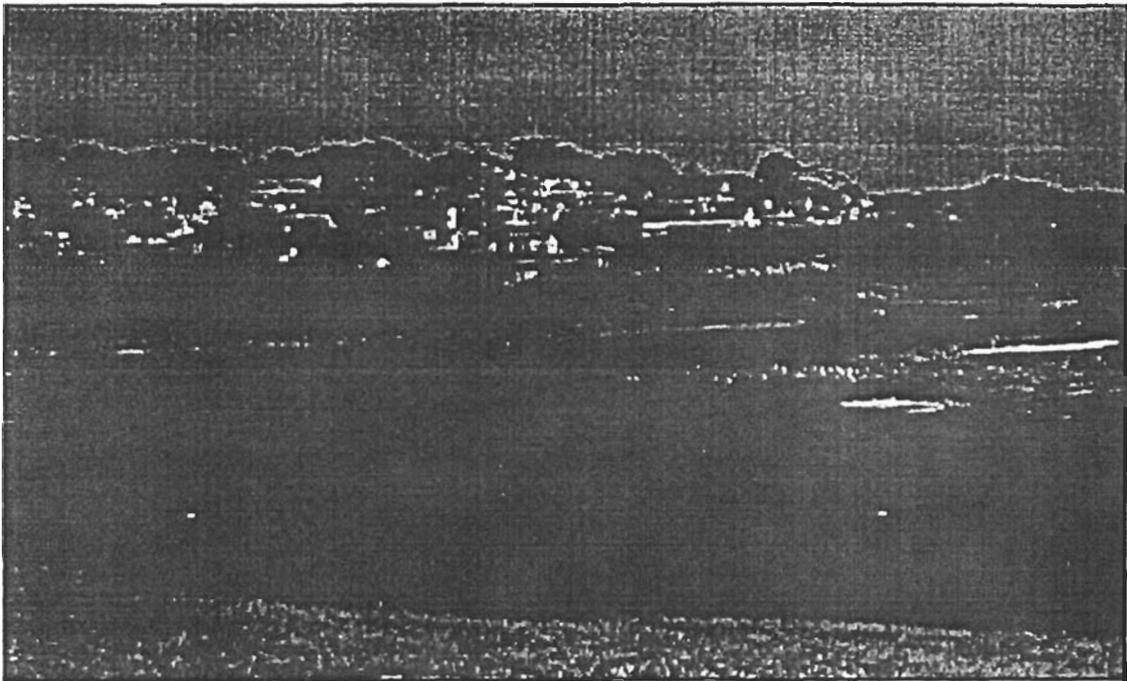


LAND USE ELEMENT - LOCAL COASTAL PLAN  
SAN LUIS OBISPO COUNTY GENERAL PLAN



April 2006

\* Exhibit A – Cover Page Only \*

Complete document available on the Coastal Commission website  
([www.coastal.ca.gov](http://www.coastal.ca.gov)) or at the Central Coast District Office.

**Board of Supervisor's  
Approved Draft**

**Cambria and San Simeon Acres Community  
Plans of the North Coast Area Plan**

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING & BUILDING



IN THE BOARD OF SUPERVISORS  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tues day April 4, 2006

PRESENT: Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall,  
James R. Patterson and Chairperson K.H. 'Katcho' Achadjian

ABSENT: None

RESOLUTION NO. 2006 - 124

RESOLUTION TO AMEND THE SAN LUIS OBISPO COUNTY GENERAL PLAN, LAND USE ELEMENT/LOCAL COASTAL PLAN, CIRCULATION ELEMENT, NORTH COAST AREA PLAN AND THE COASTAL ZONE LAND USE ORDINANCE, AND TO ADOPT ORDINANCES ENTITLED "AN ORDINANCE AMENDING TITLE 23 OF THE SAN LUIS OBISPO COUNTY CODE, THE COASTAL ZONE LAND USE ORDINANCE; SECTIONS 23.05.050 AND 23.06.100 REGARDING WATER QUALITY AND DRAINAGE; SECTION 23.05.062 REGARDING TREE REMOVAL; SECTION 23.07.170 REGARDING DEVELOPMENT WITHIN OR ADJACENT TO ENVIRONMENTALLY SENSITIVE HABITATS; AND SECTION 23.07.172 REGARDING MINERAL EXTRACTION IN WETLANDS" AND "AN ORDINANCE AMENDING SPECIFIC SECTIONS OF THE SAN LUIS OBISPO COUNTY COASTAL ZONE LAND USE ORDINANCE, TITLE 23 OF THE COUNTY CODE" AND TO APPROVE THE ENVIRONMENTAL DOCUMENT.

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on September 22, 1980, and is a proper element of the General Plan; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general and specific plans be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after noticed public hearings did recommend amendments to the Land Use Element/Local Coastal Plan and the Coastal Zone Land Use Ordinance - Title 23 of the County Code, adopted resolutions or otherwise took action recommending said amendments;

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the fourth day of April, 2006, that the County General Plan, the Land Use Element/Local Coastal Plan, Circulation Element, North Coast Area Plan, and the Coastal Zone Land Use Ordinance - Title 23 of the County Code, be amended as follows:

1. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, Circulation Element, North Coast Area Plan, as appears on Exhibit LRP 2004-00024:B which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.
2. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, Circulation Element, North Coast Area Plan, official maps, as appears on Exhibits LRP 2004-00024:C which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.
3. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, Cambria Design Plan, as such amendment appears on Exhibit LRP 2004-00024:D which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

CCC Exhibit B  
(page 1 of 3 pages)

4. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, North Coast Area Plan, as appears on Exhibit LRP 2004-00024:E which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

5. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, Circulation Element, North Coast Area Plan, official maps, as appears on Exhibits LRP 2004-00024:E which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

6. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance Amending Title 23 of the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the San Luis Obispo County Code, the Coastal Zone Land Use Ordinance; Sections 23.05.050 and 23.06.100 regarding Water Quality and Drainage; Section 23.05.062 Regarding Tree Removal; Section 23.07.170 Regarding Development within or adjacent to Environmentally Sensitive Habitats; and Section 23.07.172 Regarding Mineral Extractions in Wetlands" which is attached hereto and incorporated herein as though fully set forth

7. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance Amending Specific Sections of the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code" which is attached hereto and incorporated herein as though full set forth.

BE IT FURTHER RESOLVED AND ORDERED that the environmental documents for the above enacted amendments be approved as follows:

1. Regarding the Certified Final Environmental Impact Report (FEIR) as certified by the Board of Supervisors acting as lead agency, the Board of Supervisors hereby reviewed and considered the information contained in the FEIR. Further, the Board of Supervisors hereby adopts the recommended findings which are attached hereto as Exhibit LRP2004-00024:H and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification by the California Coastal Commission and upon acknowledgment by the San Luis Obispo County Board of Supervisors of receipt of the Commission's resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinances, further reading of the ordinances in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinances 3082 and 3083 said date being May 4, 2006.

Upon motion of Supervisor Bianchi , seconded by Supervisor Lenthall , and on the following roll call vote, to wit:

AYES: Supervisors Bianchi, Lenthall, Ovitt, Patterson, Chairperson Achadjian

NOES: None

ABSENT: None

ABSTAINING: None

The foregoing resolution is hereby adopted.

K.H. ACHADJIAN

Chairman of the Board of Supervisors  
of the County of San Luis Obispo,  
State of California

ATTEST

JULIE L. RODEWALD

County Clerk and Ex-Officio Clerk  
of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

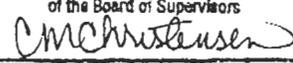
By: C.M. CHRISTENSEN Deputy Clerk  
[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.  
County Counsel

By:   
Deputy County Counsel

Dated: 3.21.06

STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO ) ss  
I, JULIE L. RODEWALD, County Clerk of the above  
entitled County, and Ex-Officio Clerk of the Board  
of Supervisors thereof, do hereby certify the fore-  
going to be a full, true and correct copy of an order  
entered in the minutes of the Board of Super-  
visors, and now remaining of record in my office.  
Witness, my hand and seal of said Board of  
Supervisors this MAY - 4 2006  
  
JULIE L. RODEWALD  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
By:   
Deputy Clerk



**LEGEND**

**LAND USE CATEGORIES**

AG	Agriculture
PL	Rural Lands
REC	Recreation
RR	Residential Rural
RS	Residential Suburban
RSF	Residential Single Family
RMF	Residential Multiple Family
O/P	Office & Professional
CR	Commercial Retail
CS	Commercial Service
IND	Industrial
PF	Public Facilities
OS	Open Space

**BOUNDARIES**

---	Urban Reserve Line (URL)
---	Urban Service Line (USL)
---	Village Reserve Line (VRL)
---	Planning Area
.....	Central Business District

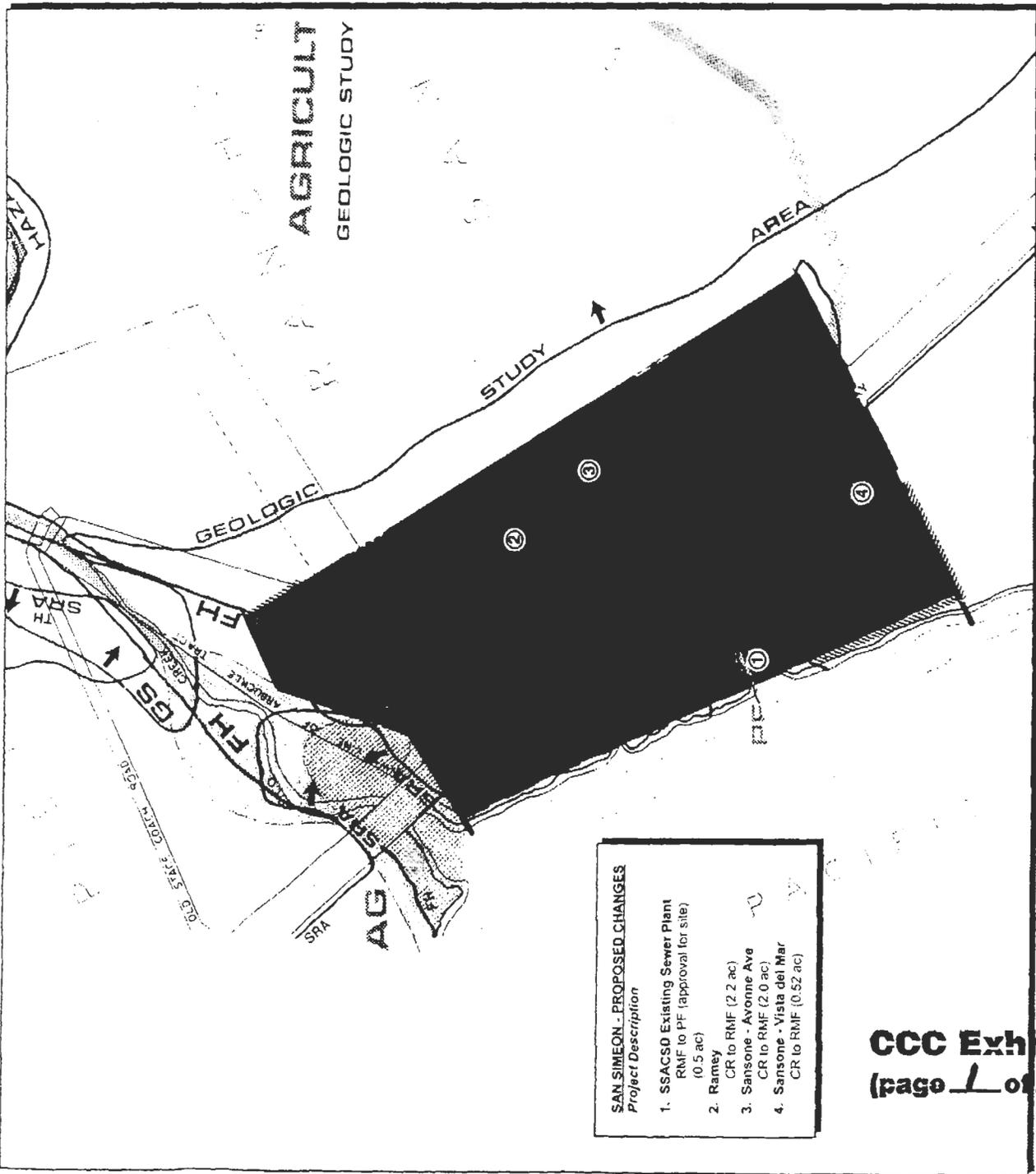
**SCALE**



NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

**SAN SIMONE**  
**LAND USE CATEGORIES**  
**Proposed Changes**  
 July 2004

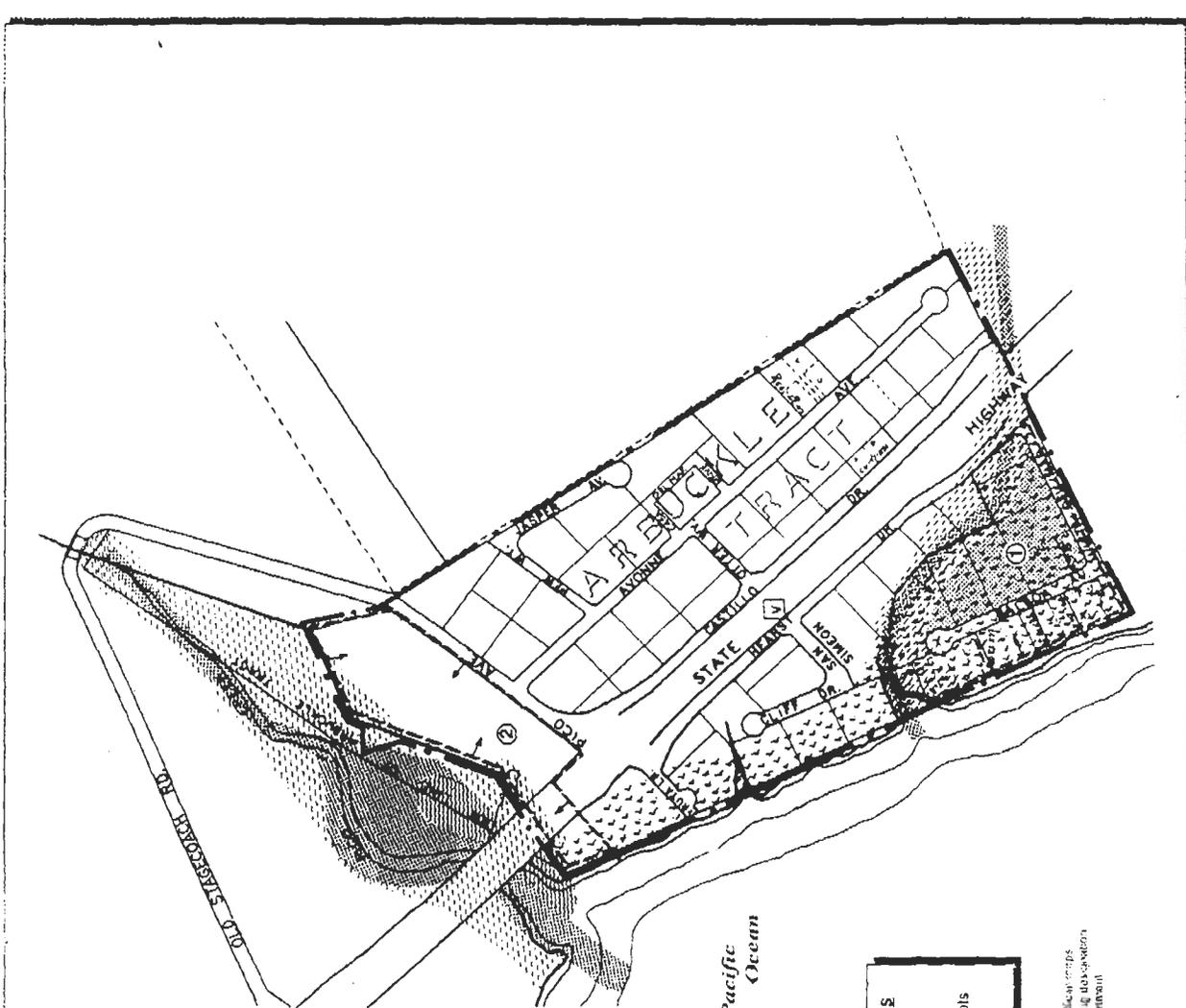
San Luis Obispo County Department of Planning and Building



**SAN SIMONE - PROPOSED CHANGES**

Project Description
1. SSACSD Existing Sewer Plant RMF to PF (approval for site) (0.5 ac)
2. Ramey CR to RMF (2.2 ac)
3. Sansone - Avonne Ave CR to RMF (2.0 ac)
4. Sansone - Vista del Mar CR to RMF (0.52 ac)

**CCC Exhibit C**  
 (page 1 of 7 pages)



**COMBINING DESIGNATIONS**

AR	Airport Review Area
ARCH-SEN	Archaeologically Sensitive Area
GS	Geologic Study Area
FH	Flood Hazard
H	Historic
EX	Energy & Extractive Area
EX1	Extractive Area
LCP	Local Coastal Plan
V	Visitor Servicing Area
SRA	Sensitive Resource Area

**PROPOSED PUBLIC FACILITIES**

(HS)	High School
(JHS)	Jr. High School
(E)	Elementary School
(P)	Park
(P/PF)	Police / Public Safety Facility Station
(WTF)	Water Treatment Facility
(STF)	Sewage Treatment Facility
(SWF)	Solid Waste Facility
(GF)	Government Facility
(L)	Library

**STATUS THAT ARE ENVIRONMENTALLY SENSITIVE IN NATURE**

(TH)	Terrestrial Habitats
(CS)	Coastal Streams & Riparian Vegetation
(W)	Wetlands
(MH)	Marine Habitat

6  
**SAN JUAN COUNTY**  
**COMBINING DESIGNATIONS**  
**Proposed Changes**  
 July 2004

**COMBINING DESIGNATION CHANGES**  
 Project Description

1. SRA Adjustment  
Remove SRA from developed lots
2. Park  
△

NOTE: This map is for reference purposes only. Official maps showing precise property lines and combining designation boundaries are on file in the Planning Department.

**LEGEND**

**CIRCULATION**

EXISTING	PROPOSED	Principal Arterial
		Arterial
		Collector
		Interchange

**COASTAL ACCESS**

Note: For existing and proposed coastal access see chapter 8 of the North Coast Area Plan.

EXISTING PROPOSED

VP [ VP ] Vista Point

**SCALE**



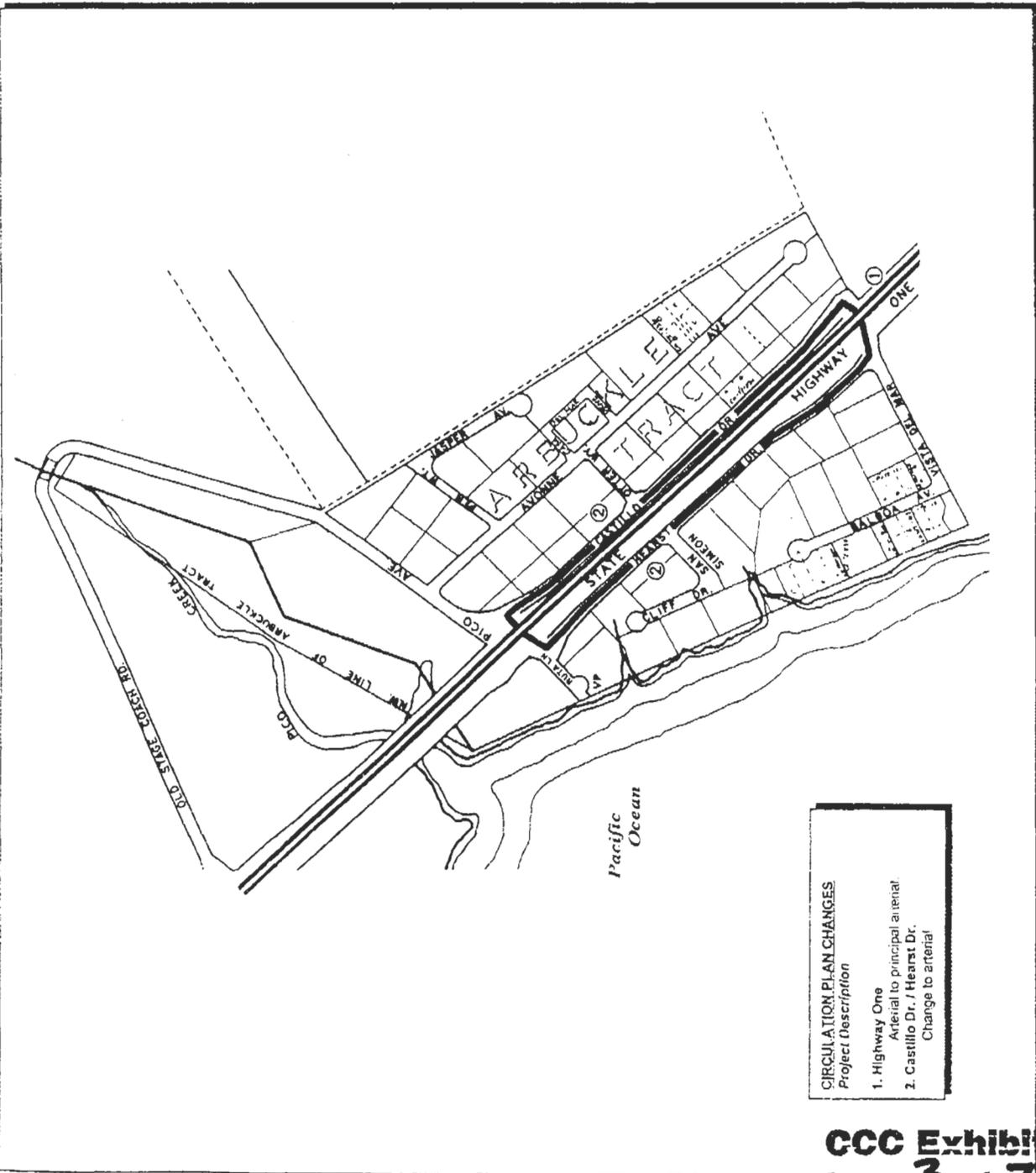
NOTE: This map represents a preliminary circulation information. Areas are for planning purposes only, and do not imply that legal or physical access exists.

7 SAN SIMON

CIRCULATION  
Proposed Changes

July 2004

San Luis Obispo County Department of Planning and Building



**CIRCULATION PLAN CHANGES**

Project Description

1. Highway One  
Arterial to principal arterial
2. Castillo Dr. / Hearst Dr.  
Change to arterial



- CAMBRIA - PROPOSED CHANGES**  
 Project Description
1. Cambria CSD #3 Main Street  
 RSH to CR (1.4 ac)
  2. Connelly & Childs  
 RMF & OIP to RMF & CR  
 (RMF 1.5 ac, CR 2.25 ac)
  3. Aiken  
 RS to CS (3.85 ac)
  4. Kreps/Meltzer  
 CR to RMF (Existing tract 226)  
 (4 ac total, 34 existing lots)
  5. Unused
  6. Rhodes/Crawford  
 RMF & RSF to AG (15.5 ac)  
 Remove from URL
  7. J. Patrick House  
 RMF to REC (1.4 ac)
  8. State Parks  
 OS to REC (existing lot, 3 ac)
  9. East Ranch Flood Plain  
 a. REC to OS (47.4 ac)  
 b. RMF to REC (16.1 ac)  
 c. CR to OS (10 ac)
  10. Newman/Londonderry  
 RMF to RSF (4 ac)
  11. South Cambria  
 a. RS to RL (4.3 ac)  
 b. RS to AG (32 ac)  
 c. RSF to OS (17.0 ac)  
 Add all to USL
  13. MidState Bank  
 REC to CR (1.5 ac)
  14. Santa Rosa Creek  
 Various categories to OS (55 ac)  
 RMF to PF (6 ac)
  15. CCSD / Bahringer  
 RMF to PF (6 ac)
- © CCSD small lot properties  
 Change to REC
- Resulting URL / USL

**LEGEND**

**LAND USE CATEGORIES**

AG	Agriculture
RL	Rural Lands
REC	Recreation
RR	Residential Rural
RS	Residential Suburban
RSF	Residential Single Family
RMF	Residential Multiple Family
O/P	Office & Professional
CR	Commercial Retail
CS	Commercial Service
IND	Industrial
PF	Public Facilities
OS	Open Space

**BOUNDARIES**

---	Urban Reserve Line (URL)
---	Urban Service Line (USL)
---	Village Reserve Line (VRL)
---	Planning Area
.....	Central Business District

**SCALE**



NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

**8**

**CAMBRIA**

**LAND USE CATEGORIES**  
 Proposed Changes

July 2004

**LEGEND**

**COMBINING DESIGNATIONS**

AR	Airport Review Area
ARCI	Archaeologically Sensitive Area
GS	Geologic Study Area
PH	Flood Hazard
H	Historic
EX	Energy & Extractive Area
EX1	Extractive Area
LOP	Local Coastal Plan
V	Visitor Serving Area
SPA	Sensitive Resource Area

**PROPOSED PUBLIC FACILITIES**

HS	High School
JHS	Jr. High School
E	Elementary School
P	Park
PS	Police / Public Safety Facility Station
WF	Water Treatment Facility
ST	Sewage Treatment Facility
SW	Solid Waste Facility
GF	Government Facility
L	Library

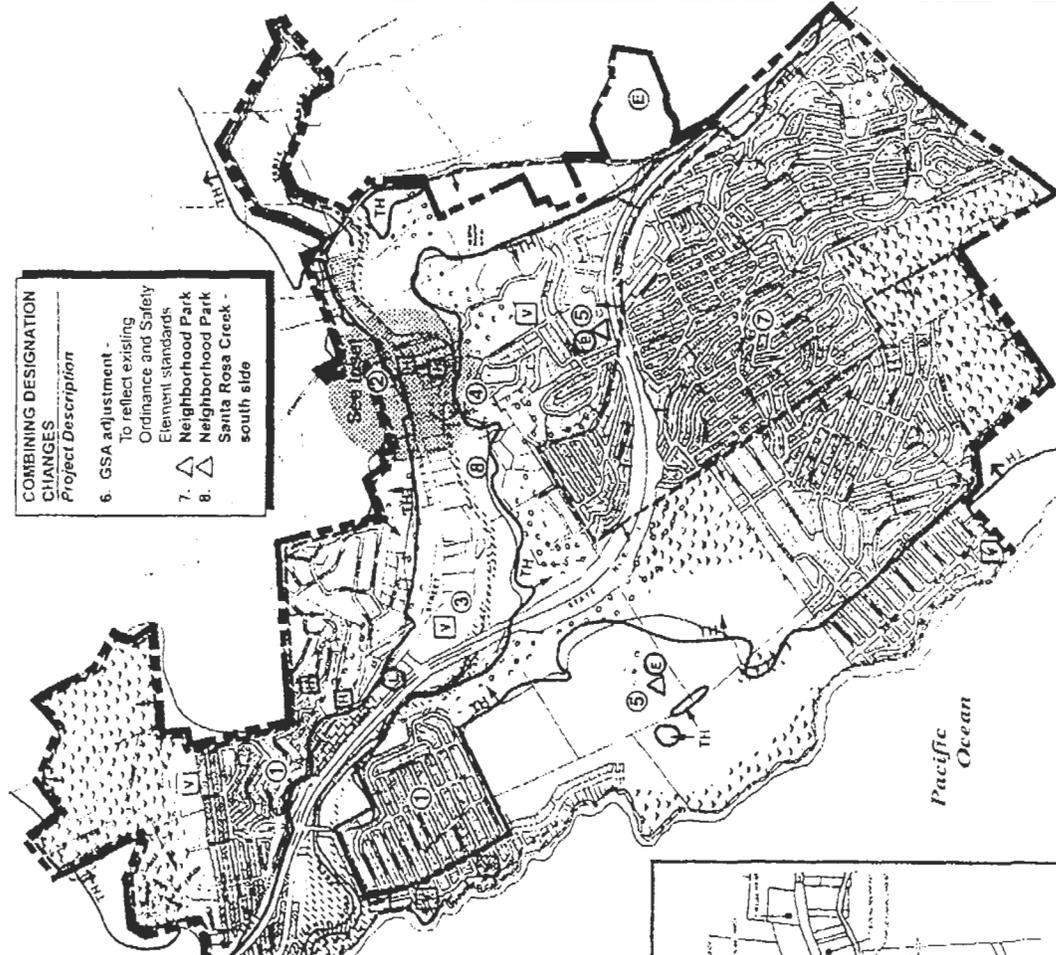
**GSA'S THAT ARE ENVIRONMENTALLY SENSITIVE HABITATS**

TH	Terrestrial Habitats
CS	Coastal Streams & Riparian Vegetation
W	Wetlands
M	Marine Habitat



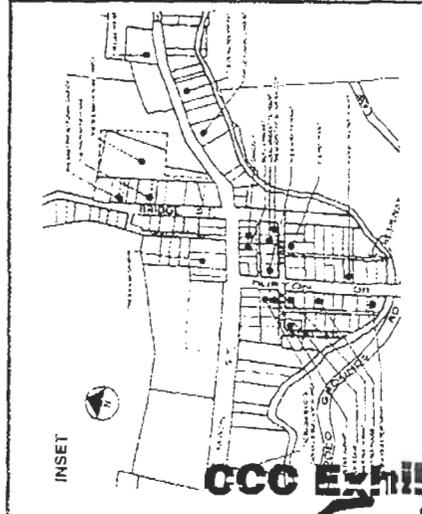
9  
**COMBINING DESIGNATIONS**  
 Proposed Changes  
 July 2004  
 Map 1 of 2  
 San Luis Obispo County Department of Planning and Building

**COMBINING DESIGNATION CHANGES**  
 Project Description  
 6. GSA adjustment -  
 To reflect existing  
 Ordinance and Safety  
 Element standards  
 Neighborhood Park  
 Neighborhood Park  
 Santa Rosa Creek -  
 south side

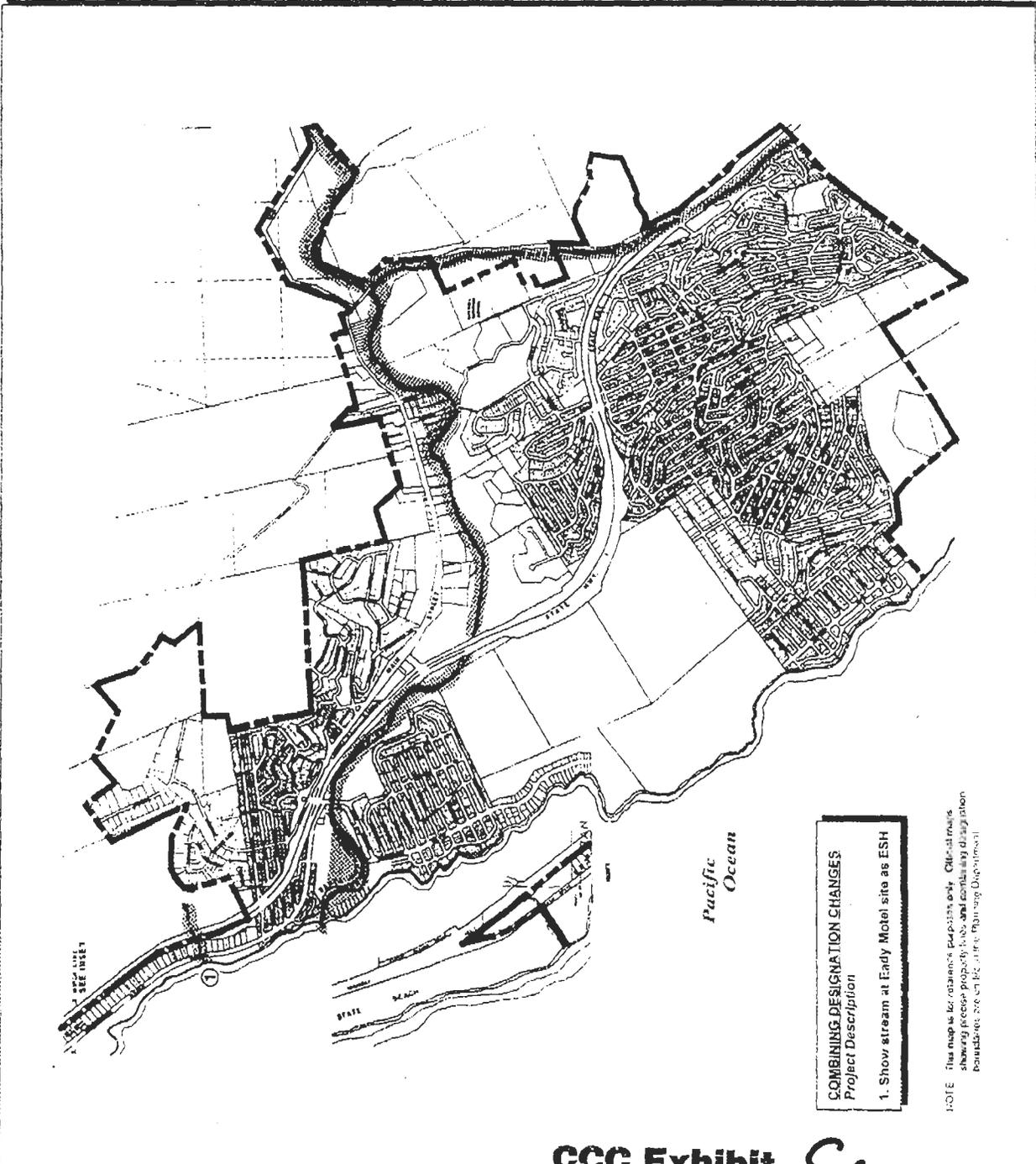


⑥ The entire Cambria Urban Reserve Area is within the GSA Combining Designation

**COMBINING DESIGNATION CHANGES**  
 Project Description  
 1. SHA & TH Adjustment  
 To show correct edge of Pine Forest. Add SRAQTH  
 2. Historic Combining Designations  
 Add multiple H designations to various sites and buildings  
 3. Mid State Bank Property  
 Move V to West Village  
 4. Hume Property  
 Move V to East Village  
 5. Remove E and A overlay designations from site



This map is for reference purposes only. City officials should consult the Planning Department for more information.



**LEGEND**

**COMBINING DESIGNATIONS**

AR	Airport, Review Area
ARCH-SEN	Archaeologically Sensitive Area
GS	Geologic Study Area
FH	Flood Hazard
H	Historic
EX	Energy & Extractive Area
EX1	Extractive Area
LCP	Local Coastal Plan
V	Victor Sewing Area
SRA	Sensitive Resource Area

**PROPOSED PUBLIC FACILITIES**

(HS)	High School
(JHS)	Jr. High School
(E)	Elementary School
(P)	Park
(PSFS)	Police / Public Safety Facility Station
(WTF)	Water Treatment Facility
(STF)	Sewage Treatment Facility
(SWF)	Solid Waste Facility
(GF)	Government Facility
(L)	Library

**SPLAS THAT ARE ENVIRONMENTALLY SENSITIVE HABITATS**

(TH)	Terrestrial Habitats
(CSRV)	Coastal Streams & Riparian Vegetation
(W)	Wetlands
(MH)	Marine Habitat

10

COMBINING DESIGNATIONS  
Proposed Changes

Map 2 of 2

July 2004

San Luis Obispo County Department of Planning and Building

**COMBINING DESIGNATION CHANGES**  
Project Description

1. Show stream at Eddy Motel site as ESH

NOTE: This map is for reference purposes only. Client must show precise property lines and containing jurisdiction boundaries are an EIR or other Planning Department.





**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 PHONE: (831) 427-4863  
 FAX: (831) 427-4877



November 8, 2005

Martha Neder  
 SLO County Planning and Building Department  
 County Government Center, Rm. 310  
 San Luis Obispo, CA 93408-2040

Subject: *Cambria and San Simeon Acres Community Plans*

Dear Ms. Neder:

Thank you for forwarding the above-referenced community plans to our office for review. The plans are a request by the County to update and amend the community plan portions of the North Coast Area Plan and the Coastal Zone Land Use Ordinance (CZLUO) of the certified Local Coastal Program (LCP). Given the critically important coastal resource issues involved, we appreciate the chance to work with the County in the local review process.

We have provided a series of comments regarding the May 2005 draft plans and their relation to the California Coastal Act, current LCP Policies and Ordinances, and other planning concerns of the Coastal Commission staff. Because the Coastal Commission has to approve the community plans consistent with the California Coastal Act, we offer the following comments. The comments below are written in two sections: overall comments on some of the most significant Coastal Act and LCP issues raised by features in the plans, and other more text specific comments.

### I. Coastal Act and LCP Issues

#### A. New Development and Public Services (Coastal Act Section 30250)

The Coastal Act includes several policies that address the location, type, and intensity of new development to ensure the protection of coastal resources. Overall, these requirements reflect a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it.

#### CAMBRIA

We have concerns regarding the Cambria Community Plan as it affects new development and the availability of adequate public services. We are encouraged by the programs and standards presented in the plan dealing with the huge disparity between vacant building sites and limited water supplies in Cambria. However, we believe some of the new programs and standards, particularly those dealing with priority uses, growth management, the allocation of residential permits, and service extensions outside of the Urban Services Line (USL), do not adequately support the Coastal Act.

The new programs and standards included in the submittal attempt to address the disparity between growth and available services, but don't appear to address the root problem of assuring

**CCC Exhibit D**  
**(page 1 of 37 pages)**

sustainable water supplies in Cambria. Chapter 3 (Services and Resources) concedes that safe yields in Cambria, particularly during low rain years, are likely inadequate. Chapter 3 provides valuable data covering the current status of public facilities, services, and resources. However, we feel that estimating water availability for new urban uses based on existing entitlements, wait lists, and future allocation patterns, are only some of the factors that need to be considered in the discussion of sustainable water resources. Determining the true amount of water available for new development must be based on a more informed analysis of safe yield balanced with the need to protect riparian and wetland habitats, and must include provisions for current and potential agricultural uses in the two watersheds. Only after this type of analysis is completed can the amount of water for sustainable new development in Cambria and San Simeon be adequately estimated.

We encourage the County to review available water information for area creeks based on below average rainfall years, and begin a study of instream flow requirements for these creeks. Although this issue in Cambria is addressed under Cambria Service Program 10A (page 3-43), the program is non-binding with an "on-going" timetable for completion. A more protective approach should be examined for Cambria that requires time-certain completion of instream flow studies with development restrictions for non-completion. This is the approach currently required for San Simeon Acres under the proposed plan and should be seriously considered for Cambria as well (see San Simeon Communitywide Standard 1C, page 7-99).

As described below, other development standards do not appear to support the Coastal Act.

Communitywide Standard 1 – Reservation of Service Capacity (page 7-14). This standard reserves on a yearly basis 20% of the sewer and water capacity to visitor-serving and commercial uses. Five percent of this 20% may be allocated to affordable housing projects. In addition to concerns about conflicts with the priority use policies of the Coastal Act, this standard raises two other important questions: 1) What happens to the allocation if all of it is not used in a particular year; and, 2) How will this policy be implemented? It appears that this standard relies on the CCSD for implementation. In such a case, it must be demonstrated that the CCSD has adequate implementation measures consistent with Coastal Act policies for priority uses.

Communitywide Standard 2 – Growth Management and Allocation of Residential Permits (page 7-14 through 7-16). This standard is one of the most important new standards proposed in the Cambria plan. This standard limits the issuance of water letters to no more than 1% of the existing number of dwellings within the URL per year and codifies the Title 26 Growth Management Ordinance (GMO). A maximum number of 125 residential permits per year is allowed under subsection B of the standard. In addition, this standard allows the CCSD to provide services outside of the USL or URL under limited circumstances, requires new subdivision projects to retire an equivalent number lots, and ensures that future desalination plants be owned and operated by the CCSD.

In general, this standard is problematic because the GMO has not been certified as part of the LCP and therefore it is unclear if the GMO can be effective in the coastal zone. We suggest that if the County wants the proposed standard be effective, Title 26 should be submitted separately

for certification, or be included in its entirety for review within the community plan document.

Another primary issue raised by this proposed standard is the concept that water allocation letters not issued in any given year, can be allocated in any following year. This system allows allocations to “stockpile” or “accrue” for use in a later year (Communitywide Standard 2.A.3. page 7-14). This policy would render the 1% growth cap ineffective, with the result that growth in Cambria could accelerate rapidly in a short amount of time once the water moratorium is lifted and all of the accrued water commitments are developed. It is possible under this scenario that the rate of development would outpace the availability of public services such as water supply. We urge the County to consider not allowing allocations to be issued or to accrue during the water moratorium. At such a time when a reliable water resource is established, water hook-ups could then be issued at 1% annually. As proposed, it does not appear this new standard is adequate to address the critical issue of limited water supply in Cambria.

Section 2.C. of this proposed standard allows the CCSD to provide services outside of the USL or URL under certain circumstances. The overriding concern with this standard is the potential for new development to occur outside of existing developed areas and further weaken the “hard edge” of the urban area. The plan should more fully address the cumulative effects of the standard on Cambria’s service capacities and natural landscape through a detailed mapping and inventory of the specific sites that would fall into the exception categories listed in the standard.

Section 2.D. requires that new residential land divisions retire an “equivalent legal lot”. While this new standard appears to be a positive step in eliminating additional development potential through land divisions, the term “equivalent legal lot” needs to be better defined. It should be clear that this means not only an equivalently sized parcel, but the parcel proposed for retirement should also be equivalent in terms of actual development potential. The retirement of equivalent legal lots under this provision should consider other factors on the parcels such as the presence of ESHA, steep slopes, scenic views, or other development constraints to ensure an equitable retirement.

#### Transfer of Development Credits (TDC)

The TDC program is one method to address the problem of existing small lots in Cambria. The transfer of building potential to other areas of Cambria, however, raises concerns about the cumulative impacts of increased development in these receiving areas, including issues of community character and nonpoint source pollution.

The updated standards for the TDC program in Chapter 7 seem to improve upon the existing program through expanded participation and limitations on the use of TDC’s when larger homes have the potential adversely impact resources. While the TDC program seems improved under the update, additional standards should be considered. As detailed in the 2001 Periodic Review Recommendation 2.18, one idea for the County to consider is a standard to address the minimum area of native landscape that must be preserved, regardless of lot size.

Communitywide Standard C.3 Resale Provision (page 7-73): This new TDC provision establishes a resale option to support additional land purchases. While this may be acceptable in

some cases, more information is needed regarding implementation. Specific measures should be included that ensure maximum resource protection. The term "appropriately sited building sites" should be articulated and clear performance standards should be detailed in the provision.

#### Land Use Changes

The community plans propose changes to existing land use designations that will change the type, location, and intensity of development in the urban areas of Cambria. The nature of particular land use designation changes determines which Coastal Act and LCP policies are relevant. Major land use changes with potentially significant impacts are discussed in the following section:

- 1) Cambria CSD #3 Main Street: Residential Single-Family to Commercial Retail. This vacant 1.4 acre parcel is located in the West Village of Cambria and is designated RSF. Under the proposed plan, the County would change the land use designation to CR. Any development would displace informal parking, require building in the flood hazard area, and be subject to potential geologic hazard from the steep slopes at the rear of the site. Traffic levels on Main Street could also increase. As discussed at length in the NCAPU, this proposed change appears inconsistent with Coastal Act sections 30250 and 30253.
- 2) Connelly and Childs: Residential and Office/Professional to Commercial Retail. This site is located on the south of Main Street and slopes gently south towards Santa Rosa Creek. The easterly approximately one-third of the site is zoned Office Professional; the westerly approximately two-thirds is designated Residential Multi-Family. A mobile home park is located on the southern part of the westerly two-thirds of the site. The County is proposing to maintain roughly 1.5 acres in the rear of the property for RMF and designate the remaining 2.25 acres to Commercial Retail use. Issues related to this proposed change are future development in a flood hazard area and increasing traffic on Main St. Recently, issues have been raised regarding the closure and conversion of mobile home parks and the retention or replacement of affordable housing units (sec A-3-SLO-05-046). In terms of existing patterns of development and location, it makes sense to change the O/P designation to Commercial Retail. However, the RMF designation should be retained for the area of the existing mobile home park, and other residential uses should not be allowed. In any event, the issue of replacement affordable housing units and future use of the mobile home park is one that should be carefully reviewed for consistency with 30250, 30251, and 30253. In addition, the land use change should be reviewed for consistency with Section 23.04.092 of the CZLUO.
- 3) Aiken: Residential Suburban to Commercial Service. This 3.85-acre parcel is characterized by steep to gently rolling slopes with grasslands and Monterey pine forest habitat. In addition to habitat protection, issues are raised by the geologic hazard presented by the steep slopes on the rear of the parcel and the potential for increased traffic on Burton Drive and other streets in the vicinity. According to the land use maps, approximately 60 percent of the site is covered by a geologic study overlay, recognizing the potential hazard to development below the steep slopes. The potential for increases in

water use should also be evaluated. A detailed evaluation of consistency with section 30250 is necessary.

- 4) Kreps/Meltzer: Commercial Retail to Residential Multi-Family. This four-acre site is surrounded by residential areas and contains 34 existing lots. According to the data provided in the NCAPU, the proposed change could accommodate roughly 104 multi-family residential units, with a potential of 225 persons. At this time, even buildout of existing lots of record are of concern in Cambria. Given the current lack of sustainable water supplies, increases in the number of lots could be problematic. However, commercial use may not be the best for this site given its location in an otherwise completely residential area, and being less than one-half mile from the commercial core of the East Village. As discussed in the NCAPU, a more suitable residential use of the site may be single-family residential in order to reduce the overall number of units and persons. Another option would be to change the land use designation to RSF and encourage re-subdivision of the property. Ideally, such a re-subdivision would be accompanied by lot reduction elsewhere on Lodge or Park Hills. Thus, we encourage the County to consider a land use change to RSF (not RMF) with appropriate site design to be consistent with the surrounding area.
- 5) Newman/Londonderry: Residential Multi-Family to Residential Single-Family. This is a 4-acre site comprised of numerous small lots in east Lodge Hill. Some of the lots are already developed with residential units. Issues raised are related to the change in neighborhood character that would come with a change from attached RMF units to detached RSF units. With the proposed change there would be a slight reduction in total potential number of building sites and dwellings. Because of this decrease in development intensity and current land use in the area, the proposal appears consistent with Coastal Act section 30250. Future residential development of the site should be clustered to avoid excessive ground disturbance, tree removal, and scattered residential development.
- 6) South of Cambria Properties: Residential Suburban to Rural Lands (43 acres) and Residential Suburban to Agriculture (32 acres). Proposed land use changes in this area affect parcels totaling approximately 75 acres. The proposal also shifts the USL to exclude the properties from receiving urban services. In the case of the 32 acre parcel, the proposed plan shows a change from Residential Suburban (RS) to Agriculture (AG). In this case, however, a more appropriate land use designation is Open Space (OS) due to the presence of sensitive Monterey pine forest habitat and the embedded recreational use of Camp Ocean Pines. The Coastal Commission recently approved an LCP amendment changing the land use of the 32 acre property from Residential Suburban (RS) to Open Space (OS) (see SLO-MAJ-1-04 Part 2). The 43-acre parcel is to be changed from Residential Suburban (RS) to Rural Lands (RL). On the surface, both of these changes appear to reduce the amount of future development potential to the benefit of coastal resources. With the modification to OS for the 32-acre property, the land use change appears consistent with Coastal Act Sections 30240 and 30250.

- 7) Mid-State Bank: Recreation to Commercial Retail (portion) and removal of Visitor-Serving Combining Designation. The proposed land use change would result in 1.5 acres of the site to be changed from Recreation (REC) to Commercial Retail (CR). Flooding on the site and the potential to exacerbate flooding in the West Village are major issues with any development of this site. As stated in the NCAPU, specific requirements for this site may be inadequate to address the overall flooding potential on this site and in the West Village. The NCAPU recommended denial of a commercial land use change in this area due to inconsistencies with Section 30253 of the Coastal Act. More information will be necessary to find a commercial project on this site consistent with the Coastal Act. The removal of the visitor-serving combining designation for this site is also an issue. There is little information included in the plan showing that the visitor-serving (V) combining designation is no longer necessary or would be better served in a different village location. Thus, the combining designation change may be inconsistent with Section 30222 of the Coastal Act, which requires land suitable for visitor-serving commercial facilities have priority over general commercial.

#### SAN SIMEON ACRES

##### Land Use Changes

There are four land use changes proposed in San Simeon Acres. The first would appropriately designate the wastewater treatment plant as a Public Facility (PF). For three properties (Ramey - 2.2 acres; Sansone - 2 acres; and Sansone Vista Del Mar - .52 acres) the land use designation would be changed from Commercial Retail (CR) to Residential Multi-Family (RMF). Under the proposed plan, approximately 5 acres of commercial retail area would be lost to residential uses. It is possible that these land use change would decrease the amount of water use and traffic generated. However, these land use changes must consistent with the Coastal Act, which gives visitor serving uses priority over residential uses. Additional information will be required to fully analyze these land use changes for consistency with the Coastal Act. Specifically, this information should demonstrate why the CR land use designation is no longer necessary at these locations, or if this land use can be supported elsewhere in the community. San Simeon Acres is a largely visitor-serving destination area and maintaining land for visitor-serving and commercial uses is important. Thus, these changes appear problematic whether they provide consistency with the Coastal Act.

##### **B. Environmentally Sensitive Habitat Areas (ESHA's) (Coastal Act Sections 30240, 30230, 30231, and 30250a)**

One of the primary objectives of the Coastal Act is to preserve, protect, and enhance environmentally sensitive habitat areas (ESHA). In both Cambria and San Simeon Acres ESHA's are abundant. Identified ESHA areas include: marine habitats, streams and riparian habitats, wetlands, and terrestrial habitats.

As discussed in both the NCAPU and the Periodic Review of 2001, the Combining Designation maps do not effectively delineate all locations of potential ESHA, and therefore should not be

relied upon to identify the particular areas where biological evaluations are needed. The LCP definition of ESHA should be revised to conform to Coastal Act section 30107.5. It should also be clarified that application of the ESIIA protection standards is not limited to the areas mapped as Combining Designations (Rec. 4.1 p.124).

The Periodic Review also recommends updating the requirements for biological investigations and reports. CZLUO Section 23.07.170 should be revised so that biological reports are prepared for all development within or adjacent to ESHA and not just those sites that have been mapped as ESHA. The submittal appears to weaken the application content requirements of CZLUO Section 23.07.170(a) by adding the following language:

*a. Application content. Unless a comprehensive program or list of standards already exists, and mitigation measures have already been identified that will reduce potential impacts to less than significant levels, and the proposed project will incorporate all feasible mitigation measures, a land use permit application for a project on a site located within and adjacent to an Environmentally Sensitive Habitat shall also include a report by a biologist approved by the Environmental Coordinator that: ...*

It is unclear if the "list of standards" and "mitigation measures" would be adequate to protect ESHA consistent with the LCP and Coastal Act. How would these list or mitigation measures be established? How would they be deemed adequate? It is also unclear if this new language addresses new information and changes to habitat areas over time. It seems possible that the lists of standards and mitigation measures may not reflect current on the ground conditions or changed circumstances. More information would be needed to approve this revision consistent with the amended CZLUO.

Monterey pine forest (SRA) (TH) Combining Designation Standard (page 7-7 through 7-11). Although this standard attempts to reduce redundancy and provide consistency in the planning process, Section 2.B. still relies on CZLUO Section 23.07.170 to determine where a biological report is required. As discussed above, biological reports should be prepared for all development within or adjacent to ESHA, not just those areas mapped in the LCP.

Combining Designation Areawide Standard 8 – Clustering of Development Required. This standard requires clustering for new land divisions and multi-family residential projects within forested areas. The standard limits, when feasible, new development to slopes less than 20%. For this standard to be effective, the term "forested areas" needs to be better defined. It is unclear if this term is an ESHA designation or not. If so, this standard raises consistency issues with Coastal Act policies that limit new developments in ESHA to resource dependent uses.

Communitywide Standard 8 (A-C) - Santa Rosa Creek Frontage (page 7-17). These standards should include measures to address lighting and noise impacts on riparian habitats. Past projects in this area have used window treatments, low profile lighting fixtures, and specialized building materials to reduce noise emissions.

### C. Water Quality and Marine Resources (Coastal Act Section 30230 – 30231)

The Coastal Act includes numerous policies to protect water quality and marine resources. Marine resources are to be protected, maintained, and where feasible, restored. The biological productivity of coastal waters, including streams, estuaries and wetlands, must be maintained. Requirements include controlling runoff and waste discharges to protect water quality, maintaining groundwater supplies and stream flows in order to sustain the biological productivity of coastal waters, and minimizing the alteration of riparian habitats and streams.

One major proposed change to the Cambria and San Simeon community plans is the inclusion of combining designation standards for projects with point-source marine discharges (Combining Designation Standard 1 – Projects with Point Source Discharges (Cambria page 7-5 and San Simeon page 7-97)). The proposed standard may not provide consistency with Coastal Act Sections 30230-30231. Specifically, detailed biological studies prior to construction, as well as long term monitoring provisions are lacking in the proposed amendment. In addition, this amendment should also consider a suite of standards, much like those included for the Monterey pine forest (TH) that detail the types of resource protection measures that must be in place during construction of any marine outfall project.

#### CAMBRIA

Urban development proposed under the Cambria plan has the potential to impact water quality and marine resources. Residential development and road construction have led to increased runoff from impervious surfaces, resulting in a higher rate and volume of runoff, and possible changes in flow patterns and rates of sedimentation into streams.

The proposed plan updates water quality standards for single-family residential development but does not include similar update standards to Multi-Family Residential and Commercial development categories. For example, Residential Single Family Standards 4 and 5 address topographic issues and erosion control measures, but the proposed amendment does not apply these measures to other land use designations. As discussed in the Periodic Review of 2001, one of the main areas where the LCP needs to be updated is in addressing ongoing runoff from all development. The amendment should incorporate measures to address ongoing nonpoint source pollution, regardless of location, type or size of the development. In addition, specific performance standards to ensure that water quality is adequately protected should be included when erosion control and drainage plans are required.

#### TDC Program

As described in the Periodic Review of 2001, the current LCP contains no policy limiting the quantity of TDC use in any one area. Concerns are raised over the scale of development that should be allowed on any given property versus the property's ability to absorb and drain water. Although surveys have shown buildings that have used TDC's are distributed widely throughout Lodge Hill, there are a few areas where TDC use has been concentrated. The more concentrated the TDC use, the greater the impact may be on water absorption and erosion. Specific standards addressing the location and concentration of TDC receiver sites should be considered.

On major change proposed under the new community plan is an increase in maximum footprint and GSA allowed under Table 7-1. It appears that in each category, the allowable footprint and GSA is increased (with the exception of the GSA for 25' wide lots). Beyond the baseline increases allowed under Table 7-1, the TDC program would allow even more impervious footprint and square footage to be added to residential developments. For example, Table 7-1 increases the maximum footprints allowed by 400 square feet on triple lots (75' wide). Combined with an additional 400 square feet of TDC credit, questions are raised about cumulative impacts and the role of the TDC program. Contrary to the direction taken under the proposed community plan, it may be necessary to revise the allowable development standards downward for small lots in Cambria. The plan does not include the information needed to evaluate whether the proposed standards will effectively carry out the objective of providing maximum protection of water quality and marine resources. In order to address this issue, we suggest a comparative analysis of the impacts to resources posed by the buildout allowed under the existing TDC program, and that under the proposed TDC program.

#### **D. Scenic and Visual Resources (Coastal Act Section 30210, 30251, 30252, and 30253(5))**

An important aspect of the plans' conformance to Coastal Act standards will be their ability to protect highly scenic areas and the special character of each community. The applicable Coastal Act policies call for the protection of scenic and visual qualities of coastal areas; the provision and protection of maximum public access, including visual access; and, the preservation of special communities and neighborhoods with unique characteristics that are popular destinations for visitors.

#### **CAMBRIA**

Communitywide Standard 9 (A through F) - Development Within View of Highway One (pages 7-17 through 7-18). This standard establishes a suite of guidelines to address new development within view of Highway One. While this standard appears to provide positive steps to minimize visual impacts and landform alterations, this standard should be expanded to include protection of views from other important public viewing areas, such as public beaches, neighborhood parks, and public access trails. We also suggest that the County consider a prohibition on new subdivisions within the Highway One viewshed and other highly scenic areas.

Moonstone Beach Standard 4 (I) Site Coverage – View Corridors Required (page 7-52). The intent of this standard is to maximize view corridors to the shoreline. The existing side setback standard for contiguous lots should not be optional. Given the fact that this standard addresses such a small land area with a limited number of lots, we suggest a more detailed analysis that pinpoints and describes the best size and location of setbacks to maximize the size and extent of view corridors.

#### **E. Hazards (Coastal Act Section 30235)**

The Coastal Act requires that new development be sited and designed to minimize risk to life and property specifically in areas of high geologic, flood and fire hazard. Under the Coastal Act, development is required to be sited and designed to assure stability and structural integrity and

neither create nor contribute significantly to erosion or require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs (Section 30253). Section 30235 allows the construction of shoreline protective devices where existing development is threatened from erosion and when designed to eliminate or mitigate impacts on shoreline sand supply.

There are a variety of measures that the County should incorporate into the community plans to avoid or minimize the risks of erosion or wave attack and avoid the need for future shoreline armoring. These are discussed at length in the Periodic Review of 2001 and include in part:

- Defining more specifically what existing structures are for purpose of allowing future shoreline armoring.
- Prohibiting new subdivisions or lot splits or lot legalization that creates new lots in high wave hazard areas.
- Modifying the standards to require as a condition of new development that the applicant assume the risk of building in a hazardous area without assurances that future armoring will be allowed.

The Cambria Community Plan addresses the stability and structural integrity of new development primarily through the use of a residential setback standard. Standard 8.A.1. (page 7-76) requires that all residential lots with a coastal bluff be setback to withstand bluff erosion and wave action for a period of 75 years, and that in any case the setback shall not be less than 25 feet. As discussed in the Periodic Review of 2001, it may be appropriate to change the setback requirement to be based on a 100-year economic life of the development rather than 75 years.

#### SAN SIMEON ACRES

In San Simeon Acres, there is a minimum bluff setback of 25 feet, which may be required to be greater. However, this setback requirement does not equate to a specific number of years of erosion. Thus, we suggest that Communitywide Standard 2 (page 7-100) be modified to require that structures be setback to withstand bluff erosion and wave action for a period of 75 years (and possibly 100 years), with an absolute minimum setback of 25 feet from the bluff edge.

#### II. Text Specific Comments

- (page 7-3) - Combining Designations Standard 2 Lateral Access Dedication – Park Hill. This lateral access standard appears missing from the draft Cambria community plan. Is this intentional? If so, why? Is it addressed in a different section of the plan? Or, could it be that the beach area is already in public ownership?
- (page 3-11) – The intro paragraph of this page discusses near term approaches for supplemental water supplies. The paragraph lists desalinization as a near term project in the years “2004 to 2006”. This should be amended, as a 1 year goal for completion of a

desalinization project seems unrealistic.

- (page 6-3) Combining Designations. - Why are Little Pico, Arroyo de La Cruz, and San Carpoforo Creeks omitted? Has their status changed?
- (page 6-17) – Standard 17A. Should passive recreation be listed as “Restoration?” Perhaps better listed as an “Enhancement” goal?
- (page 7-21) – Communitywide Standard 10 East/West Ranch. It is unclear why residential uses (one caretaker residence and residential accessory uses) would be allowed on East/West Ranch.
- (page 7-58) – Standard 5 Tract 226 – There is no Standard 6 as referenced.
- (page 7-59) - Park Hill Lateral Access – Why is this deleted? Is it addressed elsewhere?
- (page 7-66) - RSF Standard 8 Building Size. - Why are Tract 358, Tract 384, Tract 420, tract 44, and Tract 112 excluded from the maximum footprint and GSA requirements of Table 7-1?
- (page 7-66) A. Use of Table. -There is number missing in the allowable GSA calculation. Should read ( $1200 \times 1.09 = 1,308$ ).
- (page 7-72) Figure. - Notation on Figure 7-24 does not match Figure 7-25 “Fern Canyon” and Figure 7-26 “visible Hillside”

In conclusion, we recognize the significant efforts made by the County to consider a wide variety of interests while protecting valuable coastal resources. Increased population growth and new development pressures, combined with the recognition of limited resources in Cambria and San Simeon, make urban planning within these communities a challenging prospect. We appreciate the opportunity to comment in the development stage of the community plans. As the County moves forward with its review, the issues identified above, as well as any other relevant coastal issues identified upon further analysis, should be considered in light of the provisions of the Coastal Act. We may have more comments as the planning process moves forward. If you have any questions, please do not hesitate to call me at (831) 427-4863.

Sincerely,

Jonathan Bishop  
Coastal Program Analyst  
Central Coast District Office



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

**RECEIVED**

December 22, 2005

DEC 27 2005

Jonathan Bishop, Coastal Program Analyst  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

SUBJECT: Cambria and San Simeon Acres Community Plans of the North Coast Area Plan

Dear Mr. Bishop;

Thank you for your comments on the May 2005 Public Hearing Draft of the Cambria and San Simeon Acres Community Plans of the North Coast Area Plan received November 9, 2005. After several months of consideration, the Planning Commission recommended approval, with recommendations, of the Public Hearing Draft on November 10, 2005.

The Planning Commission's recommendations have been incorporated into the November 2005 Planning Commission Recommended Draft. This draft has been distributed to your office for review. You will find that many of your comments on the May 2005 Public Hearing Draft have been addressed in this Planning Commission Recommended Draft.

It is important to note that the proposed update to the community plans should not be reviewed in a vacuum, but rather as a part of a comprehensive review framework that includes, but is not limited to the County's General Plan, Local Coastal Program (LCP), the California Environmental Quality Act (CEQA), and other laws and regulations. The plan does not authorize development; any proposed development would not only have to be consistent with the plan standards, but would also have to be consistent with all other requirements.

The following are brief responses to the issues raised in your comments on the Public Hearing Draft:

New Development and Public Services – Cambria: The Planning Commission Recommended Draft Plan recognizes resource limitations, including but not limited to water supply, and does not allow for development potential beyond what is allowed under the current plan. In fact, the Planning Commission Recommended Draft includes many programs, policies, and standards to reduce the amount of potential buildout in Cambria from approximately 12,000 to 6,130 dwelling units.

The Cambria Community Services District's (CCSD's) Water Master Plan and other on-going studies provide detailed water information for the area. This information indicates that water supplies are very limited. As such, the Planning Commission Recommended Draft recommends

**CCC Exhibit D**  
**(page 12 of 37 pages)**

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measures to reduce potential buildout to the greatest extent feasible, while still allowing a reasonable use of the land and fulfilling a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it.

Communitywide Standard 1 – Reservation of Service Capacity: The existing standard requires 20% reservation of water and sewer capacity for visitor-serving uses. This would be implemented consistent with how it is implemented currently. The proposed modification to allow for a percentage to be used for affordable housing requires a program to be reviewed and approved. This program would detail how the policy would be implemented and would be reviewed for consistency with Coastal Act policies.

Communitywide Standard 2 – Growth Management and Allocation of Residential Permits: This standard has been modified by the Planning Commission. Please see p. 7-15 of the Planning Commission Recommended Draft. The currently proposed standard does not allow allocations to “stockpile” or “accrue”. Service extensions outside of the USL or URL are only to allow the CCSD to meet current commitments. Finally, determination of “equivalent legal lot” would occur through the discretionary review and environmental review process with consideration of a number of factors, including habitat, development potential and other site characteristics.

Transfer of Development Credits: In addition to Transfer of Development Credits, there are numerous policies, programs, and standards proposed in the plan to address potential impacts to resources. These policies, programs, and standards included, but are not limited to Monterey Pine Forest Habitat standards, Small Lot-Open Space District program, and Santa Rosa Creek standards.

Communitywide Standard C.3 Resale Provision: This standard has been modified by the Planning Commission to include provisions for maximum resource protection. See page 7-73 of the Planning Commission Recommended Draft.

#### Land Use Changes

- 1) **Cambria CSD #3 Main Street RSF to CR:** The proposed land use designation change does not authorize development. Regardless of land use category designation, development would have the potential to result in impacts. Any proposed development would need to meet requirements regarding parking, flood hazard, geologic hazards, and traffic. The Commercial Retail land use category is more appropriate on than RSF Main Street, in the West Village Commercial District, a visitor-serving area.
- 2) **Connelly and Childs: RMF and OP to RMF and CR:** Again, this land use category change does not authorize development. Section 23.04.092 of the CZLUO applies only to the types of projects detailed in 23.04.092a. The mobile home park would be allowed to remain as a legal non-conforming use. The proposed land use category configuration would retain approximately the same

amount of land in the RMF category while allowing CR uses to be located along Main Street. Through the coastal development permit review process, any proposal for development of the property would be reviewed for consistency with all applicable regulations.

- 3) **Aiken: RS to CS:** The Planning Commission has recommended this remain RS.
- 4) **Kreps/Meltzer: CR to RMF:** Because of lot configuration, ownership patterns, and planning area standards the RMF designation would not result in a significant change in the number of units allowed under the RSF designation. However, the RMF designation would allow and encourage development patterns that may result in units that would typically sell at a lower market rate than standard residential single family development. Further, proposed planning area standards address issues such as access, circulation, design, and maintenance.
- 5) **Newman/Londonderry: RMF to RSF:** The Planning Commission has recommended this remain RMF because many of the lots have already been developed with multiple units.
- 6) **South of Cambria Properties:** The Planning Commission has recommended this 32- acre parcel land use category change proposal be deleted from this effort consistent with the recently approved Coastal Commission LCP amendment.
- 7) **Mid-State Bank: REC to CR:** This site is already developed and flooding potential has been addressed. The proposed change is simply to make the land use category consistent with approved development. Further, the visitor-serving designation is not removed from the site. The V symbol is moved to the West Village area on the map to more generally indicate that the visitor-serving designation applies to all CR and REC land use categories along Main Street rather than appearing to apply to a single property.

San Simeon Acres CR to RMF: Most of the land within San Simeon Acres is in the CR land use category. The vast majority of employment in San Simeon Acres is in the visitor-serving, service sector industry, resulting in a large need for multi-family housing. The proposed land use category changes are to help meet this need.

Environmentally Sensitive Habitat Areas: Please note that the proposed Estero Area Plan update includes amendments to the definition of ESHA in the CZLUO. These changes, if approved, would be affective Coastal Zone-wide and therefore have not been duplicated in this proposed update.

The "list of standards" and "mitigation measures" would be reviewed for adequacy on a project by project basis. For example, for a specific development on a specific property, the standards for construction practices and vegetation replacement may be determined through the coastal

development permit and environmental review process to be adequate. While, because of the characteristics of another project, the standards may be determined to not be adequate and additional mitigation measures applied through the development and environmental review process.

Monterey Pine Forest Combining Designation Standard: Please see Communitywide Standard #5 on page 7-17 of the Planning Commission Recommended Draft. This standard for site review is located in the Communitywide section because it applies to the entire community, not just properties with the ESHA designation.

Combining Designation Standard 8 – Clustering of Development Required: This is a Monterey Pine Forest Habitat (SRA) (TH) standard and requires certain types of development proposed on a property within a TH to be clustered and restricted to slopes less than 20 percent in order to reduce impacts on the Monterey pine forest habitat. The Board of Supervisors may consider changing "forested areas" to "the Monterey pine forest habitat" through their review of the Planning Commission Recommended Draft.

Communitywide Standard 8 Santa Rosa Creek Frontage: Lighting and noise impacts would be addressed through coastal development permit and environmental review.

Water Quality and Marine Resources: The Planning Commission Recommended Draft includes numerous programs, policies, and standards to protect water quality and marine resources. Proposed development would not only have to be consistent with the area plan standards, but would also have to be consistent with all other requirements of the LCP and CEQA. While the proposed Combining Designation Standard 1 would include specific requirements for projects with point source discharges, these projects would also be subject to biological studies, monitoring, and numerous other requirements.

Water Quality and Marine Resources - Cambria: CZLUO Sections 23.05.042 through 23.05.050 provide standards for the control of drainage and drainage facilities to minimize effects of runoff and resulting inundation and erosion. These standards were updated in 2004 and address ongoing runoff from all development. The erosion control standards included in the RSF section are existing standards originally written specifically for issues related to the Lodge Hill area. The Board of Supervisors may consider deleting these standards so it would be clear that development is subject to the recently updated requirements of CZLUO Sections 23.05.042 through 23.05.050, leave the standards as proposed, or revise them so they apply areawide.

TDC Program: Please note that only the maximum allowable footprint is proposed to increase, not GSA. Maximum allowable GSA would stay the same as in the current Table G. The proposal to increase the maximum allowable footprint is in response to community concern over the massive, boxy appearance of homes and the need for more single story living by the community's residents, many of whom are elderly. Again, please note that all development is subject to the numerous policies, programs, and standards of the LCP that protect water quality and marine resources.

Scenic and Visual Resources: The Planning Commission Recommended Draft includes many policies, programs, and standards to protect the scenic and visual qualities of the coastal areas, provide and protect public access, and preserve special communities and neighborhoods.

Cambria Communitywide Standard 9 – Development within View of Highway One: Proposed development would not only have to be consistent with the area plan standards, but would also have to be consistent with all other requirements of the LCP and CEQA which include requirements for the protection of visual resources. These standards were developed specifically for Highway One through the review of many development proposals along this corridor. The County has developed effective requirements previously applied on a project by project basis into standards. Protection of views from development proposed in other areas would also be evaluated on a project by project basis and appropriate view protection measures would be applied. Cambria is already subdivided, mainly into small, substandard lots. A prohibition on new subdivisions would not significantly affect view protection.

Moonstone Beach Standard 4 – View Corridors Required: This is an existing standard. Many of the lots are developed and the flexible standard allows application to be based on specific proposals (remodel, demolition and replacement, addition, etc) and site characteristics.

Hazards: Development is subject to the requirements of the LCP regarding hazards. Proposed shoreline protective devices are also subject to the requirements of the LCP. Further, the Planning Commission Recommended Draft includes a program to address shoreline erosion and bluff management. This program includes a plan that focuses on annual bluff erosion rates and sand supply; bluff retreat and setbacks; emergency armoring procedures; and shoreline protection structure design, engineering, monitoring, and maintenance.

San Simeon Acres Communitywide Standard 2: This standard has been modified by the Planning Commission. See page 7-100 of the Planning Commission Recommended Draft.

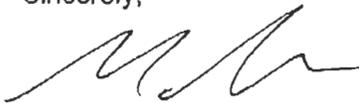
Text Specific Comments:

- **Combining Designations Standard 2 Lateral Access Dedication – Park Hill.** This standard is proposed for deletion as it is redundant with requirements of CZLUO Section 23.04.420 Coastal Access Required.
- **P.3-11.** Comment noted. The Board of Supervisors may consider a revised completion goal.
- **P. 6-3. Combining Designations.** Please see page 6-3 of the Planning Commission Recommended Draft.
- **P. 6-17 – Standard 17A.** It's unlikely that this distinction is of much consequence since the list refers to things the 'to be prepared' Creek Enhancement Plan may include. The plan may identify an appropriate level of passive recreation use that is consistent with the restoration efforts.

- **P. 7-21 – Communitywide Standard 10 East/West Ranch.** The caretaker residence and residential accessory uses would be to house a caretaker employed on the site for security and maintenance purposes.
- **P. 7-58. Standard 5 Tract 226.** Please see page 7-59 of the Planning Commission Recommended Draft.
- **7-59. Park Hill Lateral Access.** This standard is proposed for deletion as it is redundant with requirements of CZLUO Section 23.04.420 Coastal Access Required.
- **P. 7-66. RSF Standard 8 Building Size.** These are large lot subdivisions that do not have the lot size limitations of properties within the small lot subdivisions.
- **P. 7-66. A. Use of Table.** Please see page 7-66 of the Planning Commission Recommended Draft.
- **P. 7-72 Figure.** Please see page 7-71 and 7-72 of the Planning Commission Recommended Draft.

Thank you for your comments on the Public Hearing Draft. Please use this information in review of the Planning Commission Recommended Draft. We look forward to receiving comments on the Planning Commission Recommended Draft prior to the beginning of public hearings with the Board of Supervisors. These hearings are tentatively scheduled to begin on February 28, 2006. Please contact me at (805) 781-4576 should you have any questions or concerns.

Sincerely,



Martha Neder, AICP, Planner  
Department of Planning and Building

**CALIFORNIA COASTAL COMMISSION**

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March 14, 2006

San Luis Obispo County Board of Supervisors  
 c/o Katcho Achadjian, Chair  
 County Government Center, Rm. D-430  
 San Luis Obispo, CA 93408

Subject: *Cambria and San Simeon Acres Community Plans (November 2005 Draft)*

Dear Honorable Supervisors:

The Coastal Commission staff would like to take this opportunity to provide comments on the November 2005 draft Cambria and San Simeon Acres Community Plans (the Plans). As you know, the Plans propose numerous changes to the North Coast Area Plan portion of the Land Use Plan (LUP) and the Coastal Zone Land Use Ordinance (CZLUO) of the certified Local Coastal Program (LCP). If the Board of Supervisors approves the Plans, they will next be submitted by the County as an LCP amendment request to the Coastal Commission. It is important, therefore, that the changes proposed by the Plans be understood within the context of the Coastal Act and the resource protection requirements of the existing LCP.

Overall, we are pleased with many of the changes that were made to the May 2005 draft as a result of our initial comments to the Planning Commission. We also appreciate the efforts of the County Planning Department staff for their time and effort to discuss and clarify outstanding issues with Coastal Commission staff. Nonetheless, we continue to have concerns and questions that we urge you to address before submitting the Plans to the Coastal Commission. Towards this end, we offer the following comments. We apologize for sending this letter the day of the hearing. We feel this is an important update to the LCP and we are willing to work with you and your staff before and after you take action on this item.

**A. Visitor and Recreational Opportunities (Coastal Act Sections 30213, 30222, and 30223)**

The Coastal Act requires that lower cost visitor and recreational facilities be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. The Act also requires that visitor-serving commercial recreational facilities have priority over other land uses on suitable sites and that upland areas to support recreational uses be so reserved for those uses.

Communitywide Standard 1 – Reservation of Service Capacity (page 7-15). Standard 1.A. reserves on a yearly basis 20% of the sewer and water capacity to visitor-serving and commercial uses. An amount not to exceed 25% of the Visitor-Serving reservation may be allocated to affordable housing projects. Thus, this policy guarantees only a minimum of 15% of capacity to visitor-serving and commercial uses. In order for the Commission staff to be able to recommend that the Commission certify this element of the plan, it must be accompanied by additional information that demonstrates consistency with Coastal Act Sections 30213, 30222, and 30223. Specifically, we would need to see that the current and projected water and sewer use percentage of the visitor and commercial sector is no more than approximately 15%. Further questions are raised regarding implementation of the new standard. Standard 1B relies on the Exhibit

(page 18 of 37 pages) **D**

“propose” to the County a program to implement this standard. We suggest that prior to approval of any such standard, that the CCSD “program” be reviewed and approved by the County and incorporated into the LCP amendment submittal.

#### San Simeon Acres Land Use Changes

There are four land use changes proposed in San Simeon Acres. The first would appropriately designate the wastewater treatment plant as a Public Facility (PF)<sup>1</sup>. For three properties (Ramey - 2.2 acres; Sansone - 2 acres; and Sansone - Vista Del Mar - .52 acres) the land use designation would be changed from Commercial Retail (CR) to Residential Multi-Family (RMF). Under the proposed plan, approximately 5 acres of commercial retail area in San Simeon Acres would be changed to residential uses. These land use changes must be consistent with the Coastal Act, giving visitor serving and recreational uses priority over residential uses, especially lower cost visitor serving uses. San Simeon Acres is a largely visitor-serving destination area and maintaining land for visitor-serving, commercial, and recreational uses is important. In a recent letter, County Planning Department staff indicated that this land use designation change is necessary to provide for service-sector type housing.

With regard to the .52-acre Sansone property west of Highway One, we question the likelihood that it would be developed to provide low-cost housing to service-sector laborers. Furthermore, given its location west of Highway One with ocean views and in close proximity to the beach, it appears to be a most suitable site for visitor-serving commercial recreation. Given that the Coastal Act assigns priority to that use, we recommend that this site remain under the Commercial Retail designation.

With regard to the other Sansone site and the Ramey site, in order for the Commission staff to be able to recommend that the Commission certify this element of the plan, it must be accompanied by additional information that demonstrates consistency with Coastal Act Sections 30213, 30222, and 30223. Specifically, we would need to see that the current and projected demand for visitor-serving uses can be accommodated elsewhere in San Simeon Acres without the need for these two sites before we could recommend approval. Even if it could, options to allow one or both of the sites to have some visitor-oriented uses in the future should not be completely eliminated.

#### B. New Development and Public Services (Coastal Act Section 30250)

The Coastal Act includes policies that address the location, type, and intensity of new development to ensure the protection of coastal resources. Overall, these requirements reflect a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it.

Chapter 3 (Services and Resources) of the Plan concedes that sustainable water supplies in Cambria, particularly during low rain years, are likely inadequate. We continue to encourage the County not to permit any new development until critical studies regarding current water

<sup>1</sup> The PF designation appropriately reflects the current use of the site for wastewater treatment. However, the long-term use of the site for this purpose may be threatened by coastal erosion, which may give rise to the need to consider alternative designations in the future.

constraints, such as instream flow studies for San Simeon and Santa Rosa Creeks, have been completed. Cambria Service Program 11 (page 3-43) attempts to address this issue, but the program is non-binding with an “on-going” timetable for completion. A more protective approach should be examined for Cambria that requires time-certain completion of instream flow studies and other performance standards, coupled with development restrictions for non-completion. This is the approach currently required for San Simeon Acres under the proposed Plan and should be seriously considered for Cambria as well (see San Simeon Communitywide Standard 1C, page 7-99).

Communitywide Standard 2 A-C (page 7-14 through 7-17). The Plan proposes a suite of new development standards designed to establish how future residential growth would occur in Cambria. Standard 2A prohibits the County from any Maximum Annual Allocation until the CCSD water moratorium is lifted. A maximum number of 125 residential permits per year is allowed under the standard. In order to find Communitywide Standards 2.A consistent with the Coastal Act, no new water allocations and residential permits should be issued until the water moratorium is lifted **and** all of the performance standards regarding Cambria water supplies, as described and adopted by the Coastal Commission in the North Coast Area Plan Update of 1998 and the Periodic Review of 2001, are met to the satisfaction of the County and Coastal Commission.

Section 2.B. of this proposed standard allows the CCSD to provide services outside of the USI, or URL under certain circumstances. The overriding concern with this standard is the potential for new development to occur outside of existing developed areas and further weaken the “hard edge” of the urban area. The plan should more fully address the cumulative effects of the standard on Cambria’s service capacities and natural landscape. We continue to request from the County a basis for the exception categories including a detailed mapping and inventory of the specific sites that are believed fall into the exception categories listed in the standard.

Section 2.C. requires that new residential land divisions retire an “equivalent legal building site.” While this new standard appears to be a positive step in eliminating additional lots through land divisions, the term “equivalent legal building site” needs to be better defined. It should be clear that this means not only an equivalent number of sites, but that the building site proposed for retirement should also be equivalent in terms of actual development potential. The retirement of “equivalent building sites” under this provision should consider factors such as the presence of ESHA, steep slopes, scenic views, or other development constraints to ensure an equitable retirement. Retiring lots that are already unbuildable, or are not comparable in terms of development potential, does little to effectively avoid new development impacts and ensure adequate service capacities consistent with the Coastal Act. Moreover, while the proposed lot retirement approach for new subdivisions will help prevent existing water constraints from getting worse, it does nothing to solve the problem. For this reason, we would encourage the County to consider applying such an approach to the buildout of existing lots of record, and to prohibit new subdivisions until a sustainable source of water is available.

#### Cambria Land Use Changes

The community plans propose modifications to existing land use designations that will change the type, location, and intensity of development in the urban areas of Cambria. We appreciate

the letter from County Planning staff regarding the Planning Commissions actions on certain proposals. We made previous comments regarding the County proposal to change the 4-acre Kreps/Meltzer site from Commercial Retail (CR) to Residential Multi-Family (RMF). Our previous comments were based on findings made in the 1998 North Coast Area Plan update, which concluded that a more suitable designation for the site would be Residential Single-Family (RSF). The 1998 NCAP update found that if the site were zoned RSF, the property could be developed with 33 units with about 71 persons, compared to 104 units and 225 persons that RMF zoning could potentially allow. The greater density may be appropriate if no other site constraints are identified of the property (e.g. ESHA) and services become available.

**C. Environmentally Sensitive Habitat Areas (ESHA's) (Coastal Act Sections 30240, 30230, 30231, and 30250a)**

One of the primary objectives of the Coastal Act is to preserve, protect, and enhance environmentally sensitive habitat areas (ESHA). In both Cambria and San Simeon Acres ESHA's are abundant. Identified ESHA areas include: marine habitats, streams and riparian habitats, wetlands, and terrestrial habitats.

As discussed in both the 1998 NCAP update and the Periodic Review of 2001, the Combining Designation maps do not effectively delineate all locations of potential ESIIA, and therefore should not be relied upon to identify ESHA's and the particular areas where biological evaluations are needed. The LCP definition of ESHA should be revised to conform to Coastal Act section 30107.5. It should also be clarified that application of the ESHA protection standards is not limited to the areas mapped as Combining Designations (Rec. 4.1 p.124). In a recent letter, County Planning staff explained that this issue will be addressed through the Estero Area Plan update. Given the amount of time that may pass before the Estero Area Plan update is certified, the abundance of ESHA's subject to the development standards under the current Plans, and the fact that these same LCP sections are currently being proposed for changes, we continue to feel that this issue should be addressed now, rather than waiting for a future LCP amendment review and approval.

We continue to have concerns about the way in which the Plan identifies ESIIA areas and determines when a biological report is required. The Periodic Review also recommends updating the requirements for biological investigations and reports. CZLUO Section 23.07.170 should be revised so that biological reports are prepared for all development within or adjacent to ESHA and not just those sites that have been mapped as ESHA.

The submittal appears to weaken the application content requirements of CZLUO Section 23.07.170(a) requiring biological reports by adding the following language:

*a. Application content. Unless a comprehensive program or list of standards already exists, and mitigation measures have already been identified that will reduce potential impacts to less than significant levels, and the proposed project will incorporate all feasible mitigation measures, a land use permit application for a project on a site located within and adjacent to an Environmentally Sensitive Habitat shall also include a report by a biologist approved by the Environmental Coordinator that: ...*

It is unclear if the “list of standards” and “mitigation measures” would be adequate to protect ESHA consistent with the LCP and Coastal Act. Even if this issue is reviewed on a case-by-case basis, as described in recent correspondences with County Planning staff, questions arise about how these lists or mitigation measures will be established and how would they be evaluated. It is also unclear if this new language addresses new information and changes to habitat areas over time. It seems possible that the lists of standards and mitigation measures may not have the benefit of advanced review by the Environmental Coordinator, or reflect current on the ground conditions or changed circumstances. It seems that these measures should be established with the benefit of a biological report, rather than having an existing list or set of standards dictate the need for qualified biological review.

Monterey pine forest (SRA) (TH) Combining Designation Standard (page 7-7 through 7-11). Although this standard attempts to reduce redundancy and provide consistency in the planning process, Section 2.B. still relies on CZLUO Section 23.07.170 to determine where a biological report is required. As discussed above, biological reports should be prepared for all development that may be within or adjacent to ESHA, not just those areas mapped in the LCP.

Site Review - Communitywide Standard 5 (page 7-17). This standard relies on a determination as to whether or not a project triggers “discretionary review” before a biological assessment is required. When a biological assessment is required, the standard relies on CZLUO Section 23.07.170. First, we note that all coastal development permits are discretionary. Second, with the changes to CZLUO 23.07.170 discussed above, this standard may not adequately identify and protect all ESHA areas. We also note that this standard is not binding due to the inclusion of the term “may” in the last sentence. The County should consider ways to strengthen the requirements for biological assessments for all coastal development permits based on actual “on the ground” characteristics.

Combining Designation Areawide Standard 8 – Clustering of Development Required. This standard requires clustering for new land divisions and multi-family residential projects within forested areas. The standard limits, when feasible, new development to slopes less than 20%. For this standard to be effective, the term “forested areas” needs to be better defined. It is unclear if this term is an ESHA designation or not. If so, this standard raises consistency issues with Coastal Act policies that limit new developments in ESHA to resource dependent uses. We encourage the Board to consider adding clarifying language to avoid conflicts with other ESHA protection standards in the LCP.

### C. Water Quality and Marine Resources (Coastal Act Section 30230 – 30231)

The Coastal Act includes numerous policies to protect water quality and marine resources. Marine resources are to be protected, maintained, and where feasible, restored. The biological productivity of coastal waters, including streams, estuaries and wetlands, must be maintained. Requirements include controlling runoff and waste discharges to protect water quality, maintaining groundwater supplies and stream flows in order to sustain the biological productivity of coastal waters, and minimizing the alteration of riparian habitats and streams.

The proposed plan updates water quality standards for Single-Family Residential development but does not include similar update standards to Multi-Family Residential and Commercial development categories. For example, Residential Single Family Standards 4 and 5 address topographic issues and erosion control measures, but the proposed amendment does not apply these measures to other land use designations. As discussed in the Periodic Review of 2001, one of the main areas where the LCP needs to be updated is in addressing ongoing runoff from all development. The amendment should incorporate measures to address ongoing nonpoint source pollution, regardless of location, type or size of the development. In addition, specific performance standards to ensure that water quality is adequately protected should be included when erosion control and drainage plans are required. As considered by County Planning staff in a recent letter, we would support applying these standards areawide.

### **TDC Program**

As described in the Periodic Review of 2001, the current LCP contains no policy limiting the quantity of TDC use in any one area. Concerns are raised over the scale of development that should be allowed on any given property versus the property's ability to absorb and drain water. A recent erosion and sedimentation study by the Natural Resources Conservation Service in the Lodge Hill area of Cambria identified impacts of runoff in developed areas. The findings from the study indicate that residential development and road construction have led to increased runoff from the impervious surfaces, resulting in a higher rate and volume of runoff, and possible changes in flow patterns and rates of sedimentation into streams. The study notes that forested areas play an important role in increasing water infiltration, and reducing runoff velocities.

Residential Single-Family Standard 7.C(4) (page 7-75). Although surveys have shown buildings that have used TDC's are distributed widely throughout Lodge Hill, there are a few areas where TDC use has been concentrated. The more concentrated the TDC use, the greater the impact may be on water absorption and erosion. While new Residential Single-Family 7.C(4) addresses criteria for using TDC's, we continue to encourage the inclusion of more specific standards addressing the location and concentration of TDC receiver sites.

Table 7-1 Standards for Building Sites (page 7-68). One major change proposed under the new community plan is an increase in maximum footprint and GSA for residential projects allowed under new Table 7-1. Beyond the baseline increases allowed under Table 7-1, the TDC program would allow even more impervious footprint and square footage to be added to residential developments. For example, Table 7-1 increases the maximum footprints allowed by 400 square feet on triple lots (75' wide). Combined with an additional 400 square feet of TDC credit, questions are raised about cumulative impacts and the role of the TDC program. Contrary to the direction taken under the proposed community plan, Commission staff feels it may be necessary to revise the allowable development standards downward for small lots in Cambria. This would match the recommendations made most recently in the 2001 Periodic Review. As detailed in the 2001 Periodic Review Recommendation 2.18, one idea for the County to consider is a standard to address the minimum area of native landscape that must be preserved on a site, regardless of lot size and the ability to transfer development credits.

The proposed Plan (including the EIR) does not contain the information needed to evaluate whether Table 7-1 standards will effectively carry out the objective of providing maximum

protection of water quality and marine resources. The current Plan relies on existing LCP standards for drainage and erosion control plans to be evaluated on a project-by-project basis. The 2001 Periodic Review found that the County's drainage plans might not be sufficient to fully protect water quality and marine resources. For these reasons, we continue to request that the County perform a cumulative analysis of the impacts to water quality and erosion, particularly in Lodge Hill, posed by new Table 7-1 and the proposed TDC program.

**D. Scenic and Visual Resources (Coastal Act Section 30210, 30251, 30252, and 30253(5))**

An important aspect of the plans' conformance to Coastal Act standards will be their ability to protect highly scenic areas and the special character of each community. The applicable Coastal Act policies call for the protection of scenic and visual qualities of coastal areas; the provision and protection of maximum public access, including visual access; and, the preservation of special communities and neighborhoods with unique characteristics that are popular destinations for visitors. One important area is along Moonstone Beach Drive. We continue to have concerns regarding Standard 4(I) related to site coverage.

Moonstone Beach Standard 4 (I) Site Coverage – View Corridors Required (page 7-52). The intent of this standard is to maximize view corridors to the shoreline. The existing side setback standard for contiguous lots should not be optional, as currently proposed. Given the fact that this standard addresses such a small land area with a limited number of lots, we continue to suggest a more detailed analysis that pinpoints and describes the best size and location of setbacks to maximize the size and extent of view corridors along this important stretch of Moonstone Beach.

**E. Hazards (Coastal Act Section 30235)**

The Coastal Act requires that new development be sited and designed to minimize risk to life and property specifically in areas of high geologic, flood and fire hazard. Under the Coastal Act, development is required to be sited and designed to assure stability and structural integrity and neither create nor contribute significantly to erosion or require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs (Section 30253). Section 30235 allows the construction of shoreline protective devices where existing development is threatened from erosion and when designed to eliminate or mitigate impacts on shoreline sand supply.

The following comments were previously made to the County Planning Commission. Based on our review of the November 2005 draft, it does not appear that additional standards have been incorporated in the Plan. Commission staff feels that these are important issues worthy of additional consideration.

There are a variety of measures that the County should incorporate into the community plans to avoid or minimize the risks of erosion or wave attack and avoid the need for future shoreline armoring. These are discussed at length in the Periodic Review of 2001 and include in part:

- Defining more specifically what existing structures are for purpose of allowing future shoreline armoring.

- Prohibiting new subdivisions or lot splits or lot legalization that creates new lots in high wave hazard areas.
- Modifying the standards to require as a condition of new development that the applicant assume the risk of building in a hazardous area without assurances that future armoring will be allowed.
- A comprehensive area wide approach to minimizing shoreline armoring, and to avoid and mitigate the adverse impacts of existing and future seawalls, in existing developed shoreline areas.

More specifically, the Cambria Community Plan addresses the stability and structural integrity of new development primarily through the use of a residential setback standard. Standard 8.A.1. (page 7-76) requires that all residential lots with a coastal bluff be setback to withstand bluff erosion and wave action for a period of 75 years, and that in any case the setback shall not be less than 25 feet. As discussed in the Periodic Review of 2001, it may be appropriate to change the setback requirement to be based on a 100-year economic life of the development rather than 75 years.

Thank you for the opportunity to provide comments on this important Plan. As the County moves forward with its review, the issues identified above, as well as any other relevant coastal issues identified upon further analysis, should be considered in light of the provisions of the Coastal Act. If you have any questions, please do not hesitate to call me at (831) 427-4863.

Sincerely,



Jonathan Bishop  
Coastal Program Analyst  
Central Coast District Office

**CALIFORNIA COASTAL COMMISSION**

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June 14, 2006

Martha Neder  
San Luis Obispo County Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

**Subject: Additional Information Needed to Process Local Coastal Program Amendment  
SLO-MAJ-1-06 (Cambria and San Simeon Acres Community Plans)**

Dear Ms. Neder:

We have received the above referenced Local Coastal Program Amendment (LCPA) submittal. Section 13552 of the California Code of Regulations requires LCPA submittals to include information, at a sufficient level of detail, to allow the Commission to evaluate the amendment's conformance to Chapter 3 of the Coastal Act and its relationship to other components of the LCP.

The LCP Amendment Submittal 1-06 consists of the following two parts:

- Part 1: Amend the North Coast Area Plan to incorporate the Cambria and San Simeon Acres Community Plans; revise and move standards from the Cambria Design Plan into the North Coast Area Plan; modify guidelines related to lighting and the Moonstone Beach Drive streetscape; and amend the Coastal Zone Land Use Ordinance (CZLUO), Title 23 Sections 23.05.050 and 23.06.100 regarding water quality and drainage, Section 23.05.062 regarding tree removal, Section 23.07.170 regarding development within or adjacent to environmentally sensitive habitat areas (ESHA), and Section 23.07.172 regarding mineral extraction in wetlands.
- Part 2: Amend the North Coast Area Plan and the Official Maps of the LCP so that the planning area standards and the land use category related to the Fiscalini Ranch property are consistent with the conservation easement and management plan.

Please respond to the following questions and information needs in order to satisfy the requirements of the California Code of Regulations Section 13552 and enable the amendment submittal to be filed as complete.

**A. Visitor Serving and Recreational Opportunities (Coastal Act Sections 30213, 30222, and 30223)**

The Coastal Act requires that lower cost visitor and recreational facilities be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. The Coastal Act also requires that visitor-serving commercial recreational facilities have priority over other land uses on suitable sites and upland areas to support recreational uses be so reserved for those uses.

CCO Exhibit D  
(page 26 of 37) (page 1)

Communitywide Standard 1 – Reservation of Service Capacity (page 7-15). Standard 1.A. reserves on a yearly basis 20% of the sewer and water capacity to visitor-serving and commercial uses. How is this standard currently implemented? Under the proposed amendment, an amount not to exceed 25% of the Visitor-Serving reservation may be allocated to affordable housing projects. Thus, this policy guarantees only a minimum of 15% of capacity to visitor-serving and commercial uses. To demonstrate consistency with Coastal Act Sections 30213, 30222, and 32023, please address how the proposed change will impact new and existing visitor-serving uses. For example, please identify the percentage of the water supply currently dedicated to visitor-serving and commercial uses, and evaluate whether the reservation of 15% of existing water supplies will be adequate to meet the water needs of existing and projected visitor-serving uses. As part of this evaluation, please approximate the type and amount of new visitor-serving and commercial development allowed by the plan, and compare the amount of water required to accommodate such development with the amount of water reserved for such uses by the plan.

In addition, please explain how the CCSD “program” proposed under Standard 1B (page 7-15) will be implemented. Does the program need to be reviewed and approved by the County prior to implementation, or simply submitted by the CCSD? Will the proposed affordable housing program be incorporated into the LCP through a future LCP amendment submittal?

San Simeon Acres Land Use Changes. For three properties (Ramey - 2.2 acres; Sansone - 2 acres; and Sansone - Vista Del Mar - .52 acres) the land use designation would be changed from Commercial Retail (CR) to Residential Multi-Family (RMF). As a result, approximately 5 acres of commercial retail area in San Simeon Acres would be lost to residential uses. To allow for a meaningful analysis of this proposal’s consistency with Coastal Act Sections 30213, 30222, and 32023, more information is needed. Please describe the existing development of these sites, including the type, location, and intensity of current use for each, along with a description of the existing development’s permit history. In addition, please provide evidence that the current and projected demand for visitor-serving uses can be accommodated elsewhere in San Simeon Acres without the need for these three sites. In past correspondences, you indicated that there is a “large need for multi-family housing” to serve service sector employees. Please provide the information and data used in support of this contention.

Recreation Standard 3 – Limitation on Use (page 7-52). Please describe the need for a Caretaker’s Residence in the Recreation land use category. Is such a residence contemplated in the Fiscalini property easement and management plan referenced in Part 2 of this amendment? What criteria would be used to determine the siting, design, and location of such a facility?

**B. New Development and Public Services (Coastal Act Section 30250)**

The Coastal Act includes policies that address the location, type, and intensity of new development to ensure the protection of coastal resources. Overall, these requirements reflect a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it.

Water Master Plan for Cambria Program 11 (page 3-43). This program is non-binding with an “on-going” timetable for completion. As discussed in previous letters, we feel a more protective approach should be examined for Cambria that requires time-certain completion of previously

identified performance standards, coupled with development restrictions for non-completion. Please describe the current status of the three tasks listed under this program (i.e. in-stream flow management study, water management strategy, and small lot reduction ballot measure).

Communitywide Standard 2 - Limitation on Residential Construction (page 7-15). This standard allows a maximum number of 125 residential permits to be issued per year and cross-references conditions of an EPA sewer treatment facility expansion permit. What is the basis for this growth limit given the fact that there is currently a development moratorium in place? Is there adequate public service capacities, including water storage and delivery systems, currently in place to support this level of development? Part of the existing standard is retained and other parts are removed. What effect will removing the implementation portion of this existing condition have on the standard? Please provide a copy of the EPA permit including the findings and conditions of approval.

Communitywide Standard 3 - Cambria CSD Service Extensions Outside the USL or URL (page 7-16). This standard allows the CCSD to provide services outside of the USL or URL under certain circumstances. Please describe the basis for the exception categories. For example, what is the significance of the May 13, 1997 date and the four exceptions that follow? To adequately analyze this new standard for Coastal Act consistency, please include a detailed mapping and inventory of the specific sites that are believed fall into the exception categories listed in the standard.

Communitywide Standard 5 - New Residential Land Divisions (page 7-16). This standard requires that new residential land divisions retire an "equivalent legal building site." Please define the term "equivalent legal building site" used in this new standard. Does the term under this provision consider factors such as the presence of ESHA, steep slopes, scenic views, or other development constraints? How does the standard address retiring lots that are not currently buildable or are not comparable in terms of development potential?

Communitywide Standard 7 - Cambria Fire Department Review (page 7-17). Please provide a copy of all applicable state and local Cambria fire codes (including any local amendments or additions thereto).

#### Cambria Land Use Changes.

We note that Cambria Land Use and Combining Designation maps 8, 9, and 10 (dated July 2004) do not accurately reflect recent changes made through other LCP amendments. In particular, LCPA 1-04 Part 2 changed the land use category for the 32-acre South of Cambria property (11.b in map legend) from Residential Suburban (RS) to Open Space (OS). In addition, the location of the USL/URL has changed. Please provide updated maps reflecting these changes.

#### C. Environmentally Sensitive Habitat Areas (ESHA's) (Coastal Act Sections 30240, 30230, 30231, and 30250a)

One of the primary objectives of the Coastal Act is to preserve, protect, and enhance environmentally sensitive habitat areas (ESHA). In both Cambria and San Simeon Acres

ESHA's are abundant. Identified ESHA areas include: marine habitats, streams and riparian habitats, wetlands, and terrestrial habitats.

The submittal amends the application content requirements of CZLUO Section 23.07.170(a) requiring biological reports by adding the following language:

*a. Application content. Unless a comprehensive program or list of standards already exists, and mitigation measures have already been identified that will reduce potential impacts to less than significant levels, and the proposed project will incorporate all feasible mitigation measures, a land use permit application for a project on a site located within and adjacent to an Environmentally Sensitive Habitat shall also include a report by a biologist approved by the Environmental Coordinator that:...*

Please explain what is meant by, and define, the three terms "a comprehensive program," "list of standards," and "mitigation measures" used in this new ordinance. What process will be used to evaluate whether these items adequately protect ESHA consistent with the LCP and Coastal Act? How will these programs, lists, or mitigation measures be established and how would they be evaluated? How will the revised standard enable decision makers to address new information and changes to habitat areas over time?

Monterey pine forest (SRA) (TH) Combining Designation Standard (page 7-7 through 7-11). How is the "project limit area" established? What is the scientific basis for only identifying and requiring mitigation for Monterey pine trees with a diameter six inches or more and 4.5 feet above ground? Do smaller trees (pine saplings for example) require identification and mitigation under the proposed standard? Would tree removal outside of the "project limit area" be allowed for fire protection? How will the impacts associated with necessary fire protection measures be identified and measured? How are impacts evaluated for loss/disturbance to smaller trees and understory vegetation?

How will this proposed standard meet the Coastal Act requirement to avoid Monterey pine forest ESHA?

Site Review - Communitywide Standard 5 (page 7-17). This standard relies on a determination as to whether or not a project triggers "discretionary review" before a biological assessment is required. How is the term "discretionary review" applied by the County in conjunction with its review and processing of coastal development permits?

Combining Designation Areawide Standard 8 - Clustering of Development Required. This standard requires clustering for new land divisions and multi-family residential projects within forested areas. Please define the term "forested areas". Is this term to be used in making an ESHA designation or not? How is this new standard consistent with LCP and Coastal Act policies that limit new developments in ESHA to resource dependent uses?

### C. Water Quality and Marine Resources (Coastal Act Section 30230 - 30231)

The Coastal Act includes numerous policies to protect water quality and marine resources. Marine resources are to be protected, maintained, and where feasible, restored. The biological

productivity of coastal waters, including streams, estuaries and wetlands, must be maintained. Requirements include controlling runoff and waste discharges to protect water quality, maintaining groundwater supplies and stream flows in order to sustain the biological productivity of coastal waters, and minimizing the alteration of riparian habitats and streams.

Table 7-1 Standards for Building Sites (page 7-68). One major change proposed under the new community plan is an increase in maximum footprint and GSA for residential projects allowed under new Table 7-1. Beyond the baseline increases allowed under Table 7-1, the TDC program would allow even more impervious footprint and square footage to be added to residential developments. For example, Table 7-1 increases the maximum footprints allowed by 400 square feet on triple lots (75' wide). Combined with an additional 400 square feet of TDC credit, questions are raised about cumulative impacts and the role of the TDC program. The proposed Plan (including the EIR) does not contain the information needed to evaluate whether Table 7-1 standards will effectively carry out the objective of providing maximum protection of water quality and marine resources. The current Plan relies on existing LCP standards for drainage and erosion control plans to be evaluated on a project-by-project basis. The 2001 Periodic Review found that the County's drainage plans might not be sufficient to fully protect water quality and marine resources. For these reasons, we continue to request that the County provide a cumulative analysis of the impacts to water quality and erosion, particularly in Lodge Hill, posed by new Table 7-1 and the proposed TDC program.

Combining Designation Standards Marine Habitat (SRA) – Projects with Point-Source Discharges (page. 7-5). This new standard prohibits surface point-source discharges into the marine environment with certain exceptions. To assure consistency with Coastal Act Sections 30230 and 30231 more information is needed. Please identify the type and location of existing surface discharges within the planning area. Please provide a copy of the relevant MBNMS provisions cross-referenced in section 1(A) of this standard. For passthrough discharges (1(C)), seawater passthrough devices (1(D)), and water quality enhancement discharges (1(E)), please provide copies of all regulations from the other agencies cross-referenced in this standard (i.e. MBNMS, EPA, RWQCB, CDF&G and USFWS).

#### D. Scenic and Visual Resources (Coastal Act Section 30210, 30251, 30252, and 30253(5))

An important aspect of the plans' conformance to Coastal Act standards will be their ability to protect highly scenic areas and the special character of each community. The applicable Coastal Act policies call for the protection of scenic and visual qualities of coastal areas; the provision and protection of maximum public access, including visual access; and, the preservation of special communities and neighborhoods with unique characteristics that are popular destinations for visitors.

Moonstone Beach Standard 4 (I) Site Coverage – View Corridors Required (page 7-52). Please describe how this standard maximizes view corridors to the shoreline. How many properties are subject to this standard? What is the current development pattern in this area? Where are the existing view corridors in this area? How has the County applied the existing standard for past development projects in the area?

Martha Nader  
SLO LCPA 1-06 Filing Status Letter (Cambria/San Simeon Acres Community Plans)  
June 13, 2006  
Page 6

Thank you in advance for providing the additional information requested above. Please feel free to contact me if you have any questions or would like to discuss these matters further.

Sincerely,



Jonathan Bishop  
Coastal Program Analyst  
Central Coast District Office



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

**RECEIVED**

July 13, 2006

JUL 14 2006

Jonathan Bishop, Coastal Program Analyst  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

SUBJECT: Cambria and San Simeon Acres Community Plans of the North Coast Area Plan

Dear Mr. Bishop;

Thank you for your information request letter dated June 14, 2006 and received June 19, 2006, regarding LCP Amendment Submittal 1-06. We appreciate working together on this Community Plan update and look forward toward completion of this effort.

The following are responses to the questions and information needs raised in your letter:

Communitywide Standard 1 – Reservation of Service Capacity: The existing standard requires 20% reservation of water and sewer capacity for visitor-serving uses. The distribution of water and sewer capacity is tracked through the CCSD's billing and accounting software.

The affordable housing program required under Standard 1B would be reviewed by the County. However, the provision related to reservation of service capacity would be incorporated into the LCP and would require an amendment to the Area Plan.

The largest non-residential use group in Cambria and San Simeon Acres include visitor-serving uses in the Service and Entertainment industries. These Visitor-Serving uses depend on a sizable low wage earning workforce that typically cannot afford conventional housing in this area. For example, motels typically employ one person per one to three motel units with the majority of these employees being maids, maintenance workers, or grounds keepers. In Cambria alone, this results in a current demand for approximately 300 to 900 workforce employees to support the local motels. It is unrealistic for employees to drive from Paso Robles (the nearest community outside of the Coastal Zone, 30 miles east) for shifts at local restaurants, inns and shops because the travel time and cost is a good percentage of the actual work shift length and pay. Local business owners have stated that providing affordable housing for workers is the best approach to assisting and serving visitor serving businesses and that staffing difficulties is high among the reasons businesses close. The high demand for low wage earning employees coupled with the shortage of affordable housing in the area has placed a huge burden on visitor-serving establishments and the provision of additional affordable housing is crucial to the success of these establishments.

COG Exhibit D  
(page 32 of 37 page)

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

The proposed modification to allow for a percentage of the visitor-serving service capacity to be used for affordable housing requires a program to first be reviewed and approved. The proposed standard does not impact new, existing, or future visitor-serving uses. The program would detail how the policy would be implemented, how demand for visitor-serving uses would be met, and would be reviewed for consistency with Coastal Act policies. Through this analysis the appropriate percentage of capacity, if any, allocated from visitor serving uses to affordable housing would be determined.

Currently and historically, 25% of the water supply is used for visitor-serving and commercial uses. Any reservation of the existing water supply is not adequate for projected visitor-serving uses as Cambria is currently under a water shortage emergency. As described in the EIR, there are approximately 890 existing motel rooms and 520,000 square feet of commercial retail space in Cambria. The proposed plan would allow for a maximum of 1,455 motel rooms and 850,000 square feet of commercial retail space. Overall, estimated water consumption could potentially increase from the current use of around 800 acre feet per year to approximately 1,500 to 1,700 acre feet per year. It is important to note that these numbers are theoretical maximums based on development potential absent site specific limitation such as setbacks, topography, vegetation, and service availability. Current regulations limit development in accordance with site characteristics and existing service capacity. Proposed regulations strengthen these limits. Please see the EIR for more information.

San Simeon Acres Land use Changes:

Ramey (Gupta) – 2.2 acres: Developed as a 52-unit motel, manager unit and garage. The development was permitted under California Coastal Commission Permit #425-01, County Development Plan D820526:1 (see attached).

Sansone – 2 acres: Developed as a 31-unit condominium project. The development was permitted under California Coastal Commission Application No. 4-82-580, Tract 1051 (see attached).

Sansone - .52 acres: Vacant.

Most of the land within San Simeon Acres is in the Commercial Retail land use category. There is not a large enough local population to support the hotels, motels, and restaurants in San Simeon Acres. Much of these visitor serving establishments depend on business from visitors to the area. These visitors primarily frequent establishments visible from Highway One and located along the Highway One frontage roads (Castillo Drive and Hearst Drive). Establishments not visible from Highway One have faced bankruptcy and foreclosure, evidence that there are more visitor serving establishments than can be supported by visitors to the area and the local population. Further, there are underutilized and vacant parcels located along Highway One and between Highway One and Avonne Avenue. The vast majority of employment in San Simeon Acres is in the visitor-serving, service sector industry, resulting in a large need for multi-family housing. The proposed land use category changes are to help meet this need.

Recreation Standard 3 – Limitation on Use:

Caretakers may be necessary on properties in the Recreation category for security purposes or for continuous supervision or care of people, land, animals, equipment, or other conditions on the site. A caretaker's residence is allowable under the Fiscalini Ranch conservation easement and management plan and is included as an allowable use in Part 2 of the proposed amendment (see the Fiscalini Ranch standard submitted as Part 2 of LCP Amendment 1-06). Section 23.08.161 of the Coastal Zone Land Use Ordinance (attached) establishes standards specific to caretaker's residences. These criteria, along with all other applicable LCP criteria, is used to determine siting, design, and location of such facilities.

Water Master Plan for Cambria Program 11:

The CCSD has completed a Draft Water Master Plan. It is available at [www.cambriacsd.org](http://www.cambriacsd.org). Cambria Program 11 is a proposed new program. Please see Table 3-7 p. 3-44 for a schedule for completing the recommended service programs. Current development restrictions limit development in accordance with existing water supplies. Proposed regulations strengthen these restrictions.

Communitywide Standard 2 – Limitation on Residential Construction:

The limitation of 125 residential permits per year is a limit set by the Coastal Commission as conditions of approval of a previous Coastal Development Permit. Enclosed, please find a copy of Coastal Commission Application No. 428-10, an "Amendment to condition of Coastal Development Permit Number 132-18 and 132-20 (Conditions Nos. 2 and 4 respectively) to modify the annual hook-ups permissible to allow 125 residential hook-ups". Until the Coastal Development permit that established this limit is modified by the Coastal Commission, this limitation applies. The 125 unit limit is a maximum, not to exceed number of annual residential permits. If another service deficiency, such as water supply, limits development further, the 125 unit maximum would not be reached. The moratorium enacted by the CCSD does not affect this limit as it does not allow more than 125 annual residential permits.

Communitywide Standard 3 – Cambria CSD Service Extensions Outside the USL or URL:

The existing CCSD service boundary includes areas outside of the USL and URL (see enclosed map). This proposed standard limits new service extensions outside of the USL or URL are only to allow the CCSD to meet current commitments. The May 13, 1997 date and the exception categories are based on the results of previous challenges to determinations of the ability to be served by the CCSD and on the protection of coastal resources. Any applicant proposing development served by the CCSD but located outside of the USL and URL would need to demonstrate compliance with this section.

Communitywide Standard 5 – New Residential Land Divisions:

Determination of "equivalent legal lot" would occur through the discretionary review and environmental review process with consideration of a number of factors, including habitat, topography, public views, development potential and other site characteristics. Lots that are not comparable would not be considered equivalent.

Communitywide Standard 7 – Cambria Fire Department Review:

Cambria Fire enforces the 2000 Uniform Fire Code, 2001 California Fire Code, 2000 Uniform Building Code, 2001 California Building Code, 2003 Urban Wildland Interface Code and the CCSD's local amendments. The 2000 Uniform Fire Code, 2001 California Fire Code, 2000 Uniform Building Code, 2001 California Building Code, and 2003 Urban Wildland Interface Code are available for review at most libraries or for purchase from the National Fire Protection Association ([www.nfpa.org](http://www.nfpa.org)). A copy of the CCSD's local amendments is attached.

Cambria Land Use Changes:

Please see the attached maps.

Environmentally Sensitive Habitat Areas:

The majority of new projects within Cambria consist of additions to single family residences. Overtime, the County has developed standard mitigation measures that apply when this type of development is proposed within an area mapped as TH but already disturbed and surrounded by existing development. These standard mitigation measures have been included in the proposed Monterey Pine Forest Habitat standards. This would be an example of when a "...comprehensive program or list of standards already exists, and mitigation measures have already been identified..." These proposed standards have been fully evaluated in the EIR.

Whether an adequate "comprehensive program", "list of standards" and "mitigation measures" exists would be reviewed for adequacy on a project by project basis. For example, for a specific development on a specific property, the standards for construction practices and vegetation replacement may be determined through the coastal development permit and environmental review process to be adequate for protection of ESHA consistent with the LCP and Coastal Act. While in other cases, because of the specific characteristics of another project or site, the standards may be determined to not be adequate and additional mitigation measures would be applied through the development and environmental review process.

Because the adequacy of the program, standards, and mitigation measures are reviewed on a project by project basis, decision makers or staff can address new information or changes to the habitat areas at any time new information is available or the habitat area changes.

Monterey Pine Forest Combining Designation Standard:

As stated in 2(C)1 under this standard, "project limit area" includes all areas of grading, vegetation removal, development footprint, necessary fire clearances and staging areas for all construction activities, the location of those activities, and areas for equipment and material storage. Mitigation is not only required for Monterey pine trees with a diameter of six inches or more at 4.5 feet above ground. Mitigation is required for impacts to the Monterey pine forest habitat. Standard tree replacement ratios are established for removal of trees with a diameter of six inches or more at 4.5 feet above ground. However, additional mitigation measures may be required dependant on the specific characteristics of the project site. As described above, the standards of this section may be adequate mitigation for impacts in specific situations or additional mitigations may be required.

This standard facilitates the County's evaluation of impacts to the Monterey pine forest, thus enabling the County to better implement all LCP requirements, including the avoidance of Monterey pine forest ESHA.

Communitywide Standard 5 – Site Review:

This is referring to Communitywide Standard 8 of the April 2006 Board of Supervisors Approved Draft of the Cambria and San Simeon Acres Community Plans of the North Coast Area Plan (Board Approved Draft). Discretionary review includes land use and land division permits whose approval also constitutes approval of a Coastal Development Permit.

Combining Designation Standard 8 – Clustering of Development Required:

This is referring to a proposed standard from the May 2005 Public Hearing Draft. Please note this draft is outdated and the draft submitted to your agency for review as part of this amendment package is the April 2006 Board of Supervisor's Approved Draft. The standard referenced from the May 2005 Public Hearing Draft has been revised. Please see Combining Designation Standard – Monterey Pine Forest Habitat 2(H) – Clustering of Development Required of the Board Approved Draft. This standard does not use the term "forested areas", rather "Monterey Pine Forest Habitat".

Table 7-1, Standards for Building Sites:

Please note that only the maximum allowable footprint is proposed to increase, not GSA. Maximum allowable GSA would stay the same as in the current Table G. Please also note that the number of allowable TDCs does not change, this section simply codifies current policy. Further, Table 7-1 applies to all small lot subdivisions, not just Lodge Hill as Table G did. Therefore, areas which currently have no square footage limit would have development restrictions. The proposal to increase the maximum allowable footprint is in response to community concern over the massive, boxy appearance of homes and the need for more single story living by the community's residents, many of whom are elderly. The EIR fully analyzes the potential for the proposed plan to result in impacts to Flooding and Soils, Geology, and Erosion. As detailed in the EIR, there are no significant impacts identified in these issue areas. By limiting otherwise unrestricted development square footage throughout the community, while allowing a minimal increase in footprint square footage in Lodge Hill, the proposed plan reduces the amount of allowable square footage and therefore reduces the impact to water quality and marine resources. Please note that in addition to these square footage limitations, all development is subject to the numerous policies, programs, and standards of the LCP that protect water quality and marine resources.

Combining Designation Standards Marine Habitat (SRA) – Projects with Point-Source Discharges:

The Cambria Flood Control and Drainage Study, online at [www.slocountydrainagestudies.org/Cambria/final/index.htm](http://www.slocountydrainagestudies.org/Cambria/final/index.htm), includes figures showing storm drain locations. Any applicant proposing point-source discharges would need to provide verification that the proposal is consistent with all applicable regulations from the various agencies (MBNMS, EPA, RWQCB, USFWS, CDF&G, etc). The County relies upon these agencies to determine consistency with their respective regulations.

Jonathan Bishop, Coastal Commission  
Public Hearing Draft – Cambria and San Simeon Acres Community Planning and Building Department  
7/13/2006  
6

Moonstone Beach Standard 4(l) – View Corridors Required: This standard maximizes view corridors to the shoreline by requiring at least 50% of each site to remain free of structures and landscaping that would block views of the shoreline and coastal terrace from Highway One. The topography in this area is such that views of the shoreline and coastal terrace could be blocked by single story structures. This standard applies to all properties within the Moonstone Beach Area shown on Figure 7-21 in the Board Approved Draft. Many of the lots are developed with hotels/motels built in conformance with this standard since it has been in place since 1988. The County applies this standard by reviewing each development proposal for conformance with this section.

Thank you for your comments on LCP Amendment Submittal 1-06. The County believes all of the requirements of the California Code of Regulations Section 13552 have been met and the amendment should be considered filed as complete. Please contact me at (805) 781-4576 should you have any questions or concerns.

Sincerely,



Martha Neder, AICP, Planner  
Department of Planning and Building

Enclosures

cc. Shirley Bianchi, District 2 Supervisor  
Katcho Achadjian, District 4 Supervisor, Coastal Commissioner



**Jonathan Bishop**

---

**From:** Roland Soucie [rsoucie@charter.net]  
**Sent:** Saturday, March 25, 2006 4:16 PM  
**To:** Jonathan Bishop  
**Subject:** LCU PLAN message with corrections

March 25, 2006

Mr. Jonathan Bishop,  
California Coastal Commission  
[jbishop@coastal.ca.gov](mailto:jbishop@coastal.ca.gov)

Dear Mr. Bishop,

My name is Roland Soucie, a resident of Cambria. I represent the East Lodge Hill Residents Assoc. comprised of 38 residents in the area surrounding the 4-acre parcel incorrectly referred to in correspondence as "Kreps/Meltzer", but formally documented as Tract 226. Beginning in Sept. 2005 our members have submitted a petition requesting that Tract 226 be rezoned as Open Space, or at a maximum RSF in order to maintain the character of the neighborhood, and to ensure that the traffic problems we face today with Burton Dr. and Main St. at the new Grammar School, our only ingress and egress, does not rise above tolerable levels, and for safety reasons.

Since September our members have spoken privately with members of the Planning Dept., have attended every Planning Commission meeting in order to make our concerns known, and have written letters to each of the Commissioners. At the time of the vote Commissioners Christie and Gibson strongly lobbied for a RMF zoning for Tract 226 and they succeeded.

Our concern is that the Planning Dept. may not have provided you with the aforementioned petition and letters from our members for consideration prior to your decision, expressed in your urgent letter to the attention of Chairman, Board of Supervisors on March 14, in which you advocate that Tract 226 be zoned RMF. The problems described in the 1998 plan update for this region have been exacerbated by the addition of the new Grammar School, the impending growth of the Cambria Pines Lodge, and new construction planned on Ardath near the intersection of Route 1 as soon as RMF water becomes available. The Planning Dept's response to your letter in November has been that the problems described have been, or will be mitigated. They have informed you incorrectly in some instances and I am available and anxious to provide evidence to support this allegation.

May I please have your timely response confirming or disclaiming receipt of copies of our correspondence. The Board of Supervisors meet April 4th and we want to ensure that each group actively making decisions regarding Tract 226 do so with a full set of facts.

Respectfully Submitted  
Roland Soucie  
East Lodge Hill Residents Assoc.  
3144 Wood Drive  
Cambria CA 93428  
805-927-1108

**CCC Exhibit E**  
**(page 1 of 22 pages)**

3/29/2007

To: California Coastal Commission, Santa Cruz,  
Att: Jonathan Bishop, Coastal Analyst, cc Commissioners  
Sierra Club, Santa Lucia Chapter  
North Coast Advisory Council , Cambria

4/10/06

RECEIVED

APR 12 2006

**Subject: Stop the Proposed Sports Field**

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**We must save the last open space located near downtown Cambria. It is now referred to as the East end of the Fiscalini Ranch. This open space is a grassy meadow bordered by homes a little farther to the East, and homes on a hillside to the South, hidden by trees. On the North side and across the adjacent Santa Rosa creek is a mobile home court which has been sold. In place of the mobile homes will be some apartments and possibly some low cost housing. Noise from the proposed sports activities in this meadow would travel outward and upward as in a bowl effect to the nearby homes (and businesses).**

**We recommend as do many other Cambrians, that this area be preserved as a quiet walking area with a designated trail and few benches. It is accessible to tourists and residents alike by a foot bridge from Main street (next to Bluebird Motel) and by a maintenance road from Burton drive. The West end of this meadow is bordered by Highway 1 and the Mid-State bank. This end is another possible entrance to the meadow.**

**Many Cambrians have donated money to preserve the area as open space, meaning no buildings and no organized activities such as a "sports field". We would appreciate any help you can give to preserve this area and the Santa Rosa Creek wetland.**

Sincerely,  
Cambrians For Fair Land Use (CFLU)  
PO Box 1332 Cambria, CA 93428

*Norman Fleming*  
Norman Fleming, Chairman

CCC Exhibit E  
(page 2 of 22 pages)

**RECEIVED**

MAY 15 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Rachel Youngman  
2992 Wood Drive  
Cambria, CA 93428  
805-927-2456 phone  
805-927-2473 business/fax  
[rachiewrites@charter.net](mailto:rachiewrites@charter.net)

Mr. Charles Lester  
Deputy Director  
California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

Dear Mr. Lester:

As a resident in proximity to Tract 226 in Cambria, I am writing to urge the Coastal Commission to give serious consideration to designating the space for single-family residences (SFR) rather than the currently popular idea of designating it for MFR. As you and your colleagues are well aware, the issues of infrastructure and water supply are extremely key in any planning for our area. An MFR designation would result in too many structures on too little space, thus negatively affecting traffic, drainage, noise, and the natural habitat, not to mention the peaceful quality of life that our neighbors now enjoy.

Open space is such a precious resource and dwindling so quickly; let's do as much as we can to preserve it. If Tract 226 cannot be held in perpetuity as unspoiled open space, then the least we can do to honor the land is to build as little as possible on it.

Many thanks for your attention.

Rachel Youngman



cc: Steve Monowitz, District Manager

**CCC Exhibit E**  
**(page 3 of 22 pages)**

Charles Lester, Deputy Director  
California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

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MAY 15 2008

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Ref: Cambria And San Simeon Acres Community Plan Update dated November 2005, Page 7-59, P5, Tract 226 (Kreps/Meltzer)

The San Luis Obispo County Planning Commission has recommended that Tract 226 (Kreps/Meltzer) in Cambria be rezoned from Commercial Retail (CR) to Residential Multi-Family (RMF). We object to this change and request that the Board of Supervisors recommend that it be rezoned to Residential Single-Family (RSF).

The basic and most obvious reason is found by visiting the site. It is a 4 acre tract with flat to gently sloping topography from east to west. This is an ideal parcel for the development of single family homes-on a single level. Single story housing is very much in demand by an underserved market: families with members who are unable to cope with multiple sets of stairs on a daily basis. Physical disabilities, visual impairment or age related limitations are a few of the reasons that fuel the demand for single story houses on the North Coast. This market size is supported by the demographic data in Table 2-3 Age profile-2000 and commentary which reads: "In Cambria, 42 percent of the population is over 55 years of age."

Another benefit of RSF is a lower density, which would reduce impermeable surface areas; this is stated as general goal #8-Residential Design, Item F-Parking and Access. At present this acreage functions like a sponge absorbing rainfall as well as any runoff from the rear yards of adjoining homes on Wood Drive. Intensive RMF development will require substantial hardscape surface areas which will create a runoff problem. Water will flow down Wood Drive, then under Eton Road and across Tract #163 (Fitzhugh Farm) to the west side of Main Street and ultimately into Santa Rosa Creek. Any runoff will surely carry a number of contaminants from vehicles and parking areas, trash, chemical residues from landscaping and possibly silt from erosion of the downhill properties. How can this help the quality of water in Santa Rosa Creek which has been the beneficiary of environmental efforts and financing to improve the quality of the creek and habitat?

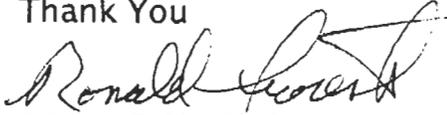
Single story homes would also be very compatible with the housing stock in the adjacent area which is primarily Residential Single Family. There are 34 single story RSF homes on Buckingham Place, Patterson Place, Wood Drive and Evensong Way. There are also 18 single family, one/two story homes on Wood Drive from Evensong to Eton Road.

COC Exhibit E  
(page 4 of 22 pages)

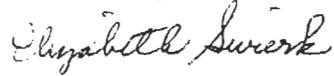
As described above, Residential Single Family zoning is more consistent with the goals of the Community Plan than RMF, more compatible with the housing stock in this neighborhood and with some creativity on the part of the Planning Commission can meet a definite demand for single story housing.

We encourage you to review this information and support a zoning change to Residential Single Family.

Thank You



RONALD SWIERK



ELIZABETH SWIERK

2755 Evensong Way  
Cambria, CA 93428  
Ph 805-924-1335

SM, JB, CL, RI



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

**RECEIVED**

VICTOR HOLANDA, AICP  
DIRECTOR

SEP 20 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

September 18, 2006

Peter Douglas, Executive Director  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

SUBJECT: SLO-MAJ-1-06 Cambria and San Simeon Acres Community Plans Update

Dear *Peter* Mr. Douglas;

We are pleased to learn LCP Amendment 1-06 (Community Plan Update) has been deemed filed. Pursuant to correspondence with your staff, I understand this item will be scheduled for the October Coastal Commission meeting at which your staff will ask the Commission to authorize a maximum one year time extension.

However, the County respectfully requests a maximum 60 day extension. As you are well aware, the County, Coastal Commission, and the community have dedicated numerous resources to working on this plan for well over a decade. Recommendations and suggested modifications made by your staff and the Coastal Commission over the last 15 years have been incorporated into the proposed update. As a result of efforts from all parties, we have reached broad consensus on this previously controversial and divisive project. The Community Plan Update addresses major environmental and land use planning issues in the communities. It reduces potential buildout by approximately 50%; updates important information on land use, service capacity, and resources; expands Monterey Pine forest and other coastal resource protections; incorporates residential design guidelines and standards; and includes numerous policies, programs and regulations to address the many issues facing development in these communities. The current plan for this area is approximately 20 years old and in desperate need of update. We are concerned that a significant delay at this point in the process could jeopardize the critically important and unprecedented consensus that has been reached on this plan update.

Thank you for your consideration of a maximum 60 day extension. We look forward to working together to resolve any remaining issues. Please contact me at (805) 781-5708 or John Euphrat at (805) 781-5194 should you have any questions or concerns.

Sincerely,

*Vic*  
Victor Holanda, AICP  
Planning Director

**CCC Exhibit E**  
**(page 6 of 22 pages)**

# NORTH COAST ALLIANCE

Post Office Box 762  
Cambria, California 93428

Fax (805) 924-0503

September 18, 2006

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

## RECEIVED

SEP 20 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Attn: Commissioners;

**Preserving the Heart  
of the North Coast  
Since 1997**

Our alliance supports your prompt public review and approval of The Cambria and San Simeon Acres Community Plans portion of the San Luis Obispo County North Coast Area Plan (NCAP).

We have advocated for an NCAP update since our founding in 1997 while several of our Board of Directors and supporters have done so for more than fifteen years.

There is an overwhelming consensus among local public agencies and the environmental community that the NCAP adopted by the Board of Supervisors and certified by your commission in 1988 is a hopelessly outdated, incomplete and flawed document.

A prolonged approval of the Cambria and San Simeon Acres update would jeopardize your mandate to protect our gateway to Big Sur. Accordingly, we support the San Luis Obispo County staff recommendation for an initial review by January 1, 2007.

Thank you for your attention and prompt action in this matter.

  
Wayne Ryburn  
Chair, North Coast Alliance

c. Martha Neder

**Directors:**

Bill Allen

Bill Bianchi

Betty Fiscalini

Glenn Hascall

Pat Hascall

Helen May

Wayne Ryburn

September 18, 2006

California Coastal Commission

Attention: Commissioners

Dear California Coastal Commission,

After approximately 15 years, we have reached a broad consensus on a previously controversial and diverse project. The Community Plan update addresses major environmental and land use planning issues in the communities. It reduces potential build-out by approximately 50% and puts a cap on the maximum number of future dwellings. It updates important information on land use, service capacity, and resources; expands Monterey Pine forest and other coastal resource protections; incorporates residential design guidelines and standards; and includes numerous policies, programs and regulations to address the many issues facing development in these communities. The current plan for this area is approximately 20 years old and, as we all know, in desperate need of update. We are concerned that a significant delay at this point in the process could jeopardize the critically important and unprecedented consensus that has been reached on this plan update. I urge you to continue with this item immediately, **do not** authorize any extension.

Sincerely,



Debra Dill

311 Susannah Lane

Paso Robles, CA 93446

**RECEIVED**

SEP 25 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**RECEIVED**

September 28, 2006

OCT 02 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

## DIRECTORS:

Peter Chaldecott  
*President*Donald Villeneuve  
*Vice President*Joan Cobin  
*Director*Ilan Funke-Bilu  
*Director*Gregory Sanders  
*Director*

## OFFICERS:

Tammy Rudock  
*General Manager*Arther R. Montandon  
*District Counsel*Kathy Choate  
*District Clerk*California Coastal Commission  
Attention: Commissioners  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508Re: Cambria and San Simeon Acres Community Plans of  
the North Coast Area Plan

Dear Commissioners:

We understand during your October 11-13 meeting in Long Beach that you may be considering the authorization of an extension to hold the public hearing for the Cambria and San Simeon Community Plans of the North Coast Area Plan. Respectfully, we request your consideration to authorize a maximum 60-day extension.

CCSD staff, ad hoc committees, constituents, and consultants spent almost one year working closely with San Luis Obispo (SLO) County Building and Planning staff and consultants, the SLO County Planning Commission, and the SLO County Board of Supervisors to develop the Cambria portion of the Community Plans update.

After unanimous approval by the San Luis Obispo County Board of Supervisors in May 2006, the County forwarded the Community Plans update to the California Coastal Commission.

The Cambria portion of the Community Plans update reduces buildout, protects coastal resources, and includes policies, programs, and regulations with regard to development issues in the Cambria community. Given the existing plan is 20 years old, the update is imperative to address the major environmental and land use planning issues within our community.

Thank you for your consideration.

Sincerely,

Tammy A. Rudock  
General Manager

CCC Exhibit E  
(page 9 of 22 pages)

3680 Conquista Avenue  
Long Beach, CA. 90801  
October 4, 2006

**RECEIVED**

OCT 06 2006

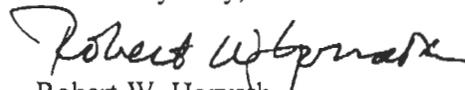
CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

California Coastal Commission  
Central District Office  
725 Front Street Suite 300  
Santa Cruz, CA 95060

RE: W9c, San Luis Obispo Co. LCP Amendment No SLO-MAJ-1-06 Parts 1 & 2  
October 11, 2006 meeting

I understand that this item is simply about a time extension. The proposed plan changes happen infrequently, and should be done carefully. There are major changes proposed for the building standards in Cambria, where I own property. Since there is a building moratorium in Cambria that will not likely be lifted for several years, a time extension is acceptable. The building standards will largely affect people who own lots and reside out of the area. It is most important that you schedule the public hearing on the plan changes at a location that is accessible to central coast, central valley, and southern California residents, and that there be plenty of advance notice given of the date. There has been substantial controversy about growth in the area, and it is critical that all stakeholders be given a reasonable opportunity to participate, not just the vocal few who often represent narrow interests.

Yours very truly,

  
Robert W. Horvath

**COC Exhibit E**  
(page 10 of 22 pages)

5/15 JB  
10/06 D.D.S. rpt (1) W9C

Suzy Ficker  
Cambria Legal Defense Fund  
P.O. Box 516  
Cambria Calif.  
Ph: 805-927-8078  
In Palm Springs  
(760) 323-1291

LCP Amend,  
#SLO - MAS  
1-06 - Parts 1 & 2

**RECEIVED**

OCT 06 2006

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Yes! Approve of  
EXTENSION  
for further  
fact funding etc.

To:  
The Calif. Coastal Commission  
Commissioners and Staff, et al.

Dear friends—  
Please excuse this hastily written  
and informal note, but as I have  
been residing in Palm Springs  
the past couple of years my Coastal  
Commission notifications must  
have gone by the wayside.

I learned about the referenced  
amendment only upon my recent  
return to Cambria.

★ S.L.O.Co. continues the usurpation  
of whatever powers necessary  
to invalidate the validity  
of that which had been  
presumed to be the preservation  
of "open space in perpetuity"

(continued)

2

## Cambria Legal Defense Fund

Several years ago at a hearing of your Commission in S. L. O. I was the first to alert you to this situation.

In an attempt to alleviate the ageinous actions of SLO Co. in its attempt to proliferate its ambitions for expanded County Park facilities the Cambria Legal Defense Fund and other citizens groups supported legal action against the County (and State) represented by Yates & Wagner of Sacramento.

Our appeal was sent to the State Atty. General for investigation along with our petitions bearing over 200 signatures opposing the change - over from open space utilization to practically any use of the County land to realize its maximized ambitions for public parks in the Cambria environment.

(3)

Unfortunately at the culmination of the purchase of East-West Ranch open space things became (to put it mildly) convoluted beyond all description!

Our request to the State's Atty. General was not granted, and we are troubled by the fact that he most likely could not even had the time for proper scrutiny of the subject appeal!

★ We strongly urge your Commission to approve the extension

so that this community of people, and that of San Benito as well, can be assured of a more equitable evaluation of their environment than that which the County has had to offer these many years that I have been associated with SLO Co planning. And that is over 20 years!

(5#)

Please continue to keep  
me informed of any and  
all subjects<sup>&</sup> information  
relating to this issue -

It would be appreciated  
if the same info could  
be forwarded to one of our  
attorneys ~~Herbert~~ Alshaus.

Thank you for this opportunity  
to comment -

Most sincerely -

Suzanne  
CDF Founder

P.S. A Reminder!

Vote <sup>a</sup> <sup>4</sup> ~~yes~~ on  
proposed extension !!!

"A"

Suzy Ficker 10-3-06

See enclosed photographs

Artists rendering of

Vadnais Condo Project  
illustrate the extent  
of the interendant project  
and its effect on  
the view shed.

The proposed project is  
essentially the same  
as that which was  
opposed by local res-  
idents and appealed  
to your Commission by  
the Cambridge Lgd. Ref. Fund.  
Ultimately the CCC squelched  
this project.

Lately, there is rumour,  
that Dean Vadnais  
and/or his contractor are  
once again pursuing this  
plan.

He has no permit, but it's  
said he has revised the  
Co. Plan to include condos  
there

John Hofschroer at S. L. O. S. E  
Planning should have 22 (pages)  
to this.

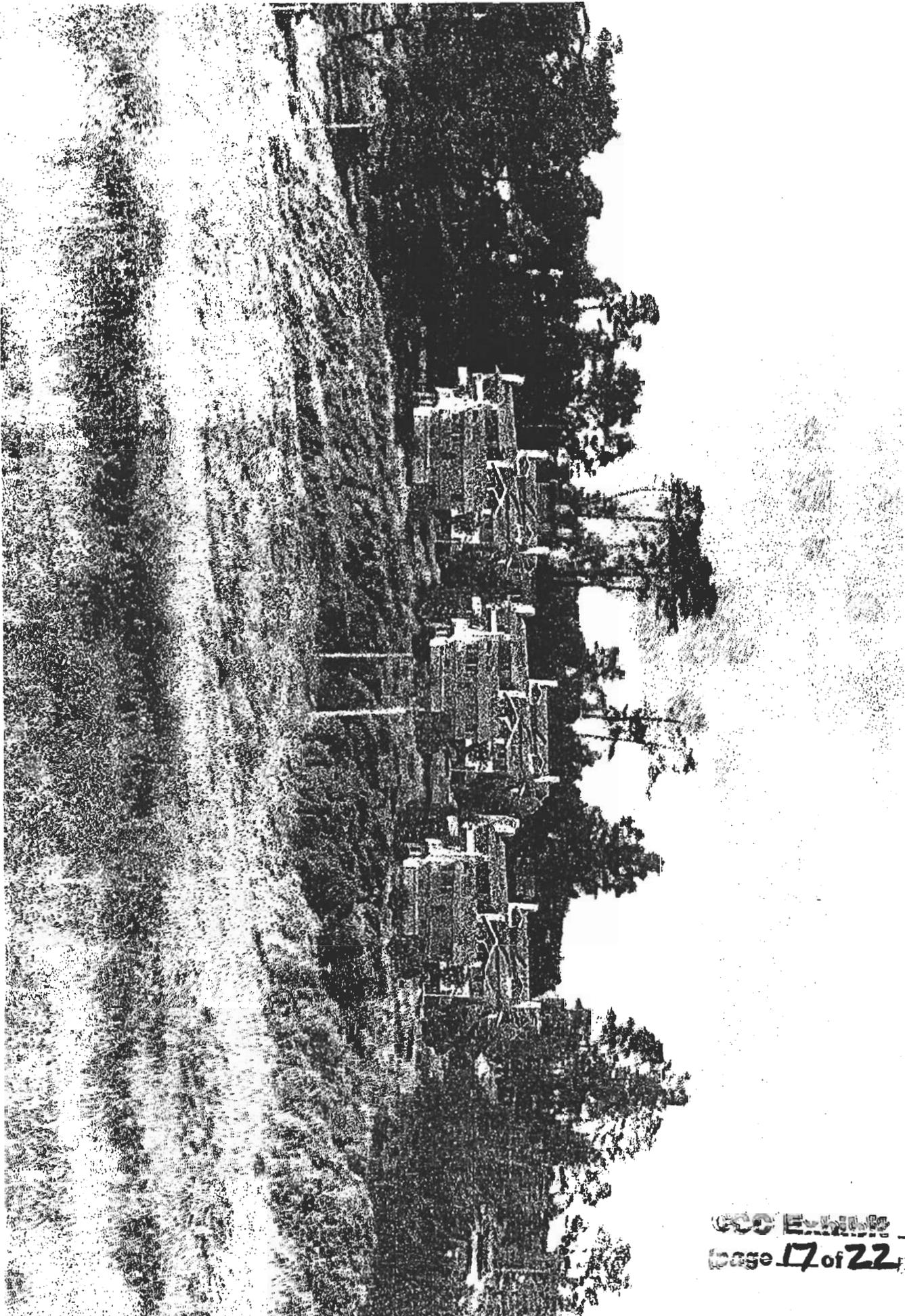
"A"

Continued.

- (1) The aspect of this Condo plan, of greatest concern to Pine Knolls residents was/was of the possible instability of the hill which might occur as a result of extensive \* hillside grading and excavations.

- (2) The ingress & egress which posed a danger to traffic traveling up & down the hill and was situated only about 50 feet from main St, which now has a four way stop signal.

Pine Knolls Condos - Artist's Rendering



10-3-06

To: California Coastal Commission  
Michael Reilly, Supervisor, Dave Potter, Supervisor,  
Jonathan Bishop, Anal.  
From: Cambrians For Fair Land Use (CFLU)

---

10/1/06

Subj. Preservation of the East Fiscalini Ranch in Cambria.

The land to be preserved is the East portion of the Fiscalini ranch adjacent to downtown Cambria, accessed from Burton Drive. It is an area bordered by residences, businesses, churches, motels and mobile homes.

To allow this land to become a county park would lead to its use as a sports field and endanger the adjacent Santa Rosa Creek. This land should be preserved as far West as the Mid-State Bank.

In the years 2000 to 2001, the Cambria Community Service District sought to preserve this land by drafting Covenants, Conditions & Restrictions (CC &RS) and a Memorandum of Understanding (MOU) specifying the allowable use of the land to be resource enhancement and public access only. We believe this allows a walking trail and benches, but should exclude active sports and structures.

We urge the Coastal Commission to affirm that this land is indeed Open Space and is protected from development and other habitat altering uses.

Cambrians for Fair Land Use  
PO Box ~~516~~, Cambria, CA 93428  
Secretary, Norman Fleming

and Cambria Legal  
Defense Fund  
Suzy Ticker,  
Founder  
(805) 927-8028  
In Palm Springs,  
(760) 830-9112  
(page 18 of 23 pages)

## Citizens for Preserving Cambria Rodeo Grounds

The Cambria Parks and Recreations Department is planning on developing a soccer field, baseball field, a pad for a basketball and volleyball court and a multipurpose Community Center on the Cambria Rodeo Grounds wetland and floodplain.

- Fact--The Cambria Rodeo Grounds is a Wetland.
- Fact--The Cambria Rodeo Grounds is a floodplain. Should you be concerned that the District keeps building when they have legally adopted BY RESOLUTION that they don't even have enough water to meet the needs of current water customers?
- Fact-- The people of the state of California passed the Coastal Act, which requires the protection of wetlands and floodplains.
- Fact--If you live downstream from this proposed development, be concerned! Any armoring of the creek banks to protect urban development on a floodplain upstream will cause worse flooding for you.
- Fact--The Coastal Commission was committed to the preservation of the small area of wetland that the school proposed to use. The school was made to accept another alternative in order for the wetland to be preserved.
- Fact--The Coastal Commission did not approve Midstate Bank using wetlands.
- Fact--RRM Design group has been hired to develop plans for a soccer field, baseball field, a pad for basketball and volleyball, and a multipurpose community center.
- Fact--The old Midstate Bank building has been purchased and is being moved for the use of a multi purpose community center. Do Cambrians need another one on the Rodeo Grounds? Price for purchase was \$75,000. \$35,000 from CCSD. \$40,000 from Lions Club. The CCSD money was our tax money.
- Fact--This issue was placed on a ballot approximately 10 years ago. It was defeated at that time by the Cambria electorate. It should be placed on a ballot again!
- Fact--We have a new head of Parks and Recreation hired by the CCSD who has taken one side only. Is this the image Cambrians want in the middle of the 40 acres off of HWY 1?

This is wetland that was acquired for open space!  
The cart has been put before the horse!

*MEETINGS ON THIS ISSUE WILL BE HELD:*

**Wednesday 2/12/03 at 5:00 pm Vets Hall: P.R.O.S**

**Thursday 12/13/03 12:30 pm Vets Hall: C.C.S.D**

# Cambrians may pay to play

## MEETING TO DISCUSS PARK DEPT. FUNDING SOURCES

BY KATHE TANNER  
THE CAMBRIAN

Cambrians will learn more about their new Parks and Recreation Department at a special meeting at 7 p.m. on Feb. 13 at the Veterans Memorial Building.

The Cambria Community Services District and the Parks, Recreation and Open Space Commission will hear about the here-and-now and the hoped-for future, which could include a three-quarter-cent sales tax hike in Cambria. CCSD board members will talk more about complete budget plans at their regular Feb. 20 meeting (set a week earlier than usual).

On the 13th, CCSD directors are expected to "approve the goals and objectives of the (parks) department, so we have the direction to move forward on the tasks we should be working on," such as taking the costs and

responsibilities of the Community Center of Cambria and youth center programs. "We're not jumping out there hiring people, or starting programs, until we've got the money to support them," said Tammy Rudock, CCSD's assistant general manager.

The special workshop meeting was scheduled so CCSD directors could finish what they started last month, when they officially recognized the department and identified its functions as open space, community facilities, adult and youth sports and recreation activities, and community classes, programs and services.

The district doesn't yet have a new revenue stream to support the new responsibilities of what has been an unnamed but functioning department in the past. Budget information that will be presented at the meeting will include identifying current expenditures for the commission and for functions that will fall under the Parks and Recreation department. CCSD is applying for "a per-capita grant from state Prop. 40 funds," Rudock explained. She said that grant should bring the

district from \$200,000 to \$250,000 (money that can be used for operations), based on the population and "the fact that we have been running the parks and recreation function for a few years. Just getting East West Ranch put us in the parks business."

Rudock anticipates that, once the district has tapped a more permanent source of support, the Parks and Recreation Department will have an annual operating budget of about \$500,000, including "operating a full range of recreational sport programs, required staffing levels for recreational activities, grounds maintenance, and administration (including contract umpires and referees), facilities operations and maintenance, and purchasing vehicles, equipment, and supplies.

"Fees will be collected for the recreational sport programs and for use of facilities..." Rudock continued. "Other revenue sources may include: District sales tax, general fund, special assessment districts (such as lighting and/or landscaping), grants and entitlement funds, and park-development impact fees."

# Exploratory group eyes East Ranch plans

**COLLECTING IDEAS, LAYING FOUNDATION FOR DISCUSSION**

It was a little muddy, but that didn't daunt two dozen people who had come to see Cambria's East Ranch up close Saturday. The hikers were a mixed bunch, there as individuals or to represent all kinds of local groups, from schools and government agencies to clubs and sports organizations.

The idea, according to the Cambria Community Services District's new parks planner Bob Kelly, was to bring the potential enthusiasts up to speed on what facilities community members have requested for the long-planned recreational area on a 40-acre site east of Highway 1.

After CCSD's Ben Boer and parks Commissioner Jack Breglio led the hour-long tour, the group reconvened over pizza at the Veterans Memorial Building for a brainstorming and strategy-planning session.

"There was unanimous agreement on the two top priorities for the community park," said Joan Cobin, CCSD board member and former member of the Parks, Recreation and Open Space Commission. "Namely, playing fields for soccer and baseball, as well as a pad for basketball and volleyball and, secondly, a multipurpose (for all ages) community center."

"The next favorite theme was the use of the old grammar school as a cultural center for the community and a nature education center, with a tie-in to the community park wetland area."

Future sessions of the group will be followed by a series of public meetings.

The CCSD board may give the idea a jump start at its meeting Dec. 19. According to the agency's tentative agenda, the directors are expected to ap-



CAMBRIAN PHOTO BY KATHE TANNER

A group of recreation enthusiasts traipsed through parts of the East Ranch Saturday, looking over prospective park sites.

prove a contract with RRM Design Group to design the park's master plan.

— *Kathe Tanner*

**Jonathan Bishop**

---

**From:** Doug Buckmaster [dougback@sbcglobal.net]  
**Sent:** Thursday, March 22, 2007 9:28 PM  
**To:** Jonathan Bishop  
**Cc:** Steve Monowitz; Peter Douglas  
**Subject:** Rezoning of CCSD Parcel

Dear Mr. Bishop:

I understand that the Coastal Commission is planning to send back the Cambria and San Simeon Design Plans with some recommendations to be considered by the County of San Luis Obispo.

I would like to address a parcel in Cambria which now is owned by the Cambria Community Services District. It is approximately eight acres in size and is on Main Street at the very eastern end of "town" at the junction with Santa Rosa Creek Road. It used to be owned by the Bahringers. The property currently is zoned Multi-Family. I understand that the District wants to rezone it Public Facilities.

Knowing the history of that property, there is almost no way that an appropriate facility can be built on that property to serve as a "city hall" for the CCSD. That seems to be their current dream, however. The restrictions for creek setback (100 feet), setback from the Jehovah's Witness Church, and the heavy traffic -- industrial and school -- on Main Street would limit severely what can be built there. Also, there is a building restriction (one structure only) that goes with the land.

Accordingly, I strongly recommend that this parcel be rezoned as Open Space. If you have any questions about the property, you might do well to contact Ingrid Warren of SLO County General Services. She could provide you with all the details to justify an open space designation.

Thank you for considering this suggestion.

Sincerely,

Doug Buckmaster  
1965 Emmons Road  
Cambria, CA 93428  
(805) 927-4206

## CHAPTER 8: COASTAL ACCESS



### A. Purpose and Organization

Protecting and maximizing public shoreline access is a fundamental goal of the Coastal Act. To facilitate achievement of this goal, Coastal Act section 30500 requires that all Local Coastal Programs (LCPs) include a specific public access component. This chapter provides a comprehensive reference to County goals, policies, standards, and ordinances pertinent to coastal access.

## **B. Public Access Goals**

General Goal No. 18 for Cambria and San Simeon Acres, described in Chapter 1 and repeated below, outlines several objectives for providing public access to the shoreline, without overburdening natural resources or infringing on constitutionally protected private property rights. The goal envisions the creation of a coastal trail and regional bike path system enabling residents and visitors to enjoy these segments of the California coastline.

### **General Goal No. 18 (from Chapter 1):**

Public Access to the Shoreline. Provide for public access, consistent with the need to protect natural resource areas from overuse, by:

- A. Maximizing public access to and along the coast through the following:
  - 1. Developing all feasible vertical and lateral pedestrian access easements to and along the shoreline, consistent with other public access goals of this plan;
  - 2. Developing a Coastal Trail through the Communities;
  - 3. Developing all other feasible pedestrian circulation systems in the coastal zone, consistent with other public access goals of this plan;
  - 4. Providing a bike path system for the Planning Area;
  - 5. Providing conspicuous signage for all public access easements;
- B. Preventing interference with the public's right of access to the sea, whether acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- C. Requiring new development between the nearest public roadway and the shoreline and along the coast to provide public access consistent with sound resource management and consistent with public safety, military security needs, and the protection of fragile coastal resources.
- D. Carefully balancing the public's right of access to the sea with constitutionally protected private property rights. (Mod 6)

## **C. Overview of Existing and Potential Coastal Access**

The North Coast segment of San Luis Obispo County provides a wide variety of public access opportunities, including one state beach, and a variety of formal and informal accessways to and along the coast. Existing and potential accessways are discussed below and generally shown on Figures 8-1 and 8-2. An inventory of offers-to-dedicate lateral and vertical access to and along the beach is included in Appendix A, San Luis Obispo County Parks, in coordination with the Department of Planning and Building, maintains this inventory. Please contact County Parks for the most current coastal access inventory.

### **1. Cambria**

#### **Shamel County Park north to Leffingwell Landing**

This contiguous sandy area is wide open for public use. This area is clearly visible from Moonstone Beach Drive, and there are numerous opportunities to view the beach and ocean. Parking, trails, and boardwalks are also available, as are restrooms at Santa Rosa Creek and Leffingwell Landing. There is also a boat launch at Leffingwell Landing. The adjacent inland uses are primarily visitor-serving motels. Overall, this area provides excellent access because the beach and coast are easily accessible for the whole length via Moonstone Drive, there is good visual access, and it is adjacent to many commercial visitor-serving uses (motels).

#### **Shamel County Park**

This County facility provides a developed lawn area with picnic tables, barbecues, restrooms, parking, and direct beach access. There is a large sandy beach contiguous with the State Park north from Shamel Park to Moonstone Beach and Leffingwell Landing.

#### **Park Hill**

Park Hill is primarily a residential area. The shoreline is generally accessible via cul-de-sac roads, but the coast is generally not visible from Highway One. The beaches here are small and seasonal, with little overall carrying capacity. Three southern street ends (Murray, Bryan, and DeVault) provide good visual overlooks, but no stairs. At the northern end of Park Hill a bluff top park containing pocket beaches has been improved with trails. This property is owned by State Parks, and extends from Worcester to just past Cambridge. A bluff top trail ends at the top of a 25-foot bluff, and access to Shamel Beach requires scrambling down the bluff face, raising concerns about safety and erosion. A stairway would be a useful improvement here.

#### **Fiscalini Ranch**

Lateral blufftop access along the western portion of Fiscalini Ranch is currently provided, with entrances at the south and north from the end of Windsor Boulevard. An established loop trail system provides access to upland areas of the ranch. There is also potential for linking Cambria's East Village to the coastline via the Cross Town Trail.

### Lodge Hill

Because of the geographic configuration of this area, the many access options in Lodge Hill primarily serve neighborhood residents. Generally, the public is not drawn to this area, in part because the shoreline is not visible from Highway One (although access is signed on the Highway), and in part because access to the coast involves a circuitous route through local streets. The beaches here are small and seasonal, with very little capacity for public use. Of the six streets that end at or near the coast in Lodge Hill, three are currently developed with stairways. The three accessways are fairly well-spaced laterally, and one of the three, at Lampton County Park, has been improved with a parking lot, trails, a bike rack, and a stairway. The other stairways are located at Harvey and Wedgewood.

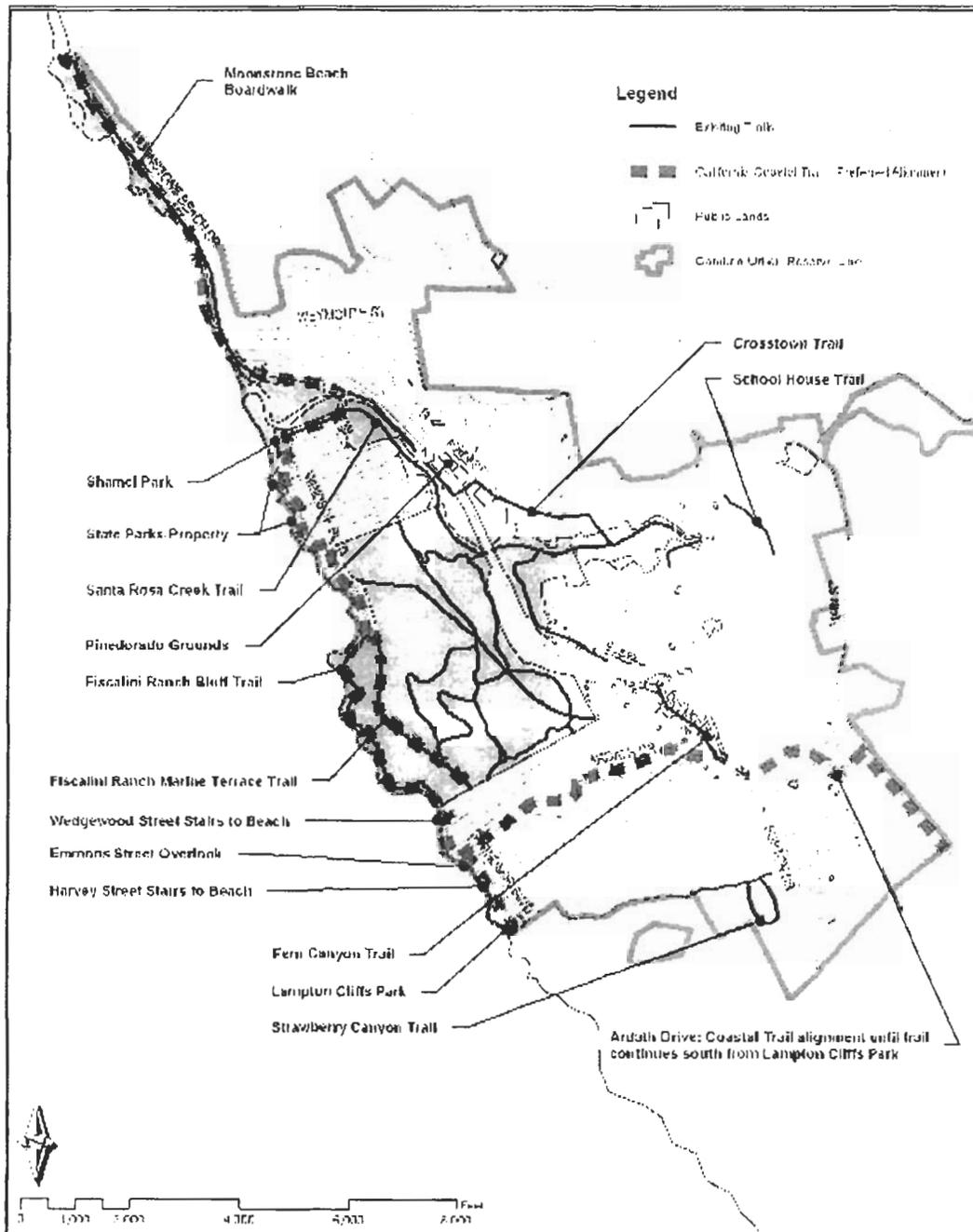


Figure 8-1 - Coastal Access - Cambria

## 2. San Simeon Acres

Access in San Simeon Acres is good. The highlight is a broad beach with excellent access. The main accessway to the beach is at the end of Pico Avenue, where parking for approximately ten cars and a stairway is located. There is a second accessway south of the Cavalier Inn that needs a conspicuous sign. There are also two vertical offers-to-dedicate at the southern end of the beach which should be analyzed for future development opportunities.

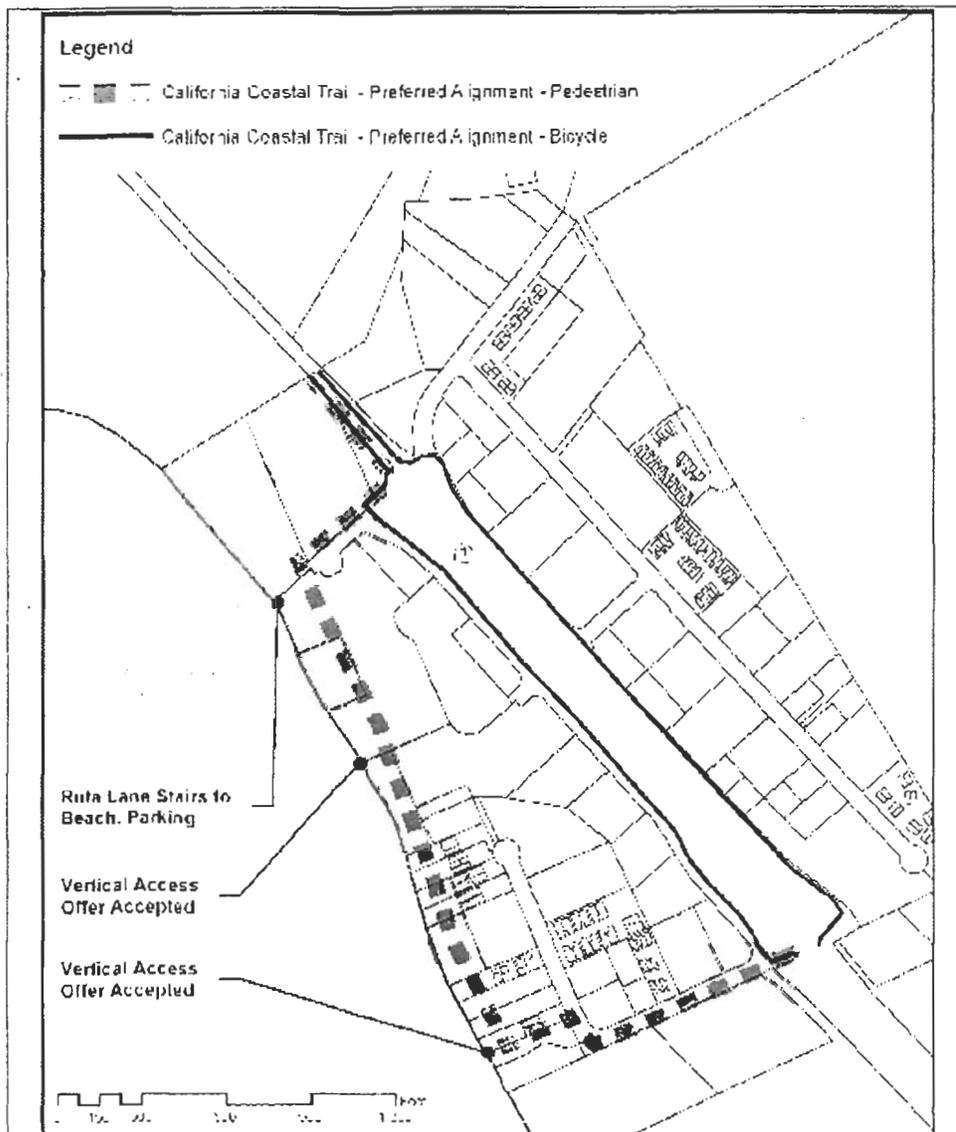


Figure 8-2 - Coastal Access -San Simeon Acres

## **D. Access Opportunities and Concepts.**

With increasing demand for access to the coast, additional public access easements will be necessary. Enhancement of existing access corridors will also be necessary to serve new user groups, or to provide better locations for accessways.

This Plan outlines several specific County programs for opening and managing existing and future accessways, including a Coastal Access Implementation Plan described in Chapter 6: Combining Designations. The following table outlines some of the more significant additions and enhancements envisioned in the coastal access program for Cambria and San Simeon Acres.

**Table 8-1**  
**Coastal Access Enhancement Objectives**

<b><u>Area</u></b>	<b><u>Improvement</u></b>	<b><u>Responsible Agency</u></b>
<u>Areawide</u>	<u>Development, signage, and management of trails</u>	<u>Cal Trans, State Dept of Parks and Recreation, County</u>
<u>Areawide</u>	<u>Development of regional bikeway system</u>	<u>Cal Trans, State Dept of Parks and Recreation, County</u>
<u>NW San Simeon Acres</u>	<u>Roadside park or overlook</u>	<u>County or San Simeon Acres Community Services District (SSACSD)</u>
<u>San Simeon Acres</u>	<u>Pedestrian network linking East &amp; West sides, safer Highway crossing, and link to the beaches</u>	<u>County, SSACSD, or private land owners</u>
<u>Cambria</u>	<u>Pedestrian and bicycle trail - "Crosstown Trail"</u>	<u>County, Cambria CSD, private land owners</u>
<u>Cambria/San Simeon Acres</u>	<u>Access improvements, including public pathways and overlooks</u>	<u>County or other responsible agency</u>

### **1. Access Opportunity: The California Coastal Trail & Hwy 1 Bikeway.**

A coastal trail and bikeway in Cambria and San Simeon Acres could provide significant access opportunities not currently available to the public. The coastal trail and bikeway are related since they would share the same purpose and some of the same alignment, but would serve different users. Because the trail and bikeway would be so closely related, there is an opportunity to share management and improvement costs among agencies holding different segments in the public trust. Shared improvements might include right-of-way improvements,

signage, overnight facilities such as campgrounds or hostels, and maintenance facilities. Shared ongoing maintenance activities, equipment, and security might also be a possibility.

**A. The California Coastal Trail.** The California Coastal Trail (CCT) is envisioned as a continuous trail system along the entire coast of California. In January of 2003, the Coastal Conservancy released a report entitled *Completing the California Coastal Trail*. The report is a strategic blueprint for establishing the CCT. The report includes suggested alignments of the CCT. This section identifies trail objectives and characteristics, the preferred alignment for the portions of the CCT through Cambria and San Simeon Acres, existing access, and the programs and standards that will ensure the implementation of these portions of the CCT.

**1. Trail Objectives and Characteristics.** Proximity to the ocean is the principal characteristic of the CCT. *Completing the California Coastal Trail* provides the following description:

"Wherever feasible, the Coastal Trail should be within sight, sound, or at least the scent of the sea. The traveler should have a persisting awareness of the Pacific Ocean. It is the presence of the ocean that distinguishes the seaside trail from other visitor destinations." (Coastal Conservancy, 2003, pg. 15).

Physical access to the ocean and beach areas is emphasized. The trail should be located "as close to the ocean as possible..." (Coastal Conservancy, 2003, pg. 8)

In preparing the *Draft California Coastal Trail: The Preferred Corridor Through San Luis Obispo County*, the San Luis Obispo County Parks Department interviewed stakeholders from the County Trails Advisory Committee, Coastwalk, California State Parks, the State Coastal Conservancy, the Coastal Commission, and other interested parties. Objectives for the CCT, developed based on the results of these interviews, include the following:

- Whenever possible, site the pedestrian trail along the beach. Where the coastal trail is separated from the beach, provide periodic views of the ocean from the trail, as well as periodic opportunities to access the beach.
- Focus on the establishment of a pedestrian trail to achieve trail continuity. As trail segments are developed, evaluate the feasibility of accommodating other trail users.
- Connect the coastal trail to other recreational resources whenever possible, including the County's trail system, existing and proposed parks and natural areas, parking areas, and alternative transportation

routes.

2. **Preferred Trail Alignment and Implementation.** The designation of a preferred coastal trail alignment is important because it allows trail dedications to be conditioned as development occurs. It also allows the County to apply for funding to complete portions of the coastal trail.

### **Cambria**

Figure 8-1 shows existing access in Cambria along with the preferred CCT alignment.

Through Cambria, the trail remains near the shoreline by following the Moonstone Beach Boardwalk (Moonstone Beach Drive for bicyclists), Nottingham Drive, and Windsor Boulevard; crossing Fiscalini Ranch (via the Blufftop Trail for pedestrians and the Marine Terrace Trail for bicyclists); and proceeding south along Sherwood Drive to Lampton Cliffs Park. This alignment is consistent with Coastwalk's identified route for the area. Until a trail segment continues south from Lampton Cliffs Park, trail users would be directed to Highway One via Ardath Drive.

Pursuant to the Coastal Zone Land Use Ordinance, lateral public access must be provided between the mean high tide line and the toe of the bluff with new blufftop development. However, the beaches through Cambria tend to be small and seasonal. While trail users may use the beach some times during the year, the coastal trail alignment through Cambria is identified along the road and blufftop trails. Information signs would direct trail users to beach access points, bluff overlooks, and other features of interest. The identified trail alignment serves both pedestrians and bicyclists.

There are a number of efforts underway to develop a comprehensive trail network throughout the community of Cambria. The preferred trail alignment provides for connections to this trail network as shown in Figure 8-1.

Implementation of the preferred trail alignment for the CCT through Cambria requires the following:

**Table 8-2**  
**CCT Implementation - Cambria**

Description	Implementation
Lateral access	access dedications with new development projects pursuant to Coastal Zone Land Use Ordinance Section 23.04.420 Coastal Access Required
Vertical access	access dedications with new development projects pursuant to Coastal Zone Land Use Ordinance Section 23.04.420 Coastal Access Required
Bridge access	provide space for bicycles and pedestrians with bridge replacement and repair projects pursuant to Cambria Communitywide Standard 23. Bridge Replacement and Repair.
Development, signage, management and maintenance of the CCT	Areawide Circulation Program #2 Trails
Develop regional bikeway system integrated with the CCT	Areawide Circulation Program #6 Bicycle Improvements
Connect the CCT to the community trail network	Cambria Circulation Program #8 Pedestrian Improvements - The Cross-Town Trail.
Open and manage access easements	Areawide Combining Designation Program #4 Coastal Access Implementation Plan.
Access improvements, including public pathways and overlooks	Cambria Combining Designation Program #8 Shoreline Access - Street Improvements - West Lodge Hill

***San Simeon Acres***

Figure 8-2 shows existing access in San Simeon Acres with the preferred CCT alignment.

Through San Simeon Acres, the current pedestrian trail alignment remains near the shoreline by accessing the beach via the stairway at Ruta Lane, following the broad beach to the vertical access 9051 Balboa. This alignment is consistent with Coastwalk's identified route for the area. Communitywide Planning Area Standard 3. Shoreline Access in new Visitor-Serving Developments requires the construction and maintenance of a lateral blufftop access trail for public use to be provided with new development. Further, Communitywide Planning Area Standard 4. Shoreline Access in new Public Facility Developments requires the Arroyo del Padre Juan bridge be improved to include a bicycle and pedestrian crossing. Once the blufftop trail has been completed, the CCT alignment would follow along the blufftop, across Arroyo del Padre Juan bridge and along Balboa Avenue. Beach access would remain and information signs would direct trail users to beach access points, bluff

overlooks, and other features of interest. The trail alignment for bicyclists is the frontage roads along Highway 1.

Implementation of the preferred trail alignment for the CCT through San Simeon Acres requires the following:

**Table 8-3  
CCT Implementation - San Simeon Acres**

Description	Implementation
Lateral access	access dedications with new development projects pursuant to Coastal Zone Land Use Ordinance Section 23.04.420 Coastal Access Required and pursuant to San Simeon Acres Communitywide Planning Area Standards # 2, 3, and 4 Shoreline Access
Vertical access, including, but not limited to an additional 5 foot wide vertical access adjacent to the vertical access at 9051 Balboa	access dedications with new development projects pursuant to Coastal Zone Land Use Ordinance Section 23.04.420 Coastal Access Required and pursuant to San Simeon Acres Communitywide Planning Area Standards # 4 Shoreline Access in Residential Development
Development, signage, management and maintenance of the CCT	Areawide Circulation Program #2 Trails
Develop regional bikeway system integrated with the CCT	Areawide Circulation Program #6 Bicycle Improvements
Link residences, motels, and beach areas to the CCT	San Simeon Acres Circulation Program #1 Pedestrian Improvements.
Open and manage access easements	Areawide Combining Designation Program #4 Coastal Access Implementation Plan and San Simeon Acres Combining Designation Program #18 - Shoreline Access - Acceptance and Maintenance
Access improvements, including public pathways and overlooks	San Simeon Acres Combining Designation Program #19 Shoreline Access - Pico Avenue Stairway

**B. Highway One Bikeway.** Portions of Highway One have already been improved as a Class II Bikeway. The vision of the Highway 1 bikeway described above maintains this alignment, but advocates upgrades to Class I Bikeways where feasible and adds improved secondary routes through scenic and special areas, such as

Moonstone Beach and Cambria's downtown and overnight facilities. Support facilities for the Bikeway could be consolidated with those serving the Coastal Trail.

1. **Bikeway Purpose and Goals.** The purpose of the Bikeway is to enhance existing opportunities for bicycle recreation in the Planning Area. The Bikeway should eventually constitute one continuous bikeway along the North Coast, with several Class I secondary routes providing access to special recreation areas. The goal is to integrate the bikeway with existing trails, bike paths, parks, and existing and potential support facilities.
2. **The Users.** The bikeway would primarily serve bicycle riders. The use of secondary trails may be limited because of concerns about safety or compatibility with site-specific coastal resources.
3. **The Planning Process.** The bikeway will require considerable cooperation and commitment from a variety of stakeholders. Once general support has been secured and potential funding sources have been identified, more detailed plans will need to be developed. The planning process should emphasize providing enhancements to existing routes, adding new routes to areas of interest, and combining support facilities with other trails.

## **E. Management Objectives and Programs**

Management of coastal access areas is complicated by the many different types of access facilities and the number of responsible agencies involved. Accessways include undeveloped beaches, bluff top trails, beach stairs, highway pull-outs and vista points, parks, and overlooks. In the Planning Area, some accessways are managed by private land owners. Others may be managed by public agencies such as: Cambria Community Services District, San Simeon Acres Community Services District, CalTrans, County Department of General Services Parks Division, and the State Department of Parks and Recreation. Nonprofit organizations, such as the Land Conservancy of San Luis Obispo County, may also accept and manage coastal accessways.

The following management objectives are meant to support existing access and provide for new access opportunities in the Planning Area:

- 1. Existing Facilities.** Management organizations should continue to fund and support ongoing maintenance of existing facilities. Agencies should avoid losing land resources such as public access easements and other potential assets. Support facilities should be expanded to meet growing public demand and to meet the needs of new user groups.
- 2. Potential Access.** Management organizations should continue to look for ways to maximize coastal access by pursuing grants, donations, other funding opportunities, and where appropriate through the regulatory process. Coordinating plans for existing facilities with plans for new facilities should provide a comprehensive and cost-effective approach. Agencies involved in development permit review should require access dedications according to adopted regulations.
- 3. Public Support.** The public should be involved as much as possible in providing input and resolving access issues. It is especially important that landowners, representatives of appropriate government agencies, and other crucial stakeholders be included from the beginning in relevant discussions.
- 4. Maintenance and Restoration.** Existing access areas must be maintained in order to provide for public safety and protection of sensitive coastal resources. Existing accessways that are significantly degraded because of overuse, or lack of funding to provide maintenance, should be rehabilitated, or re-routed.
- 5. County of San Luis Obispo.** Where the County is the responsible agency, the Parks Manager, working in the Department of General Services, should continue to:
  - A.** Accept outstanding offers-to-dedicate vertical and lateral coastal access easements.
  - B.** Design and install access facilities such as parking lots, stairs, trash receptacles.

restrooms, and signs.

- C. Maintain existing facilities.
- D. Manage the coastal access inventory.
- E. Evaluate coastal development proposals for coastal access potential.

In addition, the County is responsible for reviewing new development for consistency with the coastal access requirements in the Local Coastal Program. New development may be required to provide additional access in accordance with the Local Coastal Program and the California Coastal Act.

## **F. Coastal Access Policies, Standards, and Ordinances**

Because the entire Planning Area is within the coastal zone, land use and development within this area is subject to provisions of the County's Local Coastal Program, which are contained in four documents: Land Use Element and Local Coastal Plan - Framework for Planning; Land Use Element and Local Coastal Plan - Coastal Plan Policies; North Coast Area Plan; and Coastal Zone Land Use Ordinance. These documents work together to implement the Local Coastal Program. They are available from the San Luis Obispo County Department of Planning and Building. The basis for the Local Coastal Program and a brief description of each component are provided below. The following is included for reference purposes only as they are adopted separately and may be changed from time to time.

### **The California Coastal Act**

Policies in the California Coastal Act of 1976 guide the conservation and development of California's 1,100 mile coastline with the goal of protecting California's coastal resources and providing for their wise use. The Act establishes the California Coastal Commission as a permanent State coastal management and regulatory agency and requires each of the state's coastal cities and counties to adopt a long-term management plan, known as a Local Coastal Program. Each Local Coastal Program consists of a land use plan, zoning ordinances and other implementing actions. In enacting the Coastal Act, the legislature declared that a basic goal of the state for the coastal zone is to:

Maximize public access to and along the coast and maximize recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners. (Section 30001.5)

Chapter 3, Article 2 (Sections 30210 through 30214) of the Coastal Act contains six policy sections addressing public access and development between the first public road and the shoreline. The full text of applicable public access policies from the Coastal Act is included in Chapter 2 of the County's Coastal Plan Policies document.

### **Framework for Planning**

#### **Land Use Element and Local Coastal Program**

This document serves as the Land Use and Circulation Element of the General Plan for the County's coastal zone. It provides a framework for County decisions on land use, development, and circulation. General Goal No. 12.c encourages improved access to the coast through the acquisition and development of coastal accessways, trails, and parks, in appropriate locations. Framework for Planning identifies areas within the coastal zone where shoreline access is important. Coastal Access is a use to be encouraged in all land use categories.

## **Framework for Planning - Allowable Uses**

Coastal Accessways are a principally permitted use in all land use categories in the Coastal Zone. Principally permitted uses are both allowable and encouraged.

## **Framework for Planning - Definitions**

Framework for Planning provides the following definition of Coastal Accessways as a land use category:

### **Coastal Accessways [C3]**

Land areas, pathways and improvements that may be used for access to the shoreline or other coastal resource such as a stream. They may include pathways, trails, overlooks and may be improved or unimproved. Typical improvements may include parking, lighting, structural improvements such as retaining walls, stairs, signs, picnic tables and restrooms.

## **North Coast Area Plan**

### **Land Use Element and Local Coastal Program**

An area plan contains both policies and implementation measures focused on a specific geographic area and/or community. The North Coast Area Plan describes County land use and circulation goals, policies, programs, and standards for the North Coast Planning Area. In the event that a policy or ordinance elsewhere in the Local Coastal Program conflicts with an area plan standard, the area plan standard shall prevail. This Community Plan is intended to replace and update those sections of the current North Coast Area Plan relating to the urban and village areas of Cambria and San Simeon Acres.

## **Coastal Plan Policies**

### **Land Use Element and Local Coastal Plan**

This document states the policy commitment of the County to implement the mandates of the Coastal Act. Coastal Plan Policies apply to all four coastal zone areas in San Luis Obispo County - the North Coast, Pismo, San Luis Bay, and South County. Chapter 2 of the Coastal Plan Policies document outlines shoreline access policies and issues related to shoreline access for each of the four coastal planning areas in the county.

## **Coastal Zone Land Use Ordinance (CZLUO)**

This document implements Land Use Element and Local Coastal Plan policies and contains procedures for review and evaluation of proposed land uses and land divisions, similar to a zoning ordinance. While the Framework for Planning identifies where specific uses may be established, the CZLUO

determines how such uses may be developed by specifying performance criteria which proposed uses must satisfy in order to receive approval. Section 23.04.420 of the Coastal Zone Land Use Ordinance outlines requirements for protection and provision of coastal access. The ordinance specifies the type of required access, procedures for acquisition, and the type and extent of required improvements.



# BOARD OF SUPERVISORS



1055 MONTEREY, ROOM D430 • SAN LUIS OBISPO, CALIFORNIA 93408-1003 • 805.781.5450

## RECEIVED

MAR 14 2007

KHATCHIKH "KATCHO" ACHADJIAN  
SUPERVISOR DISTRICT FOUR

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

DATE: 3/2/07

TO: Vanessa

FAX #: 415 904 5400

TELEPHONE #: (805) 781-5450 FACSIMILE #: (805) 781-1350

TRANSMITTAL ◊ NUMBER OF PAGES (INCLUDING THIS PAGE): 3

FROM: KATCHO ACHADJIAN, SUPERVISOR DISTRICT FOUR

LEGISLATIVE ASSISTANT: VICKI JANSSEN PHONE: 781-4337

MESSAGE: letter received by  
Katcho

Vicki

### RECEIVED

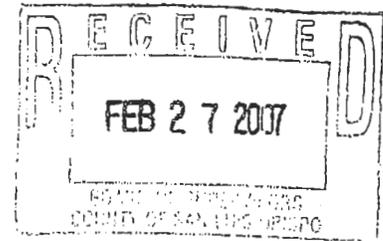
MAR 05 2007

CALIFORNIA  
COASTAL COMMISSION

CCC Exhibit G  
(page 1 of 6 pages)

February 23, 2007

Supervisor Khatchik Achadjian  
San Luis Obispo County Board of Supervisors  
1055 Monterey St. Room D-430  
San Luis Obispo, CA 93408



Re: North coast water.

Dear Katcho,

This letter comes to you because you sit in somewhat of a unique position, being on the board of supervisors and also as a commissioner for the Coastal Commission. I feel you, more so than maybe others, will have a greater understanding of the problems and complexities with the inadequate availability of water up in the Cambria and San Simeon area of the north coast.

As I'm sure your aware, both San Simeon and Cambria have been in moratorium for years, San Simeon for 20 years and Cambria since 2001 I believe. Back in 1995-1996 Cambria was proposing a desal plant which San Simeon was going to participate in. The political climate in Cambria changed in 1996 completely changing the makeup of the directors for Cambria's service district, and the desal plant project was shelved.

Fast forward to the current status: Cambria is once again proposing a desal plant, funded in large part by a grant through the work of Lois Capps, with the Army Corp of Engineers as the lead agency on the design. Certainly Cambria is taking a much different approach this time, putting in place a comprehensive program to provide for the community in a positive way for years to come. Initially, Cambria and San Simeon had preliminary talks, whereby San Simeon would participate with Cambria in the construction, operation and maintaince of the desal plant. Those talks ceased around the end of 2005 for reasons I have never been able to acquire. As small communities and small town politics go, I'm sure that personal feelings and/or misunderstandings got mixed in the process, thus clouding the objective for both communities to secure a reliable water source. Regardless of the reasons for failing to keep communication open and flowing between the two communities, the water problems for both communities needs to be addressed and I feel a regional solution would be in the best interest of both communities. The two districts are separated by 1 mile and the desal supply line is proposed to come from the Reverse Osmosis plant up San Simeon Creek Rd, to Hi way 1, tying in to the existing potable water dltribution system. At that point, the district of San Simeon is 1 mile north. A very short pipeline (1 mile) would connect the desal water to San Simeon's potable water distribution system.

Currently Cambria is applying for exploratory wells on the beach in hopes of securing a seawater intake for their proposed desal project. It would be appropriate at this time to bring San Simeon water needs into the picture, thereby solving the water problems of both communities regionally.

I assume you're aware of the Coastal Commission's *DESAL REPORT*, which I believe was final in March of 2005. This report was written exclusively to address the issue of desalination plants up and down the coast of California, where many small communities very much like Cambria and San Simeon, have similar if not identical water needs and problems. If I remember correctly, Tom Luster, in the San Francisco office was the primary author for this report. In this report, the make reference to having a preference for solving water problems along the coast with a regional approach as opposed to having many individual desal plants scattered up

**CCC Exhibit G**  
**(page 2 of 6 pages)**

and down the coast. I'm sure, among other reasons, the oversight on a regional approach would be of higher quality and reliability verses small individual operations which directly relates to being better for the environment overall.

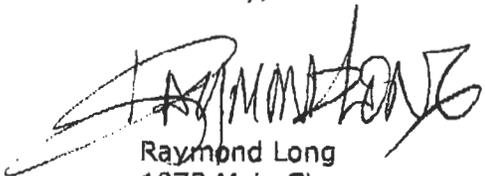
I have talked to many people up on the coast from both communities and we all find it hard to understand why the two communities are not working together on the project.

This letter comes to you seeking your input and support to bring these two communities together in solving a problem both communities have been dealing with for a long time.

In the past, our former supervisor was of no assistance what so ever, and currently Mr. Gibson, being so new might not be as fully informed as you given the two hats your currently wearing as a board member for San Luis Obispo and a commissioner for the Coastal Commission. I could be wrong on this assessment and I would certainly encourage Mr. Gibson to become involved, as not only is this problem in his district but I'm sure he has valuable insight given his involvement in the conservation agreement with the Hurst Ranch.

I look forward to your input and direction in this matter.

Sincerely,



Raymond Long  
1073 Main St.  
Cambria, CA 93428  
805-455-1032 cell  
805-927-1343 message



# BOARD OF SUPERVISORS

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MAY 31 2007

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COASTAL COMMISSION  
CENTRAL COAST AREA

## RECEIVED

MAY 29 2007

CALIFORNIA  
COASTAL COMMISSION

**KHATCHIKH "KATCHO" ACHADJIAN**  
SUPERVISOR DISTRICT FOUR

DATE: 5-29-07

TO: Jeff Staben

FAX #: 415 904 5400

TELEPHONE #: (805) 781-5450 FACSIMILE #: (805) 781-1350

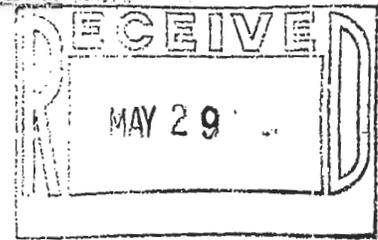
TRANSMITTAL ◊ NUMBER OF PAGES (INCLUDING THIS PAGE): 4

**FROM: KATCHO ACHADJIAN, SUPERVISOR DISTRICT FOUR**

LEGISLATIVE ASSISTANT: VICKI JANSSEN PHONE: 781-4337

MESSAGE: received by  
Commissioner Achadjian

Elizabeth Bettenhausen, Ph.D.  
345 Plymouth Street  
Cambria, CA 93428



24 May 2007

The Board of the Cambria Community Services District  
Cambria, CA 93428

Dear Members of the Board:

Re: Item VIII. B. Review of April 2007 California Coastal Commission (CCC) Recommendations to County Approved Cambria Community Plan Update on the agenda of your meeting today.

I first read and responded to the *Land Use Element - Local Coastal Plan* for Cambria and San Simeon Acres when it was considered by the Planning Commission of San Luis Obispo County.

Having read W17a and the staff addendum from the April meeting of the CCC and analyzed the amendments proposed by the staff to the Commission, I infer several basic principles.

1. Protection of coastal resources is the dominant criterion by which development and growth rates are judged.
2. Protection ranks higher as a criterion than mitigation of negative declarations.
3. Mandatory protections--making certain there are no adverse impacts on coastal resources--rank higher than discretionary preferences.
4. Judgments about land use should be made on the basis of current resources, not on the basis of speculative plans.
5. The Monterey Pine Forest, the ocean, and the adjoining land have intrinsic value which humans must respect.
6. Respecting the ecological habitat in which we humans live serves our interests as well, now and in the future.

As a resident of Cambria and a former professor of social ethics and theology, I analyze public policies and their effects, agree with these basic principles, and respond to just a few of the specific amendments.

1. Cambria needs much more housing affordable to the more than 600 people (22% of those employed) who live here with annual incomes below \$25,000 (data for 2000, Table 2-7). Public deliberation is needed to determine a balance between water provision for commercial and visitor uses and sufficient housing for low income residents.

2. The recommendations regarding the handling of storm water are excellent ways to conserve water and protect against land erosion.

3. The expansion of the list of permits necessary to create a plant to desalt the ocean's water is excellent.

4. The treatment of the forest habitat presented in these recommendations merits full agreement.

5. I cheer the recommendations to expand transit service and "non-automobile circulation" in and out of town.

For the well-being of Cambria I urge you to give full and open consideration to amendments recommended by the CCC staff to the Coastal Commission at their meeting in April.

With gratitude for your attention, I am

Sincerely yours,

*EB*

cc: Tammy Rudock, General Manager of the CCSD  
Khatchik Achadjian, Commissioner, CCC ✓  
Jonathan Bishop, Coastal Program Analyst, CCC

**CCC Exhibit G**  
**(page 6 of 6 pages)**

W17a

Diana Chapman

From: Lynne Harkins [l.harkins@charter.net]  
Sent: Tuesday, April 10, 2007 11:32 PM  
To: Jonathan Bishop  
Cc: kachadjian@co.slo.ca.us; Diana Chapman  
Subject: CCC agenda item

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APR 11 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

April 10, 2007

Jonathan Bishop  
Coastal Program Analyst  
California Coastal Commission  
jbishop@coastal.ca.gov

Dear Mr. Bishop,

Having read agenda item W17a, I am writing to thank you and to express my support for this very fine staff report.

The Commissioners would do well to accept your insightful and thorough analysis. Your recommendations for modifications to the Cambria and San Simeon Plan are most welcome to me and to many others in our community. Your coverage of zoning issues, limits on building. Monterey pine forest and water issues is clearly governed by a "protecting of our coastal resources" perspective.

Though I would like to see it specified that ownership of any desalination facility be municipal, rather than just public, your reference to water planning - "includes conservation and water recycling to the maximum extent practicable" is most welcome.

Again, I hope the Commission will accept your well-crafted recommendations and I thank you for your work.

Sincerely,

Lynne Harkins  
1730 London Lane/POB 606  
Cambria, CA 93428

CCC Exhibit H  
(page 1 of 58 pages)

## Jonathan Bishop

---

**From:** Elizabeth Bettenhausen [elizabeth1b@charter.net]  
**Sent:** Saturday, May 26, 2007 1:07 PM  
**To:** Jonathan Bishop  
**Subject:** letter to CCSD

Elizabeth Bettenhausen, Ph.D.  
345 Plymouth Street  
Cambria, CA 93428

24 May 2007

The Board of the Cambria Community Services District  
Cambria, CA 93428

Dear Members of the Board:

Re: Item VIII. B. Review of April 2007 California Coastal Commission (CCC) Recommendations to County Approved Cambria Community Plan Update on the agenda of your meeting today.

I first read and responded to the Land Use Element - Local Coastal Plan for Cambria and San Simeon Acres when it was considered by the Planning Commission of San Luis Obispo County.

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2. Protection ranks higher as a criterion than mitigation of negative declarations.
3. Mandatory protections--making certain there are no adverse impacts on coastal resources--rank higher than discretionary preferences.
4. Judgments about land use should be made on the basis of current resources, not on the basis of speculative plans.
5. The Monterey Pine Forest, the ocean, and the adjoining land have intrinsic value which humans must respect.
6. Respecting the ecological habitat in which we humans live serves our interests as well, now and in the future.

As a resident of Cambria and a former professor of social ethics and theology, I analyze public policies and their effects, agree with these basic principles, and respond to just a few of the specific amendments.

1. Cambria needs much more housing affordable to the more than 600 people (22% of those employed) who live here with annual incomes below \$25,000 (data for 2000, Table 2-7). Public deliberation is needed to determine a balance between water provision for commercial and visitor uses and sufficient housing for low income residents.

2. The recommendations regarding the handling of storm water are excellent ways to conserve water and protect against land erosion.

3. The expansion of the list of permits necessary to create a plant to desalt the ocean's water is excellent.

4. The treatment of the forest habitat presented in these recommendations merits full agreement.

5. I cheer the recommendations to expand transit service and "non-automobile circulation" in and out of town.

For the well-being of Cambria I urge you to give full and open consideration to

**CCC Exhibit H**  
**(page 2 of 58 pages)**

amendments recommended by the CCC staff to the Coastal Commission at their meeting in April.

With gratitude for your attention, I am

Sincerely yours,

EB

cc: Tammy Rudock, General Manager of the CCSD  
Khatchik Achadjian, Commissioner, CCC  
Jonathan Bishop, Coastal Program Analyst, CCC

**CCC Exhibit H**  
**(page 3 of 58 pages)**

**RECEIVED**

Anne Winburn  
2890 Burton Circle  
Cambria, CA 93428

JUN 20 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

California Coastal Commission  
Central Coast District Office  
Mr. Jonathan Bishop, Coastal Program Analyst  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

June 19, 2007

Dear Jonathan,  
I have reviewed the latest Cambria/San Simeon Acres Design Plan.  
Item 50, pg. 7-23 Fiscalini Ranch open space areas

I saw you recommend striking uses: "outdoor sports and recreation, communications facilities, caretaker residence, residential accessory use, water wells and impoundments....." BRAVO!!!!!!!!

Please do not bend to pressure from the CCSD to amend your original intuition to delete these uses. The community at large does not want these uses at the Fiscalini Ranch open space. Our community is not growing. Cambria Youth population is not growing. There is no concrete data that says it is growing. We have a BUILDING MORATORIUM, for Pete's sake. The push for developing the Rodeo grounds to active recreation and LEAGUE SPORTS FIELDS comes from a small number of special interest people.

Any community park should be Passive or interpretive nature focused. I live in the canyon above the "rodeo ground" portion of the Fiscalini Ranch. The Rodeo grounds are in a watershed/flood plain. I have seen standing water there during winters with rain.

Further, the topography of the terrain creates a megaphone situation where noise down by the creek travels loudly up the canyon. Active LEAGUE SPORTS FIELDS would be a noise disaster. Not to mention increased fire threat from large groups attending sporting events, litter, vandalism, lighting, etc. Cambria's water supply from Santa Rosa Creek is adjacent to this property....putting pollution from excessive visitation right at our water supply's doorstep.

CCC Exhibit H  
(page 4 of 58 pages)

**Cambria cannot even afford to maintain its infrastructure, let alone a new active sports field complex. We do not have enough law enforcement to enforce basic laws here in Cambria (like noise violations, speeding, theft, robberies, graffiti, gangs, etc), let alone a LEAGUE SPORTS FIELD with large groups attending events.**

**The canyons above the rodeo grounds are filled with precious Monterey pine trees. It is a wildlife habitat. I see the families of Great Horned owls, woodpeckers, hawks, jays, quail, etc. Developing this property will destroy their habitat and disturb their environment.**

**This open space was purchased by private donations for the purpose of preserving OPEN SPACE. SLO County came in at the 11<sup>th</sup> hour to "claim" this beautiful open space for sports development (active recreation) and LEAGUE SPORTS FIELDS. This is contrary to what the private donors and the community want to see.**

**The CCSD conducted a recreation survey in 2004. (See attached summary). They sent out to all their water customers a survey to assess what type of recreation the community desires. Even in view of this information, they insist they want active recreation at this site. The CCSD cannot adapt their recreation goals to this new information. They are still banging the "Develop active recreation" drum even with the recreation survey results.**

**Soccer fields and Softball/baseball fields rank 13 and 14 out of 27 requested activities.**

***As stated in the 2005 summary of this survey:***

***"Some organized field sports (soccer, baseball/softball) will be accommodated at the Santa Lucia***

***Middle School if a state parks grant is awarded in late 2005.***

***Multipurpose athletic fields are planned for the proposed community park. "***

**We have the new school and fields for active sports. We also have a high school and Jr. High school with fields for active sports.**

**Please do not let the CCSD or SLO County pressure you into changing your good call to NOT ALLOW Outdoor Sports and Recreational development, LEAGUE SPORTS FIELDS, nor other disturbing and development or structures at the Rodeo Grounds.**

**So what if Cambria has to return the \$500,000 they kicked in to "BUY"**

**sports fields in Cambria. The Cambria Community does NOT WANT THIS DEVELOPED.**

**The CCSD and SLO County cannot even handle the Main Street Enhancement project without wrecking our environment in Cambria. They installed 39 streetlights in less than 7/10ths of a mile on Main Street without an EIR!!!! They have demonstrated that they have NO sensitivity to the will of the community nor to the sensitive environment we have in Cambria.**

**PLEASE DO NOT change your recommendation to disallow Active recreation development on the Rodeo Grounds. PLEASE!!!!!! We need you to protect this area from stupid development and the ravaging of our natural resources. We need you to protect this area from individuals' political agendas. We need you to protect this area from special interest groups whose interests do not include preservation and protection of our natural resources in Cambria.**

**Please hang tough and do not cave to political pressure. Please STOP any unnatural development and LEAGUE SPORTS FIELDS development on the Fiscallni Ranch Rodeo Grounds.**

Sincerely,

Anne A. Winburn

10/5/2005 9.05 Board meeting - survey analysis  
**ANALYSIS OF THE 2004 PARKS AND RECREATIONS SURVEY REPORTS  
AND  
DISCUSSIONS**

By PROS Parks and Recreation Committee, July, 2005

In order to advise the CCSD in its mandate to provide facilities, sites and venues for recreation in

Cambria, the PROS Commission designed and carried out a survey of residents. In October, 2004,

the commission distributed a one page questionnaire in the water bill of all Cambrian households.

We received 942 of 3,985 surveys back (25%) which indicates a high degree of interest in community recreation.

CCSD contracted with the Community Center to develop a report of the survey results.

John Ruml

volunteered to write the report and PROS Commissioner Steve Figler provided an additional analysis of the results. Others who participated in developing the report were Courtney Craig,

Connie Davidson, Heidi Holmes, Amanda Rice, Gordon Rice, and Robin Schall.

The report was discussed at the March and April meetings of the PROS commission.

Members of

the commission provided comments and sent feedback via email to Jack Breglio, Chair of the Parks

and Recreation Committee. This Committee completed the analysis developed by Steve Figler

found in this document. In addition, a one-page summary of the findings was developed..

The survey results are informative about what recreational activities Cambrians currently participate

in. In addition, the respondents reported on what activities they would most like to see made available in Cambria.

The survey also provided data on usage patterns and preferences for facilities in Cambria, as well as

frequency and location of travel to out-of-town recreation. Respondents were grouped according to

their level of participation (Modest Activity - 1 or 2; Mainstream - 3 to 6; High Activity - 7 or

more), and intensity (Low; Medium; and High).

Ninety-three percent of respondents participate in at least one activity. The top five activities-

running/walking/jogging, gardening, hiking, and picnicking--have a similar ranking for all three

participation levels.

The most popular facility in Cambria is the East/West ranch used by 85% of respondents, followed

by Shamel Park, the Vets Hall, other trails, Moonstone Beach boardwalk, and Leffingwell Park.

Sixty-three percent of respondents recreate in Cambria, 37% travel to Morro Bay, San Luis Obispo,

or elsewhere for walking/hiking, golf, swimming and kayaking. Some travel due to a lack of Cambria facilities (golfing, tennis, and swimming) and others for a broader range of sites.

Requests for new or expanded services were (in order of importance):

o more hiking trails

- o a lap pool
- o a dog park (the survey was sent before the new dog park was opened)
- o a jogging track/trail

1  
 Copies of the full report are available at the CCSD office or the Cambria Library.

10/5/2005 9.05 Board meeting - survey analysis

2  
 Cambria already has lots of trails, however, we do not have a track without impediments. A track with exercise stations may be available at the Santa Lucia School if state park funding is approved. The second largest number of respondents (27%) requested a lap pool. An aging population contains persons who are rehabilitating or protecting muscles and bones and therefore do water walking and exercising, or lap swimming as opposed to hiking. The privately owned Cambria Pines Lodge swimming pool is available on a membership basis. The pool at Shamel Park is a county-run facility and is only open in the summer months. It is not a large enough to be a lap pool. Much of what was desired by survey respondents is included in the proposed community park design. An outdoor stage was considered but dropped during public discussions. A small community garden is available at Pocahontas Park but additional space could be provided in the community park. Nature trails are being developed on the West Ranch and the East Ranch and a short historic trail is planned for the Greenspace Creekside Reserve in East Village. Some organized field sports (soccer, baseball/softball) will be accommodated at the Santa Lucia Middle School if a state parks grant is awarded in late 2005. Multipurpose athletic fields are planned for the proposed community park. Horseshoe pits are available in Shamel Park. After-school and summer programs, such as arts and crafts and martial arts, are currently offered by the Community Center. Eight weeks of day camps are also part of their program but could be

expanded. The Community Center offers numerous adult programs such as arts and crafts.

**NUMBER AND PERCENT OF REQUESTS FOR FACILITIES AND ACTIVITIES**

	%	#	%	#
Nature Trails	49	458	Sand Volleyball	11 105
Lap Pool	27	254	Basketball(outdoor)	8 71
Dog Park	24	225	Skate Park	7 69
Jogging Trail/Track	23	215	Day Camp	7 66
Picnics	22	210	Climbing Wall	6 61
Community Garden	21	196	Horse Trails	6 61
Tennis Courts	19	182	BMX Trail	6 57
After school Programs	19	175	Martial Arts	6 55
Playgrounds	18	172	Roller-Blade	5 46
Outdoor Fitness Sta's	17	164	Horseshoe Pits	4 41
Arts & Crafts	17	159	Archery Fields	3 32
Outdoor Stage	16	151	Shuffleboard	3 32
Soccer Fields	13	126	Paint-ball	2 22
Softball/Baseball Flds	12	112		

## **ANALYSIS OF THE 2004 PARKS AND RECREATIONS SURVEY REPORTS AND DISCUSSIONS**

By PROS Parks and Recreation Committee, July, 2005

In order to advise the CCSD in its mandate to provide facilities, sites and venues for recreation in Cambria, the PROS Commission designed and carried out a survey of residents. In October, 2004, the commission distributed a one page questionnaire in the water bill of all Cambrian households. We received 942 of 3,985 surveys back (25%) which indicates a high degree of interest in community recreation.

CCSD contracted with the Community Center to develop a report of the survey results<sup>1</sup>. John Ruml volunteered to write the report and PROS Commissioner Steve Figler provided an additional analysis of the results. Others who participated in developing the report were Courtney Craig, Connie Davidson, Heidi Holmes, Amanda Rice, Gordon Rice, and Robin Schall.

The report was discussed at the March and April meetings of the PROS commission. Members of the commission provided comments and sent feedback via email to Jack Breglio, Chair of the Parks and Recreation Committee. This Committee completed the analysis developed by Steve Figler found in this document. In addition, a one-page summary of the findings was developed..

The survey results are informative about what recreational activities Cambrians currently participate in. In addition, the respondents reported on what activities they would most like to see made available in Cambria.

The survey also provided data on usage patterns and preferences for facilities in Cambria, as well as frequency and location of travel to out-of-town recreation. Respondents were grouped according to their level of participation (Modest Activity – 1 or 2; Mainstream – 3 to 6; High Activity – 7 or more), and intensity (Low; Medium; and High).

Ninety-three percent of respondents participate in at least one activity. The top five activities—running/walking/jogging, gardening, hiking, and picnicking—have a similar ranking for all three participation levels.

The most popular facility in Cambria is the East/West ranch used by 85% of respondents, followed by Shamel Park, the Vets Hall, other trails, Moonstone Beach boardwalk, and Leffingwell Park.

Sixty-three percent of respondents recreate in Cambria, 37% travel to Morro Bay, San Luis Obispo, or elsewhere for walking/hiking, golf, swimming and kayaking. Some travel due to a lack of Cambria facilities (golfing, tennis, and swimming) and others for a broader range of sites.

Requests for new or expanded services were (in order of importance):

- more hiking trails
- a lap pool
- a dog park (the survey was sent before the new dog park was opened)
- a jogging track/trail

Cambria already has lots of trails, however, we do not have a track without impediments. A track with exercise stations may be available at the Santa Lucia School if state park funding is approved.

The second largest number of respondents (27%) requested a lap pool. An aging population contains persons who are rehabilitating or protecting muscles and bones and therefore do water walking and exercising, or lap swimming as opposed to hiking. The privately owned Cambria Pines Lodge swimming pool is available on a membership basis. The pool at Shamel Park is a county-run facility and is only open in the summer months. It is not a large enough to be a lap pool.

Much of what was desired by survey respondents is included in the proposed community park design. An outdoor stage was considered but dropped during public discussions. A small community garden is available at Pocahontas Park but additional space could be provided in the community park. Nature trails are being developed on the West Ranch and the East Ranch and a short historic trail is planned for the Greenspace Creekside Reserve in East Village.

Some organized field sports (soccer, baseball/softball) will be accommodated at the Santa Lucia Middle School if a state parks grant is awarded in late 2005.

Multipurpose athletic fields are planned for the proposed community park.

Horseshoe pits are available in Shamel Park.

After-school and summer programs, such as arts and crafts and martial arts, are currently offered by the Community Center. Eight weeks of day camps are also part of their program but could be expanded. The Community Center offers numerous adult programs such as arts and crafts.

#### NUMBER AND PERCENT OF REQUESTS FOR FACILITIES AND ACTIVITIES

	%	#		%	#
Nature Trails	49	458	Sand Volleyball	11	105
Lap Pool	27	254	Basketball(outdoor)	8	71
Dog Park	24	225	Skate Park	7	69
Jogging Trail/Track	23	215	Day Camp	7	66
Picnics	22	210	Climbing Wall	6	61
Community Garden	21	196	Horse Trails	6	61
Tennis Courts	19	182	BMX Trail	6	57
After school Programs	19	175	Martial Arts	6	55
Playgrounds	18	172	Roller-Blade	5	46
Outdoor Fitness Sta's	17	164	Horseshoe Pits	4	41
Arts & Crafts	17	159	Archery Fields	3	32
Outdoor Stage	16	151	Shuffleboard	3	32
Soccer Fields	13	126	Paint-ball	2	22
Softball/Baseball Flds	12	112			

**P R O S Cambria Parks and Recreation Survey  
July 2005**

**Appendix C**

**What facilities or recreational activities would you like to see developed or expanded?...Other  
(please list) Respondents could write in more than one activity.**

Other Expansion Candidates			
Category	Survey number	Write-In Activity	
Golf	864	9 hole golf course	
	793	Driving Range	
	430	Driving Range	
	379	Driving Range	
	322	Driving Range	
	318	Driving Range	
	937	Golf Course	
	793	Golf Course	
	667	Golf Course	
	587	Golf Course	
	581	Golf Course	
	579	Golf Course	
	572	Golf Course	
	570	Golf Course	
	519	Golf Course	
	487	Golf Course	
	460	Golf Course	
	432	Golf Course	
	322	Golf Course	
	285	Golf Course	
	242	Golf Course	
	210	Golf Course	
	191	Golf Course	
	26	Golf Course	
	Biking	831	pitch and putt golf course
		848	Bike paths
833		Bike paths	
262		Bike paths	
261		Bike paths	
27		Bike paths	
934		Bike Trails	
834		Bike Trails	
800		Bike Trails	
458		Bike Trails	
435		Bike Trails	
205		Bike Trails	
184		Bike Trails	
112		Bike trails	
32		Bike-friendly roads	
203	Biking Trails		

**P R O S Cambria Parks and Recreation Survey  
July 2005**

<b>Other Expansion Candidates</b>		
<b>Category</b>	<b>Survey number</b>	<b>Write-In Activity</b>
Movies	375	Long bike trail
	112	Mountain bike trail
	919	safe bike path to highway 1
	605	Art films
	13	Movie House
	901	movie theatre
	799	movie theatre
	639	movie theatre
	593	movie theatre
	553	movie theatre
	450	movie theatre
	439	movie theatre
	421	movie theatre
	422	Movies
	166	Small Movie Theatre
605	Theatre	
Teen/youth/tots	503	Theatre
	53	Family Rec Center
	916	high school water polo team
	112	New grammar school
	815	place for small children to ride bikes
	70	After school activities, especially for High School students.
	205	Playground
	901	playground for tots
	1	Spring & summer Day Camps
	287	Teen Facilities
Gym/fitness/exercise	716	tutors
	776	youth recreation facilities
	65	"Real" aerobics with music
	152	A fitness center for seniors
	557	Gym
	352	Gym
	650	low cost fitness/ yoga
	775	pilates class
	920	tae kwan do assoc.
	665	tai chi
Swim pool	542	Yoga Studio
	847	a good olympic pool
	131	Heated aquatic pool like Cuesta
	352	Indoor Pool
	535	Indoor Pool for water aerobics
	798	indoor swimming pool
	362	Lap Pool

**P R O S Cambria Parks and Recreation Survey  
July 2005**

<b>Other Expansion Candidates</b>			
<b>Category</b>	<b>Survey number</b>	<b>Write-In Activity</b>	
Other public programs	320	Olympic swimming pool	
	157	Swimming Pool	
	513	Year round swimming pool	
	53	Affordable housing complexes	
	421	food and wine festivals	
	791	homeless center	
	218	Library	
	568	Local organic market/deli	
	172	More frequent/Better bus service	
	261	More parking	
Dog-related	624	Safe walking path on Ardath and Burton	
	865	a dog legal beach	
	253	Dog access to the beach	
	901	Dog Parks	
	261	Dog Parks	
	674	Dog walking on beach	
	265	Dog walking on beach	
	878	fresh water swim spot for dogs	
	Walking/Hiking	567	Boardwalks
		470	Hiking Group
372		Hiking Trails	
203		Hiking Trails	
611		Walking Trails	
448		Walking Trails	
310		Walking Trails	
Raquet ball courts	942	Raquet ball courts	
	712	Raquet ball courts	
	677	Raquet ball courts	
	585	Raquet ball courts	
	224	Raquet ball courts	
	121	Raquet ball courts	
Sports fields	402	Bocce Ball	
	110	Indoor volleyball	
	490	Soccer fields	
	490	Softball fields	
	105	Sports park with everything would be wonderful	
	10	Volleyball courts anywhere	
	Concerts and music	421	Concerts
271		Concerts	
253		Concerts	
605		Music	
Games and crafts	261	Outdoor Concerts	
	377	Adult Bingo	
	442	Art & Craft facility	

**P R O S Cambria Parks and Recreation Survey  
July 2005**

<b>Other Expansion Candidates</b>		
<b>Category</b>	<b>Survey number</b>	<b>Write-In Activity</b>
	325	Art & Craft facility
	477	Outdoor chess/checkers for elderly
Shooting	281	Rifle/pistol range
	739	Shooting Range
	291	Shooting Range
	363	Skeet Range
Auditorium	495	Indoor auditorium
	50	Performing Arts Center
	90	Performing Arts Theater
Open Space	742	Open space
	267	Open space
	73	Open Space
Parks	6	Outdoor wedding gazebo overlooking water
	264	Parks
	261	Public Parks
Picnic/food	551	BBQ Pits
	546	BBQ Pits
	901	picnic
Disabled	259	Disabled Activities
	860	handicapped accessible facilities
	942	wheel chair accessible walk ways
Restrooms	211	Public bathrooms & showers
	942	Restrooms
	310	Restrooms
Boating	329	Boat ramp
	366	Boat ramp parking
Dance	128	Dance facility with wooden floor
	271	Dancing
Fishing	687	fishing
	282	Fishing
Gardens	73	Botannical Gardens, arboretum
	352	Flower Gardens
Adult/senior	137	Adult senior only
	791	senior citizen
Other	901	benches around town
	803	discussio n groups
	563	Drum circles
	942	Redevelop Santa Rosa lagoon/esturay for birding
	806	wave machine

**PROS Cambria Parks and Recreation Survey**  
**July 2005**

**Appendix D**  
**Verbatim General Comments**

**Survey #**

**Comments supporting recreation planning or expansion [7 comments]**

- 1 Thank you for your consideration
- 6 Our community needs to provide healthy forms of recreation for our youth. Cambria is not just a community for retirees!
- 287 I feel we need more teen facilities/activities/opportunities. We seem to provide a lot for seniors - not enough for teens, youth, young families.
- 420 Thank you for doing this!
- 421 Concerts! With food and wine festivals for people who are not old and not young! Please we need something to do that's social and not church, or bars, or the Jocelyn Center for the old. New movies like the Bay Theatre in Morro Bay - this would definitely benefit all ages
- 725 Any or all [listed facilities or activities] would be appropriate. When I visit Cambria I enjoy being outside.
- 785 Cambria needs so much more of all of this! [Facility and Activity list]

**Comments against planning or expanding recreation [34 comments]**

**--in general [11 comments]**

- 3 Everything is just fine the way it is!!!
- 18 "NONE" "NONE" "NONE"
- 132 No interest in any of above
- 180 Anything being done thru Parks and Rec. should be approved by vote. Parks, etc. are not a priority.
- 437 With miles of beaches and woods trails we see no reason to develop more urban type activities (except kids after school activities) If people aren't satisfied with natural outdoor activities in Cambria, let them stay in urban areas or go where they are. We go to Cambria to "get away." We assume most retirees, tourists and vacationers also go to Cambria to "escape." Please don't take more of my tax money to "entertain." People who live in \$1 million homes, signed, a "vacation homeowner."
- 440 We don't need more activities or recreation in Cambria, we have enough but if you feel compelled to spend then I propose [nature trails and outdoor fitness stations].
- 488 We have no "unique" need for any of this! Your department should be abolished!
- 525 We have natural recreation - don't need to build it.
- 590 There's plenty to do now. We don't want you to add facilities that we will have to pay for. This survey is based on growth! Think you should ask taxpayers if they want to pay for new development or expansion. You'll probably publish survey results with "spin" of what Cambrians want -- but you honestly didn't ask us that in this survey.
- 632 No expansion of Parks and Rec. !!
- 663 Please do not add anything!

**PROS Cambria Parks and Recreation Survey  
July 2005**

**Survey #**

**— for financial reasons [8 comments]**

- 55 Don't use above. Don't need more money spent.
- 108 Most important question you failed to ask: will you be willing to pay for any of these items? My answer is a resounding NO!
- 335 None, all this costs money. I cannot pay the property tax now!
- 558 Why are you wasting our money on this crap? You know we need another study or 2 or 3 on desal and incorporation and maybe another stupid park. Get your priorities straight. Remove potholes - improve streets - clean up the blight along the commercial strip bordering hwy 1. Keep long bed pickups and SUV off parking on Main Street.
- 694 None by CCSD. Parks and Rec should not be funded by CCSD. SLO County function
- 719 Stop spending money
- 736 Cool it!! We are taxed now to our limit. Let people pay for their own recreation. Let's shrink gov't - not expand it!!
- 906 The CCSD is becoming a large bureaucracy for a small community. Your goal should be to reduce overhead not increase it.

**—fearing it will divert attention away from water [15 comments]**

- 100 Increased water supply - priority 5-4-3-2-1
- 142 Are you kidding? We need water not parks!!
- 333 Water [priority] 1-5
- 588 We want water!
- 604 We need water long before any of this !!
- 634 Get out of show business ! Do your job! Supply water to the town.
- 691 Top priority = Water !!
- 734 Provide adequate, affordable water. Supply should take priority over all recreational expenditures.
- 735 CCSD should not be involved with anything but water and sewage.
- 738 We need water - not activities!
- 786 Quit spending money on studies and just build the desal plant already!
- 821 We need water first!!
- 830 I do not support recreational facilities of any kind on the East/West Ranch. We need water!
- 188 Why don't we worry about what's already on your/our plate being taken care of - like the desal plant before we spend any more money on non-essentials?
- 459 I do not want Cambria to become a city, nor do I want any CCD funds used for parks and recreation. We need a water supply - prefer a dam or Nacipiento. If people want these things, move to a city!

**Other comments [45 comments]**

**—Concern about dogs [5 comments]**

- 33 I would use the West Ranch trail more often, if it weren't for the loose dogs. Trails could be enhanced by requiring dogs to be on leashes.
- 261 Need doggie do bags at all public parks including Lampton.

**PROB Cambria Parks and Recreation Survey  
July 2005**

**Survey #**

- 477 Keep dogs off beaches!! Many ignore the signs. Outdoor (sunny, wind protected) area for chess/checkers in E. Village, for esp older residents to play and socialize. (Warmer in E. Village)
- 662 Dog enforcement (leash laws) I was bitten by a dog while running on E/W Ranch - not on leash.
- 922 Please - no dog park without leash!

**—Against developing East West Ranch [5 comments]**

- 174 I am against the development of a large park complex in the rodeo grounds!
- 493 We would not want to see the beauty of large natural spaces such as East/West ranch destroyed.
- 569 Leave East/West Ranch alone!!!
- 672 I would like the area to remain as natural as it is now with NO improvements to open space. I am against any improvements to East/West Ranch - no parking lots, no new/improved trails, no soccer fields, no tennis courts or buildings on East Ranch. I do favor the building of the cross-country trail through town. I would like to see many trees (esp pine and cypress) planted along the road.
- 737 The community spent so much time, effort, and money to acquire the land [East-West Ranch] so it wouldn't be developed. And now you can't wait to develop it! The walking trails are wonderful - leave it alone!!

**—Recommend against public funding [3 comments]**

- 234 Most of the activities listed cost money and may incur liability to CCSD. We need revenue bearing activities such as mini golf, etc. Away from residential areas.
- 374 At no additional tax cost!
- 717 Do not develop with public money. O.K. to use user financing.

**—Additional comments on various subjects [32 comments]**

- 17 Lap pool: recirculated salt water from ocean or ozonation method of water hygiene
- 160 We are happy with our community.
- 205 I would like to see old Hwy 1 used as bike trail.
- 262 Keep open space undeveloped!!
- 291 Shooting range. I know this wouldn't be practical due to noise. Please do consider how much noise would be generated near homes by some of your politically correct choices.
- 329 Install a good boat ramp!! The one on Moonstone is unusable.
- 359 [East West Ranch trails are] not well maintained.
- 362 We need a community lap pool. Why more tennis courts??
- 366 Top of boat ramp at Leffingwell Parking area restrict to boat trailers and haulers only.
- 447 The wood chips in the Shamel playground must go! Kids get hurt! You should try touching it! Ouch!
- 474 We want to vote on your plans in an election
- 479
- None of the above except I support outdoor music/bbq events. Helping fund raising, etc.
- 487 We need a golf course - it's in the General Plan!

**PROS Cambria Parks and Recreation Survey  
July 2005**

**Survey #**

- 518 Please stop "cementing/developing" the little "nature" left in Cambria.
- 538 We REALLY need them [soccer fields]. Coast fields are bald and full of holes from poor care and overuse.
- 544 Keep joggers off boardwalk - have had several close calls of being run into when they approach from behind.
- 677 Community Center - where is that?
- 693 No skate park
- 712 BMX Trail - what's this?
- 815 Any chance of getting a walking bridge over Hwy 1 to connect the ranch? Space for small children to ride bikes/trikes. Some kind of Mom's morning out.
- 818 Rarely use any of the activities below - except for trails on East West Ranch.
- 892 Santa Lucia gym - basketball
- 30 We used to take walks out onto San Simeon Point and along the beach. Also walked Ragged Point trail
- 97 I like to see cattle graze!
- 172 Better, safer trails to buses into town. More frequent bus service to MB and SLO.
- 916 We vote to stay a village! No city please.
- 231 Vacation home.
- 392 We are not full-time residents yet, so haven't used these facilities.
- 418 This is a vacation cabin
- 483 We're part timers - 1 week every 2 months!
- 618 We live part time in Cambria - so do not have opportunity to fully use facilities.
- 683 Do not live in the area!



RECEIVED

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Charles Lester  
Steve Monowitz  
Jonathon Bishop  
C/O Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

May 31, 2007

RE: May 24, 2007 Review of April 2007 California Coastal Commission  
Recommendations to County Approved Cambria Community Plan Update BY THE  
CAMBRIA COMMUNITY SERVICES DISTRICT

Dear Coastal Commission Staff:

At the May 24, 2007 Cambria Community Service District (CCSD) meeting the CCSD staff made some broad recommendations and comments to their directors concerning the Local Coastal Plan update under consideration by the California Coastal Commission. Five topics of concern were addressed. These topics were affordable housing, in stream flow study; Cambria Community Park, Facilities on the Fiscalini Ranch Preserve, and desalination standards.

Greenspace supports the California Coastal Commission (CCC) staff on all changes to the Local Coastal Plan/Cambria Community Plan (regarding the five topics) and does not want the original recommendations by the CCC staff weakened to accommodate perceived CCSD suspicions that protecting the environment would cost "its ratepayers and taxpayers millions of dollars".

Please consider the following:

**Affordable housing** – It should be noted that the CCSD recently converted a number of multi-family water meters into single family residential meters. The multi-family meters that were eliminated could have provided needed housing for lower income families. Greenspace would recommend placing standards on the CCSD that would stop the 'water meter game' that accommodates the wealthy and penalizes people of modest income levels. The conversion of the multi-family meters into single family meters proves this point. Greenspace supports affordable housing but would like to see standards that clearly require meters allocated to low cost housing to remain as low cost housing inventory in perpetuity.

**RICHARD HAWLEY**

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CCC Exhibit H  
Bill Knight  
(page 19 of 58 pages)

**In Stream flow Study** – We do not agree with the CCSD staff recommendation to add language that includes the word “additional” withdrawals for the creeks to relieve them from doing in stream flow studies. The reasons that these studies be conducted are clearly documented in the State Water Resources Control Board decision #1624. In part the decision took note that a hydrologic study by USGS was underway and that until the study was completed critical unanswered questions remain that include:

- The storage capacity of the lower groundwater basin
- The appropriate dry season diversion rate
- The risks of seawater intrusion
- The impacts of CCSD pumping on nearby wells
- The risk of additional ground subsidence

Because of these uncertainties the SWRCB retained jurisdiction to impose additional restrictions on CCSD withdrawals and ordered conditions on the CCSD pertinent to the ‘in stream flow study’ recommendation. In particular the SWRCB ordered the CCSD to institute monitoring programs for stream flow, critical flow for steelhead passage, and to modify in the public interest terms and conditions in the event of unforeseen adverse impact to fish and aquatic resources.

It is imperative to understand that decision 1624 contains some errors in the findings. The important error is on page 39 that states “Historically, the creek normally goes dry in the summer in the reach between the two gages, with or without pumping by the District”. As it turns out the completed USGS study model clearly refutes this and demonstrates that historically stream flow DID exist year round from two miles upstream of the high school to the ocean.<sup>1</sup> The USGS study proves that CCSD pumping does indeed affects flow.

The point made here is that the CCSD has never fulfilled its promise to conduct stream flow studies and they are still attempting to renege on this condition with adding the word “additional” withdrawals from the creek.

Greenspace would like to see the CCSD conduct a Habitat Conservation Plan as part of the in stream flow study as they promised to do as a result of a reprimand by the SWRCB for intentionally dewatering a reach of Santa Rosa Creek in order to commence pumping as conditioned in permit 1624.

**Cambria Community Park** – Greenspace is not in favor of developing the floodplain of Santa Rosa Creek for active recreation but rather supports a passive recreational use. Please see attached photos of the proposed park area during the wet season to under the water issues associated with development on floodplains.

**Facilities on the Fiscalini Ranch Preserve** – While some accommodations may be appropriate to facilitate relocation of pump facilities and construction of public toilets we see no reason for irrigation wells other than to foster development and we see no reason to accommodate private business facilities like roads, buildings and a monolithic cell tower structure on public resource land. We are concerned about incrementally privatizing this resource land for private gain, the huge intrusion of infrastructure to support this privatization, and the potential hazards of radiation and micro wave damage to humans and wildlife that make use of this public property.

**Desalination Standards** – Greenspace is concerned that the CCSD will set precedent that undermines the California Coastal Act if the CCC modifies and relaxes standards of environmental review and conditions that have been stalwarts of protecting public access and use of beaches, drilling in wetlands, protecting wildlife, and using public property for private use. Incremental privatization of public lands, public trust lands, and tidal properties is a major concern for all Californians.

Thank you for considering the above comments.

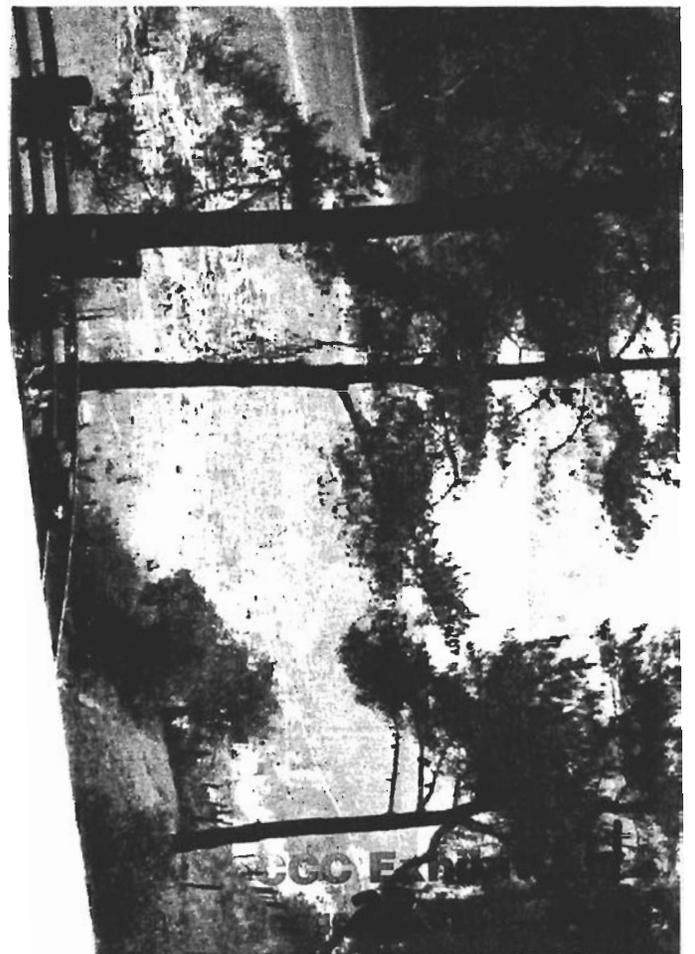
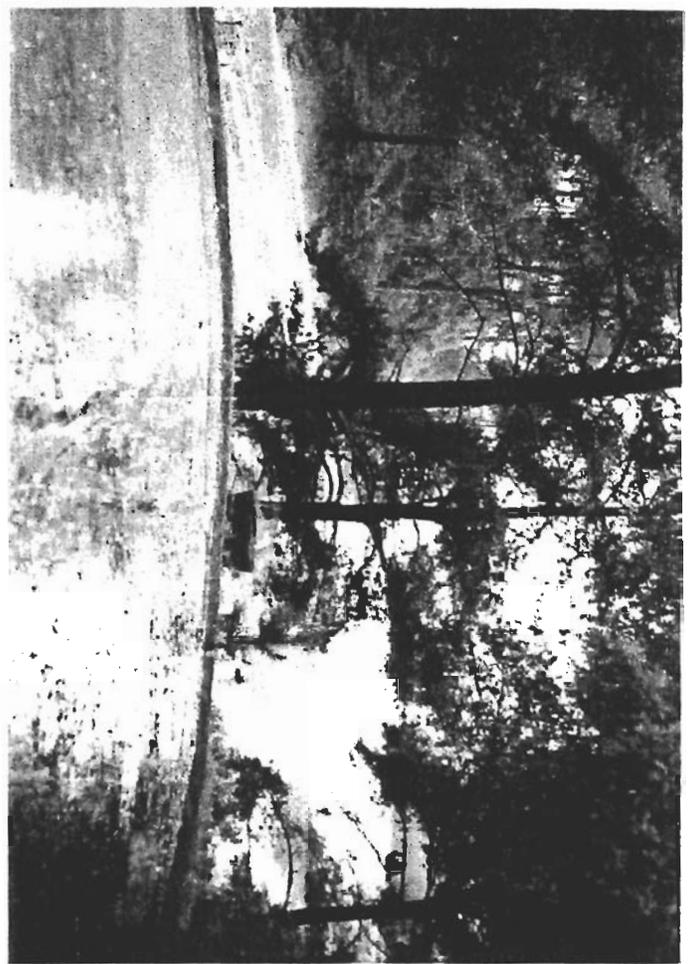
Respectfully,

Richard Hawley  
Executive Director

1. Santa Rosa Creek Enhancement Plan – 1993. Prunuske Chatham. Page 17.

Enclosures – Proposed Active Recreation Park photos

CC: Anne Wyatt, Planning Commissioner; Bruce Gibson, Supervisor, 2<sup>nd</sup> District; Peter Douglas, Executive Director, Coastal Commission



**Jonathan Bishop**

---

**From:** Steve Monowitz  
**Sent:** Wednesday, June 06, 2007 12:43 PM  
**To:** Jonathan Bishop  
**Subject:** FW: San Simeon

-----Original Message-----

**From:** Broome, Joslyn L. [mailto:JLBroome@rrmdesign.com]  
**Sent:** Wednesday, June 06, 2007 12:17 PM  
**To:** Steve Monowitz  
**Cc:** Ferber, Jeffrey C.  
**Subject:** San Simeon

Hi Steve,  
I am assisting Jeff Ferber with the San Simeon exhibits. I will be sending you a series of emails with attachments.  
Please let me know if the attachments are still too big or the quality in resolution is lost.

Thank you,

**Joslyn Broome**  
**rrmdesigngroup**  
3785 S. Higuera St. Ste. 102  
San Luis Obispo, CA 93401  
P: (805) 543-1794 ext. 309 | F: (805) 543-4609  
[jlbroome@rrmdesign.com](mailto:jlbroome@rrmdesign.com)

# SAN SIMEON: LAND USE AREAS

-  AG: AGRICULTURE
-  RMF: RESIDENTIAL MULTIPLE FAMILY
-  CR: COMMERCIAL RETAIL
-  PF: PUBLIC FACILITIES

LAND USE AREAS DENIED PER  
 PROPOSED NORTH COAST AREA UPDATE  
 -SUPERVISOR APPROVED DRAFT (04/06)



PACIFIC OCEAN

PACIFIC OCEAN

PACIFIC OCEAN



# SAN SIMEON: EXISTING DEVELOPMENT

-  AG, AGRICULTURE
-  PF, PUBLIC FACILITIES

-  RMP
-  CR
-  IMPROVED PARCEL
-  UNDER-IMPROVED PARCEL
-  IMPROVED PARCEL
-  UNDER-IMPROVED PARCEL
-  IMPROVED PARCEL
-  UNDER-IMPROVED PARCEL



PACIFIC OCEAN

PACIFIC OCEAN

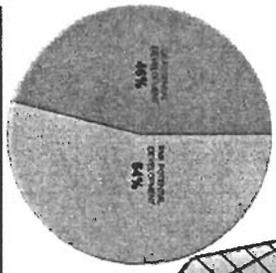
PACIFIC OCEAN



# SAN SIMEON: POTENTIAL DEVELOPMENT

-  AG. AGRICULTURE
-  RMP, RESIDENTIAL MULTIPLE FAMILY
-  CR, COMMERCIAL RETAIL
-  PF, PUBLIC FACILITIES

-  UNIMPROVED AND UNDER-IMPROVED RMP PARCELS (POTENTIAL DEVELOPMENT SITES)
-  UNIMPROVED AND UNDER-IMPROVED CR PARCELS (POTENTIAL DEVELOPMENT SITES)



SAN SIMEON  
POTENTIAL DEVELOPMENT  
AREA

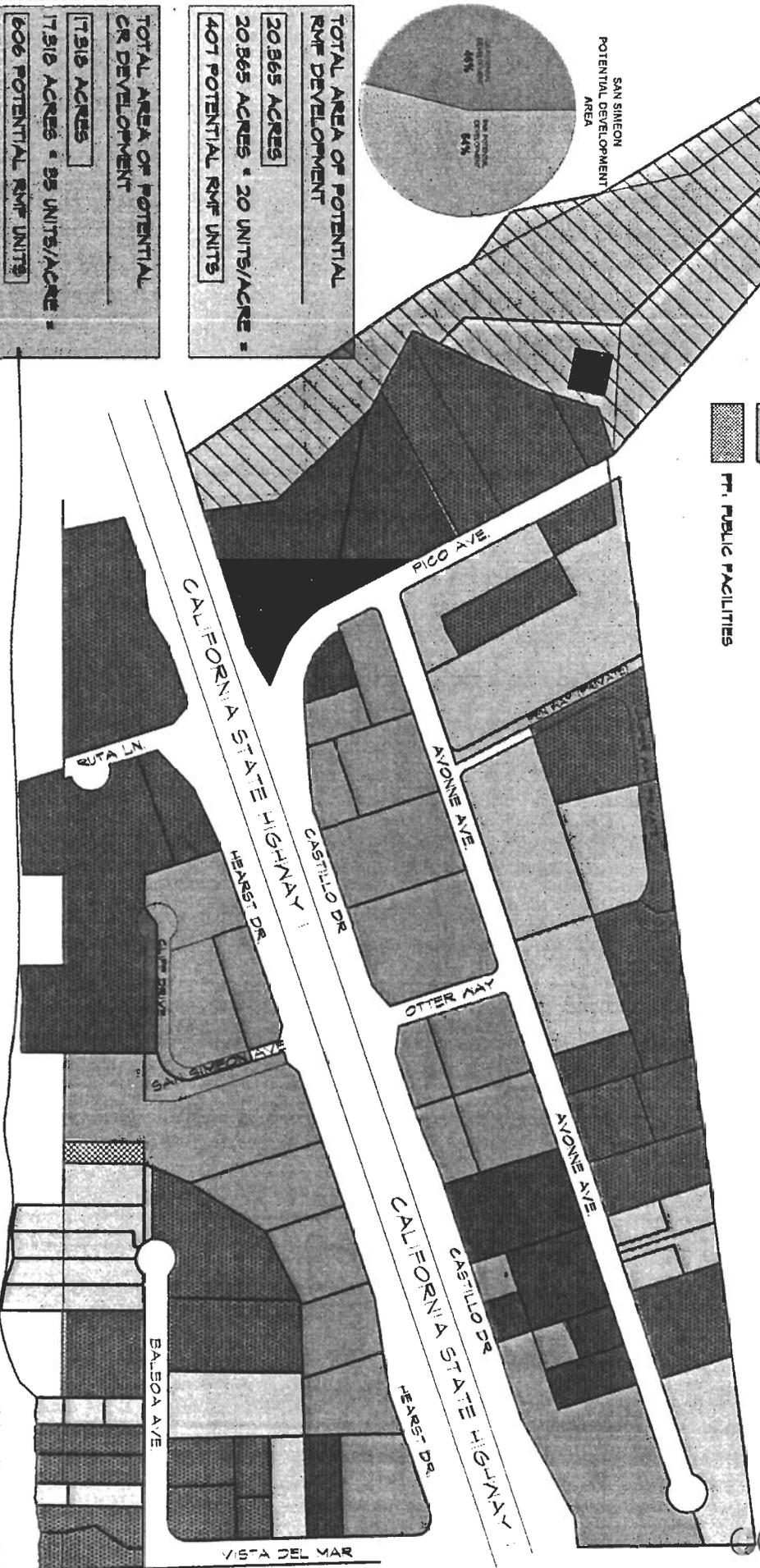
TOTAL AREA OF POTENTIAL  
RMP DEVELOPMENT  
**20,865 ACRES**  
20,865 ACRES \* 20 UNITS/ACRE =  
407 POTENTIAL RMP UNITS

TOTAL AREA OF POTENTIAL  
CR DEVELOPMENT  
**17,918 ACRES**  
17,918 ACRES \* 35 UNITS/ACRE =  
606 POTENTIAL RMP UNITS

PACIFIC OCEAN

PACIFIC OCEAN

PACIFIC OCEAN



# POTENTIAL WATER REQUIREMENTS

## CR

35 POTENTIAL MOTEL UNITS/ACRE

@ 0.60 EDU'S/UNIT =

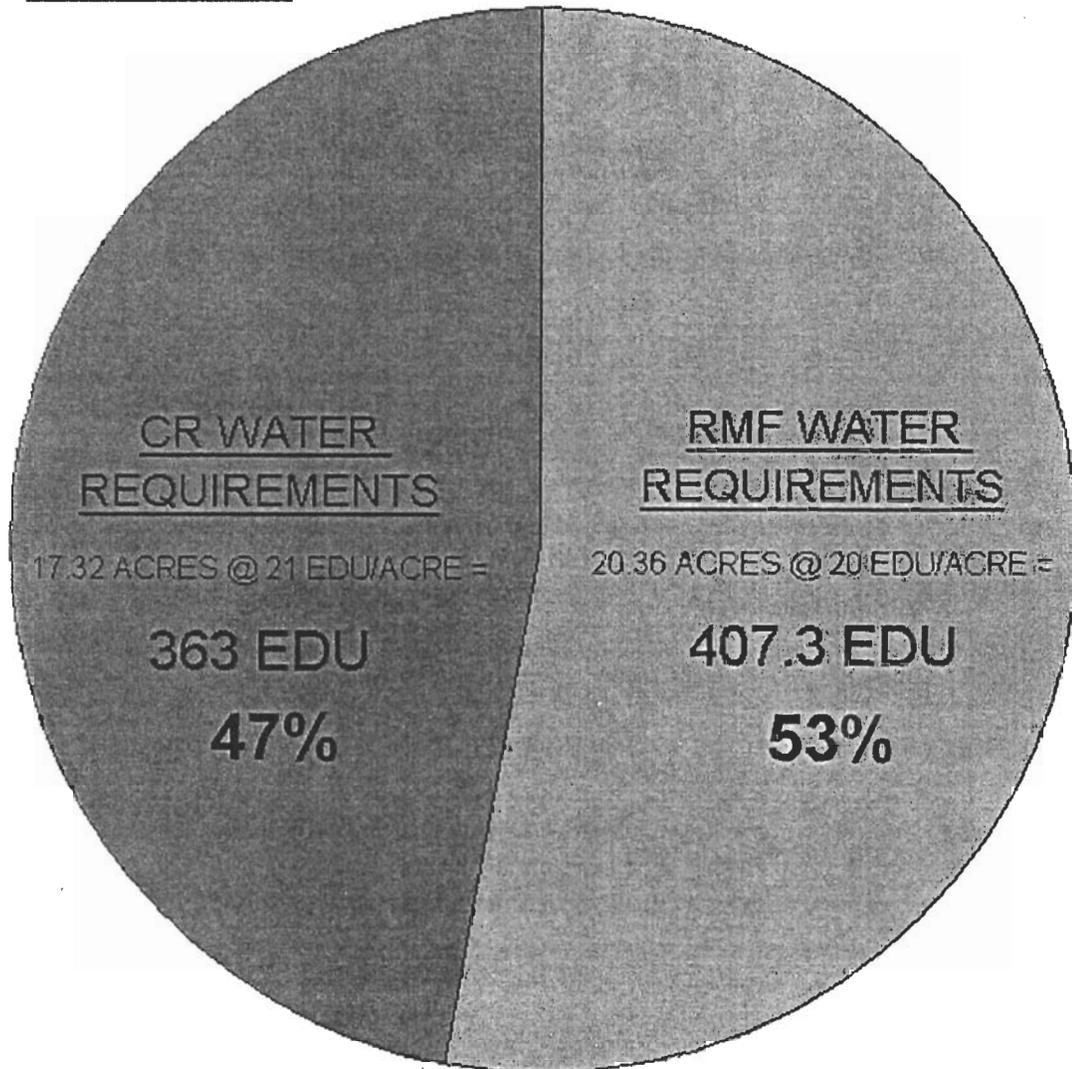
21 EDU'S/ACRE

## RMF

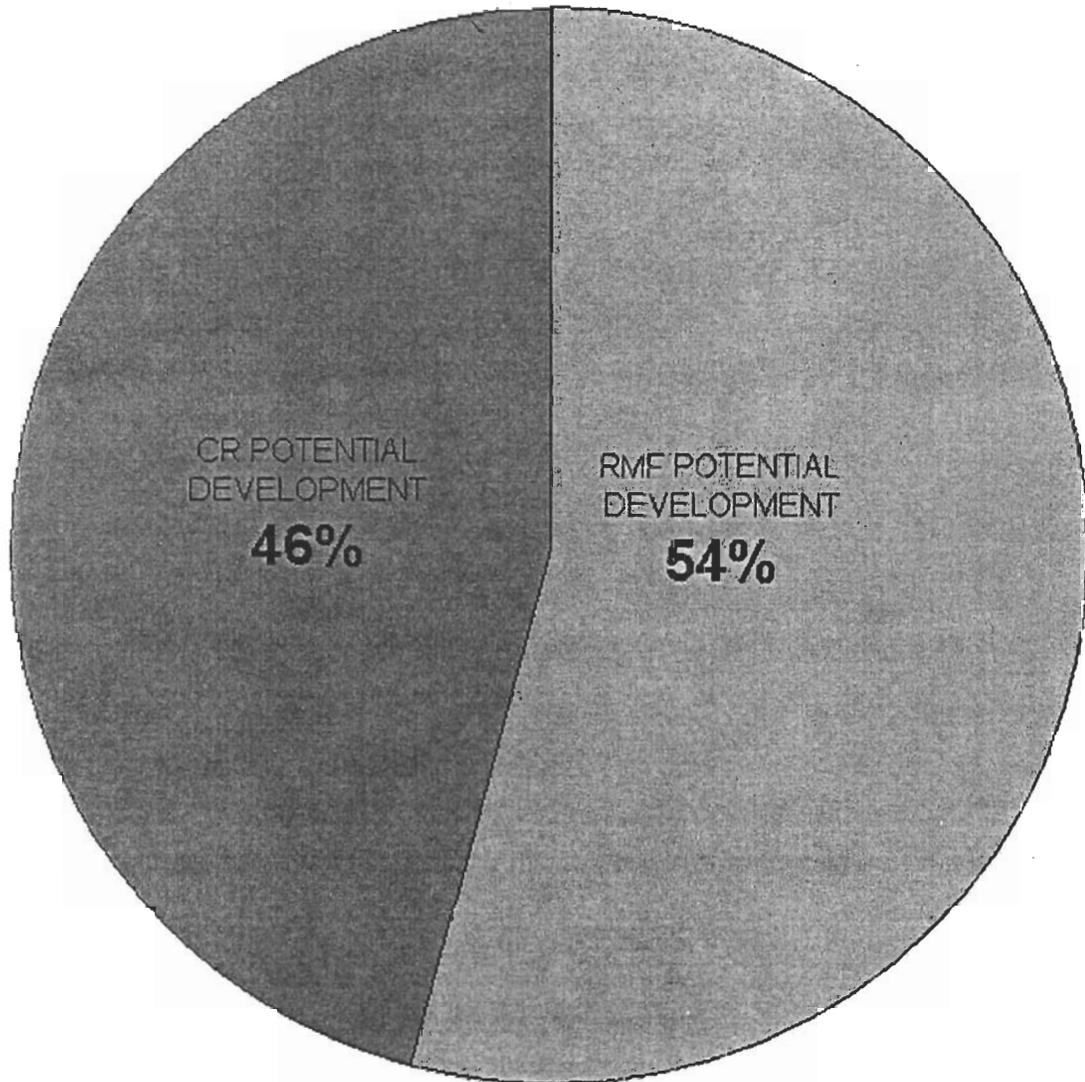
20 POTENTIAL UNITS/ACRE

@ 1 EDU/UNIT =

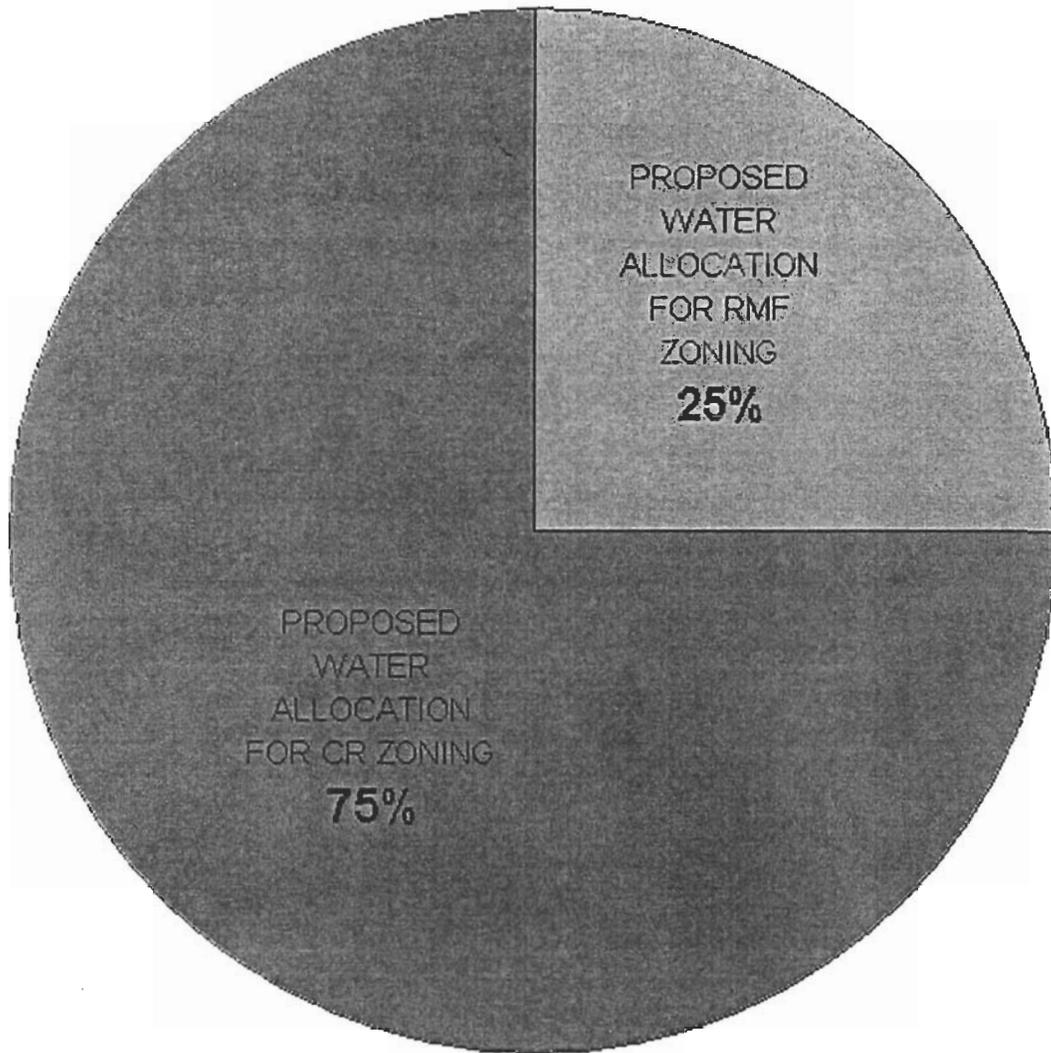
20 EDU'S/ACRE



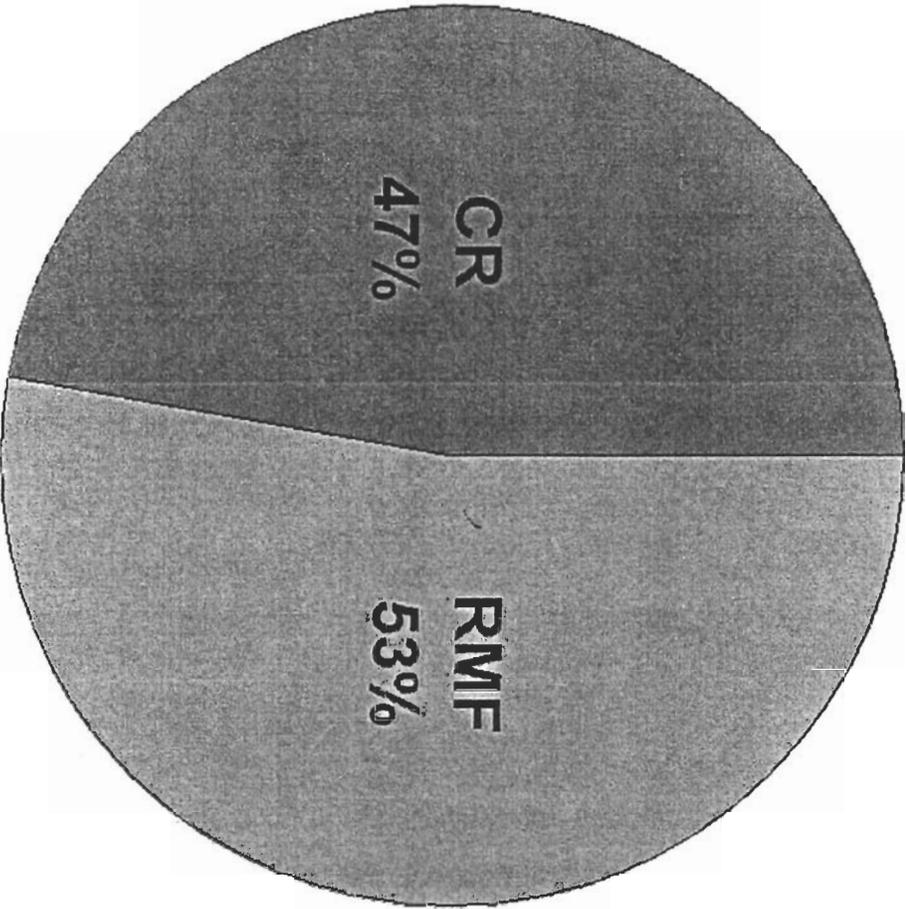
**SAN SIMEON  
POTENTIAL DEVELOPMENT  
AREA**



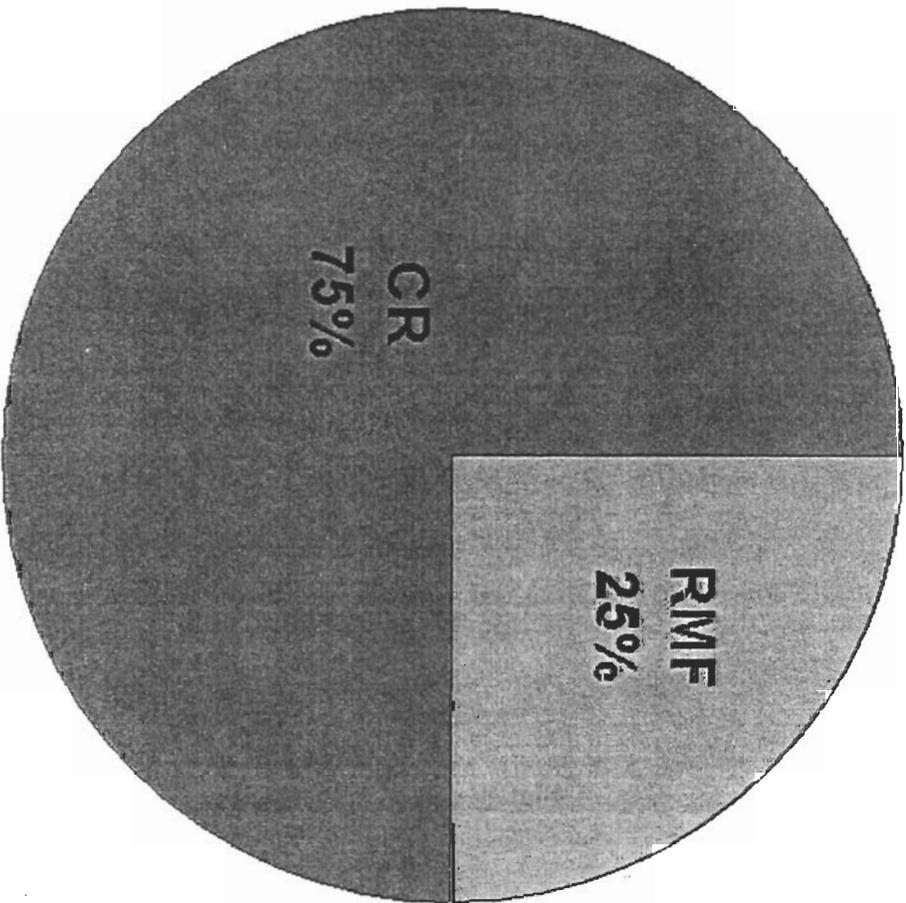
PROPOSED WATER ALLOCATION  
PER LAND USE



ANTICIPATED OVERALL  
WATER DEMAND



WATER DEMAND AS ALLOCATED BY  
PROPOSED NC AREA UPDATE DRAFT  
(04/06)





SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

**RECEIVED**

JUN 11 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

June 7, 2007

Steve Monowitz, District Manager  
California Coastal Commission  
725 Front Street Suite 300  
Santa Cruz, CA 95060

SUBJECT: Cambria and San Simeon Acres Community Plans of the North Coast Area Plan

Dear Mr. Monowitz:

Thank you and Jonathan for your time and consideration of the County's questions and concerns regarding the suggested modifications contained in the Coastal Commission March 30, 2007 Staff Report and the April 9, 2007 Addendum. County staff, Coastal Commission staff, Cambria Community Services District staff (CCSD) and the community have dedicated a lot of effort toward this update effort. We appreciate working together on this Community Plan update and look forward toward its completion.

Attached are responses to the Suggested Modifications in the March 30, 2007 Staff Report and the April 9, 2007 Addendum. These responses represent those of the County as well as the CCSD where appropriate. Revised language is included for consideration as part of completing the staff report for the July public hearing. The proposed revised language incorporates the intent of the Suggested Modifications into the format and organization of the Area Plan. Unless noted otherwise, the proposed language is based on the text in the Coastal Commission March 9, 2007 staff report and April 9, 2007 addendum.

Thank you again for your time and consideration. Please call or email me at [mlmiller@co.slo.ca.us](mailto:mlmiller@co.slo.ca.us) or John Euphrat at [jeuphrat@co.slo.ca.us](mailto:jeuphrat@co.slo.ca.us) should you have any question.

Sincerely,

John Euphrat, AICP  
Division Manager

Enclosures

cc. Bruce Gibson, District 2 Supervisor  
Katcho Achadjian, District 4 Supervisor, Coastal Commissioner  
Tammy Rudock, General Manager, Cambria Community Services District

**CCC Exhibit H**  
**(page 31 of 58 pages)**

976 OSOS STREET, ROOM 300 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

**Mod 10**

**Pg 2-8 Population Projections**

In the second paragraph under A., the reference should be to the 1988 Area Plan.

**Mod 11**

**Pg 2-11 -2-12 Housing**

D.3.B Mixed Use Development. Leave as written in the April 2006 Board of Supervisor's Approved Draft. Please see suggested changes to San Simeon Acres Village Communitywide Standard 12. Mixed Use Projects under Mod 64 to address Coastal Commission staff's concerns regarding the extent of residential development in the visitor serving areas of San Simeon Acres.

**Mod 17**

**Pg 3-36. San Simeon Acres Water Supply.**

Integrate footnote into paragraph as follows:

... Total build-out of both visitor-serving uses and residential growth will consequently create a substantial deficit over the allowed withdrawal of 140 acre-feet per year and the estimated safe yield of 130 acre-feet per year. This safe yield estimate is based on the preliminary studies undertaken by the Department of Water Resources in the 1950's. Given the preliminary nature of these studies, their age, and the fact that affects on habitat were not considered, the resulting safe-yield must be viewed with caution and cannot be relied on for planning purposes. Projected water demand...

**Mod 39**

**Pg. 7-5 Cambria Urban Area Combining Designation Standard 1**

In order to clarify that this standard applies to all development, not just development in areas with the Marine Habitat SRA, this standard should be moved to the Communitywide section. This same modification should also be made to the San Simeon Acres Village Combining Designation Standard 1, page 7-97.

Also, modify the Cambria Urban Area standard as follows:

Exceptions:

A. Cambria Community Services District. Discharges by the Cambria Community Services District (CCSD) that have been properly permitted, when permits are required, by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA), and Monterey Bay National Marine Sanctuary (MBNMS). Any discharge of brine from desalination facilities directly into the marine environment shall be prohibited unless the following criteria have been satisfied:

1. The brine discharge receives all necessary legally required approvals from the agencies listed above.

.....

- C. Passthrough Discharges. Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:
1. Discharge is in compliance consistent with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish and Game (CDFG) laws and regulations.

#### Mod 40

##### **Pg. 7-7 Monterey Pine Forest Habitat.**

Modify Cambria Urban Area Combining Designation Standard 2 as follows to clarify criteria that development in the Monterey Pine Forest Habitat SRA must meet and when a biological report is required in areas with the Monterey Pine Forest Habitat SRA combining designation. Please note, the proposed changes are *based on the text in the April 2006 Board of Supervisor's Approved Draft*, not on the proposed mod text of the Coastal Commission March 9, 2007 staff report and April 9, 2007 addendum.

**Monterey Pine Forest Habitat (SRA) (TH) - Purpose.** ~~The following standards and procedures provide guidance for development in the Monterey Pine Forest in Cambria. The purpose of these standards is to minimize tree removal and impacts to the sensitive Monterey pine forest habitat. Based on the results of a site review, the Planning Director may determine these standards, when incorporated into the project, are adequate to reduce potential impacts to less than significant levels and to protect the Monterey pine forest sensitive resource area. When, based on the results of a site review, the Planning Director determines that these standards are not adequate to protect the Monterey pine forest, a biological report shall be required pursuant to the Coastal Zone Land Use Ordinance Section 23.07.170. Where a report is required by CZLUO Section 23.07.170, the required topics shall be supplemented with an analysis and map of the site constraints that should be considered, and a recommendation of alternative design measures that will minimize loss of Monterey Pines, oaks and forest habitat. While the intent of these standards is to reduce redundancy and provide consistency in the planning process, biological report may be required pursuant to the Coastal Zone Land Use Ordinance.~~

- A. A "project limit area" shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portions of the site, and safeguards the biological continuance of the habitat. Particular attention must be given to locations which are part of larger contiguous undisturbed forested areas, show signs of forest regeneration, support other sensitive species, and provide a solid tree canopy and species nesting areas. The project applicant shall demonstrate that no vegetation outside of the "project limit area" shall be removed, except for trees identified as hazardous by a qualified professional.

~~B. Where a report is required by CZLUO Section 23.07.170, the required topics shall be supplemented with an analysis and map of the site constraints that should be considered, and a recommendation of alternative design measures that will minimize loss of Monterey Pines, oaks and forest habitat. (This text was moved to the first paragraph - renumber rest of standard)~~

1. The "project limit area" shall include all areas of grading (including cut and fill areas, utility trenching, and off-site improvements) and vegetation removal, the development footprint (i.e. all structures and/or site disturbance within the "project limit area") necessary fire clearances and staging areas for all construction activities, the location of those activities, and areas for equipment and material storage.

Also, modify section H. Clustering of Development as follows:

**H. Clustering of Development.** Clustering shall be required for new land divisions or multifamily residential development projects within the Monterey Pine Forest Habitat areas. New land divisions shall ensure that all future development shall be located entirely outside of ESHA and necessary buffers. New development in existing subdivisions shall avoid ESHA to the greatest extent feasible as required by Coastal Zone Land Use Ordinance Section 23.07.170. Where development is clustered, all of the ESHA and buffers shall be retained and protected as open space with a protective easement (e.g. conservation, open space, etc). When feasible, new development shall be restricted to slopes less than 20 percent.

#### Mod 41

##### Pg 7-11 Flood Hazards and Santa Rosa Creek (FH)

Modify Standard 3 as follows to incorporate the intent of the proposed mod text of the Coastal Commission April 11, 2007 staff report. The following language is to clarify the revised standard and to ensure implementation of the standard in all areas prone to flooding. Please note, the proposed changes are *based on the text in the April 2006 Board of Supervisor's Approved Draft*, not on the proposed mod text of the Coastal Commission March 9, 2007 staff report and April 9, 2007 addendum.

3. **Flood Hazards (FH).** New development shall comply with Coastal Plan Policies for Hazards and the Flood Hazard provisions of the Coastal Zone Land Use Ordinance, and shall be reviewed for its relation to the Cambria Flood Mitigation Project. Approval of new development shall be contingent upon a finding that the proposed development will not interfere with implementation of the Cambria Flood Mitigation Project. No new or expanded development except for necessary public services should occur within Flood Hazard areas until the County has implemented Phase 1 of the Cambria Flood Mitigation Project.

Also, modify proposed mod of the Coastal Commission March 30, 2007 staff report to delete footnote in Standard 4.B. As written, our plans do not accommodate footnotes. Referencing the Coastal Act Section is adequate and does not need to be repeated.

#### Mod 42

##### Pg 7-15 Reservation of Service Capacity.

Delete the last sentence of the second paragraph under Cambria Urban Area Communitywide Standard 1. B. as follows:

Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number of affordable housing units each year. The program shall be consistent with definitions of affordable housing in the County Housing Element. The exact number shall be determined based on unmet housing needs, and availability of water. ~~Under this program and to meet the need of affordable housing units, the District may divert part of the water that otherwise would have been allocated to the Visitor Serving, commercial, or Multi-Family Residential water waiting list.~~

**Mod 45**

**Pg 7-16 Limitation on Development.**

Replace reference to CCSD Ordinance 1-98 with reference to CCSD Code Chapter 4.20 with adoption date under proposed Communitywide Standard 3. paragraph 2. Water Conservation Requirements.

Revise proposed Communitywide Standard 3. paragraph 3.b. Creek Withdrawals. as follows:

- b. Creek Withdrawals. The project shall assure that additional CCSD water withdrawals from Santa Rosa and San Simeon Creeks will be sufficiently limited to protect:...

Revise proposed Communitywide Standard 3. paragraph 3.g. Buildout Reduction. as follows:

- g. Buildout Reduction. That reasonable progress is being made to implement a buildout reduction program within the boundaries of the CCSD URL of Cambria.

Revise proposed Communitywide Standard 3. paragraph 4.b., 4.d, and 4.e as follows:

- b) Avoid or ~~fully~~ mitigate to the extent required by CEQA any adverse environmental impacts to coastal resources;
- d) Be designed and sized evaluated based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;
- e) Use technologies that are most energy-efficient. Estimates of the projected annual energy use ~~and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, should~~ shall be submitted with permit applications;

**Mod 46**

**Pg. 7-16 Cambria Urban Area Communitywide Standard 5**

Leave as written in the April 2006 Board of Supervisor's Approved Draft.

**5. New Residential Land Divisions.** Projects creating new residential lots shall be required to permanently retire an equivalent building site located within the Cambria URL on a 1:1 basis. Proof of the required retirement shall be submitted prior to recordation of the final parcel or subdivision map. Retired lots shall have an open space or conservation easement recorded against the title of the property to prohibit development in perpetuity. Easements may be held by the County or the County may grant them to another public agency or qualified non-profit organization.

**Mod 47**

**Pg 7-17 Site Review**

Modify Cambria Urban Area Communitywide Standard 8 as follows to address Coastal Staff's concern of language referencing discretionary review. Please note, the proposed changes are *based on the text in the April 2006 Board of Supervisor's Approved Draft,*

not on the proposed mod text of the Coastal Commission March 9, 2007 staff report and April 9, 2007 addendum.

8. **Site Review.** Based on the results of a site review, all projects determined by the County Planning Director to have the potential to adversely impact a sensitive resource ~~may be subject to discretionary review. If discretionary review is triggered, shall require~~ a biologic assessment report consistent with Coastal Zone Land Use Ordinance Section 23. 07.170 ~~may be required.~~

#### **Mod 50**

##### **Pg 7-23 Fiscalini Ranch Open Space Areas.**

Modify Cambria Urban Area Communitywide Standard 14.A.2 as follows. Please note, the request for this amendment to the North Coast Area Plan is filed under Part 2 of the amendment package. The following proposed language recognizes existing uses and those allowed under the conservation easement.

2. **Open Space Land Use Category.** Uses shall be limited to existing Public Facility Uses, Passive Recreation (including necessary support facilities consisting of a public restroom), Crop Production and Grazing, Communication Facilities, Coastal Accessways, Temporary Events, residential accessory use, water wells & impoundments, and pipelines and transmission lines.

#### **Mod 51**

##### **Pg. 7-48 Shoreline Development.**

**Revise to streamline and incorporate proposed mod into existing LCP framework as follows:**

**14. Oceanfront lot Development.** All development on oceanfront lots are subject to the following standards:

- A. **Application Content:** In addition to the application requirements of the Coastal Zone Land Use Ordinance and other Cambria Urban Area Plan Standards, applications for all development on oceanfront lots shall include the following:
  1. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix A1 of this Plan The report shall include an alternatives analysis to avoid or minimize impacts to public access.

On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device.

2. Measurements for the form, mass, scale, and roofing and yard features (such as fencing). To the maximum extent feasible, new development shall be compatible with the character of the surrounding neighborhood.
  3. Surveyed location of all property lines and the mean high tide line (as defined in the Coastal Act) by a licensed surveyor along with written evidence of full consent of any underlying land owner, including, but not limited to the County and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission.
  4. A preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.
- B. Bluff Setbacks.** The bluff setback is to be determined by the engineering geology analysis required in A.1. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing non-conforming development that equals or exceeds 75 percent of the size of the existing structure shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.
- C. Seawall Prohibition.** Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP.
- D. Liability.** As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes said risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

**Delete Cambria Residential Single Family Standard 8.A.1. All Lots with a Coastal Bluff p. 7-76.**

**In San Simeon, replace Communitywide Standard 2 with above language.**

**Mod 57**

**Pg. 7-97 San Simeon Acres Village Area Combining Designation Standard 1**

In order to clarify that this standard applies to all development, not just development in areas with the Marine Habitat SRA, this standard should be moved to the Communitywide section.

**Mod 59**

**Pg. 7-98. Service Capacity**

Revise the 1.A. as follows:

- A. Visitor-Serving Uses. A minimum of 50 75 percent of available water and sewer capacity.
- B. Affordable Housing-Program Required. Of the remaining ~~25~~ percent of capacity, the....

**Mod 60**

**Pg 7-100 San Simeon Acres Village Communitywide Standard 2.**

Please see comments on Mod 51 above.

**Mod 61**

**Pg 7-100 San Simeon Acres Village Communitywide Standard 3.**

Delete standard. This is already required by virtue of Mod 62.

**Mod 62**

**Shoreline Access in New Visitor-Serving and Public Facility Developments.**

Revise San Simeon Acres Communitywide Standard 3 and add new Standard 4 as follows:

- 3. **Shoreline Access in New Visitor Serving Developments.** New Visitor-serving developments, including demolition, remodel, or change of use of existing facilities located between the first public road and the sea shall be required to provide the following public access improvements:
  - A. Access from the Road to the Beach. A vertical access easement for public pedestrian use.
  - B. Parking Areas. Areas available for public parking.
  - C. Blufftop Lateral Access. Designation, construction, and maintenance of a minimum 10 foot wide lateral blufftop access trail for public use.

4. Shoreline Access in Public Facility Developments. New public facility developments, including expansion of existing facilities located between the first public road and the sea shall be required to provide the following public access improvements:
- A. Access from the Road to the Beach. A vertical access easement for public pedestrian use.
  - B. Parking Areas. Areas available for public parking.
  - C. Arroyo del Padre Juan Bridge Crossing. The existing pipe bridge crossing Arroyo del Padre Juan shall be improved to provide a public bike and pedestrian crossing.

#### Mod 64

##### Pg 7-104 Mixed Use Projects

Modify San Simeon Acres Village Area Communitywide Standard 12 as follows to allow for limited residential uses in the commercial areas of San Simeon Acres. Residential uses support commercial establishments and are instrumental in their viability.

Residential development in commercial areas provide steady customers year round and housing for employees. Please note, the proposed changes are *based on the text in the April 2006 Board of Supervisor's Approved Draft*, not on the proposed mod text of the Coastal Commission March 9, 2007 staff report and April 9, 2007 addendum.

12. **Mixed Use Projects.** To encourage employee housing in commercial areas, multi-family dwellings are allowed permitted in Commercial Retail and Visitor-Serving Areas on the east side of Highway One and subject to the following requirements:
- a. **Location.** The units shall be subordinate to the primary commercial or visitor-serving use of the site (residential uses are limited to a floor area of no more than 50% of the total floor area), located on the upper story or on the rear half of a lot developed with commercial development.
  - b. **Density.** Density shall be limited to 26 units per acre, calculated using the area of the rear half of the lot. For purposes of this standard, the front half of the lot is defined as the area located between the front property line and a line drawn parallel to the street through the midpoint of lot depth. The maximum floor area and minimum open area requirements in CZLUO Chapter 23.04 shall not apply. Instead, the land use permits shall require at least one studio unit and an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.
  - c. **Required findings for permit approval.** ~~Visitor-serving Areas (V)- Multi-family housing consistent with other standards in this section may be allowed in "V" areas.~~ Permit approval for a proposed residential uses shall require that the Review Authority first find that the proposed residential use:
    - 1. Will not result in the conversion of existing visitor-serving uses,
    - 2. provided it is designed for employee housing, and that the County finds and determines that
    - 3. the proposed housing Will not displace existing or potential future visitor-serving uses. This finding must be made based on a detailed analysis which projects future demand and need for visitor-serving uses.

#### Mod 66

### **Pg 7-103. Site Review**

Add new San Simeon Acres Village Communitywide Standard 13 as follows:

- 8. Site Review.** Based on the results of a site review, all projects determined by the County Planning Director to have the potential to adversely impact a sensitive resource shall require a biologic assessment report consistent with Coastal Zone Land Use Ordinance Section 23.07.170.

### **Mod 67**

#### **#4) Sansone – Vista del Mar.**

Change .52-acre Sansone parcel on Vista Del Mar to RMF as approved in the April 2006 Board of Supervisor's Approved Draft.

### **Mod 77**

#### **Appendix**

Delete requirement for an additional 10 foot buffer in paragraph 9.b.

...bluff might reasonably be expected to erode over 100 years ~~plus a ten-foot buffer~~ to ensure that foundation...

### **Proposed Mod**

#### **Pg. 7-5 A. North Coast Rural Area Standards**

Revise Recreation Standard 6. Setbacks to clarify what is subject to this standard.

#### Recreation

- 6. Setbacks - Coastal.** New structures are to be located a minimum of 50 feet from the high tide line or the upper edge of defined bluffs, whichever is greater. Where a geology report prepared in accordance with the CZLUO recommends a lesser setback, new structures may be placed to not less than 25 feet of the defined shoreline bluff; provided that the reduced setback shall not interfere with the obtaining or maintenance of coastal access of a minimum width of ten feet (10') as required in the Local Coastal Program. Sub-surface feedwater intakes and subsurface pipelines for intake and brine discharge are not considered "structures" and are not subject to this setback requirement.

## Jonathan Bishop

---

**From:** Tammy Rudock [trudock@camabriacsd.org]  
**Sent:** Monday, June 11, 2007 1:10 PM  
**To:** Jonathan Bishop; Steve Monowitz  
**Cc:** John Euphrat (E-mail)  
**Subject:** Revised LCP modifications



COASTAL LCP  
CHANGES FOR JULY 2

> Here are our proposed modifications. > > <<COASTAL LCP CHANGES FOR  
> JULY 2007 CCC II.doc>>  
>  
> I did not remove the part that exempted the CCSD from the Rural  
> standard regarding setbacks in the recreation zone for the desal wells  
> and pipes. My reasoning is that this update contains desal standards  
> that impact the design of the plant and facilities. The current site  
> for the plant (Which is the site previously permitted) and its major  
> pipelines are all outside of the URL and CCSD. The Coastal Staff's  
> proposal even requires flow studies of San Simeon Creek which includes  
> significant areas outside of the URL and CCSD. It should be looked at  
> comprehensively as a single project based on standards that apply in  
> both the rural area and within the URL. art

CCC Exhibit H  
(page 41 of 58 pages)

The following is the version proposed by the Staff of the CCC in April 2007 with our modifications in strike/delete format:

**PGS. 18-19 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*Pg. 7-5. Cambria Urban Area Combining Designation Standard 1. Modify Standard 1 as follows:*

1. Marine Habitat (SRA) – Projects with Point-Source Discharges. The richness, sensitivity, and unspoiled character of the marine habitats in Cambria demand particularly rigorous measures to ensure the protection of these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows:

Exceptions:

A. Cambria Community Services District. Discharges by the Cambria Community Services District (CCSD) that have been properly ~~permitted, when permits are required,~~ by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA), and Monterey Bay National Marine Sanctuary (MBNMS).

Deleted: permitted

B. Any discharge of brine from desalination facilities directly into the marine environment shall be prohibited unless the following criteria have been satisfied:

1. The brine discharge receives all ~~legally required approvals from the agencies listed~~ above.

Deleted: necessary

2. The discharge point is located south of San Simeon Point, and where it will not adversely impact any kelp bed or intertidal habitat.

3. The discharge point is designed to maximize rapid mixing of the brine with ambient seawater in order to minimize hypersaline conditions.

4. Other locations or types of discharges (e.g., subsurface discharges, co-locating new discharges with existing discharges) are infeasible or more environmentally damaging.

5. The discharge sustains the biological productivity of coastal waters and maintains healthy populations of all species of marine organisms.

6. The adverse effects of discharges are minimized and mitigated.

B. Stormwater Outfalls. Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater on-site, or direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances,

stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above Consolidation of existing outfalls shall be pursued where feasible.

C. Passthrough Discharges. Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:

1. Discharge is in compliance with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish and Game (CDFG) laws and regulations.

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...  
D. Seawater Passthrough Devices. Seawater passthrough devices for public aquaria, and for scientific research facilities that are consistent with LCP requirements, and provided that:

1. Discharge is consistent with CCC, MBNMS, EPA, CDFG, SLC, and RWQCB, laws and regulations.

**PG. 22 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*Pg. 7-15. Reservation of Service Capacity. Modify Cambria Communitywide Standard 1 as follows:*

1. Reservation of Service Capacity. The Cambria Community Service District (CCSD) shall reserve available water and sewer treatment capacity for the following priority uses:

A. Visitor-Serving Uses. To preserve and allow for continued growth of visitor-serving facilities, 20 percent of water and sewer capacity shall be reserved and maintained for visitor-serving and commercial uses.

B. Affordable Housing - Program Required. The CCSD shall reserve sufficient water and sewer capacity to serve affordable housing.

Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number of affordable housing units each year. The program shall be consistent with definitions of affordable housing in the County Housing Element. The exact number shall be determined based on unmet housing needs, and availability of water.

**PG. 22-24 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*Pg. 7-16 Limitation on Development. Add new Communitywide Standard 3 as follows:*

1. Water Service in Cambria. Until such time as may be otherwise authorized through a coastal development permit approving a major public works water supply project for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by

Deleted: Under this program and to meet the need of affordable housing units, the District may divert part of the water which otherwise would have been allocated to the or Multi-Family Residential water waiting list.¶

the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks.

2. Water Conservation Requirements. Unless this requirement is otherwise modified through a coastal development permit authorizing a major public works water supply project for Cambria, new development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area (e.g. the replacement of irrigated landscaping with xeriscaping). Accordingly, all coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director (or the Coastal Commission Executive Director where applicable) for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002 as codified in CCSD Code Chapter 4.20; however, no retrofit credits may be obtained by extinguishing agricultural water use, or funding leak detection programs. Such permits shall also be conditioned to require written confirmation from the CCSD that any in-lieu fees collected from the applicant have been used to implement projects that have reduced existing water use within the service area in an amount equal or greater to the anticipated water use of the project.

3. Supplemental Water Supply Standards. Any major public works water supply project to support new development within the CCSD service area shall be subject to the following approval standards and findings:

a. Maximum Capacity. The maximum service capacity of the project will not induce growth inconsistent with the protection of coastal resources and public access and recreation opportunities.

(The CCSD requests the deletion of this standard and the renumbering of the rest of this section because it is an impossible standard to meet, if it is not struck in its entirety the CCSD may accept the following). b. Creek Withdrawals. The project shall assure that additional CCSD water withdrawals from Santa Rosa and San Simeon Creeks will be sufficiently limited to protect: (1) adequate instream flows necessary to support sensitive species and other riparian/wetland habitats; (2) underlying groundwater aquifers; and (3) agricultural resources.

c. Priority Uses. The project shall demonstrate that water capacity is available and allocations are reserved for Coastal Act priority uses.

d. Fire Safety. The project shall demonstrate that water storage and delivery systems will be adequate to meet the fire safety and other public health and safety needs of new development supported by the project, consistent with the protection of other coastal resources.

e. Other Public Service Capacities. The maximum level of development supported by the project shall not exceed that supported by other available public services, including wastewater treatment capacity and road capacity. The project shall not induce growth beyond that level necessary to maintain acceptable road Levels of Service and circulation to protect coastal access and recreation opportunities, and provide for public safety (e.g., fire evacuation).

f. Water Supply Management Planning. The project shall demonstrate that it is an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes other supply alternatives, including conservation and water recycling to the maximum extent practicable.

g. Build Out Reduction. That reasonable progress is being made to implement a build out reduction program within the boundaries of the CCSD.

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4. Desalination Standards. Desalination facilities must: a) Be public; b) Avoid or fully mitigate any adverse environmental impacts to coastal resources; c) Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources; d) Be designed and sized, based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;

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e) Use technologies that are energy-efficient. Estimates of the projected annual energy use shall be submitted with permit applications; f) Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies; g) Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility; h) Be designed and limited to assure that any water supplies made available as a direct or indirect result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by PRC 30254, and; i) Be an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes conservation and water recycling to the maximum extent practicable.

Deleted: most

Deleted: and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, should

f) Sub-surface feedwater intakes and subsurface pipelines for intake and brine discharge are not "structures" subject to the setback requirements of the Rural Planning Area Standards in the Recreational Land Use category.

**PG. 25 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*g. 7-17. Site Review. Modify Urban Area Communitywide Standard 8 as follows:*

8. Site Review. Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource may be subject to discretionary review. If discretionary review is triggered, a biologic assessment report consistent with Coastal Zone Land Use Ordinance Section 23.07.170 may be required.

**PG. 26 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*Pg. 7-23. Fiscalini Ranch Open Space Areas. Revise Standard 2 regarding allowable within the Open Space Land Use Category on the Fiscalini Ranch:*

Uses shall be limited to Outdoor Sports and Recreation, Passive Recreation, Crop Production & Grazing, Communications Facilities, Coastal Accessways, Temporary Events, One Caretaker Residence, water wells impoundments for approved uses on the ranch, and pipelines and transmission lines.

**PG. 26-29 OF THE APRIL 11, 2007 CCC STAFF REPORT:**

*Pg. 7-48. Shoreline Development. Add new Communitywide Standard 22 regarding shoreline development:*

22. Shoreline Development. All development along bluff tops and shorelines must comply with the following standards:

....

B. Setback Requirements. Shoreline and bluff top setbacks are to be based on a projected 100-year economic life and shall include a safety factor either as a multiplier or as a set distance. In no case shall bluff setbacks be less than 25 feet. Bluff and shoreline setbacks must be sufficient to avoid the need for a shoreline protective device for the life of the development. For non-conforming structures located on a blufftop or on the beach that do not comply with the setbacks required for new development on a blufftop or beach, additions that increase the size of the structure by 50 percent or more, shall not be authorized unless such structures are brought into conformance with the policies and standards of the LCP, including this setback requirement. On bluff top or shoreline parcels with legally established shoreline protective devices the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design and condition (i.e., any future expansion and/or alteration to the seawall other than routine repairs that maintain its approved design life shall not be factored into setback calculations). Sub-surface feed water intakes and subsurface pipelines for intake and brine discharge are not "structures" subject to these setback requirements.

**Deleted:** All projects which have the potential to adversely impact an ESHA, as defined in Coastal Act section 30107.5 based on the best available information, will be subject to mandatory biological assessment, whether or not located within a previously mapped SRA. Such review shall be conducted by a qualified expert, shall be based on filed observations during the season of the year most likely to result in successful observation of the sensitive species, and shall be documented in a written report that identifies the plants, animals, and habitat types observed on the site. If the site of the proposed development is determined by the County to potentially contain ESHA, a full biological report prepared in conformance with the Coastal Zone Land Ordinance shall be required, which identifies possible impacts and recommends measures to avoid such impacts and mitigate the impacts to ESHA that cannot be avoided.

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**Friends of the Fiscalini Ranch Preserve**  
*A Chapter of Small Wilderness Area Preservation*

Post Office Box 1664

Cambria, California 93428

805.927.2856

**RECEIVED**

April 10, 2007

JUN 13 2007

CALIFORNIA COASTAL COMMISSION  
CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**Subject: Item W17a**

Dear Coastal Commissioners and Staff,

On behalf of Friends of the Fiscalini Ranch Preserve (FFRP) I would like to make a few comments regarding the staff recommendations for the amendment to Cambria San Simeon Acres Community Plans under review.

FFRP (formerly North Coast Small wilderness Area Preservation) is the easement holder for the Fiscalini Ranch Preserve (formerly East West Ranch) our comments will be limited to recommendations directly affecting the Ranch.

It is unfortunate that I have had so little time to read the staff recommendations and that it has not gone to our board of directors at a regular meeting (ours is April 12). A continuance of this matter would allow a more careful look and I would like to make that request.

My comments are few at this time.

First of all wherever the Fiscalini Ranch is mentioned it should be changed to Fiscalini Ranch Preserve. The name was changed by the CCSD at FFRP's and Betty Fiscalini's requests in order to distinguish it from the Fiscalini family's many ranch holdings and to identify it with the purpose for which it was intended.

Next on **w17a-4-2007, pg. 26, 50, pg.7-23, Fiscalini Ranch Open Space Areas, allowable uses –**

1. Outdoor Sports and Recreation has been struck through. We would like clarification that there would still be active recreation allowed on the east portion of the property in the area designated for a community park.

**ECC Exhibit H**  
**(page 47 of 58 pages)**

2. Communications Facilities has been struck through. We would like inclusion of a Communications Facility on the Ranch. We have been in the planning stages of one for over five years. CCSD has a lease agreement for this facility. We have gotten community feedback that they feel it is necessary for cell phone use and also for increased safety in the surrounding area. We would request that this not be included here and that our plan be allowed to go forward through the regular channels and come under coastal commission review as part of that process.

Thank you for the opportunity to comment on this issue.

Sincerely,



Jo Ellen Butler  
Executive Director  
FFRP



**Friends of the Fiscalini Ranch Preserve**  
*A Chapter of Small Wilderness Area Preservation*

Post Office Box 1664

Cambria, California 93428

805.927.2856

June 8, 2007

CALIFORNIA COASTAL COMMISSION  
CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060

**Subject: Cambria San Simeon Acres Community Plans; Allowed Uses Fiscalini Ranch Preserve**

Dear Coastal Commissioners and Staff,

On behalf of Friends of the Fiscalini Ranch Preserve (FFRP) I would like to make a few comments regarding the staff recommendations for the amendment to Cambria San Simeon Acres Community Plans under review.

FFRP (formerly North Coast Small wilderness Area Preservation) is the easement holder for the Fiscalini Ranch Preserve (formerly East West Ranch) our comments will be limited to recommendations directly affecting the Ranch.

First of all wherever the Fiscalini Ranch is mentioned it should be changed to Fiscalini Ranch Preserve. The name was changed by the CCSD at FFRP's and Betty Fiscalini's requests in order to distinguish it from the Fiscalini family's many ranch holdings and to identify it with the purpose for which it was intended.

**Fiscalini Ranch Open Space Areas, allowable uses –**

1. Outdoor Sports and Recreation has been struck through. We would like clarification that there would still be active recreation allowed on the east portion of the property, only in the area designated for a community park.

**CCC Exhibit H**  
**(page 49 of 58 pages)**

Funds were given toward the purchase of the Ranch property with the understanding that a community park would be a part of the East Ranch. Cambria is underserved as far as parks go and this would help remedy the problem.

This is the only area where we would like to see active recreation. We would request that the rest of the Fiscalini Ranch Preserve be kept in passive uses.

2. Crop production and grazing are still allowed under this revision. We believe that since this is an open space and recreation area the crop production is not a necessary inclusion. We heartily approve of grazing, as it is a good tool for vegetation management on the Ranch.
3. Communications Facilities on the Ranch has been struck through to remove it from allowable uses. We would request inclusion of a single communications facility on the Ranch.

We have been in the planning stages of a communications facility and receiving lease revenue for over five years. It is about to go to the Planning Commission of San Luis Obispo County and we would hate to see it scuttled at this late date.

The facility on the ranch provides income for FFRP, the Conservation Easement holder to take on some of the management activities needed for the Ranch

The Ranch was purchased with very generous contributions and grants from the private sector, local businesses, the County of San Luis Obispo, Cal Trans and the State of California. The land was saved from development, a truly amazing feat, but no funds were provided for maintenance of the property.

Although FFRP was designated Ranch manager along with holding the conservation easement, we have not been able to take over the management of the Ranch because of lack of funding. FFRP received an endowment of \$190,000 to enforce the conservation easement, but not monies for maintenance.

The Cambria Community Services District has taken on temporary management of the Ranch with FFRP assisting in the following activities; invasive species eradication, trail maintenance, erosion control, providing bio bags and dispensers for dog waste, Monterey pine tree plantings along with understory plants and other Ranch activities. Funds from the communications facility leaseholders help provide us with a diversified source of income for our organization to continue our pursuits on behalf of the Ranch.

The CCSD has passed the monies from the lease on to us to be used toward the above projects. These funds also help pay for a part time Executive Director, the time to represent the public at all forums concerning the Ranch and an office for Ranch users to call with questions or comments. It is our goal to manage the Ranch as public open space in the future.

The acquisition of the Ranch as public open space and the new land use designations has protected a major portion of Cambria's Monterey pine forest. The commission staff has pointed out the irony of cutting Monterey pines for this project while we are also working to restore the native forest. One answer to this is that FFRP does forest restoration projects and funds from the facility would help us to continue doing our restoration work. The project avoids the Monterey pine forest to the maximum extent feasible while still allowing the project to go forward. Impact to the surrounding area has been taken into account and the proposed site has been placed to avoid the most disturbances possible and will be mitigated if disturbance can't be avoided.

Visual impact has been taken into account. A visual analysis has been done on the project and states that the project will not affect any scenic resources or change the visual character of the area.

The proposed site couldn't have fewer neighbors. It is proposed to be located at the easternmost edge of west ranch abutting a wide Cal Trans easement from Highway One in order to avoid impacting any neighborhood.

We have received community feedback that this project is necessary for cell phone use and also for increased safety in the surrounding area. There is local support for this facility on the Ranch.

We request that the Coastal commission allow only one cell site on the Ranch with the revenue going to FFRP to support management activities on the Fiscalini Ranch Preserve. We further request that the planned project be allowed to go forward under the old LCP and allow the Coastal Commission to consider the plan on its own merits.

**In addition**

1. We wholeheartedly support the changes in the Coastal Trail language, especially as part of the Coastal Trail traverses the Fiscalini Ranch Preserve.
2. Under **Cambria Services Programs** we like the idea of obtaining access easements through Fern Canyon lots as it could provide further access to and from the Ranch.

3. **Windsor Blvd Extension** – access to this is limited under the Management Plan and Conservation Easement over the property so we applaud this revision.
4. **Monterey Pine Forest Protection**- we support the idea of assistance in the formation of a Forest Management District.

Thank you for the opportunity to comment on this issue.

Sincerely,



Jo Ellen Butler  
Executive Director  
FFRP

## Jonathan Bishop

---

**From:** David Sansone [dave@sansoneco.com]  
**Sent:** Wednesday, June 13, 2007 9:36 AM  
**To:** Jonathan Bishop  
**Cc:** jcferber@rrmdesign.com  
**Subject:** Sansone Vista Del Mar parcel - San Simeon Acres - request for Zone Change

Jonathan & Steve,

It was a genuine pleasure to meet and talk with you last Friday - I was truly surprised at how 'real' you both were (I attribute this to years of fearing the 'Coastal Commission'..), thank you for being so generous with your time!

As a follow-up to my zone change request ( 0.52 acres - Vista Del Mar; APN 013-031-049) I offer the following:

Attached are two photos (taken 6-12-07) - both were taken from a 'Tourists Eye View' as you approach San Simeon Acres headed North. The first photo was taken +/- 0.10 miles from the intersection of Hwy. 1 and the 'frontage road' turn; the second was taken at this intersection. As you can see there is very limited visibility (for this parcel) by vehicles traveling North at 50 to 60 m.p.h. (our photo vehicle was parked when the photos were taken).

Please note that no pictures were taken from a 'South bound' perspective - as the property cannot be seen at all - what so ever - by South bound vehicles on Highway One, the 'Jade Motel' completely blocks this parcel form view.

As a portion of this petition to the Commission to concur with the position of San Luis Obispo County - in supporting the re-zone of this parcel from 'CS' to RMF' I put forward the following:

- The site is 0.52 Acres - with a frontage on +/- 52'. In my opinion it would be quite difficult to construct a stand alone (i.e. - not owned by another existing Motel already in San Simeon Acres) motel - there is simply not enough room to generate adequate revenue to support a management structure, housekeeping, etc. that would be required by this type of facility.
- At this writing there are +/- 705 existing motel units in this community. If our evaluation as to the quantity of 'un-improved' land area (which we reviewed with you in Santa Cruz) is accurate; the is potential for up to 600 additional motel units, for a potential total of 1300+ units. It is my opinion that this small, inefficient, off the main 'view corridor' property would not have a chance to compete with the other larger and more visible facilities.
- This parcel is not highly visible form Highway One.
- This parcel is contiguous to a small development (10 units) - and allowing this zone change would be highly consistent with the 'neighborhood'.
- If one was to examine the possibility of a 'different' use - one has to make the assumption that whatever one built on this parcel would be of an extremely small scope, and due to this, the potentiality of it requiring an 'owner-operator' is about 100%. Now, please couple this concept with the lack of support by the Commission for any 'mixed use' (on the West side of the Highway) - and we now have a parcel that cannot accommodate a residence (for the potential 'owner operator').
- As one who has been in this industry for some years - the economics of this parcel - in my opinion - will not support a small(ish) commercial endeavor at this location.

My preference - obviously - would be that the Commission concur with the above and find itself willing to agree

**CCC Exhibit H**  
**(page 53 of 58 pages)**

6/13/2007

with San Luis Obispo County with regard to the zone change I have requested. If this is not possible - then I would request that the Commission allow that a 'Multi-Use' designation be added to this very small, insignificant and awkwardly configured parcel.

At this point I do not feel that there is much more that I can write - without repeating myself. I sincerely appreciate your willingness to look at my point of view, and I thank you for this opportunity.

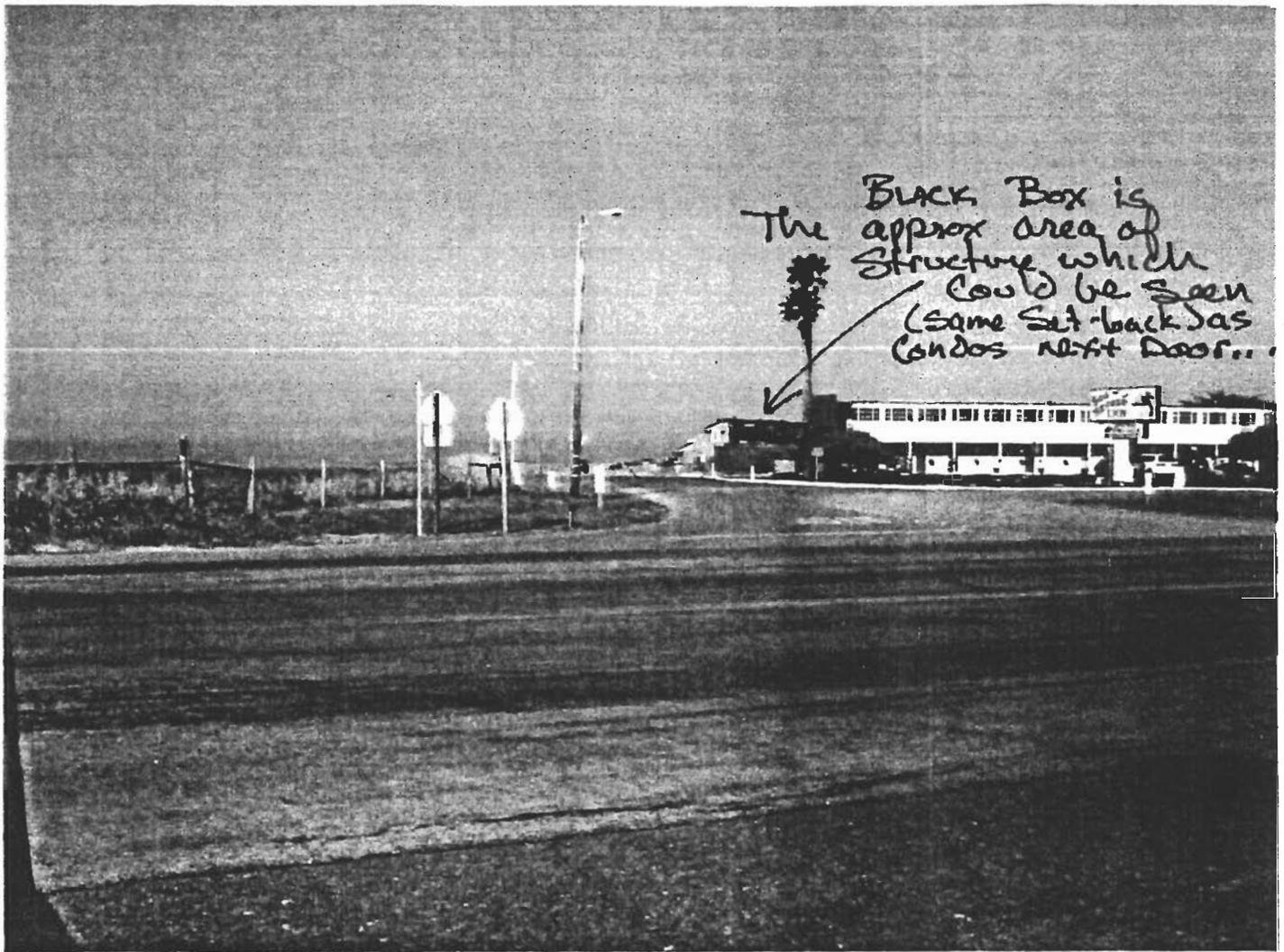
Take good care - hopefully I will have a chance to see you both at the meeting here in SLO in July.

Jonathan - I do not have an email address for Steve - could you please forward this for me? Thank you very much!

**CCC Exhibit H**  
**(page 54 of 58 pages)**



APPROX 0.10 mi From Intersection  
NORTH BOUND - Hwy One.



Intersection - Hwy One -  
NORTH BOUND

## Jonathan Bishop

---

**From:** jhofschroer@co.slo.ca.us  
**Sent:** Friday, June 15, 2007 10:52 AM  
**To:** Charles Lester  
**Cc:** Steve Monowitz; Jonathan Bishop  
**Subject:** Cambria San Simeon Plan Update - San Simeon Water Standard



pic04675.jpg (107  
KB)

Hi all,

It was brought to our attention that the following requirement has some unintended (negative) consequences. After review, we agree.

(Embedded image moved to file: pic04675.jpg)

Heres the problem: Buildable areas of San Simeon Acres are designated either Residential Multi-Family or Commercial Retail. The Commercial Retail categories support visitor serving activities such as motels, restaurants, and shopping. Our rough estimates show the community currently using about 150 acre feet a year in water. At buildout, we estimate they will need about 400 acre feet of water per year. Based on allowed residential densities and commercial building trends, about half the water is used by Commercial (visitor serving) uses, and the other half Residential.

When the Residential areas of San Simeon Acres build out, they will potentially use a total of 200 acre feet of water per year. According to the above standard, that would be 25% (100%-75%) of the total water use/storage.

The serious problem is the standard also requires 75% of the total to be reserved for Commercial (visitor serving). To comply with this standard, the water provider would need an additional 600 acre feet of water (75%of the total). But they will only need 200 acre feet of water for visitor serving uses?

The remainder of the water (400 acre feet of water) would present unnecessary costs to develop new sources, and ultimately be growth inducing.

So, the easy fix would be to propose a suggested modification changing the 75% to 50% in Standard 1. A.

If you need additional explanation, or have any questions, please feel free to contact us.

John Hofschroer, Senior Planner  
Department Safety Officer  
(805) 781-5980

**ECC Exhibit H**  
**(page 57 of 58 pages)**

**COMMUNITYWIDE:** The following standards apply to all land within the San Simeon Areas Village Reserve Line.

1. **Service Capacity.** The San Simeon Acres Community Services District (SSCSD) shall reserve available water and sewage treatment capacity on a yearly basis for the following priority uses:
  - A. **Visitor serving uses.** 75 percent of available water and sewer capacity.

April 8, 2007

Mr. Charles Lester, Senior Deputy Director  
Mr. Steve Monowitz, District Manager  
California Coastal Commission  
Central Coast District Office  
725 Front Street  
Suite No. 300  
Santa Cruz, CA 95060-4508

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06  
(Part 1) Cambria and San Simeon Acres Community Plans.

Dear Sirs:

Let this letter serve as our formal request to the California Coastal Commission to deny the certification of the above referenced major amendment to the certified Local Coastal Plan adopted in September, 1988 based upon the fact that its findings are not consistent with the Coastal Act of 1976 as found in the Public Resources Code.

It is our strong belief that the proposed Major Amendment No. 1-06 is not consistent with Sections 30250, 30254, and 30412 of the Public Resources Code pursuant to the Coastal Act of 1976.

While we applaud the efforts of the various local, county, and state agencies in their pursuit of limiting growth within the Cambria and San Simeon areas, we feel a citizen's right to water owned by the state of California, and his equal right to sewer is being all but trampled on in the pursuit of an environmental agenda.

Section 30250 of the Coastal Act limits development to already developed areas that have public service capacity to accommodate such growth. The community of Cambria has been designated an urbanizing area based upon the established urban service line and urban reserve line approved by the special district, County of San Luis Obispo, and various state agencies.

Section 30250 requires that *"new residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources."*

Section 30412 of the Public Resources Code requires that:

*In addition to Section 13142.5 of the Water Code, this section shall apply to the commission and the State Water Resources Control Board and the California regional water quality control boards.*

- (a) The State Water Resources Control Board and the California regional water quality control board are the state agencies with primary responsibility for the coordination and control of water quality. The State Water Resources Control Board has primary responsibility for the administration of water rights pursuant to applicable law. The commission shall assure that proposed development and local coastal programs shall not frustrate this section. The commission shall not except provided in subdivision (c), modify, adopt conditions, or take any action in conflict with any determination by the State Water Resources Control Board or any California regional water quality control board in matters relating to water quality or the administration or water rights. Except as provided in this section, nothing herein shall be interpreted in any way either as prohibiting or limiting the commission, local government, or port governing body from exercising the regulatory controls over development pursuant to this division in a manner necessary to carry out this division.*
- (b) Any development within the coastal zone or outside the coastal zone which provides service to any area within the coastal zone that constitutes a treatment work shall be reviewed by the commission and any permit issues, if any, shall be determinative only with respect to the following aspects of the development:*
- 1.) The siting and visual appearance of treatment works within the coastal zone.*
  - 2.) The geographic limits of service areas within the coastal zone which are to be served by particular treatment works and the timing of the use of capacity of treatment works for those service areas to allow for phasing of development and use of facilities consistent with this division*
  - 3.) Development projections which determine the sizing of treatment works for providing service within the coastal zone.*

*The Commission shall make these determinations in accordance with the policies of this division and shall make its final determination on a permit application for a treatment work prior to the final funding of such treatment works. Except as specifically provided in this subdivision, the decisions of the State Water Resources Control Board relative to the construction of treatment works shall be final and binding upon the commission.*

A proposed buildout reduction plan has become a divisive issue that is polarizing the community between the haves and the have-nots. As we now are going on to the seventeenth year of discussion as to a proposed new water source, the situation in Cambria is now becoming another Los Osos sewer problem. A problem that must be solved, has a complete viable answer, but politically cannot be solved. It is so sad to know that there is no real problem at all. The answer lies in the past, not the present.

Let me explain in as simple terms as to the required direction that must be taken.

In 1967, the San Luis Obispo County Health Officer, George Harper, made a determination that all the existing individual private septic systems serving the existing homes on sub-standard lots were creating a threat to the local ground water basin and water quality for the Cambria area.

Mr. Harper instituted a construction moratorium against any new development until such time as a new sewer treatment plant was built and operational.

In 1969, the state of California Legislature passed the Porter-Cologne Water Quality Control Act, which created the nine Regional Water Quality Control Boards (Regional Boards) which acting in concert became the "principal state agencies with the primary responsibility for the coordination and control of water quality. In 1991, the Boards were brought together with five other State environmental protection agencies under the newly crafted California Environmental Protection Agency Cal/EPA)

The State Board is generally responsible for setting statewide water quality policy and considering petitions contesting Regional Board actions. The State Board is also solely responsible for allocation of surface water rights.

Within the State Board, the Division of Water Quality is responsible for providing the statewide perspective on a wide range of water quality planning and regulatory functions, including regulation of activities affecting wetlands under Federal Clean Water Act and State Porter-Cologne Act programs. The Division of Water Rights may also at times be involved in regulating discharges to wetlands as they pertain to regulation of water storage or hydroelectric facilities.

The nine Regional Boards are each semi-autonomous and comprised of nine Board members appointed by the Governor. Regional boundaries are based on and consistent with State watersheds. Each Regional Board makes water quality planning and regulatory decisions for its region. These decisions include issuing State waste discharge requirements (discharge permits) or recommending Clean Water Act certification for activities affecting wetlands and other water bodies.

The State Board and the Regional Boards promulgate and enforce narrative and numeric water quality standards in order to protect water quality. Also, the Regional Boards adopt and the State Board approves Water Quality Control Plans (Basin Plans). Basin Plans identify (designate) legally-binding beneficial uses of water for water bodies, including wetlands, assign water quality objectives (criteria) to protect those uses, and establish appropriate implementation programs.

The State Board and the Regional Boards regulate discharges of harmful substances to surface waters including wetlands under the Federal Clean Water Act (CWA) and the California Porter-Cologne Act (Porter Cologne).

Discharges to dry land are regulated under Porter-Cologne. For discharges to most wetlands the Regional Boards have the lead permitting role and decide which regulatory instrument to use.

The Porter-Cologne Act establishes a comprehensive program for the protection of water quality and beneficial uses of water. It applies to surface waters (including wetlands), groundwater, and point and non-point of pollution. The Regional Boards regulate discharges under Porter-Cologne primarily through the issuance of waste discharge requirements. Porter-Cologne provides several means of enforcement, including cease and desists orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecution.

On February 14, 1969, the Central Coast Regional Quality Control Board adopted Resolution No. 69-1 Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coastal Region. Section 13052(e) of the California Water Code requires each regional board "shall" formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region to conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board and pursuant to Section 13052(d) of the State Water Code "request enforcement of laws concerning water pollution or nuisance by appropriate federal, state, and local agencies and whereas within the context of this policy the term "urbanizing area" refers to areas subject to rapid and/or concentrated development and subdivision areas of less concentrated development with individual parcels of land less than 2.5 acres.

The Regional Board cited in there adoption that they had evidence that many past, present and potential water pollution problems in the region result from the practice of serving new residential subdivisions and other urbanizing areas with individual septic tanks and leaching systems or with small, community sewerage systems that fail to provide satisfactory service.

The Central Board resolved that city and county governments were requested to prohibit the use of individual private septic systems (septic tanks and leaching systems) for any area where the continued use of septic takes constitutes a public health hazard, existing or threatened condition of water pollution or nuisance.

Pursuant to Section 13242 of the State Water Code, the Central Coast Regional Board issued a resolution requiring that individual private septic systems on substandard lots (less than 20000 square feet in land area) will not and shall not be permitted.

The implementing action which enforces this basin plan policy is regulated and enforced by the County of San Luis Obispo through Section 19.20.222 of Title 19 where the use of a private, on-site sewage disposal system is allowed only within the rural area of the county and within urban and village areas where no community sewage collection,

treatment and disposal systems exist. Section 19.20.222 (a) of Title 19 states that these "regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin" adopted by the California Regional Water Quality Control Board.

On July 6, 1972, the California State Water Resources Control Board adopted the State Policy for Water Quality Control to assure a comprehensive statewide program of water quality control, which formally set forth principles and guidelines essential to meet the states goals for water quality control. We have provided the commission with a copy in this submittal.

The purpose of all this background information is found in Section VIII.D.3.f of the Central Coast Basin Plan which requires that community systems for Sewer Treatment Works Plants should be designed and maintained to accommodate build-out populations, particularly when public funds are being used for construction and maintenance.

In the instant of the Heath Lane Treatment Works Facility of the Cambria Community Services District, that public works facility was built pursuant to Improvement Bonds of Assessment District 1 and 2 of the Cambria County Water District and the County of San Luis Obispo and came on line in 1977, after all approvals, including the California Coastal Commission.

Pursuant to Section VIII.D3.i, of the Central Basin Plan and Policies, individual private septic systems are not allowed or encouraged for lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality or in any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution or nuisance.

The Cambria Community Services District operates the Heath Lane Waste Water Treatment Plant as part of the Estero Bay Hydrologic Unit of the Central Basin Plan and is operating under a waste discharge permit issued and updated regularly by the Central Board located in San Luis Obispo, California. Implementation of the Plan is the responsibility of the Cambria Community Services District and the County of San Luis Obispo.

The treatment works plant was designed and constructed by the County of San Luis Obispo under a Joint Power Agreement with the Cambria County Water District with funding coming from Assessment Districts 1 and 2 under compulsory levies confirmed by the Board of Supervisors of the County of San Luis Obispo.

Additional funding was provided through the Federal, State, and EPA Grants and matching funds from the water district. The Assessment Districts 1 and 2 were fully funded in 1971 and 1976, prior to the formation of the Cambria Community Services District in December of 1976.

The public sewer treatment plant in Cambria was fully permitted by the State Water Resources Board, along with applicable state and federal agencies with complete review and approval of the Coastal Commission pursuant to Section 30412 of the Public Resources Code.

Pursuant to the requirements of Section 30412, the California Coastal Commission had the right to determine siting and visual appearance of the treatment works facility, review and establish the limits of service area within the coastal zone of the plant, set a time table for timing and use of capacity of the treatment works facility to be used by the public, and to allow for phasing of development and use of facilities consistent with this division of the PRC. The commission was allowed to determine development projections which determine the sizing of the treatment works facility for providing service within the coastal zone.

The California Coastal Commission at that time was required ("shall make") its final determinations in accordance with the policies of this division (Section 30412) and shall makes its final determination on a permit application for a treatment work prior to the final approval by the State Water Resources Control Board for the funding of such treatment works and the decisions of the State Water Resources Control Board relative to the construction of the treatment works shall be final and binding upon the commission.

Clearly the Heath Lane treatment works was designed, permitted, and built, and is in operation today and has been expanded.

Clearly the urban service line and urban reserve line relating to the treatment works facility has been established and codified in the Municipal Code of the CCSD, LCP, and related Maps.

Clearly the assessment districts were confirmed and assessed against all the properties to be benefited by the public improvement as tax assessed. It is widely known that over 11,000 lots were assessed and are defined as the project plan area to benefited by the public sewerage facilities.

Clearly any and all wastewater that is not served by individual private septic systems must be treated by the public community sewerage treatment facility and all those parties who are vested members of Assessment Districts 1 and 2 have equal rights ~~to the public~~ to public sewer as codified in the CCSD Municipal Code.

Clearly since the State Regional Water Control Board has eliminated any right to a private individual disposal septic system for any substandard lot located in an existing urbanized area served by an operational public treatment works facility through regulations of the Basin Plan, any property owner located within the boundaries of the CCSD service line relating to the treatment works facility must hookup to sewer.

Clearly any water distributed, provided or sold by the CCSD through the facilities built and/or expanded by funds created by the assessment districts, must be treated by the public treatment works facilities operated by the district, and discharged under the waste discharge permit issued by the State Board.

Clearly the public sewer system operates by gravity flow of water provided through district water lines and sewer lines that transport waste waters to be treated at the public sewer treatment works facility.

And most importantly, that the public treatment works facility permit required that the facility be sized to accommodate the projected buildout plan relating to the assessment districts required beneficial use and method of assessment calculated as permitted by the State Water Resources Control Board and the California Coastal Commission.

And clearly, clearly, clearly, any future water source, such as a desalinization plant, ~~will have to the water generated, treated at the public sewer treatment plant that~~ "shall, must, will," serve the required buildout as permitted and determined by the State Water Resources Control Board and California Coastal Commission in the 70's.

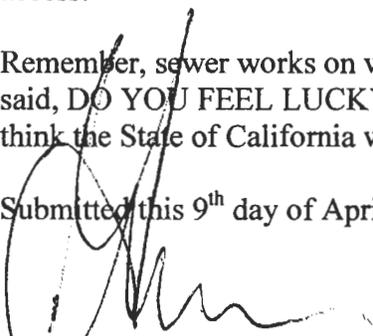
That is why the desalinization plant must be sized to accommodate the project buildout to accommodate the sizing and water requirements to meet the sewerage requirements of the 11,000 lots as assessed under the benefited use.

Anything else will constitute a taking under the provisions of the Central Basin Plan and Policies as set forth by the State Regional Water Quality Control Board. This is why the new water source must meet the original project buildout and not any proposed buildout reduction. You can't turn back time and change what is already mandated and assessed.

Any reduction will cause the California Coastal Commission and the State Regional Board liable for the economic loss of those owners who are denied sewer and water access.

Remember, sewer works on water, and water must be treated and as Clint Eastwood once said, DO YOU FEEL LUCKY TODAY. It's a 500 million dollar question that I don't think the State of California wants to answer.

Submitted this 9<sup>th</sup> day of April, 2007,

  
Gregg Allen Berge-Assessment District No. 2 of the Cambria County Water District fully vested without reassessment.

P.S. The EPA Bond had the condition of 125 and is paid in full. The CCC does not have the right to keep enforcing the 125 annual limit on sewer connections because the bonds have been paid in full and the condition is no longer enforceable by the EPA.

30412. (a) In addition to Section 13142.5 of the Water Code, this section shall apply to the commission and the State Water Resources Control Board and the California regional water quality control boards.

(b) The State Water Resources Control Board and the California regional water quality control boards are the state agencies with primary responsibility for the coordination and control of water quality. The State Water Resources Control Board has primary responsibility for the administration of water rights pursuant to applicable law. The commission shall assure that proposed development and local coastal programs shall not frustrate this section. The commission shall not, except as provided in subdivision (c), modify, adopt conditions, or take any action in conflict with any determination by the State Water Resources Control Board or any California regional water quality control board in matters relating to water quality or the administration of water rights.

Except as provided in this section, nothing herein shall be interpreted in any way either as prohibiting or limiting the commission, local government, or port governing body from exercising the regulatory controls over development pursuant to this division in a manner necessary to carry out this division.

(c) Any development within the coastal zone or outside the coastal zone which provides service to any area within the coastal zone that constitutes a treatment work shall be reviewed by the commission and any permit it issues, if any, shall be determinative only with respect to the following aspects of the development:

(1) The siting and visual appearance of treatment works within the coastal zone.

(2) The geographic limits of service areas within the coastal zone which are to be served by particular treatment works and the timing of the use of capacity of treatment works for those service areas to allow for phasing of development and use of facilities consistent with this division.

(3) Development projections which determine the sizing of treatment works for providing service within the coastal zone.

The commission shall make these determinations in accordance with the policies of this division and shall make its final determination on a permit application for a treatment work prior to the final approval by the State Water Resources Control Board for the funding of such treatment works. Except as specifically provided in this subdivision, the decisions of the State Water Resources Control Board relative to the construction of treatment works shall be final and binding upon the commission.

(d) The commission shall provide or require reservations of sites for the construction of treatment works and points of discharge within the coastal zone adequate for the protection of coastal resources consistent with the provisions of this division.

(e) Nothing in this section shall require the State Water Resources Control Board to fund or certify for funding, any specific treatment works within the coastal zone or to prohibit the State Water Resources Control Board or any California regional water quality control board from requiring a higher degree of treatment at any existing treatment works.

30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

30250. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

**CCC Exhibit I**  
**(page 1 of 50 pages)**

13142.5. In addition to any other policies established pursuant to this division, the policies of the state with respect to water quality as it relates to the coastal marine environment are that:

(a) Wastewater discharges shall be treated to protect present and future beneficial uses, and, where feasible, to restore past beneficial uses of the receiving waters. Highest priority shall be given to improving or eliminating discharges that adversely affect any of the following:

- (1) Wetlands, estuaries, and other biologically sensitive sites.
- (2) Areas important for water contact sports.
- (3) Areas that produce shellfish for human consumption.
- (4) Ocean areas subject to massive waste discharge.

Ocean chemistry and mixing processes, marine life conditions, other present or proposed outfalls in the vicinity, and relevant aspects of areawide waste treatment management plans and programs, but not of convenience to the discharger, shall for the purposes of this section, be considered in determining the effects of such discharges. Toxic and hard-to-treat substances should be pretreated at the source if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

(b) For each new or expanded coastal powerplant or other industrial installation using seawater for cooling, heating, or industrial processing, the best available site, design, technology, and mitigation measures feasible shall be used to minimize the intake and mortality of all forms of marine life.

(c) Where otherwise permitted, new warmed or cooled water discharges into coastal wetlands or into areas of special biological importance, including marine reserves and kelp beds, shall not significantly alter the overall ecological balance of the receiving area.

(d) Independent baseline studies of the existing marine system should be conducted in the area that could be affected by a new or expanded industrial facility using seawater in advance of the carrying out of the development.

(e) (1) Adequately treated recycled water should, where feasible, be made available to supplement existing surface and underground supplies and to assist in meeting future water requirements of the coastal zone, and consideration, in statewide programs of financial assistance for water pollution or water quality control, shall be given to providing optimum water recycling and use of recycled water.

(2) If recycled water is available for industrial use, any discharge to waters in the coastal zone, including the San Francisco Bay, after industrial use, may be authorized if all of the following conditions are met:

(A) The discharge will not unreasonably affect beneficial uses.

(B) The discharge is consistent with applicable water quality control plans and state policy for water quality control.

(C) The use of recycled water is consistent with Chapter 7 (commencing with Section 13500).

(D) The discharge is consistent with all applicable requirements of Chapter 5.5 (commencing with Section 13370).

(E) The discharge is to the same general receiving water location as that to which the wastewater would be discharged if not reused.

(3) Any requirement imposed pursuant to Section 13263 or 13377 shall be adjusted to reflect a credit for waste present in the recycled water before reuse. The credit shall be limited to the difference between the amount of waste present in the nonrecycled water supply otherwise available to the industry and the amount of waste present in the recycled water.

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(4) If the amount of waste in the discharge exceeds prescribed requirements because the amount of waste in the recycled water is in excess of that agreed to be furnished by the supplier to the discharger, no enforcement action shall be taken against the discharger unless both of the following statements apply:

(A) The supplier of the recycled water fails to correct the problem within 30 days after the cause of the problem is identified, or within any greater period of time agreed to by the appropriate regional board.

(B) The discharger continues to receive the recycled water from the supplier.

(f) This section shall not apply to industrial discharges into publicly owned treatment works.

APPENDIX A-13

**Sewerage Facilities and Septic Tanks in Urbanizing Areas in the  
Central Coast Region**

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 69 - 1

ADOPTING POLICY STATEMENT REGARDING SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COASTAL REGION.

WHEREAS, Section 13052(e) of the California Water Code states that each regional board, with respect to its region, shall:

"Formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region to conform with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board."; and,

WHEREAS, Section 13052(a) of the California Water Code states that each regional board, with respect to its region, shall:

"Obtain coordinated action in water quality control and in the abatement, prevention and control of water pollution and nuisance by means of formal or informal meetings of the persons involved."; and,

WHEREAS, Section 13052(d) of the California Water Code states that each regional board, with respect to its region, shall:

"Request enforcement of laws concerning water pollution or nuisance by appropriate federal, state and local agencies."; and,

WHEREAS, Section 13052(c) of the California Water Code states that each regional board, with respect to its region, shall:

"Require any state or local agency to inspect and report on any technical factors involved in water pollution or nuisance."; and,

WHEREAS, within the context of this policy the term "urbanizing areas" refers to areas subject to rapid and/or concentrated development and subdivision areas of less concentrated development with individual parcels of land less than 2.5 acres; and,

WHEREAS, this board has evidence that many past, present and potential water pollution problems in the region result from the practice of serving new residential subdivisions and other urbanizing areas with individual septic tanks and leaching systems or with small, community sewerage systems that fail to provide satisfactory service; and,

WHEREAS, this board has observed that water pollution problems do not develop where local government recognizes the potential for such problems well in advance and takes steps to prevent them; and,

WHEREAS, after adequate notice, public hearings were held to receive testimony from all persons present and desiring to be heard concerning this matter; and,

WHEREAS, the board has reviewed the testimony received at the public hearings and the written statements from interested persons; now therefore, be it

RESOLVED, that it is the policy of this Board that city and county governments are requested to:

1. Prohibit the use of septic tanks and leaching systems for sewage disposal:
  - a. For any subdivision of land which comes under the provisions of the Subdivision Map Act of California unless the subdivider clearly demonstrates to the satisfaction of the governing body having jurisdiction that the use of septic tanks will be in the best public interest and that the beneficial uses of water of the state will not be adversely affected;
  - b. For any area where minimum lot sizes, dwelling densities, construction standards, percolation rates and minimum physiographic conditions have not been established by county ordinance; and
  - c. For any other area where the continued use of septic tanks constitutes a public health hazard, or existing or threatened condition of water pollution or nuisance.
2. Prohibit the development of any subdivision, trailer park, or similar development that will use its own community system for the disposal of sewage unless:
  - a. The subdivision, trailer park, or similar development is within or has access to a pre-existing governmental entity (city or district) that has authority to and has stated its intent to assume responsibility for the planning, construction, operation, and maintenance of the sewerage system or has authority to and has stated its intent to review plans and construction and assume operation and maintenance of the sewerage system upon certification by the appropriate health officer that the system is failing; and,

- b. The governmental entity (county, city or district) has developed a master plan for sewerage, pursuant to Section 65300, et seq. of the California Government Code, which includes the subdivision, trailer park, or similar development; and, be it further

RESOLVED, that this Board intends:

1. To continue to observe the progress made by local government in the Central Coastal Region toward prevention of water pollution and nuisance problems which may result from individual sewage disposal systems and from small community sewerage systems; and,
2. To seek enforcement action if and when it appears to the Board that such action is needed to prevent water pollution, nuisance or contamination because of inadequate control of development in urbanizing areas by local government; and be it further

RESOLVED, that this Board instructs its Executive Officer to transmit this resolution to all interested parties, including but not limited to the governing body of each city and county and to appropriate districts in the Central Coastal Region, and urges each body to give its full support to the policy enunciated above; and be it further

RESOLVED, that this Board requests each agency which has power to regulate the types of development that are covered by this resolution to make copies of this resolution available to all persons proposing such developments at the earliest practicable time so that each will be advised of the policy of the Regional Board in this matter.

Adopted by the Central Coastal Regional Water Quality Control Board on February 14, 1969.

  
BERTRAM H. MUDGETT, Chairman

ATTEST:

  
KENNETH R. JONES, Executive Officer

## WATER CODE

### SECTION 13240-13247

13240. Each regional board shall formulate and adopt water quality control plans for all areas within the region. Such plans shall conform to the policies set forth in Chapter 1 (commencing with Section 13000) of this division and any state policy for water quality control. During the process of formulating such plans the regional boards shall consult with and consider the recommendations of affected state and local agencies. Such plans shall be periodically reviewed and may be revised.

13241. Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance; however, it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not necessarily be limited to, all of the following:

- (a) Past, present, and probable future beneficial uses of water.
- (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- (d) Economic considerations.
- (e) The need for developing housing within the region.
- (f) The need to develop and use recycled water.

13242. The program of implementation for achieving water quality objectives shall include, but not be limited to:

- (a) A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- (b) A time schedule for the actions to be taken.
- (c) A description of surveillance to be undertaken to determine compliance with objectives.

13243. A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

13244. The regional boards shall not adopt any water quality control plan unless a public hearing is first held, after the giving of notice of such hearing by publication in the affected county or counties pursuant to Section 6061 of the Government Code. When the

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plan proposes to prohibit discharges of waste pursuant to Section 13243, similar notice shall be given by publication pursuant to Section 6061.3 of the Government Code.

13245. A water quality control plan, or a revision thereof adopted by a regional board, shall not become effective unless and until it is approved by the state board. The state board may approve such plan, or return it to the regional board for further consideration and resubmission to the state board. Upon resubmission the state board may either approve or, after a public hearing in the affected region, revise and approve such plan.

13245.5. Guidelines adopted by a regional board shall not become effective unless and until approved by the state board.

13246. (a) The state board shall act upon any water quality control plan not later than 60 days from the date the regional board submitted the plan to the state board, or 90 days from the date of resubmission of the plan.

(b) When the state board is acting upon a water quality control plan that is being amended solely for an action related to a regional board's total maximum daily load submittal, not including submittals related to listing, the state board shall not exceed the 60-day timeline, inclusive of the time spent sending the submittal back to the regional board, unless one of the following circumstances exists:

(1) The proposed amendment is for an exceedingly complex total maximum daily load. In order to determine if a total maximum daily load is exceedingly complex, the state board may consider a number of factors including, but not limited to, the volume of the record, the number of pollutants included, the number of dischargers and land uses involved, and the size of the watershed. The reason or reasons that any total maximum daily load is determined to be exceedingly complex shall be provided by the state board to the regional board in writing.

(2) The submittal by the regional board is clearly incomplete.

13247. State offices, departments, and boards, in carrying out activities which may affect water quality, shall comply with water quality control plans approved or adopted by the state board unless otherwise directed or authorized by statute, in which case they shall indicate to the regional boards in writing their authority for not complying with such plans.

**APPENDIX A-1**

**State Policy for Water Quality Control (1972)**

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

STATE POLICY FOR  
WATER QUALITY CONTROL

I. FOREWORD

To assure a comprehensive statewide program of water quality control, the California Legislature by its adoption of the Porter-Cologne Water Quality Control Act in 1969 set forth the following statewide policy:

The people of the state have a primary interest in the conservation, control, and utilization of the water resources, and the quality of all the waters shall be protected for use and enjoyment.

Activities and factors which may affect the quality of the waters shall be regulated to attain the highest water quality which is reasonable, considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, tangible and intangible.

The health, safety, and welfare of the people requires that there be a statewide program for the control of the quality of all the waters of the state. The state must be prepared to exercise its full power and jurisdiction to protect the quality of waters from degradation.

The waters of the state are increasingly influenced by interbasin water development projects and other statewide considerations. Factors of precipitation, topography, population, recreation, agriculture, industry, and economic development vary from region to region. The statewide program for water quality control can be most effectively administered regionally, within a framework of statewide coordination and policy.

To carry out this policy, the Legislature established the State Water Resources Control Board and nine California Regional Water Quality Control Boards as the principal state agencies with primary responsibilities for the coordination and control of water quality. The State Board is required pursuant to legislative directives set forth in the California Water Code (Division 7, Chapter 3, Article 3, Sections 13140 Ibid) to formulate and adopt state policy for water quality control consisting of all or any of the following:

Adopted by the State Water Resources Control Board by motion of July 6, 1972.

I. (continued)

Water quality principles and guidelines for long-range resource planning, including groundwater and surface water management programs and control and use of reclaimed water.

Water quality objectives at key locations for planning and operation of water resource development projects and for water quality control activities.

Other principles and guidelines deemed essential by the State Board for water quality control.

II. GENERAL PRINCIPLES

The State Water Resources Control Board hereby finds and declares that protection of the quality of the waters of the State for use and enjoyment by the people of the State requires implementation of water resources management programs which will conform to the following general principles:

1. Water rights and water quality control decisions must assure protection of available fresh water and marine water resources for maximum beneficial use.
2. Municipal, agricultural, and industrial wastewaters must be considered as a potential integral part of the total available fresh water resource.
3. Coordinated management of water supplies and wastewaters on a regional basis must be promoted to achieve efficient utilization of water.
4. Efficient wastewater management is dependent upon a balanced program of source control of environmentally hazardous substances<sup>1/</sup>, treatment of wastewaters, reuse of reclaimed water, and proper disposal of effluents and residuals.
5. Substances not amenable to removal by treatment systems presently available or planned for the immediate future must be prevented from entering sewer systems

<sup>1/</sup> Those substances which are harmful or potentially harmful even in extremely small concentration to man, animals, or plants because of biological concentration, acute or chronic toxicity, or other phenomenon.

II. 5. (continued)

in quantities which would be harmful to the aquatic environment, adversely affect beneficial uses of water, or affect treatment plant operation. Persons responsible for the management of waste collection, treatment, and disposal systems must actively pursue the implementation of their objective of source control for environmentally hazardous substances. Such substances must be disposed of such that environmental damage does not result.

6. Wastewater treatment systems must provide sufficient removal of environmentally hazardous substances which cannot be controlled at the source to assure against adverse effects on beneficial uses and aquatic communities.
7. Wastewater collection and treatment facilities must be consolidated in all cases where feasible and desirable to implement sound water quality management programs based upon long-range economic and water quality benefits to an entire basin.
8. Institutional and financial programs for implementation of consolidated wastewater management systems must be tailored to serve each particular area in an equitable manner.
9. Wastewater reclamation and reuse systems which assure maximum benefit from available fresh water resources shall be encouraged. Reclamation systems must be an appropriate integral part of the long-range solution to the water resources needs of an area and incorporate provisions for salinity control and disposal of nonreclaimable residues.
10. Wastewater management systems must be designed and operated to achieve maximum long-term benefit from the funds expended.
11. Water quality control must be based upon latest scientific findings. Criteria must be continually refined as additional knowledge becomes available.
12. Monitoring programs must be provided to determine the effects of discharges on all beneficial water uses including effects on aquatic life and its diversity and seasonal fluctuations.

### III. PROGRAM OF IMPLEMENTATION

Water quality control plans and waste discharge requirements hereafter adopted by the State and Regional Boards under Division 7 of the California Water Code shall conform to this policy.

This policy and subsequent State plans will guide the regulatory, planning, and financial assistance programs of the State and Regional Boards. Specifically, they will (1) supersede any regional water quality control plans for the same waters to the extent of any conflict, (2) provide a basis for establishing or revising waste discharge requirements when such action is indicated, and (3) provide general guidance for the development of basin plans.

Water quality control plans adopted by the State Board will include minimum requirements for effluent quality and may specifically define the maximum constituent levels acceptable for discharge to various waters of the State. The minimum effluent requirements will allow discretion in the application of the latest available technology in the design and operation of wastewater treatment systems. Any treatment system which provides secondary treatment, as defined by the specific minimum requirements for effluent quality, will be considered as providing the minimum acceptable level of treatment. Advanced treatment systems will be required where necessary to meet water quality objectives.

Departures from this policy and water quality control plans adopted by the State Board may be desirable for certain individual cases. Exceptions to the specific provisions may be permitted within the broad framework of well established goals and water quality objectives.

## Title 19 BUILDINGS AND CONSTRUCTION

## Chapter 19.20 CONSTRUCTION STANDARDS

**19.20.222 Private sewage disposal systems.**

The use of a private, on-site sewage disposal system is allowed only within the rural areas of the county and within urban and village areas where no community sewage collection, treatment and disposal systems exist. Private sewage disposal systems shall be designed and constructed as provided by this section, in addition to satisfying all applicable requirements of the Uniform Plumbing Code. In the event of any conflict between the provisions of this section and the Uniform Plumbing Code, the most restrictive shall prevail.

(a) Legislative Findings. These regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board. To the extent that these regulations change applicable provisions of the California Health and Safety Code and California Code of Regulations as they would otherwise apply to local construction, the board of supervisors finds that the changes herein are necessary because of local geological and topographic conditions which involve limitations on the capability of soils in the unincorporated areas of San Luis Obispo County to effectively handle sewage effluent disposal from private sewage disposal systems. Such limitations include high groundwater, soils with poor percolation capability and steep slopes.

(b) General Requirements.

(1) Percolation Tests. Percolation tests may be required by the building official pursuant to Section 14 of the Uniform Plumbing Code.

(2) Minimum Site Area with Well. As required by the land use ordinance, Title 22 of this code, or the coastal zone land use ordinance, Title 23 of this code, an existing parcel that contains a water well may be approved for a private sewage disposal system only if the parcel is one acre or larger. A parcel smaller than one acre may use a private sewage disposal system only where the well serving the parcel is a public water supply or is located on another parcel that is one acre or larger. The minimum site area for a new parcel where a well and septic system are both proposed is determined by the land use ordinance, Title 22 of this code, and the coastal zone land use ordinance, Title 23 of this code.

(3) Minimum Site Area in Reservoir Watershed. Within any domestic reservoir watershed shown on Figure 19.20A or within any other reservoir watershed, all private sewage disposal systems shall be located on individual parcels of at least two and one-half acres or within subdivisions with a maximum density of two and one-half acres or more per dwelling unit. No land within a horizontal distance of two hundred feet from a reservoir, as determined by the spillway elevation, shall qualify for computing parcel size or density, or for septic system siting.

(c) Septic Tank and Leach Area Systems. On-site sewage disposal systems that utilize a buried tank for the processing of solids, and leaching areas, trenches or seepage pits for the disposal of liquid waste through soil infiltration shall be located, designed and constructed in accordance with all of the following standards:

(1) Minimum Site Characteristics. Septic tank and leach-area systems shall be used only where the proposed site can maintain subsurface disposal, and satisfy the following standards on a continuous basis, unless an exception is approved as set forth in subsection (d) of this section.

(A) Subsurface Geology. The proposed site for a soil absorption disposal area shall be free from soils or formations containing continuous channels, cracks or fractures, unless a setback distance of at least two hundred fifty feet to any domestic water supply well or surface water is assured.

(B) Site Flooding. No sewage disposal system shall be allowed within an area subject to inundation by a ten-year flood.

(C) Minimum Percolation Required. A percolation rate from zero to thirty minutes per inch of fall is sufficient to permit the use of leaching systems. Such systems shall not be used where percolation rates are slower than one hundred twenty minutes/inch unless the parcel is at least two acres. Such systems shall not be used where soil percolation rates are slower than sixty minutes/inch unless the effluent application rate is 0.1 gallon per day/square foot or less, using a minimum flow rate of three hundred seventy-five gpd/dwelling unit, or as provided by Uniform

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## VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- odors or nuisance;
- surfacing effluent;
- disease transmission; and,
- pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long-term use is not considered.
- Inadequate operation and maintenance.

### VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site.

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regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.

## VIII.D.2. LOCAL GOVERNING JURISDICTION ACTIONS

### VIII.D.2.a. DISCLOSURE AND COMPLIANCE OF EXISTING WASTEWATER DISPOSAL SYSTEM

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and, (3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set-aside area from encroachment, the local agency should require restrictions on future use of this area. **COC Exhibit I**  
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condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

#### **VIII.D.2.b. ON-SITE WASTEWATER MANAGEMENT PLANS**

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- Contain a ground/surface water monitoring program.
- Identify sites suitable for conventional septic systems.
- Project on-site disposal system demand.
- Determine sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be appropriate.

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means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

### **VIII.D.2.c. SEPTIC TANK MAINTENANCE DISTRICTS**

It may be appropriate for unsewered community on-site systems to be maintained by local sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs to plumbing or leachfields; and encourage water conservation measures.

### **VIII.D.3. CRITERIA FOR NEW SYSTEMS**

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section.

#### **VIII.D.3.a. SITE SUITABILITY**

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield<sup>1</sup> bottom at each proposed location.
2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.
3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.
4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be set-back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.
5. Natural ground slope of the disposal area should not exceed 20 percent.
6. For new land divisions, lot sizes less than one acre should not be permitted.

#### **VIII.D.3.b. SYSTEM DESIGN**

On-site systems should be designed according to the following recommendations:

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1. Septic tanks should be designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.
2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.
3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the down slope separation should be 50 feet.
4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

5. Seepage pit application rate should not exceed 0.3 gpd/sq. ft.
6. Drainfield<sup>[1]</sup> design should be based only upon usable permeable soil layers.
7. The minimum design flow rate should be 375 gallons per day per dwelling unit.
8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.
9. Distance between drainfield trenches should be at least two times the effective trench depth.
10. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
11. Dual disposal fields (200 percent of original calculated disposal area) are recommended.
12. For commercial systems, small institutions, or sanitary industrial systems, design should be based on daily peak flow.
13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.
15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

#### VIII.D.3.c. DESIGN FOR ENGINEERED SYSTEMS

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.
2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. Exceptions are:
  - a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.
  - b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.

#### VIII.D.3.d. CONSTRUCTION

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.
2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.
4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
5. Bottom of trenches or beds should be level throughout to prevent localized overloading.
6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.
7. Surface runoff should be diverted around open trenches/ pits to limit siltation of bottom area.
8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.
9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.
10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.
11. Drainfield should include an inspection pipe to check water level.

Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual: On-Site Wastewater Treatment and Disposal Systems.

#### **VIII.D.3.e. INDIVIDUAL SYSTEM MAINTENANCE**

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device; or (2) the sludge level is within eight inches of the bottom of the outlet device.
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.
4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

#### **VIII.D.3.f. COMMUNITY SYSTEM DESIGN**

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.
2. Design should be based upon peak daily flow estimates.
3. Design should consider contributions from infiltration throughout the collection system.
4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.
5. Operation and maintenance should be in accordance with accepted sanitary practice.

6. Maintenance manuals should be provided to system users and maintenance personnel.
7. Discharge should not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

### VIII.D.3.g. LOCAL AGENCIES

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve-inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.
3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.
4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.
5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.
6. Approve permit applications after checking plans for erosion control measures.
7. Inspect systems prior to covering to assure proper construction.
8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.
9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.
10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.
11. Conduct public education programs to provide property owners with operation and maintenance guidelines.
12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.
14. Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.
15. Ordinances should be updated to reflect Basin Plan criteria.

### VIII.D.3.h. ADDITIONAL CONSIDERATIONS

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.
2. Metering and water use costs should be used to encourage water conservation.

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3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.
4. Reverse osmosis unit blow-down should not be discharged to on-site wastewater treatment systems overlying usable ground water. Off-site (factory regeneration) practices are recommended for water softeners.
5. If on-site water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

**VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS**

**Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:**

1. Soils or formations contain continuous channels, cracks, or fractures.<sup>1</sup>
2. For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

<u>Percolation Rate, min/in</u>	<u>Distance, ft</u>
<1	50 <sup>1</sup>
1-4	20 <sup>1</sup>
5-29	8
>30	5

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:

<u>Soil</u>	<u>Distance, ft.</u>
Gravels <sup>2</sup>	50 <sup>1</sup>
Gravels with few fines <sup>3</sup>	20 <sup>1</sup>
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.
6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.
7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft<sup>2</sup> or less.
8. Areas subject to inundation from a ten-year flood.
9. Natural ground slope of the disposal area exceeds 30 percent.
10. Setback distances less than:

Minimum Setback  
Distance, ft

Domestic water supply wells in unconfined aquifer 100

Watercourse<sup>4</sup> where geologic conditions permit

water migration	100
Reservoir <sup>5</sup> spillway elevation	200
Springs, natural or any part of man-made spring	100

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.

<sup>1</sup> Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

<sup>2</sup> Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

<sup>3</sup> Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

<sup>4</sup> Watercourse - (1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some stream or body of water.

<sup>5</sup> Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

12. Within a reservoir<sup>1</sup> watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.
13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100 percent replacement area).
14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.
15. Any site unable to maintain subsurface disposal.
16. Any subdivision unless the subdivider clearly demonstrates the use of the system will be in the best public interest, that beneficial water uses will not be adversely affected, and compliance with all Basin Plan prohibitions is demonstrated.
17. Lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality.
18. Any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

**Discharges from community subsurface disposal systems (serving more than five parcels or more than five dwelling units) are prohibited unless:**

1. Seepage pits have at least 15 vertical feet between pit bottom and highest usable ground water, including perched ground water.
2. Sewerage facilities are operated by a public agency. (If a demonstration is made to the Regional Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable).
3. Dual disposal systems are installed (200 percent of total of original calculated disposal area).
4. An expansion area is included for replacement of the original system (300 percent total).
5. Community systems provide duplicate individual equipment components for components subject to failure.
6. Discharge does not exceed 40 grams per day of total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas excepting where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Regional Board.

**In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:**

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows:
  - a. Discharges shall be allowed, providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

<sup>1</sup> Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water. recreation, power, flood control, or drinking.

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

- a. Existing disposal system performance evaluations,
- b. Disposal system improvements,
- c. Inspection and maintenance of on-site systems,
- d. Community disposal system improvements,
- e. New development and expansion of existing system protocol and standards,
- f. Water quality monitoring and evaluation,
- g. Program administration management, and
- h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

- a. Parcel size limit,
- b. Wastewater Management Plan implementation,
- c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
- d. Shallow leachfield installation,
- e. Enhanced wastewater treatment for sandy soils,
- f. Enhanced wastewater treatment for large on-site disposal systems,
- g. Inclusion of nitrogen reduction in Waste Discharge Permits,
- h. Livestock and stable management,
- i. Protection of ground water recharge areas,
- j. Protection of riparian corridors and erosion control,
- k. Nitrate control for new uses,
- l. Scotts Valley nitrate discharge reduction, and
- m. Monitoring for nitrate in surface and ground water.

3. Discharges from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment "A" of Resolution No. 83-13 which can be found in Appendix A-30.

### **VIII.D.3.j. SUBSURFACE DISPOSAL EXEMPTIONS**

The Regional Board or Executive Officer may grant exemption to prohibitions for: (1) engineered new on-site disposal systems for sites unsuitable for standard systems; and (2) new or existing on-site systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including

geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Regional Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Engineered systems shall be designed only by registered engineers competent in sanitary engineering. Engineers should be responsible for proper system operation. Engineers should be responsible for educating system users of proper operation and maintenance. Maintenance schedules should be established. Engineered systems should be inspected by designer during installation to insure conformance with approved plans.

Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval.

Further information concerning individual, alternative, or community on-site sewage disposal systems can be found in Chapter 5 in the Management Principals and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Regional Board Policies may also apply depending on individual circumstances.

## VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction or timber harvesting may often begin and end with no obvious impairment of stream quality; however, erosion or land slides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silviculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only

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after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards according to the sensitivity of the area where land is to be disturbed.
4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Soil Conservation Service cooperative training arrangement or through seminars conducted by the USDA Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.
7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

## 6. ESTERO BAY HYDROLOGIC UNIT

Municipal wastewater management plans for the Estero Bay Hydrologic Unit are described for each of these four areas: North Coast, Morro Bay, San Luis Obispo Creek, and South County Regions. Table 4-5 displays dischargers summarized below.

Dischargers in the North San Luis Obispo Coast include Cambria Community Services District (1.0 mgd) and San Simeon Acres Community Services District (0.2 mgd).

Secondary treatment facilities at Cambria have a design capacity of 1.0 mgd and include a land outfall and spray irrigation system for effluent disposal, and an effluent holding reservoir. Excess effluent that cannot be spray-irrigated is pumped to the reservoir for later land disposal or discharged during wet weather through a sand filter bed to Van Gordon Creek. The District is evaluating land disposal improvements. Implementation of this plan is the responsibility of Cambria Community Services District.

San Simeon Acres Community Services District owns and operates a secondary treatment (activated sludge) plant with design capacity of 0.2 mgd. Wastewater visitor complex generated at Hearst Castle and within the community is treated and discharged to the Pacific Ocean through an ocean outfall. The recommended plan is to retain the treatment plant.

Dischargers in the Morro Bay area include the City of Morro Bay and Cayucos Sanitary District (2.1 mgd), California Men's Colony (CMC) (1.2 mgd), and Los Osos- Baywood septic tank leachfield systems.

The City of Morro Bay and the Cayucos Sanitary District jointly own treatment facilities with ocean outfall disposal. Wastewater is being treated by a newly constructed plant and discharged through a newly constructed ocean outfall. In order to maximize plant capacity and meet Ocean Plan requirements, part of the effluent receives primary treatment only and part receives secondary treatment. Primary and secondary quality effluents are blended before disposal to the Pacific Ocean in compliance with a secondary treatment waiver.

Recently renovated wastewater treatment facilities at California Men's Colony also serve the California National Guard Camp, Cuesta College, the County Educational Center, and the County Operational Facility. Secondary treatment with coagulation/filtration, and subsequent disposal to Chorro Creek (stream flow augmentation) are provided. Effluent is also used to irrigate fodder crops on nearby lands owned by California State Polytechnic University.

Development on small lots in Los Osos-Baywood has resulted in one of the most densely populated areas without public sewers on the central coast. Septic tank effluent is discharged in predominantly sandy soil over a ground water basin which is the sole source of water for the area. Some shallow wells have approached and exceeded the public health maximum nitrate concentration limit. The County of San Luis Obispo conducted a Clean Water Grant funded study of this situation. Study findings resulted in a Basin Plan Prohibition of discharges effective November 1, 1988. The County has not implemented the recommended project of sewerage the area. (A new septic system discharge prohibition now exists for the area).

Dischargers in the San Luis Obispo Creek area include the City of San Luis Obispo (5.1 mgd), Avila Beach County Water District (0.1 mgd), and San Luis Obispo County Service Area (CSA) No. 18, Country Club Estates (0.12 mgd).

The City of San Luis Obispo wastewater treatment facilities serve as a regional plant for the City and certain proximal unincorporated county areas. Trickling filters provide secondary treatment before disposal to San Luis Obispo Creek. Infiltration and inflow in the wastewater collection system causes excessive wet weather flows and intermittent discharges to San Luis Obispo Creek of partially treated wastewater. The recommended plan for San Luis Obispo is improving the collection and treatment facilities capacity to eliminate these discharges. The City's Wastewater Management Plan should be implemented to provide treatment necessary to comply with stringent permit requirements.

The small community of Avila Beach is served by a small advanced primary trickling filter wastewater treatment facility owned and operated by the Avila Beach County Water District. Design capacity of the plant was originally 0.18 mgd, but was downgraded in 1986 to 0.1 mgd as the NPDES permit was revised to include secondary treatment standards for trickling filters. Current average flow is only 0.07 mgd. Wastewater disposal is through an ocean outfall to the Pacific Ocean. Additional treatment and/or outfall modification will be necessary as flow increases. Oceanographic studies would be required to determine appropriate modifications (e.g., lengthen the outfall and add a multiport diffuser).

Country Club Estates (CSA No. 18) is a small subdivision in South San Luis Obispo County that historically relied on septic tank systems for wastewater treatment and disposal. A septic tank system performance survey completed in January, 1981,

identified significant public health hazards from numerous failing septic tank systems in the subdivision. The septic systems were replaced in 1988 by a small secondary treatment plant (0.12 mgd) with effluent disposal via golf course irrigation at the San Luis Obispo Golf and Country Club.

Dischargers in the South San Luis Obispo County Region include the City of Pismo Beach (1.2 mgd), South San Luis Obispo County Sanitation District (3.0 mgd) (serving the City of Arroyo Grande, City of Grover City, and Ocean Community Services District), and Lopez Recreation Area wastewater treatment plant (0.10 mgd). These dischargers provide secondary treatment of wastewater through three separate facilities. Pismo Beach has a land outfall to the South San Luis Obispo County Sanitation District ocean outfall. Plant reliability improvements were made in 1987. Future treatment plant enlargements should provide duplicate process units for improved operation and maintenance. A long range solids management plan must be developed and implemented.

South San Luis Obispo County Sanitation District disposes of secondary effluent through an ocean outfall to the Pacific Ocean. The District has enlarged its facilities to 3.0 mgd and changed from activated sludge to fixed film reactor. A long range solids management plan is also needed for this plant.

The Lopez Recreation Area treatment facilities serve County facilities adjacent to Lopez Lake. Lopez Lake serves as a municipal water supply for downstream coastal communities. It is recommended land disposal of wastes be continued. Ground water quality monitoring should be used to provide warning of any potential ground water problems downstream of the disposal area. Implementation of this plan is the responsibility of the County of San Luis Obispo.

# State Water Resources Control Board

## Mission Statement

The State Water Resources Control Board (State Board) and the nine (9) Regional Water Quality Control Boards (Regional Boards) work together to protect California's water resources. With passage of the Porter-Cologne Water Quality Control Act in 1969, the Boards together became the "principal state agencies with primary responsibility for the coordination and control of water quality." In 1991, the Boards were brought together with five other State environmental protection agencies under the newly crafted California Environmental Protection Agency (Cal/EPA).

The State Board is generally responsible for setting statewide water quality policy and considering petitions contesting Regional Board actions. The State Board is also solely responsible for allocation of surface water rights. The State Board is organized into four divisions encompassing three broad program areas and an administration function that supports not only the State Board, but also the nine Regional Boards. Five full-time, appointed Board members and over 550 employees work at the State Board.

Within the State Board, the Division of Water Quality is responsible for providing the statewide perspective on a wide range of water quality planning and regulatory functions, including regulation of activities affecting wetlands under Federal Clean Water Act and State Porter-Cologne Act programs. The Division of Water Rights may also at times be involved in regulating discharges to wetlands as they pertain to regulation of water storage or hydroelectric facilities.

The nine Regional Boards are each semi-autonomous and comprised of nine part-time Board members appointed by the Governor. Regional boundaries are based on and consistent with major State watersheds. Each Regional Board makes water quality planning and regulatory decisions for its region. These decisions include issuing State waste discharge requirements (discharge permits) or recommending Clean Water Act certification for activities affecting wetlands and other water bodies. Most Regional Board decisions can be appealed to the State Board. Together, the Regional Boards have over 650 employees working in 12 regional locations.

## Major Roles and Responsibilities in Wetlands Management

The State Board and the Regional Boards promulgate and enforce narrative and numeric water quality standards in order to protect water quality. Also, the Regional Boards adopt and the State Board approves Water Quality Control Plans (Basin Plans). Basin Plans identify (designate) legally-binding beneficial uses of water for water bodies, including wetlands, assign water quality objectives (criteria) to protect those uses, and establish appropriate implementation programs.

The State Board and the Regional Boards regulate discharges of harmful substances to surface waters including wetlands under the federal Clean Water Act (CWA) and the California Porter-Cologne Water Quality Control Act (Porter-Cologne). Discharges to dry land are regulated under Porter-Cologne. For discharges to most wetlands the Regional Boards have the lead permitting role and decide which regulatory instrument to use. Regional Boards may specify wetland restoration, enhancement, or mitigation as a condition of a permit to discharge to a wetland.

## Legal Mandate

The Porter-Cologne Act establishes a comprehensive program for the protection of water quality and beneficial uses of water. It applies to surface waters (including wetlands), groundwater, and point and non-point sources of pollution. The Regional Boards regulate discharges under Porter-Cologne primarily through the issuance of waste discharge requirements. Porter-Cologne provides several means of enforcement, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecution.

Section 401 of the Clean Water Act gives the State Board and Regional Boards the authority to regulate through water quality certification any proposed federally-permitted activity which may result in a discharge to water bodies, including wetlands. Among such activities are discharges of dredged or fill material permitted by the U.S. Army Corps of Engineers under § 404 of the CWA (e.g., navigational dredging; flood control channelization; levee construction; channel clearing; and fill of wetlands or other water bodies for land development). The State may issue, with or without conditions, or deny certification for activities which may result in such discharges.

**For more information on the State Water Resource Control Board contact:**

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# Chapter 1. Introduction

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## I. FUNCTION OF THE WATER QUALITY CONTROL PLAN (BASIN PLAN)

The objective of this Water Quality Control Plan for the Central Coastal Basin, or Basin Plan is to show how the quality of the surface and ground waters in the Central Coast Region should be managed to provide the highest water quality reasonably possible. Water uses and water benefits vary. Water quality is an important factor in determining use and benefit. For example, drinking water has to be of higher quality than the water used to irrigate pastures. Both are legitimate uses, but the quality requirements for irrigation are different from those for domestic use. The plan recognizes such variations.

This Basin Plan lists the various water uses (Beneficial Uses, Chapter Two). Second, it describes the water quality which must be maintained to allow those uses (Water Quality Objectives, Chapter Three). Federal terminology is somewhat different, in that beneficial uses and water quality objectives are combined and the combination is called Water Quality Standards. Chapter Four, the Implementation Plan, then describes the programs, projects, and other actions which are necessary to achieve the standards established in this plan. Chapter Five, Plans and Policies, summarizes State Water Resources Control Board (State Board) and Regional Water Quality Control Board (Regional Board) plans and policies to protect water quality. Chapter Six describes statewide surveillance and monitoring programs as well as regional surveillance and monitoring programs.

The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose waste discharges can affect water quality. These requirements can be either State Waste Discharge Requirements for discharges to land, or federally delegated National Pollutant Discharge Elimination System (NPDES) permits for discharges to surface water. Methods of treatment are not specified. When such discharges are managed so that: 1) they meet these requirements; 2) water quality objectives are met; and, 3) beneficial uses are protected, water quality is controlled.

The Basin Plan is also implemented by encouraging water users to improve the quality of their water supplies, particularly where the wastewater they discharge is likely to be reused. Public works or other projects which can affect water quality are reviewed and their impacts identified. Proposals which implement or help achieve the goals of the Basin Plan are supported; the Regional Board makes water quality control recommendations for other projects.

## II. LEGAL BASIS AND AUTHORITY

California's Porter-Cologne Water Quality Control Act (1969), which became Division Seven ("Water Quality") of the State Water Code, establishes the responsibilities and authorities of the nine Regional Water Quality Control Boards (previously called Water Pollution Control Boards) and the State Water Resources Control Board (SWRCB). The Porter-Cologne Act names these Boards "... the principal State agencies with primary responsibility for the coordination and control of water

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quality" (Section 13001). Each Regional Board is directed to "...formulate and adopt water quality control plans for all areas within the region." A water quality control plan for the waters of an area is defined as having three components: beneficial uses which are to be protected, water quality objectives which protect those uses, and an implementation plan which accomplishes those objectives (Section 13050). Further, "such plans shall be periodically reviewed and may be revised" (13240). The federal Clean Water Act (Public Law 92-500, as amended) provides for the delegation of certain responsibilities in water quality control and water quality planning to the states. Where the Environmental Protection Agency (EPA) and the SWRCB have agreed to such delegation, the Regional Boards implement portions of the Clean Water Act, such as the NPDES program and toxic substance control programs.

The Porter-Cologne and Clean Water Acts also describe how enforcement of waste discharge regulations is to be carried out. Enforcement tools available to the Regional Board range from simple letters to the discharger, through formal Regional Board order, and direct penalty assessments, to judicial abatement for civil and/or criminal penalties. Legally noticed public hearings are required for most actions, but some enforcement actions (e.g., Cleanup or Abatement Orders) have been delegated to staff to allow for a quicker response than regularly scheduled Regional Board meetings can provide.

### III. THE CENTRAL COASTAL REGION

One of nine Regional Water Quality Control Boards in California, the Central Coast Regional Board has jurisdiction over a 300-mile long by 40-mile wide section of the State's central coast. Its geographic area encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties as well as the southern one-third of Santa Clara County, and small portions of San Mateo, Kern, and Ventura Counties. Included in the region are urban areas such as the Monterey Peninsula and the Santa Barbara coastal plain; prime agricultural lands as the Salinas, Santa Maria, and Lompoc Valleys; National Forest lands, extremely wet areas like the Santa Cruz mountains; and arid areas like the Carrizo Plain. Figure 1-1 shows the Central Coast Regional boundary. Some physical characteristics of the Region are listed below:

#### CENTRAL COAST REGION<sup>1</sup>

<u>CHARACTERISTICS</u>	<u>NUMBER</u>	<u>MEASURE</u>
Area of Region	-	11,274 square miles
Streams	Unknown	2,360 miles
Lakes	99	25,040 acres
Ground Water Basins	53	3,559 square miles
Mainland Coast	-	378 miles
Wetlands and Estuaries	59	8,387 acres
Areas of Special Biological Significance	9	235,825 acres

<sup>1</sup> Water Quality Assessment for Water Years 1986 and 1987, Water Quality Monitoring Report No. 88-1 Water Quality, Division of Water Quality, State Water Resources Control Board, July, 1988.

Topographic features are dominated by a rugged seacoast and three parallel ranges of the Southern Coast Mountains. Ridges and peaks of these mountains, the Diablo, Gabilan, and Santa Lucia Ranges, reach to 5,800 feet. Between these ranges are the broad valleys of the San Benito and Salinas Rivers. These Southern Coast Ranges abut the west to east trending Santa Ynez Mountains of the Transverse Ranges that parallel the southern exposed terraces of the Santa Barbara Coast.

This coastal area includes urbanized and agricultural areas along Monterey Bay, the rugged Big Sur Coast, Morro Bay with its famous rock, the sandy clam beds of Pismo Beach, and a varied coastline south to Point Conception and eastward along the terraces and recreational beaches which line the Santa Barbara Channel. The inland valleys and cities reflect an agricultural, oil, and tourism economy, as well as the early history of California expressed in the architectural styles of the famous Spanish missions which are found throughout this region.

The trend of the mountain ranges, relative to onshore air mass movement, imparts a marked climatic contrast between seacoast, exposed summits, and interior basins. Variations in terrain, climate, and vegetation account for a multitude of different landscapes. Seacliffs, sea stacks, white beaches, cypress groves, and redwood forests along the coastal strand contrast with the dry interior landscape of small sagebrush, short grass, and low chaparral.

In times past, the beaches and ocean waters offshore have been prolific producers of clams, crustaceans, and important sport and commercial fish. Past fishing practices and disruption of habitat have reduced fishery resources; protective controls are now in effect. Terrestrial wildlife includes a wide range of valley and upland species including the more common raccoon, quail, bear, and deer. Rare, endangered, or unique species include various shore birds, the Morro Bay Kangaroo rat, the European boar, and the California condor. The Sespe Condor Range serves as a sanctuary for this impressive bird.

Historically, the economic and cultural activities in the basin have been agrarian. Livestock grazing persists, but it has been combined with hay cultivation in the valleys. Irrigation, with pumped local ground water, is very significant in intermountain valleys throughout the basin. Mild winters result in long growing seasons and continuous cultivation of many vegetable crops in parts of this basin.

While agriculture and related food processing activities are major industries in the region, oil production, tourism, and manufacturing contribute heavily to its economy. The northern part of the region has experienced a significant influx of electronic manufacturing industry, and the southern part is being heavily influenced by expanded offshore oil exploration and production.

The Central Coast Region has three times the volume of average annual precipitation (12,090,000 acre-feet) as the Los Angeles Region, but one-seventh the population (1.2 million versus 8 million). The North Coast Region receives 52 million acre-feet of precipitation on the average with a population of 460,000. These three regions demonstrate the range of California's water and population distribution imbalance:

<u>Region</u>	<u>Annual Average Precipitation (Ac. Ft.) per Person</u>
North Coast	113.0
Central Coast	9.9
Los Angeles	0.56

Although this table shows the Central Coast is somewhat in the middle of the State's water-versus-population distribution, the region is considered arid for the most part. An exception is the Santa Cruz mountain area with its relatively high average precipitation.

Total population of the region is estimated to be 1.22 million people. San Luis Obispo County continues to grow more rapidly than other large counties in the region. The population of San Luis Obispo County has doubled since 1970:

#### CENTRAL COAST REGION POPULATION

<u>County</u>	<u>1970</u>	<u>1988</u>
Santa Cruz	124,000	225,400
Santa Clara (South)	29,000	65,800
San Benito	18,000	34,100
Monterey	249,000	346,100
San Luis Obispo	107,000	204,300
Santa Barbara	<u>265,000</u>	<u>345,000</u>
Total <sup>1</sup>	792,000	1,220,700

<sup>1</sup>Table does not include relatively small populations of portions of Ventura, Kern, and San Mateo Counties that are within the Central Coast Region.

Adequate quality water for many beneficial uses in the Central Coastal Basin is in short supply. Water rationing for domestic purposes is seriously considered and sometimes implemented during water shortages. The use of water by the human population and its activities is increasing in the basin. Water mining and seawater intrusion have resulted in some locations.

Consequently, the competition for waters of adequate quality will become more intense in the future.

Water quality problems most frequently encountered in the Central Coastal Basin pertain to excessive salinity or hardness of local ground waters. Ground water basins containing 1000 mg/l Total Dissolved Solids (TDS) or higher are found near Hollister, the Lower Forebay of the Salinas Sub-basin, the Carrizo Plain, the Santa Maria and Cuyama Valleys, San Antonio Creek Valley, Lompoc and Santa Rita Basins of the Santa Ynez River Valley, and Goleta and Santa Barbara. The Carrizo Plain ground waters are most highly mineralized --- averaging over 5,000 mg/l TDS. Increasing nitrate concentrations is a growing problem in the Salinas River Basin, Los Osos Creek Basin, the Santa Maria Valley, and near Arroyo Grande. Surface water problems are less frequently evident, although bacteriological contamination of coastal waters has been a problem in Morro Bay and South Santa Barbara County. Eutrophication occurs in Pajaro River and Llagas Creek, Salinas River below Spreckels, and in the lower reaches of San Luis Obispo Creek. Some streams in the basin are naturally highly mineralized and contribute to the excessive salinity of local ground waters; examples include Pancho Rico Creek in the Salinas River Sub-basin, and the Cuyama River in the Santa Maria Sub-basin. Both surface waters contain in excess of 1000 mg/l TDS.

## IV. THE REGIONAL BOARD

The Regional Board consists of nine members appointed by the Governor to serve staggered four-year terms. Members must reside or maintain a place of business within the Region and must be associated with or have special knowledge of specific activities related to the control of water quality. Members of the Regional Board conduct their business at regular meetings and public hearings at which public participation is encouraged.

All duties and responsibilities of the Regional Board are directed at providing reasonable protection and enhancement of the quality of all waters in the Region, both surface and underground. The programs by which these duties and responsibilities are carried out include:

- Preparing new or revised policies addressing region-wide water quality concerns;
- Adopting, monitoring compliance with, and enforcing waste discharge requirements and NPDES permits;
- Providing recommendations to the State Board on financial assistance programs, proposals for water diversion, budget development, and other statewide programs and policies;
- Coordinating with other public agencies which are concerned with water quality control; and
- Informing and involving the public on water quality issues.

## V. HISTORY OF BASIN PLANNING AND THE BASIN PLAN

Prior to 1970, the Regional Board did not have an active water quality planning function. Water quality problems in surface streams and ground water were responded to by setting controls on discharges. Those discharge controls generally consisted of limiting the allowable increases in TDS concentrations and certain other parameters. Normally, the only additional requirement specified by the Regional Board was that the discharge could not create a nuisance or pollution.

At the request of the federal Water Quality Administration, predecessor to the EPA (and successor to the federal Water Pollution Control Administration), the so-called 1967 Standards were developed and published. These standards applied to coastal and estuarine waters.

By 1970, the Regional Board was actively involved in the formulation of plans to meet established water quality objectives. The federal Clean Water Act and the Porter-Cologne Act, requiring basinwide planning in order to qualify for state and federal funding, plus the National Pollution Discharge Elimination System (NPDES), which empowers the states to set discharge standards, placed new tools in the hands of the Regional Boards and encouraged the development of new approaches to water quality management.

The first single plan for this Region was the 1971 Interim Water Quality Control Plan. It represented significant progress in that the 1967 Standards were incorporated and standards were designated for fresh water streams as well.

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Following adoption of the 1971 Interim Plan, the State Board developed and adopted the Ocean Plan and the Thermal Plan. The Regional Board expanded objectives for municipal and domestic water supplies. Chemical objectives for the San Lorenzo River Sub-basin were made more stringent. Incorporation of these State Board plans and Regional Board revisions produced the Revised Interim Water Quality Control Plan of 1973.

Work then began in earnest on a complete Water Quality Control Plan, the 1975 Basin Plan, which has been the foundation of the Regional Board's planning operations since its adoption in 1975. Basin Plans were being developed statewide at that time under the direction of the State Water Resources Control Board (SWRCB). In this region, the prime contractors for basin planning were Brown and Caldwell Consulting Engineers; Water Resources Engineers, Inc.; and Yoder, Trottnier, Orlob and Associates. Water quality objectives were based largely on existing water quality.

After adoption of the 1975 Basin Plan, some thirty-eight amendments were made to the Basin Plan. Management of those amendments became cumbersome and led to the need for a Basin Plan reprint which included all current amendments. This document is intended to fulfill that need.

## VI. TRIENNIAL REVIEW AND BASIN PLAN AMENDMENT PROCEDURE

The federal Clean Water Act (Section 303(c)) requires states to hold public hearings for review of water quality standards at least once every three years. Water quality standards consist of beneficial use designations and water quality criteria (objectives) necessary to protect those uses. The Porter-Cologne Water Quality Control Act requires the entire Basin Plan to be reviewed periodically. While a major part of the review process consists of identifying potential problems, an important part of the review is the reaffirmation of those portions of the plan where no potential problems are identified.

At the conclusion of the triennial review public hearing, Regional Board staff prepares a priority list of potential problems to the Basin Plan that may result in amendments. Placing a potential problem on the priority list will only require the Regional Board staff to investigate the need for an amendment. It does not necessarily mean a revision of the water quality control plan will be made.

Other items completed after the public hearing include:

- Detailed workplans of each issue;
- Regional Board identification of issues that can be completed within existing resource allocations over a three-year period; and
- List of issues requiring additional resources to complete.

Once the triennial review process is complete, Regional Board staff begin investigating the issues in order of rank. After each investigation, staff determines the need for a Basin Plan amendment.

Basin Plan amendments can also occur for issues not identified during the triennial review. Amendments can occur for urgent issues to reflect new legislation.

Basin Plan amendment hearings are advertised in the public notice section of a newspaper circulated in areas affected by the amendment. Persons interested in a particular issue can also notify the Regional Board staff of their interest in being notified of hearings on that topic.

Basin Plan amendments do not become effective until approved by the State Board. Surface water standards also require the approval of the Environmental Protection Agency to become effective.

### VI.A. CONTINUING PLANNING

The Basin Plan is a flexible tool which must be reviewed and revised regularly for it to adapt to changing conditions. "Continuing planning" allows this to occur. The following section prioritizes Regional Board tasks and resources. This

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ranked list is referred to as the "Triennial Review List" and is shown in Table 1-1.

Items listed were ranked in order of priority by the Regional Board on May 6, 1988 and July 8, 1988. Each item is followed by an estimate of staff time needed to complete the item (actual time and duration). For those items requiring contract funding, estimated contract needs are identified following the description of each item. Resolution of these items may result in future Basin Plan amendments.

21080.5. (a) Except as provided in Section 21158.1, when the regulatory program of a state agency requires a plan or other written documentation containing environmental information and complying with paragraph (3) of subdivision (d) to be submitted in support of an activity listed in subdivision (b), the plan or other written documentation may be submitted in lieu of the environmental impact report required by this division if the Secretary of the Resources Agency has certified the regulatory program pursuant to this section.

(b) This section applies only to regulatory programs or portions thereof that involve either of the following:

(1) The issuance to a person of a lease, permit, license, certificate, or other entitlement for use.

(2) The adoption or approval of standards, rules, regulations, or plans for use in the regulatory program.

(c) A regulatory program certified pursuant to this section is exempt from Chapter 3 (commencing with Section 21100), Chapter 4 (commencing with Section 21150), and Section 21167, except as provided in Article 2 (commencing with Section 21157) of Chapter 4.5.

(d) To qualify for certification pursuant to this section, a regulatory program shall require the utilization of an interdisciplinary approach that will ensure the integrated use of the natural and social sciences in decisionmaking and that shall meet all of the following criteria:

(1) The enabling legislation of the regulatory program does both of the following:

(A) Includes protection of the environment among its principal purposes.

(B) Contains authority for the administering agency to adopt rules and regulations for the protection of the environment, guided by standards set forth in the enabling legislation.

(2) The rules and regulations adopted by the administering agency for the regulatory program do all of the following:

(A) Require that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen a significant adverse effect that the activity may have on the environment.

(B) Include guidelines for the orderly evaluation of proposed activities and the preparation of the plan or other written documentation in a manner consistent with the environmental protection purposes of the regulatory program.

(C) Require the administering agency to consult with all public agencies that have jurisdiction, by law, with respect to the proposed activity.

(D) Require that final action on the proposed activity include the written responses of the issuing authority to significant environmental points raised during the evaluation process.

(E) Require the filing of a notice of the decision by the administering agency on the proposed activity with the Secretary of the Resources Agency. Those notices shall be available for public inspection, and a list of the notices shall be posted on a weekly basis in the Office of the Resources Agency. Each list shall remain posted for a period of 30 days.

(F) Require notice of the filing of the plan or other written documentation to be made to the public and to a person who requests, in writing, notification. The notification shall be made in a manner that will provide the public or a person requesting notification with sufficient time to review and comment on the filing.

(3) The plan or other written documentation required by the

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regulatory program does both of the following:

(A) Includes a description of the proposed activity with alternatives to the activity, and mitigation measures to minimize any significant adverse effect on the environment of the activity.

(B) Is available for a reasonable time for review and comment by other public agencies and the general public.

(e) (1) The Secretary of the Resources Agency shall certify a regulatory program that the secretary determines meets all the qualifications for certification set forth in this section, and withdraw certification on determination that the regulatory program has been altered so that it no longer meets those qualifications. Certification and withdrawal of certification shall occur only after compliance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(2) In determining whether or not a regulatory program meets the qualifications for certification set forth in this section, the inquiry of the secretary shall extend only to the question of whether the regulatory program meets the generic requirements of subdivision (d). The inquiry may not extend to individual decisions to be reached under the regulatory program, including the nature of specific alternatives or mitigation measures that might be proposed to lessen any significant adverse effect on the environment of the activity.

(3) If the secretary determines that the regulatory program submitted for certification does not meet the qualifications for certification set forth in this section, the secretary shall adopt findings setting forth the reasons for the determination.

(f) After a regulatory program has been certified pursuant to this section, a proposed change in the program that could affect compliance with the qualifications for certification specified in subdivision (d) may be submitted to the Secretary of the Resources Agency for review and comment. The scope of the secretary's review shall extend only to the question of whether the regulatory program meets the generic requirements of subdivision (d). The review may not extend to individual decisions to be reached under the regulatory program, including specific alternatives or mitigation measures that might be proposed to lessen any significant adverse effect on the environment of the activity. The secretary shall have 30 days from the date of receipt of the proposed change to notify the state agency whether the proposed change will alter the regulatory program so that it no longer meets the qualification for certification established in this section and will result in a withdrawal of certification as provided in this section.

(g) An action or proceeding to attack, review, set aside, void, or annul a determination or decision of a state agency approving or adopting a proposed activity under a regulatory program that has been certified pursuant to this section on the basis that the plan or other written documentation prepared pursuant to paragraph (3) of subdivision (d) does not comply with this section shall be commenced not later than 30 days from the date of the filing of notice of the approval or adoption of the activity.

(h) (1) An action or proceeding to attack, review, set aside, void, or annul a determination of the Secretary of the Resources Agency to certify a regulatory program pursuant to this section on the basis that the regulatory program does not comply with this section shall be commenced within 30 days from the date of certification by the secretary.

(2) In an action brought pursuant to paragraph (1), the inquiry shall extend only to whether there was a prejudicial abuse of discretion by the secretary. Abuse of discretion is established if

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the secretary has not proceeded in a manner required by law or if the determination is not supported by substantial evidence.

(i) For purposes of this section, a county agricultural commissioner is a state agency.

(j) For purposes of this section, an air quality management district or air pollution control district is a state agency, except that the approval, if any, by a district of a nonattainment area plan is subject to this section only if, and to the extent that, the approval adopts or amends rules or regulations.

(k) (1) The secretary, by July 1, 2004, shall develop a protocol for reviewing the prospective application of certified regulatory programs to evaluate the consistency of those programs with the requirements of this division. Following the completion of the development of the protocol, the secretary shall provide a report to the Senate Committee on Environmental Quality and the Assembly Committee on Natural Resources regarding the need for a grant of additional statutory authority authorizing the secretary to undertake a review of the certified regulatory programs.

(2) The secretary shall provide a significant opportunity for public participation in developing the protocol described in paragraph (1) including, but not limited to, at least two public meetings with interested parties. A notice of each meeting shall be provided at least 10 days prior to the meeting to a person who files a written request for a notice with the agency.

21080.8. This division does not apply to the conversion of an existing rental mobilehome park to a resident initiated subdivision, cooperative, or condominium for mobilehomes if the conversion will not result in an expansion of or change in existing use of the property.

21080.9. This division shall not apply to activities and approvals by any local government, as defined in Section 30109, or any state university or college, as defined in Section 30119, as necessary for the preparation and adoption of a local coastal program or long-range land use development plan pursuant to Division 20 (commencing with Section 30000); provided, however, that certification of a local coastal program or long-range land use development plan by the California Coastal Commission pursuant to Chapter 6 (commencing with Section 30500) of Division 20 shall be subject to the requirements of this division. For the purpose of Section 21080.5, a certified local coastal program or long-range land use development plan constitutes a plan for use in the California Coastal Commission's regulatory program.