

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

W16

**RECORD PACKET COPY**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES of MEETING of JANUARY 12-14, 2005
Hilton Long Beach
701 West Ocean Blvd.
Long Beach

Wednesday, January 12, 2005 pages 1 to 9

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, January 12, 2005, at 10:00 a.m. by Chairman Caldwell.
2. **ROLL CALL.** Present: Chairman Caldwell, Vice Chairman Kruer, Commissioners Burke, Baird, Iseman, Kram, Neely, Peters, Potter, Reilly, Secord, Shallenberger and Wan. Absent: McPeak and Westly.

ENERGY, OCEAN RESOURCES and WATER QUALITY

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

a. **Status Report on Proposed LNG Terminals.** Informational only. Eight speakers submitted requests to speak: John Tickenoff, representing So. CA Pipe Trades; Joel Thurwachter, representing IUOE #12; Bry Myown, representing Long Beach Citizens for Utility Reform, Angeles Chapter Sierra Club; Patricia Herrera, representing Pro-West Neighbors United; Don May, representing California Earth Corps; Kevin Norton, representing IBEW Local Union 11; John Schafer, representing Southwest Regional Council of Carpenters; and Mark Massara, representing Sierra Club.

4. **COASTAL PERMIT APPLICATION.**

a. **Application No. E-4-10 (ARCO, Santa Barbara Co.) Postponed.**

5. **FINDINGS.**

a. **Appeal No. A-3-04-35 (PG&E, San Luis Obispo Co.)** Staff recommended approval of findings.

Dave Neish, representing PG&E, submitted a request to speak in favor of the project.

Motion & Vote: Burke moved staff recommendation, seconded by Neely, and the hand vote was 10 in favor and 0 opposed. **Passed.**

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

ENFORCEMENT

7. **ENFORCEMENT REPORT.** Southern California Enforcement Supervisor Hudson reported on the Enforcement Program.

8. **COMMISSION CEASE & DESIST ORDER No. CCC-04-CD-15 (Cambria Services District, San Luis Obispo Co.) Postponed.**

PUBLIC STATEMENTS. Joe Geever, representing Surfrider Foundation, warned that a development proposal on Toes Beach in Playa del Rey raised issues of landform alteration, views, recreational resources, wave hazard and ESHA. Drex Heikes, representing Save Our Dunes, said the community was trying to save a treasure, a large lovely park & lagoon with the only remaining fore-dune between Malibu & PV being threatened by plans for a wall of condominiums. Janice Whiffen described meetings of the community supporting a full EIR and help funding acquisition. Marcia Hanscom, representing Wetlands Action Network/Sierra Club/ Ballona Institute, showed a calendar photo of wetlands, lagoon, and foredune, and asked for help saving the resources. John Hughes said he agreed with the previous speakers, and that Save Our Dunes Alliance was formed to protect this dune area of the Playa Del Rey Lagoon area, known as Toes Beach Dunes. Dr. Craig Shuman, representing Heal the Bay, said the re-powering of the El Segundo power plant should have included a study to establish baseline for future mitigation. Tracy Egoscue, representing Santa

Monica Baykeeper, said the Commission should defend its role in the El Segundo power plant decision.

LUNCH RECESS. The Commission recessed for lunch at 12:25 p.m. and returned at 3:00 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on CCC v. Allen; Frame v. City of Trinidad, CCC, et al.; Friends of Carbon Canyon v. CCC (Werbe, RPI); Sandstrom v. Dept. of Fish & Game, CCC, et al.; Communications Relay v. CCC; and discussed seven other cases for information only.

STATEWIDE

9. **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.

10. **FEDERAL CONSISTENCY.**

a. **CC-13-02 (Goleta Sanitary Dist., Santa Barbara Co.)** Staff recommended approval.

Jeff Nelson, representing GSD, submitted a request to speak in favor of the project. Gerhardt Hubner, representing Central Coast Regional Board, submitted a request to speak in favor of the staff recommendation. Terry Fleming, representing US EPA, submitted a request to speak in favor of the project.

Motion & Vote: Secord moved staff recommendation, seconded by Neely, and the roll call vote was 8 in favor (Burke, Kram, Kruer, Neely, Potter, Secord, Shallenberger & Wan) and 2 opposed (Reilly & Caldwell). **Passed.**

b. **CD-85-04 (BLM, Humboldt Co.)** Staff recommended approval.

Gary Pritchard-Peterson, representing Bureau of Land Management, submitted a request to speak.

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

SOUTH CENTRAL COAST DISTRICT

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

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

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

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

a. **Oxnard LCP Amendment No. OXN-MAJ-1-04 (Parkstone Companies).** Staff recommended approval.

Steven H. Kaufmann, representing Parkstone Companies, submitted a request to speak in favor of the staff recommendation. Marcia Hanscom, representing Sierra Club & Wetlands Action Network, submitted a request to speak in opposition to the change from "Resource Protection" to "Single-Family Beach." Mark Massara, representing Sierra Club, submitted a request to speak.

Motion & Vote to Reject Implementation: Secord moved to reject the implementation amendment as submitted, seconded by Peters, and the roll call vote was 1 in favor (Wan) and 8 opposed. The motion failed so the amendment was **approved.**

b. **Ventura Co. Channel Islands Harbor PWP Amendment No. 1-04 Time Extension.** Staff recommended approval.

Lyn Krieger, representing Ventura County Harbor Dept., submitted a request to speak in favor of the staff recommendation. Jayne Ziv submitted a request to speak in opposition to the project.

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

14. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-03-13 (Los Angeles Co. Topanga Cr. crossings)** Staff recommended approval with special conditions.

Joel Zaragoza & Sung Kim, both representing L.A. County Public Works, submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak.

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

b. **Application No. 4-04-4 (Los Angeles Co., Old Topanga Canyon Road work)** Moved to expanded Consent Calendar. **Approved.**

c. **Appeal No. A-4-04-35 (Chase, Santa Barbara Co.)** Staff recommended approval with special conditions.

Kathryn Chase, the applicant, submitted a request to speak in favor of the project. Jeff Nelson, representing the applicant, submitted a request to speak in favor of the project. Ed Maguire, representing appellants, submitted a request to speak in opposition to the project. Janet Stich submitted a request to speak in opposition to the project. Diane Conn, representing Citizens for Goleta Valley, submitted a request to speak in opposition to the project.

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

d. **Application No. 4-04-84 (Goleta parking lot)** Staff recommended approval with special conditions as modified orally.

Cynthia Brock, Councilmember City of Goleta, submitted a request to speak in favor of the project. Ken Curtis, representing the City of Goleta, submitted a request to speak in favor of the project. Bob Comstock, representing the applicant, submitted a request to speak in favor of the project. Dianne Meester, representing Santa Barbara County, submitted a request to speak in favor of the project. Kevin Barthel, representing Friend of Ellwood Coast, submitted a request to speak in favor of the project. Diane Conn, representing Save Ellwood Shores, submitted a request to speak in favor of the project. Debra Geiler, representing the Trust for Public Land, submitted a request to speak in favor of the project. Chris Lange, representing Friends of the Ellwood Coast, submitted a request to speak in favor of the project. DeAnn Sarver, representing Santa Barbara Shores Homeowners Assoc., submitted a request to speak

in favor of the project. Tye Simpson, representing UC Santa Barbara, submitted a request to speak in favor of the project.

Motion: Secord moved staff recommendation, seconded by Reilly.

Amending Motion & Vote (Parking): Secord moved to retain the gates and to close lot from 10 pm to 4 am, seconded by Reilly, and the roll call vote was 9 in favor (Burke, Iseman, Kruer, Neely, Peters, Potter, Reilly, Secord & Shallenberger) and 2 opposed (Wan & Caldwell). **Passed.**

Amending Motion & Vote (Dogs): Wan moved to prohibit dogs from areas where horses are prohibited, seconded by Kruer, and Chairman Caldwell ruled that the vote was unanimous. **Passed.**

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

e. **Application No. 4-04-85 (Comstock Homes, Goleta)** Staff recommended approval with special conditions as modified orally.

The hearing was combined with item d above.

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

f. **Application No. 4-04-101 (Ventura & 31st District Agricultural Assn.)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-04-126 (Ventura pier repair)** Moved to expanded Consent Calendar. **Approved.**

14.5 NEW APPEALS.

a. **Appeal No. A-4-04-124 (Santa Barbara Co. Isla Vista parking program)** Staff recommended that the appeal raised substantial issue. There being more than 3 votes to hear testimony on substantial issue, Chairman Caldwell opened the hearing on substantial issue.

Alan Seltzer, Dianne Meester & Dave Ward, all representing Santa Barbara County, submitted requests to speak. Diane Conn, representing Isla Vista Recreation & Park District, submitted a request to speak in opposition to the project. Joe Geever, representing Surfrider Foundation, submitted a request to speak in opposition to the project. Tye Simpson, representing UC Santa Barbara, submitted a request to speak in favor of the staff recommendation.

Motion & Vote on No Substantial Issue: Secord moved to find that the appeal raised no substantial issue, seconded by Peters, and the roll call vote was 2 in favor (Peters & Secord) and 7 opposed (Iseman, Krueer, Neely, Reilly, Shallenberger, Wan & Caldwell). **Failed.**

b. **Appeal No. 4-04-128 (Enclosure Architects, Ventura Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Caldwell ruled that the Commission **found substantial** issue. Chairman Caldwell opened the hearing on the merits of the project **and continued** it to a future meeting.

SAN DIEGO COAST DISTRICT

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

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

17. NEW APPEAL.

a. **Appeal No. A-6-04-152 (Oceanfront Condominium, Imperial Beach)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Caldwell ruled that the Commission **found substantial** issue. Chairman Caldwell opened the hearing on the merits of the project **and continued** it to a future meeting.

18. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-04-38 (Jocis, San Diego)** Staff recommended denial.

Matt Peterson, representing the applicants, submitted a request to speak in favor of the project. Joe Astorga, representing the applicants, submitted a request to speak in favor of the project.

Motion & Vote: Peters moved approval of the project with conditions described orally, seconded by Iseman, and the roll call vote was 7 in favor (Iseman, Krueer, Neely, Peters, Reilly, Secord & Shallenberger) and 2 opposed (Wan & Caldwell). **Passed.**

b. **Application No. 6-04-46 (Lynch, San Diego Co.)** Staff recommended approval with special conditions.

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

c. **Application No. 6-04-64 (Cingular Wireless, San Diego Co.)** Postponed.

d. **Application No. 6-04-65 (Cingular Wireless, Camp Pendleton)** Postponed.

e. **Application No. 6-04-92 (Seascape Shores, Solana Beach)** Postponed.

f. **Application No. 6-04-112 (USFWS, Chula Vista)** Staff recommended approval with special conditions.

Mendel Stewart, representing U.S. Fish & Wildlife Service, submitted a request to speak to answer questions. Tracy Strahl, representing South Bay Salt Works, submitted a request to speak to answer questions.

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

19. **CLAIM of VESTED RIGHTS No. 6-04-36 VRC (San Diego buoys).** Staff recommended denial.

Hilda Mendoza & Joseph Sanchez, both Deputy City Attorneys, City of San Diego, submitted requests to speak in opposition to the staff recommendation. John Campbell & William J. Kellogg, both representing La Jolla Beach & Tennis Club, submitted requests to speak to answer questions. Lt. John R. Greenhalgh, representing San Diego Fire Rescue/Lifeguard Div., submitted a request to speak in opposition to the staff recommendation. Ed Ward, representing La Jolla Town Council/La Jolla Community Planning Assoc., submitted a request to speak in opposition to the staff recommendation. Gabriel Solmer, representing San Diego Baykeeper, submitted a request to speak in favor of the staff recommendation. Mark Massara, representing Sierra Club, submitted a request to speak.

Motion & Vote: Iseman moved approval, seconded by Peters, and the roll call vote was 5 in favor (Iseman, Neely, Peters, Potter & Secord) and 4 opposed (Reilly, Shallenberger, Wan & Caldwell). **Passed.**

STATEWIDE

20. **APPROVAL OF MINUTES.** Trailed to Thursday, on Thursday Potter moved approval of the November 2004 minutes, seconded by Neely, and the hand vote was 9 in favor, 0 opposed and 3 abstentions. Potter moved approval of the December 2004 minutes, seconded by Neely, and the hand vote was 12 in favor and 0 opposed. **Approved.**

21. **COMMISSIONERS' REPORTS.** Trailed to Thursday. Informational only.

a. **Budget Subcommittee.** Trailed to Thursday, on Thursday the Chairman to appointed Reilly & Caldwell to a budget subcommittee to work with staff on budget issues.

b. **Santa Monica Bay Restoration Commission Member.** Trailed to Thursday, on Thursday Chairman Caldwell appointed Commissioner Wan as a member to serve on the Santa Monica Bay Restoration Commission.

22. **CONSERVANCY REPORT.** Trailed to Thursday, a written report was discussed for information only.

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

24. **DEPUTY ATTORNEY GENERAL'S REPORT.** Trailed to Thursday. Informational only.

25. **EXECUTIVE DIRECTOR'S REPORT.** Trailed to Thursday, informational only.

a. **2006 Meeting Schedule.** Trailed to Friday, on Friday, Reilly moved adoption of schedule of dates and general locations of Commission meetings in 2006, seconded by Secord, and Chairman Caldwell ruled that the vote was unanimous. **Approved.**

RECESS. The Commission recessed for the day at 8:45 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, January 13, 2005, at 9:00 a.m. by Chairman Caldwell.
2. **ROLL CALL.** Present: Chairman Caldwell, Vice Chairman Kruer, Commissioners Burke, Iseman, Kram, Neely, Peters, Potter, Reilly, Secord, Shallenberger and Wan. Absent: Chrisman, McPeak and Westly.

SAN DIEGO COAST DISTRICT

3. **CONSENT CALENDAR.** See items a & b on page 9 of the Meeting Notice. Staff recommended approval with special conditions.

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

Motion & Vote: Secord moved staff recommendation, seconded by Neely, and Chairman Caldwell ruled that the vote was unanimous. **Passed.**

SOUTH COAST DISTRICT

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through e on pages 9-10 of the Meeting Notice. Staff recommended approval with special conditions.

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

-
5. **CONSENT CALENDAR.**

a. **Application No. 5-04-373 (Landon, Los Angeles)** There being 3 votes to remove it, this item was **set for hearing** at a future meeting.

b. **Application No. 5-04-209 (Parks & Recreation, San Clemente)** Staff recommended approval with special conditions.

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

SAN DIEGO COAST DISTRICT

5.5 **CONSENT CALENDAR.** Staff moved item 7a to the Calendar, and recommended approval with special conditions.

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

6. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 2-04A (Agricultural Mitigation Fee).** Staff recommended approval with suggested modifications.

Michael Holzmilller, representing the City of Carlsbad, submitted a request to speak in favor of the project. Seth Schulberg, representing Batiquitos Lagoon Found., submitted a request to speak in opposition to the staff recommendation. Michael Wischkremper, representing Carlsbad Farmworkers Housing Coordinating Com., submitted a request to speak in favor of the project.

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

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

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

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

b. **San Diego LCP Amendment No. 1-03A & C (Tierra Alta rezone & Affordable Housing) Time Extension.** Staff recommended approval.

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

7. **PERMIT AMENDMENTS.**

a. **Permit No. 6-89-34-A (Roth, San Diego Co.)** Moved to expanded Consent Calendar. **Approved.**

b. **Permit No. 6-93-48-A (Rutherford, Encinitas)** **Postponed.**

CENTRAL COAST DISTRICT

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

a. **Capitola LCP Amendment No. CAP-MIN-2-04 (Minor).** Staff recommended concurrence with the Executive Director's determination. There being no objection Chairman Caldwell ruled that the Commission concurred with the Executive Director. **Approved.**

9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 12a to the Calendar, and recommended approval with special conditions.

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

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

a. **Capitola LCP Amendment No. 3-04 Time Extension.** Staff recommended approval.

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

b. **Santa Cruz LCP Amendment No. 2-04 Time Extension.** Staff recommended approval.

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

c. **Capitola LCP Amendment No. CAP-MAJ-2-04.** Staff recommended approval with suggested modifications as modified in addendum and orally.

Kathleen Molloy, representing the City of Capitola, submitted a request to speak in favor of Rispin <Shad. & continuance of El Salto to February. Robert Blodgett 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 Amendment as submitted, seconded by Neely, and Chairman Caldwell 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 Amendment with suggested modifications, seconded by Neely, and Chairman Caldwell ruled that the vote was unanimous. **Passed.**

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

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

11. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-3-03-117 (Brown & Townsend, San Luis Obispo Co.)** Staff recommended denial.

Josh Brown, the applicant, submitted a request to speak in favor of the project. Dave Neish, representing the applicant, submitted a request to speak in favor of the project.

Motion & Vote: Potter moved approval of the project with conditions described orally, seconded by Reilly, and the roll call vote was 9 in favor and 3 opposed (Shallenberger, Wan & Caldwell). **Passed.**

b. **Application No. 3-04-42 (HMW Coastal Ventures, San Luis Obispo Co.)**
Postponed.

12. **PERMIT AMENDMENT.**

a. **Permit No. 3-93-17-A2 (Steinmann, Morro Bay)** Moved to expanded Consent Calendar. **Approved.**

13. **FINDINGS.**

a. **Application No. 3-02-24 (Ocean Harbor House Homeowners, Monterey)** Staff recommended approval of findings.

Dave Larsen, representing Ocean Harbor House, submitted a request to speak. Susan McCabe, representing Ocean Harbor House, submitted a request to speak. Mark Massara, representing Sierra Club, submitted a request to speak.

Motion & Vote: Kruer moved staff recommendation, seconded by Burke, and the roll call vote was 4 in favor (Burke, Kruer, Peters & Caldwell) and 3 opposed (Iseman, Neely & Potter). **Passed.**

NORTH CENTRAL COAST DISTRICT

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

LUNCH RECESS. The Commission recessed for lunch at 12:00 p.m. and returned at 1:25 p.m.

SOUTH COAST DISTRICT

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

a. **Long Beach LCP Amendment No. 1-04 Certification Review. Postponed.**

16. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 19a to the Calendar, and recommended approval with special conditions.

Beth Swift, representing the applicant, submitted a request to speak in favor of the project.

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

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

a. **Manhattan Beach LCP Amendment No. MNB-MAJ-2-04 (Temporary Beach Sporting Events).** Staff recommended approval with suggested modifications as modified orally.

Richard Thompson, representing the City of Manhattan Beach, submitted a request to speak in favor of the staff recommendation. Richard Gibb, Director of Parks & Recreation, representing the City of Manhattan Beach, submitted a request to speak in favor of the staff recommendation. Bill Eisen, representing Residents for a Quality City, submitted a request to speak in favor of the staff recommendation with additional conditions.

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

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

b. **Redondo Beach LCP Amendment No. RDB-MAJ-1-04 (sr. housing) Time Extension.** Staff recommended approval.

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

18. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-04-291 (Kravetz, Santa Monica)** Staff recommended approval with special conditions.

Sherman Stacey, representing the applicant, submitted a request to speak in favor of the project.

Motion: Burke moved staff recommendation, seconded by Neely.

Amending Motion & Vote: Burke moved to allow the height approved by the City, seconded by Neely, and the roll call vote was 9 in favor and 3 opposed (Secord, Shallenberger & Wan). **Passed.**

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

b. **Application No. 5-04-446 (Archdiocese of Los Angeles, Santa Monica)** Staff recommended approval with special conditions as modified in addendum and orally.

Rick Zbur, Rhonda Meister & George Mhlsten, all representing St. Joseph Center, submitted requests to speak in favor of the project. Sixteen other speakers submitted requests to speak in favor of the project: Sister Mary Sevilla or Sister Louise Bernstein, Sheila Balkin, Kristin Eckfeldt, Elsa Fund, Ruth Galanter, Toni Zavala Hale, Hope Hanafin, Ed Hirst, Carisa Kaplan, Kristen Laskucis, Ed Luci, Kevin McCardle, Paul Rubenstein, Cynthia Rullo, Janne Shirley and Terrance Timmins. Twelve speakers submitted requests to speak in opposition to the project: Betsy D. Albright, John C. Albright, De De Audet, Tisha Bedrosian, Todd Flournoy, Barbara Gibson, Tom Gibson, Marie Hammond, Reta Muser, Philip Raider, Jason Teague and Kelley S. Willis.

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

c. **Appeal No. A-5-04-315 (St. Joseph Center, Los Angeles)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

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

19. PERMIT AMENDMENT.

a. **Permit No. 5-02-420-A (McGee, Long Beach)** Moved to expanded Consent Calendar. **Approved.**

REPORT of CLOSED SESSION. In closed session the Commission discussed two cases for information only.

RECESS. The Commission recessed for the day at 5:20 p.m.

Draft

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, January 14, 2005, at 9:00 a.m. by Chairman Caldwell.
2. **ROLL CALL.** Present: Chairman Caldwell, Commissioners Burke, Iseman, Neely, Peters, Reilly, Secord, Shallenberger and Wan. Absent: Chrisman, McPeak and Westly. Kram, Kruer & Potter arrived at 9:05 a.m.

NORTH COAST DISTRICT

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

-
4. **CONSENT CALENDAR (removed from Regular Calendar).** None.

5. **COASTAL PERMIT APPLICATION.**

- a. **Application No. 1-00-57 (Fish & Game & Del Norte Co.)** Staff recommended approval with special conditions as modified in addendum and orally.

Sarah Sampels & Ernest Perry, both representing County of Del Norte, submitted requests to speak in favor of the project. Karen Kovacs, representing Calif. Fish & Game, submitted a request to speak in favor of the project. Sandra Jerabeck, representing Lake Earl Coastal Lagoon Alliance, submitted a request to speak in favor of the project. Hillary Green submitted a request to speak in favor of the project. Celia Kutcher submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the project. Richard Lorenz, representing Pacific Shores Property Owners Assoc., submitted a request to speak in opposition to the project.

Motion & Vote: Neely moved staff recommendation, seconded by Secord, and Chairman Caldwell ruled that the vote was unanimous. **Passed.**

SOUTH COAST DISTRICT

6. DEPUTY DIRECTOR'S REPORT.

a. **Dana Point LCP Amendment No. DPT-MAJ-1-3 (Dana Point Headlands) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Caldwell ruled that the Commission concurred with the Executive Director. **Approved.**

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 8c to the Calendar, and recommended approval with special conditions.

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

8. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-03-100 (Halfacre, Newport Beach)** Staff recommended approval with special conditions as modified in addendum.

Sherman Stacey, representing the applicant, submitted a request to speak in favor of the project. Lynne Butterfield submitted a request to speak in opposition to the project.

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

b. **Application No. 5-04-35 (Hoff, Newport Beach)** Staff recommended approval with special conditions.

Mike Childs, Chad McNeely & David Neish, all representing the applicant, submitted requests to speak in favor of the project.

Motion & Vote to Continue: Neely moved to continue the hearing, seconded by Potter, and the roll call vote was 3 in favor (Iseman, Neely & Potter) and 7 opposed (Burke, Krueer, Reilly, Secord, Shallenberger, Wan & Caldwell). **Failed.**

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

c. **Application No. 5-04-162 (Murphree, Seal Beach)** Moved to expanded Consent Calendar. **Approved.**

Neely & Iseman left during the following item.

d. **Application No. 5-04-241 (Newport Bay 505, Newport Beach)** Staff recommended denial.

Jack Herron, representing Newport Bay 505, submitted a request to speak in favor of the project. Mark Whitend submitted a request to speak in favor of the project. Patricia Temple, representing the City of Newport Beach, submitted a request to speak in favor of the project.

Motion & Vote: Reilly moved approval of the application, seconded by Shallenberger, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

e. **Application No. 5-04-242 (Newport Bay 505, Newport Beach)** Staff recommended denial.

The hearing was combined with item d above.

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

f. **Application No. 5-04-368 (Del Mar, Laguna Beach)** Staff recommended approval with special conditions as modified orally.

Bruce Del Mar, the applicant, submitted a request to speak in favor of the project. Glen Gellantly, representing the applicant, submitted a request to speak in favor of the project.

Motion & Vote: Secord moved staff recommendation, seconded by Kram, and Chairman Caldwell ruled that the vote was unanimous. **Passed.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:45 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

Draft

