

## CALIFORNIA COASTAL COMMISSION

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



# W5a

## RECORD PACKET COPY

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: **MINUTES OF MEETING OF DECEMBER 11-14, 2001**  
Hyatt Regency San Francisco  
5 Embarcadero Center  
San Francisco

**Tuesday, December 11, 2001 pages 1 to 8**

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

## SOUTH COAST DISTRICT

### 3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 5-01-357 (Holder, Newport Beach)** Staff recommended approval with special condition.

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

4. **CONSENT CALENDAR.** See items a through i on pages 3-4 of the meeting Notice. Item g was postponed. Staff recommended approval with special conditions on the remainder of the Calendar.

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

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## **SOUTH CENTRAL COAST DISTRICT**

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

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6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved six items (8b, d, e, f, g & h) to the Calendar, and recommended approval with special conditions.

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

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

α. **Santa Barbara LCP Amendment No. 1-01 (Ocean-Oriented zone) Time Extension.** Staff recommended approval.

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

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7.5 **NEW APPEAL.**

α. **Appeal No. A-4-01-202 (Cantrell, Ventura Co.)** Staff recommended that the appeal raised no substantial issue.

Donald T. Cantrell submitted a request to speak in favor of the project. Roy Milbrandt, representing the applicant, submitted a request to speak in favor of the project.

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

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8. COASTAL PERMIT APPLICATIONS.

a. Application No. 4-99-71 (Barth, Los Angeles Co.) **Postponed.**  
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b. Application No. 4-99-256 (Abbott, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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c. Application No. 4-00-207 (Santa Barbara Co. Old San Jose Cr. flood improvements) Staff recommended approval with special conditions.

**Motion & Vote:** There being no speakers, Desser moved staff recommendation, seconded by Orr, and Chairman Wan ruled that the vote was unanimous. **Passed.**  
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d. Application No. 4-00-238 (Rust Trust, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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e. Application No. 4-01-51 (Bluewater, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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f. Application No. 4-01-85 (Stone, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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g. Application No. 4-01-100 (Red, White & Blue Pictures, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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h. Application No. 4-01-122 (Cariker, Malibu) Moved to expanded Consent Calendar. **Approved.**  
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i. Application No. 4-01-130 (Yafai, Malibu) **Postponed.**  
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j. Application No. 4-01-147 (Hennessy, Malibu) **Postponed.**  
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k. Application No. 4-01-152 (Lucas & Pierce, Malibu) **Postponed.**  
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9. **PERMIT AMENDMENTS.**

a. **Permit No. 4-97-44-A (Ohanian, Malibu) Postponed.**

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b. **Permit No. 4-99-266-A2 (Daly, Malibu)** Staff recommended that the Commission reject the amendment application.

Nancy Daly Riordan submitted a request to speak in favor of the project. Steven W. Weston submitted a request to speak in favor of the project. Craig Krickerbocker submitted a request to speak in favor of the project.

**Motion & Vote to Accept Amendment:** Orr moved to direct staff to file the amendment, seconded by Hardy, and the roll call vote was 1 in favor (Kruer) and 8 opposed. **Failed.**

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10. **FINDINGS.**

a. **Appeal A-4-01-167 (Santa Barbara Beach Properties & Santa Barbara)** Staff recommended approval of findings.

Steven Kaufmann, representing the applicant, submitted a request to speak in favor of the project.

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

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b. **Application No. 4-00-259 (Herzig, Malibu)** Staff recommended approval of findings.

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

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**SOUTH COAST DISTRICT**

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

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

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12.5 NEW APPEAL.

a. **Appeal No. A-5-01-442 (LAX, Los Angeles)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-00-351 (Elster, Los Angeles) Postponed.**

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b. **Appeal No. A-5-01-272 (Elster, Los Angeles) Postponed.**

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c. **Application No. 5-00-386 (Venkov, Los Angeles) Postponed.**

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d. **Application No. 5-00-459 (Laidlaw, San Clemente)** Staff recommended approval with special conditions.

W. Robert Laidlaw submitted a request to speak in favor of the project. John Gabay, representing the applicant, submitted a request to speak in favor of the project. Sherry McCrossen submitted a request to speak in favor of the project.

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

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e. **Application No. 5-01-80 (Palermo, Newport Beach) Postponed.**

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f. **Application No. 5-01-112 (Ensign, Newport Beach) Postponed.**

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g. **Application No. 5-01-182 (Corrigan, Newport Beach)** Staff recommended approval with special conditions.

Scott Laidlaw, representing the applicant, submitted a request to speak in favor of the project.

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

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**h. Application No. 5-01-191 (Tabak, Newport Beach) Postponed.**

**LUNCH RECESS.** The Commission recessed for lunch at 1:20 and returned at 3:05 p.m. after closed session. Orr left during the break.

**REPORT of CLOSED SESSION.** In closed session the Commission took action on Page v. CCC, City of Pacific Grove, et al.; Serra Canyon Property Owners Assn. v. CCC, et al.; and Webber v. CCC; and discussed one other matter for information only.

**i. Application No. 5-01-199 (Butterfield, Newport Beach)** Staff recommended approval with special conditions.

Ronald A. Zumbrun, representing the applicant, submitted a request to speak in favor of the project. Lynne Butterfield and Phil Butterfield, both submitted requests to speak in favor of the project.

**Motion:** Krueer moved staff recommendation, seconded by Estolano.

**Amending Motion & Vote:** Estolano moved to allow the lattice panel, seconded by Desser, and the roll call vote was 4 in favor (Desser, Estolano, Krueer & McClain-Hill ) and 4 opposed (Dettloff, McCoy, Hardy & Wan). **Failed.**

**Vote on Main Motion:** Chairman Wan ruled that the roll call vote on the main motion was unanimous. **Passed**

**j. Application No. 5-01-292 (Newport Beach, runoff diversion) Postponed.**

**k. Application No. 5-01-328 (Mariners Bay Marina, Los Angeles Co.)** Staff recommended approval with special conditions.

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

l. **Application No. 5-01-415 (Amos, Los Angeles)** Staff recommended approval with special conditions.

Mark Hudson submitted a request to speak in favor of the project.

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

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Neal left during the following item.

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

Kristen Montet, Planning Deputy, representing Los Angeles City Councilwoman Cindy Miscikowski, submitted a request to speak in favor of the project. Maureen Tamura, representing City of Los Angeles, Dept. of Recreation & Parks, submitted a request to speak in favor of the project. Mark Allen, representing LUCH, submitted a request to speak in favor of the project.

**Motion:** Desser moved approval of the project with conditions presented by the applicant, seconded by Dettloff.

**Amending Motion & Vote:** McClain-Hill moved to require no fewer than 65 public use days to be administered by the City, seconded by Hardy, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Amending Motion & Vote:** Estolano moved to amend the joint use agreement as described orally, seconded by McClain-Hill, and Chairman Wan ruled that the vote was unanimous. **Passed.**

**Vote on Main Motion:** The roll call vote, on the main motion, as amended above, was 7 in favor and 1 opposed (Wan). **Passed**

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#### 14. FINDINGS.

a. **Application No. 5-01-20 (Tetra Tech, Huntington Beach)** Staff recommended approval of findings.

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

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b. **Permit No. 5-83-959-A8 (AWMA, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** Dettloff moved staff recommendation, seconded by McClain-Hill, and the hand vote was 4 in favor, 0 opposed and 1 abstention. **Passed.**

c. **Permit No. 5-97-316-A4 (County of Orange, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** Dettloff moved staff recommendation, seconded by Desser, and the hand vote was 4 in favor, 0 opposed and 1 abstention. **Passed.**

d. **Permit No. A-5-97-166-A4 (County of Orange, Laguna Beach)** Staff recommended approval of findings.

**Motion & Vote:** Dettloff moved staff recommendation, seconded by McClain-Hill, and the hand vote was 4 in favor, 0 opposed and 1 abstention. **Passed.**

## STATEWIDE

### 15. EXECUTIVE DIRECTOR'S REPORT.

a. **Western Snowy Plover Plan.** Staff recommended approval of comments. Chairman Wan ruled that the vote was unanimous. **Approved.**

**RECESS.** The Commission recessed for the day at 5:00 p.m.



1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, December 12, 2001, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Dean, Dettloff, Hart, Krueer, McCoy, Nava, Reilly and Sanders. Absent: Estolano. Neal arrived at 9:15 a.m. Woolley arrived at 9:40 a.m. Desser & McClain-Hill arrived at 10:05 a.m. Sweeney arrived at 10:20 a.m.

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## STATEWIDE

2.5 **ELECTION of CHAIRPERSON, VICE-CHAIRPERSON and REPRESENTATIVE to SANTA MONICA MOUNTAINS CONSERVANCY.** Krueer nominated Wan to continue as Chair, seconded by McCoy, and Acting Chairman Reilly ruled that the vote was unanimous. Hart nominated Potter to continue as Vice Chair, seconded by McCoy, and Acting Chairman Reilly ruled that the vote was unanimous. Reilly nominated Allgood as Representative to Santa Monica Mountains Conservancy, with Albert as alternate, seconded by McCoy, and Acting Chairman Reilly ruled that the vote was unanimous.

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3. **APPROVAL OF MINUTES.** Potter moved approval of the minutes of November 2001, with corrections described orally, seconded by Dettloff, and unanimously approved with 1 abstention.

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4. **COMMISSIONERS' REPORTS.**

5. **CONSERVANCY REPORT.**

6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.**

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

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

a. **Public Education Sponsorship Guidelines.** Staff recommended approval.

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

b. **Budget.** Informational only.

c. **Public Education Sponsorship Guidelines.** See item a above.

d. **Interagency Agreement.** Staff recommended approval.

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

e. **Acceptance of Gifts to Commission.** Staff recommended approval.

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

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## STATEWIDE

Woolley, Desser, McClain-Hill and Sweeney arrived during the following item.

9. **PERIODIC REVIEW of CERTIFIED LCPS.** Informational only. Mark Massara, representing Sierra Club, submitted a request to speak in favor. Bob Gillespie, representing Sierra Club, submitted a request to speak. Russell Hamilton, representing Sierra Club, submitted a request to speak. Alicia Retes, representing Sierra Club, submitted a request to speak. Laura Brands, representing Sierra Club, submitted a request to speak. Mike Ferreira submitted a request to speak in favor. Scot Boyd, representing SMC League for Coastside Protection, submitted a request to speak. Roslyn Bullas, representing Sierra Club, submitted a request to speak. Lindsay Vurek, representing Know the Candidates.org, submitted a request to speak. Richard Matthews submitted a request to speak. Brian Parker, representing Sierra Club, submitted a request to speak. Ronald Wilder, representing Sierra Club, submitted a request to speak. Ken Norwood, representing Sierra Club, submitted a request to speak. Sky Stanfield submitted a request to speak. Emma Bassein, representing Berkeley High School, submitted a request to speak. Ed Bennett, representing Sierra Club, submitted a request to speak. Allison Levin, representing Sierra Club, submitted a request to speak. Sasha Harris-Lovett, representing Sierra Club, submitted a request to speak. Joey Davis, representing Sierra Club, submitted a request to speak. Larry Fahn, representing As You Sow Foundation/Sierra Club Board of Director, submitted a request to speak. Gordon Bennett, representing Sierra Club - Marin, submitted a request to speak. Karen DiSalvo, representing Sierra Club, submitted a request to speak. John D. Mitchell, representing Sierra Club, submitted a request to speak. Susan Jordan, representing CA Coastal Protection Network, submitted a request to speak in favor. Ed Posen submitted a request to speak. Steve Schultz, representing Sierra Club, submitted a request to speak.

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10. **LCP PLANNING GRANTS.** Staff recommended approval with conditions.

Adam Lindgren, representing City of Fort Bragg, submitted a request to speak in favor of the staff recommendation. Kathi Jacobs, representing Sonoma County, submitted a request to speak in favor of the staff recommendation. Michele Rodriguez, representing County of Marin, submitted a request to speak in favor of the staff recommendation. Bud Carney, representing City of Capitola, submitted a request to speak in favor of the staff recommendation. John Ufrat, representing SLO County, submitted a request to speak in opposition to the staff recommendation.

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

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## **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.

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a. **Duke Energy Proposal to Modernize Morro Bay Power Plant. Postponed.**

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b. **Avila Beach Plume Status Report.** Informational only. Tom Guernsey, representing Avila Beach CSD, submitted a request to speak in opposition to the project.

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12. **FINDINGS.**

a. **CC-126-00 (EPA, southern California)** Staff recommended approval of findings.

Marcela von Vacano, representing U.S. EPA Region 9, submitted a request to speak in favor of the project.

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

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13. **SONGS Status.** Informational only.

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14. **SONGS MITIGATION PROGRAM.** Staff recommended approval.

Dr David Kay, representing Southern California Edison, submitted a request to speak in favor of the project.

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

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## **SAN DIEGO COAST DISTRICT**

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

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a. **San Diego LCP (De Minimis) Amendment No. 3-2001 (LDC Third Quarterly Update).** 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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16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (18c, 18d, 18h, 18j & 19a) to the Calendar, and recommended approval with special conditions.

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

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## 17. LOCAL COASTAL PROGRAMS (LCPs).

a. **Port Plan Amendment No. 30 (National Distribution Center).** Staff recommended approval.

Andrea Poat, representing Mayor of City of San Diego, submitted a request to speak in favor of the project. Ralph Hicks, representing Port of San Diego, submitted a request to speak in favor of the project. Dan Wilkens, representing Port of San Diego, submitted a request to speak in favor of the project. Frank Urtasun, Chair Port of San Diego, submitted a request to speak in favor of the project. Juan Vargas submitted a request to speak in favor of the project. Leslie Wade, representing East Village Association, submitted a request to speak in favor of the project. Greg Shannon, representing Downtown San Diego Partnership, submitted a request to speak in favor of the project. Steve Estrada submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project.

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

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**PUBLIC STATEMENTS.** Scott Boyd, representing SMC League for Coastsides Protection, submitted a request to speak. Laura Truppelli, representing Friends of Ocean Beach & Ocean Beach Task Force, urged support of a long-term erosion plan at Ocean Beach in San Francisco.

**LUNCH RECESS.** The Commission recessed for lunch at 12:45 and returned at 1:55 p.m.

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b. **Port Plan Amendment No. 31 (South Embarcadero).** Staff recommended denial.

The hearing was combined with item a above.

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

c. **Port Plan Amendment No. 32 (South Bay Boat Yard).** Staff recommended approval.

The hearing was combined with item a above.

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

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Sweeney, Dean, McClain-Hill, Krueger & Potter left before the following items.

18. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-6-99-147 (Rutherford, San Diego) Postponed.**  
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b. **Application No. 6-00-74 (Mattingly, Funke & Kimball, Encinitas) Postponed.**  
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c. **Application No. 6-01-73 (San Diego pump station rehab) Moved to expanded Consent Calendar. Approved.**  
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d. **Application No. 6-01-93 (Solana Beach Towne Centres, Solana Beach) Moved to expanded Consent Calendar. Approved.**  
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e. **Application No. 6-01-101 (San Diego treatment plant improvements) Staff recommended approval with special conditions.**

**Motion & Vote:** Dettloff moved staff recommendation, seconded by Reilly, and Chairman Wan ruled that the vote was unanimous. **Passed.**  
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f. **Application No. 6-01-120 (Ja Buza, Carlsbad) Staff recommended approval with special conditions.**

Dennis Cunningham, representing the applicant, submitted a request to speak in favor of the project.

**Motion & Vote:** Woolley moved staff recommendation, seconded by Reilly, and Chairman Wan ruled that the vote was unanimous. **Passed.**  
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g. **Application No. 6-01-136 (San Diego bridge retrofit) Staff recommended approval with special conditions.**

**Motion & Vote:** Woolley moved staff recommendation, seconded by McCoy, and Chairman Wan ruled that the vote was unanimous. **Passed.**  
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h. **Application No. 6-01-144 (UCSD, San Diego) Moved to expanded Consent Calendar. Approved.**

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i. **Application No. 6-01-156 (CalTrans, Oceanside & San Diego Co.)** Staff recommended approval with special condition.

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

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j. **Application No. 6-01-158 (UCSD, San Diego)** Moved to expanded Consent Calendar. **Approved.**

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k. **Application No. 6-01-159 (Dunham & Hunefeld, Encinitas)** **Postponed.**

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l. **Application No. 6-01-160 (Taylor & Harper, Encinitas)** **Postponed.**

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m. **Application No. 6-01-161 (CalTrans, Oceanside & San Diego Co.)** **Postponed.**

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19. **PERMIT AMENDMENT.**

a. **Permit No. 6-99-112-A2 (Hotel Del Coronado, Coronado)** Moved to expanded Consent Calendar. **Approved.**

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## **NORTH CENTRAL COAST DISTRICT**

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

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a. **Sonoma Co. LCP Amendment No. 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.**

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

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21. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-1-99-51 (Wavecrest Village, Cabrillo School Dist. and Boys & Girls Club, Half Moon Bay)** Staff recommended continuance.

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

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b. **Application No. 2-01-17 (Kibblewhite, Pacifica)** Staff recommended approval with special conditions as modified in addendum.

Elisabeth Nielsen, representing the applicant, submitted a request to speak in favor of the project.

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

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**RECESS.** The Commission recessed for the day at 4:10 p.m.



1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, December 13, 2001, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dettloff, Hart, (Alternate) Susskind, McCoy, Neal, Reilly and Woolley. Absent: Dean, Estolano and Sanders. Nava and Potter arrived at 9:10 a.m. McClain-Hill arrived at 9:35 a.m. Desser arrived at 9:55 a.m. Sweeney arrived at 11:30 a.m.

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## STATEWIDE

3. **CERTIFICATE OF COMPLIANCE WORKSHOP.** Informational only.

## CENTRAL COAST DISTRICT

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

a. **Oceano Dunes SVRA Status Report (4-82-300-A5, San Luis Obispo Co.)**  
Informational only. Karen Suty submitted a request to speak in favor of the project. W. Ben Bower submitted a request to speak. Jeri Ferguson, representing California Association of Four Wheel Drive Clubs, submitted a request to speak. Dan Peterson, representing C.O.R.V.A., submitted a request to speak. Domenico Plastina submitted a request to speak. Carolyn Suty, representing Friends of Oceano Dunes, submitted a request to speak. Joel Suty, representing Friends of Oceano Dunes, submitted a request to speak. Tarren Collins, representing Santa Lucia Ch Sierra Club, submitted a request to speak in opposition to the project. Gordon Hensley, representing EDC, submitted a request to speak in opposition to the project. Dr Nell Langford, representing Safebeach Now, submitted a request to speak in opposition to the project. Babak Naficy, representing Environmental Defense Center, submitted a request to speak in opposition to the project.

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

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

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**PUBLIC STATEMENTS.** Vince Taylor, representing Dharma Cloud Foundation, spoke about bridge railing designs reported in October. Dr Hillary Adams demonstrated visual impacts and discussed enforcement. Joel Suty, representing Friends of Oceano Dunes, submitted a request to speak. Karen Suty submitted a request to speak. George Orbelian submitted a request to speak. Bob Batnaglio suggested moving the road inland to solve erosion at Ocean Beach in San Francisco. Mark Massara, representing Sierra Club, corrected misinformation and said MSCPs and HCPs are not protecting species at Oceano Dunes. Gordon Hensley submitted a request to speak. Nell Langford spoke about lack of compliance with the County's permit for the sand ramp at Oceano.

**LUNCH RECESS.** The Commission recessed for lunch at 1:10 and returned at 2:20 p.m.

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

a. **Santa Cruz LCP Amendment No. STC-MAJ-1-01 A (Leibrandt Avenue area).** Staff recommended approval with suggested modifications.

Tim Fitzmaurice, representing City of Santa Cruz, submitted a request to speak in favor of the project. Elisabeth Vogel, representing Mercy Housing California, submitted a request to speak in favor of the project. Ed Davidson submitted a request to speak in opposition to the project.

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

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

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

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b. **Santa Cruz LCP Amendment No. 1-01 (Remainder of Submittal) (Beach & South of Laurel Plan) Time Extension.** Staff recommended approval.

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

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7. **NEW APPEALS.**

a. **Appeal No. A-3-99-81 (Santa Cruz, Skate Park)** 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-3-00-118 (Kahloghli, San Luis Obispo Co.) Postponed.**

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c. **Appeal No. A-3-01-67 (Triad, Watsonville)** Staff recommended that the appeal raised no substantial issue.

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

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d. **Appeal No. A-3-01-86 (Patel, San Luis Obispo Co.) Postponed.**

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e. **Appeal No. A-3-01-92 (deBruin, San Luis Obispo Co.)** Staff recommended that the appeal raised no substantial issue.

Stephanie Dall, representing the applicants, submitted a request to speak in favor of the project. John Wallace, representing the applicants, submitted a request to speak in favor of the project. Ken Renshaw submitted a request to speak in opposition to the project. Joyce Renshaw submitted a request to speak in opposition to the project.

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

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

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g. **Appeal No. A-3-01-100 (Boutique Hotel Group, Monterey Co.) Postponed.**

h. **Appeal No. A-3-01-108 (Schoenfield, San Luis Obispo Co.) Postponed.**

i. **Appeal No. A-3-01-109 (Adams, Santa Cruz Co.) Postponed.**

8. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-00-82 (Pressley, Carmel) Staff recommended denial.**

Anthony Lombardo, representing the applicants, submitted a request to speak in favor of the project.

**Motion & Vote:** Potter moved approval of the project, seconded by McClain-Hill, and the roll call vote was 4 in favor (Hart, Susskind, McClain-Hill & Potter) and 5 opposed (Dettloff, Nava, Reilly, Woolley & Wan). **Failed.**

b. **Application No. 3-01-75 (Anderson, Carmel) Postponed.**

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

d. **Application No. 3-01-79 (Lubic, Carmel) Postponed.**

e. **Application No. 3-01-94 (Kriens, Pacific Grove) Moved to expanded Consent Calendar. Approved.**

f. **Application No. 3-01-85 (Martin, Carmel) Staff recommended approval with special conditions.**

Gary Martin, the applicant, submitted a request to speak in favor of the project. Anthony Lombardo, representing the applicant, submitted a request to speak in favor of the project. Paul Goldman submitted a request to speak in opposition to the project.

**Motion:** Potter moved staff recommendation, seconded by Hart.

**Amending Motion & Vote:** Potter moved to delete condition 1, seconded by Hart, and Chairman Wan ruled that the vote was unanimous. **Passed.**

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

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McClain-Hill left before the next item.

9. **PERMIT AMENDMENT.**

a. **Permit No. 3-99-90-A (Ocean Harbor House, Monterey)** Staff recommended approval with special conditions.

Bud Carney, representing Ocean Harbor House, submitted a request to speak in favor of the project.

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

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**ENFORCEMENT**

10. **ENFORCEMENT REPORT.** Informational only.

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

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**STATEWIDE**

12. **FEDERAL CONSISTENCY REPORT.** Informational only.

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**RECESS.** The Commission recessed for the day at 4:15 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, December 14, 2001, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Hart, (Alternate) Susskind, (Alternate) Ruddock, Nava, Reilly and Woolley. Absent: Dean, Estolano, McClain-Hill, Neal, Sanders and Sweeney.

## NORTH COAST DISTRICT

3. **DEPUTY DIRECTOR'S REPORT.** District Manager Merrill reported on matters not requiring public hearings, and on comments from the public.
4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 6a to the Calendar, and recommended approval with special conditions.

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

### 5. NEW APPEALS.

a. **Appeal No. A-1-01-49 (Latham, et al., 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.

b. **Appeal No. A-1-01-56 (Williams, Mendocino Co.) Postponed.**

c. **Appeal No. A-1-01-58 (Humboldt Co. airport fence)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Wan ruled that the Commission found substantial issue. Chairman Wan opened the hearing on the merits of the project. Staff recommended approval with special conditions as modified orally.

Dan Horton, representing Humboldt County, submitted a request to speak in favor of the project. Bill Wickman submitted a request to speak in opposition to the project.

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

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d. **Appeal No. A-1-01-59 (Thelen, Mendocino Co.) Postponed.**

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e. **Appeal No. A-1-01-62 (Grube, Mendocino Co.) Withdrawn.**

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f. **Appeal No. A-1-01-63 (Kennedy, Mendocino Co.) Postponed.**

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6. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 1-01-39 (Trinidad Rancheria, Trinidad)** Moved to expanded Consent Calendar. **Approved.**

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b. **Application No. 1-01-40 (Humboldt Bay Water Dist., Humboldt Co.)** Staff recommended approval with special conditions.

Carol Rische, representing Humboldt Bay Municipal Water District, submitted a request to speak in favor of the project.

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

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c. **Application No. 1-01-52 (Eleutherian Pan-Communion, Humboldt Co.)** Staff recommended approval with special conditions as modified orally.

Julia Knox & James Calladine, both representing the Eleutherian Pan-Communion of Adidam, submitted requests to speak in favor of the project.

**Motion:** Reilly moved staff recommendation, seconded by Susskind.

**Amending Motion & Vote:** Woolley moved to reduce the front portion of the fence to a maximum of 4 feet high, seconded by Reilly, and the roll call vote was 7 in favor and 3 opposed (Hart, Susskind & Potter). **Passed.**

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

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**PUBLIC STATEMENT.** Julie Verran said the weather was poorly understood in Mendocino County and recommended placing a nearshore or offshore buoy near Ft. Bragg. Dr Hillary Adams requested that northern California items be heard in San Francisco or farther north.

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**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 10:25 a.m.

Respectfully Submitted,

PETER M. DOUGLAS  
Executive Director

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