

CALIFORNIA COASTAL COMMISSION

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CALIFORNIA COASTAL COMMISSION

ENFORCEMENT PROGRAM PROGRESS REPORT

MARCH 2003



Humboldt Bay, Eureka

California Coastal Commission Enforcement Program Progress Report

March 2003*

(The period of time covered by this report is from July 1-December 31, 2002.)

THE ENFORCEMENT PROGRAM IN A NUTSHELL

During the past decade, the legislature and the Governor have strengthened the enforcement provisions of the Coastal Act by giving the Commission the power to issue cease and desist and restoration orders, and has increased the Act's penalty provisions significantly, reflecting the rise in land values and creating a disincentive to would-be violators of permit requirements. Cease and desist orders are used by the Commission to halt ongoing violations, to order removal of unpermitted development, and to force developers to comply with the permit process; restoration orders are used to bring about the removal of unpermitted development and/or restoration of damaged coastal resources. Cease and desist and restoration orders are perhaps the most important enforcement tools available to the Commission. These orders are quasi-adjudicative matters before the Commission, and have been quite effective in deterring and stopping illegal development activities in the coastal zone.

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Between 1996 and 1999, the Commission's open violation caseload increased by 96%, creating a critical need for additional staff. The program was expanded in 2000, and the number of permanent enforcement staff positions was increased from five to 14. With the support of Governor Davis, the enforcement program includes six district enforcement positions and four headquarters enforcement officers. The district officers strive to resolve violations without formal administrative action, and the headquarters enforcement officers prepare cease and desist orders and restoration orders and support litigation. The officers are tackling the existing backlog of open cases as well as responding to new violations. In addition, the officers work with local governments, attending local task force meetings and coordinating strategies on cases that span permit jurisdictions. The Statewide Enforcement Program is led by the Chief of Enforcement, who is responsible for coordinating both district and headquarters staff. In addition, the program has two district enforcement supervisors, one for the northern part of the state, and one for the southern part.

The mission of the Commission's enforcement program is to protect coastal resources by assuring that development is properly permitted, and that all terms and conditions of coastal development permits are satisfied, and to deter violations of the Coastal Act. To achieve this mission, the enforcement program seeks to respond quickly and effectively to significant violations of the Coastal Act's permit requirements; to obtain timely restoration of coastal resources that have been damaged by violations; and, to reduce the incidence of significant Coastal Act violations through effective deterrence.

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HEADQUARTERS ACTIVITIES

Overview: In the period of time from July 1, 2002 to December 31, 2002, there was a marked increase in the number of Cease and Desist and Restoration Orders issued by the Commission. During this six-month period, the Commission issued four Cease and Desist Orders, three Restoration Orders, and conducted one permit interpretation hearing to clarify the intent of a permit previously issued by the Commission. In addition, the Executive Director issued one Executive Director Cease and Desist Order. By comparison, in the previous eight years of the program since the Commission had begun issuing orders, there were a total of 26 orders or an average of approximately three per year.

Cases Addressed

Cease and Desist Orders issued included:

- An order to remove rip rap on a beach in San Diego County, the continuing presence of which was a violation of the terms of the emergency permit. (The riprap was also rendered unnecessary by the subsequent placement of an approved seawall);
- An order requiring removal of 3,500 tons of unpermitted riprap completely blocking public access to a beach below the 18th hole of a golf course in Half Moon Bay;
- An order requiring removal of a fence blocking a public vertical access easement across property in violation of a deed restriction in San Mateo County (see photos below and at right); and



November 2002 - View to west; driveway gate at right is closed. Blocked vertical easement begins behind fence at left. (San Mateo County)



January 2003 - Driveway gate at right is open. Vertical easement is now accessible through opening in fence at left. (San Mateo County)

- An order to cease and desist from excavating Native American remains in Seal Beach, in violation of a permit condition requiring a mitigation plan, which is discussed more fully below.

Restoration Orders issued included:

- A case in the Santa Monica Mountains area of Los Angeles County involving a number of unpermitted items of development, including a sports court, lighted stairway and other development, and associated grading and removal of native vegetation (the majority of which was performed in an area subject to an offer to dedicate an open space and conservation easement);

- An order requiring restoration of unpermitted grading of approximately 2,000 linear feet of ten to twenty-foot-wide roads and building pads, and unpermitted removal of approximately five acres of vegetation within environmentally sensitive habitat in the Santa Monica Mountains area of Los Angeles County; and
- An order requiring removal of fences, shrubs, and other obstructions blocking public use and access on 22 separate properties that fronted the public Ocean Front Walk right-of-way along Venice Beach in Los Angeles, which had completely blocked public access to this public right-of-way.

Executive Director Cease and Desist Orders

Lastly, the Executive Director issued a Notice of Intent (“NOI”) to issue an Executive Director Cease and Desist Order (“EDCDO”) in four cases. These cases involved:

1. A fence completely obstructing access to a beach in the City of Malibu;
2. An incident involving unpermitted grading immediately adjacent to a wetland in Los Angeles County; and
3. A case involving repeated, unpermitted removal of sand, gravel, and riparian vegetation within the bed, banks, and floodplain of the Smith River.
4. The excavation of Native American remains in Seal Beach in violation of a permit condition requiring a mitigation plan to address any such cultural resources;

In the first two cases noted, after receiving the NOI letter, the violators corrected the violation, and the

EDCDO was not issued. In the third case, the issuance of the NOI for the EDCDO caused the violators to abort their plans to conduct further unpermitted activities, and sign an agreement that they would not perform the unpermitted sand, gravel, and riparian removal without the necessary authorization. In the fourth case, the case involving the excavation of the Native American remains, such agreement was not reached, and the EDCDO was indeed issued, which successfully resulted in a temporary halt in the excavation. Since these Executive Director orders are effective for only 90 days, this case was later the subject of a Commission hearing and was one of the cases in which the enforcement staff worked on a permit condition interpretation hearing, and in which the Commission issued a Commission Cease and Desist Order. This order required the violator to cease and desist from all activity violating the permit condition, and required the violator to develop a mitigation plan to address the cultural resources at the site.

Effect of Orders

All of these orders were issued to protect vital policies of the Coastal Act: protecting habitat, water quality, public access, and the visual and scenic resources of the coast; preventing unpermitted development; and requiring compliance with the Coastal Act and with permits issued by the Commission. It should be noted that, since the orders were issued, Commission staff has gotten significant compliance with the orders, and many of the violations that gave rise to the orders have either been resolved, or work to do so is underway. Many of these cases were resolved more quickly and with fewer resources expended than would have been required if they were resolved through litigation, or even through the permitting process.

SOUTHERN DISTRICTS

SOUTH CENTRAL COAST DISTRICT (VENTURA)

Overview: South Central Coast District Enforcement staff has continued to process, investigate, and resolve a significant number of violation cases. During this reporting period alone, District Enforcement staff opened 46 new cases and closed and resolved 36 cases. In addition, six cases were elevated to our Headquarters staff for further enforcement action and the preparation of cease and desist or restoration orders. Enforcement staff also continued to participate in and maintain (including keeping and publishing minutes of all meetings) the Santa Monica Mountains Enforcement Task Force, an intergovernmental task force composed of members from local, state, and federal governmental agencies who meet monthly for the purpose of coordinating investigation and resolution of enforcement cases.

Cases Addressed:

During this period, enforcement staff resolved several cases in this District involving significant impacts to coastal resources. A partial list of cases includes:

- A violation that was resolved after an unpermitted chain link fence was removed from the sandy beach on a property in Malibu at the direction of enforcement staff. The unpermitted fence extended from an existing structure to the water line and resulted in the complete loss of the public's ability to pass and repass along that section of the sandy beach. The fence was removed and public access restored after enforcement staff met with the violator on site and hand-delivered a notice of intent to issue an Executive Director Cease and Desist Order if the fence was not removed within seven days.
- To resolve another violation case, two illegally subdivided properties were recombined, several unpermitted structures including a horse corral were demolished and removed, and several thousand square feet of sensitive chaparral habitat are in the process of being restored on a property in the Santa

Monica Mountains. This violation was restored after enforcement staff directed the property owners to obtain a coastal permit waiver from the Commission to restore the site. (See photos below.)



1998 - Photograph showing unpermitted corral and barn on illegally subdivided parcel. (Santa Monica Mountains)



February 2003 - Photograph showing removal of corral and barn and initial revegetation with native plant species. (Santa Monica Mountains)

- A violation involving unpermitted grading and removal of vegetation to construct a retaining wall on a steep coastal slope to expand a private road in the Santa Monica Mountains was resolved after the violator, at the direction of enforcement staff, obtained a coastal permit to remove the wall and restore the site.
- Enforcement staff also resolved another violation after unpermitted residential landscaping and obstacles were removed from a recorded public view corridor by the property owner at the direction of enforcement staff. The public view corridor had been required as a condition of a coastal permit previously approved by the Commission for the construction of a residence, and provided public scenic blue-water views of the ocean from Pacific Coast Highway across a blufftop lot in Malibu.
- In another case, several thousand square feet of sensitive coastal dune habitat was restored at the direction of enforcement staff as part of the resolution of a violation involving the failure by a property owner to satisfy the required conditions of a previously issued coastal permit for a new beachfront residence in Malibu.
- Finally, on a separate 20-acre parcel in the Santa Monica Mountains, initial revegetation and restoration has been completed in response to a restoration order issued by the Commission on a site where approximately five acres of sensitive chaparral habitat had been removed and several dirt roads and building pads had been constructed without a coastal development permit. (See photos at right.)



May 2002 - View down slope at unpermitted graded road. (Santa Monica Mountains – 20 acre parcel)



January 2003 - View down slope in same location after restorative grading. Initial re-growth of vegetation visible on slope. (Santa Monica Mountains – 20 acre parcel)



September 2002 - View up slope of newly graded road (Santa Monica Mountains – 20 acre parcel)



January 2003 - View up slope in same location after restorative grading. Cut areas have been filled in and replanted. (Santa Monica Mountains – 20 acre parcel)

SOUTH COAST DISTRICT (LONG BEACH)

Overview: Enforcement staff has continued to process, investigate, and resolve a significant number of violation cases in the South Coast District. During this reporting period alone, Enforcement staff opened 24 new cases and resolved and closed eight cases. In addition, four cases were elevated to headquarters enforcement staff for further enforcement action and the preparation of cease and desist or restoration orders.

Cases Addressed:

During this period, Enforcement staff resolved several cases in this District involving impacts to coastal resources. A partial list of these cases includes:

- A violation was resolved after an unpermitted fence blocking public access to a trail to the beach and public views across a vacant blufftop/beachfront lot in Orange County was removed by the violator at the direction of enforcement staff.
- Significant adverse impacts to archaeological and Native American cultural resources were halted on a large 70-unit housing tract site that was under construction in the Seal Beach area of Orange County after the developer refused to stop work, in direct violation of the required conditions of the coastal permit that had been issued for the housing project, after more than 22 bodies of pre-historic Native Americans and other cultural artifacts had unexpectedly been unearthed during construction. Pursuant to the issuance of a cease and desist order by both the Executive Director and the Commission, all work on site has stopped on site until the violator develops an appropriate archaeological and cultural resources recovery plan for the site.
- A violation on a commercially developed blufftop lot in Orange County was resolved after unpermitted landscaping in a public view corridor was removed by the violator at enforcement staff's direction. The public view corridor provides scenic blue-water views of the ocean across the blufftop lot from a public street.
- Violation in the Venice Canal area in the City Los Angeles was resolved after a portion of a new residence that was under construction within a required buffer/building setback area from adjacent sensitive wetland habitat was demolished and removed by the property owner at the direction of enforcement staff.
- A case was resolved after a violator removed an unpermitted partially built deck with a caisson/steel grade beam foundation and restored several hundred square feet of sensitive coastal sage scrub habitat on a steep canyon slope in the Pacific Palisades area of Los Angeles County at the direction of enforcement staff. In addition, as part of a settlement agreement to resolve this case, the violator was also required to make a \$10,000 payment to the violation remediation fund managed by the Coastal Conservancy for the purpose of funding habitat restoration projects.
- Another resolved violation involved the unpermitted removal of public access signs that indicated that a beachfront deck with benches, picnic tables, and restrooms located on County property was available for public use (the Pacific Palisades area of Los Angeles County). The signs had been removed by an adjacent commercial

restaurant in order to use the deck area exclusively for customer seating. At the direction of enforcement staff, the restaurant replaced all public access signs and reopened the deck to public use.

- Further, impacts to significant wetland habitat were recently halted after a developer of two homes adjacent to Ballona Lagoon in the City of Los Angeles stopped all work on site, at the direction of enforcement staff, and removed unpermitted fill that had been dumped in and adjacent to sensitive wetland habitat on three separate vacant parcels adjacent to the construction site. The case has been elevated to Headquarters to address restoration of the site. Headquarters enforcement staff will continue to work with the violator to develop a restoration

and revegetation plan for the impacted sites. (See photo at right.)



November 2002 - Photograph showing unpermitted grading and vegetation removal in and adjacent to wetland habitat. (Ballona Lagoon)

SAN DIEGO DISTRICT

Overview: During this reporting period, San Diego Enforcement staff opened 13 new cases and closed six cases, while continuing to investigate and take actions to resolve many other violation cases.

Cases Addressed:

A partial list of the cases that enforcement staff made significant progress on or resolved during this period includes:

- A violation involving impacts to sensitive wetland resources caused by unpermitted fill material that had been dumped adjacent to the sensitive San Elijo Lagoon wetlands in San Diego County was resolved when the fill material was removed by the violator at the direction of enforcement staff.
- In addition, enforcement staff made substantial progress on another violation

in the City of Encinitas that involved adverse impacts to public access and shoreline development resulting from unpermitted expansion of a beachfront restaurant, additions to an existing rock revetment, and failure to construct public accessway improvements required as a condition of a previous permit. At enforcement staff's direction, the violator submitted an application that addressed all unpermitted development and was approved by the Commission. As part of an agreement negotiated by enforcement staff, the violator will: (1) stop all use of the unpermitted restaurant expansion until all conditions of the permit have been met, including a

special condition that parking facilities adequate to provide parking for the approved expansion be provided in order to avoid impacts to public access to the beach due to a reduction in available street parking in the area, and (2) construct the required public accessway improvements.

- In addition, as a result of active enforcement of violation cases, and negotiations with violators during this reporting period, several new applications have been submitted for after-the-fact coastal development permits to resolve violation cases in ways that were approvable by the Commission. An example of such a case

is the recent approval of an application by the Commission which will resolve a violation in the Agua Hedionda area of San Diego County involving impacts to sensitive wetland habitat. The application approved by the Commission was for removal of an unpermitted expansion of a boat dock in a sensitive lagoon habitat area, and removal of several unpermitted structures within a deed-restricted open space area that had been previously required as a condition of a coastal development permit in order to provide an adequate buffer between new development and the sensitive lagoon wetland habitat.

NORTHERN DISTRICTS

NORTH COAST

Overview: The North Coast District continues to open and investigate new cases in Del Norte, Humboldt and Mendocino counties. During this reporting period, the District has opened eight new cases involving unpermitted rock riprap, grading, habitat removal and blocked access. In addition, staff has opened an extensive investigation into unpermitted activity within the Pacific Shores' 1500-lot subdivision in Del Norte County.

Cases Addressed:

- Staff continues its efforts with the State Department of Transportation (CalTrans) to complete a submitted, after-the-fact public works plan application for unpermitted rock protection installed along Highway One and the Mad River in Humboldt County. CalTrans' proposed mitigation plan needs additional work before the application can be scheduled for Commission action.
- In the last semi-annual report, it was noted that North Coast had begun to investigate unpermitted gravel extraction occurring in the Smith River in Del Norte County.

During this reporting period, the District elevated to Headquarters for appropriate formal action one case involving several years of unpermitted extraction.

- In September, the District opened five new cases involving, variously, unpermitted rock protection installed along the Garcia River in Mendocino; unpermitted sand extraction from dunes in Del Norte County; unpermitted landslide repair and blocked vertical accessways along Mattole Road in Southern Humboldt County; and years of unpermitted gravel extraction occurring along the Smith River in Del Norte County.

- In October, on a site along Humboldt Bay in Eureka, staff convinced a landowner to remove structures and signs blocking lateral access along the shore, without formal action. (See photos below and at right.)



Before Resolution - Humboldt Bay, Eureka



After Resolution - Humboldt Bay, Eureka

- Finally, staff has opened a comprehensive investigation concerning unpermitted development on vacant lots located near Lake Earl in the Pacific Shores subdivision in Del Norte County. Staff has received reports of unpermitted activity impacting sensitive habitat on approximately 30 properties. It is anticipated that the investigation will take at least several months before significant action occurs due to the lack of available staff and travel constraints (the Commission has a statewide travel freeze in place).

NORTH CENTRAL

Overview: North Central Coast District Enforcement staff has continued to investigate, process, and resolve violation cases during this period. District Enforcement staff has opened 25 new cases and resolved six cases. In addition, one case has been elevated to Headquarters staff for further enforcement action and the preparation of a restoration and/or cease and desist order.

Cases Addressed:

- In June of 2002, District staff had elevated to headquarters a case involving an unpermitted rock revetment installed in 1998 to protect a golf course, located in the coastal permit jurisdictions of both the Commission and the City of Half Moon

Bay. In October, the Commission issued a cease and desist order and consent agreement, and signed a settlement by which the alleged violator will remove most of the rock revetment and provide for a new access stairway to the beach as mitigation for impacts to coastal resources.

- During this period, staff has contacted approximately 17 property owners with unpermitted shoreline protection installed along their respective properties on the Princeton-El Granada shoreline within Pillar Point Harbor in San Mateo County. Enforcement staff is working with permit and planning staff to resolve a long outstanding conflict between the need for shoreline protection for existing permitted structures on an eroding coastline, and the need to protect and preserve existing lateral public access within the Harbor. Commission staff has begun discussions with the landowners to work on a potential area-wide solution, which would both protect private property and provide and enhance public access. Other state and local agencies are also involved in the process, including the San Mateo County Planning Department, the San Mateo County Harbor District, and the State Coastal Conservancy.
- In Pacifica, several new cases were opened concerning the City of Pacifica's lack of obtaining follow-up permits to emergency permits issued by the Commission for revetment repair, and lack of obtaining a coastal permit before commencing pier renovations. As a result of District enforcement efforts, the City submitted the appropriate permit applications, which were approved by the Commission.
- In Daly City, major grading work on a steep, blufftop lot was being undertaken by a permittee outside of the permitted time period, i.e., after the rainy season had begun. This was a violation of a permit condition imposed to protect the bluff from erosion and to protect water quality by minimizing non-point source pollution caused by sediment runoff. As a result of District enforcement staff's efforts, the grading was completed immediately, and various erosion and sediment control measures, such as the placement of straw

mats, jute mats, fiber rolls, silt fences, and sand bags, were implemented to stabilize the bare slopes before the winter rains began, and minimize the potential for erosion and polluted runoff. (See photos below.)



November, 2002 – Unpermitted grading activities during the rainy season. (Daly City)



November, 2002 – Grading completed and BMPs in place. (Daly City)

- In addition to working on many cases in San Mateo County, Enforcement staff continues to work on resolution of approximately 16 cases located in West Marin County concerning unpermitted conversions of residential property to visitor-serving establishments. In some cases, property owners have submitted after-the-fact permit applications for Commission consideration, as a result of staff's investigation; in other cases, the visitor-serving use has ceased.

- In Sonoma County, staff has opened two new investigations regarding the unpermitted placement of rock riprap along the Russian River near Bridgehaven. In one of these cases, Caltrans placed unpermitted riprap under the Highway One Bridge to protect the bridge abutments and a nearby access road. As a result of District enforcement action, Caltrans has submitted an after-the-fact coastal permit application to the Commission for processing. The other case concerns the placement of unpermitted riprap along the river at a private trailer park. We anticipate that this case will be elevated to Headquarters staff for preparation of a restoration order for removal of the riprap and restoration of the riverbank.

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CENTRAL COAST

Overview: The Central Coast District Officer devotes most enforcement time to resolving Coastal Act enforcement issues in LCP-certified areas. This involves a great deal of coordination with the local governments and fewer direct actions being brought by the Commission itself.

Cases Addressed:

- During this reporting period, the District officer investigated two sites in Santa Cruz County where the Commission denied requests for new shoreline development and discovered unpermitted development in the process of analyzing the requested and denied development. Both property owners have filed requests for vested right consideration, arguing that the reported development pre-dates the Commission's permit jurisdiction. Enforcement staff is awaiting decisions on these applications before taking formal enforcement action.
- In addition, staff met with enforcement and planning staff in Monterey County to discuss their efforts to enforce the County's certified Local Coastal Program (LCP). County staff is working to strengthen the County's existing code ordinances and enforcement provisions to provide for more effective and timely enforcement. Commission staff is committed to assisting County staff with violations that impact the Commission's permit jurisdiction. Enforcement staff is working with Regional Cumulative Assessment Project ("ReCap"), staff to review the County's certified LCP, and will provide enforcement analysis in the completed ReCap analysis prepared for the County.

ENERGY AND OCEAN RESOURCES

Overview: Energy's Enforcement staff continues to investigate, process, and resolve violation cases during this period. Staff opened two new cases, and elevated one case to Headquarters staff, which is discussed in more detail below.

Cases Addressed:

- During this reporting period, Energy enforcement staff has continued its efforts to enforce two conditioned coastal permits issued to two fiber optic companies approximately two years ago. The Commission investigated reports filed by commercial fishermen that the two companies had failed to meet conditions of approval, which required them to provide, within a set timeframe, identification information to the impacted fishermen as to where the fiber cables were located. One company is currently negotiating a settlement whereby they would comply with all outstanding conditions and pay mitigation to the Commission for failing to timely meet required conditions of approval. Another company has filed bankruptcy, which has complicated negotiations with that company. Enforcement staff referred the matter to the Attorney General's office to represent the Commission's interests in the bankruptcy.
- Staff elevated to the Headquarters unit a case involving unpermitted aquaculture located within Humboldt Bay in Humboldt County. The Headquarters unit has been working on recommendations for a cease and desist order and consent agreement whereby the company could remain in business, but perform the necessary work to come into compliance with the Coastal Act.
- Finally, the staff opened new investigations involving the failure by two oil companies to abide by issued coastal permits for facilities located in Ventura and Santa Barbara counties. Both companies have responded by submitting after-the-fact coastal permit applications.

STATISTICAL SUMMARY**JULY – DECEMBER 2002****PERMIT MONITORING AND ENFORCEMENT**

The Commission staff continued to investigate a large number of new Coastal Act violations for the last six months as summarized below.

IN THE DISTRICTS:

Cases Pending At The Start Of This Reporting Period	New Cases Reported	Cases Remanded To The District From HQ	Cases Closed At The District Level	Cases Elevated To HQ For Second-Level Enforcement	Cases Pending At The End Of This Reporting Period
834	142	0	60	15	901

AT HEADQUARTERS:

Cases Pending At The Start Of This Reporting Period	Cases Elevated To HQ For Second-Level Enforcement	Cases Remanded To Districts From HQ	Cases Closed By HQ	Cases Currently Pending At HQ At The End Of This Reporting Period*
36	15	0	3	40

*includes litigation cases handled by the Attorney General's Office

of the 40 cases pending at Headquarters, 14 are pending at Office of the Attorney General at the end of this reporting period. This includes 1 cases that were referred to the Attorney General during this reporting period.

SEMI-ANNUAL REPORT: JULY – DECEMBER 2002**VIOLATION CASES REPORT: DISTRICT OFFICES**

Type Of Violation	Cases Opened In Reporting Period	Cases From HQ In Reporting Period	Cases Elevated To HQ In Reporting Period	Cases Closed In Reporting Period	Total Violations Pending
Permit Violation	24	0	3	16	275
Unpermitted Development	118	0	12	44	626
TOTAL	142	0	15	60	901

VIOLATION CASES REPORT: HEADQUARTERS

Type Of Violation	Cases Elevated From District In Reporting Period	Cases Referred To Attorney General In Reporting Period	Cases Closed Or Remanded In Reporting Period	Total Cases Pending*
Permit Violation	3	1	0	11
Unpermitted Development	12	0	3	29
TOTAL	15	1	3	40

*Includes litigation cases handled by the Attorney General's Office

DISPOSITION OF CLOSED VIOLATION CASES: DISTRICT OFFICES

Type Of Violation	Violation Authorized By After-The-Fact Permit	Violation Removed And Area Restored (With Or Without Permit)	Partial After-The-Fact Approval And Partial Removal And Restoration Of Violation By Permit	Closed For Other Reasons* *Includes cases that lacked sufficient evidence, were too old to pursue, were resolved through local government action, or were found not to be violations.	Total Cases Closed
Permit Violation	1	7	0	8	16
Unpermitted Development	17	6	1	20	44
TOTAL	18	13	1	28	60

NOTE: OCRM's category entitled "Applications Pending" is not used above or in the following table. The enforcement unit does not consider a case in which an application is pending as a case that has been resolved. A case is considered resolved and closed if a permit authorizing the unpermitted development is issued or if a permit authorizing removal of the unpermitted development and restoration of the area is issued and initial restoration has been completed (or if the unpermitted development is removed without a permit with no restoration needed).

DISPOSITION OF CLOSED VIOLATION CASES: HEADQUARTERS*

(*includes cases that were resolved following litigation)

Type Of Violation	Violation Authorized By After-The-Fact Permit	Violation Removed And Area Restored (With Or Without Permit)	Partial After-The-Fact Approval And Partial Removal And Restoration Of Violation By Permit	Settlement Allows Violation To Remain Without Permit	Closed Or Remanded To District For Other Reasons * *includes cases, which may require follow-up permit actions to be monitored by District staff, & cases that were closed for lack of sufficient evidence.	Total Cases Closed
Permit Violation	0	0	0	0	0	0
Unpermitted Development	0	0	0	0	3	3
TOTAL	0	0	0	0	3	3