

**CALIFORNIA COASTAL COMMISSION**

45 TREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94108-2219  
 VOICE (415) 984-5200  
 FAX (415) 904-2400  
 TDD (415) 507-5266



**CONSENT CEASE AND DESIST ORDER**  
**No. CCC-06-CD-15 (LAWSON'S LANDING)**

**1.0 General**

Pursuant to its authority under Public Resources Code section 30210, the California Coastal Commission ("Commission") hereby orders Merle and Leymae Lawson, Lawson Beach, Lawson Brothers, Lawson Brothers Partners/Nita R. Lawson, Lawson's Landing, Inc. (hereinafter collectively referred to as "Respondents") and any person acting in concert with any of the foregoing to comply with the following terms and conditions, and they agree to undertake the following pursuant to this Consent Order and in the interests of resolving and settling this matter:

**2.0 Further Unpermitted Development**

Respondents agree that they shall cease and desist from performing any further development activity at the property, as identified in Section 5.0 below that requires a Coastal Development Permit without first obtaining a Coastal Development Permit. Nothing in this Consent Order prohibits Lawson's Landing from continuing its current operational activities, provided the activities are not expanded and the intensity of uses on the property are not increased.

**3.0 Completion of Coastal Development Permit (CDP) Applications****3.1 Commission CDP**

- 3.1.1 Within 120 days from the issuance date of this Consent Order or within such additional time as the Executive Director may grant for good cause, Respondents shall submit all materials that are required to complete Coastal Development Permit (CDP) application No. 2-06-018, which are listed in Attachment A of this Order, to the Commission's North Central District Office. The application shall address all existing unpermitted development, as pertains to Coastal Act laws and regulations, identified in Section 6.0 on the portion of the property identified in Section 5.0 that is located within the Commission's permitting jurisdiction. If Respondents believe that one or more items of development listed in Section 6.0 do not exist on the property, Respondents shall submit evidence supporting the claim(s) to Commission permit staff. If the Commission staff determines that the claim is correct, the Consent Order shall not apply to that portion of development.

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**Lawson's Landing**  
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- 3.1.2 Respondents shall not withdraw the application submitted under Section 3.1.1 and shall allow the application to proceed through the Commission permitting process according to applicable laws.
- 3.1.3 Within thirty days of the date of issuance of this Order, Respondents shall submit to the County copies of information previously provided to Commission staff under this Consent Order but not also provided to the County. Future submittals to the Commission under this Order shall be submitted concurrently to the County.
- 3.1.4 If the Executive Director determines that additional information is required to complete CDP application No. 2-06-018, the Executive Director shall send a written request for the information to the Respondents, which will set forth the additional materials required and provide a reasonable deadline for submittal. Respondents shall submit the required materials by the deadline specified in the request letter.
- 3.1.5 Respondents shall fully participate and cooperate in the Commission permitting process, provide timely responses, and work to move the process along as quickly as possible, including responding to requests for information.
- 3.1.6 Based on the understanding that Lawson's Landing will fully cooperate and the County CDP process will be completed within a reasonable amount of time, if possible, it is the intent of the Commission to process the Commission CDP after the County has taken action on the CDP currently before it, conditioned upon Lawson's Landing taking any procedural steps necessary to accommodate this sequence of events.

**3.2 County CDP**

- 3.2.1 Within sixty days from the issuance date of this Consent Order or within such additional time as the Executive Director may grant for good cause, Respondents shall submit the materials requested by the Commission in Commission staff's April 12, 2006 letter and as set forth below, in reference to the Master Plan/CDP/Tidelands Permit application (State Clearinghouse No. 2000092067), which shall address all existing unpermitted development identified in Section 6.0 on the portion of the property identified in Section 5.0 that is located within the County's jurisdiction. The information required includes:

A. Wetlands delineation, identifying and mapping all Coastal Act wetlands on the site.

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**Lawson's Landing**  
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**B. Updated environmentally sensitive habitat area (ESHA) surveys, identifying and mapping all ESHAs on the site.**

**C. Updated vegetation mapping.**

**3.2.2 If the Executive Director, in consultation with the County, determines that additional information is required to consider, evaluate and bring to hearing CDP application No. 2-06-018, the Executive Director shall send a written request for the information to the Respondents, which will set forth the additional materials required and provide a reasonable deadline for submittal. Respondents shall submit the required information by the deadline specified in the request letter.**

**3.2.3 Respondents shall fully participate and cooperate in the County permitting process, provide timely responses, and work to move the process along as quickly as possible, including responding to requests for information.**

**3.3 Respondents shall attend status conferences with Commission permit staff and County staff monthly to discuss the progress of the CDP applications and to determine if additional materials or actions are necessary. Commission permit staff may report on progress in this matter to the Commission as appropriate. If these processes do not result in timely progress toward resolution, the Commission shall consider exercising its enforcement authorities to address the situation.**

**3.4 Respondents shall comply with requests from the County or Commission permit staff, which are made in order to complete the CDP applications, within the timeframe provided.**

**3.5 Respondents shall comply fully with the terms and conditions of any coastal development permit that the Commission or the County may grant in response to the applications referenced in Sections 3.1 and 3.2 above.**

#### **4.0 Persons Subject to the Order**

**Persons subject to this Consent Order are Respondents, their agents, contractors and employees, and any persons acting in concert with any of the foregoing. Michael J. Lawson is the representative and agent for service of documents for Respondents.**

#### **5.0 Identification of the Property**

**The property that is subject this Consent Order is described as follows:**

**Consent Cease and Desist Order No. CCC-06-CD-15****Lawson's Landing****Page 4 of 8**

Approximately 940-acre property, referred to as Lawson's Landing, located in northwestern Marin County immediately south of the community of Dillon Beach (APNs 100-100-07, 100-100-08, 100-100-21, 100-100-22, 100-100-43, 100-100-49, 100-100-59, 100-201-01, 100-202-01, 100-202-02, 100-203-02, 100-100-203-03, 100-204-01, 100-204-02, 100-205-03, 100-206-01, 100-206-02, 100-207-02, 100-207-03, 100-208-01, 100-208-02, 100-211-01, 100-211-02, 100-212-01, 100-212-02, 100-213-01, 100-213-02, 100-214-01, 100-214-02, 100-215-01, 100-215-02, 100-216-01, 100-216-02, 100-217-01, 100-217-02, 100-218-01, 100-218-02, 100-220-06, 100-230-03).

**6.0 Description of Unpermitted Developments**

Notwithstanding any permits from other state and local agencies that the Respondents may have, the following development located on the property constitutes unpermitted development as pertains to Coastal Act laws and regulations: unpermitted grading, unpermitted fill of wetlands, and the unpermitted construction and/or placement of trailers, a campground, mobile homes, roads, restrooms, water lines and water tanks, sewage lines and leach fields, a sewage disposal station, sheds, garages, parking lots, a boat house, a snack bar, a shop, a boat mooring facility, boat yard, boats, a laundry facility, a pier, and other items of development.

**7.0 Commission Jurisdiction and Authority to Act**

A portion of the property lies within an unincorporated area of Marin County, which is subject to certified Marin County Local Coastal Program permitting requirements. The remaining portion of the property is located within the Commission's retained permit jurisdiction and is subject to Coastal Act permitting requirements. *The Commission has undertaken enforcement action with respect to the portion of the property located within the County's certified LCP jurisdiction pursuant to Coastal Act Section 30810(a)(2), which reads:*

(2) The commission requests and the local government or port governing body...does not take action in a timely manner, regarding an alleged violation which could cause significant damage to coastal resources.

The Commission issues this Consent Order pursuant to its authority under Coastal Act Section 30810.

**8.0 Waiver of Defenses**

Respondents have waived their rights to contest the legal and factual basis for this Consent Order and the terms and issuance of this Consent Order. Specifically, Respondents waive their right to present defenses or evidence to contest the issuance or enforcement of the Consent Order at a public hearing or any other proceeding and agree not to contest the Commission's jurisdiction to issue and enforce this Consent Order. The parties agree that all of the necessary elements for issuance of an order under Coastal Act Section 30810 have been met. Except as provided herein, Respondents are not waiving any legal rights, positions, or defenses, by entering into this

**Consent Cease and Desist Order No. CCG-06-CD-15**  
**Lawson's Landing**  
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Consent Order, and Respondents retain the right to assert their legal rights, positions, and defenses in any other proceeding before the Commission, any other governmental agency, any administrative tribunal, or the court of law.

In the context of the issuance and enforcement of this Consent Order, although Respondents submitted a Statement of Defense ("SOD") in response to Commission staff's October 13, 2006 Notice of Intent to issue a Cease and Desist Order and Restoration Order, in furtherance of Respondents' desire to resolve these matters in settlement, Respondents now hereby retract and withdraw all of their affirmative defenses, denials, responses to alleged facts, independent allegations, and items of evidence submitted in, or in conjunction with, their SOD.

#### **9.0 Effective Date and Terms of the Consent Order**

The effective date of the Consent Order is the date of approval by the Commission. The Consent Order shall remain in effect permanently unless and until modified or rescinded by the Commission.

#### **10.0 Submission of Documents**

According to the terms and conditions of this Consent Order, all documents submitted pursuant to this Consent Order must be sent to:

California Coastal Commission  
 Attn: Ruby Pap  
 45 Fremont St., Suite 2000  
 San Francisco, CA 94105-2219,

Marin County Community Development Agency  
 Attn: Ben Berto  
 3501 Civic Center Drive, Rm. 308  
 San Rafael, CA 94903-4157

#### **11.0 Findings**

The Consent Order is issued on the basis of the findings adopted by the Commission at the December 2005 hearing, as set forth in the attached document entitled: Staff Report and Findings for Consent Cease and Desist Order as well as the testimony and any additional evidence presented at the hearing. The activities authorized and required in this Consent Order are consistent with the resource protection policies set forth in Chapter 3 of the Coastal Act and the resource protection policies of the certified Marin County Local Coastal Program.

#### **12.0 Compliance Obligation**

Strict compliance with the Consent Order by all parties subject thereto is required. Failure to comply strictly with any term or condition of the Consent Order including any deadline contained in the Consent Order, unless the Executive Director grants an extension under Provision 12.0, will constitute a violation of this Order and may result in the imposition of civil penalties, under Coastal Act Section 30821.6, of up to SIX THOUSAND DOLLARS (\$6,000) per day for each day in which the violation persists, in addition to any other penalties authorized

**Consent Cease and Desist Order No. CCC-06-CD-15**  
**Lawson's Landing**  
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under Chapter 9 of the Coastal Act, including exemplary damages under Section 30822. If Respondents violate this Consent Order, nothing in this agreement shall be construed as prohibiting, altering, or in any way limiting the ability of the Commission to seek any other remedies available, including the imposition of civil penalties and other remedies pursuant to Public Resources Code Sections 30821.6, 30823 and 30820 as a result of the lack of compliance with the Consent Order and for the underlying Coastal Act violations as described herein.

### **13.0 Extension of Deadlines**

The Executive Director may extend deadlines for good cause. Any extension request must be made in writing to the Executive Director and received by Commission staff at least ten days prior to expiration of the subject deadline. The Executive Director shall grant an extension of deadlines upon a showing of good cause, if the Executive Director determines that Respondents have diligently worked to comply with their obligations under this Consent Order, but cannot meet deadlines due to unforeseen circumstances beyond their control.

### **14.0 Site Access**

Respondents agree to provide access to the subject property at all reasonable times to Commission staff and any agency having jurisdiction over the work being performed under this Consent Order. Nothing in this Consent Order is intended to limit in any way the right of entry or inspection that any agency may otherwise have by operation of any law. The Commission staff may enter and move freely about the portions of the subject property on which the violations are located, and on adjacent areas of the property to view the areas where development is being performed pursuant to the requirements of the Consent Order for purposes including but not limited to inspecting records, operating logs, and contracts relating to the site and overseeing, inspecting and reviewing the progress of respondents in carrying out the terms of this Consent Order.

### **15.0 Modifications and Amendments to this Consent Order**

Except as provided in Section 12.0 of this order, this Consent Order may be amended or modified only in accordance with the standards and procedures set forth in Section 13188(b) of the Commission's administrative regulations.

### **16.0 Waiver of the Right to Appeal and Seek Stay**

Persons against whom the Commission issues a Cease and Desist and/or Restoration Order have the right pursuant to Section 30803(b) of the Coastal Act to seek a stay of the order. However, pursuant to the agreement of the parties as set forth in this Consent Order, Respondents agree to waive whatever right they may have to seek a stay or to challenge the issuance and enforceability of this Consent Order in a court of law.

### **17.0 Government Liability**

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The State of California, the Commission and its employees shall not be liable for injuries or damages to persons or property resulting from acts or omissions by Respondents in carrying out activities pursuant to this Consent Order, nor shall the State of California, the Commission or its employees be held as a party to any contract entered into by Respondents or their agents in carrying out activities pursuant to this Consent Order.

**18.0 Settlement of Claims**

18.1 The Commission and Respondents agree that this Consent Order settles their monetary claims for relief for those violations of the Coastal Act specifically resolved through the commitments contained in this Consent Order, and occurring prior to the date of this Consent Order, (specifically including claims for civil penalties, fines, or damages under the Coastal Act, including Sections 30805, 30820, and 30822), with the exception that, if Respondents fail to comply with any term or condition of this Consent Order, the Commission may seek monetary or other claims for both the underlying violations of the Coastal Act and for the violation of this Consent Order. This Consent Order does not limit the Commission from taking enforcement action to enforce this Consent Order or due to Coastal Act violations at the subject property not resolved herein, provided however, future commission actions regarding matters beyond this Consent Order would constitute new actions, for which notice and the opportunity for submittal of a Statement of Defense under Chapter 9 of the Coastal Act would be provided.

18.2 Strict compliance with this Consent Order by all parties subject thereto is required. Failure to comply with any term or condition of this Consent Order, including any deadline contained in this Consent Order, unless the Executive Director grants an extension under 15.0, will constitute a violation of this Consent Order and shall result in Respondents being liable for stipulated penalties in the amount of \$200 per day per violation. Respondents shall pay stipulated penalties within fifteen days of receipt of written demand by the Commission for such penalties regardless of whether Respondents have subsequently complied. If Respondents violate this Consent Order, nothing in this agreement shall be construed as prohibiting, altering, or in any way limiting the ability of the Commission to seek any other remedies available, including the imposition of civil penalties and other remedies pursuant to Public Resources Code Sections 30821.6, 30822 and 30820 as a result of the lack of compliance with the Consent Order and for the underlying Coastal Act violations as described herein.

**19.0 Successors and Assigns**

This Consent Order shall run with the land binding Respondent and all successors in interest, heirs, assigns, and future owners of the property. Respondents shall provide notice to all

Consent Cease and Desist Order No. CCC-06-CD-15  
Lawson's Landing  
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successors, assigns, and potential purchasers of the property of any remaining obligations under this Consent Order.

**20.0 Governmental Jurisdiction**

This Consent Order shall be interpreted, construed, governed and enforced under and pursuant to the laws of the State of California.

**21.0 Scope of Order**

This agreement is designed to assist in establishing a process for resolving the situation as it currently exists in a timely fashion. It does not provide a final resolution as to the disposition of the development at the site. Except as expressly provided herein, nothing herein shall limit or restrict the exercise of the Commission's enforcement authority pursuant to Chapter 9 of the Coastal Act, including the authority to require and enforce compliance with this Consent Order.

**22.0 Representative Authority**

The signatory below attests that he/she has the authority to represent and bind in this agreement the various owners and entities comprising Lawson's Landing.

**23.0 Integration**

This Consent Order constitutes the entire agreement between the parties and may not be amended, supplemented, or modified except as provided in this Consent Order.

**24.0 Stipulation**

Respondents and their representatives attest that they have reviewed the terms of this Consent Order and understand that their consent is final and stipulate to its issuance by the Commission.

**IT IS SO STIPULATED AND AGREED:**

On behalf of Respondents:

Michael J. Lawson  
Michael J. Lawson, Representative for Respondents

11/30/06  
Date

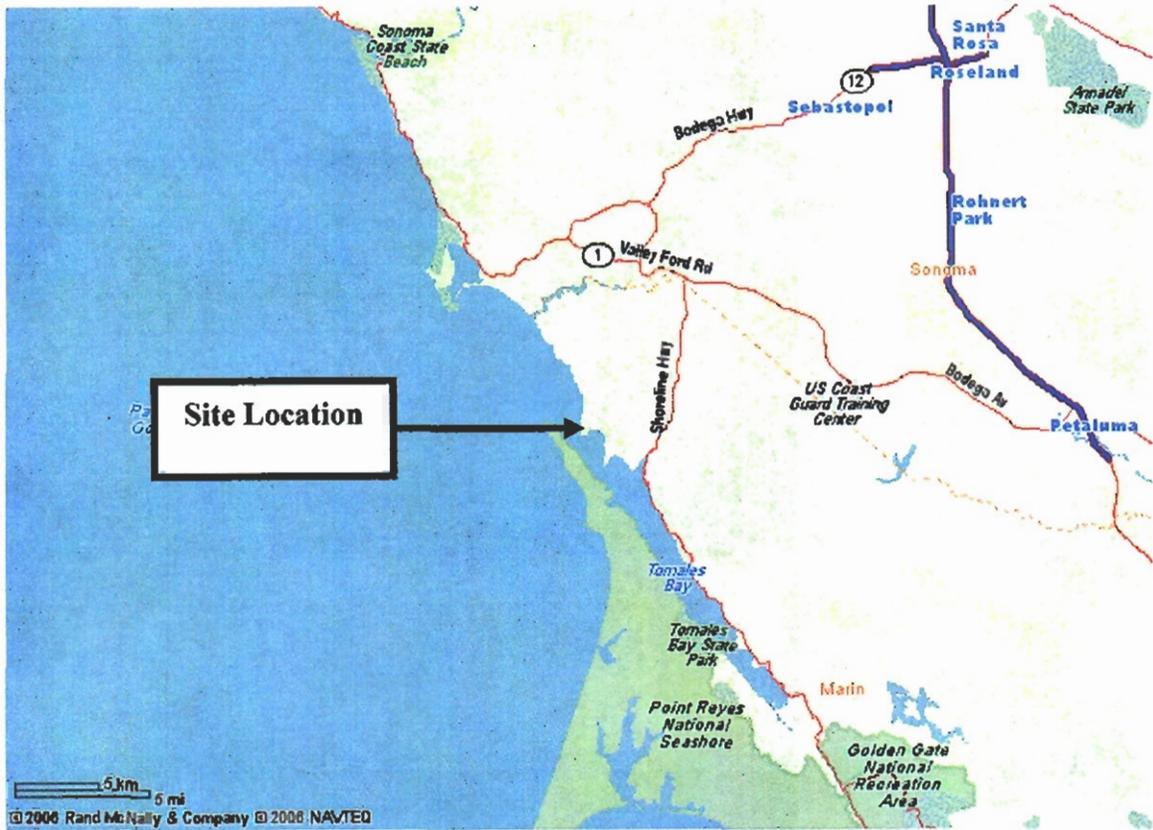
Executed in San Francisco on behalf of the California Coastal Commission:

\_\_\_\_\_  
Peter Douglas, Executive Director

\_\_\_\_\_  
Date

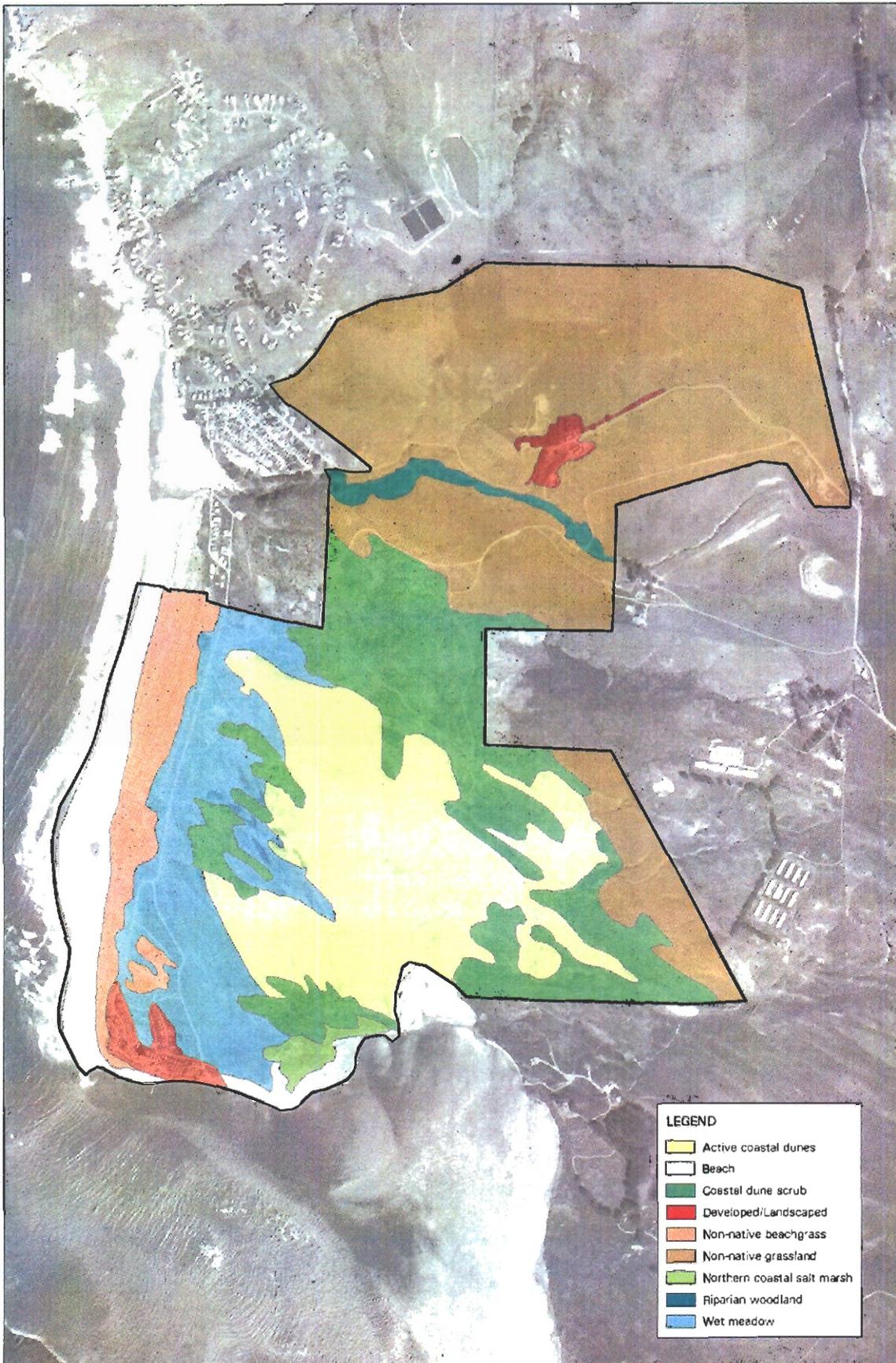
**CCC-06-CD-15**  
**Exhibit List**

<b>Exhibit Number</b>	<b>Description</b>
1.	Site Map and Location.
2.	Habitat Types Map, Exhibit 4.13-1 of DEIR, Marin County, 2005.
3.	Letters to the County from Commission staff dated October 6, 2006, October 23, 2006, and November 28, 2006; letter to Commission from County dated November 30, 2006.
4.	Samples of letters sent from members of the public to the Commission regarding the Lawson's Landing facilities, sent prior to the commencement of this enforcement action.
5.	Letters sent from members of the public to the Commission regarding Lawson's Landing facilities, sent after the commencement of this enforcement action.
6.	Notice of Violation letter sent from Commission staff to Lawson's Landing, dated February 21, 2006.
7.	Letter from Commission staff to Marin County, dated April 12, 2006.
8.	Notice of Violation letter sent from Commission staff to Lawson's Landing, July 12, 2006.
9.	Notice of Intent to Commence Cease and Desist Order and Restoration Order Proceedings and to Record a Notice of Violation of the Coastal Act, issued to Lawson's Landing from the Executive Director on October 13, 2006.
10.	Photographs showing unpermitted development on the property.
11.	Aerial photograph showing main meadow area and associated recreational activities.
12.	Photographs showing dunes and wetlands on the property.
13.	Army Corps of Engineers wetland delineation, Exhibit 4.13-2 of DEIR, Marin County, 2005.



**Exhibit 1: Site Map**

**Exhibit 1  
CCC-06-CD-15  
(Lawson's Landing)**



**LEGEND**

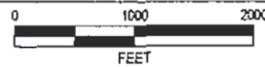
Yellow	Active coastal dunes
White	Beach
Green	Coastal dune scrub
Red	Developed/Landscaped
Orange	Non-native beachgrass
Brown	Non-native grassland
Light Green	Northern coastal salt marsh
Dark Blue	Riparian woodland
Light Blue	Wet meadow

Sources: Pacific Watershed Associates 2000, EDAW 2004

Exhibit 2  
 CCC-06-CD-15  
 (Lawson's Landing)

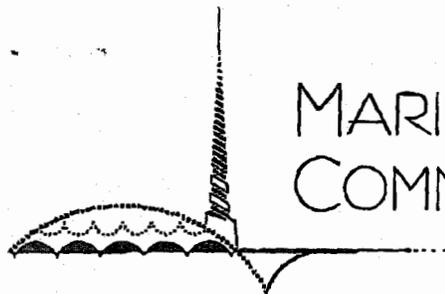
**Habitat Types**

Lawson's Landing Master Plan Draft EIR  
 X:\2112065\01\1004



**EDAW**

EXHIBIT 4.13-1



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

SENT VIA FACSIMILE AND REGULAR MAIL

November 30, 2006

Christine Chestnut  
Headquarters Enforcement Analyst  
45 Fremont, Suite 2000  
San Francisco, CA 94105-2219

RECEIVED  
NOV 30 2006  
CALIFORNIA  
COASTAL COMMISSION

RE: Lawson's Landing

Dear Ms. Chestnut:

Thank you for your letter of November 28, 2006, regarding the Coastal Commission violation at the Lawson's Landing property in Dillon Beach.

The Coastal Act section included under Section 7 of the Consent Order (Coastal Act Section 30810(a)(2)) reflects County staff's understanding of the statutory authority under which the enforcement action against the Lawson's Landing property has been initiated by the Coastal Commission staff. The County's position with respect to resolving compliance issues related to the County's Local Coastal Program and Coastal Act is to rely upon the pending environmental review and permit review processes as a means of deciding at a local level the appropriate location, design and intensity of uses on the property.

We appreciate your efforts in allowing us to review and comment on the draft Consent Order and the pending enforcement action in general. We hope that an agreement can be reached between the Coastal Commission and property owners on a consent order that allows the County to proceed with completing its project review and decision-making processes in a timely manner.

Exhibit 3  
CCC-06-CD-15  
(Lawson's Landing)  
Page 1 of 7

Christine Chestnut  
November 30, 2006  
Page Two

Please contact me if you have questions or would like to discuss this matter.

Sincerely,



Brian C. Crawford  
Assistant Director

cc. Supervisor Steve Kinsey  
Alex Hinds, Agency Director  
Ben Berto, Project Planner  
Tim Haddad, Environmental Coordinator  
David Zaltsman, Deputy County Counsel

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



VIA FACSIMILE AND REGULAR MAIL

Mr. Brian Crawford  
Deputy Director of Planning Services  
Marin County Community Development Agency  
3501 Civic Center Drive #308  
San Rafael, CA 94903-4157

November 28, 2006

Re: Violation No. V-2-04-005 (Lawson's Landing)

Dear Mr. Crawford:

Pursuant to our October 23, 2006 and October 26, 2006 letters to your office, and pursuant to your conversation earlier today with Chris Kern, North Coast District Manager, I have revised the language in the Consent Order for the above-referenced matter to clarify and better reflect the Commission's authority to take enforcement action with respect to the portion of the Lawson's Landing property that is located within Marin County's certified LCP jurisdiction. The following language now appears in provision 7.0 of the Consent Order:

**7.0 Commission Jurisdiction and Authority to Act**

*The Commission issues this Consent Order pursuant to its authority under Coastal Act Section 30810. A portion of the property lies within an unincorporated area of Marin County, which is subject to certified Marin County Local Coastal Program permitting requirements. The remaining portion of the property is located within the Commission's retained permit jurisdiction and is subject to Coastal Act permitting requirements. The Commission has undertaken enforcement action with respect to the portion of the property located within the County's certified LCP jurisdiction pursuant to Coastal Act Section 30810(a)(2), which reads:*

(2) The commission requests and the local government or port governing body...does not take action in a timely manner, regarding an alleged violation which could cause significant damage to coastal resources.

If the revised language provided above does not accurately reflect the County's position with regards to this issue, please contact me at 415-904-5220 on or before November 30, 2006. Thank you for your continued cooperation. Commission staff looks forward to working with County staff to resolve this matter.

Sincerely,



Christine Chestnut  
Headquarters Enforcement Analyst

cc: Lisa Haage, Chief of Enforcement  
Alex Helperin, Staff Counsel  
Charles Lester, Deputy Director

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5260  
FAX (415) 904-5400



October 23, 2006

Brian Crawford  
Marin County Community Development Agency  
3501 Civic Center Drive #308  
San Rafael, CA 94903-4157

**SUBJECT: Coastal Commission Enforcement Role Regarding Lawson's Landing**

Dear Mr. Crawford:

The purpose of this letter is to document our understanding that during our October 6, 2006 meeting with Supervisor Kinsey concerning Lawson's Landing, the County agreed that the Coastal Commission would exercise enforcement authority to address coastal development permitting violations for the entire Lawson's Landing site. As we discussed, the Commission would not assume permitting authority for the portion of the site located in the County's LCP jurisdiction through any enforcement action. Rather, the Commission's enforcement action would serve to establish a process and set deadlines for the resolution of coastal development permitting issues in both the Commission's and the County's permitting jurisdictions. As we discussed, the Commission would only assume permitting authority for development located in the County's LCP jurisdiction through an appeal of the County's final action approving a coastal development permit for such development.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Kern".

Chris Kern  
Coastal Program Manager  
North Central Coast District

## CALIFORNIA COASTAL COMMISSION

FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
TELEPHONE AND TDD (415) 904-5200  
FAX (415) 904-5400



October 6, 2006

Brian Crawford  
Deputy Director of Planning Services  
Marin County Community Development Agency  
3501 Civic Center Drive #308  
San Rafael, CA 94903-4157

RE: Alleged **Coastal Act Violation No. V-2-04-05** (Lawson's Landing), concerning unpermitted development at Lawson's Landing in Dillon Beach, Marin County, including but not limited to a trailer park, a campground, mobile homes, roads, restrooms, water lines and water tanks, sewage lines and leach fields, sheds, garages, parking lots, boatyard, and other structures

Dear Mr. Crawford:

As you know, the Coastal Commission is investigating alleged Coastal Act violations at the Lawson's Landing site, consisting of unpermitted development including but not limited to a trailer park, a campground, mobile homes, roads, restrooms, water lines and water tanks, sewage lines and leach fields, sheds, garages, parking lots, boatyard, and other structures. Some of this development is located in the Coastal Commission's area of original coastal permit jurisdiction, while other development is located in the County's certified permit jurisdiction. After conducting an extensive investigation into the history of development and permit and zoning actions for the site, we have concluded that most, if not all, of the development on the site is unpermitted, and, therefore, constitutes a Coastal Act violation.

The Coastal Commission has deferred to the County in this matter for many years while the County has attempted to resolve these issues through the local planning process. However, in December 2005, the Coastal Commission expressed concern about continuing ongoing impacts to sensitive habitats and pollution of Tomales Bay and the length of time that the outstanding violations have continued unabated at Lawson's Landing, and directed its staff to take a more active role in resolving these issues. As directed, the Commission staff has been working more proactively since December with the owners of Lawson's Landing and the County to bring Lawson's Landing into compliance with the requirements of the Coastal Act and the County's LCP.

BRIAN CRAWFORD

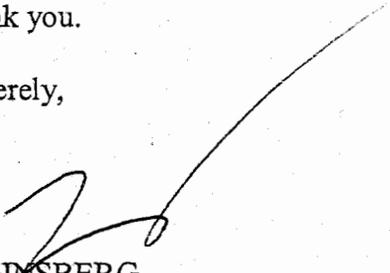
Page No. 2

At this point, in order to prevent further damage to sensitive resources and water quality, Commission staff is initiating formal enforcement action addressing the coastal development permitting violations at the site. As we have discussed, since the County is not also pursuing formal enforcement action in this case, the Commission may choose to exercise its authority under Section 30810 of the Coastal Act to enforce coastal development permitting requirements for all unpermitted development on the site, i.e., in both the area of the site located in the Commission's original permitting jurisdiction and the area located in the County's LCP jurisdiction. This would not supplant the County's authority to review and approve a coastal development permit application for the portion of the development located in its LCP jurisdiction. The County would still process the coastal development permit application for the portion of the unpermitted development that is located in the area of the site governed by its LCP. Rather, the purpose of the Commission's enforcement action would be to establish deadlines for the final resolution of all outstanding coastal development permitting violations on the site in both the County's and the Commission's jurisdictions. Given the substantial amount of time that has past without resolution, we feel that this is a necessary and appropriate measure. We look forward to continuing to work with you and the owners of Lawson's Landing to complete the permitting process and to finally bring Lawson's Landing into compliance with the Coastal Act.

Please contact me if you have any questions concerning the Commission's enforcement process.

Thank you.

Sincerely,



JO GINSBERG  
Enforcement Analyst

cc: Lisa Haage, CCC, Chief of Enforcement  
Christine Chestnut, CCC, Statewide Enforcement Analyst

**RECEIVED**

SEP 06 2006

CALIFORNIA  
COASTAL COMMISSION

Mr. and Mrs. Roger H. Evje  
1502 Valencia Ave.  
Stockton, CA 95209  
209-473-1638  
rhevje@earthlink.net  
kayevje@earthlink.net  
September 4, 2006

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219

re: Closing Lawson's Landing, Dillon Beach, Marin County, California

Dear California Coastal Commission:

It is my understanding that the California Coastal Commission is attempting to close Lawson's Landing at Dillon Beach, Marin County. While there are many good things the Commission does, this is not one of them.

Over the years, Lawsons's Landing has provided public access, camping, fishing and recreational opportunities to the public at large. Closing Lawson's Landing will deny its many users the opportunity to enjoy and understand the coast now and in the future.

As voters and taxpayers, we are opposed to closing Lawson's Landing.

Thank you for your consideration.

SIGNATURE ON FILE

Roger H. Evje

Kay M. Evje

Steve Thompson, Chair  
Marin County Planning Commission  
c/o Coalition to Protect Tomales Dunes  
PO Box 609  
Point Reyes Station, CA  
94956

August 29, 2005

Dear Steve Thompson,

I have lived in West Marin for 35 years. I fish, swim and kayak in Tomales Bay. Most of the bay and its shoreline is relatively wild and natural, that is, until you get to Lawson's campground and dunes. There, the bay turns into an overcrowded circus of folks having a good time. The concentrated over-use is shocking in contrast to its natural beauty.

I would like to see the Lawsons scale back and show some respect for the land that provides them with such a handsome income. I would like to see the county support this a natural beauty and protect it before the Lawsons strangle it with development, if it's not too late.

Sincerely,

SIGNATURE ON FILE

Terry Nordbye  
P.O. 730  
Point Reyes Station, CA 94956

Received at Commission  
Meeting

DEC 15 2005

From: \_\_\_\_\_

# Please act to protect Tomales Dunes before it's too late!

To: Steve Thompson, Chair  
Marin County Planning Commission

Dear Commissioner Thompson,

Tomales Dunes, a complex of mature mobile dunes, central dune scrub, dune prairie, and dune wetlands, is the largest unprotected dune system in central California. It is surrounded by and connected to a rich coastal environment that includes coastal prairie, coastal scrub, salt marsh, tidal flats, bay, and ocean. This extraordinary site supports at least 14 listed species and has the richest collection of seasonal dune wetlands in central California. It is also one of the few dune systems in the state that still has a vital population of native dune grasses and some true mobile dunes—completely unvegetated and constantly shifting.

Tomales Dunes is also the site of the largest RV campground on the California coast. Camping, ranching, and until recently, quarrying, have taken a toll on the dunes. Degraded wetlands and the invasion of the dunes by European beachgrass, an aggressive alien, are just two of the threats facing the dunes. As the commission considers the Lawson's Landing Master Plan, Coastal Permit and Tidelands Permit, we urge you and your fellow commissioners to safeguard this valuable habitat from over-exploitation and ecological degradation.

As naturalist Jules Evens has said, Tomales Dunes is like no other place on earth. Please protect it!

Sincerely,

Name

SIGNATURE ON FILE

Address

7 HECTOR

City

1100470

Zip

94929

Phone

415 3821303

Email

Meg Caldwell, Chair  
California Coastal Commission  
45 Fremont St. Suite 2000  
San Francisco, CA 94105-2219

Nov. 29, 2006

RE: Lawson's Landing/Tomales Dunes  
Cease and Desist Order No. CCC-06-CD-15

Dear Commissioner Caldwell,

Please continue your efforts on behalf of the citizens of California to protect the coastal wetlands and dune system of Tomales Bay in Dillon Beach, CA. when you meet Dec. 14, 2006. This treasured resource is being destroyed by unpermitted development and unregulated use as a campground by the owners of Lawson's Landing. It must be closed immediately, and the derelict boats, "travel trailers" used as full-time residences, sheds, shacks and assorted debris removed from the area. Furthermore, the ongoing (and increasing) influx of hundreds of larger and larger motor homes, equipment trailers, and accessory gear needs to stop. In addition to damage to wetlands these 'campers' do, the owners of Lawson's Landing have allowed devastating attacks on the dunes to a degree that will take years to recover. Their protestations they have been 'good stewards of the land' is hogwash.

The owners of this property have been able to successfully ignore laws and regulations for decades, while reaping the financial benefits of owning such a large and beautiful property. No citizen is entitled to select which laws one chooses to abide by, nor is any regulatory body or law enforcement officer allowed to ignore lawbreakers. Please enforce the Coastal Act Violations No. V-2-04-05, Coastal Act Section 30106 and 30106(a), as well as implementing Coastal Act section 30808, 30810, 30811, 30812, 30803, 30820(a & b), and 30822 as outlined to property owner Nancy Vogler in your letter dated February 21, 2006.

Sincerely,

SIGNATURE ON FILE

Candace McCorkell  
3377 Reliez Highland Rd.  
Lafayette, CA 94549  
925 930-9045

# LAWSON'S LANDING THREATENED WITH CLOSURE

After 49 years of operating as a campground, trailer park, marina and coastal access point, the California Coastal Commission has abruptly concluded that Lawson's Landing does not have the required operating permits and will be ordered to cease all activities.

This decision appears to have been made based upon postcards delivered to a recent meeting of the Commission, by the environmental Action Committee of West Marin and The Sierra clu, Marin Chapter ("EAC"). The Comissions's decision appears to have been based upon these postcards, without taking into consideration the fact that the Lawson family, at great expense, has been working since 1967 with the Marin County Planning Department to obtain the necessary permits in a manner consistent with county, state and the Coastal Commissions's laws.

## As supporters of Lawson's Landing, we must make our voices heard!

We ask that you please fill out the following letter and detach and send it back to Lawson's Landing at the address indicated below. We will collect all of your letters and present them to the Coastal Commission at one of its next meetings. Please feel free to duplicate this letter and pass out copies to your friends and family or download a copy from [www.lawsonslanding.com](http://www.lawsonslanding.com). In addition, your letters, phone calls and e-mail messages to elected officials would help tremendously!

Detach Here

### Re: Lawson's Landing

Gentlemen/Ladies

Access to our California coast is rapidly becoming an endangered species! I enjoy coastal access to pursue trailer or tent camping, beach access, boat launch or other use and I don't want to lose it! Please allow the lawful process already under way to allow Lawson's Landing to continue in the manner prescribed by law son that we and future generations will be able to enjoy this unique coastal area.

Sincerely,

NAME RANDY & CAROL EVANS  
(Please Print)

ADDRESS 2233 MARIAN AVE

CITY CARSON CITY STATE NV ZIP CODE 89706

SIGNATURE ON FILE

Signature

11-24-06

11-24-06

Date

Send to: Lawson's Landing  
P.O. Box 67  
Dillon Beach, CA 94929

Or Fax to : (707) 878-2942

Exhibit 5  
CCC-06-CD-15  
(Lawson's Landing)  
Page 2 of 3

November 6, 2006

Meg Caldwell, Chair  
California Coastal Commission  
45 Fremont St. #2000  
San Francisco, CA 94105-2219

RECEIVED  
NOV 07 2006  
CALIFORNIA  
COASTAL COMMISSION

Dear Ms. Caldwell and Commissioners,

**Request**

Please issue a Cease and Desist Order (CDO) to the Lawson's Landing campground management immediately, to stop the ongoing degradation of the wetlands and environmentally sensitive habitats in the Tomales Dunes (Dunes) area. To date, Lawson's Landing management has never received proper permitting from either Marin County or from the California Coastal Commission (Commission).

**Background**

As someone who spent her early years in Minnesota near Lake Superior and many other lakes, as well as living on the Pacific Ocean coast south of Ica and Nazca in Peru, South America, I played on dunes as a child and admired them as an adult. My family learned about their extreme fragility and need for ongoing protective action. Now living in the Bay Area as I do, I often visit the Point Reyes National Seashore beaches as well as the nearby Dunes. It is shocking to see the extensive recreational vehicle campground at Lawson's Landing on the Dunes and I wonder about oversight for proper waste disposal.

It is the obligation of the Commission to protect the coast by enforcing the California Coastal Act of 1970. At Lawson's Landing, it seems that the degradation of these magnificent dunes is being tolerated in the name of private enterprise. The Commission understandably wants to honor private ownership rights, but that tradition must not allow the flaunting of the Coastal Act. Continual delay by the Commission to stop the environmental degradation of Dunes, in contradiction of its obligation to protect the Dunes, cannot be defended as either wise policy or practice.

Is it not feasible, given that land farther inland from the coast owned by the Lawson family could be used for camping, to issue a Cease and Desist Order to Lawson's Landing so as to stop violating the Coastal Act? This action would stop the ongoing damage to these special Dunes, while allowing the Lawson's legal use of their property inland for income and development.

Thank you for your consideration of my request for an immediate CDO to protect Tomales Dunes.

Sincerely,

SIGNATURE ON FILE

Eileen Whitty  
3722 Stoneglen North  
Richmond, CA 94806

cc: Marin County Board of Supervisors

Exhibit 5  
CCC-06-CD-15  
(Lawson's Landing)  
Page 3 of 3

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400

**SENT BY REGULAR AND CERTIFIED MAIL****No. 7003 1680 0004 0129 5930**

February 21, 2006

Lawson's Landing  
ATTN: Nancy Vogler  
P.O. Box 67  
Dillon Beach, CA 94929-0067

RE: **Alleged Coastal Act Violation No. V-2-04-05** (Lawson's Landing), consisting of unpermitted development at Lawson's Landing in Dillon Beach, Marin County, APN 100-100-48, 100-100-59, 100-100-49

Dear Ms. Vogler:

Thank you for meeting with Coastal Commission staff on February 1, 2006 to discuss the issue of alleged Coastal Act violations on your property. We appreciate the opportunity to discuss this matter with you and explain our views to each other. We found the meeting to be very useful. It is our hope and intent to maintain an open dialogue as we work to resolve the alleged violations. As we indicated at the meeting, we have received a number of complaints about unpermitted development on the subject site, which contains a substantial amount of sensitive habitat, including wetlands and dune habitat. This letter will serve as notice that we are investigating these allegations, and that it appears that there exists on your property various unpermitted developments, including but not limited to a trailer park, a campground, mobile homes, roads, restrooms, water lines and water tanks, sewage lines and leach fields, sheds, garages, parking lots, boatyard, and other structures. We recognize that some of these uses and structures may predate the Coastal Act and therefore may not constitute violations, if it can be demonstrated that all required authorizations (use permits, buildings permits, etc.) had been obtained for such uses and/or structures prior to February 1, 1973, and that no substantial change to this development has taken place. In any case, it is clear that additional development has occurred on the site since February 1973, and this new development requires a CDP.

Please note that Commission staff is aware that you have been operating a recreational facility for many years at Lawson's Landing, and that you provide valuable public recreational opportunities. However, it also appears that much of the physical development at the subject site has been constructed or placed without a coastal development permit ("CDP"). As we discussed at our meeting, aerial photographs also indicate that additional development (particularly road construction) has occurred at the site over the years since the 1970s.

We are aware that you have been working for some time with Marin County to obtain a Use Permit, Master Plan, Coastal Permit, and Tidelands Permit to legalize development at Lawson's Landing. In addition, however, there is a significant amount of unpermitted development located within the retained coastal permit jurisdiction of the Coastal Commission. For your convenience and reference, I have enclosed a Coastal Zone Boundary Determination that delineates the portion of the property that constitutes filled tidelands and therefore is within the Coastal Commission's retained coastal permit jurisdiction under Public Resources Code section 30519. As reiterated at our recent meeting, under the Coastal Act, for development in the Coastal Commission's retained jurisdiction, you must apply to the Coastal Commission for a CDP, and for development in areas covered by the Marin County certified Local Coastal Program ("LCP"), you must apply for a CDP from the County. A CDP approved by the County is subject to appeal to the Coastal Commission.

Please also note that we are aware that in 1992 the State Department of Housing and Community Development ("HCD") issued a Permit to Operate a trailer park with a maximum of 233 spaces and 1,000 campsites at Lawson's Landing. However, in addition to a permit from HCD, under the Coastal Act, coastal development permits are also required for all development located in the coastal zone. As explained above, the Coastal Commission is responsible for issuing coastal development permits for development that is located in the Commission's retained coastal permit jurisdiction and the County is responsible for issuing coastal development permits in the rest of the coastal zone of the County.

1. **Unpermitted Development.**

Pursuant to Coastal Act Section 30106:

*"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act...change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting... (Emphasis added)*

As such, the operation of a trailer park and campground; the construction of roads, a parking lot, boatyard, sewage disposal system, water supply system, sheds, garages, and other structures; grading; and the placement of items such as travel trailers, mobile homes, and restrooms constitutes development under the Coastal Act.

Development that predates the Coastal Act and its precursor, Proposition 20 (California Coastal Conservation Act of 1972), would be exempt if it can be demonstrated that any such development was legally authorized in accordance with all applicable regulations in effect at the time the Commission's permitting requirements went into effect (February 1, 1973), and if no substantial change has been made to the development.

Section 30600(a) of the Act requires that any person wishing to perform or undertake development in the coastal zone must obtain a coastal development permit, in addition to any other permit required by law. Any development activity conducted in the coastal zone without a required coastal development permit constitutes a violation of the Coastal Act. Thus, the development described above that does not have a required CDP constitutes a Coastal Act violation.

2. **Enforcement Remedies.** The Coastal Act contains many potential enforcement remedies to address Coastal Act violations. Coastal Act section 30809 states that if the Executive Director determines that any person has undertaken, or is threatening to undertake, any activity that may require a permit from the Coastal Commission or the County without first securing a permit, the Executive Director may issue an order directing that person to cease and desist. Coastal Act section 30810 states that the Coastal Commission may also issue a cease and desist order for such violations. A cease and desist order may be subject to terms and conditions that are necessary to avoid irreparable injury to the area or to ensure compliance with the Coastal Act and/or LCP. Moreover, Section 30811 authorizes the Commission to order restoration of a site where development occurred without a coastal development permit, is inconsistent with the Coastal Act, and is causing continuing resource damage. Further, Section 30803 of the Coastal Act gives the Commission the ability to maintain an action for declaratory and equitable relief to restrain any Coastal Act violation. Finally, the Executive Director is authorized, after providing notice and the opportunity for a hearing as provided for in Section 30812 of the Coastal Act, to record a Notice of Violation (NOVA) against your property. As noted above, the Coastal Commission is authorized to enforce the permit requirements of the Coastal Act both for unpermitted development in areas where coastal development permits must be obtained from the Commission, as well as in areas where coastal permits must be obtained from the County.

In addition, Section 30820(a) provides for civil liability to be imposed on any person who performs or undertakes development without a coastal development permit in an amount that shall not exceed \$30,000 and shall not be less than \$500 for each instance of development. Section 30820(b) provides that additional civil liability may be imposed on any person who performs or undertakes development without a coastal development permit when the person intentionally and knowingly performs or undertakes such development, in an amount not less

than \$1,000 and not more than \$15,000 per day for each day in which the violation persists. Section 30821.6 provides that a violation of a cease and desist order can result in civil fines of up to \$6,000 for each day in which the violation persists. Section 30822 provides for exemplary damages in cases of knowing and intentional violations of the Coastal Act.

3. **Resolution of Alleged Coastal Act Violation.** To begin the resolution process regarding the alleged Coastal Act violations on your property, you should submit to the Coastal Commission an application to seek after-the-fact authorization for the existing, unpermitted development within the Commission's coastal permit jurisdiction. For your convenience, I am enclosing a CDP application. Your application should include the following:

- a. A request for after-the-fact authorization for all existing, unpermitted development that is located within the Coastal Commission's retained jurisdiction, including but not limited to roads, grading, sewage disposal system, water supply system, restrooms, sheds, garages, boatyard, parking lot, and
- b. A request to operate on your property a trailer park, mobile home park, campground, and associated uses.

Your application should include a complete description of all existing development, including numbers and physical dimensions (height, width, length, when applicable), as well as documenting when all development was constructed or placed on the property. If you have permits for any of the above-mentioned development from the County or any other agency, please so indicate, and provide us with copies of permits or other authorization.

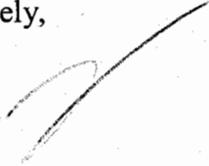
Please submit by May 1, 2006 a CDP application for all unpermitted development within the Coastal Commission's retained coastal permit jurisdiction (blank CDP application form attached). We hope that we can resolve administratively the outstanding Coastal Act violations on your property, and are happy to work with you to this end. Finally, we recognize that your property is being used to provide a valuable recreational benefit and opportunity to the public. It is our hope that the specific planning process at the County level can serve to address overall use and conservation issues on the property and would certainly be taken into consideration by us as we deal with the coastal permitting requirements under the Coastal Act. The resolution of violations could also be advanced by a timely conclusion to the specific planning process. We obviously wish to see a continuation of public recreational opportunities at Lawson's Landing, provided they address coastal resource protection policies of the Coastal Act and the County's LCP (e.g., the kind and intensity of what uses in what locations and under what conditions).

If you have any questions about the alleged Coastal Act violations, you may contact me at (415) 904-5269. Questions concerning requirements for completing the CDP application should be addressed to Al Wanger, Deputy Director, at (415) 5265, or Chris Kern, District Manager, at (415) 904-5266.

NANCY VOGLER  
LAWSON'S LANDING  
Page No. 5

Thank you for your cooperation.

Sincerely,



JO GINSBERG  
Enforcement Analyst

Enclosure: CDP application  
Coastal Zone Boundary Determination

cc: Edward Grutzmacher  
Gary Giacomini  
Chris Kern, CCC, N. Central Coast District Manager  
Al Wanger, CCC, Deputy Director  
Peter Douglas, CCC, Executive Director  
Brian Crawford, Marin County, Deputy Director  
Debbi Poiani, Marin County Code Enforcement

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5260  
FAX (415) 904-5400



April 12, 2006

Brian Crawford  
Deputy Director of Planning Services  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, California 94903-4157

**SUBJECT: Lawson's Landing  
Wetland Delineation and Sensitive Habitat Survey**

Dear Mr. Crawford:

This letter is a follow-up to our March 2, 2006 meeting regarding Lawson's Landing. We appreciate your efforts to coordinate with Commission staff to ensure that the requirements of the Coastal Act and the County's LCP are addressed in any future County actions concerning Lawson's Landing. As you know, we have directed the property owners to apply to the Commission for a coastal development permit addressing Coastal Act violations at Lawson's Landing. However, we have also agreed to temporarily suspend formal enforcement action pending timely completion of the County's environmental review and local permitting processes. While it is our strong preference to continue working with the County to complete the local permitting process before bringing this matter to the Coastal Commission, we are concerned that unpermitted development at the site is causing ongoing damage to sensitive coastal resources and water quality, and it is important that these issues are resolved in a reasonable timeframe.

To meet the requirements of the Coastal Act and the LCP, both the County and the Commission are required to identify and evaluate project alternatives that would allow for continued public recreational use at Lawson's Landing while protecting wetlands and other sensitive habitat areas and water quality. While the Lawson's Landing DEIR provides much of the information needed for this alternatives analysis, additional sensitive habitat surveys and a delineation of Coastal Act/LCP wetlands are required to further identify site constraints necessary to evaluate project options for the existing and proposed uses on the site. As we discussed in our meeting, the Commission will require this information for review of any permit applications or appeals to authorize development on the site, whether in the Commission's original permit jurisdiction area or the County's LCP permit jurisdiction.

While preserving the Commission's authority to obtain the biological resources information to meet our requirements through other means as necessary, we agreed to consider studies prepared by the County if completed in a timely manner and in accordance with methodologies acceptable to the Commission's ecologist. Accordingly, we agreed not to initiate any formal enforcement proceeding concerning Lawson's Landing at this time based on the understanding that the County will provide the required wetland delineation and sensitive habitat surveys within 90 days of the date of this letter. To the extent that the applicant's consultants have already

Exhibit 7  
CCC-06-CD-15  
(Lawson's Landing)  
Page 1 of 2

Mr. Brian Crawford  
April 12, 2006  
Page 2

completed or substantially completed the above studies, the County will require peer review by the County's EIR consultants prior to completing the Final EIR. We also agreed to schedule a site visit with the County's consultant and the Commission's ecologist to determine the scope and methodologies for these studies. Please call me at (415) 904-5260 to schedule the site visit at your earliest convenience.

Sincerely,



Chris Kern  
North Central Coast District

cc: Alex Hinds  
Tim Haddad  
Ben Berto  
Nancy Vogler

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



July 12, 2006

Lawson's Landing  
ATTN: Nancy Vogler  
P.O. Box 67  
Dillon Beach, CA 94929-0067

RE: **Alleged Coastal Act Violation No. V-2-04-05** (Lawson's Landing), consisting of unpermitted development at Lawson's Landing in Dillon Beach, Marin County, APN 100-100-48, 100-100-49, 100-100-59

Dear Ms. Vogler:

As you know, the Commission's Enforcement staff is still investigating allegations of unpermitted development at Lawson's Landing, including but not limited to a trailer park, a campground, mobile homes, roads, restrooms, water lines and water tanks, sewage lines and leach fields, sheds, garages, parking lots, boatyard, and other structures. We recognize that some of these uses and structures may predate the Coastal Act and therefore may not constitute violations, if it can be demonstrated that all required authorizations (use permits, buildings permits, etc.) had been obtained for such uses and/or structures prior to February 1, 1973, and that no substantial change to this development has taken place. In any case, it is clear that additional development has occurred on the site since February 1973, and this new development requires a CDP. As we noted in our previous correspondence of February 21, 2006, Commission staff is well aware that you have been operating a popular recreational facility for many years at Lawson's Landing, and that you provide valuable public recreational opportunities. However, it appears that much of the physical development at the site has been constructed or placed without a coastal development permit ("CDP"), and that new unpermitted development has occurred since the 1970's.

One of our primary concerns is that at least some of the unpermitted development appears to be located in or in close proximity to sensitive habitat such as wetlands and dunes, which is not allowable under the Coastal Act or the County's certified Local Coastal Program ("LCP"). Thus, it is imperative that a complete wetlands delineation be undertaken to determine the exact location and extent of wetlands on the site.

Commission enforcement staff has agreed to suspend temporarily taking any further enforcement action while coastal permits are being sought from the County and from the Coastal Commission for unpermitted development, and so long as progress is being made toward resolution of the alleged Coastal Act violations on the site. As part of the permit process, a thorough wetlands delineation will be completed. Pursuant to various meetings and discussions between you, County staff, and Commission staff, the following timetable has been established:

- By the week of July 31st, the Lawson's biologists will finish the field mapping
- By Monday, August 7th, maps will be prepared for Terry Huffman
- By Monday August 14th, Terry Huffman will complete the maps
- By the end of August the report (including peer review) will be completed and submitted to the Commission, County, and other parties

As discussed in our letter of February 21, 2006, to begin the process of resolving the alleged Coastal Act violations on your property, you should submit to the Coastal Commission an application to seek after-the-fact authorization for the existing, unpermitted development within the Commission's coastal permit jurisdiction. Your application should include the following:

- a. A request for after-the-fact authorization for all existing, unpermitted development that is located within the Coastal Commission's retained jurisdiction, including but not limited to roads, grading, sewage disposal system, water supply system, restrooms, sheds, garages, boatyard, parking lot, and
- b. A request to operate on your property a trailer park, mobile home park, campground, and associated uses.

Your application should include a complete description of all existing development, including numbers and physical dimensions (height, width, length, when applicable), as well as documenting when all development was constructed or placed on the property. If you have permits for any of the above-mentioned development from the County or any other agency, please so indicate, and provide us with copies of permits or other authorization.

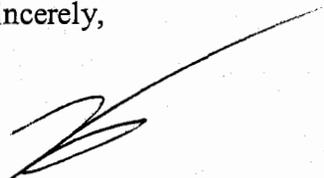
Please submit by September 1, 2006 a CDP application for all unpermitted development within the Coastal Commission's retained coastal permit jurisdiction (blank CDP application form attached).

If you have any questions about the alleged Coastal Act violations, you may contact me at (415) 904-5269. Questions concerning requirements for completing the CDP application should be addressed to Ruby Pap, Coastal Planner, or Chris Kern, District Manager, at (415) 904-5260.

NANCY VOGLER  
LAWSON'S LANDING  
Page No. 3

Thank you for your cooperation.

Sincerely,



JO GINSBERG  
Enforcement Analyst

Enclosure: CDP application

cc: Gary Giacomini  
Leah Goldberg  
Chris Kern, CCC, N. Central Coast District Manager  
Al Wanger, CCC, Deputy Director  
Ruby Pap, CCC, Coastal Planner  
Peter Douglas, CCC, Executive Director  
Brian Crawford, Marin County, Deputy Director  
Debbi Poiani, Marin County Code Enforcement

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



**VIA CERTIFIED AND REGULAR MAIL**  
**(Article No. 7002 2030 0002 6358 2628)**

October 13, 2006

Lawson's Landing  
ATTN: Nancy Vogler  
P.O. Box 67  
Dillon Beach, CA 94929-0067

**Subject: Notification of Intent to Commence Cease and Desist Order  
and Restoration Order Proceedings and to Record a Notice of  
Violation of the Coastal Act**

**Violation No.:** V-2-04-005

**Property Location:** Lawson's Landing, located at 137 Marine View Drive,  
immediately south of Dillon Beach in Marin County (including  
APNs 100-100-07, 100-100-08, 100-100-21, 100-100-22, 100-100-  
48, 100-100-49, 100-100-59, 100-201-01, 100-202-01, 100-202-  
02, 100-203-02, 100-100-203-03, 100-204-01, 100-204-02, 100-  
205-03, 100-206-01, 100-206-02, 100-207-02, 100-207-03, 100-  
208-01, 100-208-02, 100-211-01, 100-211-02, 100-212-01, 100-  
212-02, 100-213-01, 100-213-02, 100-214-01, 100-214-02, 100-  
215-01, 100-215-02, 100-216-01, 100-216-02, 100-217-01, 100-  
217-02, 100-218-01, 100-218-02, 100-230-03, 100-240-03, 100-  
240-04, 100-240-05, 100-220-06)

**Violation Description:** Unpermitted development at Lawson's Landing, including but  
not limited to unpermitted grading, unpermitted fill of wetlands,  
and the unpermitted construction of a trailer park, a campground,  
mobile homes, roads, restrooms, water lines and water tanks,  
sewage lines and leach fields, sheds, garages, parking lots,  
boatyard, and other items of development

Dear Ms. Vogler:

Exhibit 9  
CCC-06-CD-15  
(Lawson's Landing)  
Page 1 of 10

The purpose of this letter is to notify you of my intent, as the Executive Director of the California Coastal Commission ("Commission"), to commence proceedings for the issuance of cease and desist and restoration orders, directing you to: 1) cease from performing any further development activity on property referred to as Lawson's Landing (APNs 100-100-07, et al.), located immediately south of the community of Dillon Beach, in Marin County, (hereinafter referred to as "the property,") without first obtaining a Coastal Development Permit (CDP) or other Coastal Act approval<sup>1</sup>; and 2) cease from maintaining any existing unpermitted development on the property, by first submitting complete CDP applications to Commission staff and Marin County by the date specified in the Orders, either to authorize removal of the development or to authorize its existence after-the-fact, and then by implementing any steps authorized or required by the permits obtained. Once submitted and deemed complete, the CDP applications may not be withdrawn, but must be considered by the Commission and the County in a timely fashion according to applicable permitting requirements. If you choose not to submit complete CDP applications by the specified deadline, or you submit an application but subsequently withdraw it prior to Commission or County action and without the Executive Director's approval, the Orders will direct you to: 1) remove all unpermitted development from the property; and 2) restore all impacted areas on the property. If you choose not to include items of the cited unpermitted development in your applications, or if your request for after-the-fact authorization and retention of items of the cited unpermitted development are denied as part of a Commission or County action on your CDP application, the Orders will direct you to: 1) remove all excluded or denied unpermitted development, and 2) restore all impacted areas. In addition, the Commission also seeks to record a Notice of Violation against the property in this matter to protect any prospective purchasers until the Coastal Act violations on the property have been resolved.

The unpermitted development activities at issue in this matter were undertaken on the Lawson's Landing property, which is collectively owned by a variety of seemingly related entities. Commission staff has been informed that Nancy Vogler serves as the contact in this matter. If this is not the case or if you have received this notice in error because you do not own a parcel on the Lawson's Landing property, please contact Christine Chestnut, at the Commission's San Francisco office, at 415-904-5220 immediately to clarify or correct our understanding and/or to identify the appropriate contact. Activities including, but not limited to, grading, fill of wetlands, and the construction or placement of a 233-space trailer park, a 1,000-site campground, seven mobile homes, three homes, roads, five restrooms, water lines and water tanks, sewage lines and leach fields, sheds, two garages, parking lots, a boatyard, and other items of development have taken place on the property. These activities constitute development under the Coastal Act and the Marin County Local Coastal Program (LCP), which was certified by the Commission on April 1, 1981, and were undertaken without a CDP in violation of those bodies of law.

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<sup>1</sup> The Coastal Act is codified in sections 30,000 to 30,900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

The grading, fill and construction or placement of the unpermitted development constitute "development" as defined by Section 30106 of the Coastal Act and require a CDP pursuant to Coastal Act Section 30600.<sup>2</sup> No CDP has been obtained to authorize the development.

A portion of the property is located on historic tidelands and public trust lands, and is therefore within the Coastal Commission's area of original jurisdiction. Development on this portion of the property requires a Commission-issued CDP. Although, according to the LCP, the remaining portion of the property is within Marin County's jurisdiction, Marin County has declined to take enforcement action to resolve the Coastal Act and LCP violations on the property. Thus, the Commission has the authority under Coastal Act Section 30810(a)(2) to conduct these enforcement proceedings and, ultimately, to issue orders that address the entire property.

The property contains beach, dune, and wetland areas, which are rare, easily degraded by human activity, and provide habitat for rare and especially valuable plants and animals, including the American peregrine falcon, California brown pelican, western snowy plover, woolly headed spinyflower, and California red-legged frog. Consequently, these areas are considered environmentally sensitive habitat area (ESHA) as defined in Coastal Act Section 30107.5.<sup>3</sup> The construction or placement of development in and adjacent to dune and/or wetland areas significantly disrupts or degrades the habitat value of the ESHA, which is inconsistent with Coastal Act Section 30240. Unpermitted development in wetland areas also has significant negative impacts on the biological productivity of the wetlands, inconsistent with Section 30231, and wastewater and polluted runoff, including runoff from the increased impervious surfaces that result from development, can impact biological productivity of wetlands and coastal waters, which is inconsistent with Sections 30231 and 30230.<sup>4</sup> In addition, the unpermitted development has resulted in the fill of wetlands, in violation of Coastal Act Section 30233.<sup>5</sup> Moreover, members of the public, including those who are not visiting or camping at the Lawson's Landing property, can access and enjoy the beach seaward of the property. Beachgoers' views are impacted by unpermitted development sited on top of dunes on the property. This development has altered the dunes in a way that is not visually compatible with the character of the surrounding coastal environment, inconsistent with Section 30251.<sup>6</sup>

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<sup>2</sup> The activities are also considered "projects" under Policy 22.56.0301C of the LCP Implementation Plan, and therefore require a CDP pursuant to Policy 22.56.040I of the Implementation Plan.

<sup>3</sup> LCP Unit II, Ch.2, Natural Resources Section, Policies 5a and 5b address environmentally sensitive habitat areas.

<sup>4</sup> LCP Unit II, Ch. 2, Natural Resources Section, Policies 4a and 4d address wetlands. LCP Unit II, Ch. 4, New Development/Land Use Section, Policy 6a and 6f address water quality impacts resulting from development.

<sup>5</sup> Section 30233 allows fill of wetlands in only seven specific circumstances, and only if 1) no feasible less environmentally damaging alternatives exist, and 2) feasible mitigation measures have been provided to minimize adverse environmental effects. The unpermitted fill of wetlands at issue in this matter does not meet the Section 30233 criteria for allowable fill.

<sup>6</sup> LCP Unit II, Ch. 4, New Development/Land Use Section, Policy 3a addresses visual impacts.

### Violation History

The property has been utilized for recreational activities without the required authorizations since the 1940s. In 1962, the California Department of Housing and Community Development (HCD) advised the property owners that the trailer park on the property was in violation of state laws and that permits were necessary. HCD continued its efforts to obtain permit applications for the development from the property owners until December 1965, when regulatory authority with regards to the trailer use on the property was transferred to Marin County. HCD did not receive any applications for authorization of this development under state laws and permitting requirements.

Marin County first notified the property owners of numerous land use, zoning, and permitting violations related to the trailer park in 1966. Since that time, recreational use of the property has increased and new development including construction of roads and expansion of camping areas has occurred in dune and wetland areas without permits from Marin County or from the Commission.

In 1982, approximately 180 acres of Sand Point, including the entire area of operation for the Lawson's Landing property, was rezoned from agricultural designations to C-RCR (Coastal, Resort and Commercial Recreation District), which remains the zoning for the property. Under this zoning designation, approval of a Master Plan and CDP is necessary for all recreational uses. Marin County has since initiated several attempts to address the unpermitted development at Lawson's Landing through the approval of a Master Plan and related permits for the property. Throughout the 1990s, you submitted various incomplete Master Plan/CDP applications, until finally, on May 27, 1998, one of your applications was deemed complete. Upon completion of the application, an initial environmental study was conducted by a consulting firm hired by the County, and the study was submitted to Marin County in April 1999. A revised study was circulated in April 2000. On September 12, 2005, the Planning Commission held a public hearing on a draft environmental impact report for the Lawson's Landing Master Plan ("Draft EIR"). As of the date of this notice, however, a final EIR has not been certified.

The Draft EIR does not address the impacts of the unpermitted development on the property. Instead, the Draft EIR treats the cited unpermitted development as "baseline", the persistence of which simply maintains the "*status quo*". This "baseline" is not appropriate for Coastal Act and LCP purposes. Furthermore, the Draft EIR cannot legally exempt you from complying with the Coastal Act and the LCP. A CDP has not been issued for any of the development on the property. We again note that a portion of the unpermitted development at the property falls within the Commission's original jurisdiction, and even if Marin County had addressed the violations in the portion of the property which falls within its LCP certified area, it would not address or obviate the need for a CDP for the portion in the Commission's jurisdiction. Under the clear provisions of the Coastal Act, this development requires a permit from the Commission, and none has been applied for nor obtained. The development on the property remains unpermitted and is causing continuing resource damage.

### **Commission Enforcement Action**

For many years, concerned members of the public have expressed their concerns about resource impacts resulting from the development on the property to Commission staff. In response to these concerns, the Commission staff initiated a comprehensive investigation of potential Coastal Act violations on the property, and based on that investigation, determined that no approval of any kind had been obtained authorizing the existing development on the property. Commission staff then spoke with Marin County staff on several occasions to determine the status of the ongoing Lawson's Landing EIR, Master Plan, Coastal Permit and Tidelands Permit process. In July 2005, Marin County circulated a Draft EIR for public review. Shortly thereafter, in September 2005, Commission staff wrote a letter to Marin County, providing comments on the Draft EIR, noting that the Coastal Act promotes development of public recreational and low cost visitor serving facilities such as the proposed project, but that the Coastal Act also requires that such development protect wetlands and other environmentally sensitive habitat areas, and conform to all other applicable requirements of the Coastal Act and the LCP. As stated above, the Draft EIR does not address the unpermitted development on the property, but rather treats it as the baseline condition of the property, to be used in the evaluation of proposed expansion of the Lawson's Landing operation. Regardless of how the Draft EIR treats the unpermitted development, the development on the property lacks a CDP and therefore violates the Coastal Act and LCP.

At the Commission meeting in December 2005, in response to continuing public comment concerning impacts to sensitive resources on the property and surrounding areas, and to the length of time that the outstanding violations have continued unabated at Lawson's Landing, the Executive Director informed the Commission that Commission staff would take a more active role in resolving these issues. In February 2006, Commission staff met with you and with your representatives to discuss the need to resolve the Coastal Act violations on the property. At that time, you requested that Commission staff wait for the Marin County Master Plan/permitting process to be completed before requiring you to seek a CDP for the unpermitted development in the Commission's retained jurisdiction. Commission staff informed you that a Commission-issued CDP was necessary at least for the portion of the property that is located within the Commission's original jurisdiction. On February 21, 2006, after our meeting Commission enforcement staff sent a Notice of Violation letter to you, formally notifying you that Coastal Act violations exist on the property, setting forth potential enforcement remedies including cease and desist and restoration orders and recordation of a notice of violation on the property, and providing a May 1, 2006 deadline for submittal of a complete CDP application.

On March 2, 2006, Commission staff met with County staff, to coordinate resolution efforts, and decided that additional biological resources documents delineating wetlands and identifying ESHA would be necessary in order to have the information necessary to recommend after-the-fact approval of any of the development through a CDP. Marin County agreed to speak with you about options for preparation of these additional materials. In a letter to Marin County dated April 12, 2006, Commission staff agreed to temporarily suspend formal enforcement action, pending the timely submittal of the additional biological information and completion of Marin

County's environmental review and local permitting process. Subsequently, a deadline of July 12, 2006 was established for you to submit the additional materials.

During a June 29, 2006 meeting with you, representatives of Marin County, your biologist, and the Commission's staff biologist, we agreed to extend the July 12, 2006 deadline to August 31, 2006. On August 29, 2006, Commission staff received a letter from Sarah Lynch, your biologist, stating that you would not be able to submit the biological information before September 15, 2006. On September 15, 2006, Commission staff received a letter from Terry Huffman, one of your biological consultants, again changing the date by which you planned on submitting the information, this time to September 22, 2006. You did not request these additional extensions from Commission staff, nor did you receive approval for them from Commission staff. The final deadline authorized by Commission staff was August 31, 2006. You failed to submit the requested information by the deadline and, to date, we still have not received the information from you.

During a June 7, 2006 meeting with you, Commission staff again indicated its desire to receive a CDP application as soon as possible and stated that if a CDP application was not submitted in a timely manner, formal enforcement proceedings would be initiated. Subsequently, on July 12, 2006, Commission enforcement staff sent you a second Notice of Violation letter, reiterating the Commission's concerns about the location of unpermitted development in or in close proximity to sensitive wetland and dune habitat and establishing a September 1, 2006 deadline for submittal of a complete CDP application for all unpermitted development within the Coastal Commission's coastal permit jurisdiction. In your August 2, 2006 letter to Commission staff, you asserted that we had agreed to accept an application from you by October 31, 2006. This assertion was incorrect. You failed to submit a complete application by the authorized September 1, 2006 deadline and, to date, we have not received a CDP application from you.

In addition to your failure to submit a CDP application for the unpermitted development located within the Commission's permit jurisdiction, you also do not have any Coastal Act authorization for the portion of the unpermitted development located within the County's permit jurisdiction. The Marin County Master Plan process, upon which you have apparently relied to address the cited unpermitted development that lies within the County's jurisdiction, remains incomplete after over twenty years. Marin County has not issued a CDP for the existing development, and the Draft EIR prepared for the Lawson's Landing Master Plan indicates that Marin County does not plan to address consistency of the unpermitted development with the LCP and Coastal Act. Furthermore, the unpermitted development on the property that is located in or immediately adjacent to sensitive wetland and dune habitat is causing ongoing, significant negative resource impacts. Consequently, Commission staff is initiating formal enforcement action with regards to the entire property, including the portion of the property within the County's jurisdiction, to finally resolve the violations and to prevent further impacts.<sup>7</sup>

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<sup>7</sup> Unlike the Commission's permit jurisdiction, the Commission's enforcement jurisdiction encompasses the entire Coastal Zone. In addition to enforcement within the Commission's original jurisdiction, pursuant to Coastal Act Section 30810(a), the Commission can issue a cease and desist order to enforce any requirement of a certified LCP or any Coastal Act requirements that are subject to the jurisdiction of

### Notice of Violation

The Commission's authority to record a Notice of Violation is set forth in Coastal Act Section 30812 of the Coastal Act, which states the following:

*Whenever the executive director of the Commission has determined, based on substantial evidence, that real property has been developed in violation of this division, the executive director may cause a notification of intention to record a notice of violation to be mailed by regular and certified mail to the owner of the real property at issue, describing the real property, identifying the nature of the violation, naming the owners thereof, and stating that if the owner objects to the filing of a notice of violation, an opportunity will be given to the owner to present evidence on the issue of whether a violation has occurred.*

I am issuing this Notice of Intent to record a Notice of Violation because, as discussed above, unpermitted development activities have been undertaken on the property, in violation of the Coastal Act. Commission staff notified you of the potential for recordation of a Notice of Violation in this matter in letters dated February 21, 2006 and July 12, 2006. **If you object to the recordation of a Notice of Violation in this matter and wish to present evidence on the issue of whether a violation has occurred, you must submit a specific written objection by November 2, 2006, to Christine Chestnut at the Commission's San Francisco office, using the address provided on the letterhead.** If you fail to object within the twenty-day period, as set forth in the Commission's regulations, I shall record a Notice of Violation in the Marin County Recorder's office pursuant to Section 30812(b) of the Coastal Act.

### Cease and Desist Order

The Commission's authority to issue Cease and Desist Orders is set forth in Section 30810(a) of the Coastal Act, which states the following:

*(a) If the commission, after public hearing, determines that any person or governmental agency has undertaken, or is threatening to undertake, any activity that (1) requires a permit from the commission without securing the permit . . . , the commission may issue an order directing that person or governmental agency to cease and desist. The order may also be issued to enforce any requirements of a certified local coastal program ... or any requirements of [the Coastal Act] which are subject to the jurisdiction of the certified program under [circumstances that are satisfied here, as described on page 3]*

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the certified LCP if the local government requests the Commission's assistance, fails to act, or is a party to the violation. See also Cal. Pub. Res. Code § 30811 (regarding the Commission's broad restoration order authority).

The unpermitted development at issue in this matter clearly constitutes "development" as defined in Section 30106 of the Coastal Act, and therefore, requires a CDP under Section 30600 of the Coastal Act. No CDP authorizing any item of the cited development has been issued. Therefore, I am issuing this notice of intent to commence Cease and Desist Order proceedings under Coastal Act Section 30810. Based on Coastal Act Section 30810(b), any Cease and Desist Order issued in this matter may be subject to such terms and conditions as the Commission may determine are necessary to ensure compliance with the Coastal Act, including immediate removal of any development or material or the setting of a schedule within which steps shall be taken to obtain a [Coastal Act] permit . . . ."

### **Restoration Order**

Coastal Act Section 30811 authorizes the Commission to order restoration of a property as follows:

*In addition to any other authority to order restoration, the commission...may, after a public hearing, order restoration of a site if it finds that the development has occurred without a coastal development permit from the commission...the development is inconsistent with this division, and the development is causing continuing resource damage.*

I believe that the specified activities meet the criteria of Section 30811 of the Coastal Act, based on the following:

- 1) The cited development requires a CDP pursuant to Section 30600(a) of the Coastal Act and has occurred on the property without a CDP.
- 2) The unpermitted development is inconsistent with the resource protection policies of the Coastal Act, including, but not limited to:
  - Section 30230 (protection of marine resources);
  - Section 30231 (maintenance of biological diversity);
  - Section 30233 (filling of wetlands);
  - Section 30240 (protection of environmentally sensitive habitat areas);
  - Section 30251 (protection of scenic and visual qualities).

The unpermitted development on the property is adversely impacting rare, valuable, and sensitive coastal dunes and wetlands and the ecosystems that these areas support.

- 3) The unpermitted development is causing continuing resource damage, as defined by Section 13190 of the Commission's regulations.<sup>8</sup> The unpermitted development has impacted the resources listed in the previous paragraph (item number two). Such impacts

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<sup>8</sup> Commission regulations are in Title 14, Division 5.5 of the California Code of Regulations.

meet the definition of damage provided in Section 13190(b) of the Commission's regulations: "any degradation or other reduction in quality, abundance, or other quantitative or qualitative characteristic of the resource as compared to the condition the resource was in before it was disturbed by unpermitted development." All of the impacts from the cited unpermitted development continue to occur at the property; therefore, the damage that the unpermitted development is causing to resources protected by the Coastal Act is continuing.

For the reasons stated above, I have decided to commence a Restoration Order proceeding before the Commission. The procedures for the issuance of Restoration Orders are described in Sections 13190 through 13197 of the Commission's regulations. Section 13196(e) of the Commission's regulations states the following:

*Any term or condition that the commission may impose which requires removal of any development or material shall be for the purpose of restoring the property affected by the violation to the condition it was in before the violation occurred.*

Accordingly, any Restoration Order that the Commission may issue in this matter will have as its purpose the restoration of the property to the conditions that existed prior to the occurrence of the unpermitted development.

In accordance with Sections 13181(a) and 13191(a) of the Commission's regulations, you have the opportunity to respond to the Commission staff's allegations as set forth in this notice of intent for both the cease and desist order and the restoration order by completing the enclosed Statement of Defense form. **The Statement of Defense form must be returned to Christine Chestnut in the Commission's San Francisco office, using the address provided on the letterhead, no later than November 2, 2006.**

Please be advised that Coastal Act Sections 30803 and 30805 authorize the Coastal Commission to initiate litigation to seek injunctive relief and an award of civil penalties in response to any violation of the Coastal Act. Coastal Act Section 30820(a) provides that any person who violates any provision of the Coastal Act may be subject to a penalty not to exceed \$30,000 per violation. Further, Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs any development in violation of the Coastal Act can be subject to a civil penalty of up to \$15,000 for each day in which each violation persists. Additional penalties of up to \$6,000 per day per violation can be imposed if a cease and desist or restoration order is violated. Section 30822 further provides that exemplary damages may also be imposed for knowing and intentional violations of the Coastal Act or of any orders issued pursuant to the Coastal Act.

Commission staff has tentatively scheduled the hearing for the proposed Cease and Desist and Restoration Orders (and for the proposed Notice of Violation, should you specifically request **in writing** a hearing on this issue) during the December 13-15, 2006 Commission meeting in San

Violation No. V-2-04-005

October 13, 2006

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Francisco. Please contact Christine Chestnut at (415) 904-5220 or send correspondence to her attention if you have any questions.

Sincerely,

*L. Haage for  
(c.c)*

Peter Douglas  
Executive Director

Enc. Statement of Defense Form for Cease and Desist Order and Restoration Order

cc w/o Enc.: Lisa Haage, Chief of Enforcement  
Alex Helperin, Staff Counsel  
Nancy Cave, Northern California Enforcement Program Supervisor  
Charles Lester, Deputy Director  
Jo Ginsberg, Enforcement Analyst  
Chris Kern, District Manager  
Christine Chestnut, Statewide Enforcement Analyst

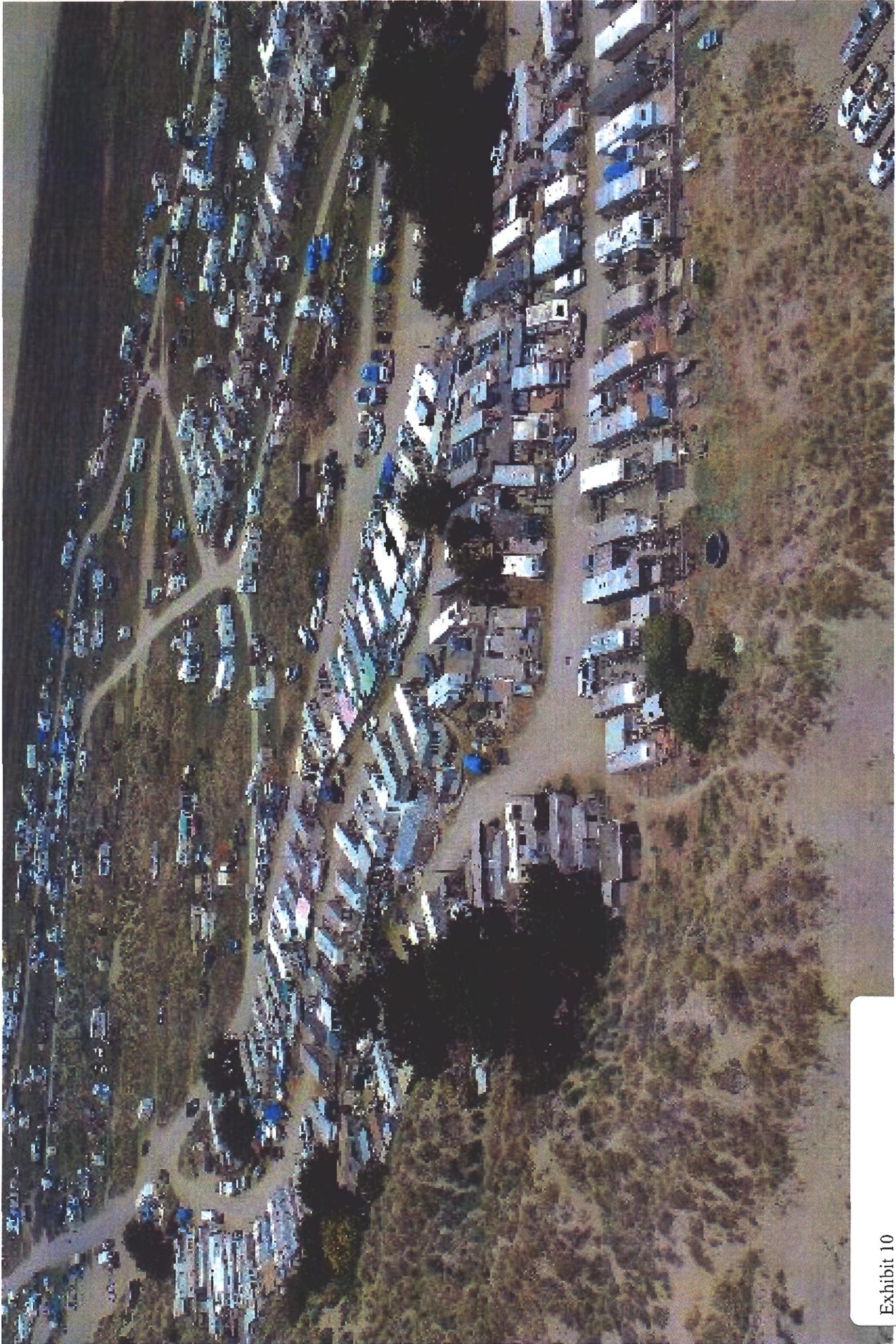


Exhibit 10  
CCC-06-CD-15  
(Lawson's Landing)  
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Exhibit 10  
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(Lawson's Landing)  
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Exhibit 10  
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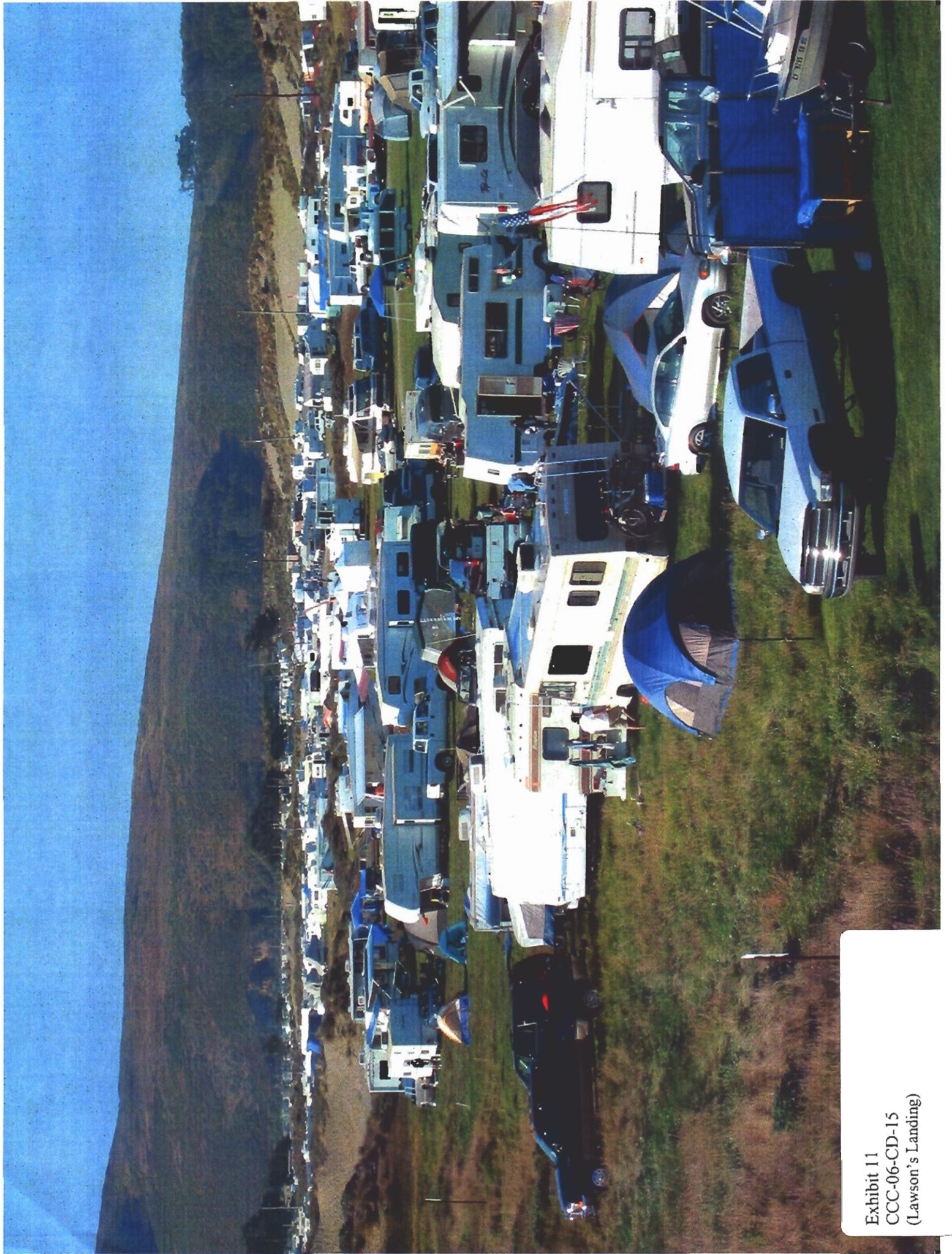


Exhibit 11  
CCC-06-CD-15  
(Lawson's Landing)



Exhibit 12  
CCC-06-CD-15  
(Lawson's Landing)  
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Exhibit 12  
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(Lawson's Landing)  
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**LEGEND**

- Wetland Delineation Survey Boundary
- Wetlands**
  - ▨ Seasonal
  - ▨ Tidal
- Other Waters of the United States

Sources: Wesco 1992 Image taken in 2000 Wetlands were delineated using Section 404 criteria. Other areas may qualify as wetlands under the California Coastal Act definition.

Exhibit 13  
 CCC-06-CD-15  
 (Lawson's Landing)

**Wetland Delineation Map**

EXHIBIT 4.13-2

Lawson's Landing Master Plan Draft EIR  
 X 02110069.01 12/04

