierra Club; Leonard Woren; Charles Rheinhart, representing C.O.A.A.S.T.; David Baker, representing Sierra Club; Lee P. Gooding; Jack Schoop; Diane Baines; Helen Shane; Carol Vellutini, Outings Chair, Sierra Club; Julie Verran; Marcia Whitman; Jim Finn; Jackie Lehmer; Erica Wolfson; Dian Hardy; Katy Redmon, representing Sierra Club; Pat Rothchild; Kathryn Slater-Carter, representing League for Coastside Protection; Dave Henderson, representing Sierra Club; Len Swenson, representing Sierra Club; Pam Marshall Heatherington, representing The Environmental Center of San Luis Obispo ECOSLO; Tarren Collins, chair, Santa Lucia Chapter, Sierra Club; and Richard Nichols, representing Coastwalk.

PUBLIC STATEMENTS. Jim Whalen submitted a request to speak about habitat management. Linda Moon, representing Amigos de Bolsa Chica, spoke about a pending lawsuit. Pat Rothchild spoke about an alleged violation on Highway 1. Susan Jordan, representing LCP/CCPN, spoke in favor of a workshop on certificates of compliance.

LUNCH RECESS. The Commission recessed for lunch at 12:15 and returned at 2:45 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Ailanto Properties, Inc. v. CCC, et al., CCC v. Furmanski, et al., Page v. City of Pacific Grove, CCC, et al., Friends of Neary Lagoon, et al. v. CCC, et al., Coalition to Save the Marina, Inc. v. CCC, Yamagiwa, et al. v. CCC, City of Half Moon Bay, et al. (Case No. 417189), Yamagiwa, et al. v. City of Half Moon Bay, CCC, et al. [Sup. Ct. Case Nos. 402781 and 413013 (consolidated)], Higgins v. CCC, La Costa Beach Homeowners' Assn., et al. v. CCC (Gamma Family Trust, et al., RPI), and discussed 3 other matters for information only.

SAN DIEGO COAST DISTRICT

10. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 1-2000E (Manzanita Apartments).** Staff recommended denial.

Brad Forrester, representing The Conan Group/Manzanita Partners, spoke in favor of the project. Jack Henthorn spoke in favor of the project. Jim Whalen, representing Manzanita Partners, spoke in favor of the project. Dana Wohlford spoke in favor of the project.

Motion & Vote to Reject Implementation: Nava moved to reject the implementation amendment as submitted, seconded by Potter, and the roll call vote was 9 in favor and 2 opposed (Desser & McClain-Hill). **Passed.**

b. **San Diego Plan Amendment No. 27 Findings.** Staff recommended approval of findings.

Motion & Vote: Kruer moved staff recommendation, seconded by McCoy, and the hand vote was 9 in favor and 0 opposed. **Passed.**

c. **San Diego LCP Amendment No. 4-2000 (Centre City N. Embarcadero) Findings.** Staff recommended approval of findings.

Motion & Vote: McClain-Hill moved staff recommendation, seconded by McCoy, and the hand vote was 9 in favor and 0 opposed. **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.

12. **PROPOSAL TO UPGRADE EL SEGUNDO GENERATING STATION.** Informational only. James W. Reede, Jr. and Bob Haussler, both representing California Energy Commission, submitted requests to speak.

13. **COASTAL PERMIT APPLICATION.**

a. **Application No. E-01-8 (Monterey Abalone, Monterey) Postponed.**

14. **SONGS Status.** Informational only.

15. **OIL SPILL PROGRAM - DISPERSANTS WORKSHOP. Postponed.**

NORTH COAST DISTRICT

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

a. **Humboldt Co. LCP Amendment No. 1-00 A (Reorganization) 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.**

17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 19c to the Calendar, and recommended approval with special conditions.

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

18. **NEW APPEAL.**

a. **Appeal No. A-1-01-29 (Eureka Waterfront Partners, Eureka) Postponed.**

19. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 1-99-75 (Fish & Game, Humboldt Co.)** Staff recommended approval with special conditions.

Melissa Bukosky, representing Department of Fish & Game, spoke in favor of the project.

Motion & Vote: Woolley moved staff recommendation, seconded by McClain-Hill, and the roll call vote was 6 in favor and 5 opposed (Desser, Dettloff, Allgood, McCoy & Wan). **Passed.**

b. **Application No. 1-00-25 (Fish & Game, Humboldt Co.)** Staff recommended approval with special conditions.

The hearing was combined with item a above.

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

c. **Application No. 1-01-17 (Humboldt CSD, Humboldt Co.)** Moved to expanded Consent Calendar. **Approved.**

RECESS. The Commission recessed for the day at 5 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, July 12, 2001, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Hart, Kruer, McCoy, Nava and Woolley. Absent: Dean, Neal and Sanders. McClain-Hill & Sweeney arrived at 9:10 a.m.; Estolano arrived at 9:15 a.m.; and (Alternate) Rose arrived at 9:30 p.m. Susskind replaced Kruer in the afternoon.

CENTRAL COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 3-01-47 (Monterey outfall repair)** Staff recommended approval with conditions.

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

4. LOCAL COASTAL PROGRAM (LCP).

a. **San Luis Obispo Co. Periodic LCP Review.** Staff recommended approval of corrective actions.

Shirley Bianchi, representing SLO Board of Supervisors, spoke. Vic Holanda, representing San Luis Obispo County Planning Dept., spoke. Stephen Hearst, representing Hearst Ranch, Sunical Land & Livestock Division, spoke in opposition to the staff recommendation. Cindy Starrett, representing Hearst Ranch-Hearst Corporation, spoke in opposition to the staff recommendation. Gordon Hensley, representing Environmental Defense Center, spoke in favor of the staff recommendation. Tarren Collins, representing Santa Lucia Chapter of Sierra Club. SLO Coast Alliance, San Luis County Chumash, spoke in favor of the staff recommendation. Susan Jordan, representing League for Coastal Protection/California Coastal Protection Network, spoke in favor of the staff recommendation. Joy Fitzhugh, representing San Luis Obispo Co. Farm Bureau, spoke in favor of the project. Walter Fitzhugh spoke in favor of the project. Wayne M. Parrack, representing UNLOC (United Lot Owners of Cambria), spoke in opposition to the staff recommendation. Bob Putney, fire chief, representing Cambria Community Services District, spoke in favor of the project. Richard Quandt,

representing Grower Shipper Vegetable Assn., spoke in opposition to the staff recommendation. Ned Rogoway, representing Morro Bay and Land Co. - Morro Montana Co., spoke. Pat Molnar, representing San Luis Obispo Co. Cattlemen's Assn., spoke in opposition to the staff recommendation. M. Christine Gyovai, representing Cambrians United for Sustainable Progress, spoke in opposition to the staff recommendation. Robert Shanbrom, representing Marla Morrissey & MEGA, spoke. Joan Carter spoke in favor of the staff recommendation. Norbert Dall spoke in opposition to the staff recommendation. Eric Greening, representing Canyons & Streams Alliance & Life on Planet Earth, spoke in favor of the project. Mahala Burt, representing Friends of Ranchland, submitted a request to speak in favor of the staff recommendation. Doug Buckmaster, representing SLO Coast Alliance, spoke in favor of the project. Lee Buckmaster submitted a request to speak in favor of the project. Judy Frascella submitted a request to speak in favor of the project. Ariana Katovich, representing Sierra Club, spoke in favor of the staff recommendation. Johanna Rubba, representing Sierra Club, spoke in favor of the staff recommendation. Pam Marshall Heatherington, representing Surfrider Foundation Environmental Center of San Luis Obispo, spoke in favor of the staff recommendation. Mark Massara, representing Sierra Club, spoke in favor of the staff recommendation. James Patterson spoke in favor of the staff recommendation. Kim Moriarity, representing Pleasure Point Community, submitted a request to speak in favor of the staff recommendation. Michael Brown, representing Sierra Club, spoke.

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

LUNCH RECESS. The Commission recessed for lunch at 12:40 and returned at 1:30 p.m. Kruer & Sweeney left during the break.

STATEWIDE

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

6. **FEDERAL CONSISTENCY.**

a. **CD-46-01 (Air Force, Santa Barbara Co.)** Staff recommended approval as modified orally.

Lt. Col. Scott Westfall, representing USAF, spoke in favor of the project and made changes to the project.

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

CENTRAL COAST DISTRICT

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

a. **Procedures 3-01-1-EDD (Schoenfield, San Luis Obispo Co.).** **Postponed.**

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

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

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

a. **Marina LCP Amendment No. MAR-MAJ-1-1 (Bruno).** **Postponed.**

b. **Morro Bay LCP Amendment No. MRB-MAJ-1-01 (rear setbacks).** Staff recommended approval.

Motion & Vote to Reject Implementation: McCoy 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.**

10. **NEW APPEALS.**

a. **Appeal No. A-3-01-11 (C.B.O, San Luis Obispo Co.) Postponed.**

b. **Appeal No. A-3-01-34 (Rogers, Santa Cruz Co.)** Staff recommended that the appeal raised no substantial issue.

Charles Paulden spoke in opposition to the project. Kim Moriarity spoke in opposition to the project. Chris Kili Shea spoke in opposition to the project. Dawn Imbrie submitted a request to speak in opposition to the project. Nicole Ledoux, representing Pleasure Point Community, submitted a request to speak in opposition to the project. Patricia Matejcek, representing Sierra Club, submitted a request to speak in opposition to the project. Ralph Meyberg submitted a request to speak in opposition to the project. Georgie Paulden submitted a request to speak in opposition to the project. Peter Rogers spoke in favor of the staff recommendation. James Rogers submitted a request to speak in favor of the project.

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

Susskind replaced Kruer at 2:55, during the following item.

c. **Appeal No. A-3-01-45 (St. Joseph Church, Santa Cruz)** Staff recommended that the appeal raised no substantial issue.

Aldo Giacchino spoke in opposition to the project. Patricia Matejcek, representing Sierra Club, submitted a request to speak in opposition to the project. Chris Kili Shea spoke in opposition to the project. Agoya Jeffrey Killeen spoke in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project. Ralph Meyberg, representing Lighthouse Neighbors, submitted a request to speak in opposition to the project. Ralph Berger submitted a request to speak in opposition to the project. James F. Sweeney, Esq., representing Oblates of St. Joseph, spoke in favor of the project. Juliana Rebagliati, representing City of Santa Cruz, spoke in favor of the project. David Britton, representing Oblates of St. Joseph, submitted a request to speak in favor of the project. Eric Grant, Esq., representing Oblates of St. Joseph, submitted a request to speak in favor of the project. Thomas Marsh submitted a request to speak in favor of the project. Rev. Phillip Massetti, representing Oblates of S. Joseph, submitted a request to speak in favor of the project. David L. Robison, representing Strategic Construction Management, submitted a request to speak in favor of the project. Wayne Shaffer submitted a request to speak in favor of the project.

Motion & Vote on No Substantial Issue: Desser moved to find no substantial issue, seconded by McClain-Hill, and the roll call vote was 5 in favor (Dettloff, Hart, Potter, Rose & Wan) and 5 opposed (Desser, Estolano, McClain-Hill, McCoy & Woolley). **Failed.**

Desser left the meeting at 3:40 p.m., before the following item.

d. **Appeal No. A-3-01-61 (Parks & Rec., San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

e. **Appeal No. A-3-01-56 (Soto, San Luis Obispo Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

11. COASTAL PERMIT APPLICATIONS.

a. **Application No. 3-99-64 (Steinmann, Morro Bay)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 3-00-82 (Pressley, Carmel)** The applicant requested a continuance.

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

c. **Application No. 3-01-6 (Sparolini, Carmel)** Staff recommended approval with conditions.

Betsy Rosenthal spoke in favor of the project. Enid Sales, representing Carmel Preservation Foundation, spoke in opposition to the project. Melanie Billig spoke in opposition to the project. Howard Brunn spoke in opposition to the project.

Motion & Vote: Hart moved staff recommendation, seconded by Potter, and the roll call vote was 8 in favor and 3 opposed (McCoy, Nava & Wan). **Passed.**

d. **Appeal No. A-3-01-18 (Gonyer, San Luis Obispo Co.)** **Postponed.**

e. **Application No. 3-01-20 (Pletz, Pacific Grove) Postponed.**

f. **Application No. 3-01-32 (Harvard Investment, Carmel)** Staff recommended denial.

Gary A. Martin, the applicant, spoke in favor of the project. Charles A. Hansen, representing the applicant, spoke in favor of the project.

Motion & Vote: Potter moved approval of the project, seconded by McCoy, and the roll call vote was 5 in favor (Estolano, Hart, Susskind, McClain-Hill & Woolley) and 6 opposed (Dettloff, McCoy, Nava, Potter, Rose & Wan). **Failed.**

12. **CONDITION COMPLIANCE on Permit No. 3-83-76-A13 (UCSC Long Marine Lab., Santa Cruz)** Staff recommended approval with special conditions.

Margaret H. Fusari (Maggie), representing UCSC/UCNRS Younger Lagoon Reserve, spoke in favor of the project. Stephen Davenport, representing University of California, Santa Cruz, 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.**

RECESS. The Commission recessed for the day at 4:40 p.m.

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

3. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Scholl reported on matters not requiring public hearings, and on comments from the public.
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4. **CONSENT CALENDAR (removed from Regular Calendar).** None.
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5. **LOCAL COASTAL PROGRAMS (LCPs).**

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

Ken Curtis, representing City of Half Moon Bay, spoke in favor of the staff recommendation. Julianne Ream, Planning Commissioner Half Moon Bay, spoke in favor of the staff recommendation. Mike Ferreira, representing Planning Commission Half Moon Bay, spoke in favor of the staff recommendation. Leonard Woren spoke in favor of the staff recommendation. Phillip Hill spoke in opposition to the staff recommendation. John J. Bermingham spoke in opposition to the staff recommendation.

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

b. **San Mateo Co. LCP Amendment No. SMC-MAJ-3-00-A (Residential Standards).** Staff recommended approval with suggested modifications as modified orally.

George Bergman, representing San Mateo County, spoke in favor of the project. Lennie Roberts, representing Committee for Green Foothills, spoke in favor of the staff recommendation. April Vargas, representing Mid Coast Community Council, spoke in favor of the project. Judy Taylor spoke in favor of the project. Mike Ferreira spoke. Julianne Ream spoke. Chris Parkes spoke in favor of the project. Kathryn Slater-Carter spoke. Leonard Woren spoke. Jonathan Wittwer, representing El Granada Sanitary District, spoke. Paul Perkovic spoke. Barbara K. Mauz spoke.

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

c. **Sonoma Co. LCP Amendment No. 1-00 (General Plan consistency).** Staff recommended approval with suggested modifications.

Tim Smith, Chair, Board of Sup., spoke in favor of the project. Greg Carr, Comprehensive Plan Mgr., representing Sonoma County, spoke in favor of the project. Kathi Jacobs, Staff Planner, representing County of Sonoma, submitted a request to speak in favor of the project. Victoria Morehouse, representing Victorias Fashion Stables, spoke in favor of the project. Darrell B. Sukovitz, representing Sonoma Coast Beach Citizens Advisor Committee, spoke in opposition to the staff recommendation. Nick Borgstrom, representing Borgstrom Const., spoke in favor of the project. Charles Rhinehart, representing C.O.A.A.S.T., spoke. Ernestine Smith spoke. Norma Jellison spoke in opposition to the project. Winifred Hand spoke in opposition to the project.

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

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

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

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

6. **NEW APPEAL.**

a. **Appeal No. A-2-01-8 (Mahon, San Mateo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission **found substantial issue**. Chairman Wan opened the hearing on the merits of the project, **and continued** it to a future meeting.

7. **COASTAL PERMIT APPLICATION.**

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

8. **SEA RANCH SCENIC EASEMENTS.** Informational only.

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

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

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