

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY****W4**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF JANUARY 8-10, 2003
Radisson-LAX
6225 West Century Blvd.
Los Angeles

Wednesday, January 8, 2003 pages 1 to 9

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, January 8, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Dean, Desser, Dettloff, Krueger, Nava, Neal, (Alternate) Allgood, Sanders, Sweeney, (Alternate) Albert and Woolley. Absent: None. Potter arrived at 9:05 a.m. Hart arrived at 9:20 a.m. McClain-Hill arrived at 9:35 a.m.

CENTRAL COAST DISTRICT**3. ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. 3-02-97 (Denny & Shibata, Pacific Grove)** Staff recommended approval with special conditions.

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

STATEWIDE

4. **APPROVAL OF MINUTES.** Burke moved approval of the minutes for December 2002, seconded by Woolley, and unanimously **approved**.

5. **COMMISSIONERS' REPORTS.** Informational only. Chairman Reilly proposed Commissioners Wan & Woolley as members of an informal committee to work with the State Water Resources Board on non-point-source pollution, and unanimously approved. On Thursday, Chairman Reilly presented a resolution honoring Commissioner Dettloff for her service on the Commission.

5.5 **ELECTION of OFFICERS.** Continued to February.

6. **CONSERVANCY REPORT.** None.

7. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.

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

9. **EXECUTIVE DIRECTOR'S REPORT.** Informational only.

a. **Public Education Program Contract Amendment.** Staff recommended approval.

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

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

11. **FEDERAL CONSISTENCY.**

a. **CD-88-02 (Veterans Affairs, San Diego)** Staff recommended approval.

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

- b. **CD-89-02 (Air Force, Santa Barbara Co.)** Staff recommended approval.

Denise Caron, representing USAF-Vandenberg AFB, submitted a request to speak in favor of the project. Nancy Francine, representing Vandenberg Air Force Base, submitted a request to speak in favor of the project. Steve Henry, representing U.S. Fish & Wildlife Service, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak.

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

12. FINDINGS.

- a. **CD-71-02 (Corps of Engineers, San Diego)** Staff recommended approval of findings.

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

- b. **CD-81-02 (Corps of Engineers, Los Angeles Dist., Newport Beach)** Staff recommended approval of findings.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

13. ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application No. E-02-26 (AERA Energy, Orange Co.)** Postponed.
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14. ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT. None.

15. SONGS Status. A written report was presented for information only.

ENFORCEMENT

16. **ENFORCEMENT REPORT.** Informational only.

a. **Commission Cease & Desist Order No. CCC-02-CD-4 and Restoration Order No. CCC-02-RO-4 (Crockett & Tidewater Contractors, Smith River) Postponed.**

CENTRAL COAST DISTRICT

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

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

a. **Santa Cruz Co. LCP Amendment No. SCO-MAJ-1-02 (PART 3) (MOU). Postponed.**

19. **NEW APPEALS.**

a. **Appeal No. A-3-02-88 (RMC Pacific Materials, Santa Cruz Co.)** Staff recommended that the appeal raised substantial issue.

John Ritchey, representing the applicant, requested continuance and waived the 49-day time limit. Kristen Raugust, representing COAST, submitted a request to speak in opposition to the project. Susan Young, representing Sierra Club, S. Cruz County Group, submitted a request to speak in opposition to the project.

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

b. **Appeal No. A-3-02-89 (Santa Cruz Seaside, Santa Cruz)** Staff recommended that the appeal raised no substantial issue.

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

c. **Appeal No. A-3-02-92 (Webb, Santa Cruz Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial issue**. Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

d. **Appeal No. A-3-02-93 (Korpiel, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial issue**. Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

e. **Appeal No. A-3-02-101 (Gracey, San Luis Obispo Co.)** **Postponed.**

f. **Appeal No. A-3-02-102 (Walters, San Luis Obispo Co.)** **Postponed.**

NORTH CENTRAL COAST DISTRICT

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

NORTH COAST DISTRICT

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

22. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 24a to the Calendar, and recommended approval with special conditions.

Dan Collen, representing the applicant, submitted a request to speak in favor of the project.

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

23. NEW APPEALS.

a. **Appeal No. A-1-02-152 (Redland, Del Norte Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial** issue. Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

b. **Appeal No. A-1-02-157 (Lemley, Mendocino Co.)** Staff recommended continuance. There being no objection, Chairman Reilly opened the hearing and **continued** it to a future meeting.

c. **Appeal No. A-1-02-158 (Lemley, Mendocino Co.)** Staff recommended continuance. There being no objection, Chairman Reilly opened the hearing and **continued** it to a future meeting.

24. COASTAL PERMIT APPLICATIONS.

a. **Application No. 1-02-147 (Humboldt State University, Eureka)** Moved to expanded Consent Calendar. **Approved.**

b. **Appeal No. A-1-01-51 (Meredith, Mendocino Co.)** **Postponed.**

25. PERMIT AMENDMENT.

a. **Permit No. 1-89-28-A4 (Meredith, Mendocino Co.)** Staff recommended approval with special conditions as modified in the addendum and orally.

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

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

SOUTH CENTRAL COAST DISTRICT

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

27. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 30a & d to the Calendar, and recommended approval with special conditions.

30a. There being more than 3 votes to remove it, this item was returned to the regular calendar below.

30d. Dennis Longwill & Jeannette Longwill submitted a request to speak in favor of the project. Steve Perlman submitted a request to speak in favor of the project.

Motion & Vote: Woolley moved staff recommendation on item 30d, seconded by Dettloff, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

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

a. **Santa Barbara Co. LCP Amendment No. MAJ-2-02 (Carpinteria Valley Greenhouse) Time Extension.** Staff recommended approval.

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

b. **Santa Barbara LCP Amendment No. MAJ-2-02 (Ocean-Oriented Commercial) Time Extension.** Staff recommended approval.

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

29. **NEW APPEAL.**

a. **Appeal No. A-4-02-249 (Phillip, Oxnard)** Staff recommended continuance. There being no objection, Chairman Reilly opened the hearing and **continued** it to a future meeting.

30. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-00-36 (Barney, Los Angeles Co.)** Staff recommended approval with special conditions.

Jan Dodds submitted a request to speak in opposition to the project.

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

b. **Application No. 4-01-183 (Kemper, Los Angeles Co.)** **Postponed.**

c. **Application No. 4-01-203 (Klein, Malibu)** Staff recommended denial.

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

Motion & Vote: Nava moved approval of the application with conditions described orally, seconded by Allgood, and the roll call vote was 7 in favor (Desser, Dettloff, Hart, Krueer, McClain-Hill, Potter & Woolley) and 5 opposed (Burke, Nava, Allgood, Albert & Reilly). **Passed.**

d. **Appeal No. A-4-02-151 (Longwill, Ventura Co.)** Moved to expanded Consent Calendar. **Approved.**

PUBLIC STATEMENTS. Cecilia Slaimen spoke about the history of union workers at the hotel. Carmen Kirk requested a letter supporting the union workers. Linda Moon, representing Amigos de Bolsa Chica, said the environmentalists will come together to fight for California's coast. Jim Robins, representing Amigos de Bolsa Chica, said he supported proper coastal planning.

LUNCH RECESS. The Commission recessed for lunch at 12:45 p.m. and returned at 3:20 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Marine Forests Society, et al. v. CCC, et al. (Sac. Sup. Ct. Case No. 00AS00567), and discussed one other matter for information only.

31. **PERMIT AMENDMENT.**

a. **Permit No. 4-96-2-A (Hale, Malibu) Postponed.**

32. **FINDINGS.**

a. **Malibu LCP Findings.** Staff recommended approval of findings.

Katie Lichtig representing the City of Malibu requested continuance. Drew Purvis, representing City of Malibu, submitted a request to speak. Dave Cowardin, representing L.A. County Dept. of Reg. Planning, submitted a request to speak in opposition to the project. Ted Vaill submitted a request to speak in opposition to the project.

Motion & Vote on Continuance: Krueer moved to continue the hearing, seconded by McClain-Hill, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

33. **REVOCAION of Permit No. 4-01-160 (Chadwick, Malibu).** Staff recommended denial.

Alan Block, representing the applicant, submitted a request to speak in favor of the project. Lester Tobias, representing project architect, submitted a request to speak. Stanley W. Lamport, representing Lou Adler, submitted a request to speak in opposition to the project.

Motion & Vote: McClain-Hill moved to revoke the permit, seconded by Burke, and Chairman Reilly ruled that the vote was unanimous in opposition to the motion. **Failed.**

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 Thursday, January 9, 2003, at 9:00 a.m. by Chairman Reilly.

2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Dean, Desser, Dettloff, Hart, Krueer, Nava, Neal, Peters, Sweeney, (Alternate) Albert and Woolley. Absent: Sanders. Potter arrived at 9:05 a.m. McClain-Hill arrived at 9:50 a.m.

SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through d on page 10. Staff recommended approval with special conditions.

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

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

a. **San Diego LCP Amendment No. 2-01C (SeaWorld Master Plan) Certification Review.** 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.**

5. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (8b, 8c, 9a & 9b) to the Calendar, and recommended approval with special conditions.

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

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

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

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

Doug Gibson, representing San Elijo Lagoon Conservancy, submitted a request to speak in favor of the project. Pam Dixon submitted a request to speak. Rose Rothe submitted a request to speak. Stephanie Dall submitted a request to speak. Martin Mullen, representing Encinitas Country Day School, et al, submitted a request to speak in opposition to the staff recommendation. Arthur Wolfson, representing Encinitas Country Day School, submitted a request to speak in opposition to the staff recommendation. Kathleen Porterfield, representing M&M Dev LLC Encinitas Country Day School, submitted a request to speak in opposition to the staff recommendation.

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

- b. **Port Plan Amendment No. 33 (America's Cup Harbor).** **Postponed.**

- c. **Imperial Beach LCP Amendment No. 4-02A (Hotel Specific Plan).** Staff recommended approval with suggested modifications as modified orally.

Gregory Wade, representing the City of Imperial Beach, submitted a request to speak in favor of the staff recommendation. Steve Futterman submitted a request to speak in opposition to the project.

Motion & Vote on Plan as Submitted: Dettloff moved approval of the Land Use Plan Amendment as submitted, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous in opposition to the motion with 1 abstention (Nava). **Failed.**

Motion & Vote on Plan with Modifications: Dettloff moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous with 1 abstention. **Passed.**

Motion & Vote to Reject Implementation: Dettloff moved to reject the implementation amendment as submitted, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous with 1 abstention. **Passed.**

Motion & Vote on Implementation with Modifications: Dettloff moved approval of the implementation with suggested modifications, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous with 1 abstention. **Passed.**

7. **NEW APPEAL.**

a. **Appeal No. A-6-02-3 (Berg, Encinitas)** Staff recommended that the appeal raised no substantial issue.

Craig Berg submitted a request to speak in favor of the project.

Motion & Vote: Peters moved staff recommendation, seconded by Burke, and Chairman Reilly ruled that the vote was unanimous with 1 abstention (Woolley). **Passed.**

8. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-01-149 (Caltrans, San Diego Co.)** Staff recommended approval with special conditions.

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

b. **Application No. 6-02-132 (San Diego wetland enhancement)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-02-136 (Ricketts, Carlsbad)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-02-156 (San Diego dock replacement)** Staff recommended approval with special conditions.

Alex Garcia, representing City of San Diego, submitted a request to speak in favor of the project.

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

e. **Application No. 6-02-169 (Sprint, San Diego)** Staff recommended approval with special conditions.

Jim Kennedy and Mac Strobl, both representing Sprint PCS, submitted a request to speak in opposition to the project.

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

9. **PERMIT AMENDMENTS.**

a. **Permit No. 6-02-43-A (Kachay, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 6-02-49-A (Sea World, San Diego)** Moved to expanded Consent Calendar. **Approved.**

SOUTH COAST DISTRICT

9.5 **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved three items (10c, 11a & 11c) to the Calendar, and recommended approval with special conditions.

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

10. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-01-308 (Spinnaker Bay Slip Owners, Long Beach)** Staff recommended approval with special conditions as modified orally.

Five speakers, all representing Spinnaker Bay Slip Owners Assoc., submitted requests to speak in favor of the project: Tom Welch, Stan Mandich, Robin Rix, Ken Lightner and Tim Bazley.

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

PUBLIC STATEMENTS. Leslie Purcell said fairy shrimp were discovered near Ballona wetlands. Kathy Knight, representing Spirit of Sage Council, said nature is important for urban children. After lunch, Mark Massara, representing Sierra Club, said Goleta Beach emergency permits were not a long-term solution.

LUNCH RECESS. The Commission recessed for lunch at 11:55 p.m. and returned at 1:35 p.m. Dean did not return after the break.

b. **Application No. 5-01-450 (Caltrans District 7, Los Angeles & Los Angeles Co.)**
Staff recommended denial.

Doug Failing, representing the applicant, submitted a request to speak in favor of the project. Barry Kurtz, representing L.A. County Dept. of Public Works, submitted a request to speak in favor of the project. Dolores Golden, representing Multicultural Real Estate Alliance, submitted a request to speak in favor of the project. Ruth A. Hayles, realtor, representing International Realty & Investments, Inc., submitted a request to speak in favor of the project. Malcolm N. Bennett, representing Int'l Realty & Investments, submitted a request to speak in favor of the project. Daniel Walker submitted a request to speak in opposition to the staff recommendation. Kent Strumpell, representing Los Angeles County Bicycle Coalition, submitted a request to speak. Howard Hackett, representing Los Angeles County Bicycle Coalition-Del Rey Homeowners, submitted a request to speak. Twenty six speakers submitted requests to speak in opposition to the project: John Armer, representing Sierra Club Ballona Task Force; Sheila Bernard; Janet Bridgers, representing Earth Alert; Mickie Burton; Bruce Campbell; John Davis; Teri English; Dean Francois, representing Friends of the South Bay Bicycle Path; Rex Frankel, representing Ballona Ecosystem Education Project; Steve Freedman; Marcia Hanscom, representing Wetlands Action Network; Carole Hossan, representing Osage Neighbors Association; Ruth Lansford, representing Friends of Ballona Wetlands; Mark Massara, representing Sierra Club; Patricia McPherson, representing Grassroots Coalition; Bill Pope, representing Ballona Wetlands Land Trust; Leslie Purcell; Ann V. Ramage, representing BEEP; William E. Ramage, representing BEEP; Sharon Sandow, representing Councilwoman Miscikowski; James Smith, Venice Peace and Freedom Party; Bette vande Hoek; Gerrit vande Hoek; Robert vande Hoek, biologist representing Sierra Club Ballona Wetlands Task Force; Jeanette Vosburg, representing Grassroots Coalition; and Kelley S. Willis, representing Grass Roots Venice Neighborhood Council.

Motion & Vote: Nava moved approval of the application, seconded by Albert, and the roll call vote was 1 in favor (Kruer) and 11 opposed. **Failed.**

Motion & Vote on 6-month Waiver: Nava moved to waive the 6-month period for re-application, seconded by Albert, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

c. **Application No. 5-02-374 (Long Beach Grand Prix)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-02-380 (Santa Monica preferential parking)** Staff recommended approval with special conditions.

Suzanne Frick, representing City of Santa Monica, submitted a request to speak in favor of the project. Seven other speakers submitted requests to speak in favor of the project: Gideon Brower; Alice Clagett; Gale Feldman; Cyndi Marinangel; Sean Milliken; Rob Rader, representing Wilshire/Montana Neighborhood Coalition; and Dona Van Blumen. Peter Coopersmith submitted a request to speak in opposition to the project. Chris Harding, representing the Nourafchen family-the Embassy Hotel Apartments, submitted a request to speak in opposition to the project. Michele Nassatir, representing the Embassy Hotel Apartments, submitted a request to speak in opposition to the project. Jon Schwantz submitted a request to speak in opposition to the project. Sonja Braga and Donnie Rice, both representing Pajama Parkers, submitted requests to speak in favor of the staff recommendation.

Motion & Vote: Albert moved staff recommendation, seconded by Desser.

Amending Motion & Vote: Albert moved to include hotels with no parking in the program, seconded by Desser, and the roll call vote was 8 in favor, and 1 opposed (Reilly) and 2 abstentions (Burke & Krue). **Passed.**

Vote on Main Motion: Chairman Reilly ruled that the roll call vote, on the main motion, as amended above, was unanimous with 2 abstentions. **Passed**

11. PERMIT AMENDMENTS.

a. **Permit No. 5-98-156-A6 (Long Beach & D.D.R. Urban)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 5-00-199-A (Los Angeles Co., Torrance)** Staff recommended approval with special conditions.

Joseph Chesler and Gregory Woodell, both representing Los Angeles County Dept. Beaches & Harbors, submitted requests to speak in favor of the project.

Motion & Vote: Peters moved staff recommendation, seconded by McClain-Hill.

Amending Motion & Vote: Peters moved to allow placement of new rock after storm events, seconded by Dettloff, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

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

c. **Permit No. 5-01-327-A (Storey & Delossa, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

RECESS. The Commission recessed for the day at 5:50 p.m.

Draft

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, January 10, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Desser, Dettloff, Kruer, McClain-Hill, Neal, Peters, Potter, (Alternate) Albert and Woolley. Absent: Burke, Dean, Nava and Sanders. Nichols arrived at 9:35 a.m. Hart arrived at 9:40 a.m.

SOUTH COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through c on page 15 of the Meeting Notice. Staff recommended approval with special conditions.

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 c on page 15 of the Meeting Notice. Staff recommended approval with special conditions.

Motion & Vote: Potter moved staff recommendation, seconded by Kruer, and Chairman Reilly 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 item 9a to the calendar, and recommended approval with special conditions.

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

7. NEW APPEAL.

a. **Appeal No. A-5- 02-384 (C.I.M/Huntington, Huntington Beach)** Staff recommended that the appeal raised no substantial issue.

Herb Fauland, representing City of Huntington Beach, submitted a request to speak in favor of the project.

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

8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-01-459 (Marblehead, San Clemente)** The applicant withdrew the application, and requested a waiver of the 6 month period before re-application.

Motion & Vote on 6-month Waiver: Krueer moved to waive the 6-month period for re-application, seconded by Peters, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Nichols and Hart arrived during the following item.

b. **Application No. 5-02-70 (H.I., Newport Beach)** Staff recommended approval with special conditions.

Motion & Vote: Peters moved staff recommendation, seconded by McClain-Hill.

Amending Motion & Vote: Peters moved to allow a 10-foot wide dock, seconded by McClain-Hill, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

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

c. **Application No. 5-02-203 (Tabak, Newport Beach)** Staff recommended approval with special conditions.

Lawrence Tabak, the applicant, submitted a request to speak in favor of the project. Pete Swift, representing the applicant, submitted a request to speak in favor of the project. Tom Stewart, representing Fleetwood Joiner & Assc., Architects, submitted a request to speak in favor of the project.

Motion & Vote: McClain-Hill moved staff recommendation, seconded by Desser.

Amending Motion & Vote on bluff setback: McClain-Hill moved to allow the pool to extend seaward down to the 33' contour of the bluff, seconded by Desser, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Amending Motion & Vote on stairs: Potter moved to allow stairway replacement as requested, seconded by Desser, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

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

9. **PERMIT AMENDMENT.**

a. **Permit No. 5-01-234-A (San Clemente fishing pier repair)** Moved to expanded Consent Calendar. **Approved.**

PUBLIC STATEMENTS. Lester Denevan said the public park lost 1/10 of an acre in Long Beach, and requested enforcement of the original permit.

ADJOURNMENT. There being no old or new business, the meeting adjourned at 10:35 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

