

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400
www.coastal.ca.gov

W3

NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

November Meeting of the California Coastal Commission

MEMORANDUM

Date: November 12, 2008

TO: Commissioners and Interested Parties
FROM: Charles Lester, North Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Central Coast District Office for the November 12, 2008 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

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

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

DE MINIMIS WAIVERS

1. 2-07-025-W San Francisco Public Utilities Commission (SFPUC), Attn: General Manager Susan Leal (, San Francisco County)

IMMATERIAL AMENDMENTS

1. 2-07-040-A1 Chris Mickelsen (Half Moon Bay, San Mateo County)
2. 2-07-028-A1 City Of Pacifica, Attn: Elizabeth Claycomb, Project Coordinator (Pacifica, San Mateo County)

TOTAL OF 3 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
2-07-025-W San Francisco Public Utilities Commission (SFPUC), Attn: General Manager Susan Leal	Install a new 1,000 gallon above-ground diesel fuel oil tank, associated piping and auxiliary equipment to power the emergency generator at the Zoo Wet Weather Lift Station (ZWS), as detailed in the project description, on file with the North Central Coast District Office. Also, obtain authorization for the previously constructed below-grade, approximately 1,100 square foot ZWS and the one-story, 17-foot tall, approximately 500 square foot Motor Control Center/Generator Building, as shown in the project plans, on file with the North Central Coast District Office. Two existing 3/4-inch Diesel Fuel Oil Transfer Lines would be flushed and pulled out and the 4-inch secondary containment lines would be filled with grout and abandoned. Construction and staging would take place inside the fenced Lift Station property and would not impact pedestrian or vehicular access to the Zoo or to the beach. To protect water quality while flushing the existing fuel lines, a low profile catchment would be used to collect residual fuel at the low point; absorbent material would serve as a backup; and a secondary HDPE liner would be placed to ensure waste oil does not leak into the surrounding soils. The proposed above-ground diesel fuel oil tank would have a Hazardous Material Management Plan, spill prevention kit, spill bucket, and moisture sensor in place.	3000 Great Highway & Zoo Wet Weather Lift Station 2995 Sloat Blvd (Assessor's Block 7281, Lot 006), San Francisco County

REPORT OF IMMATERIAL AMENDMENTS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
2-07-040-A1 Chris Mickelsen	To extend permit until July 25, 2009 and allow retention of the stockpile until that time. All other permit conditions remain in effect including all requirements for Best Management Practices detail on Sheet C-2 of the original project submittal that details erosion control measures for the allowed stockpiles and the project site.	350 & 380 Princeton Avenue, Half Moon Bay (San Mateo County)
2-07-028-A1 City Of Pacifica, Attn: Elizabeth Claycomb, Project Coordinator	Place an additional 1000 tons of new 8-10 ton stones within the previously approved footprint, and delete special condition 4.B. to allow construction activity throughout the year.	Beach Blvd Revetment, Pacifica (San Mateo County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 29, 2008
TO: San Francisco Public Utilities Commission (SFPUC), Attn: General Manager Susan Leal
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 2-07-025-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: San Francisco Public Utilities Commission (SFPUC), Attn: General Manager Susan Leal

LOCATION: 3000 Great Highway & Zoo Wet Weather Lift Station 2995 Sloat Blvd (Assessor's Block 7281, Lot 006), San Francisco County

DESCRIPTION: Install a new 1,000 gallon above-ground diesel fuel oil tank, associated piping and auxiliary equipment to power the emergency generator at the Zoo Wet Weather Lift Station (ZWS), as detailed in the project description, on file with the North Central Coast District Office. Also, obtain authorization for the previously constructed below-grade, approximately 1,100 square foot ZWS and the one-story, 17-foot tall, approximately 500 square foot Motor Control Center/Generator Building, as shown in the project plans, on file with the North Central Coast District Office. Two existing 3/4-inch Diesel Fuel Oil Transfer Lines would be flushed and pulled out and the 4-inch secondary containment lines would be filled with grout and abandoned. Construction and staging would take place inside the fenced Lift Station property and would not impact pedestrian or vehicular access to the Zoo or to the beach. To protect water quality while flushing the existing fuel lines, a low profile catchment would be used to collect residual fuel at the low point; absorbent material would serve as a backup; and a secondary HDPE liner would be placed to ensure waste oil does not leak into the surrounding soils. The proposed above-ground diesel fuel oil tank would have a Hazardous Material Management Plan, spill prevention kit, spill bucket, and moisture sensor in place.

RATIONALE: Proposed development involves no significant impacts on coastal resources or public access to the shoreline.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, November 12, 2008, in Long Beach. If four Commissioners object to this waiver, a coastal development permit will be required.

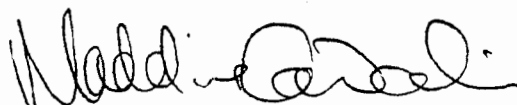
Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Coastal Commission Reference No. 2-07-025-W

Date: 10/29/2008

Page 2

Sincerely,
PETER M. DOUGLAS
Executive Director



By: MADELINE CAVALIERI
Coastal Program Analyst

cc: Local Planning Dept.

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: ^{UP for} Peter Douglas, Executive Director
DATE: November 7, 2008
SUBJECT: **Permit No: 2-07-040-A1**
Granted to: Chris Mickelsen

Original Description:

for **Revised Project Description per submittal of 2/8/2008: Remediation Project consistent with Settlement Agreement - December 11, 2001. Removal of unpermitted fill including rip-rap and construction debris along Ocean Blvd - per Plans C-1. Removal of existing concrete pad.**

at **350 & 380 Princeton Avenue, Half Moon Bay (San Mateo County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

To extend permit until July 25, 2009 and allow retention of the stockpile until that time. All other permit conditions remain in effect including all requirements for Best Management Practices detail on Sheet C-2 of the original project submittal that details erosion control measures for the allowed stockpiles and the project site.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

Requested amendment is not a material change to the permit.

If you have any questions about the proposal or wish to register an objection, please contact Charles Lester at the North Central Coast District office.

cc: Local Planning Dept.

Kerry Burke

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**Memorandum****November 7, 2008**

To: Commissioners and Interested Parties

FROM: Charles Lester, Deputy Director
 North Central Coast District

Re: **Additional Information for Commission Meeting Wednesday,
 November 12, 2008**

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
W5a	CITY OF HALF MOON BAY LCP AMEND Major 1-08 (Callan Rezoning) Time Ext.	Correspondence, Kerry Burke	1
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Staff Addendum	
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Herman Kalfen	15
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Stella Johnson	5
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Bill Mahar	10
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Ray Krieger	13
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Herman Kalfen	15
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Alta Vista Neighborhood Alliance	20
W6a	2-06-006 MONTARA WATER & SANITARY DIST.	Correspondence, Charles Westbrook	39

NOV 06 2008

CALIFORNIA
COASTAL COMMISSIONKerry L. Burke

34 Amesport Landing, Half Moon Bay, CA 94019

Burkelanduse@gmail.com / 650-726-1738

November 5, 2008

California Coastal Commission
North Central Coast District
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Subject: Time Extension for Half Moon Bay Major Local Coastal Program Amendment HMB-MAJ-1-08

Dear Commissioners and Staff,

I represent the Callan family in this rezoning request for property located at Magnolia Ave, Half Moon Bay. The property owner is in no position to oppose the request for a time extension, however they do request quick resolution to a very simple project that involves less than an acre of existing residential zoned property. This rezoning request will not require a change in the General Plan/Local Coastal Plan designation of medium residential, just a minor change in the development standards.

The characterization of the Callan rezoning as a "Major Amendment" seems misleading. The project involves a reversion to the previously approved single-family residential zoning designation of R-1/B-1. The General Plan/Local Coastal Plan designation for the Callan property on Magnolia is Medium Density Residential and will remain unchanged per our project proposal. The proposed zoning change from R-1/B-2 (7,500 square foot minimum and 75' lot width) to R-1/B-1 (6,000 square feet and 60 foot lot width) is a minor zoning change that is not only consistent with the existing General Plan/ Local Coastal Program land use designation, but also consistent with the development pattern of all the surrounding developed lots.

The City of Half Moon Bay has approved this minor change of the zoning standards that would result in the merger of lots and a reduction in the number of substandard lots or variances that could be approved for this property. This is an infill project of approximately 35,000 square feet and should not take up significant Coastal Commission staff time in the processing of this application. Dr. Lester is aware of this project and has discussed this matter with me. I look forward to working with your staff to a timely conclusion of this matter.

Respectfully submitted,

Signature on File

Kerry Burke

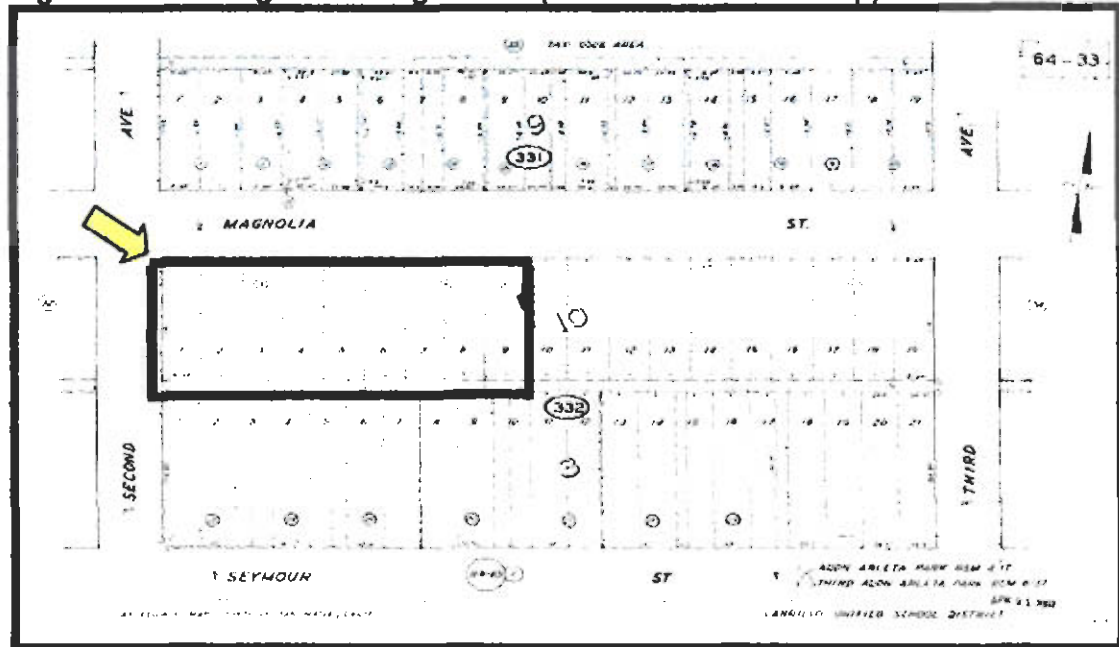
Attachment: Vicinity Aerial Photos with Existing Lot Configuration
Proposed Zoning mapCc: T. & G. Callan, property owners and Jennifer Desler, property owner
Peter Douglas, CCC
Charles Lester, CCC
Ruby Pap, CCC
Madeline Cavaleri, CCC
Steve Flint, City of Half Moon Bay

Figure 2 – Vicinity Aerial Photo



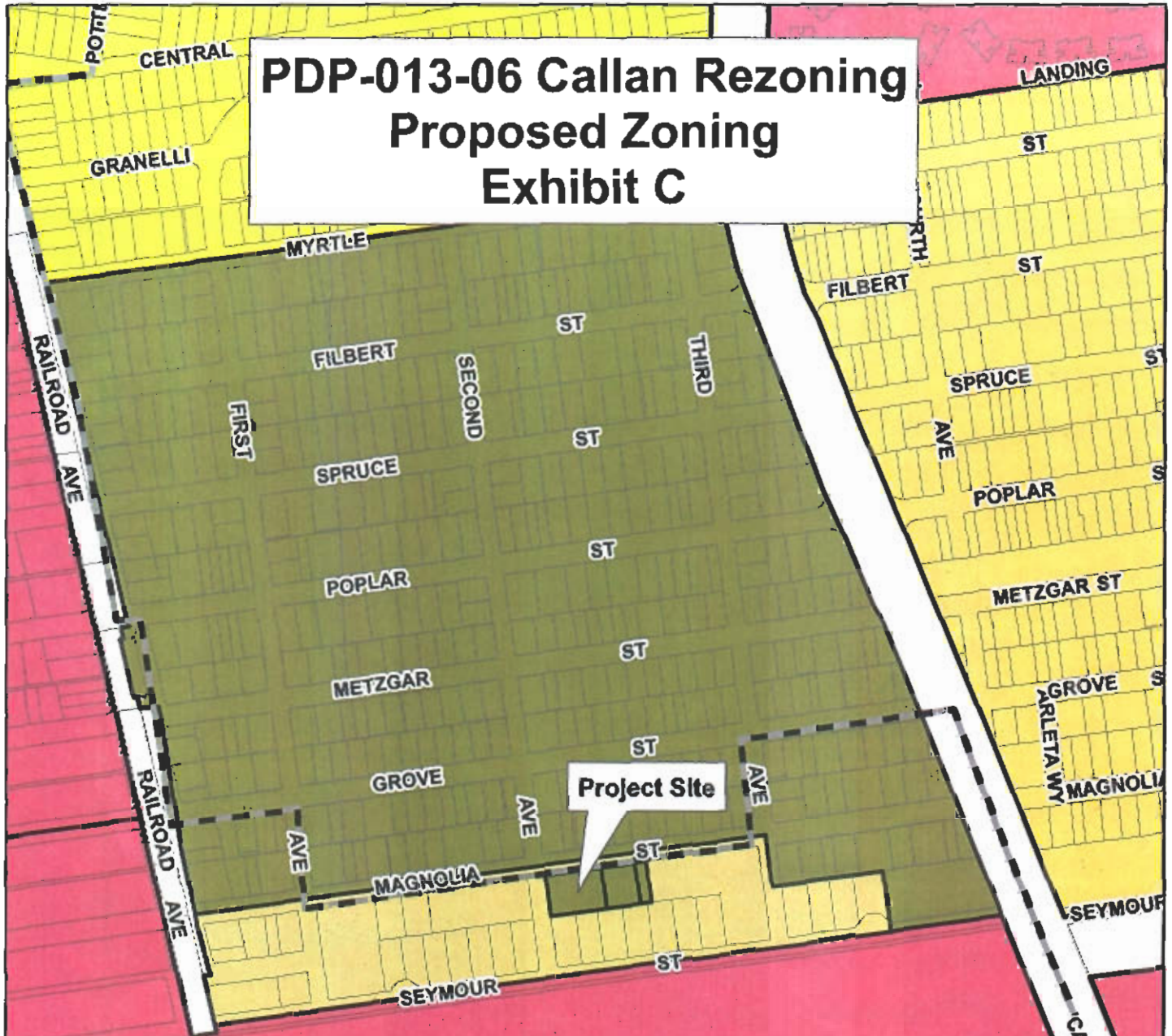
Source: Google Earth. (Boundary lines of project site are approximate.)

Figure 3 – Existing Lot Configuration (Assessor's Parcel Map)



(Lines drawn are approximate.)

PDP-013-06 Callan Rezoning Proposed Zoning Exhibit C



Legend

- - - CCC Appeal Zone

Proposed R-1-B-1 Zoning

Zoning Districts

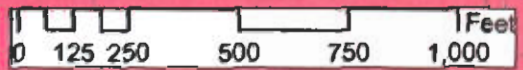
R-1 Single Family Residential (5,000 sq.' lot)

R-1-B-1 Single Family Residential (6,000 sq.' lot)

R-1-B-2 Single Family Residential (7,500 sq.' lot)

R-2 Two Family Residential

PUD Planned Unit Development



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W6a



November 12, 2008

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
 Charles Lester, Deputy Director
 Ruby Pap, North Central Coast District Supervisor

SUBJECT: **Addendum to Staff Report for Montara Water and Sanitary District Public Works Plan Phase I (Application No. 2-06-006)**

Based on discussions with the Montara Water and Sanitary District, staff recommends that the staff report be revised as described below.

I. Change Suggested Modifications as follows (text to be added by this addendum shown in **bold underline and italics**. Text to be deleted by this addendum shown in **~~bold strikethrough and italics~~**):

1) The District shall make the following changes to the text of the Public Works Plan Phase I document:

- a) The District shall update all the Public Works Plan Phase I project description(s) to reflect the new proposed Alta Vista Tank location and specifications as shown in CDM Alta Vista Tank Figure 2, dated August 13, 2008, SRT Consultants Plan View of Proposed 1 MG Steel Water Tank Site and Cross Sections of Proposed Alta Vista Tank dated 9/26/2008 and the Terrasearch Geotechnical Investigation Report dated August 14, 2008 (Exhibit 5). **The updated project descriptions may reflect that other materials besides steel may be used, but poured in place or cast in place concrete will not be used.**

...

- c) The District shall replace Table 4-1 (Storage Capacity) of the Public Works Plan Phase I with the following table:

Existing (gallons):	Storage	Proposed Storage(gallons):	Comment:
Portola Estate 100,000		Portola Estate 100,000	No Change
Schoolhouse 100,000		Schoolhouse 0	Demolished <u>or Repaired</u>

Alta Vista 462,000	Alta Vista 462,000	No Change
	New Schoolhouse 200,000	New
	New Alta Vista 1,000,000	New
Total: 662,000	Total: 1,762,000	

...

- g) In addition, in the Project Components table, in the parameters for the Alta Vista Water Storage Tank, the District Shall change the height to **not exceed** 18 feet **above the ridgeline** and the elevation to 518 feet above sea level.
- h) The District shall amend the language of Section 4 "Project Description" of the Public Works Plan Phase I Document as follows:
- Construction of a one or two new water storage tank(s) (Schoolhouse Tank(s)) adjacent to and in place of (if two are built) the existing Schoolhouse water storage tank. **If a two-tank option is chosen, the existing Schoolhouse Tank may be repaired for use as one of the two tanks, if an inspection report signed by a licensed structural engineer that is reviewed and approved by the Executive Director shows that the repaired tank would be seismically sound.**
- i) The District shall add the following to the project elements for the Schoolhouse Water Tank in the "Project Components" table in the Public Works Plan Data section of the Public Works Plan Phase I Document:
- i) Construction of a steel water storage tank with a capacity of 200,000 gallons OR construction of two steel water storage tanks, each with a capacity of 100,000 gallons. If a two-tank option is chosen, the existing Schoolhouse Tank may be repaired for use as one of the two tanks, if an inspection report signed by a licensed structural engineer that is reviewed and approved by the Executive Director shows that the repaired tank would be seismically sound.

...

- 2) The District shall add the following development standards to the Public Works Plan Phase I document:
- c) Construction of the Schoolhouse Tank(s) shall conform to the specifications and recommendations contained in the Geotechnical Investigation Report for

Proposed Schoolhouse and Alta Vista Tank Sites, Montara, California prepared by Terrasearch, Inc. dated August 4, 2005. ***If a two-tank option is chosen, the existing Schoolhouse Tank may be repaired for use as one of the two tanks, if an inspection report signed by a licensed structural engineer that is reviewed and approved by the Executive Director shows that the repaired tank would be seismically sound.***

...

- f) Mitigation Measure No. 3.3-1 shall be modified as follows:
Tree removal ***and all other activities associated with tank construction*** shall be performed between September 1 and January 30 to prevent disturbance to bird nests. If tree clearing ***and all other activities associated with tank construction*** is desired outside of this period, a pre-construction survey for nesting birds shall be conducted prior to clearing of trees ***and all other activities associated with tank construction***. The survey will be conducted by a qualified biologist no more than 30 days prior to initiation of clearing ***or construction***. The survey shall include any areas proposed for any activities such as earthmoving. If occupied migratory bird nests are found within 250 feet of the construction zone, clearing shall not begin until after the nests are protected by an adequate setback (in general, 50 feet for passerines and 250 feet for raptors) defined by a qualified biologist.

...

- n) New water supply, storage, and transmission ~~capacity~~ ***facilities*** authorized by and pursuant to PWP 2-06-006 is limited to ~~the MWSD service area~~ ***those areas served by the District as of 11/12/08*** and shall not be used for any new water connections, or for the extension of water mains into rural areas, including rural areas ***designated Open Space or Agriculture*** within the urban/rural boundary, for any purpose, including for the purpose of ~~personal private~~ ***fire protection (e.g. fire hydrants)***. Proposals for any future water facility development connected to or using water system components or infrastructure authorized pursuant to PWP 2-06-006 shall require an amendment of the PWP as described in (p) ***except for repair and maintenance activities as defined by Coastal Act Section 30610(d), which shall require coastal authorization from San Mateo County, either in the form of a coastal development permit or a coastal development permit exemption as determined by Section 6328.5(d) of the certified San Mateo County zoning regulations.***
- o) Pumping of the Alta Vista Well No. 1 shall not exceed 150 gallons per minute ***averaged over a 24-hour period***. Any future proposals to increase the pumping rate shall require an amendment to this public works plan, and ***the District shall comply with any informational requests, including pumping tests, to demonstrate with shall include*** sufficient evidence that the increased pumping rate will not impact nearby wetlands, riparian areas, and sensitive habitats. ***The District may not initiate any pumping tests for increased pumping rates without***

authorization from Commission staff after the PWP amendment application has been submitted.

The District shall submit annual water production reports for review and approval by the Executive Director by December 1st of each year the Alta Vista Well No. 1 is in production. These reports shall demonstrate that the pumping rate of the well does not exceed 150 gallons per minute averaged over any 24-hour period.

...

r) The District shall assure that safe and reliable access for construction vehicles that does not hinder or jeopardize the safety of regular traffic circulation is provided to each construction site.

II. Add the following section to the "Staff Notes" section of the staff report in response to correspondence from the public:

Deadline for Public Hearing

Title 14 CCR Section 13357(a)(3) requires that a public hearing on a Public Works Plan occur no later than the 60th day following the date on which the application was filed. The subject application was filed on September 15, 2008. Therefore the public hearing must be held at the Commission's November 2008 hearing in Long Beach.

MONTARA MOSS BEACH WATER IMPROVEMENT ASSOCIATION

Post Office Box 938, Montara, CA 94037 water@montara.com

RECEIVED

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**CALIFORNIA
COASTAL COMMISSION**

Honorable Patrick Kruer and Commissioners
CALIFORNIA COASTAL COMMISSION
45 Freemont Street, Suite 2000
San Francisco, CA 94105- 2219

RE: MWSD Public Works Plan (Item 6A: Application No. 2-06-006)

November 4, 2008

Dear Commissioners:

The Montara Moss Beach Water Improvement Association (MMBWIA) was founded in 1987 to help our community enjoy safe, reliable and affordable water. There are 1657 houses in our community and the MMBWIA has in excess of 1300 members.

We have several comments to make on behalf of our community regarding the MWSD PWP:

*We would like to see a more definitive map of our allowed service area. We would suggest that the service area be described as all areas inside the urban rural area not zoned for open space. The MWSD service area should directly abut the CCWD district west of Highway 1.

*The MMBWIA believes that MWSD should be allowed to serve failed domestic wells, if allowed by the LCP update, and new essential public services such as a new fire station, and any new public recreational facilities.

*We believe that short-term emergency water service should be allowed by MWSD to CCWD.

*The MMBWIA believes that improvements are not to be used for the extension of water mains into the rural areas unless they are for fire protection hydrants. Not for personal fire protection systems installed in homes which can be fed by on-site tanks.

*The MMBWIA requests that the pumping rate of the Alta Vista well be limited to 150 gpm annual average to allow for maintenance and rehabilitation of other wells on the system.

The MMBWIA on behalf of the residents of Montara and Moss Beach would like to thank the Commission Staff for understanding the need to expedite the upgrade of our water system and keep the costs in control.

Also we would like to acknowledge with appreciation the California Coastal Commission members for keeping the infrastructure growth in balance and recognizing the need for protecting communities from having to pay for developers needs.

Sincerely,

Gary Warhaftig, President


Signature on File

Signature on File

From: Stella Fax # 650-728-5536
OR
650-712-1191

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NOV 04 2008

CALIFORNIA
COASTAL COMMISSION

To: Ruby Lopez Date: 11/4/08

Company: Coastal Commission Fax #: 415-904-5400

From: **Stella Kwak Johnson**

Pages Sent (Including cover sheet): 5

Subject: MUSD application for Public Works
Plan Phase 1 Agenda # W6a
2-06-004

Hi Ruby,
Per your recommendation, I am faxing my "submission"
of our position to you so you can disseminate
copies as needed to all Commission Members and
staff prior to the meeting on 11/12/08 since I am not
able to attend it in Long Beach.
Thank you so much for your help.
My phone # is: 650-799-7565, if you have any questions

[Signature]
Signature on File

with this transmittal, or if it is incomplete,
Please notify the sender.

Oppose agenda # W6a

November 3, 2008

**California Coastal Commission
c/o Ms. Ruby Pap**

rpap@coastal.ca.gov

**Re: Montara Water and Sanitary District – Alta Vista Well
Agenda #: W6a**

Dear Ms Pap,

As a brief introduction, my name is Stella K Johnson and I live at 957 Vallecitos Rd. off of Alta Vista Rd, Montara, Ca, located southeast of the proposed Alta Vista Well site. My husband and I have lived in San Mateo County Coast for over 30 years and 8+ years at our current home. In behalf of my family, I respectfully submit the following for the consideration of all the members of Coastal Commission prior to the approval of the MWSD for Public Works Plan Phase 1 application:

- 1. Provide an emergency hook up provision for the well owners surrounding the Alta Vista Well site in the event the test results prove inaccurate and the continuous pumping of the well at 150gpm renders surrounding wells to go dry, or go below the minimum requirement by San Mateo County Environmental Health Dept. Without this provision, we would be without water and unable to connect to MWSD since we are outside of urban rural boundary and appx 500' away from the Alta Vista water line.**

Although the proposal indicates that the hydrology tests suggests no negative impact on the surrounding wells, it's my understanding that the hydrology is not a fine science and test results can vary a great deal depending on variety of conditions. The magnitude of this well construction and quantity of water proposed to be pumped continuously could potentially affect surrounding environment, making it more susceptible to natural phenomenon, i.e., seismic activities, land slides, weather conditions, etc. which could dramatically change the condition, location and volume of the aquifer. In fact, in my discussions with the hydrologist and San Mateo County Environmental Health Dept. there are examples of those occurrences in Napa County and other parts of the country. For the record, our well was not tested by the Hydrologist so it is not a part of the data they have included in their study. *We understand and support that you do not want to encourage more development in the area and create "loopholes" for others to take advantage of and connect to MWSD for new development at this time. However, I think it would be possible to create an emergency ordinance for the sole purpose of preventing potential hardship caused by the installation of*

Alta Vista Well and limit it to the wells located within a designated distance and put a time limit of 5 years after which this provision can be reconsidered. If the test results prove accurate, this emergency provision would just serve the purpose of giving us "peace of mind" but may never have to be implemented. It can also be justified to the public since if the wells run dry, it would demonstrate and confirm that our well does share the aquifer that have supplied millions of gallons to the rest of the community. We can assure you that It is not our desire to connect to MWSD, the cost of line extension of 500' and other related cost would be additional hardship we prefer not to have to face. We LIKE having our own well. BUT WE CAN NOT LIVE WITHOUT WATER and we are only asking to be provided with an option. Our well produced 7 to 10 gpm and have so for last 20 years, I think it's reasonable to assume that if our well runs dry within next 5 years, that it is being impacted by MWSD's Alta Vista well.

2. We believe the proposal should include a provision for a monitoring equipment that insures the well is NOT pumping more than 150 gpm. If such equipment or device is not available, MWSD should maintain and provide at least an annual report or log that should be submitted to the Coastal Commission and/or San Mateo Environmental Health for review. Such report should also be made available to the public. The monitoring should not be limited to only 3 years as proposed, it should be on going.
3. ***Provision for safety and access to be more specifically addressed for Alta Vista Rd, particularly during the construction period which will require large and heavy equipment to traverse the roadway. Currently the road is barely wide enough for 2 small passenger vehicles to pass. And, we have discovered that some of the roadway lies on private property because of the profile of the road. Alta Vista Rd being our only access, it's critical that MWSD does not block the road at any time without an alternative rout provision and to give us an advance notice at all times to enable us to go to and from work and school as well as in case of emergency. There should also be specific schedule of road maintenance required after the completion of the construction to insure that MWSD continues to maintain the road to meet San Mateo Public Works requirement.***

Please note that some of our concerns arise from our experience of living in the neighborhood for past 8 years. In fact, when we built our home we were required by San Mateo County Public Works to improve and repair Alta Vista Rd. at our own expense because it was in such disrepair. I know at least 2 other property owners on Alta Vista Rd that had to do the same as well as the neighbors sharing the expense of the repair on voluntary basis in that time span. With the potential new and larger facility, there will be more traffic associated with the MWSD causing more wear and tear on the road. Because it is dirt road, it is extremely sensitive to traffic, weight of the vehicles and any surface water. The road is treacherous at best due to the narrow steep grade and sharp blind turns which is made further hazardous by poor

road condition. It becomes particularly dangerous during the winter months due to rain and wind causing deep ruts and broken branches from the surrounding trees. We have children and adults that hike and bike on that road, I think it is a grave mistake to underestimate the importance of making that road safer during and after the construction. If MWSD wants to take this opportunity to create a road agreement to implement ongoing road maintenance, I think the neighbors would be very receptive. We would all benefit from safer and better maintained road.

- 4 MWSD property where Alta Vista well is located is adjacent to open space property for the enjoyment of the public. This area is very rich in wild life and offer spectacular vistas. There has always been hiking trails leading up to Montara Mountain through Alta Vista Road. It seems consistent with the "spirit" of Coastal Commission and MWSD being a public agency, that the applicant incorporate a way to maintain public access to the open space, not prevent it.

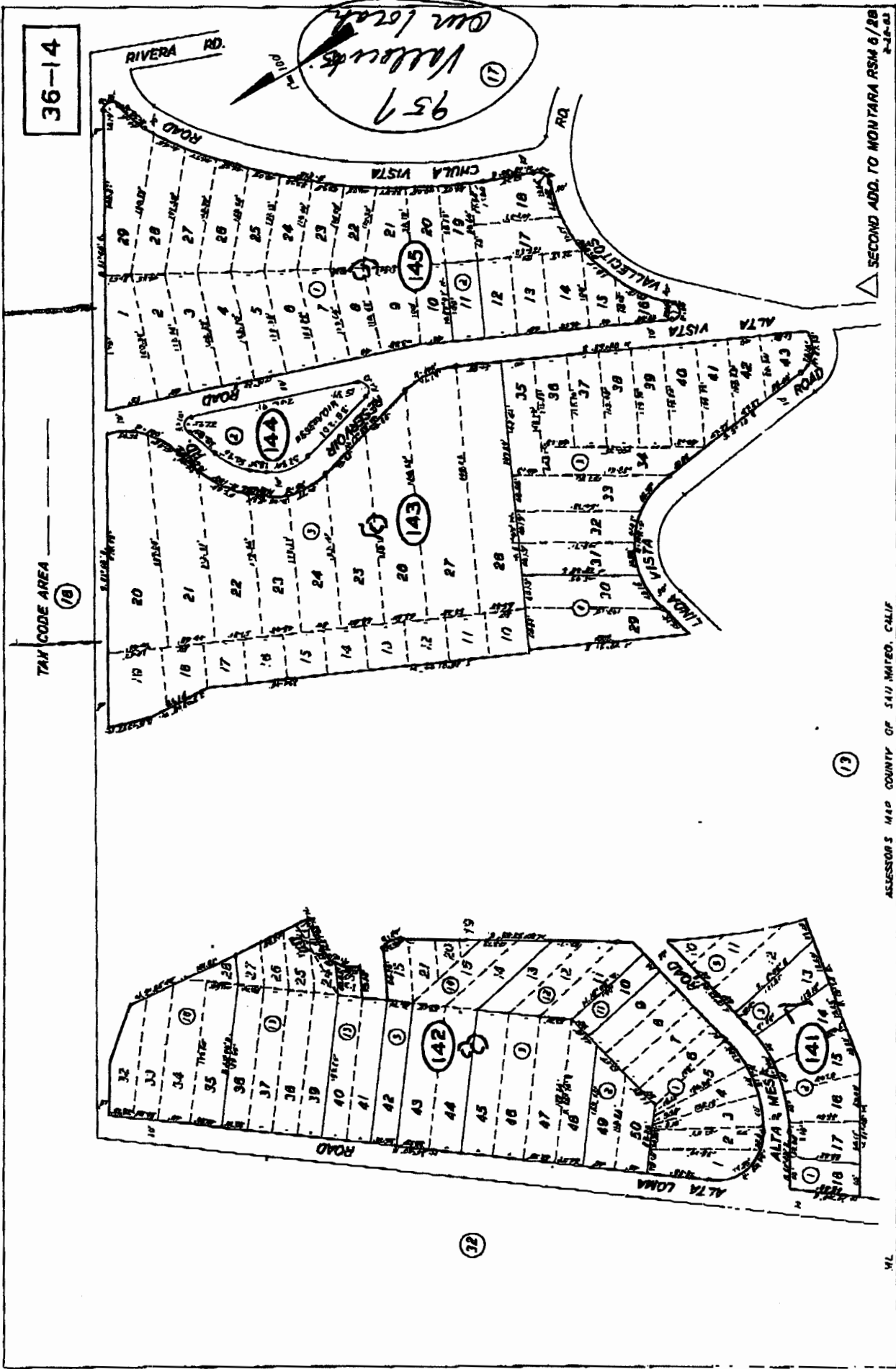
We thank you in advance for giving the concerns we have voiced your utmost consideration. It is our hope that you find merit in our proposals and those can be incorporated into the final proposal by MWSD prior to your final approval. If you have any questions, I can be reached at 650-799-7525 or stella@stellakjohnson.com.

Sincerely,

Signature on File

Stella Kwak Johnson

1encl.



36-14

TAX CODE AREA (18)

951 Vallecitos
Our lot

(13)

(32)

SECOND ADD. TO MONTARA RSM 6/28 2-12-03

ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

ML

Ruby Pap

From: Bill Mahar [bmahar@apr.com]
Sent: Tuesday, November 04, 2008 12:50 PM
To: Ruby Pap
Subject: Montara Water and Sanitary District - Alta Vista Well

Ms. Pap,

Please include a copy of my letter dated November 9, 2007 to you regarding the subject matter in with your staff report on this item. As you know my main concern is the potential for residential water wells in the area of the Alta Vista Well going dry or ending with a reduced capacity as a result of the high volume of the subject well. The applicant should be held responsible for providing water service to any residence with affected wells in the area.

In addition, I am concerned about damage to the existing roadway caused by construction vehicles during the course of construction of such facility. The applicant should have an affirmative duty to repair any damage caused and upgrade the road to accommodate the increased traffic due to this project and on going maintenance.

Thank you,
Bill Mahar



Bill Mahar
Alain Pinel Realtors
42 N. Cabrillo Hwy.
Half Moon Bay, Ca. 94019
650-726-8776

November 9, 2007

Ms. Ruby Pap
California Coastal Commission
rpap@coastal.ca.gov

Re: Montara Water & Sanitary District – Alta Vista Well

Dear Ms. Pap,

First, I want to thank you for sending me the information about the MWSD application to begin use of the Alta Vista Well in Montara. It is not my intention to object to this well being put into use. I understand that the MWSD has an obligation to expand its water resources to assure adequate water for its users and for the safety of the community it serves. I also expect that MWSD has completed tests and reports that support their application to put this well into service.

However, as a resident of Montara and of Alta Vista Road, I have one concern that I would ask the Coastal Commission to consider. The Alta Vista Well is proposed to pump at a rate of 150 gal. per minute, that's 9,000 gal. per hour, or 216,000 gal. per day. In the event that my residential water well, and/or the dozen or so other residential water wells on Alta Vista Road, and in the vicinity, go dry, or lose a substantial portion of their productivity, after the Alta Vista well begins pumping on a prolonged basis, then I would ask the Coastal Commission to add a condition to their approval. A condition that simply says that MWSD will immediately provide water hook-ups, and continued service to any of those properties that experience the above after the Alta Vista Well is put into service. San

Mateo County Public Health Department says that they are merely a permitting agency, and cannot condition their permit to protect the local residents in this manner. Therefore, I appeal to you, as the only resort available to protect me, and the others drawing water from this same aquifer. We certainly hope that such a condition will never need to be exercised, but to be left with no water, and no recourse, except through the courts, is not an enviable position. Thank you for your consideration of this request.

Respectfully,

William R. Mahar
P O Box 9
Moss Beach, Ca. 94038
650-726-8776

November 3, 2008

Ray Krieger
Opposed

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

RECEIVED

NOV 03 2008

CALIFORNIA
COASTAL COMMISSION

Re: Agenda W6a, Application number 2-06-006

Dear Commission,

There are several issues compelling me to be opposed to this project. They are:

Drainage of overflow
Visual effects
Safety
Effect on local homeowners
Access road

Drainage: Currently, with a 10,000 gallon tank, an overflow condition exists where the excess water is sent downhill into the road culvert. The culvert, being dirt and some portion asphalt, rushes to erode away at the culvert bed and the road bed. In the winter months, with the addition of rain, there are ditches formed that are barely passable. Could not the culvert be paved to assist the overflow on its pathway to the sea? Could not the overflow be captured and sent to one of the flower fields closeby? Such a waste to pump, store, then dump!

Visual effects: When I was attempting to build my home on Alta Vista Road, the San Mateo County Planning Department had my architect move the home location 5 times and to lower the height of the roof so that the home did not pierce the hill top when viewed from below. A large water tank will certainly pierce the hill top and most likely be easily seen from the Highway 1 corridor as well as any location below.

Safety: The road, Alta Vista, is a dirt/gravel, narrow country road. Safety, in terms of access for fire, life emergencies, power outages needs consideration. Heavy equipment used in a larger construction project will destroy the current delicate surface. Another, more important consideration is the pinning of the new, larger storage tank to the ridgeline. The location is due west of the San Andreas Fault. 1 million gallons of water weighs 8 million, 400 thousand pounds (8,400,000 pounds). Is it conceivable that this water could be turned loose in an earthquake and flow downhill onto my home which is less than ¼ mile from the site?

Effects on local homeowners: Beside road damage and destruction there is the possibility that drawing huge amounts of water from the aquifer will eliminate water from my

pre-existing well, my neighbors pre-existing wells or cause other land oriented damage. No one can predict whether wells will run dry. If that happens, is the Coastal Commission interested in a single homeowners plight? Could there be a provision entered that if a well were to go dry that that homeowner be granted permission to access the Montara Water supply system?

Access road: As stated above, the Alta Vista Road is a poorly constructed gravel/dirt road which is narrow and has a dirt culvert most of its length. For a construction project of this size and scope the road needs to be improved to some standard before work begins and afterwards.

Thank you for your consideration.

Sincerely, /

Signature on File

~~Ray Krieger~~
PO Box 35
Moss Beach, CA 94038

Kalfen Law Corporation

Item # W6a
Application # 2-06-06
OPPOSITION

7 November 2008

Peter Douglas / Executive Director
Anne Chedder / District Counsel
Charles Lester / Deputy Director
Ruby Pap / District Supervisor
Members California Coastal Commission
North Central Coast District
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RECEIVED

NOV 07 2008

CALIFORNIA
COASTAL COMMISSION

Re: OBJECTION TO PUBLIC NOTICE OF MONTARA WATER & SANITARY DISTRICT PLAN HEARING – CALCULATED TO MINIMIZE NOTICE AND PUBLIC PARTICIPATION (2-06-006 / W6a) Montara Water and Sanitary District Phase I Public Works Plan

Dear Honorable Members of the California Coastal Commission:

This is Objection to the California Coastal Commission's "Important Public Hearing Notice" dated "October 24, 2008" for hearing on "November 12, 2008" regarding the above referenced project. The Notice is objectionable because it appears to be calculated to minimize notice and public participation. This is exactly contrary to the spirit, if not the letter of the law.

This is also comment in Opposition for Commission consideration prior to the hearing, and for distribution to all members and for inclusion in the Administrative Record.

Your said October 24, 2008 Notice is objectionable for the following reasons:

1. NOTICE NOT SUFFICIENT - The Notice is Not Sufficient; and,
2. NOTICE MAILED THE FOLLOWING WEEK AFTER IT IS DATED - The Date of the Notice stated is "October 24, 2008" but the notice was not even put through the meter 049J82038668 or mailed until "10/28/2008." You prepared the notice the prior week, sat on it all weekend and did not mail it

until at least Tuesday of the following week. It arrived at my office on or about Friday, October 31, 2008. I received it on Monday, November 3, 2008. This appears deceptive and is certainly misleading; and,

3. NOTICE STATES MUST HAVE MATERIALS SUBMITTED TO COMMISSION IN ADVANCE, SHORTENS TIME TO SAME WEEK - The Notice states that if staff is to distribute the materials submitted, same must be done "no later than 3 working days before the hearing. The hearing is on Wednesday, November 11, so three working days would be November 7, 2008. Therefore, written comments are due in the same week that notice is received. This is not appropriate and simply not sufficient notice to prepare the response required; and,
4. HEARING IS FAR FROM PROJECT LOCATION - Notice appears even more calculated to avoid community involvement in light of the hearing location, far from the project location; and,
5. PROJECT OF UTMOST LOCAL INTEREST- HEARING SHOULD BE HELD NEAR TO THE PROJECT - The project is a localized water company. There is no issue of greater local concern than water. Why not hold the hearing closer to the project location; and,
6. IT IS THE POLICY OF THE COASTAL COMMISSION TO HOLD HEARINGS NEAR THE PROJECT LOCATION - It is policy of the Coastal Commission "whenever possible, to schedule matters for hearings that will be relatively close to the location of the proposed development." This is stated right on the first paragraph of the first page of the CCC website regarding meetings; and,

7. NEXT HEARING IS CLOSE TO PROJECT LOCATION – Why does the Commission give so little notice trying to hold the hearing in Long Beach, when it could simply provide sufficient notice and hold the hearing during its next regular hearing. The next hearing is very near the project location; and,
8. ONLY REASON NOT TO HOLD HEARING NEAR PROJECT LOCATION IS LEGAL DEADLINE BUT THERE IS NO SUCH DEADLINE IN THIS CASE - The website also states that the only reason that hearings would not be near the project location is when “legal deadlines for action may require that the hearing take place in a different area than the proposed project.” In this case, there is no legal deadline stated or known; and,
9. WHY NOT JUST HOLD THE HEARING 30 DAYS FROM NOW – MATTER HAS BEEN PENDING FOR YEARS - Why rush the hearing when this matter, or similar have been pending for several years. The next CCC hearing is in 30 days and at a location closer to the project location; and,
10. NOTICE IS NOT CONSISTENT WITH CEQA - Notice does not comply with and is not consistent with CEQA and all other California laws regarding meetings for public notice; and,
11. NOTICE DOES NOT COMPLY WITH THE SPIRIT OF THE LAW AND THE PROCESS OF PUBLIC REVIEW – For all the reasons set forth above, it would appear that the California Coastal Commission is intentionally or recklessly rushing through a hearing in a manner that is apparently calculated to minimize actual notice, minimize actual time to respond, and minimize actual ability to attend. This is inappropriate and wrong; and,

12. NOTICE OF THE HEARING WAS NOT POSTED WITH THE REGIONAL CLEARINGHOUSE DESPITE REQUEST FROM CLEARINGHOUSE - Dayle Farina, Clearinghouse Coordinator, Association of Bay Area Governments, Planning Department stated via email dated September 17, 2008 that "{w|e do need a copy of the plan mailed to us [CEQA Clearinghouse] (either hardcopy or cd, if available) so we can post it in the library. To date, however, the Coastal Commission has declined to cooperate and provide the requested, appropriate and required notice; and,

13. THE UNDERSIGNED AND OTHERS REQUIRE AND REQUEST ADDITIONAL (REASONABLE) TIME TO ARTICULATE OPPOSITION - Continuance to the December 2008 meeting date would be appropriate.

The letter from the undersigned to the Commission dated September 23, 2008 and all prior letters sent to the MWSD and the California Coastal Commission regarding the MWSD and its Alta Vista Wells and proposed million gallon water storage tank, including public comment letters to the DEIR, as well as all documents Superior Court of California for the County of San Mateo, Superior Court Case CIV 454727, and action in the Court of Appeal for the State of California, First Appellate District, Division 1, Case Number A115276 brought by the MWSD, are all hereby incorporated by reference as if fully set forth herein below. All comments therein are also hereby set forth to the degree that same are applicable to the herein.

This also includes the October 31, 2006 Reply to Opposition in the Appeal Action¹ when the MWSD stated that "the District's EIR certification was void" [MWSD Reply to

¹ [Montara Water and Sanitary District's "Points and Authorities in Reply to Real Party in Interest's Opposition to Verified Petition From Writ of Mandate, Prohibition Certiorari or other Appropriate Relief, Memorandum of Points and Authorities in Support Thereof," in the Court of Appeal for the State of California, First Appellate District, Division 1, Court of Appeal Case Number A115276

Opposition Appeal action at page 1, lines 8 - 9] and that "its Certification of its EIR is Void as a matter of law" [MWSD Reply to Opposition Appeal action at page 2, line 15] and "[t]he District's purported EIR certification is, in fact, void" [MWSD Reply to Opposition Appeal action at page 3, lines 6 - 7] and "[i]n fact, the purported EIR certification is void" [MWSD Reply to Opposition Appeal action at page 4, line 26]. The Appeal court ruled the way that it did based in part upon the assertion of the MWSD in the Appeal action that the MWSD considered the "EIR void as a matter of law."

Again, this is objection to the notice of the hearing. This is also request for continuance of the hearing. This is also written public comment in advance of the hearing, including comments and documents incorporated by reference for consideration by the Commission.

Thank you in advance for your cooperation and attention to this matter. As always, please do not hesitate to contact the undersigned if you have any questions or if I may be of any assistance.

Sincerely,
KALFEN LAW CORPORATION

Signature on File

Herman I. Kalfen, JD, REA, NAEP

Agenda Item No: W6a
Application No: 2-06-006
Alta Vista Neighborhood Alliance
Opposed

November 6, 2008

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

Re: Montara Water & Sanitary District (MWSD)
Public Works Plan Phase 1

Dear Commissioners,

We are a group of neighbors who have properties that are adjacent or in close proximity to the proposed Alta Vista well/tank site. Many of us have written individual letters. We are opposed to the project as submitted to you for approval, but we are not opposing the project. We are generally in support of the project and having more water available for the Coastside, however, we support this project only if certain modifications are made to the PWP and only if such modified PWP has oversight, and related enforcement ability, comparable to that of PWP's for entities other than "special districts". In addition to the modifications proposed by the Staff, we respectfully propose the following additional modifications for your review and approval, as follows:

Suggested Modifications:

1. Oversight of PWP

We request that the Staff provide a more clear description of the way oversight currently works for MWSD ("the District"), including for this project. Please indicate whether there is any County involvement or approvals required related to this District or this District's PWP. For example the District said the EIR was a mistake (which wasted a significant amount of money). There appears to be no consequence for such significant waste of public funds and citizens' time. Assuming there is some type of governmental oversight for all of the other types of public works projects defined as "public works" in the California Coastal Act of 1976 ("Coastal Act"), we recommend that the California Coastal Commission ("CC") propose and support legislation to modify the Coastal Plan "Section 30114 Public works" to eliminate "development by special districts" since it appears to be the only type of organization in this category that has no oversight. This "public works" designation, and the related benefits that go along with it, should only be allowed for entities which are subject to some type of oversight by a governmental agency, with related enforcement. Further, as we have noted above, we recommend approval of this PWP only if the CC requires that such PWP (as modified by our and Staff's recommended modifications) have oversight, and related enforcement, comparable to that of PWP's for entities other than "special districts". See also footnote at end of letter.*

2. Certification by San Mateo County engineer

We request that modification 2.d) be clarified by Staff. It is not clear, due to the words "as necessary", whether Staff is saying that the San Mateo County engineer will definitely be asked for a certification regarding public health and safety. The words "as necessary" confuse the meaning of this modification as the issue surrounding oversight of the District is quite confusing to us citizens and we do not understand what is required by law in this regard and therefore what would be deemed to be "as necessary". **We do, however, want to go on record (and hereby copy and notice James C. Porter, Director of Department of Public Works, San Mateo County) in requesting that this particular certification mentioned by the Staff on page 12 be done, whether or not it is deemed "as necessary" for any other purpose.** This is very important to us as we do not believe that the health and safety of the adjacent and nearby residents has been adequately addressed by the PWP. Significant decline in or loss of water available in a property's well, with no option to connect to the District's system or any other mitigating factor, would result in a significant

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Opposed

public health risk.

3. San Mateo County Fire Department Review

In addition, we would like to go on record requesting that the San Mateo County Fire Department be required to have the same oversight, approval authority and related enforcement ability for this project that they would normally have for a comparable project being done by an entity that has San Mateo County oversight, including but not limited to access to the area, the road's condition, and fire prevention measures which should be taken with respect to brush and trees in the area of development, as well as with respect to storage and related security for gas, gas-using machinery, and chemicals such as chlorine gas.

4. Hiking Trails

The POST hiking trails above the MWSD owned land have been accessed through what is currently the Alta Vista well/tank site, for more than 15 years. It is clear that an easement has been established, although not yet perfected, as these trails have been used for over 15 years by a very wide populace of hikers and bikers, by visitors/tourists, near by neighbors and other coastside citizens, which could be easily validated by any survey you might request. This is one of the most popular trails in the Montara and McNee Ranch areas. We request that a modification be added for the District to work with POST and the Golden Gate National Recreation Area to provide an alternate route from Alta Vista Road to the trail head to Montara Mountain that is situated just above the District land.

5. Monitoring Results

Where Staff is suggesting a formal monitoring plan, such monitoring results should be reported to the Executive Director no less frequently than quarterly and should be made available to the public as well. In addition to the monitoring currently required by the PWP, gallons per minute pumped shall be monitored daily and reports provided on a monthly basis to the Executive Director as well as be made available for public review, with the maximum allowable pumping being 150 gpm. We would also like to review the monitoring reports for the test wells since inception to being placed into production, for frequency of use and gpm, as well as for purpose of use. In addition, we would like to be informed as to how the 150 gpm was determined and how it is supported by hydrology science.

6. Setback Requirements

A minimum setback of any structures from the property line should be required, consistent with similar San Mateo County nonresidential projects. On its face, it does not make sense that a public oversight agency such as the Coastal Commission would allow this extremely large one million gallon tank to be placed so close to the property lines (and therefore the homes) of the adjacent properties, especially when there is a great deal of additional land available on which to place this tank. In addition, a survey of the precise property lines shall be undertaken and shared with the adjacent property owners, or if this is already done it should be shared with the adjacent property owners.

7. Hydrologic Monitoring of Neighboring Wells/Emergency Water Hookups to be Provided

Staff's recommended modification 2) o) should be changed to add a requirement that hydrologic monitoring shall include the wells of the surrounding property owners (as they may individually agree), for the life of the MWSD well. On a quarterly basis, such monitoring reports should be provided to the Executive Director and the well owners participating, and be available for public review. If there are negative impacts to such wells, the District shall submit, within 30 days of the report showing such negative impact, a mitigation plan to compensate for those impacts. Mitigation options for such negative impact shall include the District adding the impacted property to its water

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Alta Vista Neighborhood Alliance
Opposed

system, with the District and the CC acknowledging that this action is not in violation or contradiction of the county's LCP as such LCP must be interpreted reasonably, and as the intent of such LCP is simply to limit and appropriately control development and not to deny a property with pre existing water a connection in the case of an emergency situation. In this situation where the District's well would cause a negative impact to a neighboring well and the mitigation would be to place that property on the water system, this does not impact or increase development, and thus such action would not be in violation of the LCP.

This is also supported by Section 30253 of the California Coastal Act, which states that "new development shall minimize risks to life and property in areas of high geologic, flood and fire hazard." Providing such a mitigation, particularly considering that this is an area of high geologic hazard, which could impact the ground underneath the properties including the aquifers, would protect the property owners from the very serious risk of losing their water due to the District's "new development".

If the CC does not agree to provide a modification allowing for these properties to be added to the water system if the District's well activity results in a reduction in the well activity for these properties, as they believe their studies show that there is no risk of this happening, then, alternatively, there should be a modification requiring that the District (and perhaps the CC) provide a letter that guarantees the surrounding property owners that the District's well activity will not impact their wells.

It is a very reasonable interpretation of the LCP to require mitigation to address the possibility that the well could deprive residents to their pre existing access to water. This is completely different than asking for a new hook up to the water system, which is what the LCP is addressing. We don't believe that the CC can approve a PWP that could potentially interfere with pre existing sources of water. If we are not provided emergency water access through the District, we believe it is a violation of the Coastal Act for the CC to approve this PWP.

Again, significant decline in or loss of water available in a property's well, with no option to connect to the District's system or any other mitigating factor, would result in a significant public health risk.

As explained in some of our individual letters, we are not currently provided service by the Montara Water and Sanitary District. Our understanding in speaking with various experts, including the California State Department of Public Health, is that there is no guarantee that our wells will not be depleted due to the MWSD's operation of the well servicing the City above us, whether or not a study shows that a few locations appear to be using different aquifers than the MWSD City well is on. This is because hydrology is not a "fine science". If it was the case that the hydrologists could be certain that our wells will not be affected, then they would be willing to guarantee us that. But apparently they are not willing to do so, in spite of what their study says. The Staff also recognizes this on page 4 of the Staff Report, where it says "due to a certain level of uncertainty in scientific data, limitations surrounding short monitoring periods (e.g. 72 hours and 60 days), changed circumstances such as drought and seasonal fluctuations..." Apparently the study contends that they do not see any connection between the aquifers of the MWSD well and all of the other wells below it. However, they are not able to say that there is conclusive proof that the aquifers are different, only that they do not see any connection. There have been many documented instances elsewhere in California and other states where one well has caused others nearby to go dry.

The CC found that the aquifer of the District's well servicing the City and all other water sources were on two different aquifers; however, this review/study was concluded by a biologist, who is not a hydrologist. In addition, the CC maintains that significant testing was done for water draw down and that there is significant evidence that shows no impact. This appears to be only true with respect to the environmental testing, and not for the other properties' wells, as the longer, 60 day test was only done on nearby wetlands and streams. **Therefore, there is not enough testing and data related to the other property owners' wells to make the conclusion there is significant**

LL

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Alta Vista Neighborhood Alliance
Opposed

evidence that shows no impact from the District's well.

8. Alta Vista Road Upgrades--See Exhibit 1, various photos of Alta Vista Road, in conjunction with reading this proposed modification

CC suggested modification 1.b) should be deleted and a modification should be added that states that prior to commencement of the PWP construction, Alta Vista Road shall be upgraded to county standards and certified by the San Mateo County, and all of the mitigations required by the EIR shall be overseen by San Mateo County.

The District should not be allowed to expand to an operation of the size proposed, at the top of Alta Vista Road, which is now a dirt/gravel road in disrepair, without being required to upgrade it to county standards. This would not be allowed anywhere else, and it should especially not be allowed in the Coastal Zone. We understand and agree that a PWP should be designed and limited to accommodate needs generated by development or uses permitted consistent with the certified LCP and related Coastal Act Policy 30254 and that such public works facilities should not induce growth beyond what can be handled by other public works facilities such as roads. Expansion and improvement of the road to accommodate the construction and the expanded operations is not inconsistent with the LCPs requirement to control road improvements in order to limit new development, as no significant further development in this area is possible. Neither the District or the Staff have adequately addressed whether the road can support the development and ongoing operations being proposed by the PWP.

With respect to Alta Vista Road, we have not only financial concerns but also safety and liability concerns. The road is only marginally safe for residential use. This road is as narrow as 15 feet in certain places. When the run off from the MWSD operations' overflow and/or the rain causes the trenches on the sides of the road to widen and further deteriorate, **the road can become even more narrow**. The concern is that this project is a very large commercial construction project. There will be huge trucks and large loads of dirt being moved related to the significant amount of excavation required. It is clear that this road is going to be overtaxed. We believe it is imperative that experts in road requirements and safety, such as our San Mateo County Public Works Division, be given back the authority to oversee the Alta Vista Road upgrade and maintenance/monitoring of mitigating factors with respect to MWSD's usage before, during, and after the project. In addition, they should be required to maintain it not only for one year, but for as long as they maintain the planned significantly increased operations at the end of this road.

We are very concerned that there be oversight regarding MWSD's commitment to maintain the road. We have had issues with accountability in the past, such as certain neighbors needing to force them to stop draining water on their property, or having them install the bubble drain near the top of the road to lessen the impact of their water runoff on the road. The District currently does not consistently, adequately or actively maintain the road, and does not even maintain simple things they have specifically committed to, such as the bubble drain at the top of the road, which is meant to protect the fragile road from further erosion (see photos in Exhibit 1). This is another reason that upgrade to county standard and county oversight is necessary given the magnitude of this project and the expanded ongoing operations and all of the related risks.

This substantial construction project at the north end of Alta Vista Road to build a one million gallon storage tank, will include all of the associated support equipment, supply lines, access areas and we assume parking for construction and maintenance vehicles. As described on page 7 of Exhibit 2 of the Staff Report, Alta Vista Tank, there would be a significant increase in surface area for all of this, that would require maintenance, including a huge cut-and-fill area to accommodate the new tank which would largely be below grade to match the elevation of the existing 462,000 gallon tank and will have an 80 foot diameter surrounded by a 15 foot wide service road. Alta Vista Road would be extended 250 feet and be 16 feet wide in a northern direction and would have an underground pipeline and

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Alta Vista Neighborhood Alliance
Opposed

electrical conduit to connect the two tanks. The area would also include concrete pads and new fencing around the test/monitoring well and maintenance and monitoring equipment. All of this adds up to a very significant increase in surface area in which drainage and water runoff will have to be addressed. Since it is not legal to discharge or drain water onto the surrounding property which would cause erosion problems, all of the water will have to be directed down the existing Alta Vista Road. Alta Vista Road has had a history of problems related to runoff and incurs extreme damage each rainy season. Because it does not have a hard surface and is constructed with common road base material, it is very fragile and susceptible to damage. Each year, the adjacent property owners maintain and improve the road so that it remains a safe and serviceable access to their homes, at their own expense. There have been attempts by the property owners to install a hard surface on the road to mitigate the annual damage but has been met with resistance by the District and the Mid-coast Community Council (MCC) for various reasons. One reason presented by a member of the MCC was to protect the riparian habitat located below Alta Vista Road from the increased water volume that a hard surface would create.

The proposed PWP would create a huge increase in water runoff and drainage down Alta Vista that would far exceed the increase resulting from a hard road surface, which was the above mentioned concern, and would stress the existing road and drainage ditch beyond its capabilities. The risk of a storm rendering the road impassable would not be acceptable to the users of the road, including the District, who is the biggest user. If the road eroded to an impassable level, it would deny home owners access to their homes and the District would not be able to access their facilities. This could be extremely critical in storm conditions and not only would there be an increased danger to the users, it would also put the drinking water at risk. In a worst case scenario, the road could wash out when the District was transporting chlorine or other corrosive, dangerous chemicals, which could cause a major community-wide catastrophe.

Because the above information is only partly based on available studies, it both deserves and requires further study and consideration. Improvement of Alta Vista Road and its drainage system should be included in the PWP. There is significant risk and liability involved, which cannot be ignored. The upgrade of Alta Vista Road to county standards should be an part of the proposed PWP, which would result in a safe and reliable access to homes and water treatment and storage facilities. The construction vehicles alone will do significant damage to the road and this needs to be addressed so that the burden of integral maintenance and risk does not fall to the adjacent homeowners alone.

At many points along the road, it is not possible for two vehicles to pass each other (see photos at Exhibit 1 attached). This fact alone is quite significant due to an increase in District service vehicles using the road. As mentioned above, the District is by far the biggest user of the road and has done the least amount of maintenance, as observed by the residents. There are only eight families that access their homes from Alta Vista Road and only two other potential building sites, so the improvement of the road would NOT encourage growth and therefore not be in contradiction or violation of the county's LCP. Upgrade of the road would, however, ensure that the existing users, including the District, have a safe and reliable means to access their properties.

Consolidation of Water Agencies and Regional Water Recycling

It is interesting to note that LAFCO is recommending that there be a consolidation of Coastside services, including the Coastside water districts, similar to the way the fire districts have consolidated. There is an evident need for a regional water plan for the Coastside. Not only would this result in significant cost savings, but there is now much waste of our precious coastal water resources, and with a consolidation that would be significantly reduced. This may provide other sources of water storage.

We also request that the CC strongly encourage the District to participate in regional water recycling.

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Alta Vista Neighborhood Alliance
Opposed

We trust that in the case where this consolidation does ultimately take place, which we strongly support and hope you do too, that this PWP be reconsidered by you in light of the overall water sources and storage capacity of the newly consolidated entity.

In sum, We support an increase to the water supply, especially considering the current moratorium on new water system hook ups, and therefore we do support this project to bring more water to Montara and, potentially the Coastsides, with the modifications as requested by the Staff and by us.

We incorporate by reference all public comment letters to the DEIR and to the EIR, all prior letters sent to the MWSD and the California Coastal Commission regarding the MWSD and its Alta Vista Wells and proposed million gallon water storage tank, by any one of us (see attached signature page), with all comments therein also hereby set forth to the degree that same are applicable to the herein, as if fully set forth herein below.

Lastly, due to what we believe to be an unfair and unreasonable amount of time (from when the Staff Report was sent to us to when we were requested to provide our comments) in which to comment on a project such as this, for many reasons, we reserve the right, and hereby request the right, to put forward corrections or changes/additions to the above modifications, as well as additional proposed modifications, to the PWP to be considered at the next CC meeting, which would be reviewed and approved by the Commissioners and added to the PWP at that time, and be considered as part of the certified Public Works Plan for purposes of ensuring consistency of any future projects to the certified PWP, one month subsequent to any approval which might take place at the November 12 hearing. We appreciate this very much.

Sincerely,

Alta Vista Neighborhood Alliance
(see attached signatures, names and addresses)

cc:

Daniel T. Belville, San Mateo County Fire Chief
Chris Detwiler, Conservation Project Manager, POST
Peter M. Douglas, Executive Director
Richard Gordon, County of San Mateo
Nancy Honor, Planning Division Chief, Golden Gate National Recreation Area
Herman Kalfen, JD, REA, NAEP
Brian Kelly, San Mateo County Fire Chief
Eric Lacy, California Department of Public Health
Sirichad Ouitavon, California Department of Public Health, Safe Water
Ruby Pap, District Supervisor, California Coastal Commission Staff
James C. Porter, Director, Department of Public Works, San Mateo County
Martha Poyatos, Executive Officer, San Mateo LAFCo

Agenda Item No: W6a
Application No: 2-06-006
Alta Vista Neighborhood Alliance
Opposed

* Footnote:

We believe that no company, agency, public or private should be without supervision of some sort. The only oversight that we can determine through conversations with various local government agencies is that the MWSD is overseen by the voters, or citizens of Montara. However, it is very difficult for citizens to do this oversight job. For example, the information for this hearing was not readily available and posted or noticed to the Montara citizens by MWSD. Apparently only citizens who had previously officially expressed an interest and asked to be informed have been notified of this hearing. Their meeting rooms are very small. Citizens are discouraged from attending and speaking at the meetings as they are given very limited time to speak and are frequently cut off before they are finished, or their questions go unanswered, or they are not allowed to respond to MWSD Board statements. Thus, there is not a very good opportunity for Montara citizens to have a dialog on how they feel about the MWSD actions. In addition, our numerous requests for the District to meet with us, the Montara residents most affected by the construction project, to discuss this project were denied, several times.

It is difficult for the Montara citizens to have oversight over the District as they do not readily share information with the citizens. For example, this is the only reference to this PWP hearing process that we can find on the District's web site:

We are attempting to obtain California Coastal Commission approval for a new well (Alta Vista Well) which will improve our water supply. Please refer to our Spring 2006 newsletter (The Lens) for details on how you can help by sending letters of support to the Commission.

This is not even accurate or current as the application is for much more than a new well. And it does not say where the citizens can obtain the Coastal Commissions Staff Report or any information about the hearing. It's almost as if the MWSD does not want it's citizens to be involved in such a major project and related major application/approval process. In addition, there was nothing about this significant hearing in the local paper or at the normal places where information about the MWSD is posted. It may not have been required by California law to be posted, but one would think that the MWSD would simply want its citizens to be aware of and involved in such significant activities. The concept of citizens "overseeing" an entity which is not forthcoming with information regarding its activities or which denies them meetings, should be challenged and a proposal for a change to this situation be made.

Agenda Item No: W6a
Application No: 2-06-006
Alta Vista Neighborhood Alliance
Opposed

Signed: Robin M. Lloyd

ROBIN M. LLOYD
Name
732 ALTA VISTA RD MONTARA, CA
Address

Signed: Erik N. Colasanti

ERIK N. COLASANTI
Name
732 ALTA VISTA ROAD MONTARA, CA 94037
Address

Signed: _____

Name

Address

Signed: _____

Name

Address

Signed: _____

Name

Address

RECEIVED

NOV 07 2008

CALIFORNIA COASTAL COMMISSION

Agenda Item No: W6a
Application No: 2-06-006
Alta Vista Neighborhood Alliance
Opposed

Signed: Ray Krieger

RAY KRIEGER

Name

815 ALTA VISTA ROAD, MONTANA, CA 94037
Address

Signed: Robin Rudisill

Robin Rudisill

Name

170 Alta Vista Rd, Montana, CA 94037
Address

Signed: Stella Johnson

Stella K Johnson

Name

957 Vallecitos Rd, Montana CA 94037
Address
Mail Ad: P.O. Box 60, Moss Beach, CA 94038

Signed: James Sayre

JAMES SAYRE

Name

810 Alta Vista Road Montana, CA 94037 / PO Box 370625
Address


Signed: Veronica Jean Krieger

Veronica Jean Krieger

Name

815 ALTA VISTA RD.
Address

Agenda Item No: W6a
Application No: 2-06-006
Alta Vista Neighborhood Alliance
Opposed

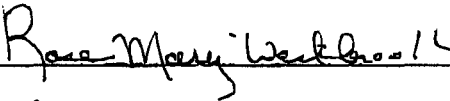
Signed: 

CHARLES C. WESTBROOK

Name

1775 ALTA VISTA ROAD, MONTARA, CA 94037

Address


Signed: 

Rose Mary Westbrook

Name

1775 Alta Vista Road, Montara, CA 94037

Address

Signed: 

Shawn Trainer

Name

584 Anchor Circle RWC. CA 94065

Address

Signed: 

Peter Rudisill

Name

770 Alta Vista Rd. (PO Box 643) Montara, CA 94037

Address

Signed: _____

Name

Address

EXHIBIT 1

These photos were taken on November 5, 2008, just AFTER significant maintenance work was done by the surrounding neighbors to clear grass and weeds from the ditches in order to protect the road from further erosion.

Bubble drain - zero maintenance by District. Neglect results in much less efficiency. Drain was installed by District, at the request of adjacent property owner, to divert storm and maintenance water generated by District, to the East side of the road to reduce the substantial erosion being caused to the West side of the road.



PB050007.JPG

Hairpin turn on Alta Vista road -- very difficult to negotiate for large service trucks:



PB050008.JPG

Fragile Alta Vista Road, in disrepair:



PB050009.JPG

Tight turn on Alta Vista Road - not wide enough for two cars:



PB050010.JPG

Alta Vista Road narrows to less than 16 feet in some places - NOT 30 feet as described on tax map;



PB050012.JPG

Foot of Alta Vista Road -- about fifteen feet across:



PB050013.JPG

Road base material in Drake Street ditch, at foot of Alta Vista Road, from the water coming down Alta Vista Road/ditch:



PB050016.JPG

Several feet of road base from Alta Vista Road collecting in riparian habitat just below base of Alta Vista Road:



PB050018.JPG

Tons of road base has changed the elevation of the riparian habitat over the years:



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NOV 07 2008

CALIFORNIA
COASTAL COMMISSION

Agenda #: W6A
Application #: 2-06-006
Charles & Rose Mary Westbrook
775 Alta Vista Road
Montara CA, 94037
Parcel #: 036-145-010 & 020

Opposed to the Project

Dear Ruby Pap,

Everyone living on Alta Vista road is concerned about the planned construction of a one million gallon water tank on Alta Vista Road by the Montara Water and Sanitary District.

My family is particularly concerned because the perimeter driveway is proposed to be built almost tangent to our property line. There is a 15 foot wide offset (county right-of-way) between our property and the MWSD property. The MWSD has excavated and otherwise used this right of way as if it was part of their property.

The MWSD has excavated across our property for a water line. When we objected to this, they claimed to have an easement and a permit. They asked for a meeting at our home. They arrived with neither the easement nor a permit, but presented us with a letter from their lawyer threatening to sue us if we interfered with the contractors performing the excavation and pipe line installation.

We have asked the MWSD for a copy of this easement for more than a year. They have not shown it to us. Our research shows no easement across our property. We are convinced at this point that no easement exists.

Now the MWSD proposes to build a huge water tank adjacent to our property. My wife and I had planned to build a home for our daughter at this location. The county gave us conditional approval for this project. The planned tank location makes this impossible. This impacts the value of our property severely.

The district owns land extending 300 feet north of our property line. There is plenty of room to site this tank much further away from our property. A previous location, including an accepted seismic study, further north was approved. MWSD moved the site because they felt that they could service the tank more conveniently. The present site was not seismic studied or approved.

We need this relocation of the tank, first for safety reasons; if this tank should overflow (a common occurrence with the existing tank near this location), or in a worse case, burst. The lives of occupants of these houses would possibly be lost and the houses destroyed.

The other concern is that the presence of the tank will impact the value of these residences. It would be necessary to visit this site to see how this huge tank will loom over the house nearest to it, and immediately down-hill from it. With so much MWSD owned space available further from the houses it is indefensible to accept the proposed site location.

We ask that the California Coastal Commission deny this project until a site plan is presented locating this tank safely away from these houses.

Respectfully,

Charles C. Westbrook