



addressing disposal of dredged spoils are also recommended. Due to Permit Streamlining Act requirements, the Commission must act on this permit at its August, 2002 hearing.

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-02-013 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. Any modification of the project within the five year period, such as changes in channel size or location, timing of work, staging areas, or biological criteria used to determine the need for lagoon mouth openings, will require an amendment to this permit unless the Executive Director determines that no amendment is legally required.

2. Timing of Work/Staging Areas. 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 such as a marathon, surfing contest., etc.

b. No equipment shall be stored on the beach overnight.

c. The nearest Commission office staff shall be notified as soon as possible but no later than 24 hours prior to commencement of any dredging.

c. Staging areas shall not be located in any environmentally sensitive habitat areas located within or beyond the limits of the proposed project. Use of the Torrey Pines State Beach north parking lot for staging of equipment shall be designed to minimize disturbance of public use of the parking lot.

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

e. No work shall occur on Fridays, weekends or holidays between Memorial Day weekend and Labor Day .

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

3. Biological Criteria for Opening. The proposed channel excavation work shall be performed only:

a. when the dissolved oxygen levels in the lagoon 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 water salinity level in the lagoon 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 in writing, if time permits, or verbally, with written follow-up, 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. By April 1 of each year, the applicant shall submit a monitoring report for the project for the review and written approval of the Executive Director. 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 or unusual tides) 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 occurred during the year addressed in the report:

- 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.
- d. Identification of all staging and storage areas, as well as access routes, used for each opening.
- e. Identification of all equipment used for each opening and the construction method employed.

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 legally required.

5. Deposition of Dredge Material. Material removed from the inlet channel that is determined by the California Department of Parks and Recreation to be suitable for use on the beach shall be placed on the beach adjacent to the inlet, above the mean high tide elevation or at the back beach.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/Site History. This permit application represents the follow-up permit application for two past emergency permits, #6-00-051-G (dated April 21, 2000) and #6-02-013-G (dated January 25, 2002). The proposal is for excavation of a temporary channel (maximum dimensions 200'x 20'x 6') to open the mouth and enhance the outflow of Los Penasquitos Lagoon, as has already occurred under the cited emergency permits. In the first emergency action, both salinity and dissolved oxygen were significantly below normal at most monitoring stations. In the more recent opening, the situation was similar for salinity and, although surface counts of dissolved oxygen were acceptable, the bottom counts for dissolved oxygen were significantly below normal. An additional 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 are proposed to 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 recently reviewed the biological criteria historically applied and has modified the salinity criteria (20 parts per thousand to 25 parts per thousand) 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 (#6-97-036; #6-99-012; #6-00-134) 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 watershed of Los Penasquitos Lagoon is extensive, is located mostly out of the coastal zone, and includes the areas of San Diego that have seen the greatest growth in recent years. This has resulted in significant sedimentation of the lagoon, a major cause of the mouth being closed so often. In addition, the existing railroad berm and North Torrey Pines Road Bridge, which run in a north/south direction and transect the lagoon, inhibit good tidal flushing and add to sediment build-up in the lagoon. Pursuant to a recent Commission action, the Torrey Pines Road Bridge will be replaced by a bridge with far fewer pilings (4 as opposed to the existing 78). Although this will improve tidal flushing in the outer portions of the lagoon, the railroad berm remains an impediment to

adequate flushing of areas east of the berm. In addition, recent major sand replenishment projects have added to the closed mouth condition.

The City of San Diego has a fully-certified LCP and issues its own coastal development permits for most of its coastal areas. However, 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 LCP 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 Los Penasquitos Lagoon, an environmentally sensitive habitat area that is one of the 19 priority wetlands listed by the State Department of Fish and Game. Most of the lagoon is now publicly owned by the California Department of Parks and Recreation, which also administer the adjacent Torrey Pines State Beach and nearby Torrey Pines Reserve. In addition, the Commission certified the Los Penasquitos Lagoon Enhancement Plan as a component of the City of San Diego LCP. The enhancement plan policies stress the importance of keeping the lagoon mouth open to maintain tidal flushing and an appropriate saltwater/freshwater balance.

The proposed development involves the removal of sediments from the mouth of Los Penasquitos 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 listed 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. Fish and Wildlife Service 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.

The enhancement plan, certified land use plans and many past permit actions 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. Fish and Wildlife Service and the California Department of Fish and Game, have indicated their support for maintaining the lagoon mouth in an open condition to the greatest degree possible.

The Commission's ecologist has determined that the biological criteria required in Special Condition #3 are appropriate to assess the need to open the lagoon. Specifically, the criteria allow the mouth to be opened if any of these criteria are met: 1) when dissolved oxygen levels are less than 5 parts per million (ppm); 2) when the salinity level is below 25 parts per thousand (ppt) and oxygen levels are expected to drop below 5 parts per 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 to determine appropriate timing to best protect natural resources, and that the Commission be notified no less than 24 hours prior to dredging operations. Special Conditions #2 and 4 addresses staging and storage areas, and require that staging/storage areas be located out of environmentally sensitive areas and identified in each monitoring report. Although the Foundation has consistently used an approved staging area, there is concern that this area may not always be available during the next five years, due to replacement of the North Torrey Pines Road Bridge.

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 biological 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 Los Penasquitos Lagoon, which empties into the Pacific Ocean at the northern end of the City of San Diego, just south of the City of Del Mar. The 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 surf zone 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 surf zone 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, 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 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. Pursuant to Section 30233(b), Special Condition #6 requires all suitable sediments excavated from the lagoon to be deposited on the beaches just north and/or south of the mouth, effectively augmenting the sandy area available for public use. The California Department of Parks and Recreation determines suitability and authorizes the placement of dredge materials on the beach. The beach remains open to the public during the excavation operations, except for the actual site of dredging. 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 #4 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 serious 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 mouth instead of on the actual shoreline, since the waters of the lagoon 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 keeping the 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. Unpermitted Development. Two emergency coastal development permits (#6-02-013 and 6-00-051) have been previously issued for temporary authorization for the excavation of a channel to open the mouth and enhance the outflow of Los Penasquitos Lagoon. This application was submitted within the required timeframe (60 days) specified in the emergency permit, #6-02-013, issued in January, 2002. However, although an application for a regular coastal development permit following up the 2000

emergency permit, #6-00-051, was also required as a condition of approval, no application was ever submitted to this office. For this reason, the applicant has requested that this permit serve as the follow-up permit for both emergency actions.

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to this violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

6. 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 San Diego, at the mouth of Los Penasquitos Lagoon. The proposed development requires no local permits, but is consistent with the certified LCP, which the Commission uses as guidance in the review of coastal development permit applications. 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 San Diego to continue implementation of their certified LCP for the remainder of the City.

7. 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 is 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.

6-02-013

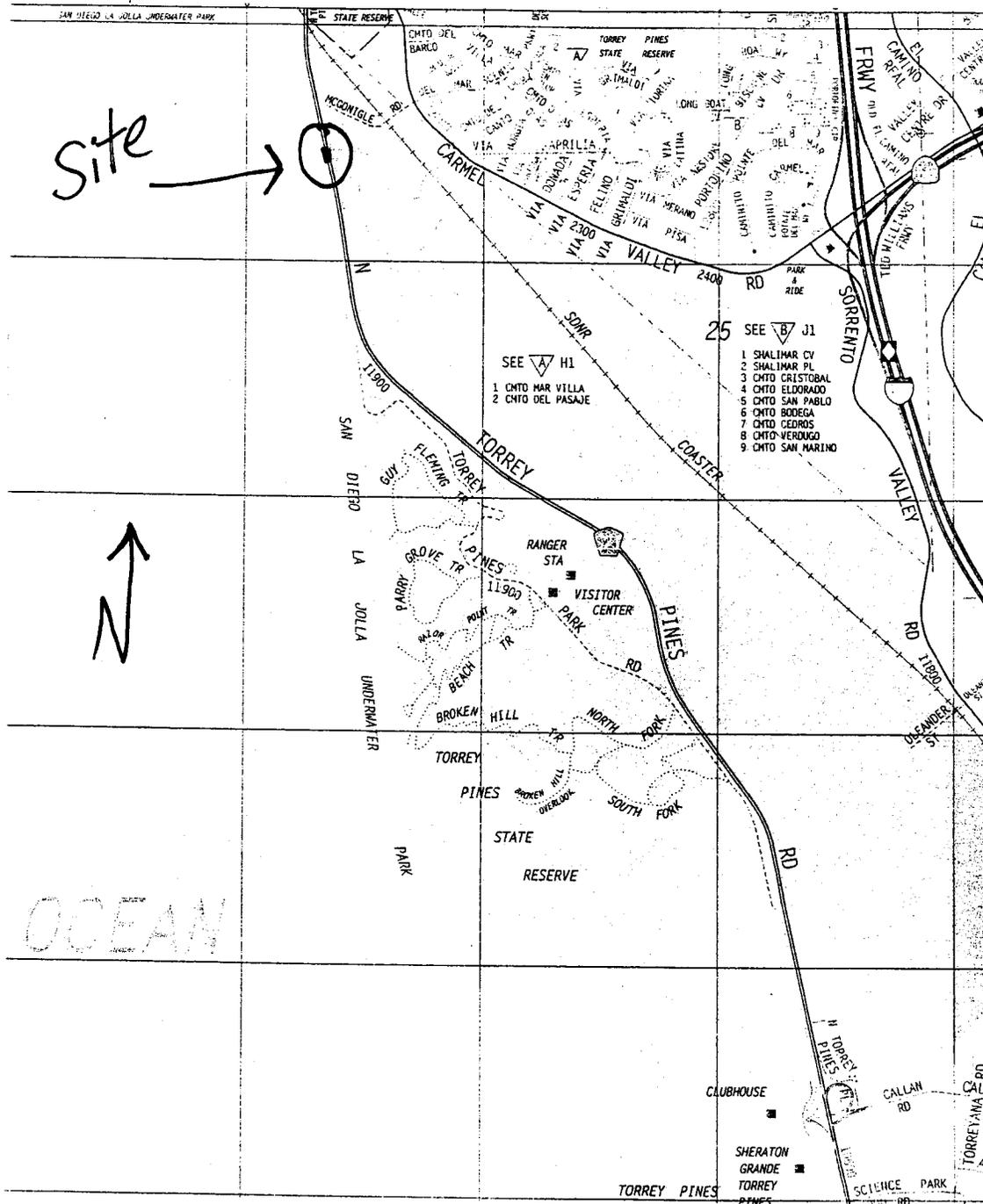


EXHIBIT NO. /
APPLICATION NO.
6-02-013
Location Map
 California Coastal Commission

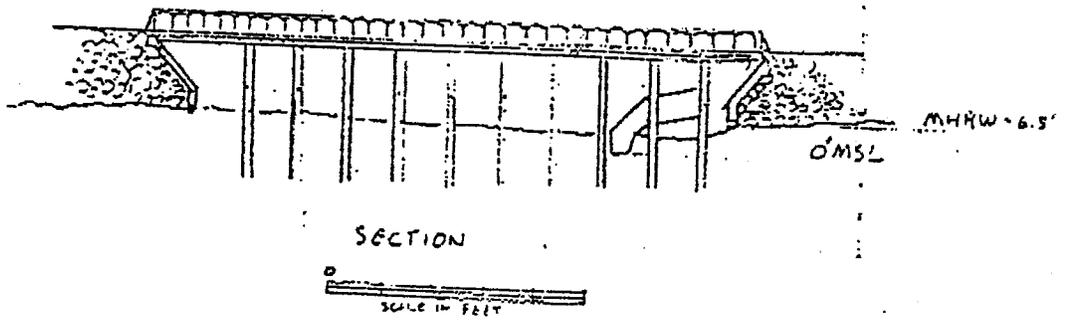
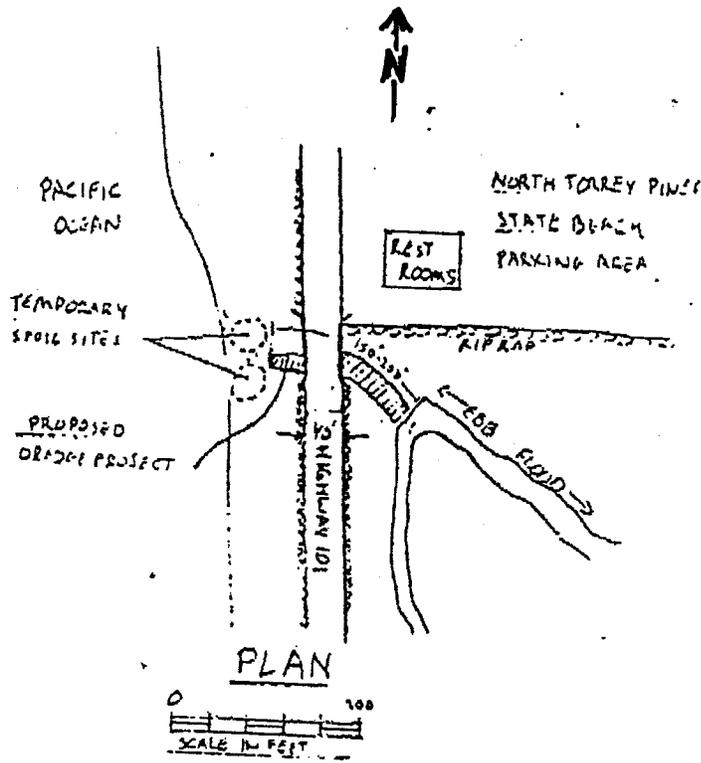


EXHIBIT NO.
APPLICATION NO.
6-02-013
Site Plan and
Elevation
California Coastal Commission