

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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Staff: DL-SD
Staff Report: September 22, 2004
Hearing Date: October 13-15 2004

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-04-82

Applicant: City of San Diego Metropolitan Wastewater Dept. Agent: Marco Gallegos

Description: Cleaning out and repairing approximately 6.14 miles of existing sewer pipes at approximately 62 manholes along the existing Lopez Canyon Trunk Sewer.

Site: Within Lopez Canyon from Acama St. westward to Sorrento Valley Road, Los Peñasquitos Canyon Preserve, North City, San Diego, San Diego County. APNs 309-430-12; 309-540-15 and 17; 310-051-06; 311-020-15, 24, 26 and 35; 311-021-06; 311-031-06.

Substantive File Documents: Biological Resources Report and Impact Analysis, Dudek & Assoc., July, 2002; Supplement Letter, "Lopez Canyon Trunk Sewer Coastal Development Permit," by Marco Gallegos, 8/13/04; Conceptual Wetland Creation Plan Los Peñasquitos Canyon Preserve, Dudek & Assoc. January 2004; CDP #6-98-127-A1; #6-99-101; #6-00-143; #6-02-135.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed sewer maintenance and repair. The major purpose for the project is the prevention of what the City believes to be imminent sewage spills from occurring. The proposed maintenance work will also keep the sewer line in good condition for some time to come, thereby reducing the threat of future spills. Although the project will result in 435 sq.ft of impacts to wetland habitat, the project has been designed to be the least-environmentally damaging feasible alternative, and all impacts will be adequately mitigated and monitored.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-04-82 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. Wetland/Upland Mitigation. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a detailed final mitigation program, in substantial conformance with the Conceptual Wetland Creation Plan for the Los Peñasquitos Canyon Preserve by Dudek & Assoc. dated January 2004, to compensate for all proposed impacts to existing wetlands. The program shall be developed in consultation with the California Department of Fish & Game, and at a minimum shall include:

- a. Before and After Surveys. The condition of the wetland vegetation and substrate along the Lopez Canyon Trunk Sewer alignment, and the alignments of all required access roads, shall be documented prior to the repair activities. The

extent of impacts to the vegetation and substrate shall be assessed and documented after completion of the repairs. Permanent wetlands impacts shall be mitigated concurrent with or prior to completion of the project, with native, local stock appropriate for the habitat type being created at a 3:1 ratio for riparian impacts and a 4:1 ratio for alkali marsh.

- b. Any upland impacts which occur shall be mitigated at a 1:1 ratio concurrent with or prior to the completion of the project. Drought tolerant, non-invasive native plants shall be utilized to the maximum extent feasible to re-establish the area consistent with surrounding natural areas.
- c. The following goals, objectives, and performance standards for the mitigation sites:
 1. Success criteria shall require, and final performance monitoring shall ensure that the mitigation program provides, coverage commensurate with pre-construction conditions at all mitigation sites at the end of a minimum five-year monitoring program (see Special Condition #2).
 2. The final design and construction methods that will be used to ensure the mitigation sites achieve the defined goals, objectives, and performance standards.
 3. Provisions for submittal, within 30 days of completion of initial mitigation work, of as-built mitigation plans demonstrating whether the mitigation sites have been established in accordance with the approved design and construction methods.

The permittee shall undertake mitigation in accordance with the approved final plans, except that the timelines required herein may be extended by the Executive Director for good cause. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Final Monitoring Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, a final detailed monitoring program, in substantial conformance with the Conceptual Wetland Creation Plan for the Los Peñasquitos Canyon Preserve by Dudek & Assoc. dated January 2004, designed by a qualified wetland and/or upland biologist for monitoring of all wetland and upland mitigation and restoration sites. The monitoring program shall be prepared in consultation with the California Department of Fish and Game, and at a minimum include the following:

- a. Each mitigation and restoration site shall be surveyed monthly the first year after planting, six times in year two, and at least quarterly thereafter until performance standards have been met.
- b. Mitigation areas will survive on natural conditions, other than weed control, for 3 years prior to final performance monitoring.
- c. Provisions to ensure that each mitigation or restoration site will be remediated within 60 days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation or restoration program.
- d. Provisions for monitoring and remediation of each mitigation and restoration site in accordance with the approved final mitigation program for a period of 5 years.
- e. Provisions for submission of an annual report of monitoring results to the Executive Director for the duration of the required monitoring period. Each report shall evaluate the status of the wetland mitigation or restoration project in relation to the performance standards.
- f. Provisions for submission of a final monitoring report to the Executive Director that has been prepared by a qualified wetlands, and/or uplands biologist. The report must evaluate whether the mitigation and/or restoration site conforms to the goals, objectives, and performance standards set forth in the approved final mitigation program.

If the final report indicates that any of the mitigation or restoration projects have been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental restoration program to compensate for those portions of the original program which did not meet the approved performance standards. The revised restoration program shall be processed as an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

The permittee shall monitor and remediate the wetland and upland mitigation sites in accordance with the approved monitoring program. Any proposed changes from the approved monitoring program shall be reported to the Executive Director. No changes to the approved program 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. Other Permits. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director, copies of all other required state or federal discretionary permits (such as U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board and the California Department

of Fish and Game) for the development authorized by CDP #6-04-82. The applicant shall inform the Executive Director of any changes to the project required by other state or federal agencies. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this permit, unless the Executive Director determines that no amendment is legally required.

4. Limits of Permit. This permit is only for the particular repair and maintenance project described in coastal development permit #6-04-82. No additional repair or maintenance is approved herein.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. The proposed project is a sewer-cleaning project located in Lopez Canyon, one of two major canyons in Los Peñasquitos Canyon Preserve in the City of San Diego. The Lopez Canyon Trunk Sewer Main is several decades old and has never undergone significant maintenance or upkeep due to difficulty in accessing the pipeline. City inspections using television cameras have revealed a great deal of sedimentation, root intrusion, cracks and sags along the alignment of this public facility, suggesting that breaks and spills could occur at any time.

The entire project alignment is in the coastal zone and spans approximately 22,611 linear feet. The proposed activities include cleaning vitrified clay pipes and poly-vinyl chloride pipes ranging in diameter from 8 to 18 inches. The pipes will be accessed through 62 existing manholes along the corridor, and repair activities include spot-repairing pipes, removing sediments and debris, and minor trimming and pruning of intruding vegetation.

The existing sewer alignment is located along a cobble creek, within a riparian corridor with steep side slopes containing some native habitats (coastal sage communities and needle grass), and the proposed work will result in some impacts to sensitive habitat. In total, impacts associated with the project would consist of approximately 435 sq.ft. of permanent impacts to streambed and riparian communities.

The City has requested that the subject permit cover not only the existing project, but also future, ongoing maintenance for any additional cleaning and/or repairs that may become necessary in the future.

The project extends from just west of Acama Street, in the Mira Mesa community, west-southwest through Lopez Canyon to just east of Sorrento Valley Boulevard, where Lopez and Peñasquitos Creeks join. Los Peñasquitos Canyon Preserve, of which Lopez Canyon is a part, is an area of deferred certification, where the Coastal Commission retains permit jurisdiction. Although a draft master plan for the park has been prepared, it has not completed local review or been submitted to the Coastal Commission for certification as part of the City's LCP. Thus, Chapter 3 of the Coastal Act is the standard of review for the proposed development.

Although this is a repair and maintenance activity, it is not exempt under Section 13252 of the California Code of Regulations, or pursuant to the Interpretive Guideline on Exclusions from Permit Requirements, since the activity will occur within and have some impact to environmentally sensitive vegetation.

The subject development was previously submitted as CDP #6-02-135. At that time, the proposed project would have had temporary and permanent impacts to river channel, riparian habitats, and upland habitats. At that time, the City had asked to defer all mitigation for up to three years, as this is only one of several sewer cleaning projects occurring in sensitive canyon areas throughout the City, and the City was in the process of developing a single, comprehensive mitigation program to address all impacts together, instead of doing site by site mitigation projects that could have been disturbed in the near future if these same sites require additional access. However, the City subsequently decided to withdraw the project until the comprehensive mitigation program was developed.

2. Environmentally Sensitive Habitats/Biological Resources. The applicable Coastal Act policies are cited below, 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 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.

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:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The proposed project raises issues under all of these Coastal Act policies. The project site is an existing trunk sewer generally aligned with Lopez Creek in the bottom of Lopez Canyon. A healthy riparian corridor runs the length of the creek, although flows in Lopez Creek are intermittent and most of the creek bed is cobble.

Wetland Impacts

According to the applicant's biological survey, the only identified permanent impact resulting from the proposed maintenance project (0.01 acres or 435 sq.ft.) is caused by excavation within riparian vegetation to locate, inspect and repair a buried manhole. The 0.01-acre of permanent wetland impacts is caused by minor grading in three locations.

At manholes 57 and 46, approximately 50 sq.ft. of earth must be moved to access the manholes. At manhole 76, approximately 100 sq.ft. of earth beneath sycamore trees must be excavated to locate and repair a buried manhole.

When the subject project was initially proposed, the City estimated that approximately 2.6 acres of "temporary" impacts would result from the project. However, since that time, the City has reexamined the access routes, the equipment involved, and the minor disruption needed to access the site (such as trimming trees and bushes and driving MWWD's canyon equipment on open cobble channel and over dead non-native annual grasses, weeds, and occasional native plants) and determined that the activities will not disrupt wetland or habitat functions and values even temporarily. In order to access the repair sites, the City has purchased special low impact maintenance vehicles equipped with rubber tires and/or treads for use in the canyons that are lighter than typical steel treaded tractors. The City has indicated that this equipment results in a smaller impact footprint, or, frequently, no impact at all, and is used in place of larger and heavier and excavators whenever conditions allow. The creekbed is dry and most access will occur over existing cobbles, not vegetation. Thus, in this particular case, no temporary impacts will occur.

As cited above, under the Coastal Act, fill and/or dredging of wetlands is severely constrained. Coastal Act Section 30233(a) sets forth a three-part test for all projects involving the fill and dredging of coastal waters and wetlands. These are:

- 1) That the project is limited to one of the eight stated allowable uses;
- 2) That the project has no feasible less environmentally damaging alternative; and,
- 3) That adequate mitigation measures have been provided to minimize adverse environmental effects.

In this particular case, the proposed development, with the special conditions attached hereto, meets the above requirements. The sole purpose of the project is to maintain and repair one of the City's major trunk sewers, which services a significant portion of the residential communities in the northern part of the City. These activities qualify as serving incidental public service purposes, as they will repair existing infrastructure, but not increase capacity. Incidental public service projects are allowed in wetlands under Section 30233(a)(5). There is no way to access portions of the sewer line without impacting some existing wetland habitat, although the project has been designed to avoid all areas of wetland to the degree possible.

As previously noted, the City has purchased special equipment to help minimize impacts from construction access. Construction access will be over existing trails, disturbed areas, and cobble creekbed. In addition, when working in any environmentally sensitive area, the City crews work with a biological construction monitor. The monitor works with the crew to minimize environmental impacts by helping choose access routes that are the least environmentally damaging alternative. The monitors document the impacts that do occur and prepare biological technical reports and impact assessments for each

project. At all times a crew is working in the canyon areas, a biological construction monitor is present to ensure impacts are avoided or minimized to the maximum extent possible.

Once it has been determined that the proposal is a permitted use and impacts to wetlands have been minimized to the maximum extent feasible, the third criteria needed for the Commission to find a development consistent with Section 30233 of the Act is that the proposal provide adequate mitigation.

The City has submitted a conceptual wetland creation mitigation program. On-site mitigation is not feasible in this particular case, because once the manhole in question is accessed and excavated, the City will need to keep the area open for continued access. The proposed mitigation site is located on City-owned lands within Los Peñasquitos Canyon Preserve just a short distance from the subject site. The site is entirely within the Coastal Zone, and is directly adjacent to an area that has been previously reviewed by the Commission both when it was created as a wetlands mitigation bank (CDP #6-99-101), and as a mitigation site (CDP #6-98-127-A1; #6-00-143). The Commission's ecologist and the relevant state and federal resource agencies have also previously reviewed and approved the adjacent mitigation sites as suitable for wetland mitigation.

Since the plan is conceptual at this time, Special Conditions #1 and #2 require submittal of a final mitigation and monitoring programs prior to issuance of the permit, and include detailed criteria for the programs to meet. The conditions address mitigation ratios for various impacts, establish success criteria, and provide for long term monitoring, with regular reports to the Commission. The conditions require before and after surveys to clarify areas where actual impacts may vary from predicted ones. Thus, all impacts will be adequately mitigated, consistent with Section 30233.

Impacts to Non-wetland Sensitive Habitat

With respect to Section 30240 of the Coastal Act, the proposed development will take place adjacent to environmentally sensitive habitat area, but is not expected to impact any of the surrounding coastal sage communities or other native and non-native grasslands. However, although no impacts to upland communities are anticipated, these could always occur once repair crews are on the ground moving from manhole to manhole. Mitigation for any unexpected permanent upland impacts is thus addressed in Special Conditions #1 and #2. Therefore, the Commission finds the proposal, as conditioned, consistent with Section 30240 of the Act.

Future Impacts

With regard to the City's request that the subject permit cover on-going maintenance in Lopez Canyon, it is impossible to predict the amount of type of environmental impacts that might be associated with future, undetermined cleaning and repair activities, and thus, to assess the compatibility of the future development with the Coastal Act. Section 13252 of Title 14 of the California Code of Regulations ("14 CCR"), and the

Commission's Interpretive Guideline on Exclusions from Permit Requirements, currently allow for many types of repair and maintenance activities to be exempted from permit requirements when they will not have any impact to environmentally sensitive habitat. Thus, no further exemptions can be made for future, unknown projects and methods. Thus, Special Condition #4 notifies the City that only the proposed repair and maintenance is approved herein. Future maintenance projects should be submitted to Commission staff for a determination of the projects' coastal development permit requirements.

In summary, the proposed repair and maintenance activities, as conditioned, can be found consistent with the cited resource protection policies of the Coastal Act. The project will help prevent future degradation of water quality by preventing sewer spills from occurring, consistent with Section 30231. With respect to Section 30233 consistency, the project is an allowed use in wetlands, impacts have been avoided and reduced to the extent possible, and, with the special conditions, all unavoidable impacts will be adequately mitigated. Finally, the project will not damage or remove environmentally sensitive upland vegetation, consistent with Section 30240. The other state and federal resource agencies (ACOE, Service, CDFG and RWQCB) have been contacted, and permits from those entities are in process. Special Condition #3 requires submittal of copies of all other discretionary actions prior to the start of construction. Therefore, the Commission finds the proposal, as conditioned, consistent with the cited Coastal Act policies.

3. Public Access. Many policies of the Coastal Act address the provision, protection and enhancement of public access opportunities, particularly access to and along the shoreline. In the subject inland area, the following policies are most applicable, and state, in part:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

There are a number of unimproved road/trails running through the preserve, some within, or in close proximity to, the project site. These are used by State Parks, the City's Metropolitan Wastewater Department and the public, with the entire area being fully accessible. The preserve is a popular location for mountain biking and horseback riding, and is also well used by hikers. Access to this area will likely be constrained and at least intermittently unavailable during the approved repair and maintenance. However, these inconveniences are offset by the benefits to the public of not having sewer spills, which would also close portions of the park to public use, as well as endangering human health. Moreover, the impediments to public access are the minimum necessary to achieve the repair and maintenance activities. The Commission finds the temporary impacts on public access acceptable, since the long range effects of preventing spills will enhance the recreational experience for the public. Therefore, the Commission finds the proposed development, as conditioned to address other issues, consistent with the cited public access and recreation policies of the Act.

4. Visual Resources. The following policy of the Coastal Act addresses visual resources, and states, in part:

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

The subject site is located in an undeveloped area of the North City portion of the City of San Diego. Los Peñasquitos Canyon Preserve provides a natural, open space area within an otherwise intensely developed industrial and residential area. The only formal improvements in the preserve are parking lots, trails and the remnants of several historic structures. The project site is located within the Lopez Canyon branch of the park. Most of the area is vegetated with native wetland and upland species, and this canyon is popular with hikers. Visually, the project will not result in any difference from current conditions, as the development takes place in the underground sewer system and all disturbed surfaces will be restored. The only visual impact will be the coming and going of repair crews and equipment for the duration of the activity. Therefore, the Commission finds that the proposed development is consistent with Section 30251 of the 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.

Los Peñasquitos Canyon Preserve is a publicly-owned, open space area, dedicated for both resource protection and public recreation. Although the City has prepared a draft master plan for the preserve, this has neither undergone full public review at the local level nor been submitted to the Coastal Commission for certification as part of the City's LCP. Thus, the Los Peñasquitos Canyon Preserve, which includes Lopez Canyon, remains an area of deferred certification, where the Commission retains coastal development permit authority and Chapter 3 is the standard of review. Nonetheless, the proposed repair of the trunk sewer is fully consistent with the draft master plan. As discussed in previous findings, the proposal, as conditioned, is also fully consistent with Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, with the attached conditions, should not prejudice the ability of the City to complete a certifiable plan for the preserve and continue implementation of its LCP in other areas of the City.

6. Consistency with the California Environmental Quality Act (CEQA).

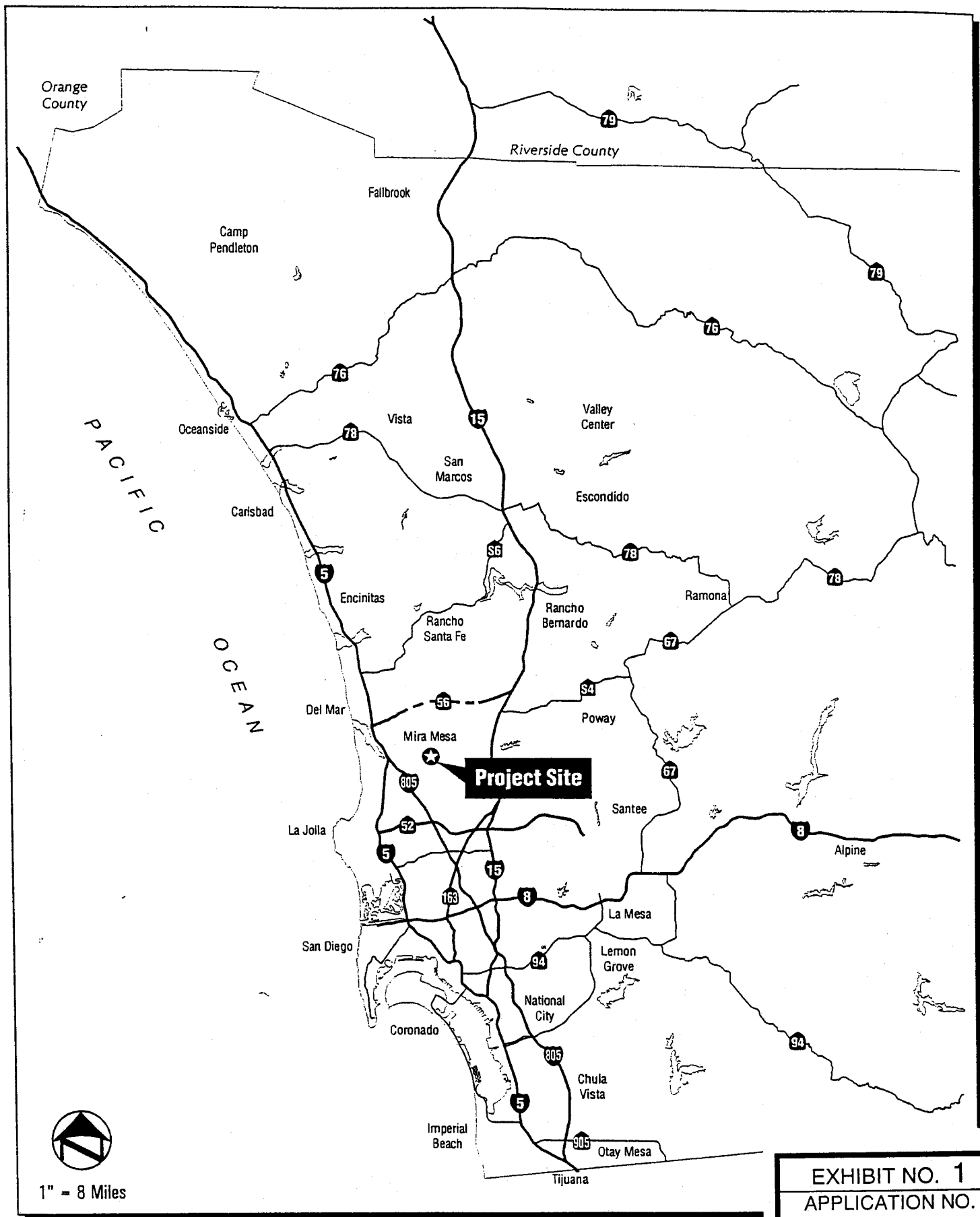
Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing monitoring of biological impacts, 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 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.

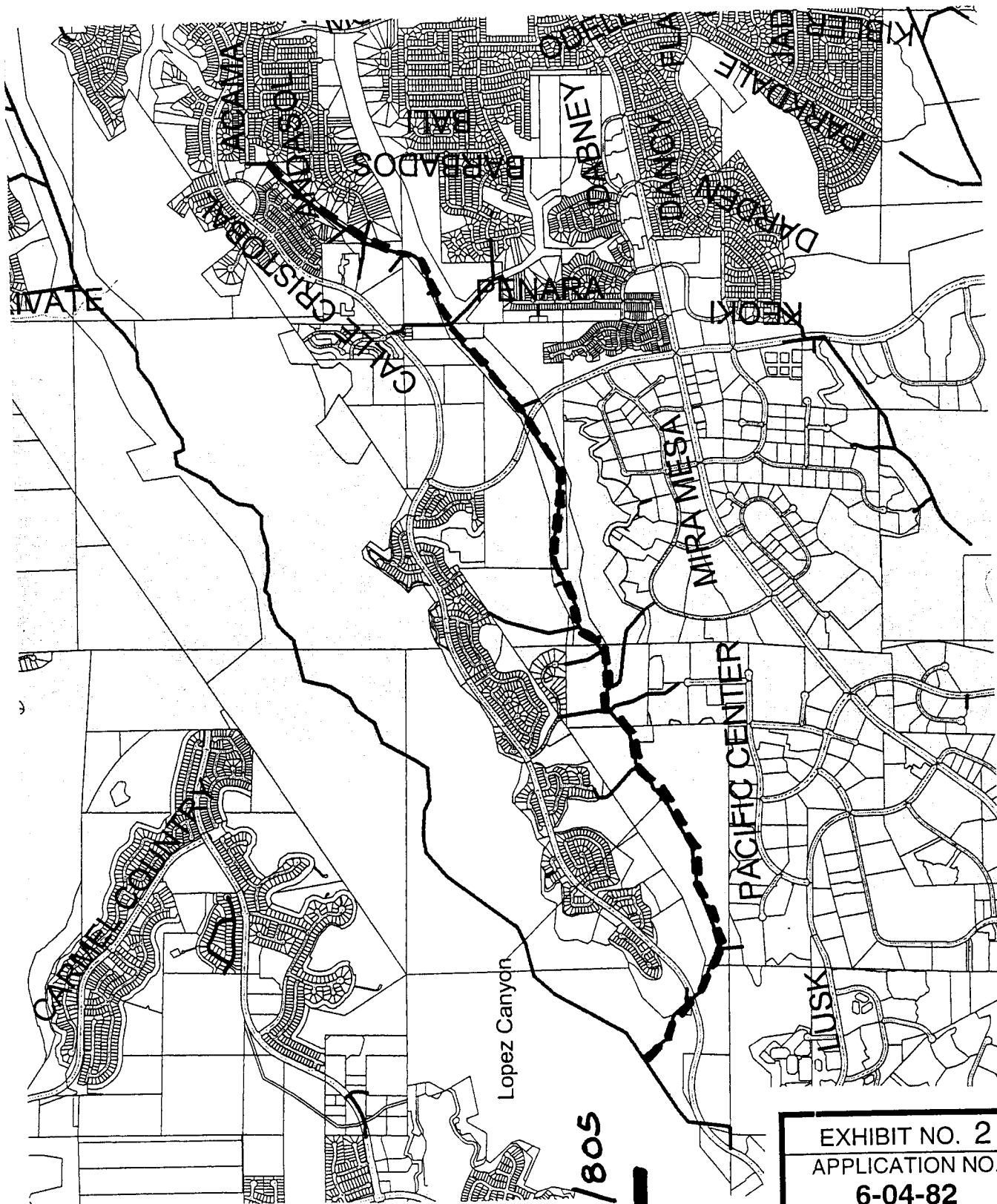
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of 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.



Lopez Canyon Sewer Emergency Re
Region

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| EXHIBIT NO. 1 |
| APPLICATION NO. |
| 6-04-82 |
| Location Map |
|  California Coastal Commission |


Lopez Canyon



6-04-082

I-5/805



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| EXHIBIT NO. 2 |
| APPLICATION NO. |
| 6-04-82 |
| Lopez Canyon |
| Sewer Line |
|  California Coastal Commission |

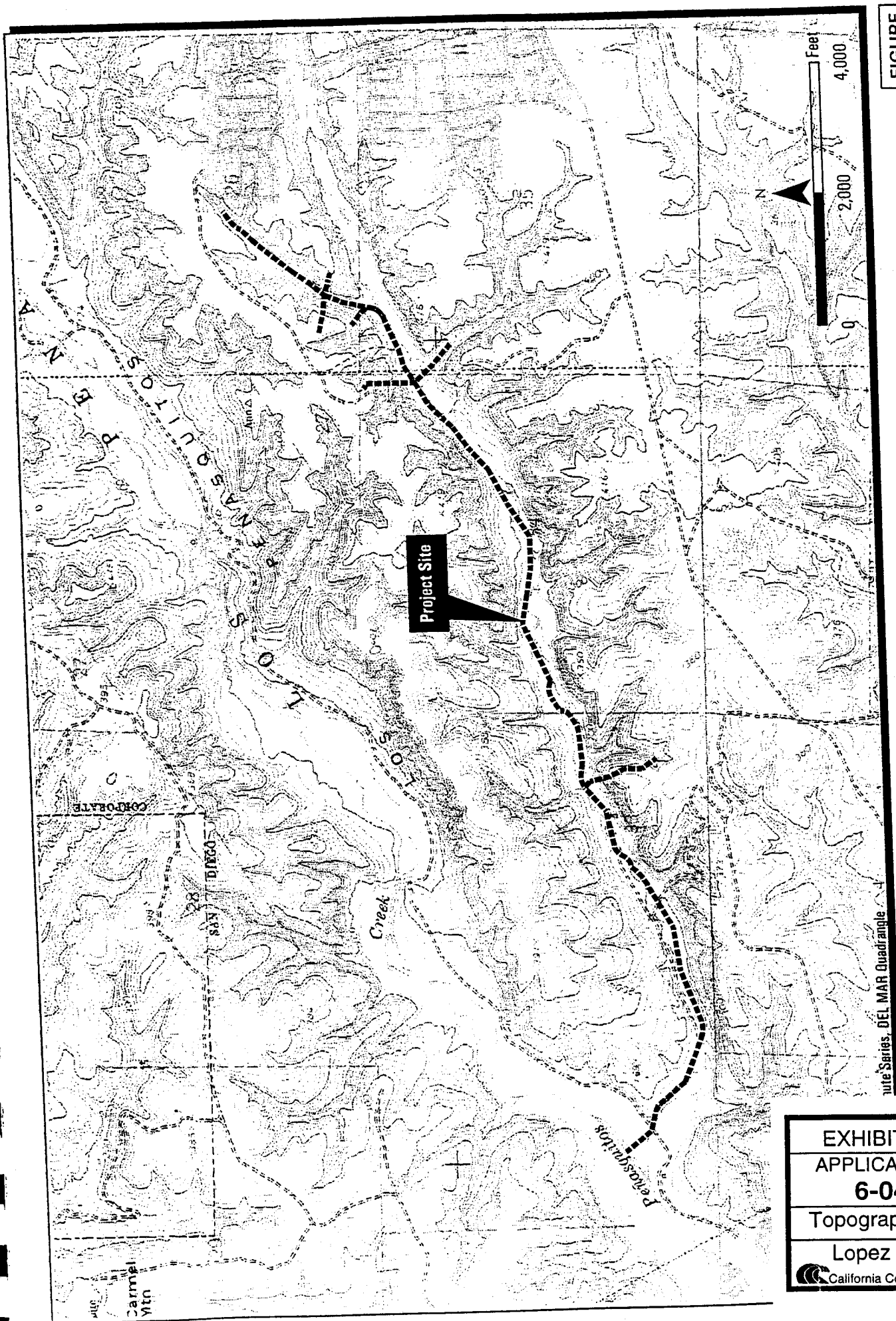
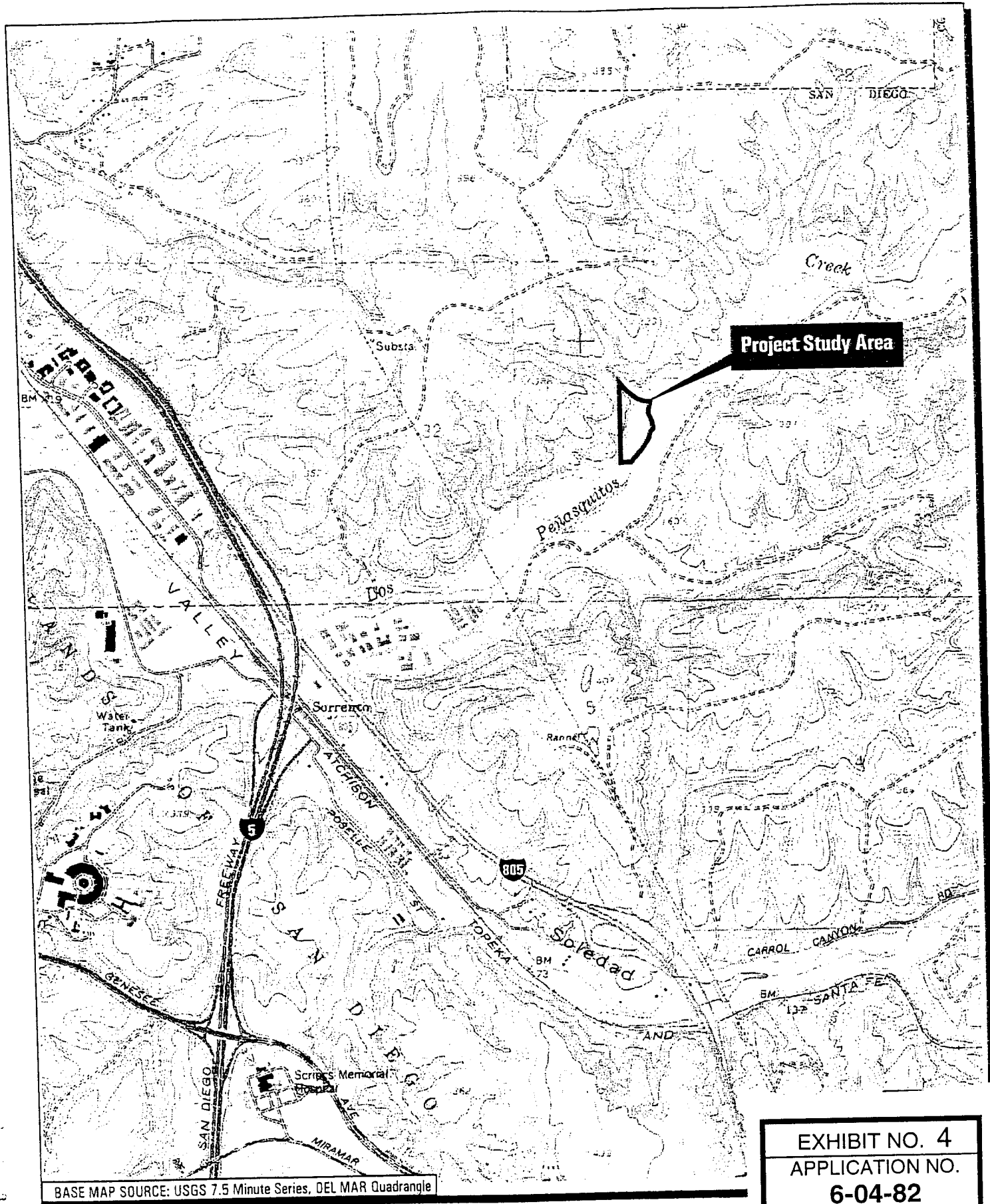


FIGURE
2

Lopez Canyon Sewer Emergency Repair Project Vicinity Map

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| EXHIBIT NO. 3 |
| APPLICATION NO. |
| 6-04-82 |
| Topographical Map |
| Lopez Canyon |
| California Coastal Commission |



Engineering and Capital Projects Conceptual Wetlan



California Coastal Commission

EXHIBIT NO. 4
APPLICATION NO.
6-04-82
Mitigation Site

