

CALIFORNIA COASTAL COMMISSION

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RECORD MANAGEMENT

W13

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES of MEETING of NOVEMBER 5-7, 2003
Sheraton Los Angeles Harbor
601 South Palos Verdes Street
San Pedro

Wednesday, November 5, 2003 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, November 5, 2003, at 10:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Desser, Hart, Iseman, Nava, Potter, Vargas, Wan and Woolley. Absent: Peters, Sanders and Sweeney. Kruer arrived at 10:15 a.m., and McClain-Hill arrived at 10:50 a.m.

SOUTH COAST DISTRICT

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

(a) Dan Converse, representing the applicant, submitted a request to speak in favor of the project.

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

4. **CONSENT CALENDAR.** See items a through d on page 3 of the Meeting Notice. Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

5. **CONSENT CALENDAR.**

a. **Application No. 6-03-93 (Santa Fe Irrigation Dist., Solana Beach) Postponed.**

SOUTH COAST DISTRICT

6. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee reported on matters not requiring public hearings, and on comments from the public. Plinio J. Garcia submitted a request to speak in favor of project 5-98-328-A.

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

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

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

a. **Newport Beach Plan Amendment No. NPB-MAJ-1-03 A (Orange Street).** Staff recommended approval.

Motion & Vote on Plan as Submitted: Iseman moved approval of the Land Use Plan Amendment as submitted, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Failed.**

b. **Newport Beach Plan Amendment No. NPB-MAJ-1-03 (Parts B & C) Time Extension.** Staff recommended approval.

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

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-02-192 (Freedman, Laguna Beach)** Staff recommended approval with special conditions.

Brion Jeannette, representing the applicant, submitted a request to speak in favor of the project.

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

McClain-Hill arrived during the following item.

b. **Application No. 5-03-91 (Newport Beach, Bayview Landing sr. housing & park)** Staff recommended approval with special conditions.

Daniel Trimble, representing the City of Newport Beach, submitted a request to speak in favor of the project. Ernie Hatchell, representing seniors, submitted a request to speak in favor of the project. Dennis Baker, representing Earth Resource Foundation, submitted a request to speak in favor of the project. Jan Vandersloot submitted a request to speak in favor of the staff recommendation. Robert van de Hoek submitted a request to speak in opposition to the project. John Davis submitted a request to speak in opposition to the project. Marcia Hanscom, representing Wetlands Action Network, submitted a request to speak in opposition to the project. Rex Frankel submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak.

Motion & Vote: McClain-Hill moved staff recommendation, seconded by Iseman, and the roll call vote was 7 in favor and 4 opposed (Desser, Nava, Wan & Reilly). **Passed.**

c. **Application No. 5-03-188 (Snyder, Martin, Lund, Fairbanks & Sutherland, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-03-248 (Caltrans, Los Angeles)** Staff recommended approval with special conditions as modified in addendum.

Stephanie Sapper, representing the applicant, submitted a request to speak in favor of the project. John Hopper, representing California Wetlands Research, 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. Robert Roy van de Hoek submitted a request to speak in opposition to the project. Marcia Hanscom submitted a request to speak in opposition to the project. John Davis, representing Sierra Club, submitted a request to speak in opposition to the project. Rex Frankel, representing Ballona Ecosystem Education Project, Sierra Club Airport Marina Group, Spirit of the Sage Council, submitted a request to speak in opposition to the project.

Motion: Desser moved staff recommendation, seconded by Burke.

Amending Motion & Vote: Wan moved to revise the plant palette, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 12 in favor and 0 opposed. **Passed**

e. **Application No. 5-03-279 (Boeing Realty, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

PUBLIC STATEMENTS. Marcia Hanscom, representing Wetlands Action Network, requested mapping of egrets and herons nesting sites and protection from tree trimming. Roger Miller requested a hearing on revocation of his neighbor's permit amendment. Hans Etter said Los Angeles County Beaches & Harbors have put more and more restrictions on transient docks, and that small boats have been kicked out of marinas. John Davis, representing Sierra Club, said the City of Los Angeles granted exemptions that remove parking.

LUNCH RECESS. The Commission recessed for lunch at 1:05 p.m. and returned at 2:30 p.m. Vargas did not return after the break.

10. **PERMIT AMENDMENT.**

a. **Permit No. 5-92-50-A2 (Long Beach Parks)** Staff recommended approval with special conditions.

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

11. FINDINGS.

a. **Application No. 5-02-203 (Tabak, Newport Beach)** Staff recommended approval of findings.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

12. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Chief Deputy Director Hansch reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

13. **SONGS Work Program & Budget.** Staff recommended approval of a 2-year work program and budget. There being no objection, Chairman Reilly ruled that the work program & budget were **approved.**

SAN DIEGO COAST DISTRICT

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

15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 18c to the Calendar, and recommended approval with special conditions.

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

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

a. **San Diego LCP Amendment No. 3-03A (Companion Units).** Staff recommended approval.

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

17. **NEW APPEALS.**

a. **Appeal No. A-6-03-26 (Kiko, Carlsbad)** Staff recommended that the appeal raised substantial issue. There being more than 3 votes to hear testimony on substantial issue, Chairman Reilly opened the hearing on substantial issue.

Norbert Dall, representing the applicants, submitted a request to speak in favor of the project. Gregory Wade, representing City of Imperial Beach, submitted a request to speak in favor of the project.

Motion & Vote on No Substantial Issue: Wan moved to find that the appeal raised no substantial issue, seconded by Dessler, and the roll call vote was 4 in favor (Hart, Iseman, Krueer & McClain-Hill) and 5 opposed. **Failed**.

b. **Appeal No. A-6-03-96 (Imperial Beach street end improvements)** Staff recommended that the appeal raised no substantial issue.

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

18. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-6-02-121 (CH Oceanside, Oceanside)** Trained until after item b below. Staff recommended approval with special conditions.

Ronald Rouse, representing the City of Oceanside, submitted a request to speak in favor of the project. Mary Cunniff submitted a request to speak in opposition to the project. Terry Kilpatrick, representing Mira Mar Mobile Community, submitted a request to speak in opposition to the project. Louis Taschner submitted a request to speak in opposition to the project. Nancy Craig submitted a request to speak in opposition to the project. Flo Livers submitted a request to speak in opposition to the project.

Motion & Vote: Hart moved staff recommendation, seconded by Desser, and Chairman Reilly substituted the previous the roll call (10-0). **Passed.**

b. **Application No. 6-03-23 (CH Oceanside, Oceanside)** Staff recommended approval with special conditions.

The hearing was combined with item 18a above.

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

c. **Application No. 6-03-72 (Solana Beach pedestrian bridge)** Moved to expanded Consent Calendar. **Approved.**

RECESS. The Commission recessed for the day at 3:45 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, November 6, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Desser, Hart, Iseman, Peters, Wan and Woolley. Absent: Sanders, Sweeney and Vargas. Nava arrived at 9:05 a.m. (Alternate) Curtis arrived at 9:10 a.m. Potter arrived at 9:15 a.m. Kruer arrived at 9:55 a.m.

SOUTH CENTRAL COAST DISTRICT

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

4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items to the Calendar (7b, 7e & 8b), and recommended approval with special conditions.

(7b) Haya Zilka, the applicant, submitted a request to speak in favor of the project. (8b) There being 3 votes to remove it, this item was returned to the amendment calendar below.

Motion & Vote: Peters moved staff recommendation on the remainder of the Calendar, seconded by Burke, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

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

- a. **Port Hueneme LCP Amendment No. MAJ-1-03 (Anacapa Walk Homes).** Staff recommended approval.

Alan Sanders, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

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

Potter & Kruer arrived during the following item.

b. **Santa Barbara Co. LCP Amendment No. MAJ-3-02 (Toro Canyon Plan).** Staff recommended approval with suggested modifications.

Dianne Meester, representing Santa Barbara County, submitted a request to speak in opposition to the staff recommendation. Lu Ann Hall & Rosamond Hall submitted a request to speak in opposition to the staff recommendation. George Shaw, representing California Department of Education, submitted a request to speak in opposition to the staff recommendation. Doug White submitted a request to speak in opposition to the staff recommendation. Sandra Smyser, representing Carpinteria Unified School District, submitted a request to speak in opposition to the staff recommendation. Celeste J. Koeberl submitted a request to speak in opposition to the staff recommendation. John B. Gostovich submitted a request to speak in opposition to the staff recommendation. Steven A. Amerikaner, representing Padaro Association, submitted a request to speak in opposition to the staff recommendation. John Buse, representing Environmental Defense Center, submitted a request to speak in favor of the staff recommendation. Alan Sanders, representing Sierra Club, submitted a request to speak in favor of the staff recommendation. Royce Stauffer, representing Carpinteria Valley Association, submitted a request to speak in favor of the staff recommendation. Juanita Wulff submitted a request to speak in favor of the project.

Motion & Vote on Plan as Submitted: Desser moved approval of the Land Use Plan Amendment as submitted, seconded by Wan, and the roll call vote was 2 in favor (Hart & Nava) and 10 opposed. **Failed.**

Motion on Plan with Modifications: Desser moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Wan.

Amending Motion & Vote (Water Quality): Peters moved to delete future review from modification 15 regarding stormwater, seconded by Hart, and the roll call vote was 6 in favor and 6 opposed (Burke, Desser, Iseman, Nava, Wan & Woolley). **Failed.**

Amending Motion & Vote (School siting): Hart moved to add a modification recommended by the Carpinteria School District, seconded by Peters, and the roll call vote was 3 in favor (Hart, Peters & Potter) and 9 opposed. **Failed.**

Vote on Main Motion: The roll call vote, on the main motion, without amendments above, was 10 in favor and 2 opposed (Hart & Nava). **Passed**

Motion & Vote to Reject Implementation: Desser moved to reject the implementation amendment as submitted, seconded by Wan, and Chairman Reilly substituted the previous roll call vote (10-2). **Passed.**

Motion & Vote on Implementation with Modifications: Desser moved approval of the implementation with suggested modifications, seconded by Wan, and Chairman Reilly substituted the previous roll call vote (10-2). **Passed.**

6. **UCSB LRDP Amendment 1-03, and Notices of Impending Development 6-03, 7-03, 8-03, & 9-03 (Main campus).** Staff recommended approval of the LRDP Amendment, and approval of the Notices of Impending Development with special conditions.

Tye Simpson, representing University of California Campus Planning & Design, submitted a request to speak in favor of the staff recommendation.

Motion & Vote on LRDP Amendment: Nava moved staff recommendation, seconded by Burke, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on Developments: Potter moved staff recommendation on Notices of Impending Development, seconded by Burke, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

7. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-01-161 (Pollack, La Co.)** Staff recommended approval with special conditions.

Donna Pollack submitted a request to speak in favor of the project.

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

PUBLIC STATEMENT. Julie Verran, representing Redwood Chapter Sierra Club, thanked the Commission for its previous action regarding a headland in Gualala and recommended acquisition by the State Coastal Conservancy.

LUNCH RECESS. The Commission recessed for lunch at 11:45 a.m. and returned at 2:15 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on City of Malibu, et al. v. Access for All, CCC, et al.; Affinito v. City of Fort Bragg, CCC, et al.; Irwin Russell, Trustee of Rust Trust v. CCC; Smith et al. v. CCC; and North Pacifica, LLC v. CCC.

b. **Application No. 4-02-98 (Keenan & Wyluda, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

c. **Appeal No. A-4-02-249 (Baruck, Oxnard)** Staff recommended approval with special conditions.

Stephanie Dall, representing the applicants, submitted a request to speak in favor of the project. Sue Martin, representing the City of Oxnard, submitted a request to speak in favor of the project.

Motion: Wan moved staff recommendation, seconded by Desser.

Amending Motion & Vote: Hart moved to amend the stringline condition as requested by the applicant, seconded by Kruer, and the roll call vote was 5 in favor (Burke, Hart, Kruer, Curtis & Potter) and 6 opposed. **Failed.**

Vote on Main Motion: Chairman Reilly ruled that roll call vote, on the main motion, without amendment, was unanimous. **Passed**

d. **Application No. 4-03-6 (Goldin, Los Angeles Co.)** Staff recommended approval with special conditions.

Jordan Frisch submitted a request to speak.

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

e. **Application No. 4-03-24 (Alexander, Los Angeles Co.)** **Moved to expanded Consent Calendar.** Approved.

Kruer left before the following item.

f. **Application No. 4-03-59 (Abshier & Nguyen, Los Angeles Co.)** Staff recommended approval with special conditions.

Don Schmitz, representing the applicant, submitted a request to speak in favor of the project. Serj Tankian, representing United Trust of Sonic Preservation, submitted a request to speak in opposition to the project. Jordan Frisch submitted a request to speak in opposition to the project.

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

Burke left during the following item.

g. **Application No. 4-03-26 (Lauber et al., Los Angeles Co.)** Staff recommended approval with special conditions.

Harold Lauber, an applicant, submitted a request to speak in favor of the project.

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

8. PERMIT AMENDMENTS.

a. **Permit No. 4-00-22-A (Frisch, Los Angeles Co.)** Staff recommended approval with special conditions.

Jordan Frisch submitted a request to speak in favor of the project.

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

b. **Permit No. 4-02-13-A (Monti, Los Angeles Co.)** Staff recommended approval with special conditions.

Donald Schmitz, representing the applicants, submitted a request to speak in favor of the project. Raymond Monti, an applicant, submitted a request to speak in favor of the project. Darojka Monti, an applicant, submitted a request to speak in favor of the project.

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

9. FINDINGS.

a. **Appeal No. A-4-03-14 (Oly Mandalay, Oxnard)** Staff recommended approval of findings.

Bill Wynne, representing Oly Mandalay/Seabridge, submitted a request to speak in favor of the project. Sue Martin, representing the City of Oxnard, submitted a request to speak in favor of the project. George Arelen, representing Channel Islands Waterfront Homeowner Assoc., submitted a request to speak in favor of the project. William Scarpino, representing Channel Isladns Waterfront HOA, submitted a request to

speaking in favor of the project. Ron Consiglio, representing Harbor Island, submitted a request to speak in favor of the project. Damon Wing, representing Ventura Coastkeeper, submitted a request to speak in opposition to the project. Vickie Finan, Jean Rountree & Lee Quaintance, all representing the Beacon Foundation, submitted requests to speak in opposition to the staff recommendation. John Buse, representing Environmental Defense Center, submitted a request to speak in opposition to the staff recommendation. Alan Sanders, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation.

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

NORTH COAST DISTRICT

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

a. **Mendocino Co. De Minimis LCP Amendment No. MEN-DM-1-03.** Staff recommended concurrence with the Executive Director's determination. There being no objection Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 14a to the Calendar, and recommended approval with special conditions.

Alan Block, representing the applicant, submitted a request to speak in favor of the project.

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

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

a. **Eureka LCP Amendment No. EUR-MAJ-1-03 (Kovacovich/Clear Channel Television).** Staff recommended approval.

John Kovacovich submitted a request to speak in favor of the staff recommendation.

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

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

13. **NEW APPEALS.**

a. **Appeal No. A-1-03-3 (Cody, Mendocino Co.) Postponed.**

b. **Appeal No. A-1-03-55 (Zita, Mendocino Co.) Postponed.**

14. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-1- 02-19 (Moller & Spurrier, Mendocino Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 1-03-31 (Arcata, cattle fence)** Staff recommended approval with special conditions.

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

ENFORCEMENT

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

a. **Commission Cease & Desist Order No. CCC-03-CD-7 (Harrington & Lynch, Ventura Co.)** Staff recommended approval.

Stanley W. Lamport, representing the owner, submitted a request to speak in opposition to the staff recommendation. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

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

STATEWIDE

16. **APPROVAL OF MINUTES.** Woolley moved approval of the minutes of September 2003, seconded by Potter, and unanimously **approved.**
 17. **COMMISSIONERS' REPORTS.** None.
 - a. Secretary of the Resources Agency status report. None.
 18. **CONSERVANCY REPORT.** A written report was distributed for information only.
 19. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Informational only.
 20. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
 21. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation. None.
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RECESS. The Commission recessed for the day at 5:35 p.m..

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, November 7, 2003, at 9:00 a.m. by Chairman Reilly.
 2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Desser, Hart, Iseman, Nava, Peters, Wan and Woolley. Absent: Burke, Krueger, Sanders, Sweeney and Vargas. (Alternate) Curtis arrived at 9:05 a.m., and Potter arrived at 9:20 a.m.
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CENTRAL COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 13 of the Meeting Notice. Staff recommended approval with special conditions.

(a) Todd Bessire, representing the applicant, submitted a request to speak in favor of the project.

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

4. **CONSENT CALENDAR.**

a. **Application No. 3-03-99 (Sea Cliff Beach, Santa Cruz Co.)** Staff recommended approval with special conditions.

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

STATEWIDE

5. **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.
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Curtis & Potter arrived during the following item.

6. **FEDERAL CONSISTENCY.**

a. **CD-21-03 (Corps of Engineers, Santa Cruz Co.)** Staff recommended approval with conditions.

Yvonne LeTellier and Sarah Cameron, both representing US Army Corps of Engineers, submitted a request to speak in favor of the project. Dan Gleason submitted a request to speak in favor of the project. Tom Burns, representing Santa Cruz Co. Redevelopment Agency, submitted a request to speak in favor of the staff recommendation. Chad Nelsen, representing Surfrider Foundation, submitted a request to speak in opposition to the project. Dave Ellis, representing Surfrider Foundation, submitted a request to speak in opposition to the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation.

Motion & Vote: Potter moved staff recommendation, seconded by Wan, and Chairman Reilly ruled that the vote was unanimous in opposition to the motion. **Failed.**

REPORT of CLOSED SESSION: In closed session the Commission discussed one matter of litigation for information only. Curtis did not return after the break.

Desser left during the following item.

b. **CC-51-03 (Oceanside, Pacific St. bridge)** Staff recommended approval.

Mayor Terry Johnson, representing the City of Oceanside, submitted a request to speak in favor of the staff recommendation. Peter Biniaz, representing the City of Oceanside, submitted a request to speak in favor of the staff recommendation. Jerry Hittleman, representing the City of Oceanside, submitted a request to speak in favor of the staff recommendation. Michael Cafarchia, representing North Coast Village Homeowner's Assn., submitted a request to speak in favor of the staff recommendation.

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

c. **CC-86-03 (North County Transit District, San Diego Co.)** Staff recommended approval.

Christina Keller, Kevin Collins & Reagan Brenneman, all representing North County Transit District, submitted a request to speak in favor of the staff recommendation.

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

d. **CD-87-03 (Corps of Engineers, Orange Co.)** Staff recommended objection.

Charles Serjak, representing the Corps of Engineers, Los Angeles District, submitted a request to speak in opposition to the staff recommendation.

Motion & Vote: Peters moved approval of the project, seconded by Iseman, and the roll call vote was 7 in favor, 0 opposed and 1 abstention (Wan). **Passed.**

NORTH CENTRAL COAST DISTRICT

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

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

9. **NEW APPEAL.**

a. **Appeal No. A-2-03-24 (Hodge, San Mateo Co.)** Staff recommended that the appeal raised no substantial issue.

David Byers, representing the applicant, submitted a request to speak in favor of the project.

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

10. **COASTAL PERMIT APPLICATION.**

a. **Application No. 2-03-17 (San Francisco Dept. of Public Works)** **Waived.**

CENTRAL COAST DISTRICT

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

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

13. **NEW APPEALS.**

a. **Appeal No. A-3-00-40 (Schneider, San Luis Obispo Co.) Postponed.**

b. **Appeal No. A-3-03-81 (Reddell, Morro Bay) Postponed.**

c. **Appeal No. A-3-03-90 (Ryter, Monterey Co.) Postponed.**

d. **Appeal No. A-3-03-100 (Guild, Pismo Beach)** Staff recommended that the appeal raised no substantial issue.

Thomas & Donna Guild, the applicants, submitted a request to speak in favor of the project.

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

14. **COASTAL PERMIT APPLICATION.**

a. **Application No. 3-03-29 (Kwiatkowski, Pacific Grove) Postponed.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:50 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

