

1 SHAWNA B. CASEBIER (Bar No. 267782)
1290 Grove Street, #502
2 San Francisco, CA 94117
Tel: 415-407-9715
3 Fax: N/A
sbcasiebier@gmail.com

4 BRENT PLATER (Bar. No. 209555)
WILD EQUITY INSTITUTE
5 474 Valencia St., Suite 295
San Francisco, CA 94103
6 Tel: 415-349-5787
Fax: N/A
7 bplater@wildequity.org

8 Attorneys for Petitioner
WILD EQUITY INSTITUTE,
9 a non-profit corporation

10
11 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
12 **COUNTY OF SAN MATEO**

ENDORSED FILED
SAN MATEO COUNTY

JUN 15 2015

Clerk of the Superior Court
By S. YAMRING
DEPUTY CLERK

CIV 534243

13 WILD EQUITY INSTITUTE,
a non-profit corporation,

14 Petitioner,

15 vs.

16 CALIFORNIA COASTAL COMMISSION,
a state agency, and DOES 1 through 20,
17 inclusive,

18 Respondents.

19 CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation,
20 SAN FRANCISCO RECREATION AND
PARKS DEPARTMENT, a public entity,
21 SAN FRANCISCO RECREATION AND
PARKS COMMISSION, a public entity,

22 Real Parties in Interest.

Case No.:

**VERIFIED PETITION FOR WRIT OF
ADMINISTRATIVE MANDAMUS
(C.C.P. § 1094.5)**

Dept:

1 Petitioner WILD EQUITY INSTITUTE (“Wild Equity”) alleges as follows:

2 **NATURE OF THE CASE**

3 1. In this mandamus action, Petitioner Wild Equity alleges that in the course of approving
4 the City and County of San Francisco’s Coastal Development Permit Application Number 2-12-
5 014 (hereinafter the “CDP”) for the “Pump House Safety, Infrastructure Improvement, and
6 Habitat Enhancement Project” (“Pump House Project”) at Sharp Park, Respondent
7 CALIFORNIA COASTAL COMMISSION (hereinafter the “Commission” or “CCC”) abused its
8 discretion, exceeded its jurisdiction and violated the California Coastal Act (California Public
9 Resources Code § 30000 et seq.) (hereinafter “the Coastal Act”) by illegally authorizing
10 prohibited development in wetlands.

11 2. The CDP, as approved, violates, without limitation, Coastal Act Sections 30003, 30006.5,
12 30007.5, 30105.5, 30230, 30231, 30233, and 30240.

13 3. Petitioner petitions this Court for a writ of mandate under Code of Civil Procedure
14 Section 1094.5, or such writ as may be appropriate, directing the Commission to vacate and set
15 aside its approval of the CDP.

16 4. A true and correct copy of the administrative record will be lodged with the Court prior to
17 the hearing on this petition for administrative mandamus.

18 **PARTIES**

19 5. Petitioner Wild Equity is a non-profit organization based in San Francisco, California.
20 Wild Equity unites the grassroots conservation and environmental justice movements into a
21 powerful force that builds a healthy and sustainable global community for people and the plants
22 and animals that accompany us on Earth. Wild Equity accomplishes this by working on projects
23 that highlight and redress the inequitable relationships across our human communities while
24 improving our relationship to the lands in which we live. Wild Equity’s concerns encompass the
25 acts engaged in by Respondent herein. Wild Equity’s particular interest in this case stemmed
from the allegations set forth herein below. Petitioner Wild Equity, by and through the written

1 and verbal comments of its membership, staff and Board of Directors, has satisfied the
2 requirements of Public Resources Code § 30801 and is an “aggrieved person” under said section,
3 having appeared before and submitted multiple letters to Respondent Commission regarding the
4 Coastal Development Permit (“CDP”) that is the subject matter of this Petition. Petitioner Wild
5 Equity has, from and after August 2012, submitted to Respondent Commission multiple written
6 and oral communications opposing approval of the CDP. In so doing, Petitioner Wild Equity has
7 exhausted its administrative remedies.

8 6. Respondent California Coastal Commission is a state agency duly organized under the
9 laws of the State of California and is the agency that approved the CDP.

10 **REAL PARTIES IN INTEREST AND OTHER RESPONDENTS**

11 7. Real Party in Interest CITY AND COUNTY OF SAN FRANCISCO (hereinafter the
12 “City and County”) is a political subdivision existing under the constitution and laws of the State
13 of California. Sharp Park, the coastal land affected and at issue in the CDP, is owned and
14 operated by the City and County.

15 8. Real Party in Interest SAN FRANCISCO RECREATION AND PARKS
16 DEPARTMENT (“Rec & Park”) is the City and County’s department, overseen by its Recreation
17 and Parks Commission, which administers parks, playgrounds, and open spaces within City and
18 County jurisdiction including Sharp Park, which is located in Pacifica. Rec & Park is the
19 proponent/applicant for the Pump House Project.

20 9. Real Party in Interest SAN FRANCISCO RECREATION AND PARKS COMMISSION
21 (“Rec & Park Commission”) is the decision-making body of Rec & Park.

22 10. Petitioner is ignorant of the true names and capacities of respondents sued herein as
23 DOES 1 through 20, inclusive, and therefore sues these respondents by these fictitious names.
24 Petitioner will amend this petition to alleged their true names and capacities when ascertained.

25 **JURISDICTION AND VENUE**

11. Jurisdiction of this Court is invoked pursuant to California Public Resources

1 Code § 30801 and California Code of Civil Procedure § 1094.5. Venue is proper because the
2 affected Coastal Zone land at Sharp Park, for which the CDP has been approved, is located in
3 San Mateo County.

4 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

5 12. Sharp Park is located in Coastal Zone land in Pacifica, California, but it is owned and
6 operated by the City and County of San Francisco. Sharp Park is adjacent to Mori Point, part of
7 the Golden Gate National Recreation Area, to the South, and Sweeney Ridge, also part of the
8 Golden Gate National Recreation Area, to the East. Protected San Francisco Public Utility
9 Commission watershed lands are Southeast of Sharp Park.

10 13. Sharp Park contains one of the last remaining backbarrier lagoon wetland complexes in
11 Northern California. The wetland complex contains several water features, including Sanchez
12 Creek, Laguna Salada, Horse Stable Pond and a connecting channel between these two water
13 bodies, and wetlands that surround these water features. Collectively, these features are called
14 the Laguna Salada wetland complex.

15 14. Much of the Laguna Salada wetland complex is classified as jurisdictional wetlands¹ that
16 are also classified as environmentally sensitive habitat areas (“ESHA”) under the California
17 Coastal Act.

18 15. The Laguna Salada wetland complex is essential habitat to the California Red-Legged
19 Frog, *Rana draytonii* (federally Threatened; state Species of Concern), and the San Francisco
20 Garter Snake, *Thamnophis sirtalis tetrataenia* (federally and state Endangered).

21 16. Sharp Park also contains an 18-hole golf course, which surrounds much of the Laguna
22 Salada wetland complex. Winter rains that fall in Sharp Park’s watershed naturally flow into the

23 ¹ The California Coastal Commission has never conducted a comprehensive delineation based on
24 the single parameter wetlands definition in the Coastal Act and in the Commission’s Regulations.
25 Coastal Act § 30121; 14 CCR § 13577(b). Petitioner contends that far more coastal resources
than have been addressed by Respondent at Sharp Park would and should be protected as
wetlands under the Coastal Act upon a delineation conducted in accordance with the Coastal
Act’s single parameter guidelines.

1 Laguna Salada wetland complex. The golf course's construction, combined with the subsequent
2 construction of an earthen berm along Sharp Park's coastline, prevent this water from its natural
3 flow to the ocean.

4 17. Due to the poor design and placement of Sharp Park Golf Course and the subsequently
5 constructed earthen berm, winter rains flood Sharp Park annually. To address the flooding, the
6 City and County installed and operates pumps at the Laguna Salada wetland complex to drain the
7 wetlands during winter rains.

8 18. Without approval from the Coastal Commission, the City and County drastically
9 increased the pumping capacity of its pumping operation by replacing two pumps rated at 500
10 gallons per minute ("gpm") and the other at 250 gpm, with pumps rated at 1,500 gpm and 10,000
11 gpm, respectively. In or about 2010, the City and County replaced the 10,000 gpm pump in kind,
12 again, without the benefit of analysis and consultation with the Coastal Commission's permit
13 process.

14 19. Based on information and belief, the Commission has found that installation of the 1,500
15 gpm and 10,000 gmp pumps, in addition to the 2010 in kind pump replacement, were in violation
16 of the Coastal Act and require coastal development permits.

17 20. The Coastal Commission is tasked with the mission to "protect, conserve, restore, and
18 enhance the environmental and human-based resources of the California coast and ocean for
19 environmentally sustainable and prudent use by current and future generations."

20 <http://www.coastal.ca.gov/whoweare.html> (last visited 6/8/15).

21 21. The City and County's ongoing draining of the wetland complex via the pumps causes
22 several significant adverse environmental effects in the coastal environment, including, but not
23 limited to: killing rare and endangered species; altering the hydrology of the wetland system;
24 changing the composition of aquatic vegetation on the site from species that require deep water
25 to those that grow best in shallow water; and conversion of open water habitats to dry land
and/or shallow wetlands.

1 22. In March 2011, a federal lawsuit was brought against Real Parties in Interest by
2 Petitioner and others for illegally killing the endangered San Francisco Garter Snake and the
3 threatened California Red-Legged Frog at Sharp Park. Of vital concern in that lawsuit was the
4 fact that the City and County harms endangered species and their essential habitat through
5 chronic draining of the wetland complex and makes alterations in the Coastal Zone of Sharp Park
6 without review and permit approval from the requisite state and federal agencies.

7 23. Subsequent to, and based on information and belief, because of, the filing of the 2011
8 federal lawsuit, the City and County concocted the Pump House Project to establish federal
9 permitting procedures and initiated consultation with the requisite federal agencies to permit the
10 Pump House Project.

11 24. On or about August 2012, and through several application revisions thereafter, the City
12 and County submitted to the Commission the CDP application requesting permission to make
13 alterations to its pumping operations that will impact jurisdictional wetlands and environmentally
14 sensitive habitat areas. The development asked to be permitted in the CDP includes, but is not
15 limited to:

- 16 a. Filling portions of the jurisdictional wetlands at Horse Stable Pond with concrete
17 to build support structures for a walkway around the front of the pump intake
18 box;
- 19 b. Filling portions of the jurisdictional wetlands at Horse Stable Pond with concrete
20 to build a retaining wall;
- 21 c. Dredging sediments and removing vegetation from the jurisdictional wetlands of
22 Horse Stable Pond;
- 23 d. Dredging sediments and removing vegetation in select locations within the
24 jurisdictional wetlands of the connecting channel and culverts that link Horse
25 Stable Pond and Laguna Salada;

- 1 e. Building steps leading down the slope from the access road to the pump house
2 and intake structure;² and,
3 f. Relocating two golf cart paths.²

4 25. The CDP application also requested after-the-fact permit approval of the higher capacity
5 pump replacements.

6 26. At the April 16, 2015 California Coastal Commission hearing, Respondent Commission
7 approved the CDP, having been advised by Coastal Commission Staff that the City and County's
8 proposed Pump House Project will develop Sharp Park's jurisdictional wetlands and have
9 permanent and adverse impacts on the natural environment.

10 27. In approving the CDP, the Coastal Commission proceeded in excess of its jurisdiction by
11 permitting the permanent, illegal development of coastal wetlands.

12 28. Wetlands subject to the jurisdiction of the Coastal Commission pursuant to the Coastal
13 Act may only be developed in accordance with limited statutorily mandated purposes.

14 29. Coastal Act § 30233(a) restricts wetland development to seven (7) allowable uses.

15 30. Coastal Commission Staff have stated, and based on information and belief, the
16 Commission has found, that the primary purpose of the Pump House Project is flood control and
17 worker safety.

18 31. Neither flood control nor worker safety are allowable uses under Coastal Act § 30233(a).

19 32. Based on information and belief, the Commission approved the project pursuant to
20 Coastal Act § 30233(a)(4), which permits development of wetlands for "incidental public
21 services purposes."

22 33. The Pump House Project does not meet the requirements of § 30233(a)(4) nor any of the
23 other allowable uses of Section § 30233(a).

24 ² Petitioner contends that the proposed development will occur in jurisdictional wetlands and as
25 such is subject to the restrictions of wetland development in Coastal Act § 30233(a).

1 34. *The Coastal Commission's Interpretative Guidelines on Wetlands and Other Wet*
2 *Environmentally Sensitive Habitat Areas* (adopted 2/4/81) (hereinafter "*Interpretative*
3 *Guidelines*") mandates that impacts on the environment from development pursuant to the
4 "incidental public services purposes" use must be temporary: "Incidental public services
5 purposes which temporarily impact the resources of the area, which include, but are not limited
6 to, burying cables and pipes, inspection of piers, and maintenance of existing intake and outfall
7 lines (roads do not qualify)."³

8 35. Based on information and belief, the Coastal Commission has uniformly followed and
9 applied its *Interpretative Guidelines* since their adoption in 1981 to analyze and decide whether
10 it is appropriate under the mandates of the Coastal Act to permit coastal development projects
11 such as the one contemplated by the Pump House Project.

12 36. The Coastal Commission's *Procedural Guidance for the Review of Wetland Projects in*
13 *California's Coastal Zone*, Chapter 1, Section (3)(B)(1)(iii),
14 (<http://www.coastal.ca.gov/wetrev/wetch1.html>, last visited 5/31/15) (hereinafter "*Procedural*
15 *Guidance*") also addresses the allowable uses analysis under Coastal Act § 30233(a) and
16 reiterates that the allowable use under Coastal Act § 30233(a)(4) "relates to incidental public
17 service purposes that **temporarily** impact the resources of an area, such as burying cables and
18
19

20 ³ On the record at the April 15, 2015 hearing, CCC Staff advised that the Commission could
21 permit the proposed Pump House Project under an alleged exception to the long-standing
22 requirement that incidental public service purposes be temporary. However, this alleged
23 exception, which applies expressly to roads, in fact places additional constraints on road
24 construction in wetlands. To develop roads in wetlands it must be demonstrated that "no other
25 alternative exists" and that the road is "necessary to maintain existing traffic capacity."
Interpretive Guidelines, pg. 10.

1 pipes, or inspection and maintenance of existing structures such as piers and outfall lines.”

2 (emphasis in original).

3 37. The *Procedural Guidance* further instructs that “past decisions by the CCC have been
4 fairly restrictive as to what constitutes a temporary project.” *Procedural Guidance*, Chapter 1,
5 Section (3)(B)(1)(iii).

6 38. The Pump House Project, as approved by the Commission through the CDP,
7 contemplates numerous permanent impacts to jurisdictional wetlands, including, but not limited
8 to: concrete fill of wetland for the retaining wall and walkway support structures; chronic
9 draining via pumps; ongoing dredging; recurring vegetation removal; relocation of two golf cart
10 paths; and installation of steps to the pump house.

11 39. The City and County concede in its materials submitted to the Coastal Commission in
12 support of the project that the Pump House Project would result in permanent impacts to the
13 wetland habitat as a result of the construction of the walkway around the Horse Stable Pond
14 pump house, construction of a concrete retaining wall and removal of sediment and emergent
15 vegetation in Horse Stable Pond and the connecting channel. California Coastal Commission
16 Staff Report, Exhibit 4, pg. 94.

17 40. Based on information and belief, the Coastal Commission found that the clearing of
18 sediment and vegetation was a temporary action to maintain the existing capacity of the pumps;
19 however such a finding is not supported by the City and County’s past practices nor the
20 cumulative impacts that recurrent pumping, dredging and vegetation removal have on the
21 wetland complex.

22 41. Substantial evidence does not support a finding that the dredging of sediments and
23 removal of vegetation is only a temporary action to maintain the existing capacity of the pumps.

24 42. Experts have stated on the record that maintenance of shallow water in the wetland
25 complex via pumping actually promotes the growth of vegetation and loss of open water habitat
that is then followed by dredging and vegetation removal to maintain the existing capacity of the

1 pumps, creating an unending cycle of pumping, dredging and vegetation removal and attendant
2 cumulative permanent impacts.

3 43. The Coastal Commission abused its discretion by failing to address the cumulative
4 impacts that the dredging of sediment and removal of vegetation will have on the wetlands of
5 Sharp Park.

6 44. The Commission's decision to approve the Pump House Project pursuant to Coastal Act
7 § 30233(a)(4) is not supported by the fact that the project will have permanent impacts on the
8 wetlands of Sharp Park.

9 45. In approving the CDP pursuant to Coastal Act § 30233(a)(4), when the specific
10 requirements of that section have not been met and when no other allowable uses under
11 § 30233(a) apply, the Commission exceeded its authority, proceeded without jurisdiction and
12 permitted an illegal development of coastal wetlands.

13 46. Under Coastal Act § 30233(a), the Commission must also find that "no feasible less
14 environmentally damaging alternative" exists to permit the proposed project.

15 47. A feasible less environmentally damaging alternative to the Pump House Project exists
16 and was presented by Petitioner and others to the Commission in written and oral
17 communications, in addition to public comment at the April 16, 2015 CCC meeting.

18 48. A primary purpose of the Pump House Project is to remove impediments to water flow
19 via pumping within the wetland complex. Experts have demonstrated on the record that a
20 drowning-dieback management method of controlling the vegetation growth that the City and
21 County seeks to eradicate by dredging and vegetation removal is not only a feasible, but also a
22 naturalist approach with significantly less wetland impact.

23 49. Based on information and belief, substantial evidence does not support a finding that no
24 feasible less environmentally damaging alternative exists to the Pump House Project.

25 50. The Commission abused its discretion and exceeded its jurisdiction by permitting the
Pump House Project when a feasible less environmentally damaging alternative exists.

1 51. Based on information and belief, the Commission has adopted, without substantial
2 evidentiary support, the City and County's assertions that the relocation of the two golf cart paths
3 and installation of steps leading down the slope from the access road to the pump house and the
4 intake structure do not impact jurisdictional wetlands.

5 52. A 2013 wetland delineation report prepared by Rec. & Park, and based upon information
6 and belief, relied upon by the Commission in assessing which aspects of Pump House Project
7 will impact jurisdictional wetlands at Sharp Park, addressed only limited locations within Sharp
8 Park and did not comprehensively consider the full extent of wetlands on the property. As such,
9 the 2013 wetland delineation report is a deficient source from which to determine where
10 jurisdictional wetlands lie on the property and is inconsistent with the Coastal Commission's
11 single parameter guidelines on wetland delineation. 14 CCR § 13577(b).

12 53. Relocation of the golf cart paths and installation of the steps leading down the slope from
13 the access road to the pump house and intake structure will occur in ESHAs that upon a proper
14 delineation would be classified as jurisdictional wetlands because the lands contain hydric soils,
15 hydrophytes and/or have surface water or saturated substrate at some time during each year, in
16 addition to being located adjacent to vegetated wetlands.

17 54. The requirements of § 30240 do not apply to the Pump House Project because the Pump
18 House Project is to occur in jurisdictional wetlands and the Coastal Act provides specific
19 guidance on development in wetlands pursuant to § 30233(a), which is controlling when an
20 ESHA is also a wetland.⁴

21 ⁴ Based on information and belief, the Commission found that the Pump House Project could be
22 permitted pursuant to the conflict resolution provision of § 30007.5 because the project does not
23 comply with the requirements of § 30240's mandate that ESHAs be "protected against any
24 significant disruption of habitat values" and limited to "uses dependent on those resources."
25 Based on information and belief, the Commission balanced the Coastal Act's provisions relating
to preservation of ESHAs with the provisions relating to recreational opportunities to sanction all
or some aspects of the project. Petitioner contends that § 30240 does not apply because the
development will occur in wetlands, and secondarily, that the denial of the CDP does not dictate
the elimination of low-cost, public recreational at Sharp Park nor conflict with the recreational
use provisions, and thus, conflict resolution was inapplicable and improperly utilized.

1 55. The Coastal Commission proceeded without jurisdiction by allowing the illegal
2 development in wetlands as contemplated by the CDP pursuant to the Coastal Act provisions that
3 generally apply to ESHAs.

4 56. The Commission abused its discretion in failing to apply and analyze the requirements of
5 § 30233 in permitting the golf cart path relocation and the building of the steps to the pump
6 house and intake structure.

7 57. The *Interpretive Guidelines*, in recognizing that wetlands are “not isolated, independently
8 functioning systems,” states that a buffer area of at least 100 feet of open space between the
9 proposed development and environmentally sensitive habitat area of a wetland is required to
10 ensure that the development proposed “will not significantly degrade the habitat area.”

Interpretive Guidelines, pgs. 4, 21.

11 58. The Commission failed to analyze and address the impact of the golf cart path relocation
12 on the buffer zone required to protect environmentally sensitive habitat areas from the impacts of
13 development, and in doing so abused its discretion.

14 59. The Commission abused its discretion in approving the after-the-fact permitting of the
15 2010 higher capacity pump and the facts in the record do not support the Commission’s after-
16 the-fact approval.

17 60. The Coastal Act provides no basis upon which the higher capacity pumps for the Pump
18 House Project may be authorized. Analyzing the pumps under § 30240, which applies to
19 development in ESHAs, experts have stated on that record that the higher capacity pumps
20 significantly disrupt the habitat values that sustain the California Red-Legged Frog, and
21 consequently the San Francisco Garter Snake, and further are not a use dependent on the
22 resources of the area. Analyzed under § 30233(a), the higher capacity pumps do not serve any of
23 the allowable purposes of that section nor are they proposed as a temporary impact to the natural
24 environment.

1 61. The Coastal Commission segmented the permitting processes by considering the
2 elements of the Pump House Project separately. In doing so, the Coastal Commission exceeded
3 its jurisdiction by failing to analyze the cumulative impacts of the Pump House Project on the
4 natural environment.

5 62. In approving the CDP in violation of the Coastal Act and contrary to the Commission's
6 longstanding policies and interpretations regarding development in coastal wetlands, the Coastal
7 Commission's decision was arbitrary and capricious.

8 63. Petitioner has paid, and will pay, its own attorney's fees in bringing this matter to court.

9 64. Petitioner files this petition to uphold the legislative intent and purposes of the Coastal
10 Act and to enforce important rights affecting the public interest in the protection and
11 enhancement of California's wetlands and Coastal Zone.

12 65. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law unless
13 this Court grants the requested Writ of Mandate to require Respondent Commission to set aside
14 and vacate its approval of the CDP.

15 **FIRST CAUSE OF ACTION**
16 **(California Public Resources Code § 30000 et seq.)**

17 66. Petitioner hereby incorporates by reference paragraphs 1 through 65 inclusive, of this
18 Petition as though fully set forth herein.

19 67. In approving the CDP, Respondent Commission exceeded its jurisdiction and violated
20 substantive provisions of the California Coastal Act. Such violations include, without limitation,
21 California Public Resources Code Sections 30003, 30006.5, 30007.5, 30105.5, 30230, 30231,
22 30233, and 30240.

23 68. Violations of the Coastal Act include, but are not limited to, the following:

- 24 a. Permitting the permanent concrete fill of jurisdictional wetlands to construct
25 support structures for a walkway around the front of the pump intake box in
violation of Section 30233(a)(4);

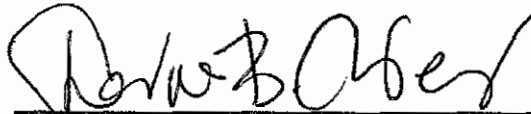
- 1 b. Permitting the permanent concrete fill of jurisdictional wetlands to create a
2 retaining wall in violation of Section 30233(a)(4);
- 3 c. Permitting the construction of steps leading down the slope from the access road
4 to the pump house and intake structure without assessing whether the proposed
5 development falls within jurisdictional wetlands (14 CCR 13577(b)) and failing
6 to apply the specific requirements applicable to development in wetlands
7 (Section 30233);
- 8 d. Permitting the ongoing dredging of sediments and removal of emergent
9 vegetation within the jurisdictional wetlands of Horse Stable Pond in violation of
10 Sections 30233(a)(4) and 30105.5;
- 11 e. Permitting the ongoing dredging of sediments and removal of emergent
12 vegetation in select locations within the jurisdictional wetlands of the connecting
13 channel and culverts that link Horse Stable Pond and Laguna Salada in violation
14 of Sections 30233(a)(4) and 30105.5;
- 15 f. Permitting the permanent relocation of two golf cart paths within Sharp Park
16 without first determining if the paths would be relocated to an area within
17 jurisdictional wetlands (14 CCR 13577(b)), and failing to apply the specific
18 requirements of development in wetlands to the relocation of the two golf cart
19 paths (Section 30233(a));
- 20 g. Permitting the Pump House Project when feasible less environmentally damaging
21 alternatives exist (Section 30233(a));
- 22 h. Failing to analyze the previously unpermitted pumps and the impacts of the
23 increased pumping capacity on the natural environment, and permitting the
24 increased capacity pumps without a basis to do so (§ 30240 and § 30233(a));
25 and,
- i. Failing to analyze and address the cumulative impacts of the Pump House Project
on the natural environment (Sections 30105.5 and 30006.5).

1 **PRAYER FOR RELIEF**

2 **WHEREFORE**, Petitioner WILD EQUITY INSTITUTE prays for relief against
3 Respondent CALIFORNIA COASTAL COMMISSION, as follows:

- 4 1. For a peremptory Writ of Mandate to require Respondent Commission to set aside and
5 vacate its approval of the CDP;
6 2. For provisional relief, including, without limitation, a stay of the effect of the CDP
7 approval;
8 3. For attorney's fees and costs under California Code of Civil Procedure §1021.5 for
9 enforcement of an important right affecting the public interest;
10 4. For attorney's fees pursuant to California Government Code § 800;
11 5. For costs of suit; and,
12 6. For such other and further relief as the Court shall deem just and proper.

13 Date: June 13, 2015

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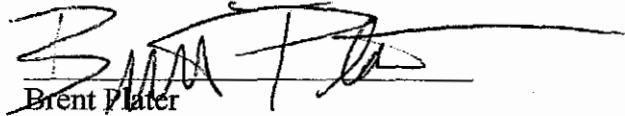
15 Shayna B. Casebier
16 Attorney for Petitioner
17 WILD EQUITY INSTITUTE;
18 A non-profit corporation
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VERIFICATION

I, Brent Plater, hereby declare that I am the Executive Director of, and attorney for, Petitioner Wild Equity Institute. I have read the foregoing **VERIFIED PETITION FOR ADMINISTRATIVE WRIT OF MANDAMUS** and know the contents thereof. The same is true of my own knowledge, except as to the matters stated upon information and/or belief, as to those matters I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 13th day of June, 2015 at San Francisco, California.


Brent Plater