

CALIFORNIA COASTAL COMMISSION

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

**RECORD PACKET COPY****Tu6**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF JULY 8-12, 2002
Waterfront Hilton Resort Hotel
21100 Pacific Coast Highway
Huntington Beach

Monday, July 8, 2002 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Monday, July 8, 2002, at 10:00 a.m. by Vice Chairman Potter.
2. **ROLL CALL.** Present: Vice Chairman Potter, Commissioners Burke, Dettloff, Hart, (Alternate) Orr, Neal, Peters, (Alternate) Rose and Woolley. Absent: Dean, Desser, Kruer, Sanders and Sweeney. Wan arrived at 10:15 a.m. McClain-Hill arrived at 2:25 p.m.

SOUTH COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 3 and addendum of the Meeting Notice. Staff recommended approval with special conditions.

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

4. **CONSENT CALENDAR.**

a. **Application No. 5-01-373 (Boeing, Seal Beach) Withdrawn.**

b. **Application No. 5-02-140 (Mazess, Santa Monica)** Staff recommended approval with conditions.

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

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

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

(9g) Sherrill Kushner & Pamela C. Vavra, both representing Santa Monica Conservancy, submitted requests to speak.

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

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

a. **Long Beach LCP Amendment No. LOB-MAJ-1-02 (Alamitos Bay).** Staff recommended approval with suggested modifications.

E. Douglas Parsons, Superintendent-Marine Bureau-City of Long Beach, submitted a request to speak in favor of the project. Stephen Conley, representing Bancap (marine property lessee), submitted a request to speak in favor of the project.

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

8. NEW APPEALS.

a. **Appeal No. A-5-02-57 (Bruggeman, Dana Point)** Staff recommended that the appeal raised substantial issue. There being more than 3 votes to hear substantial issue Chairman Wan opened the hearing on substantial issue and combined it with item b below.

Susan McCabe, representing the applicants, submitted a request to speak in favor of the project. Eugene Garcia, representing City of Dana Point, submitted a request to speak.

Motion & Vote on No Substantial Issue: Orr moved to find that the appeal raised no substantial issue, seconded by Rose, and the roll call vote was 6 in favor (Burke, Dettloff, Hart, McClain-Hill, Peters & Potter) and 4 opposed (Orr, Rose, Woolley & Wan). **Passed.**

b. **Appeal No. A-5-02-100 (Bruggeman, Dana Point)** Staff recommended that the appeal raised substantial issue. There being more than 3 votes to hear substantial issue, Chairman Wan opened the hearing on substantial issue, and combined it with item a above.

Motion & Vote on No Substantial Issue: Orr moved to find that the appeal raised no substantial issue, seconded by Rose, and Chairman Wan substituted the previous roll call vote (6-4). **Passed.**

c. **Appeal No. A-5-02-137 (Monarch Bay Club, Dana Point)** Staff recommended that the appeal raised substantial issue.

Andi Culbertson, representing the applicant, waived the right to a hearing within 49 days.

There being no objection Chairman Wan **continued** the hearing to a future meeting.

9. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-01-174 (Leonard, Newport Beach)** Staff recommended denial.

David Neish, representing the applicant, submitted a request to speak in favor of the project. Dan Leonard submitted a request to speak in favor of the project.

Motion & Vote: Hart moved approval of the project with conditions suggested by the applicant, seconded by McClain-Hill, and the roll call vote was 9 in favor and 1 opposed (Wan). **Passed.**

b. **Application No. 5-02-62 (Parks & Recreation, Dana Point)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 5-02-75 (San Clemente Beaches, Parks & Recreation)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-02-77 (Marina Pacifica, Los Angeles Co.)** **Postponed.**

LUNCH RECESS. The Commission recessed for lunch at 12:20 and returned at 1:40 p.m.

e. **Application No. 5-02-87 (Caltrans, District 7, Los Angeles & Los Angeles Co.)** Staff recommended approval with special conditions as modified orally.

Twenty seven speakers submitted requests to speak in favor of the project: Victoria L. Anderson; Alfred Areyan; Jane Bright; John Buck, representing Los Angeles Fire Dept.; Larry Chaffers; Wayne Clark, representing Environmental & Construction Training Institute; Doug Failing, representing Caltrans; Ralph Franklin, representing City of Inglewood's Park Commission; Frank M. Gleberman, representing Westchester/LAX-Marina del Rey Chamber of Commerce; Sergeant Greg Glodery, representing Los Angeles Police Dept.; Alice Harris, representing Parents of Watts, Inc.; Peggy Harris, representing Playa Vista; James Hopkins, representing I.B.E.W Local #11; John Howland, representing L.A. Councilmember Ruth Galanter; Joan E. Irvine; Rickey Ivie; Michael Josslyn, representing Friends of Ballona Wetlands; Jay Kim, representing Los Angeles Dept. of Transportation; Bob Krauch; Ruth Lansford, representing Friends of Ballona Wetlands; Challis Macpherson; Glenn Marzano, representing Playa Vista; Dr. James Moore; Rene Moore; Winnie Northrup, representing Venice Boys & Girls; Kevin Norton, representing IBEW Local 11/LA OC Building Trades Council; and Angela Reddock, representing LAAAWPAC.

Seven speakers submitted requests to speak in opposition to the project: Sheila Bernard; Dean François, representing Friends of the South Bay Bike Path; Rex Frankel, representing Sierra Club, Ballona Ecosystem Education Project; Leslie Purcell; Liz Sells; Sabrina Venskus, representing Ballona Wetlands Land Trust; and Jeanette Vosberg, representing Grassroots Co.

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

McClain-Hill left before the following item.

f. **Application No. 5-02-93 (Cannery Lofts, Newport Beach)** Staff recommended approval with special conditions.

David Hecht, representing the applicant, submitted a request to speak in favor of the project. David Neish & Kevin Weeda, both representing CWI Development, submitted requests to speak in favor of the project. Lucille Kring, representing Oracle, submitted a request to speak in opposition to the project. Peter Ziblatt, representing Sheppard, Mullin, submitted a request to speak in opposition to the project.

Motion: Potter moved staff recommendation, seconded by Dettloff.

Amending Motion & Vote: Potter moved to substitute a different lot for parking, seconded by Burke, 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**

g. **Application No. 5-02-112 (Powell, Santa Monica)** Moved to expanded Consent Calendar. **Approved.**

Potter left during the following item.

h. **Application No. 5-02-138 (Graves, Los Angeles)** Staff recommended approval with special conditions as modified in addendum.

Robert Rozanski, representing the applicant, submitted a request to speak in favor of the project. Patrick Cunningham representing C & C Partners Design/Build Firm, submitted a request to speak in favor of the project.

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

10. **PERMIT AMENDMENTS.**

Ruddock arrived during the following item.

a. **Permit No. A-381-78-A13 (Headlands, Metropolitan Life & Fryzer, Los Angeles)** Staff recommended denial.

Joseph Fryzer submitted a request to speak in favor of the project. Mark Allen, representing J. Fryzer, submitted a request to speak in favor of the project. Robert L. (Bob) Cavage, representing Pacific Palisades Residents Assoc., submitted a request to speak in opposition to the project.

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

b. **Permit No. 5-84-638-A (Singer & McDemas, Los Angeles)** Staff recommended approval with special conditions as modified orally.

Robert Singer, representing C & O Trattoria, submitted a request to speak in favor of the project. Jay B. Siegel, representing Siegel & Siegel, submitted a request to speak in favor of the project. Craig Lawson submitted a request to speak in opposition to the project. Claire Bronowski submitted a request to speak in opposition to the project. Marilyn Rowland submitted a request to speak in opposition to the project. Debbie Kane submitted a request to speak in opposition to the project. Jackie Wolfe submitted a request to speak in opposition to the project.

Motion & Vote: Woolley moved staff recommendation, seconded by Orr, and the roll call vote was 8 in favor and 1 opposed (Burke). **Passed.**

c. **Permit No. 5-01-219-A (Voit, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

11. FINDINGS

a. **Permit No. 5-00-271-A (Darcy, Hermosa Beach)** Staff recommended approval of findings.

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

b. **Application No. 5-01-63 (Balboa Inn, Newport Beach)** Trained to Tuesday. Staff recommended approval of findings.

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

c. **Application No. 5-01-190 (Calvary Church & Los Angeles)** Trained to Wednesday. Staff recommended approval of findings.

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

d. **Application No. 5-01-223 (Playa Vista Capital, Los Angeles)** Staff recommended approval of findings

Susan McCabe, representing Playa Vista, submitted a request to speak in favor of the project.

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

e. **Application No. A-5-01-281 (Playa Capital, Los Angeles)** Staff recommended approval of findings.

The hearing was combined with item d above.

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

STATEWIDE

Hart & Woolley left during the following item.

12. **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.

13. **FEDERAL CONSISTENCY.**

a. **CD-33-02 (U.S. Air Force, offshore San Diego)** Staff recommended approval.

Linda DeVine, representing Air Force Air Combat Command, submitted a request to speak in favor of the project.

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

RECESS. The Commission recessed for the day at 6:40 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, July 9, 2002, at 9:05 a.m. by Chairman Wan.

2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, Dettloff, Kruer, (Alternate) Orr, Neal, (Alternate) Ruddock, (Alternate) Rose, Sweeney and Woolley. Absent: Desser, McClain-Hill, Peters and Sanders. Burke & Hart arrived at 9:15 a.m.

SAN DIEGO COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-02-79 (Molasky, San Diego)** 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 d on page 7 of the Meeting Notice. Item c was postponed. Staff recommended approval with special conditions.

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

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

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (9f, 9g, 9j & 10b) to the Calendar, and recommended approval with special conditions.

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

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

a. **Carlsbad LCP Amendment No. 1-2002 B&C (Carlsbad Promenade and Redeemer by the Sea)** Staff recommended approval with suggested modifications.

Paul Klukas, representing Planning Systems, submitted a request to speak in favor of the project. Rev. Robert McDonald, representing Redeemer by the Sea Lutheran Church, submitted a request to speak in favor of the project.

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

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

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

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

c. **Encinitas Draft Post-LCP Jurisdiction Map.** Staff recommended approval.

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

Eight speakers submitted requests to speak in opposition: Kathleen Porterfield; Mark Dillon, representing Encinitas Country Day School; Arthur Wolfson, representing Encinitas Country Day School; Marty Mullen, representing ECDS, Kathleen Porterfield and M&M Development; Michael Larsen, representing M&M Dev. LLC; Ross Tyree; Rich Lofieve; and Nicolette Crawford.

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

8. NEW APPEALS.

a. **Appeal No. A-6-00-124 (Oceanside weir)** 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 combined it with items 8b & 9d below. Staff recommended approval with special conditions as modified orally.

David McBride, representing City of Oceanside, submitted a request to speak in favor of the project. Keith Merkel, representing Merkel & Associates, submitted a request to speak in favor of the project. Russell Boudreau, representing Moffatt + Nichol Engineers, submitted a request to speak in favor of the project. William Carroll, representing Beach Home Owners Association, submitted a request to speak in favor of the project. John Tenaglia, representing St. Malo Association, submitted a request 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.**

b. **Appeal No. A-6-00-125 (Oceanside weir)** 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 combined it with item a above & 9d below. Staff recommended approval with special conditions as modified orally.

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

9. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-01-129 (Sea World, San Diego)** **Postponed.**

b. **Application No. 6-01-167 (SDG&E & Cabrillo Power, Carlsbad)** **Postponed.**

c. **Application No. 6-01-172 (San Diego bridge replacement)** Staff recommended approval with special conditions.

Frank Belock, representing City of San Diego, submitted a request to speak in favor of the project. Mike Hastings, representing Los Peñasquitos Lagoon Foundation, submitted a request to speak in favor of the project. Ten speakers submitted requests to speak in opposition to the project: Linda Niles, representing City of Del Mar; Robert Gilleskie, representing Torrey Pines Community Planning Board; Diana Bergen,

representing Torrey Pines Association; Roy Riblet; Bob Lewis; Marit Evans-Layny; Therese Tanalski; Sue Marsh; Jan McMillan; and Steven Bergen.

Motion & Vote: Kruer moved staff recommendation, seconded by Ruddock, and the roll call vote was 8 in favor and 1 opposed (Orr). **Passed.**

d. **Application No. 6-02-14 (Oceanside weir)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with items 8 a & b above.

Motion & Vote: Kruer moved staff recommendation, seconded by Orr, and Chairman Wan substituted the previous roll call vote, from item 8b (9-0). **Passed.**

e. **Application No. 6-02-38 (Coronado highway enhancement)** Staff recommended approval with special conditions.

Councilmember Phil Monroe, Gary Ruyle, Dr. Stephen Neudecker and Tony Peña, all representing the City of Coronado, submitted requests to speak in favor of the project. James A Nakagawa, representing the City of Imperial Beach, submitted a request to speak in favor of the project.

Motion: Kruer moved staff recommendation, seconded by Dettloff.

Amending Motion & Vote: Kruer moved to delete the bikepath redesign condition, seconded by Dettloff, and the roll call vote was 8 in favor and 1 opposed (Hart). **Passed.**

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

f. **Application No. 6-02-39 (Seascape Chateau, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 6-02-41 (Stevens Ave. Self Storage, Solana Beach)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 6-02-59 (Solana Corporate Center, Solana Beach)** **Postponed.**

i. **Application No. 6-02-65 (Caltrans, Solana Beach)** **Postponed.**

j. **Application No. 6-02-69 (Bristol Cove, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

10. PERMIT AMENDMENTS.

a. **Permit No. 6-00-9-A2 (Del Mar Beach Club, Solana Beach)** **Postponed.**

b. **Permit No. 6-81-67-A17 (Nolan, San Diego)** Moved to expanded Consent Calendar. **Approved.**

PUBLIC STATEMENT. Linda Moon, representing Amigos de Bolsa Chica, welcomed the Commission to Orange County, and said Bolsa Chica was worth fighting for.

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

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, July 10, 2002, at 9:00 a.m. by Chairman Wan.
 2. **ROLL CALL.** Present: Chairman Wan, Commissioners Dean, Desser, Dettloff, Kruer, Nava, Neal, Peters, Reilly and Woolley. Absent: Sanders. Sweeney arrived at 9:10 a.m. Hart & Potter arrived at 9:15 a.m. McClain-Hill arrived at 9:55 a.m. Burke arrived at the lunch break.
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STATEWIDE

3. **APPROVAL OF MINUTES.** Kruer moved approval of the minutes of June 2002, seconded by Desser, and unanimously **approved**.
 4. **COMMISSIONERS' REPORTS.** Informational only.
 5. **CONSERVANCY REPORT.** A written report was provided for information only.
 6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
 7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
 8. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Legislation.** Informational only.
 - b. **Proposed Schedule of Meetings in 2004. Postponed.**
 9. **PERIODIC REVIEW OF CERTIFIED LCPs.** Informational only. Thirteen speakers submitted requests to speak: Gus Ayge, representing GVHRA; Carole Dehmel, representing Sierra Club; Lula Donnelly, representing Sierra; Janet Frumhoff, representing Sierra Club/Bolsa Chica; Sky Gordon, representing Sierra Club; Jennifer Irani, representing Banning Ranch Park & Preserve Task Force; Doug Korthof; Mark Massara, representing Sierra Club; Don May, representing Calif. Earth Corps; Bruce Monroe, representing Sierra Club MPA; Eileen Murphy, representing Bolsa Chica Land Trust; Christine Speed, representing Sierra Club; and Terry Welsh, representing Sierra Club Banning Ranch Park & Preserve Task Force.
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SOUTH CENTRAL COAST DISTRICT

10. LOCAL COASTAL PROGRAM (LCP).

a. Malibu Local Coastal Program. Staff presented the LCP and requested guidance from the Commission.

PUBLIC STATEMENTS. Alan Sanders, representing Sierra Club, Los Padres Chapter, spoke about Ormond Beach & lagoon, and a previous violation regarding dewatering.

LUNCH RECESS. The Commission recessed for lunch at 12:50 and returned at 2:15 p.m. Burke arrived during the break. Dean left at the break. Potter returned from the break at 2:30 p.m. McClain-Hill left at the break and returned at 6:15 p.m.

Forty one speakers submitted requests to speak in favor of the project: Rudy Vietmeier, representing Sierra Club; Sheelagh Williams, representing CalBeach Advocates; Sharon Prey; Paul Arms, representing Sierra Club; Doug Korthof; Hal Ross; Donald Nierlich, representing Coastwalk; Bob Purvey; Ronn Hayes, representing M.C.L.C; Arthur London; Efrom Fader, representing Malibu Township Council; Alan Sanders, representing Sierra Club Los Padres Chapter; Angela Mooney-D'Arcy, representing Environment Now/UCLA Tribal Legal Development Clinic; Paul Shoop, representing Malibu Little League; Mark Massara, representing Sierra Club; Tarren Collins, representing SLO Coast Alliance/SC Chumash; Mel Nutter, representing League for Coastal Protection; Roy Bozzi, representing Cartagena Baykeeper; Linda Moon, representing Amigos de Bolsa Chica; Robert García, representing Concerned Citizens of South Central Los Angeles, Los Angeles Metropolitan Churches, Anahuak Youth Soccer Association; Susan Jordan, representing League for Coastal Protection; Steve Hoyer, representing Access For All; Rauline M.G. Ochs; Mary Ellen Housial; Ozzie Silna, representing Malibu Coastal Land Conservancy; David Troy; Mati Waiya, representing Ventura County Coastkeeper & Wishtuyu Foundation; Ellen Brown, representing Orange County Coastkeeper; Melinda Booth, representing Defenders of Wildlife; Susan Tellem, representing American Tortoise Rescue; Marco Gonzalez, representing Surfrider Foundation; Garry Brown, representing O.C. Coastkeeper; Shelley Luce, representing Heal the Bay; Steve Fleischli, representing Santa Monica Baykeeper; Marshall Thompson, representing MCLC; Travis Longcore, representing The Urban Wildlands Group; Jo Ruggles, representing MCLC; Steve Uhring, representing Malibu Coastal Land; Marcia Hanscom, representing Wetlands Action Network; Roy van der Hoek; and Paul Edelman, representing Santa Monica Mts. Conservancy.

Fifty three speakers submitted requests to speak in opposition to the project: Stephanie Abronson; Grant Adamson, representing Mariposa Land Co.; Mary Ayerst; Rod Bergen; Jeff Bonelli; Brian Bouclers, representing Santa Monica Mountains Inholders; David M. Brown, representing Sierra Club-Santa Monica Mts. TF; Kathleen

Burr, representing Los Angeles Cty Farm Bureau; Martin N. Burton; Bill Carson; Dave Cowardin, representing L.A. Co. Dept. of Regional Planning; Steven Danny; Judi Decker, representing Point Dume Community Ass.; Ilse Erdel; Herbert Erdel; Ann Fulton; Kay Furgurson; Grant Gerson; Ruth Gerson, representing Recreation & Equestrian Coalition; Tony Giordano; Robert Grant, representing Recreational Equestrian Coalition; E. Barry Haldeman, representing Californians for Local Coastal Protection; Bob Hard; Dr. Jeff Harris; Anne Holtman; Kirby Kotler; Stanley W. Lamport, representing Local Use Preservation Defense Fund; Joel Landson; Wade Major; John Mazza, representing Pt. Dume Community Assn.; Georgianna McBurney, representing Vista Pacifica Town Homes Assoc.; Sandra Mitchell; Yehuda Netanel, representing Monte Nido valley Community Assoc.; Budge Offer; Pamela Sue Peterson; Will Peterson; Natalie Philbrick; Carol Randall; Don Schmitz; Dennis Seider; John Sibert; Judy Siegler, representing La Costa Beach Homeowners Assoc.; Ray Slayton, representing Recreation & Land Use Preservation Foundation; Natalie Soloway; Heidi Stompe; Bob Tobias, representing Farm Bureau; Ted Vaill; Don Wallace, representing Las Virgenes Homeowners Federation; William N. Weeger; Ruth White, representing Ramirez Canyon Preservation Fund; Kathryn Yarnell, representing Malibu Assoc. of Realtors; Art Zoloth, representing Malibu La Costa Homeowners; and Helen Zoloth, representing La Costa Beach Homeowners.

Laurie Newman & Louise Rishoff, representing Senator Sheila Kuehl & Assemblymember Fran Pavley, submitted a request to speak. Laura Shell, representing Supervisor Zev Yaroslavsky, submitted a request to speak. Paula Rasmussen, representing Los Angeles Regional Water Quality Control Board, submitted a request to speak. John Todd, representing Los Angeles County Fire Dept., submitted a request to speak. Joseph Chesler, representing L.A. County Dept. of Beaches & Harbors, submitted a request to speak. Johannes Burge & Michael Richards, both representing Taxpayers for Livable Communities, submitted requests to speak. Pat Healy & Anna Belle Heiss, both representing Malibu Coalition for Slow Growth, submitted requests to speak. Eight other speakers submitted requests to speak: Debra DeCray, representing Temescal Canyon Assoc.; Jefferson Wagner, representing Latigo Cyn. Preservation Assoc.; David Reznick, representing Malibu Bay Company; Kari Kramer, representing Malibu Bay Company; Juergen Cords; Norm Haynie; James Alamillo, representing Heal the Bay; and Sarah Dixon, representing Malibu Coastal Land Conservancy.

DINNER RECESS. The Commission recessed for dinner at 6:30 and returned at 8:20 p.m.

After the break, Commissioners made general remarks about the LCP issues. The discussion was continued to Thursday morning, when the Commission gave specific guidance.

RECESS. The Commission recessed for the day at 9:55 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, July 11, 2002, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners Desser, Dettloff, Hart, Kruer, Nava, Peters, Reilly, Sanders, Sweeney and Woolley. Absent: Dean. Burke & Neal arrived at 9:10 a.m. McClain-Hill arrived at 9:25 a.m.

SOUTH CENTRAL COAST DISTRICT

3. CONSENT CALENDAR.

a. **Application No. 4-02-62 (Bentzen, Malibu)** Staff recommended approval with special conditions.

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

PUBLIC STATEMENTS. Mark Massara spoke about the best septic treatment in future development. Joey Racano said he hoped the Commission would protect water quality in Orange County, and mentioned Little Shell.

LUNCH RECESS. The Commission recessed for lunch at 12:10 and returned at 1:15 p.m. Burke, McClain-Hill & Potter returned from the break at 1:25 p.m. During the continued Malibu LCP item, Sweeney left at 2:15 p.m., and Kruer left at 2:45 p.m.

ENERGY, OCEAN RESOURCES and WATER QUALITY

4. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Energy & Ocean Resources Unit Manager Dettmer reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

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

5. COASTAL PERMIT APPLICATION.

a. **Application No. E-01-29 & CC-111-01 (Tyco, Hermosa Beach & Redondo Beach)** Staff recommended approval with special conditions.

Ronald Armstrong, Catherine Creese & Steve Drew, all representing Tyco Telecommunications, submitted requests to speak in favor of the project. Michael David Fox, representing Concerned Trawlers of Santa Barbara, submitted a request to speak in favor of the project. Mike McCorkle, representing Southern CA Trawlers Assn., submitted a request to speak in favor of the project.

Motion & Vote on Permit: Reilly moved staff recommendation on E-01-29, seconded by Potter, and Chairman Wan ruled that the vote was unanimous with Burke abstaining. **Passed.**

Motion & Vote on Consistency: Reilly moved staff recommendation on CC-111-01, seconded by Dettloff, and Chairman Wan ruled that the vote was unanimous with Burke abstaining. **Passed.**

6. **SONGS Status.** Informational only.

SOUTH CENTRAL COAST DISTRICT

Sanders left before the following item.

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

a. **UCSB LRDP Amendment 3-02 (Minor).** 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. **Ventura Co. LCP Amendment No. 1-02 (Hollywood Beach) Minor.** 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.**

c. **Ventura Co. LCP Amendment No. 2-02 (Hollywood Beach) Minor.** 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.**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 11 items (10a, 10c, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 11.5a & 11.5b) to the Calendar, and recommended approval with special conditions.

(10a) Don Schmitz, representing the applicant, submitted a request to speak in favor of the project. (10h) Don Schmitz, representing the applicant, submitted a request to speak in favor of the project.

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

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

a. **San Buenaventura LCP Amendment No. MAJ-1-02 (Four Points Sheraton).** Postponed.

b. **Carpinteria LCP Amendment No. 1-01 (comprehensive Plan update).** Postponed.

9.5 **NEW APPEALS.**

a. **Appeal No. A-4-02-145 (Oly Chadmar, Santa Barbara Co.)** Staff recommended that the appeal raised no substantial issue.

Julie Biggs, representing City of Goleta, submitted a request to speak in favor of the project. Donald M. Davis, attorney for the appellants, submitted a request to speak in favor of the project. Steven H. Kaufman, representing the applicants, submitted a request to speak in favor of the project.

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

b. **Appeal No. A-4-02-151 (Longwell, Ventura Co.)** Staff recommended that the appeal raised substantial issue.

The applicant requested postponement.

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

10. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-01-117 (Knapp, Malibu)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 4-01-138 (UCSB, Santa Barbara Co.)** Trained to be heard with item 11b below. Staff recommended approval with special conditions.

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

c. **Application No. 4-01-166 (Bonann, Malibu)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 4-01-198 (Parks & Rec., Malibu)** Staff recommended approval with special conditions as modified in addendum.

Paul Webb & Hayden Sohm, both representing California State Parks, submitted requests to speak in favor of the project.

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

e. **Application No. 4-02-1 (Cold Canyon 10, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 4-02-2 (Lulloff & Adler, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-02-3 (Ford, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-02-13 (Monti, Malibu)** Moved to expanded Consent Calendar. **Approved.**

i. **Application No. 4-02-38 (Fogel, Malibu)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 4-02-92 (Weingarten, Malibu)** Moved to expanded Consent Calendar. **Approved.**

k. **Application No. 4-02-114 (Wells, Malibu)** Moved to expanded Consent Calendar. **Approved.**

l. **Application No. 4-02-46 (Rollins, Malibu)** Staff recommended approval with special conditions.

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

McClain-Hill & Neal left during the following item.

11. UCSB NOTICES of IMPENDING DEVELOPMENT.

a. **No. 3-02 (Intercollegiate Athletics Building).** Staff recommended approval with special conditions.

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

b. **No. 4-01 (Coal Oil Point Reserve Enhancement).** Staff recommended approval with special conditions.

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

11.5 PERMIT AMENDMENTS.

a. **Permit No. 4-99-86-A (Bright, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 4-00-192-A2 (Trey Trust, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

NORTH COAST DISTRICT

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

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

14. **COASTAL PERMIT APPLICATION.**

a. **Application No. 1-02-7 (Eureka water pipe, Humboldt Co.)** **Postponed.**

15. **NEW APPEALS.**

a. **Appeal No. A-1- 01-51 (Meredith, 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-1-02-29 (Shia, Mendocino Co.)** Staff recommended continuance. There being no objection, Chairman Wan opened the hearing and **continued** it to a future meeting.

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

RECESS. The Commission recessed for the day at 4:25 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, July 12, 2002, at 9:05 a.m. by Chairman Wan.
2. **ROLL CALL.** Present: Chairman Wan, Vice Chairman Potter, Commissioners (Alternate) Susskind, Dettloff, Hart, Nava, Peters and Reilly. Absent: Dean, Desser, Krueer, McClain-Hill, Sanders, Sweeney and Woolley. Neal arrived at 9:10 a.m.

CENTRAL COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application No. 3-02-26 (Moore & Builder, Pacific Grove)** Staff recommended approval with special condition.

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

ENFORCEMENT

4. ENFORCEMENT REPORT. Informational only.

NORTH CENTRAL COAST DISTRICT

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Scholl reported on matters not requiring public hearings, and on comments from the public.
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6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 8a & b 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.**

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

a. **San Mateo Co. LCP Amendment No. 1-MAJ-00 (Designated Housing).**
Postponed.

8. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 2-02-7 (Bechtle, Marin Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 2-02-11 (Daly City, rewetment)** Moved to expanded Consent Calendar. **Approved.**

CENTRAL COAST DISTRICT

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

10. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 12e & f 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.**

11. **NEW APPEAL.**

a. **Appeal No. A-3-01-112 (Devine, Pismo Beach)** **Postponed.**

12. **COASTAL PERMIT APPLICATIONS:**

Nava was out of the room during the following item.

a. **Appeal No. A-3-01-45 (Oblates of St. Joseph Church, Santa Cruz)** Staff recommended approval with special conditions.

Eric Grant, representing Oblates of St. Joseph, submitted a request to speak in favor of the project. Ralph Berger, representing Santa Cruz Chapter, Sierra Club,

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.

Motion & Vote: Potter moved staff recommendation, seconded by Hart, and the roll call vote was 5 in favor (Susskind, Dettloff, Hart, Peters & Potter) and 2 opposed (Reilly & Wan). **Passed.**

b. **Appeal No. A-3-01-86 (Patel, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Pragna Patel submitted a request to speak in favor of the project. Robert Mueller submitted a request to speak in favor of the project.

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

c. **Application No. 3-01-123 (Domnick, Carmel)** Staff recommended approval with special conditions.

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

d. **Application No. 3-02-5 (Kashfi, Carmel)** Staff recommended approval with special conditions.

Jim Staples, representing the applicant, submitted a request to speak in favor of the project.

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

e. **Application No. 3-02-23 (Child, Pacific Grove)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 3-02-27 (Monte Foundation, Santa Cruz Co.)** Moved to expanded Consent Calendar. **Approved.**

13. **PERMIT AMENDMENT.**

a. **Permit No. 3-97-39-A2 (CalTrans, San Luis Obispo Co.)** Staff recommended approval with revised special condition as modified orally.

Mike Giuliano, representing Caltrans, submitted a request to speak in favor of the project. Stephanie Dall, representing Joe & Kim Todd, submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak.

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

14. **FINDINGS.**

a. **Application No. A-3-01-100 (Boutique Hotel Group, Monterey Co.)** Staff recommended approval of findings.

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

PUBLIC STATEMENTS. Pamela Martens, representing Coast Unified School Dist., said they would make a more detailed presentation in August regarding the need for an elementary school in Cambria.

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:00 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

