

**CALIFORNIA COASTAL COMMISSION**

Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, California 95060-4508  
(831) 427-4863 FAX (831) 427-4877



# Th9

## **CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT**

*For the  
October Meeting of the California Coastal Commission*

### **MEMORANDUM**

Date: October 09, 2013

**TO:** Commissioners and Interested Parties  
**FROM:** Dan Carl, Central Coast District Deputy Director  
**SUBJECT:** *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the October 2013 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

**DETAIL OF ATTACHED MATERIALS**

**REPORT OF REGULAR WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-13-0772-W</b> County of San Luis Obispo General Services Agency	Interim structural repairs to the Cayucos Pier, including the installation of additional beams, steel cross bracing, T-straps, repair or replacement of pile caps, and removal of remnants of the previous boat landing stairway	

**REPORT OF DE MINIMIS WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-12-061-W</b> CA Parks & Recreation	Demolition of the existing Nature Center (1,150 sq.ft.) and Resources Staff Building (325 sq.ft.) and construction of a new 4,125 sq.ft. Visitor Center in approximately the same location at Pismo State Beach Campground	555 Pier Avenue, Oceano, San Luis Obispo County.
<b>3-13-020-W</b> Monterey Dunes Colony	Conduct a one day test of the efficacy of K-rail devices to serve as an alternative to sandbags during potential flood and erosion events at the Monterey Dunes Colony townhomes.	

***REPORT OF IMMATERIAL AMENDMENTS***

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<b>3-10-061-A2</b> UCSC & City of Santa Cruz	Amend CDP for renewable energy research project to extend the expiration date of the research project to September 1, 2014.	Municipal Wharf headquarters building, City of Santa Cruz
<b>3-82-171-A5</b> WTCC Ventana Investors V LLC	Amend CDP 3-82-171 to allow for the demolition and replacements of two campground bath houses (restrooms and showers) and the remodel of a third campground bath house and the construction of a new entry kiosk to serve the campground facilities at the Ventana Inn and Spa.	Highway 1, Big Sur, Monterey County
<b>A-3-SLO-09-055/069-A</b> 2 San Luis Obispo County Department of Public Works	CDP A-3-SLO-09-055/069 would be amended to allow the generator building associated with the Midtown pump station facility to be relocated from Los Osos Community Park to the parking lot area of the Los Osos branch of the San Luis Obispo County Library system; and, amend the CDP regarding condition no. 4 (Agricultural Conservation Easement) to allow recordation of the easement "prior to operation" rather than the current language "prior to construction."	2198 Los Osos Valley Road, Los Osos

***REPORT OF EXTENSION - IMMATERIAL***

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<p><b>3-07-047-E4</b> Highview LLC</p>	<p>Request to extend permit to recognize an as-built emergency revetment repair as well as related armoring (including retrieving and restacking fugitive rock rip-rap, infilling between two existing sections of seawall, and planting new cascading vegetation) seaward of 2866 South Palisades Avenue.</p>	<p>unincorporated Live Oak beach area, Santa Cruz County</p>
<p><b>A-3-SCO-06-006-E4</b> Graham &amp; Pamela Willmott</p>	<p>Request to extend CDP to demolish an existing 3,345 square foot one-story single family dwelling and construct a new two-story 7,021 square foot, six-bedroom single family dwelling atop the bluff at Black's Point.</p>	<p>100 Geoffroy Drive, unincorporated Live Oak beach area, Santa Cruz County</p>
<p><b>A-3-SLO-07-024-E4</b> SLO Land Corporation</p>	<p>Request to extend permit to for construction of three two-story single family residences ranging from approximately 3,200 to 3,600 square feet (including garages), and related road access and utility improvements (including construction on adjacent properties.</p>	<p>E Street &amp; Little Cayucos Creek, Cayucos, San Luis Obispo County</p>

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *MC*  
Daniel Robinson, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-13-0772-W  
Applicant: San Luis Obispo County Department of Public Works

**Proposed Development**

Interim structural repairs to the Cayucos Pier, including the installation of additional beams, steel cross bracing, T-straps, repair or replacement of pile caps, and removal of remnants of the previous boat landing stairway. The Cayucos Pier is located at the intersection of Cayucos Drive and Ocean Front Avenue, in Cayucos, San Luis Obispo County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13252 of the California Code of Regulations, and based on project plans and information submitted by the applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project is necessary to provide above-water interim repairs to ensure the structural integrity of the pier through the 2013-14 winter season. More substantive pile repair and replacement work will be undertaken after the winter season; however, no below water activity (i.e. pile removal or replacement) is proposed as part of this application. The Commission's typical best management practices, including standard construction conditions, have been incorporated into the proposed project description. In terms of public access, the pier is currently closed beyond pier 23 to the end of the pier due to its unsafe condition (emergency permit G-3-13-0209) and the proposed project will require additional temporary closure of the entire pier during construction (approximately 5-9 weeks, depending on weather conditions). Once completed, the pier will be reopened to pier 23. The adjacent Cayucos State Beach will remain open and accessible to the public during construction and afterwards. In summary, the proposed repair project appropriately minimizes adverse impacts on coastal resources and public access to the shoreline and is therefore consistent with the Chapter 3 policies of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, October 10, 2013, in San Diego. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Daniel Robinson in the Central Coast District office.**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *Mcavali*  
Daniel Robinson, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-12-061-W  
Applicant: California Department of Parks and Recreation

**Proposed Development**

Demolition of the existing Nature Center (1,150 sq. ft.) and Resource Staff Building (325 sq. ft.) and construction of a new 4,125 sq. ft. Visitor Center in approximately the same location. The project site is located at Pismo State Beach Campground at 555 Pier Avenue, Oceano, San Luis Obispo County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project will provide an updated visitor-serving facility at this location, including a new multi-purpose room, exhibit hall, interpretive/resource offices, nature store, and additional amenities, all built on existing pavement/hardscape. In addition, a plaza would be constructed to provide connectivity and public access between the new facility and the surrounding property. The project has been designed to avoid impacts to sensitive habitat, including the nearby Oceano Lagoon, and maintains a 50-foot buffer from the adjacent wetlands and riparian habitat. As such, this public recreational improvement project appropriately minimizes adverse impacts on coastal resources and will enhance the public access and recreational value of the area, and is therefore consistent with the Chapter 3 policies of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, October 10, 2013, in San Diego. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Daniel Robinson in the Central Coast District office.**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *MC*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-13-020-W  
Applicant: Monterey Dunes Colony

**Proposed Development**

Conduct a one day test of the efficacy of K-rail devices to serve as an alternative to sandbags during potential flood and erosion events at the Monterey Dunes Colony townhomes at 195 Monterey Dunes Way in the County of Monterey.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed K-rail test site is located on the back beach just west of the Monterey Dunes Colony townhomes. The Applicant proposes to setup the plastic K-rails in an array and evaluate their effectiveness at forestalling wave attack and damage from wood debris. The interlocking devices are hollow and will be hand-carried into position and filled with water for ballast. After the test, the devices will be removed from the site. The area of the test is outside the adjacent dunes area on bare sandy beach. The Department of Parks and Recreation has given authorization for the test to occur in this location on the state beach provided the test occurs outside of the window of the snowy plover nesting season, which is how the project is proposed. The test will occur over approximately 4 – 8 hours and a project monitor will be on-site during the test to inform any beachgoers of the activity and the location of any needed access detour. All work will be done by hand and no vehicles or other mechanized equipment will be used. The proposed development will not otherwise adversely affect coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, October 10, 2013 in San Diego. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**

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**NOTICE OF PROPOSED PERMIT AMENDMENT****Date:** September 26, 2013**To:** All Interested Parties**From:** Madeline Cavalieri, Central Coast District Manager  
Karen J Geisler, Coastal Planner

A handwritten signature in black ink, appearing to read "Madeline Cavalieri".

**Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-10-061**  
Applicants: City of Santa Cruz and University of California, Santa Cruz (UCSC)**Original CDP Approval**

CDP 3-10-061 was approved by the Coastal Commission on March 11, 2011 and provided for the temporary installation of a solar panel, a wind turbine, and associated skid-mounted sensors onto the roof of the Santa Cruz Municipal Wharf headquarters building until September 2012 as part of a UCSC research project designed to evaluate the efficacy of these alternative energy sources. CDP 3-10-061 was amended on October 10, 2012 (CDP 3-10-061-A1) to extend the expiration date of the research project to September 1, 2013.

**Proposed CDP Amendment**

CDP 3-10-061 would be further amended to extend the expiration date of the research project to September 1, 2014. The Commission's reference number for this proposed amendment is **3-10-061-A2**.

**Executive Director's Immateriality Determination**

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The Commission conditioned its approval of CDP 3-10-061 to require a bird strike research plan to determine the effects of small-scale vertical axis wind turbines on birds (this is the first known research project to evaluate the effects of small-scale vertical axis wind turbines on birds). The bird strike research plan includes daily physical inspection of the Wharf Headquarters' rooftop, the wind turbine itself, and the surrounding area for any evidence of bird strikes for the duration of the project. In addition to daily physical inspections, UCSC deployed a camera on the roof to collect images at least every 10 minutes continuously from dawn to dusk. Image processing algorithms have been used to determine any changes between an image and the subsequent image, i.e. if any new object, such as an injured bird, is present in one image but not in the previous image, an alarm will be generated and a researcher will inspect the rooftop area for evidence of bird-turbine interaction.

Required monthly reports regarding the results of the bird strike research plan have been submitted since the wind turbine began operating in November 2011. These reports reveal that no bird injuries or mortality due to the wind turbine have been observed. The bird strike monitoring plan, including submission of monthly reports to the Executive Director, will continue until the project is completed in September 2014. The Executive Director will retain the ability to halt the wind turbine component of the



## **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP 3-10-061 (UCSC Renewable Energy Experiment)**

**Proposed Amendment 3-10-061-A2**

**Page 2**

project if he determines that the wind turbine is having a significant adverse impact to birds in the area.

Allowing the research project to continue until September 2014 will provide important additional data for understanding the costs and benefits of solar and wind renewable energy technologies, including data regarding small-scale vertical axis wind turbines and bird strikes. In addition, the visual impacts from the project are minimal because the project components, including the wind turbine, are located on a rooftop and are seen in the context of existing Wharf development, which includes numerous buildings (including two-story buildings), light poles, and other existing rooftop development. For the above reasons, the proposed amendment will not have any adverse impacts on coastal resources, including public access to the shoreline.

### **Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on October 10, 2013, in San Diego. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

**If you have any questions about the proposal or wish to register an objection, please contact Karen Geisler in the Central Coast District office.**

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline, Central Coast District Manager *Mcawa*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Proposed Amendment to Coastal Development Permit (CDP) 3-82-171  
Applicants: WTCC Ventana Investors V, LLC

**Original CDP Approval**

CDP 3-82-171 was approved by the Coastal Commission on October 13, 1982 and has been amended four times since (on June 10, 1986, August 11, 2004, November 11, 2011, and February 9, 2012). CDP 3-82-171, as amended, provided for the construction of 19 inn units, 15 employee housing units, swimming pool, bath house, restaurant, kitchen addition, picnic area, recreation building, conversion of 15 campsites to tent cabins, paving of a portion of Coast Ridge Road, trail, septic system, parking, and tertiary treated wastewater dispersal system, all at the Ventana Inn and Spa complex in the Big Sur area of unincorporated Monterey County (APN 419-321-010).

**Proposed CDP Amendment**

CDP 3-82-171 would be amended to allow for the demolition and replacement of two campground bath houses (restrooms and showers) and the remodel of a third campground bath house and the construction of a new entry kiosk to serve the campground facilities at the Ventana Inn and Spa. The Commission's reference number for this proposed amendment is 3-82-171-A5.

**Executive Director's Immateriality Determination**

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The proposed renovations to the bath house facilities and new entry kiosk are necessary prior to reopening the Ventana campground, which has been closed to the public since 2007. Upgrades to the resorts wastewater treatment and dispersal systems have been installed in compliance with RWQCB Cleanup and Abatement Order No. R3-2007-0091. However, the aging bath facilities are no longer serviceable and must be replaced/renovated. A 47 square foot entry kiosk will be located on the main access road to the campground and allow the resort operators to manage campground use and collect user fees needed to staff and pay for up-keep of campground facilities. The bathroom facilities are designed at roughly the same size as existing and will be located within the footprint of the existing structures. The project further includes construction BMPs designed to protect the adjacent streams and tree roots during construction. Disruptions to public access during construction will be minimized by staging of materials and equipment within the confines of the campground. The Ventana Inn and area trails will remain open and available for public use during construction. Accordingly, the project will not



# **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP 3-82-171 (Ventana Inn)**

**Proposed Amendment 3-82-171-A5**

**Page 2**

have any significant adverse impacts on coastal resources, including public access and recreation.

## **Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, October 10, 2013, in San Diego. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT AMENDMENT**

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *DCM FOR A.C.*  
Daniel Robinson, Coastal Planner  
**Subject:** Proposed Amendment to Coastal Development Permit (CDP) A-3-SLO-09-055/069  
Applicant: San Luis Obispo County

**Original CDP Approval**

CDP A-3-SLO-09-055/069 was originally approved by the Coastal Commission on June 11, 2010, and it authorized the construction and operation of a community sewer system (including a treatment plant, collection/disposal/reuse facilities, and all associated development and infrastructure) in the unincorporated coastal community of Los Osos adjacent to Morro Bay in central San Luis Obispo County (with the treatment plant located at 2198 Los Osos Valley Road and other related infrastructure located throughout Los Osos).

**Proposed CDP Amendment**

CDP A-3-SLO-09-055/069 would be amended to allow the standby power building associated with the Lupine pump station facility to be relocated from the southwest corner of Lupine Street and Doris Avenue to a parcel southeast of the intersection of Mitchell Drive and Fearn Avenue. The amendment would also modify the language of Special Condition 4 (Agricultural Conservation Easement) to allow recordation of the easement prior to operation of the treatment plant, rather than prior to construction. The Commission's reference number for this proposed amendment is A-3-SLO-09-055/069-A2.

**Executive Director's Immateriality Determination**

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

With respect to the Lupine standby power building, the Commission's original CDP approval required this building to be set back a minimum of 75 feet from the edge of wetlands at a location at the corner of Lupine Street and Donna Avenue. However, this location proved to be infeasible due to the location of wetlands on the site which prevented the building from being located anywhere on the site outside of the required 75-foot setback requirement. The County has evaluated seven alternative locations and solicited public input on those alternatives (including from nine neighbors). Several alternative sites, including a potential for co-location at the Solano power building, were discounted by the County based on the importance of locating power buildings close to their associated pump stations (including for faster response times in emergencies and reduced maintenance and equipment failure risks). Other alternative locations, including on a private utility company property, a Los Osos Community Services District property, and various neighborhood areas were similarly evaluated and discounted as infeasible due to a



## **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP A-3-SLO-09-055/069 (Los Osos Wastewater Project)**

**Proposed Amendment A-3-SLO-09-055/069-A2**

**Page 2**

variety of issues (including access, easement requirements, environmental concerns, and adverse neighborhood impacts). The preferred site that was chosen is located at the southeast corner of Mitchell Drive and Fearn Avenue. Placing the standby power building at this location would avoid impacts to wetlands and other habitat areas, and would otherwise avoid coastal resource impacts. The location is approximately 250 feet from the nearest wetlands, no tree trimming or removal would be necessary to build or maintain the power building, and the existing ground cover is mowed veldt grass. The site has been recently surveyed and inspected and found to contain no sensitive habitat, including no suitable habitat for the federally endangered Morro shoulderband snail. The project includes built-in measures (including pre-construction surveys and relocation provisions) to address any unexpected habitat issues pursuant to the original CDP. USFWS further indicates that the proposed building relocation is within the scope of their Biological Opinion issued for the overall project. The power building itself would be unchanged from the original approved design (about 17 feet by 28 feet and 14 feet high), it would be set back from the road, and it would be landscaped with native plants appropriate for this location, which along with an existing redwood fence on the south side neighboring property, will help screen it from view. The project would also include space on the site for a community-desired public garden.

In short, the proposed amended power building location is consistent with the Commission's intent in the original CDP in terms of avoiding coastal resource impacts with this standby power building, and the minor location change will not lead to different impacts than those originally understood and approved by the Commission in June 2010.

The proposed amendment would also amend Special Condition 4 (Agricultural Conservation Easement) to allow for recordation of the required easement to occur prior to operation of the treatment plant, instead of prior to construction of the treatment plant. This language change will bring the Commission's Special Condition in line with County Condition 95 which allows recordation to occur prior to operation of the treatment plant. This timing change will benefit the project by allowing continued use of the primary staging area (that is located on the area to be subject to the easement) throughout the construction of the treatment plant, thereby eliminating the need to disturb land for staging elsewhere in the community. The timing change is minor, and does not lead to any coastal resource impacts or concerns.

In summary, the proposed amendment is consistent with the Commission's original CDP approval, the certified LCP, and the Coastal Act's access and recreation policies.

### **Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on October 10, 2013, in San Diego. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

**If you have any questions about the proposal or wish to register an objection, please contact Daniel Robinson in the Central Coast District office.**



**California Coastal Commission**

# RECEIVED

OCT 04 2013

October 4, 2013

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**TO: Daniel Robinson**  
California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

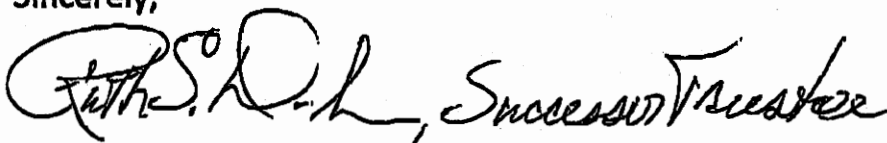
**FM: Ruth Darden, Successor Trustee**  
Evelyn Donges Trust  
900 University Street #401  
Seattle, WA 98101

Dear Mr. Robinson:

Today I received the Notice of Proposed Permit Amendment relating to a Proposed Amendment to Coastal Development Permit (CDP) A-3-SLO-09-055/069. I strongly object to the proposed location of the standby power building at the southeast corner of Mitchell Drive and Fearn Avenue. Its impact on nearby residents, both visual and potential noise, is of great concern.

As the notice was received today, October 4, 2013, my time to voice the trust's objection is minimal, but I do hope you will take into consideration the very late notice of this proposed action and give this objection serious consideration.

Sincerely,



Ruth E. Darden, Successor Trustee  
Evelyn Donges Trust

cc: John F. Sachs, PLC

**Craig, Susan@Coastal**

*A-3-510-09-055/009-A2*

**From:** Jeff Edwards <jhedwardscompany@gmail.com>  
**Sent:** Tuesday, October 01, 2013 3:22 PM  
**To:** Craig, Susan@Coastal  
**Subject:** Fwd: My objections

**RECEIVED**

OCT 01 2013

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

----- Forwarded message -----

**From:** Jeff Edwards <jhedwardscompany@gmail.com>  
**Date:** Tue, Oct 1, 2013 at 3:20 PM  
**Subject:** My objections  
**To:** [d robinson@coastal.ca.gov](mailto:d robinson@coastal.ca.gov), [mCavalieri@coastal.ca.gov](mailto:mCavalieri@coastal.ca.gov)

Hello Daniel,

You asked for my comments on the permit amendment moving the Lupine Back Up Generator House to the corner of Fearn and Mitchell and didn't consider any of my suggestions, not even the concern of adding a community garden; in a community that suffers from Level Severity III. How about requiring the use of recycled water there?

Would you please include my comments sent in June or July (can't remember) (I spent a great deal of time on those) in the Commission's packet and consider them an objection to the amendment.

Additionally, the easement over Andre is the wrong property. The intention was to capture the working agriculture and to preserve it. Andre has not been farmed for decades.

Additionally, have you seen the plant design yet? The engineers estimate, number just released, is \$46.5 million, WAY over what was anticipated. The County blames your (CCC) requirement for setbacks from SRA's for the cost increase. My question remains, why can't parts of the Andre site be used for components of the project that need to be away from SRA's? It's flat, it's fallow, it's feasible and they own it.

Lastly, where are you with a Consultation and/or Substantial Conformity review, this amount of dewatering was NEVER contemplated as part of the CEQA review. The dumping to the bay is UNACCEPTABLE!!!

Julie Tacker

DR

From the Desk of Julie Tacker

July 12, 2013

Dan Carl  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

**RECEIVED**

JUL 16 2013

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Subject: Standby Power Building Site for Lupine Pump Station, Los Osos Wastewater Project (CDP A-3-SLO-09-055/069)

Dear Mr. Carl,

As a longtime Los Osos resident and former Los Osos Community Services District board member, I have vast knowledge of, and remain interested in, the Los Osos Wastewater Project. In response to an email dated June 25, 2013 from Daniel Robinson asking for comments on the above referenced amendment to the Los Osos Wastewater Project by the County of San Luis Obispo, please find comments corresponding to the application letter dated June 17, 2013, below (attached with paragraphs numbered).

**Paragraph 2:** Of the seven alternatives provided by the county, only the parcel identified as alternative #3 was available for purchase in August 2012. The correspondences from neighbors attached to the application are in no way resounding support for the county's alternative #3. In fact it appears from the 9 letters, only two supported the #3 alternative, none mentioned the desire for a community garden. When presented to the public alternative #3 did not propose a community garden nor were its impacts evaluated. The public has not been made aware of the added proposal of a community garden, funded by the wastewater project and the necessary water needed to sustain such an amenity.

The proposed parcel is a gateway property into the Cuesta-by-the-Sea subdivision as it is prominent on the corner of Mitchell Drive and Fearn Avenue as one enters from the north, a visual simulation from that vantage would be helpful.

The alternatives including co-locating the standby generator at sites referenced in the county's letter, paragraph 9, were not presented to the public. If they had been, it is likely there would have been support, as those alternatives eliminate the facility from the neighborhood entirely.

**Paragraph 3:** The proposed parcel has since been sold; the most recent records for the 2013/2014 tax year have its assessed value at \$60,000. The County would be required to pay current market value for the parcel, which today may be even higher than the assessed value since property values are on the rise. If it is necessary to use eminent domain the cost to acquire the parcel may exceed \$100,000 when



From the Desk of Julie Tacker

legal costs are added to its value. *\*It is important to note that the LOWWP/Giacommazzi treatment facility site has yet to be purchased and is still in the eminent domain process.*

The amendment proposed includes a "community garden. In light of the community's certified Level Severity III for water resources, a community garden would require compliance CDP Condition #5 as it pertains to new development and the restrictions including no "intensified" water use. This amenity added to the project is not eligible for funding. Additionally, this component of the project has not been evaluated by CEQA. Mitchell Drive and Fearn Avenue are narrow streets with heavy traffic and limited street parking.

Paragraph 4. A visual simulation would be helpful in measuring impacts of the proposed industrial building within the neighborhood.

With regard to distance from wetlands; this parcel is closer to the northern salt marsh at the edge of Morro Bay than any of the other sites considered. It would be prudent to include a map in the application delineating all wetlands in the surrounding area.

Paragraph 5. No one is disputing the need for backup power for the underground lift station. The only question is where best to locate such a facility. The County's alternatives did not include a community garden nor did was the public provided an opportunity to comment on one. Additionally the public was not invited to provide input on the alternatives identified in paragraph 9.

Paragraph 6. The County suggests that locating the backup generator house "reasonably close to" or in the "line-of-sight" to the underground pump station is important for "practical and operational" reasons. The county also admits (paragraph 7) that from an engineering standpoint, neither is necessary.

Paragraph 7. The County admits that the co-location of backup power and drainage facilities and a well are feasible. Locating the backup generator at the LOCSD Water Operations yard (2,500 feet away from the underground facilities at West Paso and Baywood) was purposely designed to avoid impacts to neighborhoods in the vicinity of the bayfront West Paso and Baywood pump stations.

Paragraph 8. The County admits it is technically possible to co-locate facilities and/or house the backup generator long distances from the underground pump station. Using the same methodology for the Cuesta-by-the-Sea neighborhood as was used for the 2<sup>nd</sup> and 3<sup>rd</sup> Street neighborhoods would be prudent. The 476 square foot industrial facility is a permanent addition to the eclectic neighborhood. The cost of the land, community garden and facility are comparable to the longer distances and co-location suggestions in paragraph 9.

Paragraph 9. An additional alternative not yet considered would be to co-locate the facility on the corner of Don Avenue and Mitchell Drive, where the Los Osos Community Services District (LOCSD)

From the Desk of Julie Tacker

has a storm drain and pump that could also use backup power, approximately 75 feet east of the proposed location.

**Paragraph 10.** The County admits the Solano backup generator is adjacent to wetlands, perhaps the Coastal Commission should ask that it too be moved away from potential impacts to wetland resources. Golden State Water Company's 2.46 acre well site (2,375 feet away from the underground facility in Doris Ave.) at Rosina is ample in size to co-locate Solano and Lupine backup power supply in addition to supplying the wells on site (this would be my personal preference).

**Paragraph 11.** Golden State Water Company's well facility at Rosina is ample in size to co-locate Solano and Lupine backup power supply in addition to supplying the wells on site (this would be my personal preference).

The County notes that the nearby streets have not yet been adopted by the County maintained road system. The original design for the Lupine site includes bringing Lupine Avenue into the County road system. Additionally, it is important to note that several roads have been adopted into said road system since the LOWWP construction began, adopting this section of road adjacent to the GSWC property can easily be overcome.

A recent approved project (DRC2010-00060) at the GSWC well site brought traffic concerns related to the nearby school to light. These neighbors would welcome the streets be paved, as they have been responsible for road maintenance themselves. These same streets carry heavy traffic for nearby school traffic.

Golden State Water Company and the County are involved in the Interlocutory Stipulated Judgment (ISJ) where they have been cooperating for some time. It is unclear from the County's response GSWC was approached or if they would be amenable to the idea of shared facilities.

**Paragraph 12.** The LOCSD/Loma Street parcel is heavily wooded with lovely Coast live oak trees, yet this very parcel was purchased by the project, approved by the CCC and slated for development in 2005. These trees were slated for removal for a harvest well and backup generator as part of that project.

**Paragraph 13.** The County suggests increased costs associated with locating the backup generator house any distance (beyond the 450 ft. they propose) from the underground facility in Doris Avenue. They do not calculate the potential land cost and litigation (as much as \$100,000) to purchase the proposed site and the ongoing costs associated with a community garden, including water, liability insurance, trash collection and/or maintenance. This amenity proposed is a burden to the Prohibition

From the Desk of Julie Tacker

Zone residents who would pay in perpetuity for its upkeep. This component was never vetted or approved by the ratepayer, nor considered by neighbors for its impacts.

The County fails to admit cost savings achieved by co-locating a slightly larger backup generator and house with another facility at an alternative location (i.e. Solano, GSWC). To do so eliminates the cost of a second generator, its maintenance and building, maintenance, landscape, etc., and the risks associated with storing fuel on site, as is the practice.

Paragraph 14. The County has been less than creative in their approach to the backup power supply and industrial house for the low lying area of Cuesta-by-the-Sea. Including a Community Garden on the site was never considered and will add cost to the Prohibition Zone customers who will pay for its maintenance in perpetuity.

Paragraph 15. If you have any questions or need more information about the comments made herein, feel free to contact me at 805-528-3569 or email [julietacker@charter.net](mailto:julietacker@charter.net). Thank you for your continued attention to this important project.

**Conclusion.**

Thank you for the opportunity to participate, I hope with the information provided above Coastal Commission staff would influence the County to approach the placement of the standby generator house away from the scenic neighborhood of Cuesta-by-the-Sea. It is not only feasible to co-locate the backup power supply elsewhere; it is desirable to consolidate infrastructure components. It is important to remember that all systems will be connected via fiber optics/SCADA monitored from the Wastewater Treatment Facility a mile outside of the Prohibition Zone boundary.

Again, feel free to contact me with any questions.

Respectfully,

*Julie Tacker*



SAN LUIS OBISPO COUNTY  
**DEPARTMENT OF PUBLIC WORKS**

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo, CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

June 17, 2013

Dan Carl  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

Subject: Standby Power Building Site for Lupine Pump Station, Los Osos Wastewater Project  
(CDP A-3-SLO-09-055/069)

Dear Mr. Carl:

1 | This letter and Coastal Development Permit amendment application package address condition 1.d.(3) of CDP A-#-SLO-09-055/069 which states, "*Lupine Street Pump Station. The Lupine Street pump station and standby power building shall be set back a minimum of 75 feet from the edge of wetlands located to the south and west of the pump station site.*" In addition, your May 22, 2012 plan approval notes include the following statement regarding the Lupine pump station and related development: "*The power building location will require an amendment to the CDP, and thus sign off is contingent on the amendment being approved*" (copy of approval notes enclosed).

2 | The Lupine standby power building was originally proposed at the southwest corner of Lupine Street and Donna Avenue (see Exhibit A, site 1 in August 13, 2012 package sent to neighbors). However, this location is less than 75 feet from wetland plants (although more than 75 feet from primary wetlands), and therefore inconsistent with condition 1.d.(3). We therefore embarked on identifying alternative locations for the power building (Exhibit A). The merits and disadvantages of these seven alternatives were evaluated, and public input was solicited from the neighborhood. Nine neighbors responded with a variety of opinions (see enclosed responses to August 13, 2012 letter). All seven sites are viable options from an engineering perspective. Consequently a site was chosen based on: lack of environmental concerns; community feedback; and property availability.

3 | We propose to site the standby power building on a parcel south of the intersection of Mitchell Drive and Fearn Avenue (Exhibit A, site 3). The parcel is bordered by two public roadways and single family residences. This site meets the intent of condition 1.d.(3). We note that the proposed site was for sale at the time the alternatives analysis was initiated, but has since sold. At that time, the County offered to secure an option to purchase from the owners which was declined. Nevertheless, we believe the site to be an acceptable location for the stand-by power building. Also, based on feedback from adjacent neighbors, the County has designed room for a community garden on the lot as an additional community benefit.

4 | The parcel is approximately 470 feet east of the Lupine Street pump station and approximately 250 feet from the nearest wetlands. Ground cover consists of mowed veldt grass. Ornamental trees associated with the residence immediately to the south include a Monterey cypress and a few smaller, unidentified specimens. No tree removal would be necessary in order to build and maintain the standby power building. The existing vegetation does not provide suitable habitat

4 | for the Morro shoulderband snail or other special status species. The site does not appear to contain cultural resources. This location will be partially screened from public view by an existing redwood fence and native plants to be installed and maintained around the building (see enclosed landscaping plan, site plan and sections). The building's size and architecture will be identical to that which was previously proposed (Exhibit B).

### Alternatives Discussion

5 | A pump station for the project collections system is required in the vicinity of Lupine and Doris Streets to pump wastewater from the Cuesta-by-the-Sea area of Los Osos to the Midtown pump station and, ultimately, to the water recycling facility for treatment. Each major pump station for the project requires a stand-by emergency generator to power the pumps in the event of an electrical outage. The underground pump stations may be located within the road right of way. However, the generator building must be placed in a location where it does not impede traffic or access to private property. The County has identified several suitable sites for the generator building in the vicinity of the pump station, both in public right of way and on private property. Each of these sites is reasonably close to the pump station and most are within a line-of-sight of the pump station.

Proximity of the generator to the pump station is important for several practical and operation reasons.

- 6 |
- Faster response times in emergencies helps prevent sewage spills
  - Ability to visually confirm operation of pumps from where the power and pump controls are located
  - Reduced maintenance and equipment failure risks due to shorter runs of power cables and less electrical equipment to maintain
  - Reduced capital and maintenance costs for equipment

7 | We note that the project includes a stand-by emergency generator that is remotely located at the Los Osos Community Services District's (LOCS D) water operations yard, approximately 2,500 feet from the two pump stations that it serves (West Paso and Baywood pump stations). This design allows for a single generator to serve two pump stations, the LOCS D's water yard, storm drain pumps, and potable water wells.

8 | It has been suggested that the Lupine generator could also be remotely located a long distance from the Lupine pump station. While it is technically possible, from an engineering basis, to locate a power source a large distance from the pumps, it is not feasible or preferred in this case.

The alternative sites include the following:

- 9 |
- combined use of the Solano pump station generator
  - Golden State Water Company well site on Rosina Drive
  - LOCS D property on Loma Street
  - general references to other vacant lots in residential areas

10 | The Solano pump station and generator are located on a small footprint, immediately adjacent to a wetland area. The site is also 3,500 feet from the Lupine pump station. Use of this facility would require additional facilities, such as pad-mounted transformers, and a significant increase in the size and footprint of the generator building. In addition to the cost and operational impacts of such a remote location, this site is not feasible due to the limited space and potential impacts to adjacent wetlands.

11 | The Golden State Water Company well site is owned by Golden State Water Company, a private utility company. As a private property owner, the company has no obligation to grant an easement to the County, and eminent domain actions are not likely to be successful due to the owner's status as a utility company. More specifically, the property fronts on an unimproved gravel road in a right-of-way that is not within the County maintained road system in Los Osos. Because access to the generator in all weather conditions is important, road improvements would be required along with the securing of appropriate access and underground utility easements. This site would pose significant schedule and litigation risks to the project.

12 | LOCSD property on Loma Street is located in a residential area, similar to the area near the Lupine pump station. The property is heavily wooded with native coast live oaks. It is not feasible to locate a generator building without impacting the native oaks.

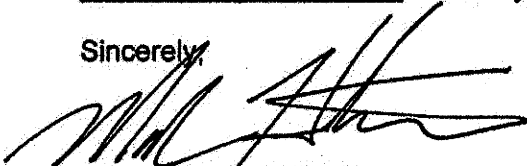
13 | The general references to other vacant lots, as well as the three specific sites identified above, pose the same potential neighborhood impacts as the alternatives posed by the County and do not provide any additional mitigation beyond what has already been found to be appropriate in the CDP. Locating the generator building a long distance from the pump station impacts additional neighborhood areas, increases project costs, and increases risks of equipment failure and spills.

#### Conclusion

14 | We believe that the parcel at the intersection of Mitchell and Fearn best meets the intent of the permit condition 1.d. (3) to move the generator away from wetlands. It also meets project objectives of being reasonably close to the pump station for maintenance, visibility, and cost reasons. While the lot was recently sold to a new owner and is not currently for sale, the County could acquire this property for the project's use.

15 | If you have any questions or need more information about the enclosed permit amendment materials, please contact me or Kate Ballantyne of my staff at (805) 781-5252 or at [kballantyne@co.slo.ca.us](mailto:kballantyne@co.slo.ca.us). Thank you for your continued efforts on this project.

Sincerely,



MARK HUTCHINSON  
Environmental Programs Manager

Enclosures: Application for Amendment  
Plan sheets  
Coastal Commission plan approval notes  
August 2012 package sent by County to neighbors  
Stamped, addressed envelopes

c: Kate Ballantyne, Environmental Resource Specialist  
John Waddell, Project Manager

File: CF 310.84.01 LOWWP Environmental & Permits  
L:\Environmental\JUN13\CC letter Lupine generator.doc.KB:mac

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

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**NOTICE OF PROPOSED PERMIT EXTENSION****Date:** September 26, 2013**To:** All Interested Parties**From:** Madeline Cavalieri, Central Coast District Manager *M. Cavalieri*  
Susan Craig, Supervising Coastal Planner**Subject:** **Proposed Extension to Coastal Development Permit (CDP) 3-07-047**  
Applicant: Highview LLC**Original CDP Approval**

CDP 3-07-047 was approved by the Coastal Commission on August 7, 2008 and recognized an as-built emergency revetment repair as well as related armoring improvements (including retrieving and restacking fugitive rock rip-rap, infilling between two existing sections of seawall, and planting new cascading vegetation) seaward of 2866 South Palisades Avenue in the unincorporated Live Oak beach area in Santa Cruz County.

**Proposed CDP Extension**

The expiration date of CDP 3-07-047 has been extended by the Commission three times previously (to August 7, 2011, August 7, 2012, and August 7, 2013, respectively), and would be extended in this case by one year to August 7, 2014. The Commission's reference number for this proposed extension is **3-07-047-E4**.

**Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Santa Cruz County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

**Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on October 10, 2013 in San Diego. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

**If you have any questions about the proposal or wish to register an objection, please contact Susan Craig in the Central Coast District office.**

**CALIFORNIA COASTAL COMMISSION**

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## NOTICE OF PROPOSED PERMIT EXTENSION

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *M. Cavalieri*  
Susan Craig, Supervising Coastal Planner  
**Subject:** **Proposed Extension to Coastal Development Permit (CDP) A-3-SCO-06-006**  
Applicant: Graham and Pamela Willmott

### Original CDP Approval

CDP A-3-SCO-06-006 was approved by the Coastal Commission on October 15, 2008, and provided for the demolition of an existing one-story single-family residence and construction of a new two-story residence atop the bluff at Black's Point, at 100 Geoffroy Drive in the unincorporated Live Oak beach area of Santa Cruz County.

### Proposed CDP Extension

The expiration date of CDP A-3-SCO-06-006 has been extended by the Commission three times previously (to October 15, 2011, October 15, 2012, and October 15, 2013, respectively), and would be extended in this case by one year to October 15, 2014. The Commission's reference number for this proposed extension is **A-3-SCO-06-006-E4**.

### Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Santa Cruz County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

### Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on October 10, 2013 in San Diego. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

**If you have any questions about the proposal or wish to register an objection, please contact Susan Craig in the Central Coast District office.**



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## NOTICE OF PROPOSED PERMIT EXTENSION

**Date:** September 26, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *M. Cavalieri*  
Daniel Robinson, Coastal Planner  
**Subject:** **Proposed Extension to Coastal Development Permit (CDP) A-3-SLO-07-024**  
Applicant: SLO Land Corporation, ATTN: Steve Miller

### Original CDP Approval

CDP A-3-SLO-07-024 was approved by the Coastal Commission on June 13, 2008, and provided for the construction of three two-story single family residences ranging from approximately 3,200 to 3,600 square feet (including garages), and related road access and utility improvements (including construction on adjacent properties) in Cayucos, San Luis Obispo County.

### Proposed CDP Extension

The expiration date of A-3-SLO-07-024 has been extended by the Commission three times previously (to June 13, 2011, June 13, 2012, and June 13, 2013, respectively), and would be extended in this case by one year to June 13, 2014. The Commission's reference number for this proposed extension is **A-3-SLO-07-024-E4**.

### Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified San Luis Obispo County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

### Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on October 10, 2013 in San Diego. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

**If you have any questions about the proposal or wish to register an objection, please contact Daniel Robinson in the Central Coast District office.**