

Madam Chair, Commissioners, staff and members of the public. My name is Bruce Heyman, and I'm one of the volunteer leaders of Boaters for Dana Point Harbor. Our volunteer team has amassed approximately 850 petition signatures asking state and local authorities to expeditiously approve the Dana Point Harbor revitalization but to do so in a way that does not remove or damage recreational boating resources.

The hearing occurred on the Land Use Plan last October and we are coming before you today, not to rehear any of the issues but to raise one issue that is inappropriately characterized in the findings and another issue where the policies in the Land Use Plan do not accurately reflect the actions taken by this commission.

First the issue with the findings. On page 42 of the revised findings: quote *Policy 4.2.2-10 as recommended by the suggested modifications, is intended to protect area to store at least 493 boats in dry storage since a significant loss of this capacity would be inconsistent with the Coastal Act requirement to encourage recreational boating and would also adversely impact public access.* Un-quote.

Furthermore this section compares this 493 with a significantly under stated number supplied by the City of Dana Point and County stating: quote *would result*

*in a loss of about 23 dry boat storage spaces but that number does not constitute a significant loss.*

The actual capacity reported during the hearing by Boaters for Dana Point Harbor, who followed the methods prescribed by your staff show a capacity of 683.

Hence the policies will result in a net loss of 190 storage spaces. This reduction of over a quarter of the storage capacity should not be categorized in the findings *as not constituting a significant loss.*

Now on the policy issue let me quote Commissioner Sanchez from the October Hearing; quote I would like to offer an amendment that would address the height, that the height of the structure shall be consistent with the community character of the area.

While the amendment was approved by this commission we still have LUP policy 8.5.1-3 which says that the buildings in the commercial core can be up to 60 feet tall. Yet we've confirmed with the city planning director that the current zoning does not allow for any buildings taller than 35' with the exception of the approved but not yet started Town Center which is allowed up to 40'.

We believe that the policy as stated is contradictory and counter to the commission's actions. We feel that leaving such a significant contradiction in the document will lead to significant loss of efficiency at the IP and CDP phases for

the life of the LCP. Please lower the building heights in policy 8.5.1-3 to be consistent with the amendment.