

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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 SAN DIEGO, CA 92108-4402
 767-2370

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-134

Applicant: City of Del Mar

Agent: Linda Niles

Description: Excavation of approximately 15,000 cu.yds. of sediment from an approximately 1.5 acre area at the lagoon mouth to restore tidal action, discharge of the excavated materials over approximately .2 acres of supratidal beach, and regrading of the beach to re-establish natural contours; this is the follow-up to Emergency Permit #6-00-134-G and includes a request for additional mouth openings as needed for five years.

Site: Mouth of San Dieguito Lagoon, from the shoreline to the railroad bridge, Del Mar, San Diego County. APNs 299-030-08 & 09

Substantive File Documents: Certified City of Del Mar LCP Land Use Plan and draft Implementing Ordinances; San Dieguito Lagoon Enhancement Plan; CCC Files: 6-83-148; 6-97-36; 6-99-12

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff recommends approval of a five-year permit to restore tidal action, as needed, at San Dieguito Lagoon. Issues raised by the proposal are potential impacts on wetlands, public access and water quality. The lagoon mouth closes periodically due to a buildup of sediments washing downstream from the significant amount of inland development that is occurring. When the mouth is closed, the lagoon ecosystem becomes distressed, which can lead to impacts on lagoon habitat (i.e., fish kills, etc.) Thus, it has been necessary to manually open the lagoon mouth from time to time to maintain the health of the ecosystem. The issues raised by this proposal are resolved with the attached special conditions which establish minimum biological criteria required to perform a mouth opening; include seasonal restrictions on when openings may occur; and require monitoring and reporting of all openings in an annual report.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-00-134 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Term of Permit. This permit is valid for a period of five years from the date of Commission action. Future lagoon mouth openings beyond this date will require a coastal development permit from the California Coastal Commission or its successor in interest. Any modification of the project within the five year period, such as changes in channel size or location, staging areas, biological criteria used to determine the need, etc., will require an amendment to this permit unless the Executive Director determines that no amendment is required.

2. Timing of Work. Lagoon openings shall only occur with the authorization of the California Department of Fish and Game that the dredging, on the date proposed, will not

cause adverse impacts on sensitive, threatened, or endangered species or the biological productivity of the area, and shall adhere to the following criteria:

- a. No dredging may occur within 14 days before a holiday or scheduled beach event.
- b. No equipment shall be stored on the beach or in public parking areas overnight.
- c. No work shall occur during the two-week period spanning Easter of any year.
- d. Commission staff shall be notified prior to commencement of any dredging.

Openings during the summer months shall be avoided if possible; however, if openings are necessary during the summer, the following additional requirement will be met:

e. No work shall occur on Fridays, weekends or holidays during the summer months of any year (Memorial Day weekend to Labor Day).

3. Initiation of Work. The proposed channel excavation work shall be performed only:

- a. when the dissolved oxygen levels are less than 5 parts per million (ppm), or
- b. when the water salinity level in the lagoon is below 25 parts per thousand (ppt) and dissolved oxygen levels are determined by a qualified biologist to be likely to drop below 5 ppm within the next two-week sampling interval, or
- c. when the salinity is above 33 ppt (hypersaline).

The sampling results or biologist's determination which results in a decision to open the lagoon mouth shall be reported verbally to the nearest Commission office within one business day of any proposed opening, and shall be submitted to the Coastal Commission as part of the annual report required in Special Condition #4.

4. Monitoring Report. On an annual basis by April 1 of each year, the applicant shall submit for the review and written approval of the Executive Director, a monitoring report for the project. The report shall summarize the impacts of the multiple openings, including the project's impacts on public access and recreation, and the biological productivity of the lagoon, any changes in the tidal prism caused by external factors (such as upstream development impacts, extreme storm conditions, unusual tides, etc.) which may have contributed to the need for the lagoon mouth openings, and shall include recommendations for any necessary changes or modifications to the project. In addition, the annual report shall include the following information for each of the openings that occur over the subsequent years:

- a. The date of the opening(s) which occurred, along with the date of each subsequent closure.
- b. The specific biological criteria (described in Special Condition #3) which authorized each opening, along with a site map indicating the location where the determining samples were taken.
- c. Any noted adverse impacts on lagoon resources or adjacent public beach or park and recreation areas resulting from each mouth opening, and recommendations to avoid or mitigate these impacts with future openings.

The report shall be submitted annually beginning the first year after Commission approval of the permit. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. Staging/Storage Area(s). PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a site plan and/or area map delineating all areas, both on- and off-site, which are proposed to be used for staging and storing equipment. Staging/storage areas shall be subject to review and approval by the Executive Director, shall not involve the use of any environmentally sensitive lands, and shall minimize disturbance to public access and recreation to the maximum degree possible by avoiding the use of public parking areas and sandy beach.

The permittee shall undertake development in accordance with the approved staging/storage area plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description and History. The subject permit application has been submitted to achieve two goals. First, this represents the follow-up permit to Emergency Permit #6-00-134-G, issued on September 14, 2000. That activity involved the removal of approximately 15,000 cu.yds. of sediment from an area extending from the shoreline to the railroad bridge at the mouth of the San Dieguito River. The mouth had been closed almost continuously for about a year and a half, and biological conditions within the lagoon were rapidly deteriorating. The emergency mouth opening occurred shortly thereafter, with excavation beginning on September 18th and tidal action restored on September 23rd. In addition to the excavation activities, the project approved

in the emergency action included the deposition of the excavated materials on the beaches immediately north and south of the river mouth and minor grading of those beaches to re-establish natural contours; the deposition of dredged materials on the beach is also proposed for any additional openings.

The second purpose of the application is to request authorization for future mouth openings, to be performed as needed over the next five years. These potential future openings would use the same location, equipment, design, etc. as were used in the emergency opening last year and would be triggered by similar biological conditions as occurred with the emergency action. The Commission's ecologist has reviewed the biological criteria historically applied and has modified the salinity criteria (20 ppt to 25 ppt) to allow dredging to occur before the lagoon resources are imminently or actively distressed.

The Commission has a long history of permitting the artificial opening of lagoons in San Diego County, including Los Penasquitos, San Elijo and San Dieguito Lagoons. These openings were typically proposed based on certain criteria being met related to salinity, dissolved oxygen and other water chemistry conditions as indicators of impending fish kills, alga blooms or similar unhealthy occurrences. At Los Penasquitos and San Elijo Lagoons, the Commission has also approved a number of permits and amendments for opening the lagoon mouth as experiments to allow the lagoon mouth to remain open for a longer period of time; these involved the removal of a more substantial amount of material (sediments and cobble) than would occur with the intermittent emergency openings designed only to prevent serious biological degradation. Although older permits typically allowed a one-time opening only, more recently the Commission has been approving permits for a set period of time (ranging from one year to five years) wherein multiple openings could occur as needed based on certain biological criteria being met.

The City of Del Mar has a certified Land Use Plan, but not an implementation plan. As such, the Commission retains permit jurisdiction for the entire city at this time. Moreover, the lagoon, river mouth and beach areas that are the subject of this permit are all tidelands such that the Commission will retain permit jurisdiction over this particular site in perpetuity. Therefore, the Chapter 3 policies of the Coastal Act are, and will continue to be, the standard of review, with the City's certified LUP used as guidance.

2. Sensitive Habitats. The following Coastal Act policies are most applicable to this application, and state, in part:

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored...

Section 30233

- (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

[...]

- (7) Restoration purposes.
- (8) Nature study, aquaculture, or similar resource dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.
- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division....

Section 30240 (b)

- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The subject site is located at the mouth of San Dieguito Lagoon, an environmentally sensitive habitat area that is one of the 19 priority wetlands listed by the State Department of Fish and Game for acquisition. At this time, the lagoon has multiple public and private ownerships; the actual project site is owned by the City of Del Mar. A Joint Powers Authority (JPA) was created several years ago to oversee the lagoon and its watershed, acquire private lands to form a linear park, and investigate restoration potentials throughout the lagoon. Concurrently, a major restoration effort is being planned by Southern California Edison and its partners to mitigate for impacts on sensitive plant and animal communities resulting from the operation of the San Onofre Nuclear Generating Station (SONGS). A significant feature of the restoration plan will

be maintaining the lagoon mouth in an open condition to maximize tidal flushing of the lagoon. In addition to these ongoing planning efforts, the Commission certified the San Dieguito Lagoon Enhancement Plan in the early 1980's, and Coastal Development Permit #6-83-148, which implemented portions of that plan. Both the enhancement plan and the subsequent permit stressed the importance of keeping the lagoon mouth open.

The proposed development involves the removal of sediments from the mouth of San Dieguito Lagoon. Under the Coastal Act, dredging of lagoons and/or open coastal waters is severely constrained. To be allowable under Section 30233, the proposed development must be one of the list of permitted uses. In this case, the proposal is for restoration purposes. In addition, the development must be found to be the least environmentally damaging feasible alternative, incorporate feasible mitigation measures for any associated adverse impacts and either maintain or enhance the functional capacity of the wetland system.

Information received from the various resource agencies (U.S. Department of Fish and Wildlife and State Department of Fish and Game) regarding past proposals to open this and other Southern California lagoon systems indicate that the biological resources of these lagoons have been significantly stressed due to the frequent closures of the lagoon mouths. Lack of tidal action has a number of adverse effects on a lagoon environment. The lagoon water becomes stagnant, reducing the oxygen levels in the water. Reduced oxygen can lead to eutrophication, the condition where a closed body of water can "turn over," where large amounts of methane and hydrogen sulfide gas are released at the bottom and absorbed into the water, leading to fish and benthic invertebrate kills. Another problem facing the lagoon environment is the salinity levels of the water. Together, lack of tidal influence and low levels of freshwater inflow increase the salinity and temperature of the water, creating a hypersaline situation which is stressful, if not deadly, to many forms of plant and animal life in the lagoon. Conversely, decreased salinity caused by the combination of high levels of freshwater inflow and lack of tidal action allows for the establishment and growth of freshwater vegetation such as willows, cattails and tules in areas formerly entirely covered by salt marsh vegetation.

Both the old Enhancement Plan and the plan currently being developed identify dredging to maintain a tidal flow into the lagoon as an important part of an overall management strategy to enhance the biological productivity of the lagoon. The proposed sediment removal will allow the mouth to remain open longer to flush out stagnant water, replace low-salinity water and allow for the reestablishment of estuarine and marine invertebrates, fish and plant species. As proposed, the project does not involve any alteration or impact to existing habitat. The subject development will restore and enhance the functional capacity of the lagoon, and thus, is a permitted use under Section 30233 of the Act.

Dredging the lagoon mouth is a relatively inexpensive means of increasing tidal flushing and improving the biological productivity of the lagoon in a manner that has the least impact on the lagoon and surrounding environment. The U.S. Department of Fish and Wildlife Service and the California Department of Fish and Game were actively involved

last August/September when it was determined that an emergency mouth opening was warranted; these agencies have also indicated their support for maintaining the lagoon mouth in an open condition to the greatest degree possible.

The Commission's ecologist has also reviewed both the emergency action that occurred and the proposed request for future mouth openings and determined that the biological criteria required in Special Condition #3 are appropriate to assess the need to open the lagoon. Briefly, the criteria allow the mouth to be opened in three situations: 1) when dissolved oxygen levels are less than 5 ppm; 2) when the salinity level is below 25 ppt and oxygen levels are expected to drop below 5 ppm within two weeks; or 3) when the salinity level is above 33 ppt. The biological parameters addressing minimum salinity levels have been modified slightly such that an opening can occur under less stressful conditions than those dictated by the previously applied criteria. Thus, the proposed project would carry out the goals of the resource protection policies of the Coastal Act. However, to ensure the work continues to be reviewed by the appropriate resource agencies, Special Condition #2 requires that the proposed work be coordinated with the State Department of Fish and Game, and that the Commission be notified of the dredging operations.

In addition, Special Condition #4 requires an annual monitoring report to document all openings performed pursuant to this permit. The report must address the number and dates of each opening, the particular reason which prompted each opening, weather and tide conditions which may have contributed to the described criteria and any adverse impacts on the lagoon and the adjacent beach resulting from the opening(s). The report must document the openings over the year, summarizing what, if any, impacts on the lagoon resources occurred as a result of the project, and provide recommendations on how such impacts could be avoided or mitigated in the future should such a project be contemplated again.

In summary, and as conditioned, the project will have a positive impact on the natural resources of the lagoon. A closed lagoon mouth stresses the ecosystem beyond the point where it can recover on its own. The proposed development is an allowed use pursuant to Section 30233 of the Coastal Act, and the project is designed to minimize any potential adverse impacts on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30231, 30233 and 30240 of the Coastal Act.

3. Public Access/Recreation. The proposed project is located between the first public road and the sea. Sections 30210-30214 of the Coastal Act state that maximum access and recreation opportunities be provided, consistent with, among other things, public safety, the protection of coastal resources, and the need to prevent overcrowding. In particular, Section 30211 of the Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

As discussed in the previous section, all the various resources agencies, lagoon managers, local coastal wetland experts, and the Commission's ecologist, have agreed that opening the lagoon mouth is beneficial to the lagoon environment. However, there are a number of concerns related to public access and recreation associated with the project.

The project site is the mouth of San Dieguito Lagoon, which empties into the Pacific Ocean at Del Mar. The river channel runs across the municipal beach at the northern end of the city, and can be traversed on foot during most tidal regimes. The public beach provides very popular day-use facilities for beach visitors and serves as an important recreational resource of region-wide importance. As the proposed development will occur on the beach and the far-western portions of the lagoon, the potential for adverse impacts on public access and recreational opportunities exists.

Based on the experience of previous lagoon mouth openings, for a short period after the lagoon mouth is opened, bacteria levels (fecal and total coliform counts) in the water exiting the lagoon are usually above health standards in the mouth and surfzone surrounding the mouth. As a result, County Public Health officials have had to post the surrounding beaches with signs prohibiting any body contact with the water because of potential health hazards caused by the high bacteria counts. Although this has always been a known concern, in permitting previous lagoon mouth openings, the Commission has not found this to be a significant impact on public recreational opportunities as the lagoon mouth openings generally occur in the non-summer months and the high bacteria levels only last a few days to a week.

Based on data collected from monitoring previous lagoon mouth openings (at several different regional lagoons), it can be anticipated that after an initial opening, bacterial counts will exceed water quality standards and body contact with the water in the general area of the lagoon mouth will be prohibited. However, these reports indicate that within a short period of time, "bacterial water quality in the surfzone should meet the recreational standard as seawater dilution of the Lagoon occurs and after contaminated water in the Lagoon has flowed out." In addition, because bacteria levels deteriorate quickly once tidal flow is established, the longer the lagoon stays open, the less often the area surrounding the mouth has to be closed. However, if the lagoon does close and is then reopened, resulting in high enough bacterial counts that the beach must be closed, the proposed development could significantly impact public recreational opportunities during high use periods such as weekends or holidays during the summer months.

The Commission finds that every effort should be made to avoid an opening on weekends, during holiday periods (especially spring break), and during the period between Memorial Day and Labor Day, when beach use is at its peak. Under the terms of the attached special conditions, no dredging can occur 14 days before a holiday or a scheduled beach event, no operations would occur on weekends during the summer months, and on weekends in the winter only if necessary. Moreover, the conditions require that no equipment be stored on the beach or in public parking areas overnight. Although the conditions will not assure that the beach is never closed during weekends

and holidays, it will help ensure that the highest levels of contaminants which are present immediately after the mouth is opened, have time to dissipate before the weekend and that no equipment will physically block the beach.

The Commission acknowledges that the project will also have a beneficial effect on public recreation. All sediments excavated from the lagoon are deposited on the beaches just north and/or south of the mouth, effectively augmenting the sandy area available for public use. The emergency opening in September, 2000 resulted in sands being deposited on the beach north of the inlet only. The beach remains open to the public during the excavation operations, except for the actual site of dredging. Following the September emergency action, the beach was posted as unsafe for water contact for a distance of 200 feet on either side of the inlet; this temporary condition lasted only a few days. Based on the monitoring reports of numerous lagoon/river mouth openings in San Diego County, the past openings do not appear to have imposed any significant hardships on the public. To ensure that this remains the case, Special Condition #3 requires the submittal of a monitoring report by the applicant which documents any noted adverse impacts on public access and recreation opportunities should the lagoon mouth require an opening in the summer. The report should also identify potential ways to mitigate any identified impacts should multiple openings of the lagoon be proposed again in the future.

The proposed project has been identified as being beneficial to the lagoon and its associated habitat. Some inconvenience to beach users could result if the lagoon must be opened in the summer months; however, it is the intention of the project to keep the lagoon mouth open as long as possible, which will reduce the impacts associated with individual openings. With the proposed conditions of approval, impacts to public access and recreation will be reduced to the maximum amount feasible. The applicant will be required to monitor and record any impacts and propose a means of mitigating any identified impacts for future similar projects. Thus, as conditioned, the Commission finds the proposed development can be found consistent with the public access and recreation policies of the Coastal Act.

4. Water Quality. The following Coastal Act policies are applicable to the proposed development and state:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The issue of water quality has been discussed in the two previous findings, with regard to adverse impacts on the biological resources in the lagoon when the mouth is closed, and adverse impacts on public access and recreation immediately following a mouth opening. There is, however, a seriously potential hazard to human health in situations where the lagoon mouth is closed for extended periods and the water quality therein is deteriorating. Many people, especially those with small children, recreate in the waters of the lagoon/river mouth instead of on the actual shoreline, since the waters of the lagoon/river mouth are much calmer than the open ocean, especially when the mouth is closed. Although health hazard warnings in the form of signs are generally in place during these situations, they are largely ignored, as evidenced by the large numbers of people playing in the lagoon mouth during closed situations. This further supports the argument for keeping lagoon mouths open as often as possible, since the health of human beings, as well as lagoon species, is endangered when the mouth is closed. The Commission finds the proposed development, which will maintain an open lagoon mouth for longer periods of time, is thus consistent with the cited sections of the Coastal Act.

5. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, as conditioned, such a finding can be made.

As stated, the subject site is located in the City of Del Mar, at the mouth of San Dieguito Lagoon, west of Highway 101 at the city's municipal beach. The proposed development has been reviewed and approved by the City. As conditioned, the Commission finds the proposed development consistent with all applicable Chapter 3 policies of the Coastal Act, which will continue to be the standard of review in this area of original jurisdiction. Therefore, the Commission finds the proposed development, as conditioned, should not prejudice the ability of the City of Del Mar to complete and implement a certifiable local coastal program for the remainder of the City.

6. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California

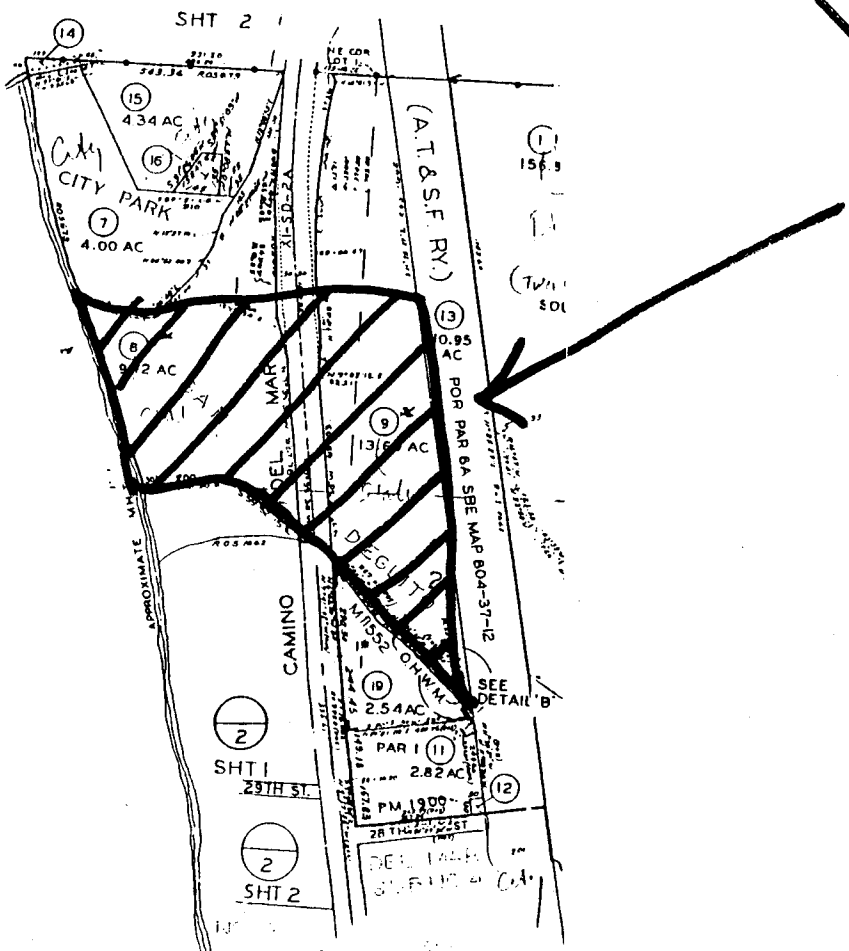
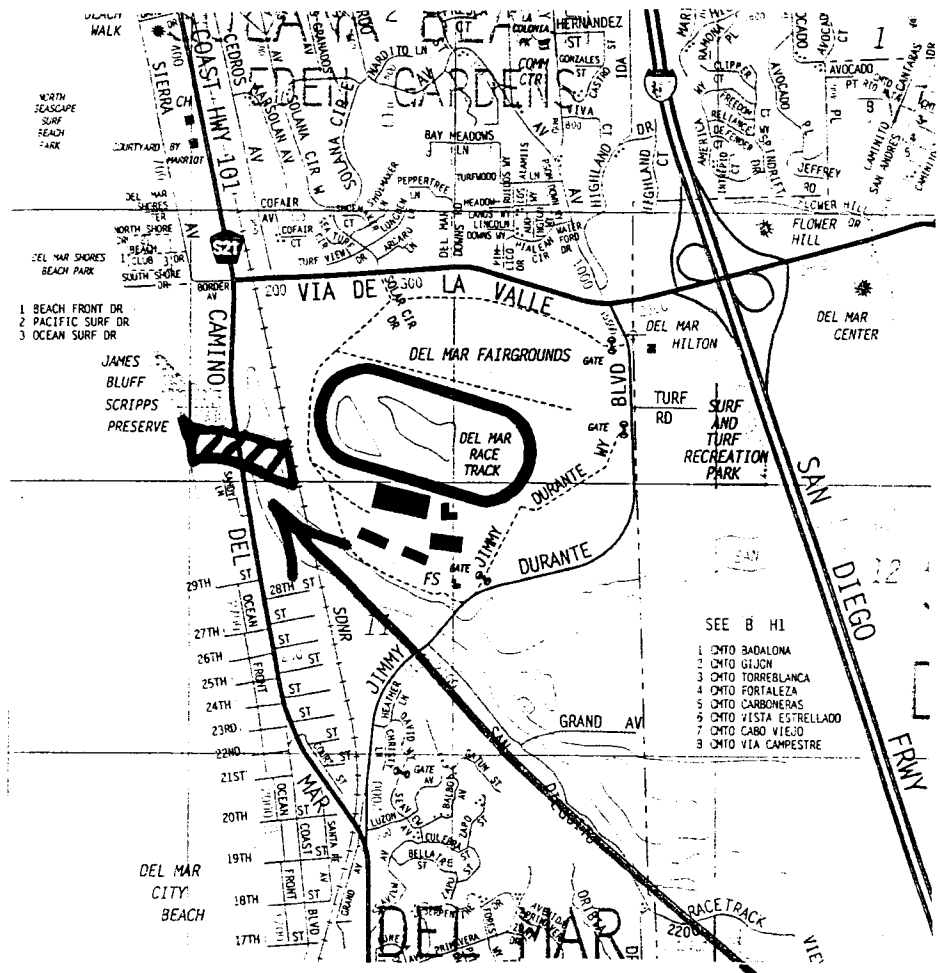
Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with Chapter 3 policies of the Coastal Act. Mitigation measures, including measuring biological criteria to determine when an opening is warranted, restrictions on timing of the work and submittal of monitoring reports, have been incorporated as conditions of approval which will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

6-00-134



Site

EXHIBIT NO. 1
 APPLICATION NO.
 6-00-134
 Location Maps
 California Coastal Commission

6-00-134

EXHIBIT NO. 2
 APPLICATION NO.
 6-00-134
 Site Plan
 California Coastal Commission

GENERAL NOTES

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY OR STRUCTURES SHOWN ON THESE PLANS WAS OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. THE CONTRACTOR SHALL TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE PLANS AND ANY OTHER LINES WHICH MAY NOT BE OF RECORD AND SHOWN ON THESE PLANS, AS REQUIRED BY THE SPECIFICATIONS. THE CONTRACTOR SHALL PERFORM ALL EXPLORATORY EXCAVATIONS NECESSARY TO DETERMINE THE EXACT LOCATIONS AND DEPTHS OF ALL EXISTING UNDERGROUND FACILITIES INCLUDING CONNECTION POINTS AHEAD OF CONSTRUCTION, UNLESS OTHERWISE NOTED. ALL EXISTING UTILITIES SHOWN ON DRAWING ARE OF UNKNOWN DEPTH.
2. THE CONTRACTOR IS HEREBY NOTIFIED THAT ESSENTIAL AND PERTINENT INFORMATION REGARDING THE CONSTRUCTION AND COMPLETION OF WORK FOR THIS PROJECT IS CONTAINED IN THE CONTRACT DOCUMENTS AND SPECIFICATIONS; AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO READ AND REVIEW THIS INFORMATION TO THEIR OWN SATISFACTION PRIOR TO PERFORMING ANY WORK; AND THAT ANY DEFICIENT, INCOMPLETE OR INCORRECT WORK SHALL BE THEIR RESPONSIBILITY AND THAT SUCH DEFICIENT WORK SHALL BE REDONE TO MEET SAID REQUIREMENTS AT SOLELY THE CONTRACTOR'S EXPENSE.
3. NEITHER THE OWNER NOR THE ENGINEER OF WORK WILL ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT AND MAINTAIN ALL SAFETY DEVICES, INCLUDING SHORING, AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS.
4. CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
5. THE CONTRACTOR SHALL CALL U.S.A. AT 1-800-422-4133 (FOR LOCATION OF EXISTING UTILITIES) A MINIMUM OF 48 HOURS PRIOR TO ANY WORK OR EXCAVATION.
6. CONTRACTOR TO REMAIN WITHIN THE PROJECT LIMITS.
7. CONTRACTOR TO PROVIDE PEDESTRIAN CONTROL AND FLAGGING.
8. SEE SHEET C-1 FOR CROSS SECTIONS.

SPECIFICATIONS

ALL WORK SHALL BE DONE ACCORDING TO THESE PLANS, SPECIFICATIONS AND STANDARD DRAWINGS. THE CONTRACT SPECIFICATIONS SHALL TAKE PRECEDENCE OVER STANDARD SPECIFICATIONS AND DRAWINGS.

CONTRACT SPECIFICATIONS

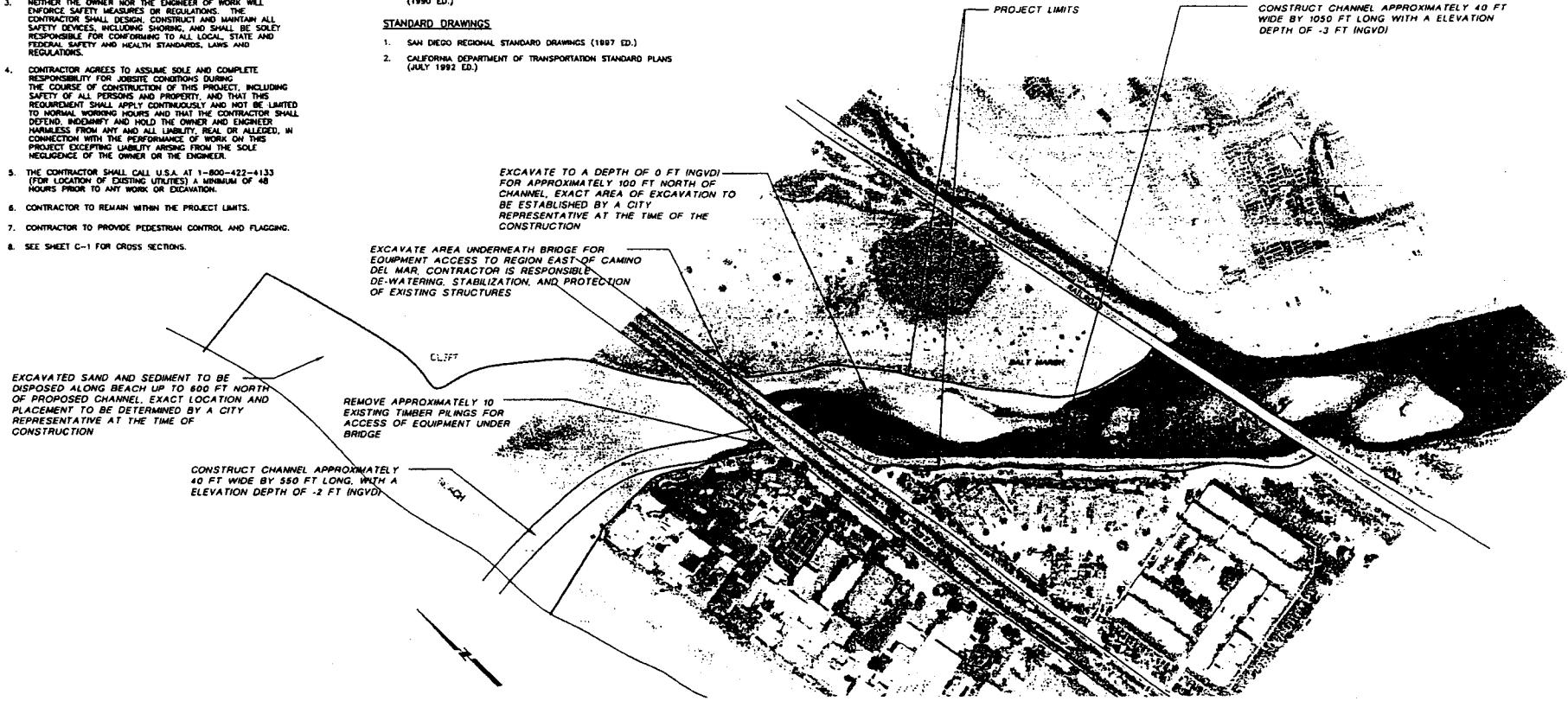
1. SPECIFICATION ENTITLED "CONTRACT DOCUMENTS, SPECIFICATIONS, AND REDUCED DRAWINGS FOR THE CONSTRUCTION OF SAN DIEGUITO LAGOON OPENING", DATED SEPTEMBER 2000.

STANDARD SPECIFICATIONS

1. STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, (1997 ED.), PARTS 2, 3, AND 4 INCLUDING THE REGIONAL SUPPLEMENTAL AMENDMENTS.
2. CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS (JULY 1992 ED.)
3. CALIFORNIA DEPARTMENT OF TRANSPORTATION, "MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE WORK ZONES" (1990 ED.)

STANDARD DRAWINGS

1. SAN DIEGO REGIONAL STANDARD DRAWINGS (1997 ED.)
2. CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD PLANS (JULY 1992 ED.)



REVISION	DESCRIPTION	APPROVED	DATE	SCALE:	DESIGNED:	DRAWN:	CHECKED:
				AS SHOWN	HE	MD	EA
				ADD FILE NO.			
				PROJECT NO.			
				2.015 SP			

PLAN
1" = 200'

CITY OF DEL MAR		SHEET
SAN DIEGUITO LAGOON OPENING		G-1
		OF 3 SHEETS