

Appendix A.

CEASE AND DESIST AND RESTORATION ORDERS (CCC-11-CD-04 AND CCC-11-RO-03)

1.0 CEASE AND DESIST ORDER PURSUANT TO PRC SECTION 30810 (CCC-11-CD-04)

1.1 Pursuant to its authority under California Public Resources Code (“PRC”) section 30810, the California Coastal Commission (“Commission”) hereby authorizes and orders Michelle and William Campbell and all their successors, assigns, employees, agents, and contractors, and any persons acting in concert with any of the foregoing (hereinafter collectively referred to as “Respondents”) to: (A) cease and desist from maintaining or engaging in any development, as that term is defined in PRC section 30106, on the property identified in Section 7.0, below (“subject property”), unless authorized pursuant to the Coastal Act (PRC sections 30000-30900), which includes through these orders; (B) remove, in accordance with the procedures set forth in Section 3.0, below, all development on the subject property that required a coastal development permit but for which no permit was obtained; (C) comply with all terms and conditions of Section 3.0, below; and (D) take all steps necessary to comply with the Coastal Act.

2.0 RESTORATION ORDER PURSUANT TO PRC SECTION 30811 (CCC-11-RO-03)

2.1 Pursuant to its authority under PRC section 30811, the Commission hereby orders and authorizes the Respondents to restore the subject property as described in Section 3.0, below.

PROVISIONS COMMON TO BOTH ORDERS

3.0 TERMS AND CONDITIONS

3.1 Within 30 days of issuance of these Orders, Respondents shall submit, for the review and approval of the Commission’s Executive Director (“Executive Director”), a plan for removing all unpermitted development; returning the site to its natural, pre-violation topography; and restoring to the property and monitoring the success of a viable southern coastal scrub plant community (“Restoration Plan”). The Executive Director may require revisions to this and any other deliverables required under these Orders, and the Respondents shall revise and resubmit any such deliverables by the deadline(s) established in the Executive Director’s letter(s) responding to the deliverables. The Restoration Plan will set forth the measures Respondents propose to use to remove the unpermitted items subject to these Orders, restore the pre-violation topography, restore a natural southern coastal bluff scrub ecosystem to the subject property, and to ensure that such work has been successful. The Restoration Plan shall therefore contain the following components: (1) a Removal Plan; (2) a Remedial Grading Plan; (3) a Revegetation Plan;

and (4) a Monitoring Plan. The Restoration Plan shall address all development specifically described in Section 8.0 (hereinafter referred to as the “unpermitted development”), and include the following elements and requirements:

A. General Terms and Conditions

1. The Restoration Plan shall outline all proposed removal activities, in accordance with Section 3.1.B, below; all proposed remedial grading, in accordance with Section 3.1.C, below; and all proposed restoration of the southern coastal scrub habitat, including all proposed revegetation activities, in accordance with Section 3.1.D below, on the subject property.

2. The Restoration Plan shall be prepared by a qualified restoration ecologist(s) or resource specialist(s) (“Specialist”), in consultation with a Fish and Wildlife Service biologist involved with or knowledgeable about the El Segundo blue butterfly recovery effort at Torrance bluffs. Prior to the preparation of the Restoration Plan, Respondents shall submit for the Executive Directors review and approval the qualifications of the proposed Specialist, including a description of the proposed Specialist’s educational background, training and experience. To meet the requirements to be a qualified Specialist for this project, one must have experience successfully completing restoration (using California native plant species) of southern coastal bluff scrub vegetative communities, preferably in the Torrance or Palos Verdes bluffs region of Los Angeles County.

3. The Restoration Plan shall identify all areas on which the Restoration Plan is to be implemented, and upon which the restoration will occur (“Restoration Area”). The Restoration Area shall include all areas of the subject property impacted by the unpermitted development, including the areas upon which all unpermitted grading, all unpermitted construction of structures, and all major vegetation removal has occurred; all areas identified for restoration in CDP No. 5-90-1041-A2 and the restoration plans approved pursuant thereto; all areas where mitigation will occur; as well as any areas disturbed by the storage or staging of restoration-related equipment or materials. Restoration Plan shall also state that prior to the initiation of any restoration or removal activities, the boundaries of the Restoration Area shall be physically delineated in the field, using temporary measures such as fencing, stakes, colored flags, or colored tape. The Plan shall state further that all delineation materials shall be removed when no longer needed and verification of such removal shall be provided in the annual monitoring report that corresponds to the reporting period during which the removal occurred.

4. The Restoration Plan shall include a biological survey of the Restoration Area, as defined in Section 3.1.A.3, above, in its present, pre-restoration state, to determine the extent of the presence, locations, and distributions of El Segundo blue butterflies in any of its four life stages (i.e., egg, larva, pupa, and adult). Prior to commissioning the survey, Respondents shall submit for the review and approval of the Executive Director, the qualifications of the proposed surveyor. The methods and results of the survey shall also be subject to review and approval by the Executive Director. All areas identified by the survey as providing habitat for or hosting the El Segundo blue butterfly in any of its life stages, shall be marked in the field, delineated on all maps and plans produced in connection with the work required herein, and made known to all

persons conducting such work. The Restoration Plan shall identify those specific measures that will be taken to ensure that the work described herein minimizes impacts to the El Segundo blue butterfly and its habitat to the maximum extent possible (i.e., timing of work, buffers, mitigation, etc.).

5. The Restoration Plan shall include a schedule/timeline of activities covered in the Plan, the procedures to be used, and identification of the parties who will be conducting the restoration activities. The schedule/timeline of activities covered by the Restoration Plan shall be in accordance with the deadlines included in Sections 3.1.B.4, 3.1.C.3, 3.1.D.8, and 3.1.E.2, for the Removal Plan, Remedial Grading Plan, the Revegetation Plan and the Monitoring Plan, respectively.

6. The Restoration Plan shall include a detailed description of all equipment to be used. All tools utilized shall be hand tools unless the Specialist demonstrates to the satisfaction of the Executive Director that mechanized equipment is needed and will not significantly impact resources protected under the Coastal Act, including, but not limited to: geological stability, integrity of landforms, freedom from erosion, and any existing native vegetation. If the use of mechanized equipment is proposed, the Restoration Plan shall include limitations on the hours of operation for all equipment and a contingency plan that addresses: (1) impacts from equipment use, including disruption of areas where revegetation will occur, and responses thereto; (2) potential spills of fuel or other hazardous releases that may result from the use of mechanized equipment and responses thereto; and (3) any water quality concerns. The Restoration Plan shall designate areas for staging of any construction equipment and materials, including receptacles and temporary stockpiles of graded materials, all of which shall be covered on a daily basis.

7. The Restoration Plan shall identify the location of the disposal site(s) for the disposal of all materials removed from the site and all waste generated during restoration activities pursuant to these Orders. If a disposal site is located in the Coastal Zone and is not an existing sanitary landfill, a coastal development permit is required for such disposal. All hazardous waste must be disposed of at a suitable licensed disposal facility.

8. The Restoration Plan shall specify the methods to be used during and after restoration to stabilize the dune and/or bluff soils and make them capable of supporting native vegetation. Such methods shall not include the placement of any retaining walls or other permanent structures, grout, geogrid or similar materials, unless explicitly authorized pursuant to a coastal development permit. Any soil stabilizers identified for erosion control shall be compatible with native plant recruitment and establishment. The Restoration Plan shall specify the type and location of erosion control measures that will be installed on the subject property and maintained until the Restoration Area has been revegetated to minimize erosion and transport of sediment. Such measures shall remain in place and be maintained at all times of the year for at least three years or until the plantings have become established, whichever occurs first, and then shall be removed or eliminated by Respondents. Verification of such removal shall be provided in the annual monitoring report for the reporting period during which the removal occurred.

B. Removal Plan

1. The Removal Plan shall describe those measures that will be taken to remove all development that requires a coastal development permit but for which no permit was obtained, including but not limited to: all structures and fill materials constructed or placed on the subject property.

2. The Removal Plan shall include a site plan showing the location and identity of all unpermitted development to be removed from the subject property.

3. Removal activities shall not disturb areas outside the Restoration Area. Measures for the restoration of any area disturbed by the removal activities shall be included within the Revegetation Plan. These measures shall include the restoration of the areas from which the unpermitted development was removed, and any areas disturbed by those removal activities.

4. Respondents shall commence removal of the unpermitted development by commencing implementation of the Removal Plan no more than 15 days after approval of the Restoration Plan. Respondents shall complete removal of the unpermitted development within 30 days of commencing removal of the unpermitted development.

C. Remedial Grading Plan

1. The Remedial Grading Plan shall include sections showing original and finished grades, and quantitative breakdown of grading amounts (cut/fill), drawn to scale with contours that clearly illustrate, as accurately as possible, the original topography of the subject property before and after the grading disturbance. The Remedial Grading Plan shall identify the source and date of the data that produced the pre- and post-disturbance topography. The Remedial Grading Plan shall also demonstrate how the proposed remedial grading will restore the subject property to its original, pre-violation topography. If the Specialist determines that alterations to the original topography are necessary to ensure a successful restoration of the southern coastal bluff scrub habitat, the Remedial Grading Plan shall also include this proposed topography. If proposed, the Remedial Grading Plan shall include a narrative report that explains the justification for needing to alter the topography from the original contours.

2. The Remedial Grading Plan will have as its goal to restore the property to its original, pre-violation topography, while minimizing the size of the area and the intensity of the impacts associated with any proposed remedial grading. Other than those areas subject to restorative grading activities, the areas of the site and surrounding areas currently undisturbed shall not be disturbed by activities related that grading work.

3. Respondents shall commence restoration of the property's topography by implementing the Remedial Grading Plan no more than 45 days after approval of the Restoration Plan. Respondents shall complete topographic restoration of the property within 15 days of commencing remedial grading.

D. Revegetation Plan

1. The Revegetation Plan shall be prepared by a qualified Specialist, in consultation with the U.S. Fish and Wildlife Service, and outline the measures necessary to restore a viable southern coastal bluff scrub plant community to the Restoration Area, as defined in Section 3.1.A.3, above. The Revegetation Plan shall include detailed descriptions, including graphic representations, narrative reports, and photographic evidence of the state of the subject property prior to commencement of the work required herein. The Revegetation Plan shall demonstrate that the entire Restoration Area will be successfully restored using plant species endemic to and appropriate for the subject site, including species of southern coastal bluff scrub plants (i.e., *erigonum parvifolium*) that provide habitat for the El Segundo blue butterfly. The Revegetation Plan shall include a proposal for additional mitigation, as deemed appropriate by the Executive Director in consultation with the U.S. Fish and Wildlife Service – the federal agency charged with overseeing the butterfly recovery effort – and other experts, to sufficiently address the interim loss of habitat value from the time the habitat restoration requirements of CDP Amendment No. 5-90-1041-A2 were in place (i.e., 1996) through the date of commencement of the restoration work required herein.¹

2. The Revegetation Plan shall identify the natural habitat type that is the model habitat for the El Segundo blue butterfly, and describe the desired relative abundance of particular species in each vegetation layer. This section shall explicitly lay out the restoration goals and objectives for the revegetation. Based on these goals, the plan shall identify the species that are to be planted (plant “palette”), and provide a rationale for and describe the size and number of container plants and the rate and method of seed application. The Revegetation Plan shall indicate that plant propagules must come from local native stock. If plants, cuttings, or seed are obtained from a nursery, the nursery must certify that they are of local origin and are not cultivars and the Revegetation Plan shall provide specifications for preparation of nursery stock (e.g., container size & shape to develop proper root form, hardening techniques, watering regime, etc.). Technical details of planting methods (e.g., spacing, micorrhizal inoculation, etc.) shall also be included.

3. The Revegetation Plan shall address all areas on the subject property impacted by the violations listed in Section 8.0. The Revegetation Plan shall include a detailed description of the methods that shall be utilized to restore the habitats on the subject property to a condition that is capable of supporting the El Segundo blue butterfly and its host plant, the coast buckwheat. The Plan shall explain how the proposed approach will result in southern coastal scrub vegetation on the subject property with a similar plant density, total cover and species composition to that typical of undisturbed southern coastal dune and bluff scrub communities that provide high quality habitat for the El Segundo blue butterfly in the surrounding area, within five years from the initiation of revegetation activities. The Revegetation Plan shall include the methods, if necessary, that will be used to aerate the soil compacted by the unpermitted development. This

¹ The Commission has previously required a mitigation ratio of 3:1 to offset impacts to coastal sage scrub plant communities in southern California, known to provide habitat for the federally listed as threatened California Gnatcatcher.

section shall include a detailed description of reference site(s) including rationale for selection, location, and species composition. The reference sites shall be located as close as possible to the restoration areas, shall be similar in all relevant respects, and shall provide the standard for measuring success of the restoration under these Orders.

4. The Revegetation Plan shall include a map showing the type, size, and location of all plant materials that will be planted in the restoration area; the location of all invasive and non-native plants to be removed from the restoration area; the topography of all other landscape features on the site; the location of reference sites; and the location of photograph sites that will provide reliable photographic evidence for annual monitoring reports, as described in Section 3.1.E.2.

5. The Revegetation Plan shall include a detailed explanation of the performance standards that will be utilized to determine the success of the restoration. The performance standards shall identify that “x” native species appropriate to the habitat should be present, each with at least “y” percent cover or with a density of at least “z” individuals per square meter. The description of restoration success analysis shall be described in sufficient detail to enable an independent specialist to duplicate it. At a minimum, to be considered successful at the end of the five-year monitoring period, the Restoration Area shall have achieved a stable native coastal bluff scrub plant community, consisting of at least 70% native cover, including, but not limited to, a viable community of at least 140 coast buckwheat plants (*eriogonum parvifolium*), in addition to those coast buckwheat and other coastal bluff scrub plants added as mitigation pursuant to Section 3.1.D.1.

6. The Revegetation Plan shall include a schedule for installation of plants and removal of invasive and/or non-native plants. Respondents shall not employ invasive plant species that could supplant native plant species in the Restoration Area. If the planting schedule requires planting to occur at a certain time of year beyond the deadlines set forth herein, the Executive Director may, at the written request of Respondents, extend the deadlines as set forth in Section 13.0 of these Orders in order to achieve optimal growth of the vegetation. The Revegetation Plan shall demonstrate that all non-native vegetation within the Restoration Area, as defined in Section 3.1A.3, above, will be eradicated prior to any remedial grading and revegetation activities on the subject property. In addition, the Plan shall specify that non-native and invasive species removal shall occur twice annually, with at least one annual weeding occurring at the completion of the rainy season (i.e., May) for the duration of the restoration project, pursuant to Section 3.1.E.

7. The Revegetation Plan shall describe the proposed use of artificial inputs, such as irrigation, fertilizer or herbicides, including the full range of amounts of the inputs that may be utilized. The minimum amount necessary to support the establishment of the plantings for successful restoration shall be utilized. No permanent irrigation system is allowed in the Restoration Area. Temporary above-ground irrigation to provide for the establishment of the plantings is allowed for a maximum of three years or until the revegetation has become established, whichever occurs first. If, after the three-year time limit, the vegetation planted pursuant to the Revegetation Plan has not become established, the Executive Director may, upon

receipt of a written request from Respondents, allow for the continued use of the temporary irrigation system. The written request shall outline the need for and the duration of the proposed extension.

8. Respondents shall commence revegetation by implementing the Revegetation Plan no more than 30 days after approval of the Restoration Plan. Respondents shall complete revegetation of the property within 30 days of implementation of the Revegetation Plan.

E. Monitoring Plan

1. The Monitoring Plan shall describe the monitoring and maintenance methodology, including sampling procedures, sampling frequency, and contingency plans to address potential problems with restoration activities or unsuccessful restoration of the Restoration Area. The Monitoring Plan shall specify that the restoration Specialist shall conduct at least four site visits annually for the duration of the monitoring period set forth in Section 3.1.E.2, at intervals specified in the Restoration Plan, for the purposes of inspecting and maintaining, at a minimum, the following: all erosion control measures; non-native and invasive species eradication; trash and debris removal; original and/or replacement plantings. Monitoring and maintenance activities shall be conducted in a way that does not impact the sensitive resources on the subject property or on adjacent properties. Any such impacts shall be addressed in the appropriate annual report required pursuant to Section 3.1.E.2, and shall be remedied by the Respondents to ensure successful remediation.

2. Respondents shall submit, on an annual basis and during the same one-month period each year (no later than December 31st of the first year), for five years from the approval date of the Restoration Plan, according to the procedure set forth under Section 3.4, a written report, for the review and approval of the Executive Director, prepared by a qualified Specialist, evaluating compliance with the approved Restoration Plan. The annual reports shall include notes from the Specialist's periodic inspections and recommendations and requirements for additional restoration activities, as necessary, in order for the project to meet the objectives of the Restoration Plan. These reports shall also include photographs taken annually, at the same time of year, from the same pre-designated locations (as identified on the map submitted pursuant to Section 3.1.D.4) indicating the progress of recovery in the Restoration Area. The locations from which the photographs are taken shall not change over the course of the monitoring period unless recommended changes are approved by the Executive Director, pursuant to Section 18.0 of these Orders.

3. If periodic inspections or the monitoring reports indicate that the restoration project or a portion thereof is not in conformance with the Restoration Plan or has failed to meet the goals and/or performance standards specified in the Plan, Respondents shall submit a revised or supplemental Restoration Plan for review and approval by the Executive Director. The revised Restoration Plan shall be prepared by a qualified Specialist, and shall specify measures to correct those portions of the remediation that have failed or are not in conformance with the original approved Plan. The Executive Director will then determine whether the revised or supplemental restoration plan must be processed as a CDP, a new Restoration Order, or a modification of these

Orders. After the revised or supplemental restoration plan has been approved, these measures, and any subsequent measures necessary to carry out the original approved Plan, shall be undertaken by Respondents in coordination with the Executive Director until the goals of the original approved Restoration Plan have been met. Following completion of the revised Restoration Plan's implementation, the duration of the monitoring period, as set forth in Section 3.1.E.2, shall be extended for at least a period of time equal to that during which the project remained out of compliance, but in no case less than two reporting periods.

4. At the end of the five-year monitoring period (or other duration, if the monitoring period is extended pursuant to Section 3.1.E.3), Respondents shall submit, according to the procedure set forth under Section 3.4, a final detailed report prepared by a qualified Specialist for the review and approval of the Executive Director. If this report indicates that the restoration project has in part, or in whole, been unsuccessful, based on the requirements of the approved Restoration Plan, Respondents shall submit a revised or supplemental Restoration Plan, in accordance with the requirements of Section 3.1.E. of these Orders, and the monitoring program shall be revised accordingly.

3.2 Upon approval of the Restoration Plan (including the Removal, Remedial Grading, Revegetation, and Monitoring Plans) by the Executive Director, Respondents shall fully implement each phase of the Restoration Plan consistent with all of its terms, and the terms set forth herein. Respondents shall complete implementation of each phase of the Restoration Plan within the schedule specified therein, and by the deadlines included in Sections B.4, 3.1.C.3, 3.1.D.8, and 3.1.E.2, of these orders. At a minimum, Respondents shall complete all work described in the Restoration Plan no later than 75 days after the Restoration Plan is approved. The Executive Director may extend this deadline or modify the approved schedule for good cause pursuant to Section 13.0 of these Orders.

3.3 Within 15 days of the completion of the work described in the Removal Plan (Section 3.1.B), Remedial Grading Plan (Section 3.1.C), and Revegetation Plan (Section 3.1.D), Respondents shall submit, according to the procedure set forth under Section 3.4, a written report, prepared by a qualified Specialist, for the review and approval of the Executive Director, documenting all restoration work performed on the subject property. This report shall include a summary of dates when work was performed and photographs taken from the pre-designated locations (as identified on the map submitted pursuant to Section 3.1.D.4) documenting implementation of the respective components of the Restoration Plan, as well as photographs of the subject property before the work commenced and after it was completed.

3.4 All plans, reports, photographs and any other materials required by these Orders shall be sent to:

California Coastal Commission
Attn: Elijah Davidian
45 Fremont Street, Suite 2000
San Francisco, CA 94105

With a copy sent to:
California Coastal Commission
Attn: Andrew Willis
200 Ocean Gate, 10th Floor
Long Beach, CA 90802

3.5 All work to be performed under these Orders shall be done in compliance with all applicable laws.

4.0 REVISIONS OF DELIVERABLES

4.1 The Executive Director may require revisions to deliverables required under these Orders, and the Respondents shall revise any such deliverables consistent with the Executive Director's specifications, and resubmit them for further review and approval by the Executive Director, by the deadline established by the modification request from the Executive Director. The Executive Director may extend the deadline for submittals upon a written request and a showing of good cause, pursuant to Section 13.0 of these Orders.

5.0 PERSONS SUBJECT TO THE ORDERS

5.1 Michelle and William Campbell and all their successors, assigns, employees, agents, and contractors, and any persons acting in concert with any of the foregoing are jointly and severally subject to all the requirements of these Orders. Respondents shall provide a copy of these Orders to each contractor undertaking any portion of the restoration required pursuant to these Orders.

6.0 PARTICIPATION AND COOPERATION

6.1 Respondents shall participate and cooperate in the timely implementation of these Orders and the completion the work described herein. William Campbell shall participate in the implementation of the requirements of these Orders to the fullest extent possible, given his involvement in the placing and maintaining these violations, including, but not limited to, by contributing financially, contributing to the design and implementation of the Restoration Plan, and seeking access to the subject property where such access would be helpful. Michelle Campbell shall provide William Campbell or his contractor, or a contractor retained by both of them, with access to the subject property to the extent such access may further Respondents' abilities to comply with the requirements of these Orders and when, if ever, such access is necessary to such compliance. If Michelle ceases to reside at the subject property, she, too, shall continue to participate in the implementation of the requirements of these Orders to the fullest extent possible and to cooperate with whoever assumes a possessory interest in the subject property. Any action taken by any of the parties subject hereto that has the effect of precluding or limiting in any way the full implementation of these Orders, may be treated as non-compliance with these Orders, and subject to the penalties associated therewith, as described in Section 12.0, below.

7.0 IDENTIFICATION OF THE PROPERTY

7.1 The property that is the subject of these orders is described as follows:

Physical Description:

Property located at 433 Paseo de la Playa, City of Torrance, Los Angeles County.

Legal Description:

Parcel 1 as per Parcel Map 7028 in Book 73, Page 6 of Maps, in the Los Angeles County Recorders Office. Assessor's Parcel Number: 7512-003-021.

8.0 DESCRIPTION OF ALLEGED COASTAL ACT VIOLATION

8.1 The development that is the subject matter of these Orders includes all development on the subject property that required a coastal development permit but for which no coastal development permit was obtained, including, but not limited to the following: all of the grading performed, the removal of major vegetation, the planting of all species not explicitly identified in the restoration plans approved pursuant to CDP No. 5-90-1041-A2, all structures placed in the area for which restoration was required pursuant to said permit, and all actions prohibited by or otherwise inconsistent with CDP No. 5-90-1041, as amended.

9.0 COMMISSION JURISDICTION

9.1 The Commission has jurisdiction over resolution of this alleged Coastal Act violation pursuant to Public Resources Code Sections 30810 and 30811.

10.0 EFFECTIVE DATE AND TERMS OF THE ORDERS

10.1 The effective date of these Orders is the date they are approved and issued by the Commission. These Orders shall remain in effect permanently unless and until rescinded by the Commission.

11.0 FINDINGS

11.1 These Orders are issued on the basis of the findings adopted by the Commission, as set forth in the document entitled "FINDINGS FOR CEASE AND DESIST AND RESTORATION ORDERS No. CCC-11-CD-04 AND CCC-11-RO-03". The activities authorized and required in these Orders are consistent with the resource protection policies set forth in Chapter 3 of the Coastal Act. The Commission has authorized the activities required in these Orders as being consistent with the resource protection policies set forth in Chapter 3 of the Coastal Act.

12.0 COMPLIANCE OBLIGATION

12.1 Strict compliance with these Orders by all parties subject hereto is required. Failure to comply with any term or condition of these Orders, including any deadline contained herein (including as amended by the Executive Director under Section 13.0), will constitute a violation of these Orders and may result in the imposition of civil penalties of up to six thousand dollars (\$6,000) per day for each day in which compliance failure persists. Nothing in these Orders shall be construed as prohibiting, altering, or in any way limiting the ability of the Commission to seek any other remedies available, including the imposition of civil penalties and other remedies pursuant to Public Resources Code Sections 30805, 30820, 30821.6, and 30822 as a result of the lack of compliance with the Orders and for the underlying Coastal Act violations as described herein or other Coastal Act violations.

13.0 DEADLINES

13.1 Prior to the expiration of any deadline established by these Orders, Respondents may request from the Executive Director an extension of the deadline. Such a request shall be made in writing 10 days in advance of the deadline and directed to the Executive Director care of Elijah Davidian in the San Francisco office of the Commission at the address listed in Section 3.4. If the requirements of this section are met, the Executive Director may grant an extension of deadlines upon a showing of good cause, either if the Executive Director determines that Respondents have diligently worked to comply with their obligations under these Orders but cannot meet deadlines due to unforeseen circumstances beyond their control, or if the Executive Director determines that the Restoration Plan schedule should be extended to ensure an effective restoration.

14.0 SITE ACCESS

14.1 Respondents shall provide access to the subject property at all reasonable times to Commission staff and any agency having jurisdiction over the work being performed under these Orders. Commission staff shall provide 24-hour notice before entering the property. Nothing in these Orders is intended to limit in any way the right of entry or inspection that any agency may otherwise have by operation of any law. The Commission staff may enter and move freely about the portions of the subject property on which the violations are located, and on adjacent areas of the property to view the areas where development is being performed pursuant to the requirements of the Orders for purposes including, but not limited to, ensuring compliance with the terms of these Orders.

15.0 GOVERNMENT LIABILITIES

15.1 Neither the State of California, the Commission, nor its employees shall be liable for injuries or damages to persons or property resulting from acts or omissions by Respondents in carrying out activities pursuant to these Orders, nor shall the State of

California, the Commission or its employees be held as a party to any contract entered into by Respondents or their agents in carrying out activities pursuant to these Orders.

16.0 APPEALS AND STAY RESOLUTION

16.1 Pursuant to Public Resources Code Section 30803(b), the Respondents, against whom these Orders are issued, may file a petition with the Superior Court for a stay of these Orders.

17.0 SUCCESSORS AND ASSIGNS

17.1 These Orders shall run with the land binding Respondents and all successors in interest, heirs, assigns, and future owners of the property. Respondents shall provide notice to all successors, assigns, and potential purchasers of the property of any remaining obligations under these Orders.

18.0 MODIFICATIONS AND AMENDMENTS

18.1 Except as provided in Section 13.0, and for minor, immaterial matters, these Orders may be amended or modified only in accordance with the standards and procedures set forth in Sections 13188(b) and 13197 of the Commission's administrative regulations.

19.0 GOVERNMENTAL JURISDICTION

19.1 These Orders shall be interpreted, construed, governed and enforced under and pursuant to the laws of the State of California.

20.0 SEVERABILITY

20.1 If a court holds any provision of these Orders (including individual clauses) to be invalid or unenforceable under any applicable law, such provision shall, to that extent, be deemed omitted, but such holding shall not render unenforceable any other provision, each provision hereof being expressly severable and independently enforceable to the fullest extent permitting by law. Thus, the balance of the Orders will remain enforceable in accordance with its own terms.

21.0 JOINT AND SEVERAL LIABILITY

21.1 Respondents are jointly and severally liable for compliance with the terms and conditions of these Orders.

22.0 LIMITATION OF AUTHORITY

22.1 Except as expressly provided herein, nothing in these Orders shall limit or restrict the exercise of the Commission's enforcement authority pursuant to Chapter 9 of the Coastal Act, including the authority to require and enforce compliance with these Orders.

Executed in _____ on behalf of the California Coastal Commission:

Peter Douglas, Executive Director

Date