

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY**W17**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES of MEETING of APRIL 14-16, 2004
Wednesday & Thursday at Friday at
Radisson Hotel Cabrillo Arts Pavilion
1111 East Cabrillo Blvd. 1118 East Cabrillo Blvd.
Santa Barbara Santa Barbara

Wednesday, April 14, 2004 pages 1 to 9

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, April 14, 2004, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Iseman, Kruer, Nava, Nichols, (Alternate) Allgood, Potter, Wan and Woolley. Absent: Chrisman, McClain-Hill and Sandoval. Aronberg arrived at 9:30 a.m.

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.

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

4. **CONSENT CALENDAR.**

a. **Application No. 5-04-65 (Kadish, Los Angeles)** Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

5. **CONSENT CALENDAR.** See items a through c on page 4 of the Meeting Notice. Application No. 6-04-13 (UCSD, San Diego) was postponed. Staff recommended approval with special conditions on the remainder of the Calendar.

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

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

SOUTH COAST DISTRICT

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

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

(9b) Erin Bettingen submitted a request to speak in opposition to the project. (9c) Brady Hem & Beth Swift, both representing the applicant, submitted a request to speak in favor of the project.

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

7.5 LOCAL COASTAL PROGRAM (LCP).

a. **Dana Point LCP Amendment No. 1-03 (Dana Point Headlands) Time Extension.** Staff recommended extension of 60-day time limit for adoption of findings, and extension of 6-month time limit for adoption of suggested modifications by the City.

Chad Nelson, representing Surfrider Foundation, submitted a request to speak in favor of the staff recommendation. Kevin Darnall, representing Headlands Reserve LLC, submitted a request to speak in opposition to the staff recommendation. Joe Snyder, Mayor – City of Dana Point, submitted a request to speak in opposition to the staff recommendation. Doug Chotkevys, City Manager – City of Dana Point, submitted a request to speak in opposition to the staff recommendation.

Motion & Vote on Staff Recommendation: Wan moved staff recommendation, seconded by Woolley, and the roll call vote was 4 in favor (Allgood, Wan, Woolley & Reilly), 5 opposed and one abstention (Nava). **Failed.**

Motion & Vote to Extend Time on Findings: Burke moved to the extend time limit for adoption of findings, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on May Hearing: Burke moved to direct staff to schedule the findings in May, seconded by Kruer, and the roll call vote was 4 in favor (Burke, Iseman, Kruer & Potter), 5 opposed and one abstention (Nava). **Failed.**

8. NEW APPEAL.

a. **Appeal No. A-5-04-108 (AVP, Manhattan Beach)** Staff recommended that the appeal raised substantial issue. There being only 1 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.

a. **Application No. 5-03-233 (Orange County Sanitation District, Newport Beach)** Staff recommended approval with special conditions.

Andrei Joan, representing Orange County Sanitation District, submitted a request to speak in opposition to the project.

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

b. **Application No. 5-03-307 (Newport Beach and Parks & Rec.)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 5-03-320 (Boiteux, Long Beach)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 5-03-322 (San Clemente, beach trail)** Staff recommended approval with special conditions.

Arthur Guy, representing the applicant, submitted a request to speak in favor of the project. Bill Mock, representing Orange County Transportation Authority, submitted a request to speak in favor of the project. Richard Clark, Director – Calif. Public Utilities Comm., submitted a request to speak in favor of the project. Jim Pechous, representing the City of San Clemente, submitted a request to speak in favor of the staff recommendation. Kathryn Stovall Dennis, representing City of San Clemente – Railroad Corridor Safety Education Panel, submitted a request to speak in favor of the staff recommendation. Chad Nelson, representing Surfrider foundation, submitted a request to speak in favor of the staff recommendation.

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

e. **Application No. 5-03-491 (Johnson, Newport Beach)** Staff recommended denial.

David Neish & David Altman, both representing the applicant, submitted requests to speak in favor of the project.

Motion & Vote: Iseman moved approval of the project with conditions described orally, seconded by Potter, and the roll call vote was 8 in favor and 2 opposed (Nava & Wan). **Passed.**

f. **Application No. 5-04-27 & A-5-04-8 (Venice Lofts, Los Angeles)** Staff recommended approval with special conditions as modified orally.

Clare Bronowski, representing the applicant, submitted a request to speak in favor of the project. Joyce Haskell, representing Venice Community Assoc., submitted a request to speak in opposition to the project. Joseph Fisch submitted a request to speak in opposition to the project. Craig Bryan submitted a request to speak in opposition to the project. Pegarty Long submitted a request to speak in opposition to the project.

Motion on A-5-04-8: Burke moved staff recommendation on A-5-04-8, seconded by Kruer.

Amending Motion & Vote: Woolley moved to allow the residential balconies, seconded by Burke, and the roll call vote was 8 in favor and 2 opposed (Iseman & Wan). **Passed.**

Vote on Main Motion: The roll call vote, on the main motion, as amended above, was 9 in favor and 1 opposed (Iseman). **Passed.**

Motion & Vote on 5-04-27: Burke moved approval of 5-04-27 with conditions as amended above, seconded by Kruer, and Chairman Reilly substituted the previous roll call vote (9-1). **Passed.**

g. **Application No. 5-04-28 & A-5-04-9 (Venice Lofts, Los Angeles)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item f above.

Motion & Vote on A-5-04-9: Burke moved approval of A-5-04-9 with conditions as amended above, seconded by Nichols, and Chairman Reilly substituted the previous roll call vote (9-1). **Passed.**

Motion & Vote on 5-04-28: Burke moved approval of 5-04-28 with conditions as amended above, seconded by Nichols, and Chairman Reilly substituted the previous roll call vote (9-1). **Passed.**

PUBLIC STATEMENTS. Bill Eisen, representing Residents for a Quality City, reported that the City of Manhattan Beach allowed remodeling of a café at the end of the pier without a coastal permit.

LUNCH RECESS. The Commission recessed for lunch at 12:15 p.m. and returned at 1:50 p.m.

ENFORCEMENT

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

11. **COMMISSION CEASE & DESIST ORDER No. CCC-03-CD-14 (Ritz Carlton Hotel, Half Moon Bay)** Staff recommended approval.

Jeff Mongan, representing Vestar-Athens, submitted a request to speak in favor of the staff recommendation.

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

12. **COMMISSION CEASE & DESIST ORDER No. CCC-04-CD-2 (McNamee, Newport Beach)** **Postponed.**

SAN DIEGO COAST DISTRICT

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

14. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved items 17b & c to the Calendar, and recommended approval with special conditions.

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

15. LOCAL COASTAL PROGRAMS (LCPs).

a. **Coronado LCP Amendment No. 1-03 (Orange Avenue Corridor).** Staff recommended approval with suggested modifications as modified orally.

Tony Peña & Ann McCaull, both representing the City of Coronado, submitted requests to speak in favor of the staff recommendation. Mark Brodeur, representing consultant to City of Coronado, submitted a request to speak in favor of the staff recommendation. Alan Hoffman, representing Mission Group/Coronado, submitted a request to speak in favor of the staff recommendation.

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

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

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

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

b. **Carlsbad LCP Amendment No. 5-03A (Various code changes).** **Postponed.**

c. **Oceanside Plan Amendment No. 1-04 (Pacific Street Bridge).** Staff recommended approval.

Peter Biniaz & Jerry Hittleman, both representing the City of Oceanside, submitted requests to speak in favor of the project.

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

16. **NEW APPEAL.**

- a. **Appeal No. A-6-04-16 (M.B. Properties, San Diego) Postponed.**
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17. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-03-117 (Oceanside Pacific St. bridge)** Staff recommended approval with special conditions.

Peter Biniaz & Jerry Hittleman, both representing the City of Oceanside, submitted requests to speak in favor of the project. Michael Cafarchia, representing North Coast Village, submitted a request to speak in favor of the project. Donald Holmes submitted a request to speak in favor of the project.

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

- b. **Application No. 6-04-8 (Sea World, San Diego)** Moved to expanded Consent Calendar. **Approved.**
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- c. **Application No. 6-04-11 (San Diego dock improvements)** Moved to expanded Consent Calendar. **Approved.**
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- d. **Application No. 6-04-14 (Weisman, San Diego Co.) Postponed.**
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18. **RECONSIDERATION.**

- a. **Application No. A-6-03-26-R (Kiko, Carlsbad)** Staff recommended denial.

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

19. FINDINGS.

a. **Application No. 6-03-6 (Sea World, San Diego) Postponed.**

b. **Application No. 6-03-81 (San Diego park improvements)** Staff recommended approval of findings.

Motion & Vote: Woolley moved staff recommendation, seconded by Nichols, and the hand vote was 6 in favor and 0 opposed. **Passed.**

RECESS. The Commission recessed for the day at 2:40 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, April 15, 2004, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Iseman, Kruer, Nichols, (Alternate) Allgood, Potter, Wan, Aronberg and Woolley. Absent: Chrisman, McClain-Hill and Sandoval. Nava arrived at 9:05 a.m.

CENTRAL COAST DISTRICT

3. **CONSENT CALENDAR.**

a. **Application No. 3-00-164 (Chambers, Santa Cruz Co.)** Staff recommended approval with special conditions.

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

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

a. **San Luis Obispo Co. LCP Amendment No. SLO-MAJ-1-02 (Oceano Specific 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).** None.

6. LOCAL COASTAL PROGRAM (LCP).

a. **Grover Beach LCP Amendment No. GRB-MAJ-1-04.** Staff recommended approval.

Jake Raper, representing the City of Grover Beach, submitted a request to speak in favor of the project. Roger Jon Diamond, representing Steve Diamond, submitted a request to speak in opposition to the staff recommendation.

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

7. NEW APPEALS.

a. **Appeal No. A-3-00-40 (Schneider, San Luis Obispo)** 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. Staff recommended approval with special conditions as modified orally.

Dr. Dennis Schneider, the applicant, submitted a request to speak in favor of the project. Gregory W. Sanders, 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.

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

b. **Appeal No. A-3-03-81 (Reddell, Morro Bay)** 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 Reddell, the applicant, submitted a request to speak in favor of the project. Galen Ricard, representing the City of Morro Bay, submitted a request to speak in favor of the project. Cathy Novak, representing Harbor View, submitted a request to speak in favor of the project. Janice Peters submitted a request to speak in favor of the project. Brenda Agee-Smiley submitted a request to speak in opposition to the project. Michael Brooks submitted a request to speak in opposition to the project. Sharon Brooks submitted a request to speak in opposition to the project. George Contento submitted a request to speak in opposition to the project. Billie Jean

Goodrich submitted a request to speak in opposition to the project. Judy Iden submitted a request to speak in opposition to the project. Michele Jacquez, representing Bartfield Motel Group, submitted a request to speak in opposition to the project. Robert Luellen, representing Blue Sail Inn, submitted a request to speak in opposition to the project. Charles Meissner submitted a request to speak in opposition to the project. Floretta Meissner submitted a request to speak in opposition to the project. Dr. Robert Tefft submitted a request to speak in opposition to the project. Tish Tefft submitted a request to speak in opposition to the project. Betty Winholtz submitted a request to speak in opposition to the project. Bill Woodson submitted a request to speak in opposition to the project.

Motion & Vote: Nichols moved staff recommendation, seconded by Allgood, and the roll call vote was 0 in favor, 9 opposed and 1 abstention (Burke). **Failed.**

PUBLIC STATEMENTS. John Tommy Rosas, Vice Chair Gabriellino/Tongva Tribal Council, Indians of California, raised issues of Catellus & Playa Vista violations, and said that polluted water discharge had damaged a registered sacred site. Leslie Purcell presented information about Catellus pumping dirty water and oily residue under Lincoln Blvd. onto the state-owned wetlands, in violation of their permit. Mark Massara, representing Sierra Club, reported that Santa Cruz County began constructing a seawall in disregard of the Commission's unanimous denial. Roger S. Miller complained that staff had not worked with him on the issue of a gate blocking his private easement. Linda Krop, representing EDC, thanked the Commission for traveling to various communities around the state, for staff participation on the Channel Islands National Marine Sanctuary Advisory Council, for responding to threats from Federal offshore oil & gas leases, and hoped that the Commission would protect coastal waters in the future consideration of LNG proposals and a fish farm proposal off Platform Grace. Jeff Kuyper, representing Environ. Defense Ctr., said he was sad that the Commission would not continue to pursue the periodic review of the San Luis Obispo Co. LCP, and that the County did not intend to comply with the recommendations. Tye Simpson, representing U.C. Santa Barbara, said the Ellwood-Devereau coast plan was an example of 3 jurisdictions working together. Betty Winholtz said that State Parks had cut trees within 500' of a raptor nest, in violation of its permit at Morro Bay State Park. Dianne Meester, representing County of Santa Barbara, spoke in support of the cooperation between the County, the University & the City of Goleta. Cynthia Hawley, representing Concerned Citizens of Los Osos, said the sewage treatment plant needed a separate coastal permit as a public works project. James Tkach said he hoped the Commission would continue to protect environmentally sensitive habitat and coastal views. Linde Owen, Concerned Citizens of Los Osos, complained about the lack of public participation in the process. Gwynn Taylor said the public was not being fairly represented. Betty Field-Haley displayed a book about a corporate yellow dragon. Lisa Schicker, representing Los Osos Tech Task Force, introduced herself and said "hello." Chris Allebe, representing

CCLO, encouraged the Commission to have occasional meetings in Santa Maria or San Luis Obispo.

LUNCH RECESS. The Commission recessed for lunch at 12:40 a.m. and returned at 2:15 p.m. after closed session. Kruer did not return after the break

REPORT of CLOSED SESSION. In closed session the Commission took action on Mt. Holyoke Homes et al. v. CCC (Schelbert, RPI), Jean Ross, LLC v. CCC, Smith v. CCC, and Sound Energy Solutions, FERC Docket No. CP04-58-000; and discussed four other cases for information only.

c. **Appeal No. A-3-03-91 (Ewing & Steinmann, Morro Bay)** 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-3-03-113 (Los Osos CSD, San Luis Obispo Co.)** Staff recommended that the appeal raised no substantial issue.

Seven speakers submitted requests to speak in favor of the project in an organized presentation: Stan Gustafson, President – Los Osos CSD; Bruce Buel, General Manager – Los Osos CSD; Kyle Harris, Los Osos CSD, MWH/RRM; David Moran, representing CMCA; Gerhardt Hubner, representing Regional Water Quality Control Board; Darrin Polhemus, representing State Water Resources Control Board; and Shirley Bianchi, representing SLO County Brd of Supervisors. Six speakers submitted requests to speak in favor of the project available for questions: Robert Miller, representing Los Osos CSD; Jon Seitz, representing Los Osos CSD Legal Counsel; Steve Hyland, representing MWH (design consultant); Jon Blanchard, representing Fugro-Los Osos CSD; Jeff Young, Chairman, Regional Water Quality Control Board; and Richard Legro, representing LOCSD-Board of Directors. Six other speakers submitted requests to speak in favor of the project: Elsie Deitz; Jerome L. Deitz; John Perkins; June Wright, representing Committee to Support the Los Osos CSD; Bonnie Deringer; and Vivian M. McNeill.

Dr. Pravin G. Bhuta submitted a request to speak in opposition to the project. Al Barrow, representing Citizens for Affordable & Save Environment, submitted a request to speak in opposition to the project. Deborah Parker, Atty for Appellants Concerned Citizens of Los Osos, submitted a request to speak in opposition to the project. Twenty seven other speakers submitted requests to speak in opposition to the project: Chris Allebe, representing CCLO; Rosemary Arnold, representing Concerned Citizens of Los Osos; Edward R. Balbas, representing CCLO (Concerned Citizens of Los Osos); Lila Bhuta; Chuck Cesena; Catherine Corbett; Carol Cribbs; Chuck Cribbs; Helen B. Dillis,

representing Concerned Citizens of Los Osos; Betty Field-Haley; Kathleen Jensen, representing CASE-CCLO and Dr. Bhuta; Marlene McQueen, representing CCLO; Cynthia M. Mulligan, representing Concerned Citizens of Los Osos; Linde Owen, representing Concerned Citizens of Los Osos; Bruce Payne, representing Concerned Citizens of Los Osos; Darlene M. Reynolds; Marlene Rosen; Milt Rosen; Edwin Schafer, representing Concerned Citizens of Los Osos; Lisa Schicker, representing Los Osos Tech Task Force; Karen Swanson; Keith Swanson; Julie Tacker, representing Concerned Citizens of Los Osos; Gwynn Taylor; James Tkach; Carmen Viliesid; and Jerri Walsh. Crystal Schafer submitted a request to speak.

Motion & Vote on No Substantial Issue: Potter moved staff recommendation, seconded by Wan, and Chairman Reilly ruled that the vote was unanimous in opposition to the motion. **Failed.** Chairman Reilly opened the hearing on the merits of the project and continued it to a future meeting.

8. COASTAL PERMIT APPLICATION.

a. **Application No. 3-04-14 (Santa Cruz Seaside, Santa Cruz)** Staff recommended approval with conditions.

Carl Henn, representing the applicant, submitted a request to speak in favor of the project. Ted Whiting, representing Santa Cruz Beach Boardwalk, submitted a request to speak in favor of the project.

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

9. CLAIM OF VESTED RIGHTS No. 3-04-20-VRC (Black, Santa Cruz) **Postponed.**

SOUTH CENTRAL COAST DISTRICT

Potter left before the following items.

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

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 13c to the Calendar, and recommended approval with special conditions.

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

11.5 **PEPPERDINE UNIVERSITY NOTICE of IMPENDING DEVELOPMENT No. 1-04 (Graduate Campus Tract Map).** Staff recommended approval with special condition.

Phil Phillips, representing Pepperdine University, submitted a request to speak in favor of the project.

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

12. **NEW APPEAL.**

a. **Appeal No. A-4-04-35 (Chase, Santa Barbara 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.

13. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-03-25 (Santa Barbara Co. Atascadero Cr. flood control)** Staff recommended approval with special conditions.

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

b. **Application No. 4-03-54 (Malibu Ocean Ranches, Los Angeles Co.)** Staff recommended approval with special conditions.

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

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

c. **Application No. 4-03-109 (Santa Barbara Airport)** Moved to expanded Consent Calendar. **Approved.**

14. **PERMIT AMENDMENTS.**

a. **Application No. 4-97-103-A2 (Rust Trust, Malibu)** **Postponed.**

b. **Permit No. 4-97-243-A (Higgins, Malibu)** **Postponed.**

c. **Application No. 4-99-98-A (Towfigh & Shirloo, Los Angeles Co.)** Staff recommended approval with special conditions.

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

15. **FINDINGS.**

a. **Application 4-01-108 (Ross, Santa Monica Mountains)** **Postponed.**

ENERGY, OCEAN RESOURCES and WATER QUALITY

16. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** Executive Director Douglas reported on matters not requiring public hearings.

17. **SONGS STATUS.** A status report was mailed for information only.

STATEWIDE

18. **APPROVAL OF MINUTES.** Trailed to Friday. On Friday, the minutes of March 2004 were unanimously **approved.**

19. **COMMISSIONERS' REPORTS.** Trailed to Friday, informational only.

20. **CONSERVANCY REPORT.** Trailed to Friday, informational only.

21. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Trailed to Friday, informational only.

22. **DEPUTY ATTORNEY GENERAL'S REPORT.** None

23. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation. Trailed to Friday, informational only.

a. **Public Education Grant Program.** Staff recommended approval.

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

b. **2005 Meeting Schedule.** Staff recommended approval as modified orally.

Approved: Chairman Reilly ruled that the vote was unanimous.

RECESS. The Commission recessed for the day at 5:00 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, April 16, 2004, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Iseman, Nava, Nichols, (Alternate) Allgood, Wan and Woolley. Absent: Burke, Chrisman, Krue, McClain-Hill, Sandoval and Westly. Potter arrived at 9:05 a.m.

NORTH CENTRAL COAST DISTRICT

2.5 ADMINISTRATIVE PERMIT APPLICATION.

- a. **Application No. 2-04-1 (Olympic Club, San Francisco) Postponed.**

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

NORTH COAST DISTRICT

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

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

6. **NEW APPEALS.**

- a. **Appeal No. A-1-03-66 (SAFE, Mendocino 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.

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

b. Appeal No. A-1-03-69 (Hunt, Mendocino Co.) **Postponed.**

STATEWIDE

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

ADJOURNMENT. There being no old or new business, the meeting adjourned at 10:05 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

