

CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF MAY 6-9, 2003 in Monterey

Tuesday & Wednesday at
Doubletree Hotel Monterey
2 Portola Plaza

Thursday & Friday at
Monterey Conference Center
1 Portola Plaza

Tuesday, May 6, 2003 pages 1 to 5

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, May 6, 2003, at 10:05 a.m. by Vice Chairman Burke.
2. **ROLL CALL.** Present: Vice Chairman Burke, Commissioners Desser, Hart, (Alternate) Luna, (Alternate) Curtis, Nava, (Alternate) Ruddock, Sanders and Wan. Absent: Dean, Krueger, Neal, Peters, Reilly, Sweeney and Woolley.

SOUTH COAST DISTRICT

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

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 through f on pages 3-4 of the Meeting Notice. Staff recommended approval with special conditions.

Motion & Vote: Hart moved staff recommendation, seconded by Ruddock, and Vice Chairman Burke 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.

6. **FEDERAL CONSISTENCY.**

a. **CD-90-02 (Corps of Engineers, San Diego Harbor Deepening, San Diego)** Staff recommended approval.

Eileen Maher, representing Port of San Diego, submitted a request to speak in favor of the staff recommendation.

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

b. **CD-29-03 (National Park Service, San Francisco)** Staff recommended approval.

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

ENERGY, OCEAN RESOURCES and WATER QUALITY

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

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

9. COASTAL PERMIT APPLICATION.

a. **Application No. E-01-30 (Venoco, Santa Barbara Co.)** Staff recommended approval with special condition.

Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the project.

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

SOUTH COAST DISTRICT

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

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 13g & h to the Calendar, and recommended approval with special conditions.

13h Sherman Gardner, representing the applicants, submitted a request to speak in favor of the project.

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

12. NEW APPEALS.

a. **Appeal No. A-5-03-87 (Walker & Dupler, Palos Verdes Estates)** 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.

b. **Appeal No. A-5-03-141 (Caltrans, Orange Co.)** 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-5-03-156 (Swepston, Los Angeles)** Staff recommended continuance. There being no objection, Vice Chairman Burke opened the hearing on substantial issue and **continued** it to a future meeting.

13. **COASTAL PERMIT APPLICATIONS.** See AGENDA

a. **Application No. 5-02-256 (De Pauw, Newport Beach)** Staff recommended denial.

Harvey DePauw & David DePauw submitted requests to speak in favor of the project. Dave Neish Sr. & David Neish Jr., representing the applicant, submitted requests to speak in favor of the project.

Motion & Vote: Hart moved approval of the project with conditions described orally, seconded by Desser, and Vice Chairman Burke ruled that the vote was unanimous. **Passed.**

b. **Application No. 5-02-302 (Barth, Newport Beach)** Staff recommended approval with special conditions.

Neil & Kerry Barth, the applicants, submitted a request to speak in favor of the project. David Neish Jr. & Dave Neish Sr., representing the applicants, submitted requests to speak in favor of the project.

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

Amending Motion & Vote: Hart moved to delete condition 5 (stringline), seconded by Desser, and the roll call vote was 6 in favor and 2 opposed (Nava & Wan). **Passed.**

Vote on Main Motion: Vice Chairman Burke substituted the previous roll call vote (6-2), for approval of the main motion, as amended above. **Passed**

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

d. **Application No. 5-02-378 (Johnson, Newport Beach)** Staff recommended denial.

Dave Neish Sr., Dave Neish Jr. & David Althan, all representing the applicant, submitted requests to speak in favor of the project.

Motion & Vote: Hart moved staff recommendation, seconded by Desser, and the roll call vote was 2 in favor (Hart & Curtis) and 6 opposed. **Passed.**

e. **Application No. 5-02-430 (Long Beach permit parking) Withdrawn.**

f. **Application No. 5-03-1 (Welcher & Taggart, Los Angeles)** Staff recommended approval with special conditions.

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

g. **Application No. 5-03-68 (Faird, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 5-03-89 (Goldrich & Kest, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

14. **PERMIT AMENDMENT.** See

a. **Permit No. 5-03-77-A (Pickett, Los Angeles) Postponed.**

15. **FINDINGS.**

a. **Application No. 5-02-353 (Lowenstein, Los Angeles)** Trailed until Wednesday, on Wednesday, Staff recommended approval of findings.

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

RECESS. The Commission recessed for the day at 12:40 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, May 7, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Desser, Hart, Nava, (Alternate) Allgood, Potter, Sweeney, Wan and Woolley. Absent: Dean, Iseman, Krueger, Neal and Sanders. McClain-Hill arrived at 9:05 a.m.

SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a & b on page 8 of the Meeting Notice. Staff recommended approval with special conditions.

Motion & Vote: Nava moved staff recommendation, seconded by Woolley, 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. **Encinitas LCP Amendment 1-02 (Recreational Trails Plan) Certification Review.** Staff recommended continuance and extension of the time limit.

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

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

7e) Paul Webb, representing the applicant, submitted a request to speak in favor of the project.

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

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

a. **San Diego LCP Amendment No. 2-02 (Headquarters Point & Corporate Research Park) Time Extension.** Staff recommended approval.

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

6. **NEW APPEAL.**

a. **Appeal No. A-6-01-47 (Conway, Encinitas)** 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. Staff recommended approval with special conditions.

Dan Duty, the applicant, submitted a request to speak in favor of the project. Cynthia Wilson, the applicant, submitted a request to speak in favor of the project.

Motion & Vote: Wan moved staff recommendation, seconded by Desser, and the roll call vote was 9 in favor and 1 opposed (Allgood). **Passed.**

7. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-02-2 (Gregg & Santina, Solana Beach)** **Postponed,**

b. **Application No. 6-02-85 (Solana Beach sea cave fill)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 6-02-176 (McMillin, San Diego)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 6-03-6 (SeaWorld, San Diego)** Staff recommended approval with special conditions.

Patrick Owen, representing the applicant, submitted a request to speak in favor of the project. Mark Massara submitted a request to speak in opposition to the project.

Motion & Vote: Burke moved staff recommendation, seconded by Potter, and the roll call vote was 3 in favor (Hart, Potter & Woolley) and 7 opposed. **Failed.**

e. **Application No. 6-03-22 (SD Co. Airport Auth., San Diego)** Moved to expanded Consent Calendar. **Approved.**

f. **Application No. 6-03-39 (San Diego endangered plant protection)** Staff recommended approval with special conditions.

Mike Kelly, representing the applicant, submitted a request to speak in favor of the project.

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

ENFORCEMENT

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

a. **Commission Consent Cease & Desist Order No. CCC-03-CD-4 (OHHHA, Monterey)** Staff recommended approval.

Dave Larsen, representing the applicant, submitted a request to speak in favor of the project. Nicole Cartier, President-Ocean Harbor House, submitted a request to speak in favor of the project. Bud Carney, 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 Cease & Desist Order No. CCC-03-CD-3 (Headlands & Fryzer, Los Angeles)** **Postponed.**

c. **Commission Restoration Order No. CCC-03-RO-4 (Headlands & Fryzer, Los Angeles)** **Postponed.**

PUBLIC STATEMENTS. Alan Church said offered suggestions about user fees at Brazil Ranch and supported the coastal trail.

REPORT of CLOSED SESSION. In closed session the Commission took action on Bochner v. CCC, and the Matter of Permit No. 4-02-160 (Reason), and discussed one other matter for information only.

RECESS. The Commission recessed for the day at 10:45 a.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, May 8, 2003, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Desser, (Alternate) Orr, (Alternate) Allgood, Potter, Wan and Woolley. Absent: Dean, Neal, Sanders and Sweeney. Burke, Iseman and Durazo arrived at 9:05 a.m. McClain-Hill arrived at 9:10 a.m. Hart arrived at 9:15 a.m.

CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.** See items a through c on page 11 of the Meeting Notice. Staff recommended approval with special conditions.

Nader Agha, representing the applicant, submitted a request to speak in favor of the project. Sally Aberg submitted a request to speak in opposition to the project. Betty Aickelin submitted a request to speak in opposition to the project. Carolee Gearhart Harari submitted a request to speak in opposition to the project. Elizabeth Martin submitted a request to speak in opposition to the project. Jack Martin submitted a request to speak in opposition to the project. William Monahan submitted a request to speak in opposition to the project. Dave Roberts submitted a request to speak in opposition to the project. Dennis Hodgins, architect, submitted a request to speak in favor of the staff recommendation.

There being more than three votes to remove them, all the Consent Calendar items were **set for hearing** at a future meeting.

NORTH CENTRAL COAST DISTRICT

4. **CONSENT CALENDAR.** See items a & b on page 11 of the Meeting Notice. 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.**

CENTRAL COAST DISTRICT

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

a. **Pismo Beach LCP Amendment No. PSB-MIN-1-03 (Minor).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Reilly ruled that the Commission concurred with the Executive Director.

McClain-Hill & Hart arrived during the following item.

b. **Briefing on Big Sur Coast Highway Management Plan (CHMP).** Informational only.

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

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

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

a. **Monterey Plan Resubmittal MTC-LUP-Harbor-Sub-R4 (Harbor Resubmittal).** Staff recommended approval with suggested modifications.

Bill Wotkowski, representing the City of Monterey, submitted a request to speak in favor of the staff recommendation. Deborah Johnston submitted a request to speak in opposition to the staff recommendation.

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

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

b. **Monterey Plan Resubmittal MTC-DelMonte-LUP-3rd-1 (Del Monte Beach Resubmittal).** Staff recommended approval with suggested modifications.

Bill Wotkowski, representing the City of Monterey, submitted a request to speak in favor of the staff recommendation.

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

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

c. **Santa Cruz LCP Amendment No. STC-MAJ-1-02 Part A.** Staff recommended approval.

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

d. **Santa Cruz LCP Amendment STC-MAJ-1-03 Part A (Depot reuse site).** Staff recommended approval.

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

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

8. NEW APPEALS.

Curtis replaced McClain-Hill during the following item,

a. **Appeal No. A-3-02-58 (Smith, Monterey 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. Staff recommended approval with special conditions.

Murray Smith submitted a request to speak in favor of the project. James Smith submitted a request to speak in favor of the project. John Bridges submitted a request to speak in favor of the project. Mike Berolzheimer submitted a request to speak in favor of the project. Corky Matthews, representing appellant & Calif. Native Plant Society, submitted a request to speak in opposition to the project. Anthony Lombardo submitted a request to speak in opposition to the project. Sharene Virnig submitted a request to speak in opposition to the project. Kenneth Virnig submitted a request to speak in opposition to the project. Carl Larson submitted a request to speak.

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

Burke left during the following item.

b. **Appeal No. A-3-02-86 (Horizon Seabright, Grover Beach)** 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. Staff recommended approval with special conditions.

Chris Skiff, representing the applicant, 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. Jon Seitz submitted a request to speak in opposition to the project. Rosanne Seitz submitted a request to speak in opposition to the project.

Motion & Vote: Hart moved staff recommendation, seconded by Wan, and the roll call vote was 2 in favor (Hart & Reilly) and 8 opposed. **Failed.**

PUBLIC STATEMENTS. Ken Wright said low-cost camping opportunities were being lost at Andrew Molera State Park in Big Sur. Alan Church presented information on decline of the sea otter and urged regulation of dumping by cruise ships in the National Sanctuary. Vienna Merritt-Moore, representing Say No to Ft Ord's Toxic Burning, spoke about the Army's proposal for burning at Fort Ord and potential pollution from the burning. David Dilworth, representing Helping Our Peninsula's Environment, requested

enforcement of a condition on the Spanish Bay project requiring restoration of the haul road. Mark Massara, representing Sierra Club, said the Wavecrest project should be returned to the City of Half Moon Bay for local review.

LUNCH RECESS. The Commission recessed for lunch at 12:10 p.m. and returned at 2:05 p.m. after closed session. Hart did not return after the break.

REPORT of CLOSED SESSION. In closed session the Commission took action on Yamagiwa, et al. v. City of Half Moon Bay, Kennerly v. CCC, and City of Imperial Beach v. CCC, and discussed three other matters of litigation for information only.

c. **Appeal No. A-3-03-40 (Benson, 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.

9. **COASTAL PERMIT APPLICATIONS.** See AGENDA

a. **Appeal No. A-3-01-99 (Santa Cruz, W. Cliff Drive path widening)** Staff recommended approval with special conditions.

Chris Schneiter, representing City of Santa Cruz, submitted a request to speak in favor of the project. Cheryl Schmitt, representing City of Santa Cruz, submitted a request to speak in favor of the project. Wilson Fieberling, representing City of Santa Cruz Transportation Committee, submitted a request to speak in favor of the project. David Britton, representing WCDOA, submitted a request to speak in opposition to the project. Darrell Darling, representing West Cliff Drive Owners Association, submitted a request to speak in opposition to the project. Aldo Giacchino submitted a request to speak in opposition to the project. Susan Rose, representing West Cliff Drive Owners Association, submitted a request to speak in opposition to the project. Grant Weseman submitted a request to speak in opposition to the project.

Motion & Vote: Potter moved staff recommendation, seconded by Woolley, and the roll call vote was 5 in favor and 5 opposed (Desser, Iseman, Orr, Allgood & Wan).
Failed.

b. **Appeal No. A-3-02-74 (Pelle, San Luis Obispo Co.)** Staff recommended approval with special conditions.

Gary Swauger, representing the applicant, submitted a request to speak in favor of the project. Richard Hawley submitted a request to speak in opposition to the project.

Motion & Vote: Potter moved staff recommendation, seconded by Woolley, and the roll call vote was 8 in favor and 2 opposed (Iseman & Allgood). **Passed.**

Curtis left during the following item.

c. **Appeal No. A-3-02-93 (Korpiel, San Luis Obispo Co.)** Staff recommended approval with special conditions as modified orally.

Stephanie Dall, representing the applicant, submitted a request to speak in favor of the project. Richard Hawley, representing Greenspace-The Cambria Land Trust, submitted a request to speak in opposition to the project. Tarren Collins, representing San Luis Obispo County Chumash Council, submitted a request to speak in opposition to the staff recommendation.

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

d. **Application No. 3-02-94 (Carmel, Mission Trail Nature Preserve)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 3-03-34 (Monte Foundation, Santa Cruz Co.)** Moved to expanded Consent Calendar. **Approved.**

10. **PERMIT EXTENSION.**

a. **Permit No. 3-00-115-E (Dority, Carmel)** Staff recommended denial.

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

There being no objection Chairman Reilly ruled that the permit be extended. **Approved.**

NORTH COAST DISTRICT

Durazo left before the following items.

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

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

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

a. **Fort Bragg LCP Amendment No. FTB-MAJ-1-02 (Aquaculture).** Postponed.

14. **PUBLIC WORKS PLAN No. 1-02-1-PWP (CalTrans, Humboldt Co.)** Postponed.

15. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 1-00-14 (Caltrans, Humboldt Co.)** Staff recommended approval with special conditions.

Tony Anziano, representing the applicant, submitted a request to speak in favor of the project. Richard J. Hicks, representing property owners, 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.**

b. **Application No. 1-02-165 (Ayers, Humboldt Co.)** Postponed.

NORTH CENTRAL COAST DISTRICT

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

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

18. **COASTAL PERMIT APPLICATION.**

a. **Application No. 2-02-21 (CalTrans, Sonoma Co.) Postponed.**

RECESS. The Commission recessed for the day at 6:05 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, May 9, 2003, at 8:35 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Desser, Iseman, McClain-Hill, (Alternate) Orr, (Alternate) Allgood, Potter and Wan. Absent: Dean, Hart, Neal, Sanders and Sweeney. Woolley arrived at 9:00 a.m. Kruer arrived at 9:45 a.m.

SOUTH CENTRAL COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 4-02-232 (Mac, Ventura)** Staff recommended approval with special condition.

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

4. CONSENT CALENDAR.

a. **Application No. 4-02-240 (Russel, Los Angeles Co.)** Staff recommended approval with special conditions.

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

STATEWIDE

5. **APPROVAL OF MINUTES.** Potter moved approval of the minutes of April 2003, seconded by Orr, and unanimously **approved.**
6. **COMMISSIONERS' REPORTS.**

a. Secretary of the Resources Agency status report. Informational only

6.5 **SELECTION of REPRESENTATIVE to SANTA MONICA MOUNTAINS CONSERVANCY and possible ALTERNATE.** Reilly nominated McClain-Hill for Representative, and Durazo as Alternate. Burke nominated Durazo as Representative. The hand vote for Representative was 7 in favor of McClain-Hill and 3 in favor of Durazo. The hand vote to select Durazo as Alternate was unanimous.

7. **CONSERVANCY REPORT.** Informational only.

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

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

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

a. **Conservation Easement Program.** Informational only

Woolley arrived during the following item.

b. **Legislation.**

Staff recommended support of SB 236.

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

Staff recommended neutral position on SB 619.

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

c. **Additional Legislation.** Informational only.

SOUTH CENTRAL COAST DISTRICT

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

a. **Santa Barbara LCP Amendment No. MAJ-1-02 (Airfield Safety Projects)**

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 six items (14c, 14d, 14f, 14g, 14j & 15a) items to the Calendar, and recommended approval with special conditions.

14c) Louis Werbe submitted a request to speak in favor of the project.

14d) There being more than 3 votes to remove it, this project was returned to the regular calendar below.

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

12.5 **UCSB LRDP Amendment No. 4-02 and Notices of Impending Development Nos. 3-01, 3-02 & 3-03.** Staff recommended approval of the LRDP amendment, and approval of the impending developments with special conditions.

Tye Simpson, representing UCSB, submitted a request to speak in favor of the staff recommendation.

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

Motion & Vote on 3-01: Potter moved staff recommendation on notice of impending development no 3-01, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on 3-02: Potter moved staff recommendation on notice of impending development no 3-02, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on 3-03: Potter moved staff recommendation on notice of impending development no 3-03, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

13. LOCAL COASTAL PROGRAM (LCP).

a. **Carpinteria LCP Amendment No. MAJ-2-01 (Wireless Communications Ordinance)**. Staff recommended approval.

Paul Kermoyan, representing City of Carpinteria, submitted a request to speak in favor of the project.

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

13.5 NEW APPEALS.

a. **Appeal No. A-4-03-34 (Milbrandt, Oxnard)** 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-4-03-35 (Milbrandt, Oxnard)** 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.

c. **Appeal No. A-4-03-36 (Milbrandt, Oxnard)** 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.

14. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-01-32 (Holz & Ball, Santa Barbara Co.)** **Postponed**.

b. **Application No. 4-01-234 (Serra Canyon Owners, Malibu)** Staff recommended approval with special conditions as modified in addendum and orally.

Lisa Weinberg & Geoffrey Gee, both representing SCPOA, submitted requests to speak in favor of the project.

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

c. **Application No. 4-02-153 (Werbe, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

Kruer arrived before the following item, and Burke left during the item.

d. **Application No. 4-02-204 (Pilepich, Los Angeles Co.)** Staff recommended approval with special conditions.

M. Pilepich submitted a request to speak in favor of the project.

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

e. **Application No. 4-01-225 (Pilepich, Los Angeles Co.)** **Withdrawn.**

f. **Application No. 4-02-224 (Maxwell, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-02-248 (Hughes, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

h. **Application No. 4-00-240 (Dicke, Los Angeles Co.)** Staff recommended approval with special conditions.

Michael Dicke 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.**

Desser left during the following item.

i. **Application No. 4-02-110 (Khalsa, Los Angeles Co.)** Staff recommended approval with special conditions.

Jai Pal S. Khalsa submitted a request to speak in favor of the project.

Motion & Vote: Potter moved staff recommendation, seconded by McClain-Hill, and the roll call vote was 6 in favor and 3 opposed (Iseman, Kruer & Orr). **Passed.**

j. **Application No. 4-02-212 (Port Hueneme, pier reconstruction)** Moved to expanded Consent Calendar. **Approved.**

15. PERMIT AMENDMENTS.

a. **Permit No. 4-95-64-A (Los Angeles Co. Fire Dept.)** Moved to expanded Consent Calendar. **Approved.**

McClain-Hill left during the following item.

b. **Permit No. 4-97-102-A (Campbell, Malibu)** Staff recommended denial.

Sam Reed & Richard Scott, both representing the applicant, submitted requests to speak in favor of the project.

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

PUBLIC STATEMENTS. Jay Murray described effects of acoustic experiments on sea otters, whales, other marine mammals and divers. Cheryl Burrell said Pebble Beach Company's use of the road was tied to the ongoing quarry operation, which was anticipated to cease within the next 12 to 24 months.

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:35 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg