

CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF APRIL 8-11, 2003
Radisson Santa Barbara
1111 East Cabrillo Blvd.
Santa Barbara

Tuesday, April 8, 2003 pages 1 to 5

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, April 8, 2003, at 10:10 a.m. by Vice Chairman Burke.
2. **ROLL CALL.** Present: Vice Chairman Burke, Commissioners Desser, Hart, Iseman, (Alternate) Curtis, Nava, (Alternate) Allgood, (Alternate) Ruddock and Wan. Absent: Contreras-Sweet, Dean, Kruer, Reilly, Sanders, Sweeney and Woolley.

SOUTH COAST DISTRICT

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

(a, b & c) Brady Helm, representing Swift Slip, submitted a request to speak in favor of the projects.

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

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

Motion & Vote: Allgood moved staff recommendation, seconded by Desser, and Vice Chairman Burke 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.

a. **Port of Long Beach Plan Amendment No.19 Certification Review.** Staff recommended acceptance of Long Beach Board of Harbor Commissioners' action.

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

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

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

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

a. **Redondo Beach LCP Segmentation & Implementation.** Staff recommended segmentation into two areas, and approval of the implementation with suggested modifications.

Lou Garcia, representing City of Redondo Beach, submitted a request to speak in favor of the staff recommendation. Sean Guthrie, representing King Harbor Marina, submitted a request to speak in favor of the project.

Motion & Vote on Segmentation: Hart moved to segment Area One from the remainder of the City's coastal zone, seconded by Desser, and Vice Chairman Burke ruled that the vote was unanimous. **Passed.**

Motion & Vote to Reject Implementation: Hart moved to reject the implementation for Area One as submitted, seconded by Desser, and Vice Chairman Burke ruled that the vote was unanimous. **Passed.**

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

8. **NEW APPEALS.**

a. **Appeal No. A-5-03-67 (Best Western Marina Pacific Hotel, Los Angeles)** Staff recommended that the appeal raised substantial issue. There being only one objection, Vice Chairman Burke ruled that the Commission **found substantial issue.** Vice Chairman Burke opened the hearing on the merits of the project **and continued** it to a future meeting.

b. **Appeal No. A-5-03-75 (AVP, Manhattan Beach)** Staff recommended that the appeal raised substantial issue. There being no objection, Vice Chairman Burke ruled that the Commission **found substantial issue.** Vice Chairman Burke opened the hearing on the merits of the project **and continued** it to a future meeting.

c. **Appeal No. A-5-03-87 (Walker & Dupler, Palos Verdes Estates)** Staff recommended continuance. There being no objection Vice Chairman Burke opened the hearing and **continued** it to a future meeting.

9. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-5-99-225 (Mt. Holyoke Homes, et al., Los Angeles)** **Postponed.**

b. **Application No. 5-02-120 (CPH Monarch Golf, Dana Point)** Moved to expanded Consent Calendar. **Approved.**

c. **Appeal No. A-5-02-276 (Leeds, Los Angeles)** **Postponed.**

d. **Application No. 5-02-334 (Leeds, Los Angeles)** **Postponed.**

e. **Application No. 5-02-302 (Barth, Newport Beach)** **Postponed.**

f. **Application number 5-02-342 (Newport Beach beach walkways)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 5-02-345 (Markland, Laguna Beach)** **Postponed.**

h. **Application No. 5-02-348 (32nd St. Investors, Newport Beach)** Moved to expanded Consent Calendar. **Approved.**

10. **PERMIT AMENDMENTS.**

a. **Permit No. 5-92-377-A2 (Los Angeles, Venice Canals docks)** Staff recommended approval with special conditions as modified orally.

Darryl DuFay, representing Voice of the Canals, submitted a request to speak in favor of the project.

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

b. **Permit No. 5-02-361-A (Long Beach Downtown Shoreline Marina)** Staff recommended approval with special conditions.

E. Douglas Parsons, representing Marine Bureau, City of Long Beach, submitted a request to speak in favor of the project.

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

c. **Permit No. 5-02-397-A (De Weese, Long Beach)** Staff recommended approval with conditions.

Armand De Weese submitted a request to speak in favor of the staff recommendation.

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

11. **FINDINGS.**

a. **Application No. 5-02-380 (Santa Monica preferential parking)** Staff recommended approval of findings.

Chris Harding, representing Embassy Hotel Apartments, submitted a request to speak in favor of the project.

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

12. **RECONSIDERATION.**

a. **Application No. 5-02-380 (Santa Monica preferential parking)** Postponed.

RECESS. The Commission recessed for the day at 11:10 a.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, April 9, 2003, at 9:00 a.m. by Chairman Reilly.

2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Desser, Iseman, Krueger, Nava, Peters, Potter, Wan and Woolley. Absent: Contreras-Sweet, Dean, Sanders and Sweeney. Hart arrived at 9:40 a.m., and McClain-Hill arrived at 10:15 a.m.

3. Presentation of Californiacoastline.org website designed and operated by Ken & Gabrielle Adelman. Informational only.

NORTH COAST DISTRICT

4. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 1-03-10 (Mendocino Land Trust and Dept of Parks & Rec., Mendocino Co.)** Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

5. **CONSENT CALENDAR.** See items a & b page 7 of the Meeting Notice. Staff recommended approval with special conditions.

(b) Michele Okihiro, representing the applicant, submitted a request to speak in favor of the project.

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

NORTH COAST DISTRICT

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

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 9a to the Calendar, and recommended approval with special conditions.

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

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

a. **Del Norte Co. LCP Amendment No. DNC-MAJ-1-03 (Redland Company).** Postponed.

9. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-1-01-63 (Kennedy, Mendocino Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Appeal No. A-1-02-18 (Affinito, Fort Bragg)** Trained until after lunch. Staff recommended continuance.

Richard W. Lund, representing the applicants, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project.

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

Hart arrived during the following item.

c. **Appeal No. A-1-02-166 (Target, Eureka)** Staff recommended approval with special conditions as modified in addendum and orally.

Judy Davidoff, representing the applicant, submitted a request to speak in favor of the project. Lisa Shikany, representing City of Eureka, submitted a request to speak in favor of the project. Kevin Hamblin, representing City of Eureka, submitted a request to speak in opposition to the project.

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

SOUTH COAST DISTRICT

10. COASTAL PERMIT APPLICATION.

McClain-Hill arrived during the following item.

a. **Application No. 5-03-13 (Marblehead, San Clemente)** Staff recommended approval with special conditions.

Fifteen speakers submitted requests to speak in favor of the project: Rick Anderson; Stephanie Dorey, Mayor-City of San Clemente; Aileene Draceau; John Ezell; Lyn Harris Hicks; Jim Hill; Jim Holloway, representing City of San Clemente; Jim Johnson, the applicant; Bob Joseph, representing San Clemente Citizens for Responsible Dev'mt; Linda Kopperud; Mark McGuire; Susan Ritschel, mayor Pro Tem-City of San Clemente; Marie Siegel; John Tengoin; and Pat Wolfram, representing San Clemente Hospital.

Motion: Iseman moved staff recommendation, seconded by Kruer.

Amending Motion & Vote (trenching): Kruer moved to allow trenching for storm drain and sewer along the east side of the western detention basin with conditions to protect the gnatcatchers, seconded by Peters, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Amending Motion & Vote (turf): Hart moved to allow turf park, seconded by Potter, and the roll call vote was 4 in favor (Hart, McClain-Hill, Peters & Potter) and 8 opposed. **Failed.**

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

SAN DIEGO COAST DISTRICT

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

a. **Imperial Beach LCP Amendment No. 2-02 (Telecommunications) 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.**

b. **Coronado LCP Amendment No. 1-02 (Glorietta Bay 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.**

12. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved five items (15a, c, e, g & i) to the Calendar, and recommended approval with special conditions.

(15a) Louis Schooler, the applicant, submitted a request to speak in favor of the project. (15e) Milt Phegley, representing the applicant, submitted a request to speak in favor of the project. (15g) Milt Phegley, representing the applicant, submitted a request to speak in favor of the project.

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

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

a. **Carlsbad LCP Amendment No. 1-03A&B (Smith) Time Extension.** Staff recommended approval.

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

PUBLIC STATEMENTS. Mark Gold, representing Heal the Bay, spoke about problems for steelhead caused by Arizona crossing on Malibu Creek. Scott Bull, representing Coalition to Save Goleta's Beaches, spoke about history of Goleta Beach and revetment. Brian Trautwein, representing Environmental Defense Center, opposed the County request to retain emergency riprap at Goleta Beach. Tom Phillips, representing

Surfrider, read the County's LCP policy on seawalls, and opposed the County request to leave the rock riprap for 2 years. Mark Massara, representing Sierra Club, said the community of Simi Valley was building a pipeline to bring brine & ag waste for discharge to ocean or coastal wetland. Kathryn C. Maynard, representing Coalition to Save Goleta's Beaches, said the May deadline to remove rocks was important to protect grunion & shorebirds, and offered suggestions. Linda Krop, representing EDC, spoke about upcoming offshore oil & gas issues. Ariana Katovich, representing Sierra Club, spoke about challenges ahead for protecting the Gaviota coast, and that Tibetan monks created a blessing for the Gaviota coast. Travis Longcore, representing The Urban Wildlands Group, spoke about problems with the landscaping permit for LAX, including timing of seed collection and high mortality due to hydro seeding. Catherine Rich, representing The Urban Wildlands Group, submitted a request to speak.

LUNCH RECESS. The Commission recessed for lunch at 12:25 p.m. and returned at 2:35 p.m. after closed session. Burke did not return after the break. Potter returned later in the afternoon.

REPORT of CLOSED SESSION. In closed session the Commission took action on Affinito v. City of Fort Bragg, CCC, et al., Yamagiwa, et al. v. City of Half Moon Bay, CCC, et al. (Sup. Ct. Case Nos. 402781, 417189, 413013, consolidated), and Birenbaum v. CCC, and discussed three other matters of litigation for information only.

14. NEW APPEAL.

a. **Appeal No. A-6-03-21 (Lemperle, San Diego) Postponed.**

15. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-02-15 (Schooler, Solana Beach) Moved to expanded Consent Calendar. Approved.**

b. **Application No. 6-02-85 (Solana Beach sea cave fill) Postponed.**

c. **Application No. 6-02-99 (Arcoiris, San Diego Co.) Moved to expanded Consent Calendar. Approved.**

d. **Application No. 6-02-161 (22nd Dist. Ag. Assn., Del Mar)** Staff recommended denial.

Trish Butler, representing the applicant, submitted a request to speak in favor of the project. Craig Fravel, representing Del Mar Thoroughbred Club, submitted a request to speak in favor of the project.

Motion & Vote to Continue: Nava moved to continue the hearing, seconded by Wan, and the roll call vote was 6 in favor and 5 opposed (Desser, Hart, Krueer, Peters & Potter). **Passed.**

e. **Application No. 6-02-164 (UCSD, San Diego)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 6-02-176 (McMillin, San Diego)** **Postponed.**

g. **Application No. 6-03-4 (UCSD, San Diego)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 6-03-6 (SeaWorld, San Diego)** **Postponed.**

i. **Application No. 6-03-14 (Solana Beach linear park)** Moved to expanded Consent Calendar. **Approved.**

j. **Application No. 6-03-16 (AVP, San Diego)** Staff recommended approval with special conditions.

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

16. **PERMIT AMENDMENT.**

a. **Permit No. 6-84-573-A (Seascape Sur, Solana Beach)** Staff recommended approval with special conditions.

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

RECESS. The Commission recessed for the day at 3:55 p.m.

Draft

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, April 10, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Desser, Iseman, Kruer, Peters, Potter, Wan and Woolley. Absent: Contreras-Sweet, Dean, Sanders and Sweeney. Burke & Nava arrived at 9:05 a.m. Hart arrived at 9:10 a.m. McClain-Hill arrived at 9:20 a.m.

SOUTH CENTRAL COAST DISTRICT

3. CONSENT CALENDAR.

a. **Application No. 4-02-252 (Los Angeles Co., Malibu)** 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.**

ENFORCEMENT

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

a. **Commission Cease & Desist Order No. CCC-03-CD-2 (Teherani, Los Angeles Co.)** Staff recommended approval.

Lynn Heacox, representing the applicant, submitted a request to speak in favor of the project. Stan Lamport, representing the 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.**

b. **Commission Restoration Order No. CCC-03-RO-3 (Teherani, Los Angeles Co.)** Staff recommended approval.

The hearing was combined with item a above.

Motion & Vote: Wan moved staff recommendation, seconded by Desser, and the roll call vote was 11 in favor and 1 opposed (McClain-Hill). **Passed.**

SOUTH CENTRAL COAST DISTRICT

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

a. **Carpinteria LCP Amendment No. 1-01 (Plan Update) 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.**

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

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

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

a. **Santa Barbara LCP Amendment No. MAJ-2-02 (OC & HRC zones).** Staff recommended approval with suggested modifications.

Bettie Hennon & Dan Secord, both representing City of Santa Barbara, submitted a request to speak in favor of the project. Louie Boucher, representing Citizens Planning Association, submitted a request to speak in favor of the staff recommendation. Naomi Covacs, representing Citizens Planning Association, submitted a request to speak in favor of the staff recommendation. Helen Declercq, representing SB League of Women Voters, submitted a request to speak in favor of the staff recommendation. Connie Hannah, representing Santa Barbara League of Women Voters, submitted a request to speak in favor of the staff recommendation. Claudia Madsen submitted a request to speak in favor of the staff recommendation. Catherine McCammon submitted a request to speak in favor of the staff recommendation. Beatrice Terres Rosales, representing SB-League of Women Voters, submitted a request to speak in favor of the staff recommendation. Deborah Slaght, representing Santa Barbara League of Women Voters, submitted a request to speak in favor of the staff recommendation. David Tabor submitted a request to speak in favor of the staff recommendation. Tim Werner, representing Villa Elegante Vacation Rentals, submitted a request to speak in favor of the staff recommendation. Songg

Castagnole, representing Castagnole Bros Trust, submitted a request to speak in opposition to the staff recommendation. Jon Clare submitted a request to speak in opposition to the staff recommendation.

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

PUBLIC STATEMENTS. James Sokalski, representing MDR News, made suggestions to improve public participation.

LUNCH RECESS. The Commission recessed for lunch at 11:50 p.m. and returned at 1:50 p.m. Curtis replaced McClain-Hill during the break.

b. **Santa Barbara Co. LCP Amendment No. MAJ-2-02 (Carpinteria Valley Greenhouse).** Staff recommended approval with suggested modifications.

Dianne Meester, representing Santa Barbara County Planning & Develop., submitted a request to speak in opposition to the staff recommendation. Alan Seltzer, Chief Assistant County Counsel, representing County of Santa Barbara, submitted a request to speak in opposition to the staff recommendation. Glenna Barry-Horton submitted a request to speak in favor of the staff recommendation. Drew Bohan, representing Santa Barbara Channelkeeper, submitted a request to speak in favor of the staff recommendation. David Durlinger, representing City of Carpinteria, submitted a request to speak in favor of the staff recommendation. Royce Stauffer submitted a request to speak in favor of the staff recommendation. Brian Trautwein, representing EDC, submitted a request to speak in favor of the staff recommendation. Richard Weinberg, representing City of Carpinteria, submitted a request to speak in favor of the staff recommendation. Barry Brand submitted a request to speak in opposition to the staff recommendation. Andy Caldwell, representing COLAB, submitted a request to speak in opposition to the staff recommendation. Janice Evans, representing SB. Co. Flower & Nursery Growers, submitted a request to speak in opposition to the staff recommendation. Wilja Happé, representing Brand Flowers Inc, submitted a request to speak in opposition to the staff recommendation. Carl Hetrick, representing Westland Floral Co, submitted a request to speak in opposition to the staff recommendation. Pete Overgaag submitted a request to speak in opposition to the staff recommendation. June Van Wingerden submitted a request to speak in opposition to the staff recommendation. Rene Van Wingerden submitted a request to speak in opposition to the staff recommendation. Walter Van Wingerden, representing S.B. County Flower & Nursery Growers Assoc., submitted a request to speak in opposition to the staff recommendation. Vera Bensen, representing CVA, submitted a request to speak in favor of the project. Al Clark, representing CVA, submitted a

request to speak in favor of the project. Dan Secord, MD, Vice Mayor, City of Santa Barbara, submitted a request to speak in favor of the project. Carl Stucky, representing Carpinteria Valley Association, submitted a request to speak in favor of the project. Tom Lemus, representing Via Real Flowers, submitted a request to speak in opposition to the project. Kathleen Weinheimer, representing SB Flower Growers, submitted a request to speak in opposition to the project.

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

8. NEW APPEAL.

a. **Appeal No. A-4-03-16 (Carnevale, Carpinteria)** The applicant requested continuance.

Jan R. Hochhauser, representing the applicant, submitted a request to speak in favor of the project. Brian Trautwein, representing EDC, submitted a request to speak in opposition to the project. Vera Bensen, representing CVA, submitted a request to speak in opposition to the staff recommendation. Al Clark, representing Carp Creek Foundation, submitted a request to speak in opposition to the staff recommendation. Suzette Doubek submitted a request to speak in opposition to the staff recommendation. Karen Friedman submitted a request to speak in opposition to the staff recommendation. Alison M. Johnson submitted a request to speak in opposition to the staff recommendation.

Motion & Vote to Continue: Hart moved to continue the hearing, seconded by Peters, and the roll call vote was 6 in favor and 2 opposed (Nava & Wan). **Passed.**

9. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-01-214 (Douda, Los Angeles Co.)** Staff recommended denial.

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

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

b. **Application No. 4-02-160 (Reason, Los Angeles Co.)** Staff recommended denial.

Jake Reason, the applicant, submitted a request to speak in favor of the project. Richard B. Wilken, representing the applicant, submitted a request to speak in favor of the project.

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

c. **Application No. 4-02-198 (Coastal Conservancy, Malibu)** Staff recommended approval with special conditions.

Joan Cardellino, representing the applicant, submitted a request to speak in favor of the project. Michael Klubock, representing Malibu Foundation for Environmental Education, submitted a request to speak in favor of the project. Thomas Rainey, representing Schmitz & Associates Inc./Colony Bch. Preserv. Assoc., 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.**

Nava left at during the following item.

d. **Application 4-03-10 (Merrill, Los Angeles Co.)** Staff recommended approval with special conditions.

Brent Schneider submitted a request to speak in favor of the projects. Tom Merrill submitted a request to speak in favor of the staff recommendation. Marlene Auerbach submitted a request to speak in opposition to the staff recommendation.

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

e. **Application 4-03-11 (Lewinson, Los Angeles Co.)** Staff recommended approval with special conditions.

The hearing was combined with items d & f.

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

f. **Application 4-03-12 (Canyon View, Los Angeles Co.)** Staff recommended approval with special conditions.

The hearing was combined with items d & e above.

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

10. **PERMIT AMENDMENTS.**

a. **Permit No. 4-95-64-A (Los Angeles Co. Fire Dept.)** Postponed.

b. **Permit No. 4-96-2-A (Hale, Malibu)** Staff recommended approval with special conditions as modified in addendums.

JoAnn & Arthur Hale, the applicants, submitted a request to speak in opposition to the staff recommendation.

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

c. **Permit No. 4-00-190-A6 (Trey Trust, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

d. **Permits No. 4-01-117-A & 4-92-211-A2 (Knapp, Malibu)** Moved to expanded Consent Calendar. **Approved.**

NORTH CENTRAL COAST DISTRICT

11. **DEPUTY DIRECTOR'S REPORT.** None.

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

13. **PERMIT AMENDMENT.**

a. **Permit No. 2-01-14-A (Sonoma Co. Moscow Road bridge)** Staff recommended approval with special conditions.

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

RECESS. The Commission recessed for the day at 6:15 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, April 11, 2003, at 8:45 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Desser, Hart, Iseman, (Alternate) Durazo, (Alternate) Curtis, Nava, Peters, Potter and Wan. Absent: Burke, Contreras-Sweet, Dean, Sanders, Sweeney and Woolley.

ENERGY, OCEAN RESOURCES and WATER QUALITY

3. **JOINT COASTAL COMMISSION & STATE WATER RESOURCES CONTROL BOARD STATUS REPORT ON CALIFORNIA NPS PROGRAM.** Informational only. Gerhardt Hubner, representing Central Coast Regional Water Quality Control Board, submitted a request to speak in favor of the staff recommendation. Mark Massara submitted a request to speak.

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

5. COASTAL PERMIT APPLICATIONS.

- a. **Application No. E-01-32 & CC-18-03 (ExxonMobil, Santa Barbara Channel)**
Staff recommended approval with special conditions.

Blake Hébert, Bill Grady & Tobe Plough, all representing ExxonMobil, submitted requests to speak in favor of the project.

Motion & Vote on Permit: Desser moved staff recommendation on permit No. E-01-32, seconded by Hart, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on Consistency: Desser moved staff recommendation on CC-18-03, seconded by Hart, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

b. **Application E-02-20 (Venoco, Carpinteria)** Staff recommended approval with special condition.

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

c. **Application No. E-02-24 (State Lands Commission)** Staff recommended approval with special conditions.

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

6. **SONGS Status.** A written report was mailed for information only.

STATEWIDE

7. **FEDERAL CONSISTENCY REPORT.** Executive Director Douglas reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

8. **FEDERAL CONSISTENCY.**

a. **CC-10-03 (Port of Long Beach, Los Angeles Co.)** Staff recommended approval.

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

9. **APPROVAL OF MINUTES.** Nava moved approval of the minutes of March 2003, seconded by Desser, and Chairman Reilly ruled that the vote was unanimous. **Approved.**

10. **COMMISSIONERS' REPORTS.** None.

a. Secretary of the Resources Agency status. A written report was distributed.

11. **CONSERVANCY REPORT.** None.

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

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

14. **EXECUTIVE DIRECTOR'S REPORT.**

a. **Legislation.** Tarren Collins, representing SLO County Chumash Council, submitted a request to speak in favor of the staff recommendation.

Staff recommended support of AB 16. Hart moved staff recommendation, seconded by Peters, and Chairman Reilly ruled that vote was unanimous. **Passed.**

Staff recommended support AB 260. Hart moved staff recommendation, seconded by Peters, and Chairman Reilly ruled that vote was unanimous. **Passed.**

Staff recommended support of AB 907. Desser moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that vote was unanimous. **Passed.**

Staff recommended opposition unless amended of SB 619. Wan moved staff recommendation, seconded by Desser, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Staff recommended opposition to of SB 681. Wan moved staff recommendation, seconded by Curtis, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Staff recommended support of AB 974. Wan moved staff recommendation, seconded by Desser, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

b. **Nonpoint Source Program Contract Agreement.** Staff recommended approval.

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

CENTRAL COAST DISTRICT

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

16. **ADMINISTRATIVE PERMIT APPLICATION.**

a. **Application No. 3-03-9 (Pacific Grove runoff)** Staff recommended approval with special conditions.

Steve Leiker, representing City of Pacific Grove, submitted a request to speak in favor of the project.

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

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

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

a. **San Luis Obispo Co. LCP Amendment No. SLO-MAJ-1-01A (Residential Vacation Rentals).** Staff recommended approval with suggested modifications.

John Ufrat, representing San Luis Obispo County, submitted a request to speak in favor of the staff recommendation. Matt McGurrin submitted a request to speak in favor of the staff recommendation. Jeff Edwards, representing Central Coast Management Assoc., submitted a request to speak in opposition to the staff recommendation. Deirdre Hargrave, representing Coastal Escapes Inc., submitted a request to speak in opposition to the staff recommendation. Cindy Prange, representing Cayucos Vacation Rentals, submitted a request to speak in opposition to the staff recommendation. Richard Watkins, representing Central Coast Management Association, submitted a request to speak in opposition to the staff recommendation. Linda Hall submitted a request to speak.

Motion & Vote on Plan as Submitted: Peters moved approval of the Land Use Plan Amendment as submitted, seconded by Desser, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

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

Amending Motion & Vote: Hart moved to allow a variance procedure, seconded by Desser, and the roll call vote was 7 in favor and 3 opposed (Iseman, Potter & Wan). **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 8 in favor and 2 opposed (Iseman & Potter). **Passed**

Motion & Vote to Reject Implementation: Peters moved to reject the implementation amendment as submitted, seconded by Desser, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Motion & Vote on Implementation with Modifications: Peters moved approval of the implementation with suggested modifications, seconded by Desser, and Chairman Reilly substituted the previous roll call vote (10-0). **Passed.**

19. NEW APPEALS.

a. **Appeal No. A-3-03-17 (Barker & Delp, San Luis Obispo Co.)** Staff recommended that the appeal raised no substantial issue.

Cynthia Hawley, representing appellants, submitted a request to speak in opposition to the staff recommendation. Mickie Burton submitted a request to speak in opposition to the project. Stephanie Dall, representing the applicants, submitted a request to speak in favor of the project.

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

b. **Appeal No. A-3-02-68 (Cayucos Sanitary Dist., 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. Staff recommended approval with special conditions.

Terry Schubert, Carol Florence & Tim Carmel, all representing Cayucos Sanitary District, submitted requests to speak in favor of the project. John Burch, representing Salinan Tribal Council, submitted a request to speak in opposition to the staff recommendation. Maya Jamal Kasberg submitted a request to speak in favor of the staff recommendation. Tarren Collins, representing S.LO County Chumash Council, submitted a request to speak in favor of the staff recommendation.

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

c. **Appeal No. A-3-03-32 (Royan, Santa Cruz Co.)** Staff recommended continuance. There being no objection, Chairman Reilly opened the hearing on substantial issue and **continued** it to a future meeting.

20. COASTAL PERMIT APPLICATIONS.

a. **Application No. 3-01-113 (Cayucos Sanitary Dist., San Luis Obispo Co.)** Staff recommended approval with special conditions.

The hearing was combined with item 19b above.

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

b. **Application No. 3-02-48 (Feiner, Carmel) Waived.**

c. **Application No. 3-02-54 (Hall, Carmel)** Staff recommended approval with special conditions as modified orally.

Eleen Auvil-Hall submitted a request to speak in favor of the project. Richard K. Rhodes, representing the applicant, submitted a request to speak in favor of the project.

Motion: Potter moved staff recommendation, seconded by Peters.

Amending Motion & Vote: Potter moved to delete conditions 1 & 2 for revised plans & grading, 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**

21. **PERMIT EXTENSION.**

a. **Permit No. 3-00-115-E (Dority, Carmel) Postponed.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:40 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

