

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

TH9

CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

For the

March Meeting of the California Coastal Commission

MEMORANDUM

Date: March 6, 2008

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

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the March 6, 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 Central Coast District.

DE MINIMIS WAIVERS

1. 3-07-032-W California Department of Parks & Recreation - Monterey District, Attn: Ken Gray, Senior Park & Recreation Specialist (Fort Ord, Monterey County)

EXTENSION - IMMATERIAL

1. A-3-MCO-04-012-E2 Sheldon Laube & Nancy Engel (Big Sur, Monterey County)

TOTAL OF 2 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>
3-07-032-W California Department Of Parks & Recreation - Monterey District, Attn: Ken Gray, Senior Park &	Two pedestrian and bicycle trail connections between the Caltrans Highway One bike path and Beach Range Road in Fort Ord Dunes State Park	Fort Ord Dunes State Park (west of highway 1), Fort Ord (Monterey County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
A-3-MCO-04-012-E2 Sheldon Laube & Nancy Engel	Construct a 8,270 sq. ft. single family residence with an approx. 1,824 sq. ft. subterranean garage, including development within 100 feet of environmentally sensitive habitat (ESHA), approx. 1,750 cubic yards of cut and 736 cubic yards of fill, slopes over 30 percent, and a lot line adjustment that will consolidate two adjacent two-acre parcels.	36240 Hwy. 1 (Kasler Point, approx. 0.5 mile south of Garrapata Creek), Big Sur (Monterey County)

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725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: February 21, 2008
TO: California Department of Parks & Recreation - Monterey District
Attn: Ken Gray, Senior Park & Recreation Specialist
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit
De Minimus Waiver Number 3-07-032-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: California Department of Parks & Recreation - Monterey District
LOCATION: Fort Ord Dunes State Park, seaward of Highway 1 and adjacent to the Monterey Bay between the Cities of Sand City and Marina.
DESCRIPTION: Construct two pedestrian and bicycle trail connections between the Caltrans bike path and Beach Range Road in Fort Ord Dunes State Park.
RATIONALE: The proposed pedestrian and bicycle trail connections provide critical connectivity between the Cities of Seaside, Sand City, and Marina (via the Caltrans bike path) and Fort Ord Dunes State Park, and will serve to enhance public recreational access, including dune interpretive access, in the park. The connections have been designed to avoid known listed plant species assemblages, and the project includes comprehensive construction best management practices to ensure that coastal resources are fully protected during construction. The trail connections have been sensitively designed, were contemplated by the Commission in its action to open the park (CDP # 3-06-069), and they will both improve public access to and along the shoreline and further State Parks' efforts in establishing Fort Ord Dunes State Park. As such, the proposed development will not adversely affect coastal resources and is consistent with the policies of Chapter 3 of the Coastal Act.

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 Thursday, March 6, 2008 in Carmel. 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

Sincerely,
PETER M. DOUGLAS
Executive Director

By: DAN CARL
District Manager

A handwritten signature in black ink that reads "DAN CARL".

cc: Carl Holm, Monterey County Planning and Building Inspection 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



February 21, 2008

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that: **Sheldon Laube & Nancy Engel**
has applied for a one year extension of Permit No: **A-3-MCO-04-012-E2**
granted by the California Coastal Commission on: **May 11, 2005**

for: **Construction of a 8,270 sq.ft. single family residence with an approx. 1,824 sq.ft. subterranean garage, including development within 100 feet of environmentally sensitive habitat (ESHA), approx. 1,750 cubic yards of cut and 736 cubic yards of fill, slopes over 30 percent, and a lot line adjustment that will consolidate two adjacent two-acre parcels.**

at: **36240 Hwy. 1 (Kasler Point, approx. 0.5 mile south of Garrapata Creek), Big Sur (Monterey County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director

A handwritten signature in black ink that reads "DAN CARL".

By: DAN CARL
District Manager

cc: Carl Holm, Monterey County Planning and Building Inspection Department
Lombardo & Gilles, Attn: Sheri L. Damon

RECEIVED

FEB 29 2008

Agenda Item #9; Thursday, March 6, 2008
John S. Bridges, Representative for Dr. Hugh McAllister

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CHARLES R. KELLER
RONALD F. SCHOLL
THOMAS H. JAMISON
MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCARTHY
JACQUELINE P. MCMANUS
CHRISTOPHER E. PANETTA
DAVID C. SWEIGERT
SARA B. BOYNS
SHARILYN R. PAYNE
BRIAN E. TURLINGTON
AMBER D. PASSNO
CAROL S. HILBURN
JAY P. MENCHACA
SHERYL L. AINSWORTH
TROY A. KINGSHAVEN

FENTON & KELLER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

2801 MONTEREY-SALINAS HIGHWAY

POST OFFICE BOX 791

MONTEREY, CALIFORNIA 93942-0791

TELEPHONE (831) 373-1241

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www.FentonKeller.com

LEWIS L. FENTON
1925-2005

OF COUNSEL
GARY W. SAWYERS

February 27, 2008

JOHN S. BRIDGES

JBridges@FentonKeller.com
ext. 238

California Coastal Commission
Attn: Executive Director
c/o Charles Lester, Senior Deputy Director
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Notice of Objection to Permit Extension Request (Permit A-3-MCO-04-012; Laube/Engel)
Our File: 31485.28022

Dear Director:

We understand a request to extend the above referenced permit has been submitted by the applicant and will be reported to the Commission on March 6, 2008, as part of the Central Coast District Director's Report. As a person who participated in the previous permit hearings please ensure that our client, Dr. McAllister, receives formal notice of any consideration thereof pursuant to Coastal Commission regulation section 13169 as well as timely copies of all related materials (e.g., staff reports, etc.).

On behalf of Dr. McAllister we object to any extension of the permit based on the changed circumstances described below. These changed circumstances affect consistency of the development with the policies of Chapter 3 of the Coastal Act and with the Monterey County Certified Local Coastal Program. Accordingly, the extension request should be denied.

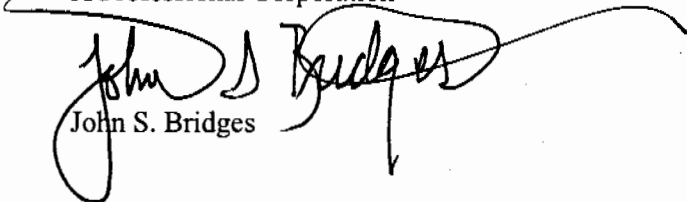
1. Water source: Garrapata Creek overdraft/violation of SWRCB diversion limits and public health issues. The SWRCB diversion limit of 35 afy continues to be exceeded by "existing" development (36.29 afy in year 2000, 35.62 afy in 2001, 37 afy in 2004, 36 afy in 2005, 38 afy in 2006, Attachment 1). The attached February 9, 2008, letter (Attachment 2) from the water purveyor acknowledges the continued overuse, confirms it is not a result of waste or system leaks, implies no intention to reduce water use, and suggests the need to amend the SWRCB permit to increase the diversion limit. Until the SWRCB approves a diversion limit increase, there is no water available for the Laube project. In addition, we understand the water purveyor, Garrapata Water Company, is intending to transfer its assets to a new mutual water company on condition that the service area be expanded and commitments be made to provide water for up to eight additional legal lots. Also, property within the water company's service area has recently been upzoned to facilitate additional development (Monterey County approval PLN 050722; Attachment 3). The continuing overdraft/exceedence of SWRCB

diversion maximums, expanded water company service area and commitments, and upzoning within the service area, combined with the Laube project, will intensify water use which will significantly adversely impact the Garrapata Creek which is a steelhead stream in violation of LCP section 20.145.050.B. In addition, information is available citing public health risks associated with the Garrapata Water Company water supply (Attachment 4). Proof of adequate water supply (quantity and quality) is required prior to permit extension approval per LCP section 20.145.050.A.

2. New ESHA surveys are required. We continue to believe sightings of the endangered Smith's blue butterfly may have occurred on or near the property since the last field reconnaissance in 2003. As the record reflects, that prior reconnaissance was not accepted by the U.S. Fish & Wildlife Service as proof of absence. Also, the record reflects that the project is in the middle of the Smith's blue butterfly range and that the butterfly was found as close as ½ mile north of the site on the day they were surveyed for in that location in 2003. We understand noted entomologist and Smith's blue butterfly expert, Dick Arnold, has stated that the site should be "presumed" occupied by Smith's blue butterfly. Zander Associates has recommended further site-specific protocol surveys for the Smith's blue butterfly prior to any permit extension (Attachment 5). Jacob Martin of the U.S. Fish & Wildlife Service has advised that due to the passage of time a new protocol survey should be performed on the site during the appropriate season (May-August). U.S. Fish and Wildlife Service should also be consulted about the need for a take permit and/or a Habitat Conservation Plan pursuant to the Endangered Species Act.

Very truly yours,

FENTON & KELLER
A Professional Corporation



John S. Bridges

JSB:kmc
Enclosures

cc: Dr. McAllister
Commissioner Steve Blank
Commissioner Sara Wan
Commissioner Dr. William A. Burke
Commissioner Steven Kram
Commissioner Mary K. Shallenberger
Commissioner Patrick Kruer
Commissioner Bonnie Neely
Commissioner Mike Reilly
Commissioner Dave Potter
Commissioner Khatchik Achadjian
Commissioner Larry Clark
Commissioner Ben Hueso
Dan Carl
Katie Morange

State Water Resources Control Board



Gray Davis
Governor



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-0765
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: <http://www.swrcb.ca.gov>
Division of Water Rights: <http://www.waterrights.ca.gov>

11/4/99

In Reply Refer
to:331:YM:29664

Garrapata Water Company
c/o Donald M. Layne
36652 Highway 1, Coast Route
Monterey, CA 93940

APPLICATION 29664 PERMIT *21010

Your WATER RIGHT PERMIT is enclosed. The State Water Resources Control Board requires that you submit annual reports showing the progress you have made in the construction of your project and the use of water made under this permit that will qualify for licensing purposes. We will mail the forms to you when the reports are due.

Please note that, with respect to other water rights attaching to this source, the priority of your right is identified by the filing date of your application. Therefore, in times of water shortage, those diverters with water rights senior to yours can take their water first. Additional limitations on your diversion and use of water are specified by the terms of this permit. Please read the terms and conditions of your permit carefully so that you are familiar with your responsibilities as an appropriator of water.

In about 10 years, an inspection will be made to determine the amount of water that has been placed to beneficial use within the terms of the permit. A license will then be issued confirming a right to that amount of water. Please keep sufficient records of your diversion and use of water to facilitate this process.

Please inform us of any changes in address or ownership.

Ed Dito
Program Manager
Application and Petition Section

Enclosure

Ymoorng:ym/pminer:9-30-99 u:\ym\29664 per-transs

JRNAME

FORM 540 REV. 1/86

PER-TRANSS (5-99)

Ymoorng:ym/pminer:9-30-99

u:\ym\29664 per-transs

Ym 9/30/99

Allan
9-30-99

STATE OF CALIFORNIA
 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
 STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 21010

Application 29664 of **Garrapata Water Company, A California Corporation**
 c/o Donald M. Layne
 36652 Highway 1, Coast Route
 Monterey, CA 93940

filed on **February 21, 1990**, has been approved by the State Water Resources Control Board (SWRCB)
 SUBJECT TO PRIOR RIGHTS and to the limitations and conditions of this permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source of water

Source Garrapata Creek	Tributary to Pacific Ocean

within the **County of Monterey**

2. Location of point of diversion

By California Coordinate System in Zone 4	40-acre subdivision of public land survey or projection thereof	Projected Section	Township	Range	Base and Meridian
North 406,750 feet and East 1,143,600 feet	NE ¼ of NE ¼	36	17S	1W	MD

3. Purpose of use	4. Place of use	Section	Township	Range	Base and Meridian	Acres
Municipal	NW ¼	31	17S	1W	MD	
	SW ¼	31	17S	1W	MD	
	NE ¼	36	17S	1W	MD	
	SE ¼	36	17S	1W	MD	

The place of use is shown on map on file with the SWRCB.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 35 acre-feet per annum to be diverted from January 1 to December 31 of each year. The rate of the diversion shall not exceed 0.11 cubic foot per second.

(000005A)

6. This permit shall not be construed as conferring upon the permittee right of access to the point of diversion.

(0000022)

7. Permittee shall install and properly maintain a meter, satisfactory to the Chief of the Division of Water Rights, which is capable of measuring the instantaneous rate of diversion in gallons per minute and the cumulative quantity of water diverted in gallons. The meter shall be conveniently located so as to be accessible for reading by the SWRCB or its designated representative.

Permittee shall record the cumulative meter readings approximately the first of each month. Meter readings shall be supplied to the SWRCB with the annual progress report submitted to the SWRCB by permittee.

(0070047) (0100047)

8. For the protection of public trust resources of Lower Garrapata Creek, the permittee shall allow visible flow in Garrapata Creek downstream of the point of diversion. If visible flow does not exist in Garrapata Creek, downstream of the point of diversion, the permittee shall cease diversions or augment the stream flows to ensure a visible flow exists. This term does not apply if the permittee can document that 100 yards upstream of the point of diversion there is no visible flow.

(0350900)

9. The permittee shall maintain written records regarding the observations of visible flow both upstream and downstream of the point of diversion. Observations shall be made on a weekly basis during the period June 1 to October 30 and made available to the Division upon request. If visible flow does not exist at any time, the frequency of observations shall be on a daily basis until visible

surface flow exists for at least 14 consecutive days. In the event of a violation of this term, the permittee shall immediately notify the Chief of the Division of Water Rights.

(0090400)

ALL PERMITS ISSUED BY THE STATE WATER RESOURCES CONTROL BOARD ARE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- (A) Permittee shall maintain records of the amount of water diverted and used to enable SWRCB to determine the amount of water that has been applied to beneficial use pursuant to Water Code section 1605.
- (B) The amount authorized for appropriation may be reduced in the license if investigation warrants.
- (C) Progress reports shall be submitted promptly by permittee when requested by the SWRCB until a license is issued.
- (D) Permittee shall allow representatives of the SWRCB and other parties, as may be authorized from time to time by said SWRCB, reasonable access to project works to determine compliance with the terms of this permit.
- (E) Pursuant to California Water Code sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest; and is necessary to preserve or restore the uses protected by the public trust.

(F) The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the SWRCB if, after notice to the permittee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

(G) This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain an incidental take permit prior to construction or operation. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water

Application 29664

Permit 21010

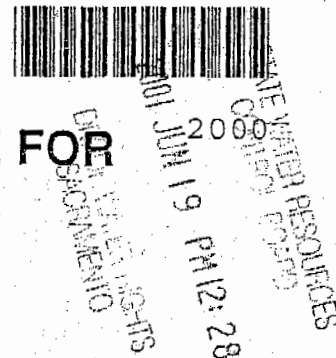
Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: November 4, 1999

STATE WATER RESOURCES CONTROL BOARD

**ORIGINAL SIGNED BY
HARRY M. SCHUELLER**

Chief, Division of Water Rights



PROGRESS REPORT BY PERMITTEE FOR

Owner of Record:

GARRAPATA WATER COMPANY, A CA CORP ; [REDACTED]

DONALD LAYNE
 36652 HWY. 1 COAST RTE
 MONTEREY, CA 93940

Application No.: A029664
 Password: 04190110023220
 Permit: 021010
 Phone Number: (408) 624-8877

*If the information above is wrong or missing, please correct.

Source Name (Display up to the first four sources)
 GARRAPATA CREEK UNDERFLOW

County Name (First POD)
 Monterey

Purpose (Display up to the first four uses)	Diversion Season (MM/DD - MM/DD)	Storage Season (MM/DD - MM/DD)	Acres (AC)
Municipal	1 / 1 - 12 / 31	0 / 0 - 0 / 0	0
Max DD Appl: .11 CFS	Max Storage: 0	AC-FT	

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES NO .
 I am complying with the conditions under which my permit has been issued: YES NO . Identify any noncompliance by permit term number under "Remarks" on reverse side. This report is important in providing the record of use needed in establishing your water right. It should be filled out carefully and returned promptly to the above address.

THE PROJECT HAS BEEN ABANDONED AND I REQUEST REVOCATION OF THIS PERMIT: YES .

CONSTRUCTION WORK

- Has construction work commenced? YES NO . Is construction completed? YES NO . ~~Not applicable~~
- If incomplete, describe briefly the work done, including cost: _____
- If not completed, give estimated date of completion: _____
- What percent of construction work remains to be done? _____ Explain: _____

USE OF WATER

- Has use of water commenced? YES NO . Check appropriate box(es) below and explain how water was used.

(a) <input type="checkbox"/> Irrigation _____	(e) <input checked="" type="checkbox"/> Municipal <u>41 Homes + Restaurant</u> <small>Approximate population</small>
(b) <input type="checkbox"/> Stockwatering _____ <small>Number of animals</small>	(f) <input type="checkbox"/> Recreational _____ <small>Boating, fishing, water contract sports</small>
(c) <input type="checkbox"/> Industrial _____ <small>Nature of use</small>	(g) <input type="checkbox"/> Power generation _____ <small>Installed horsepower capacity</small>
(d) <input type="checkbox"/> Domestic _____ <small>Number of persons, area of garden, lawn, etc.</small>	(h) <input type="checkbox"/> Other _____

6. Amount of water used each month under this permit in gallons or acre-feet. (If not known, check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
												See Attached

Boxes not big enough - see attached.

OCT 8 2011 RMD (Conf. on reverse side)

GARRAPATA WATER CO., INC.

36652 HIGHWAY 1, COAST ROUTE
MONTEREY, CA 93940
831 624 8877

METER READINGS SHOWING TOTAL PRODUCTION OF WATER BY GARRAPATA
WATER CO., INC. FOR CALENDAR YEAR 2000

DATE	METER TOTAL	MONTHLY GALLONS	GALLONS YTD
January 4, 2000	64800700	N/A	N/A
February 1, 2000	65462200	661500	661500
March 2, 2000	66027000	1564800	2226300
April 2, 2000	66654400	627400	2853700
May 2, 2000	67587500	933100	3786800
June 5, 2000	68589800	1002300	4789100
July 6, 2000	69888900	1299100	6088200
August 1, 2000	70847500	958600	7046800
Sept. 6, 2000	72534500	1687000	8733800
October 2, 2000	73531500	997000	9730800
November 5, 2000	74423200	891700	10622500
December 4, 2000	74967500	544300	11166800
Jan. 6, 2001	75629600	662100	11828900

11828900 gallons / 325900 gallons per acre foot = 36.29 acre feet.

METREA

ATTACHMENT TO GARRAPATA WATER CO. ANNUAL PROGRESS REPORT

Remarks:

We had way more than our share of substantial leaks in 2000, including some 6 inch main breaks. We hope not to repeat that in 2001. In addition, in 2000, one of our new customers was attempting to irrigate about five acres of newly planted wildflowers by hooking a 4 inch fire hose to one of our fire hydrants to connect with her irrigation system. That practice was draining all our primary storage tanks. We finally discovered what was going on and that irrigation is now being done with tank trucks with water from a source other than our well and system.

Return completed Report to: STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS
 P.O. Box 2000
 SACRAMENTO, CA 95812-2000
 For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400



PROGRESS REPORT BY PERMITTEE FOR

2001

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct.
 GARRAPATA WATER COMPANY, A CA CORP:

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
DONALD LAYNE
 36652 HWY 1 COAST RTE
 MONTEREY, CA 93940

APPLICATION NO.: A029664
 PERMIT NO.: 021010
 CONTACT PHONE NO.: (408)624-8877
 FOR ONLINE REPORTING AT:
 www.waterrights.ca.gov
 USER NAME: A029664
 PASSWORD: C23220

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
GARRAPATA CREEK UNDERFLOW		Monterey

MAX DIRECT DIVERSION RATE: .11 CFS
 [Cubic feet per second (CFS) or Gallons per day (GPD)]

MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT
 [Total reservoir(s) storage volume in acre-feet (AC-FT)]

PERMITTED USE(S) OF WATER (First 4 uses displayed below)	ACRES (AC)	DIRECT DIVERSION SEASON (month/day to month/day)	COLLECTION TO STORAGE SEASON (month/day to month/day)
Municipal	0 AC	01/01 - 12/31	

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 11/04/2008

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important in providing the record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. YES NO I have currently reviewed my water right permit.
2. YES NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
3. YES NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 require that permittee(s) exercise due diligence developing an appropriate water right project so that the project is completed within the time period specified in the permit. Time extensions may be authorized when there is good cause.

CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

4. REVOCATION - The project has been abandoned and I request revocation of the permit.
5. PROJECT COMPLETE - The project has been completed. I have made full beneficial use as to diversion rate, amount, and season anticipated under the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
6. PROJECT HAS NOT BEEN COMPLETED
 If the project has not been completed, please answer the following:
 - a. YES NO Has construction work commenced?
 - b. YES NO Is construction completed?
 - c. YES NO Have the permitted beneficial uses of water commenced?
 - d. YES NO Will the project be completed within the time period specified in the permit?

e. Explain what work remains to be done: We have several unbuild cott
within our service area.

f. Give the estimated date of completion of the project, including maximizing beneficial use of water: Several years
 Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

File A29664

GARRAPATA WATER CO., INC.

36652 HIGHWAY 1, COAST ROUTE
MONTEREY, CA 93940
831 624 8877

METER READINGS SHOWING TOTAL PRODUCTION OF WATER BY GARRAPATA WATER CO., INC. FOR CALENDAR YEAR 2001

DATE	METER TOTAL	MONTHLY GALLONS	GALLONS YTD
Jan. 6, 2001	75629600	n/a	0
Feb. 1, 2001	76056000	426400	426400
March 1, 2001	76477200	421200	847600
April 2, 2001	77042200	565000	1412600
May 8, 2001	78020200	978000	2390600
June 6, 2001	79130300	1110100	3500700

No July readings- we were away on vacation and I forgot to ask someone else to do it.

August 2, 2001	81792200	2661900	6162600
September 5, 2001	83268700	1476500	7639100
October 1, 2001	84436800	1168100	8807200
November 6, 2001	85975200	1538400	10345600
December 8, 2001	86775800	800600	11146200
December 31, 2001	87238900	463100	11609300

11609300 gallons / 325900 gallons per acre foot = 35.62 acre feet



For assistance completing this Report, call (916) 341-5300 FAX (916) 341-5400

PROGRESS REPORT BY PERMITTEE FOR

STATE WATER RESOURCES CONTROL BOARD
2004 CONTROL STATE
2005 MAR 28 PM 3:26

PERMITTEE(S) OF RECORD: If the owner information below is wrong or missing, please correct.
RRAPATA WATER COMPANY, A CA CORP.

APPLICATION NO. A029664
PERMIT NO. 021010
CONTACT PHONE NO. (408) 624-8877

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
DONALD LAYNE
36652 HWY 1 COAST RTE
MONTEREY, CA 93940

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed) **RRAPATA CREEK UNDERFLOW** PARCEL NO COUNTY LOCATION
Monterey

MAX DIRECT DIVERSION RATE: **11 CFS** MAX COLLECTION TO STORAGE AMOUNT: **0 AC-FT**
(cubic feet per second (CFS) or Gallons per day (GPD)) (Total reservoir(s) storage volume in acre-feet (AC-FT))

PERMITTED USE(S) OF WATER ACRES DIRECT DIVERSION SEASON COLLECTION TO STORAGE SEASON
(List first 4 uses displayed below) (AC) (month/day to month/day) (month/day to month/day)
Municipal **0 AC 01/01 - 12/31**

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: **11/04/2008**

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.
 YES NO I have currently reviewed my water right permit.
 YES NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
 YES NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. *Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.*

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriate water right project so that the project is completed within the time period specified in the permit. Time extensions may be authorized for good cause.

- CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:
- REVOCATION** - The project has been abandoned and I request revocation of the permit.
 - PROJECT COMPLETE** - The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
 - PROJECT HAS NOT BEEN COMPLETED**.
If the project has not been completed, please answer the following:
 - a. YES NO Has construction work commenced?
 - b. YES NO Is construction completed?
 - c. YES NO Have the permitted beneficial uses of water commenced?
 - d. YES NO Will the project be completed within the time period specified in the permit?
 - e. Explain what work remains to be done:

f. Give the estimated date of completion of the project, including maximizing beneficial use of water.
Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

GARRAPATA WATER CO., INC.

36652 HIGHWAY 1, COAST ROUTE
MONTEREY, CA 93940
831 624 8877

2004/03/01 11:00 AM

METER READINGS SHOWING TOTAL PRODUCTION OF WATER BY GARRAPATA WATER CO., INC. FOR CALENDAR YEAR 2004

DATE	METER TOTAL	MONTHLY GALLONS	GALLONS YTD
12/31/03	11790700	na	0
2/2/04	12422200	631500	631500
3/1/04	12980100	557900	1189400
4/3/04	13743400	763300	1952700
May	no readings taken		
6/2/04	16111800	2368400	4321100
11/3/04	22375000	6263200	10584300
12/31/04	23854200	1479200	12063500

12063500/325900 gal per acre foot = 37 acre feet 2004

Return completed Report to: ST WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000



For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

PROGRESS REPORT BY PERMITTEE FOR 2005

PERMITTEE(S) OF RECORD: If the owner information below is wrong or missing, please correct.
SANTA MONTE REY WATER COMPANY, A CA CORP;

APPLICATION NO.: A029664
PERMIT NO.: 021010
CONTACT PHONE NO.: (408)624-8877

2005 MAR 15 PM 12:40
SANTA MONTE REY WATER COMPANY
SANTA MONTE REY, CA

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
DONALD LAYNE
36652 HWY 1 COAST RTE
MONTEREY, CA 93940

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed) PARCEL NO COUNTY LOCATION
RAPATA CREEK UNDERFLOW Monterey

DIRECT DIVERSION RATE: .11 CFS MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT
feet per second (CFS) or Gallons per day (GPD) [Total reservoir(s) storage volume in acre-feet (AC-FT)]

PERMITTED USE(S) OF WATER ACRES DIRECT DIVERSION SEASON COLLECTION TO STORAGE SEASON
(4 uses displayed below) (AC) (month/day to month/day) (month/day to month/day)
Irrigation 0 AC 01/01 - 12/31

DATE WHEN PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 11/04/2008

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.
 YES NO I have currently reviewed my water right permit.
 YES NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
 YES NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. *Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.*

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriate water right project so that the project is completed within the time period specified in the permit.

CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- REVOCAION** - The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE** - The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.

- PROJECT HAS NOT BEEN COMPLETED**
If the project has not been completed, please answer the following:
 - a. YES NO Has construction work commenced?
 - b. YES NO Is construction completed?
 - c. YES NO Have the permitted beneficial uses of water commenced?
 - d. YES NO Will the project be completed within the time period specified in the permit?

e. Explain what work remains to be done: _____

f. Give the estimated date of completion of the project, including maximizing beneficial use of water:
Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit. _____

BENEFICIAL USE(S) OF WATER: (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- | | | | |
|---|-----------------------------|--|--|
| <input type="checkbox"/> Irrigation | _____ Acres | f. <input type="checkbox"/> Municipal | <u>100 est.</u> |
| | | | Approximate population |
| <input type="checkbox"/> Frost Protection | _____ Acres | g. <input type="checkbox"/> Domestic | _____ No. of persons, lawn/garden area, etc. |
| <input type="checkbox"/> Heat Control | _____ Acres | h. <input type="checkbox"/> Power Generation | _____ Installed capacity in kW, MW, or hp |
| <input type="checkbox"/> Industrial | _____ Specify | i. <input type="checkbox"/> Recreational | _____ Boating, fishing, water contact sports |
| <input type="checkbox"/> Stockwatering | _____ No. & type of animals | j. <input type="checkbox"/> Other | _____ Specify |

AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.

Amount of water used each month under this permit in: [] gallons or [] acre-feet:

Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Total Annual
				<u>See attached schedule</u>								

DAMAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

Complete for long-term storage projects only.

- a. YES NO Did your reservoir(s) spill this year? _____
 If No, how many feet below the spillway vertically was the water level(s) at maximum storage? _____
- b. YES NO Have you emptied the reservoir(s)? _____
 If No, how many feet below the spillway vertically was the water level (s) at minimum storage? _____

PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT.

(Please note that future amendments to the claims below will not be accepted.)

Appropriate water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that in certain conditions no reduction or loss of the appropriate water right shall occur due to: (a) water conservation efforts; (b) use of recycled, filtered, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed for it below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.

CONSERVATION OF WATER: (Water Code section 1011)

YES NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:

and you want to claim credit for the amount of water conserved towards the water use authorized under your permit as allowed under Water Code section 1011, please show the amount of water conserved below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)

YES NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your permit as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)

YES NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your permit?

If YES and you want to claim credit for the groundwater used in lieu of the surface water authorized under your permit as allowed under Water Code section 1011.5, please show the amount of groundwater used below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

REMARKS: (Identify the item you are explaining; additional pages may be attached.)

Under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

By: Donald W. Luce W.P. Date: 3/11/06 Phone No: (931) 624-1213
 PERMITTEE (OR AGENT / DESIGNEE)

GARRAPATA WATER CO., INC.

36652 HIGHWAY 1, COAST ROUTE

MONTEREY, CA 93940

831 624 8877

METER READINGS SHOWING TOTAL PRODUCTION OF WATER BY GARRAPATA WATER CO., INC. FOR CALENDAR YEAR 2005

DATE	METER TOTAL	MONTHLY GALLONS	GALLONS YTD
12/31/04	23854200		0
2/1/05			
3/1/05			
4/1/05			
5/1/05			
5/30/05	27248200	5 mo. 3394000	3394000
7/1/05	28500700	1252500	4646500
7/31/05	29810200	1309500	5966000
8/31/05	31078700	1268500	7234500
10/1/05	32402300	1323600	8558100
10/29/05	33596800	1194500	9752600
12/1/05	34819900	1223100	10975700
1/1/06	35607900	788000	11763700

11763700/325900 gallons per acre foot= 36 acre feet



A029664%P%2006

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

PROGRESS REPORT BY PERMITTEE FOR

2006

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct.

GARRAPATA WATER COMPANY, A CA CORP;

2007 APR -9 PM 1:46

APPLICATION NO.: A029664
PERMIT NO.: 021010
CONTACT PHONE NO.: (408)624-8877

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

DONALD LAYNE
36652 HWY 1 COAST RTE
MONTEREY, CA 93940

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed) PARCEL NO COUNTY LOCATION
GARRAPATA CREEK UNDERFLOW Monterey

MAX DIRECT DIVERSION RATE: 11 CFS MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT
[Cubic feet per second (CFS) or Gallons per day (GPD)] [Total reservoir(s) storage volume in acre-feet (AC-FT)]

PERMITTED USE(S) OF WATER (First 4 uses displayed below)	ACRES (AC)	DIRECT DIVERSION SEASON (month/day to month/day)	COLLECTION TO STORAGE SEASON (month/day to month/day)
Municipal	0 AC	01/01 - 12/31	

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 11/04/2008

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

- YES NO I have currently reviewed my water right permit.
- YES NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
- YES NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. *Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.*

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriate water right project so that the project is completed within the time period specified in the permit.

CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- REVOCATION - The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE - The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- PROJECT HAS NOT BEEN COMPLETED
If the project has not been completed, please answer the following:
 - YES NO Has construction work commenced?
 - YES NO Is construction completed?
 - YES NO Have the permitted beneficial uses of water commenced?
 - YES NO Will the project be completed within the time period specified in the permit?
- Explain what work remains to be done: _____

f. Give the estimated date of completion of the project, including maximizing beneficial use of water: _____
Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

WRMS
MAY 18 2007

BENEFICIAL USE(S) OF WATER: (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- a. Irrigation _____ Acres
- b. Frost Protection _____ Acres
- c. Heat Control _____ Acres
- d. Industrial _____ Specify
- e. Stockwatering _____ No. & type of animals
- f. Municipal 100 est. Approximate population
- g. Domestic _____ No. of persons, lawn/garden area, etc.
- h. Power Generation _____ Installed capacity in kW, MW, or hp
- i. Recreational _____ Boating, fishing, water contact sports
- j. Other _____ Specify

AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.

8. Amount of water used each month under this permit in [] gallons or [] acre-feet:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

see schedule attached

STORAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. Complete for long-term storage projects only:
- a. YES NO Did your reservoir(s) spill this year?
If No, how many feet below the spillway vertically was the water level(s) at maximum storage? _____
 - b. YES NO Have you emptied the reservoir(s)?
If No, how many feet below the spillway vertically was the water level (s) at minimum storage? _____

PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT.
(Please note that future amendments to the claims below will not be accepted.)

An appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that under certain conditions no reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, desalinated, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed for credit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.

CONSERVATION OF WATER: (Water Code section 1011)

YES NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:

word of mouth to customers to conserve

11. If YES and you want to claim credit for the amount of water conserved towards the water use authorized under your permit as allowed under Water Code section 1011, please show the amount of water conserved below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)

12. YES NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

13. If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your permit as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)

14. YES NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your permit?

15. If YES and you want to claim credit for the groundwater used in lieu of the surface water authorized under your permit as allowed under Water Code section 1011.5, please show the amount of groundwater used below:

_____ (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.

REMARKS: (Identify the item you are explaining; additional pages may be attached.)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Signature: Franklin Lopez Date: 4/4/07 Phone No: (831) 624-1213
PERMITTEE (OR AGENT / DESIGNEE)

GARRAPATA WATER CO., INC.

36652 HIGHWAY 1, COAST ROUTE

MONTEREY, CA 93940

831 624 8877

207 444 2146

METER READINGS SHOWING TOTAL PRODUCTION OF WATER BY GARRAPATA WATER CO., INC. FOR CALENDAR YEAR 2006

DATE	METER TOTAL	MONTHLY GALLONS	GALLONS YTD
1/1/06	35607900	0	0
2/3/06	36253100	645200	645200
3/1/06	36983000	729900	1375100
4/1/06	37678600	695600	2070700
5/4/06	38431200	752600	2823300
6/7/06	39785900	1354700	4178000
7/5/06	40948800	1162900	5340900
8/1/06	42186300	1237500	6578400
9/1/06	43574200	1387900	7966300
10/1/06	45059800	1485600	9451900
11/1/06	Barbara very ill. Forgot to read meters		
11/30/06	47346300	2286500	11738400
12/29/06	48105700	759400	12497800

12497800 div. by 325900 gal per acre foot = 38 acre feet

0.0 1

ATTACHMENT 2

February 9, 2008

Dear Fellow Property Owners:

You should have received the information letter and proposed by laws from the mutual by now. We are writing to call your attention to two matters that we think require correction by you now. One is a by law that is going to cause lots of trouble if it is not deleted and the other has to do with the money estimated in the mutual's letter at \$3,000. per household for formation expenses.

THE BY LAW

The by law that should be deleted in its entirety is Section 7.2 which begins at page 14 of the proposed by laws. The purpose of section 7.2 is to require the directors to enforce the 35 acre foot per year limitation of our present appropriation permit by subjecting us to ongoing, never ending, water rationing by economic coercion without any regard to an actual water shortage. The 35 acre foot limitation was granted to the water company as an estimate of our historical usage. Except for one year, we have always exceeded the 35 acre foot limitation. In 2007 we used 40 acre feet of water. No one, to the best of our knowledge, wasted water, nor are there any significant main leaks. The amount of the permit is simply inadequate and it should be increased. The by law states "To insure compliance . . ." There is no way to "insure compliance" short of making all of our lives miserable with water rationing. Our use of water in excess of 35 acre feet per year is known to the State Water Resources Control Board which issued the permit. Our total usage is reported to that board each year in writing. We have never received so much as a letter from them about the overuse. The new mutual board will doubtless apply for an increased amount in the future. Different people use different amounts of water. Some of us live here full time. Some are here part time. Some have fairly large amounts of landscaping. Some have almost no landscaping. These are matters of personal choice. Each of us should continue to have the freedom to use the amount of water that we reasonably need without a penalty being imposed. Our aquifer and our system has no shortage of water at all and our permit should reflect our reasonable use. This proposed by law section should be deleted.

THE MONEY

The letter you received states that you will be provided an accounting of the formation costs when you receive the subscription agreement and you must pay your share of those costs, estimated at \$3,000 per household, when you sign and return the subscription agreement; that your money will be held in escrow until the California Public Utilities Commission approves the transfer of the water co. to the mutual at which time it will be paid to the mutual. You will recall that the formation committee obtained contributions from many of us three or four years ago to cover their expenses during the formation process. They collected about \$50,000. for that purpose. They then incurred a total of about \$145,000. of bills, almost all for legal fees which left them

owing about \$95,000, most of it to the Lombardo law firm. They got a new attorney, Mr. Aune who is now owed an estimated additional \$30,000, as best we can determine. The end result is that the formation board of directors, Jacobson, Surman, Eglington, and Pettier, (McAllister and Kleissner have joined the board recently) spent somewhere around \$175,000. on legal fees, of which about \$130,000. is still unpaid. How they managed to run up such huge legal bills is as yet unknown. These matters should be publicly discussed at a meeting of the new board of directors who will decide what is to be done. The members should not be assessed for formation expenses until the actual costs to the Mutual have been determined and credit given to those members who initially contributed. There is no reason for members to pay any fees or assessments to the Mutual until the newly elected board of directors so determines. If you agree, you should make your refusal to pay any further assessments with your subscription agreement known now.

All concerned need to know whether you approve the rest of the bylaws or not. We enclose a proposed return form for your use if you agree with our suggestions. It also contains a statement that if you have already approved the bylaws, you have changed your mind and your approval is now conditional on section 7.2 being deleted.

Very truly,

DONALD AND BARBARA LAYNE

Garrapata Mutual Water Company
Comment Sheet

This page is a modified version of the comment page that was sent to you with the by laws. Barbara's and my letter is being emailed and sent by mail to you all. If you have questions please call me at 831 624 8877 or email me at Garrapatawco@aol.

IF YOU HAVE ALREADY MAILED YOUR RESPONSE PLEASE CHECK THE CHANGE OF MIND SENTENCE BELOW AS WELL AS THE OTHER APPROPRIATE ONES.

Name _____

Parcel(s) Number _____

I approve the proposed Bylaws but only on the condition that section 7.2 is deleted in its entirety _____

I hereby cancel my previously mailed response and intend this as my final response _____

I will not pay any assessment to the mutual with my subscription agreement _____

I do not approve the proposed Bylaws _____ and have provided my comments below.

ATTACHMENT 3

0602.200

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 06-334

Resolution of Intent by the Monterey County Board of)
Supervisors: Amend the land use designation in the Big)
Sur Land Use Plan (LUP) from Outdoor Recreation (OR))
to Watershed and Scenic Conservation (WSC) and amend)
a portion of the Monterey County Coastal Implementation)
Plan by Amending Sheet 20-22 of Section 21.08.060 of)
Title 20 of the Monterey County Code to apply the Watershed)
and Scenic Conservation [WSC/40(CZ)] zoning to a 2.5-acre)
flag lot located north of Garrapata Creek, South of Garrapata)
State Park, between Highway 1 and the Pacific Ocean)
(APN: 243-212-016-000), Big Sur Area.)

An amendment to the Big Sur Land Use Plan (LUP) land use designation from Outdoor Recreation (OR) to Watershed and Scenic Conservation (WSC) and an amendment to the Monterey County Coastal Implementation Plan to amend Sheet 20-22 of the Monterey County Zoning Maps (Coastal Implementation Plan) to rezone a 2.5-acre flag lot located north of Garrapata Creek, South of Garrapata State Park, between Highway 1 and the Pacific Ocean (APN: 243-212-016-000) came on for a public hearing before the Board of Supervisors on November 14, 2006. The Board of Supervisors hereby resolves as follows with reference to the following facts:

RECITALS

1. Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term General Plan for the physical development of each county.
2. On September 30, 1982, the Board of Supervisors of the County of Monterey ("County") adopted a county-wide General Plan ("General Plan") pursuant to California Planning, Zoning and Development law.
3. Section 30500 of the Public Resources Code requires each County and City to prepare a Local Coastal Program for that portion of the coastal zone within its jurisdiction.
4. On November 5, 1985, the Board of Supervisors adopted the Big Sur Coast Land Use Plan ("Land Use Plan") as part of the Local Coastal Program in the Coastal Zone pursuant the California Coastal Act.

5. On April 10, 1986 the California Coastal Commission acknowledged certification of the Big Sur Coast Land Use Plan ("Land Use Plan") as part of Monterey County's Local Coastal Program.
6. On December 10, 1987, the Coastal Implementation Plan (CIP) was certified by the California Coastal Commission. The CIP includes Part 1 (Zoning Ordinance, Title 20), Part 2 (Regulations for Development in the North County Land Use Plan, Chapter 20.144), Part 3 (Regulations for Development in the Big Sur Coast Land Use Plan, Chapter 20.145), Part 4 (Regulations for Development in the Carmel Area Land Use Plan, Chapter 20.146), Part 5 (Regulations for Development in the Del Monte Forest Land Use Plan, Chapter 20.147), and Part 6 (Appendices-Applicable County Ordinances).
7. On January 5, 1988, Monterey County Board of Supervisors adopted the Local Coastal Program consistent with Section 30512.1 of the Public Resources Code.
8. Pursuant to Section 30514 of the Public Resources Code and the County Coastal Implementation Plan, the County may amend the Local Coastal Program if the County follows certain procedures and the Coastal Commission certifies the amendment. A maximum of three amendments to the Local Coastal Program may be submitted in one calendar year. This would be part of the first amendment to the Local Coastal Program submitted to the Coastal Commission in 2007.
9. On June 8, 2005, the Planning Commission recommended approval of the amendment to the Land Use Plan and Coastal Implementation Plan. The Planning Commission voted to approve the reclassification based on facts indicating that this property would have been designated as WSC if it had not been anticipated to be part of the Garapatta State Beach property. Once the Board has adopted a Resolution of Intent, the proposed amendment must be submitted to the Coastal Commission for certification and returned to the Board for formal adoption before the change in land use designation and rezoning can be effective.
10. Section 20.08.060 of the Coastal Implementation Plan-Part 1 (CIP) references sectional district maps that show the Zoning Plan. Sheet 20-22 of the Monterey County Zoning Map Index provides a graphic representation of the zoning designations in this planning area. The proposed amendment would amend Sheet 20-22 of Section 20.08.060 of the Monterey County Zoning Code.
11. Pursuant to Government Code Section 65850 et seq., the County Planning Commission must hold a noticed public hearing and make a written recommendation to the Board of Supervisors on proposed land use designations and zoning amendments. A hearing was held before the Planning Commission on June 8, 2005, and the Planning Commission recommended approval of the amendment to the Land Use Plan and Coastal Implementation Plan. The Planning

Commission written recommendation (Resolution 05025) was provided to the Board as part of the staff report.

12. The Board finds that the amendment to change the land use designation in the Big Sur Land Use Plan (LUP) from Outdoor Recreation (OR) to Watershed and Scenic Conservation (WSC) and amend Sheet 20-22 of Section 20.08.060 of Title 20 of the Monterey County Code (Monterey County Coastal Implementation Plan) from Open Space Recreation (OR) to Watershed and Scenic Conservation (WSC/40) on a 2.5-acre vacant parcel is consistent with the Local Coastal Program (LCP) provisions and requirements for removal of the OR designation.
13. All policies of the General Plan and the Local Coastal Program have been reviewed to ensure that the proposed amendments maintain the compatibility and internal consistency of the General Plan and the Local Coastal Program. The Board of Supervisors find that:
 - a. The rezoning would be compatible with surrounding privately owned designations and densities. No development is proposed at this time.
 - b. Any future development on the site would require compliance with applicable LCP policies, CIP standards, Coastal Act provisions, and conditions developed through coastal development permit and CEQA processes.
14. An environmental analysis has been prepared for the proposed land use designation change and rezone at the request of the CCC. The report concluded that, as an LCP amendment without a physical project, the Doud parcel land use designation change and rezone would not result in direct physical impacts at this time.
15. On November 7 and 14, 2006, the Monterey County Board of Supervisors held a duly noticed public hearing to consider and approve a Resolution of Intent to adopt proposed amendment to the land use designation and zoning in the LCP. At least 10 days before the first public hearing date, notices of the hearing before the Board of Supervisors were published in both the Monterey County Herald and were also posted on and near the property and mailed to property owners within 300 feet of the subject property.

DECISION

The Board of Supervisors of the County of Monterey, State of California, hereby resolves as follows:

1. Subject to certification by the Coastal Commission and having considered the environmental assessment, the Board of Supervisors intends to:
 - a. Amend the Big Sur Land Use Plan land use designation on the 2.5 acre flag lot located north of Garrapata Creek, south of Garrapata State Park, between Highway 1 and the Pacific Ocean (APN: 243-212-016-000/Doud)

Resolution No.: 06-334
November 14, 2006

from Outdoor Recreation (OR) to Watershed and Scenic Conservation (WSC); and

- b. Adopt an ordinance (attached hereto as Attachment 1) amending Sheet 20-22 of the Sectional District (Zoning) Maps of Section 20.08.060 of Title 20 (zoning) of the Monterey County Code and the Coastal Implementation Plan. Said ordinance reclassifies a 2.5 acre flag lot located north of Garrapata Creek, south of Garrapata State Park, between Highway 1 and the Pacific Ocean (APN: 243-212-016-000/Doud) from Open Space Recreation, Coastal Zone [OR(CZ)] to Watershed and Scenic Conservation, Coastal Zone [WSC/40(CZ)].
2. This amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act and the County's Local Coastal Program.
 3. This resolution is submitted with materials sufficient for a thorough and complete review by the Coastal Commission.
 4. Staff is directed to submit this proposed amendment of the Local Coastal Program to the Coastal Commission for certification, together with materials for review of the amendment by the Coastal Commission.
 5. This amendment will not take effect until after certification by the Coastal Commission and subsequent formal adoption by the Board of Supervisors.

PASSED AND ADOPTED on this 14th day of November 2006, upon motion of Supervisor Potter, seconded by Supervisor Lindley, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Potter, and Smith
NOES: None
ABSENT: None

I, Lew C. Bauman, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 73, on November 14, 2006.

Dated: November 17, 2006

Lew C. Bauman, Clerk of the Board of Supervisors,
County of Monterey and State of California.

By 

Darlene Drain, Deputy

ATTACHMENT 4**MONTEREY COUNTY**

DEPARTMENT OF HEALTH LEN FOSTER, Director

FAMILY & COMMUNITY HEALTH
EMERGENCY MEDICAL SERVICESENVIRONMENTAL HEALTH
BEHAVIORAL HEALTHHEALTH PROMOTION
ADMINISTRATION

November 7, 2006

Rocky Point Restaurant
Attn: Horst Mieth, General Manager
P.O. Box 223281
Carmel, CA 93922

ENVIRONMENTAL HEALTH

NOV 08 2006

HEALTH DEPARTMENT

RECEIVED

NOV 08 2006

DWP / EHR

RE: Potable Drinking Water Requirements for Rocky Point Restaurant

Dear Mr. Mieth:

On October 24, 2006, Monterey County Health Department (MCHD) staff met with the restaurant's manager regarding drinking water requirements. Specifically, the manager was notified of potential public health risks from using its current water supply. In addition, the following requirements were addressed:

Health and Safety Code Requirements

Section 114095 of the California Uniform Retail Food Facilities Law (CURFFL) requires all food facilities to obtain its water supply from a source that meets HSC standards.

Currently, the Garrapata Water Company Inc. serves the restaurant. Records, obtained from the MCHD indicate that the water company's water source does not comply with the HSC's Surface Water Treatment Rule. As a result, the Rocky Point restaurant is required to amend its water source.

Please provide a proposal to the MCHD by **February 7, 2007**, for approval. The proposal must indicate the restaurant's specific action plan(s), outlining well construction and/or installing onsite multi-barrier filtration and disinfection.

The proposal application must include well construction permits and/or engineered blueprints for treatment. At a minimum, the restaurant is required to have the filtration and disinfection of the water on line by **May 7, 2007**.

Note that failure to comply with the February 7, 2007 proposal deadline will not excuse the facility from required compliance with the May 7, 2007 deadline.

Restaurant's Operation Requirements

As previously discussed during the October 24, 2006, meeting, the restaurant must supply potable drinking water from an approved source for drinking and ice. The restaurant must be in compliance with this requirement, until on-site treatment is placed on-line.

If the restaurant does not comply by **May 7, 2007**, deadline, further enforcement action, including enforcement fees, based on \$114 per hour to recover the costs of inspection, monitoring and enforcement activities will be implemented.

If the restaurant complies within the time specified, the facility will **not** be charged for the cost of enforcement. If you believe this notification to be in error or if you have any questions regarding this matter, please contact me at (831) 647-8967.

Sincerely,



Ismael Chavira, R.E.H.S.
Environmental Health Specialist

Cc: John Rameriz, Assistant Director of Environmental Health
Susan Rimando, Supervising Environmental Health Specialist
Cheryl Sandoval, Supervising Environmental Health Specialist

MONTEREY COUNTY



DEPARTMENT OF HEALTH LEN FOSTER, Director

FAMILY & COMMUNITY HEALTH
EMERGENCY MEDICAL SERVICES

ENVIRONMENTAL HEALTH
BEHAVIORAL HEALTH

HEALTH PROMOTION
ADMINISTRATION

January 8, 2007

Rocky Point Restaurant
Attn: Horst Mieth, General Manager
P.O. Box 223281
Carmel, CA 93922

ENVIRONMENTAL HEALTH

JAN 09 2007

HEALTH DEPARTMENT

RECEIVED

JAN 09 2007

DWP / EHR

RE: Potable Drinking Water Requirements for Rocky Point Restaurant

Dear Mr. Mieth:

On January 5, 2007, the Monterey County Health Department (MCHD) conducted an inspection on the above referenced restaurant. The inspection was a result of a food borne illness complaint. During the inspection, MCHD staff observed several violations that may cause food borne illness. Corrections were made, however, a follow up inspection will be conducted. Note that MCHD staff has determined that there was insufficient evidence of a food borne illness case.

During the inspection, MCHD staff observed that the restaurant was not in compliance with the requirements outlined in the MCHD's November 7, 2006, correspondence. Specifically, it was observed that the restaurant was obtaining its drinking water supply from Garrapata Water Company. As a result, the restaurant was creating a potential public health risk by exposing its customers to water borne pathogens.

Please be aware that a restaurant is required to provide safe drinking water to its customers. This requirement is one of the conditions for maintaining a public health permit. If the restaurant continues to violate these requirements, MCHD will schedule a permit revocation hearing, along with referring this case to the District Attorney's office.

Within the next week, MCHD staff will be conducting a complaint re-inspection. Ensure that all violations, outlined on the January 5, 2007, inspection report are corrected. Continuing violations will result in additional re-inspections, further enforcement action, including enforcement fees, based on \$114 per hour to recover the costs of inspection, monitoring and enforcement activities.

If the restaurant complies within the time specified, the facility will **not** be charged for the cost of enforcement. If you believe this notification to be in error or if you have any questions regarding this matter, please contact me at (831) 647-8967.

Sincerely,



Ismael Chavira, R.E.H.S.
Environmental Health Specialist

Enclosure: November 7, 2006 MCHD Correspondence

Cc: John Rameriz, Assistant Director of Environmental Health
Susan Rimando, Supervising Environmental Health Specialist
Cheryl Sandoval, Supervising Environmental Health Specialist
Steve Holett, District Attorney

MONTEREY COUNTY



DEPARTMENT OF HEALTH LEN FOSTER, Director

ADMINISTRATION	EMERGENCY MEDICAL SERVICES	HEALTH PROMOTION
ANIMAL SERVICES	ENVIRONMENTAL HEALTH	PRIMARY CARE
BEHAVIORAL HEALTH	FAMILY & COMMUNITY HEALTH	PUBLIC GUARDIAN

January 25, 2007

Rocky Point Restaurant
 Attn: Horst Mieth, General Manager
 P.O. Box 223281
 Carmel, CA 93922

ENVIRONMENTAL HEALTH

JAN 26 2007

HEALTH DEPARTMENT

RECEIVED

JAN 26 2007

DWP / EHR

RE: Potable Drinking Water Requirements for Rocky Point Restaurant

Dear Mr. Mieth:

On January 24, 2007, the Monterey County Environmental Health Division (MCEHD) management/ staff met with you regarding the restaurant's drinking water. The concerns were in reference to potential public health risk of water borne pathogens. To ensure that potable drinking water is provided to the restaurant's customers, the MCEHD is requiring the restaurant to implement the following:

Treatment Unit Installation Requirements:

As mentioned during the meeting and in the November 7, 2006, MCEHD correspondence, a treatment proposal must be submitted to MCEHD by February 7, 2007, for approval by MCEHD's water section. The treatment unit must include an onsite multi-barrier filtration and disinfection. Note that the treatment proposal must meet the Health and Safety Code (HSC) standards and designed by a certified engineer.

The approved treatment system must be on line by May 7, 2007. (Failure to comply with the February 7, 2007, deadline will not excuse the facility from the required compliance deadline of May 7, 2007). In addition, failure to comply with the above deadlines will result in the restaurant's closure, along with referring the case to the District Attorney.

If you have any questions regarding treatment unit requirements, please contact MCEHD's water section supervisor, Cheryl Sandoval at 755-4552.

Restaurant's Operation Requirements:

As mentioned in the meeting and in the November 7, 2006, correspondence, the facility is required to supply drinking water from an approved source to its customers. Therefore, customers may consume no water from the facility's faucets. Until an approved treatment unit is on-line, the following must be implemented:

- Implement the use of bottled water. Bottled water must be used for all food cooking/prepping activities. Exceptions to this requirement may be made for

foods that require boiling for a minimum of one minute. In addition, implement bottled water procedures for prepping all raw produce.

- Ensure that bottled water is used for beverages. This would include beverages such as tea and coffee. Sodas must be from a canned or bottled source.
- Continue the use of bagged ice for all ice related operations.


Note that MCEHD staff will be conducting periodic site visits to verify that the above operations are being implemented. Please ensure that all bottled water/ bagged ice receipts are available for review. Note that failure to implement any of the above procedures will lead to closure.

During the meeting, the sale of the restaurant was addressed. As discussed, if the restaurant does not install a treatment unit, a health permit will not be re-issued to the new owners.

Any additional site visits and correspondence that results from failure to implement the above operations and or treatment unit will result in enforcement action(s), including enforcement fees, based on \$114 per hour to recover the costs of inspection, monitoring and enforcement activities.

If the restaurant complies within the time specified, the facility will not be charged for the cost of enforcement. If you have any questions regarding this matter, please contact me at (831) 647-7867.

Sincerely,


Ismael Chavira, R.E.H.S.
Environmental Health Specialist

Enclosure:

Cc: Allen Stroh, Director of Environmental Health
John Rameriz, Assistant Director of Environmental Health
Susan Rimando, Supervising Environmental Health Specialist
Cheryl Sandoval, Supervising Environmental Health Specialist

ZANDER ASSOCIATES

Environmental Consultants

February 26, 2007

John S. Bridges
Fenton & Keller, Attorneys at Law
PO Box 791
Monterey, CA 93942-7219

**Smith's Blue Butterfly Surveys
Laube/Engel Property
Monterey County, California**

Dear John:

I have reviewed various background materials pertaining to the potential presence of Smith's blue butterfly (*Euphilotes enoptes smithi*) on the Laube/Engel property along the Big Sur coastline in Monterey County. I have also spoken with Mr. Jacob Martin of the U.S. Fish & Wildlife Service, Ventura Field Office and Dr. Richard Arnold, a noted expert on the butterfly. Following are my comments.

The Smith's blue butterfly is listed as an endangered species under the federal Endangered Species Act of 1973 (ESA) (16 U.S.C. §§ 1531-1544) as amended. "Take" of the species is prohibited under Section 9 of the ESA without an "incidental take permit" pursuant to Section 10(a)(1)(B).¹ The U.S. Fish and Wildlife Service strongly recommends that current surveys be completed for Smith's blue butterflies in suitable habitat anywhere within the known range of the species prior to any activity that could result in take (Jacob Martin, telephone conversation, February 23, 2007).

The known range of the species extends from the mouth of the Salinas River in Monterey County south to San Carpoforo Creek in northern San Luis Obispo County. Smith's blue is completely dependent upon coast and seacliff buckwheat (*Eriogonum latifolium* and *E. parvifolium*) during all of its life stages; plant communities supporting either of these two buckwheat species constitute suitable habitat for the butterfly within its range. Within an individual adult butterfly's one-year lifespan, pupae emergence, mate location, copulation and oviposition all occur on the flowerheads of the buckwheat species during peak flowering season, June through September. Larvae feed on the flowers and seeds for several weeks

¹ "Take" and "Taking" mean to harass, harm, hunt, pursue, shoot, wound, kill, trap, catch, capture, or collect, or attempt to engage in any such conduct involving a Covered Species. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. "Incidental Take" means the take of any Covered Species where such take is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity as that term is defined under the ESA and its implementing regulations.

after the eggs hatch and then molt into pupae which remain dormant in association with the buckwheat during the winter and spring non-flowering period.

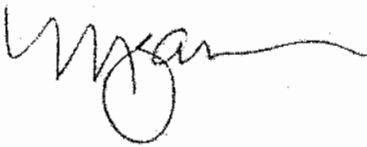
Subpopulations of Smith's blue butterfly exhibit high interannual variability due to climate, disease, and predation, among other factors; numbers of individuals can vary substantially in any given area over time. Consequently, if butterflies are known in close proximity to a site, current season presence/absence surveys should be conducted to definitively determine whether suitable habitat (i.e. buckwheat) is occupied in any given year.

The most recent seasonal surveys for Smith's blue butterflies on the Laube/Engel property appear to have been conducted over 3½ years ago, between June 25 and August 25 in 2003 (Norman, 2003). Although no butterflies were observed on the site during those surveys, butterflies were observed at a control station (referred to as the Garrapata Creek control station) approximately ½ mile to the north. In addition, there are historic records of Smith's blue butterflies occurring on a patch of buckwheat directly across Highway 1 from the Laube/Engel property.

According to Dr. Richard Arnold (telephone conversation, February 26, 2007), habitat on the Laube/Engel property is suitable to support the butterfly in spite of conditions (e.g. fog and wind) that could discourage regular use. Dr. Arnold believes that Smith's blue butterflies could be found on the site under the right circumstances, especially with known occurrences in such close proximity. Given the site's habitat suitability and records for the butterfly from areas very nearby, its temporal presence on the site cannot be dismissed without current season surveys.

Please call me if you have any questions.

Sincerely,



Michael Zander
Principal

Copies provided: Jacob Martin
 Dr. Richard Arnold

CALIFORNIA COASTAL COMMISSION

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



March 5, 2008

To: Commissioners and Interested Parties

From: Charles Lester, Senior Deputy Director, Central Coast District

Re: Additional Information for Commission Meeting Thursday, March 6, 2008

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
Th12b, A-3-STC-07-057	City of Santa Cruz	Correspondence	1
Th13a, A-3-MRB-06-064	Colmer	Correspondence (separate enclosure w/photos)	13

RECEIVED

FEB 28 2008

February 26, 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

ITEM NO: Th 12b
Application No. A-3-STC-07-057
Marlin Granlund, Parking Program Manager
City of Santa Cruz
Oppose Recommendations

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

Dear Commissioners,

This letter is in response to Appeal A-3-STC-07-057 West Cliff Drive Parking Restrictions. Coastal Commission staff recommends that the commission finds that appeal A-3-STC-07-057 presents a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.

The City of Santa Cruz believes that we have followed the essential policies of the Coastal Act and the Local Coastal Plan by:

1. Maximizing coastal access.
We have increased access on West Cliff Drive by an additional hour each day.
2. Being consistent with regard to public safety, by mitigating impacts, social and otherwise, of overcrowding and overuse by the public of any single area.
We installed new parking restrictions in areas that were being overused and suffering by unruly behavior and were not consistent with other parking areas along West Cliff Drive.
3. Protection of public and private property rights.
The public and private property rights were being infringed upon by large disruptive crowds at the uncontrolled parking areas by making the areas unsafe and unavailable for both visitors and residents.
4. The protection of natural resources.
The impact of the viewshed was considered when the new signs were installed with the utilization of existing sign posts when they were available. New and replaced signs were installed at locations where there had been either old parking restriction signs or City Municipal Code informational signage.

The City of Santa Cruz does not agree that the new parking signs will restrict public access. In fact the new signage increases the allowed parking hours in 91 spaces between Santa Cruz Street and David Way by adding an additional hour to what was previously posted. The old signage restricted parking from 10pm - 6am while the new signage restricts parking from 10pm - 5am.

An evening parking space availability study was conducted and found that 68 spaces were available to the public on West Cliff Drive from Columbia Street to John Street with an additional 329 spaces available on side streets within 300 feet of West Cliff Drive from Santa Cruz Street to Chico Avenue. (evening parking survey attached).

It was also mentioned in the appeal that night time beach and surfing access in these areas would be reduced. To clarify, the new signage has been installed in parking areas that are located on bluff tops 30-40 feet above the ocean with no safe access available down to the sand. These areas are also currently signed with warnings of cliff dangers.

The History of West Cliff Drive Parking Restrictions

- Prior to 1990
No Parking restrictions at all ocean side parking bays east of David Way to Santa Cruz Street and at the lots fronting Lighthouse Field State Park. Lighthouse Field State Park has parking restrictions from 9pm to 7am.
- 1998
No Parking 10pm to 6am Signs installed on West Cliff Drive at David Way – 33 Spaces.
- 2002
No Parking Tow Away 10pm to 5am signs installed in all ocean side parking bays from Swift Street to Chico Avenue – 25 spaces
- 2006
No Parking Tow Away 10pm to 5am signs installed in all ocean side parking bays from David Way to Swift Street – 23 spaces.

To be consistent with parking restrictions along the West Cliff Drive corridor, eleven signs that did not indicate Tow Away restrictions and specified a 10pm to 6pm No Parking restriction were changed to indicate No Parking Tow Away 10pm to 5am.

A total of eight new signs were installed, one sign at each of the newly restricted parking bays, and five additional signs placed at parking bays that had parking restrictions already in place. The new parking signs add a notice of tow away.

The City signage will allow police to curtail nefarious activities at these parking locations which will allow the public safe, night time coastal access and safe use of the West Cliff Drive path. The City believes that the parking restriction will increase night time coastal access by making the coast safer for the general public and thereby more attractive.



Marlin Granlund
Parking Program Manager

Attachment: West Cliff Drive Parking Occupancy Study

Th126

Susan Craig

From: Judith Scott [jascott@ucsc.edu]
Sent: Tuesday, March 04, 2008 12:23 PM
To: Susan Craig
Subject: Beach access in Santa Cruz

I read the article in the Santa Cruz sentinel today aloud to my children. They almost jumped for joy. Someone (Susan Craig) was fighting to help families like ours have better access to the beach. Every year in the summer we love going to the beach, building a bonfire, and enjoying a luxurious evening of playing frisbee, roasting marshmallows and digging in the sand. We live about 10 minutes away in a regular Santa Cruz neighborhood and don't have an expensive ocean view.

Several families get together and we share dinner. This happens for birthday parties, to celebrate summer, and on any occasion we can when we can find the time. We are not noisy, drunk or boisterous. For the last three years we have been "run off" the beach at 10pm during my son's birthday parties. Once, the enforcers were quite rude -shining flood lights on the party and using loud speakers to intimidate everyone on the beach. One child almost started crying as she became scared that they would take us all to jail.

On balmy summer nights, a 10pm curfew is ridiculous. Midnight is a much more reasonable time to shut down the beach. I understand that the privileged few who live next to the beach may want to limit access. But, the beach should not to limited to the vocal minority who can afford to look out their windows and see the ocean. The majority of us deserve the opportunity to enjoy the beach as well.

The beach we go to is actually not in the West Cliff area, but off of East Cliff. Beaches all along the Santa Cruz coastline have the same restrictions with a 10 pm curfew.

Thank you for fighting for this access to the coast for all of us.

Judy Scott
John Sheibley
Dan Sheibley
Nate Sheibley

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MAR 04 2008
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Th12b

RECEIVED

FEB 29 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

H. Reed Searle
114 Swift Street
Santa Cruz, CA 95060
Phone and Fax 831-425-8721
29 February 2008

California Coastal Commission
Central Coast District
725 Front St., Suite 300
Santa Cruz, Ca. 95060

re: Agenda for Thursday, March 6, 2008, Item 12b
Appeal Number A03-STC-07-057
West Cliff Drive parking restrictions

Dear Commissioners,

I live within 100 yards of one of the West Cliff Drive parking areas. I support the staff recommendations regarding the present parking restrictions.

I believe the recommendations represent a reasonable compromise of the conflicting values described in the report. People use the parking areas between 10 PM and midnight. For the most part these uses are peaceful and do not disrupt neighbors. To the extent there are incidents, a series of local ordinances allow police intervention. I think that prohibiting parking as at present is an unreasonable restriction of coastal access and of enjoyment of the West Cliff multi-use path.

I also agree that there is a plethora of signage on West Cliff.

Sincerely,


H Reed Searle

hrsearle@sbcglobal.net

Th12b

ALDO GIACCHINO
1005 Pelton Avenue, Santa Cruz, CA 95060
Tel.: 831-460-1538; e-mail: AGsantacruz@sbcglobal.net

February 25, 2008

RECEIVED

FEB 27 2008

California Coastal Commission
Attn: Ms Susan Craig
725 Front Street
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Item No. Th 12b – Thursday, March 6, 2008
No parking signs along West Cliff Drive, City of Santa Cruz

Dear Commissioners:

This letter is to request your support of the City's CDP request to prohibit parking in the parking pull-outs along West Cliff Drive, between 10PM and 5AM.

I live within 300 feet of the shoreline in the project area, and I derive many of the benefits and detriments of those whose residences face directly on West Cliff Drive. I find that the City's proposal is reasonable and meets the requirements of the Coastal Act concerning the balancing of competing needs, on several counts:

1. As the City has described, the area continues to suffer from the unruly behavior of hooligans who gather at the pull-out parking spots late at night. The physical nature of these pull-out spots creates a feeling of communal space. Ten to thirty cars tightly parked next to each other, all pointing toward the sea, a bench or two in front of them, removed from the flow of traffic, intense darkness due to the very sparse street illumination – these conditions enable the occupants to use these spots as a gathering place to mill about, have tailgate parties, strut their dogs, and often argue, fight, and use drugs. These gatherings have resulted in firearm fights where some of the bullets have hit some West Cliff Drive residences.

The staff analysis places undue weight on the visitors' parking rights, to the detriment of those who want to enjoy evening walks along West Cliff Drive without feeling threatened and the rights of local residents who want to preclude loud disturbances after 10PM. My assessment is that the 10PM to 5AM parking restrictions are far more effective in balancing the needs of all West Cliff Drive recreational users (pedestrian and vehicular), and the needs of local residents, than the 12PM to 5AM period proposed by the Commission staff.

2. Contrary to the contention that these parking areas enhance the public recreation opportunities after dark, the after dark hooliganism associated with these parking areas creates a physical threat and a serious sense of fear of personal harm to those who would like to walk along West Cliff Drive in the late evening. Walkers will feel much safer if parking is restricted after 10PM. On balance, rather than detract from the public recreational opportunities offered by West Cliff Drive, the 10Pm to 5AM parking

restrictions will increase the recreational opportunities for those who enjoy walking in the late evening hours but are now scared away by the rowdiness of the tailgate parties.

3. The seven-hour no-parking restriction (10PM to 5AM) at these sites represents only 30% of the time when parking would be prohibited – and this is not prime time. For the remaining 17 hours of the day, or 70% of the time (all in prime time), parking would be fully accessible, with no time limitation and at no cost to the users. In addition, as noted in the staff report, there is substantial additional parking away from these pull-outs which is available for all 24 hours.

4. Three parking areas along West Cliff Drive, similar to those in this project, are incorporated into Lighthouse Field State Park, along West Cliff Drive, and at the Natural Bridges State Park overlook, at the western end of West Cliff Drive. These sites are controlled by the State Parks Department which physically bars access to them, by means of a gate, at 9:00PM. Allowing a state agency to enforce police measures designed for the public good, and preventing a municipality from doing essentially the same thing, in the very same area, seems to be an arbitrary and logically unsustainable position.

While the City has added a towing threat to the parking restriction signs, it is widely known that the City does not have its own towing capacity and contracts for towing on a very limited basis due to the lack of resources, among other causes. Therefore, the towing threat is an empty one and should not be a cause to reject the limited, no-parking restrictions.

Finally, I strongly support the staff recommendation that the no-parking postings must be sensitive to the natural setting of this beautiful coastal bluff area and that the very reasonable measures recommended in the staff report to minimize the visual impact of the signs be fully implemented.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Aldo Giacchino". The signature is written in a cursive, slightly slanted style.

cc: Mayor and Council, City of Santa Cruz.
Mark Dettle, Director of Public Works,
City of Santa Cruz.

Th 12b

RECEIVED

FEB 28 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREASteven D. Penrose
849 Almar Suite C-453
Santa Cruz, CA 95060
(831)588-3644

February 28, 2008

California Coastal Commission
Attn: Ms. Susan Craig
725 Front Street Suite 300
Santa Cruz, CA 95060**Re: Item No. Th 12b, Thursday, March 6, 2008
Appeal No. A-3-STC-07-057 City of Santa Cruz Public Works**

Dear Commissioners:

I am writing to request your support of the City of Santa Cruz application for an after-the-fact permit to restore No Parking signs which historically have prohibited parking in the "bulb-outs" along West Cliff Drive.

I reside with my family on West Cliff Drive across from one of the parking "bulb-outs," and this application directly affects our safety and the safety of our neighbors and neighborhood. I have not indicated my address, out of concern for my family's privacy and safety, due to the content of this letter. I intend to appear at the hearing on this matter and can point out my residence on an aerial map to the Commission at that time, to demonstrate my personal knowledge of the issues addressed.

I whole-heartedly support access for all to our beautiful Santa Cruz coastline. However, as the staff report clearly shows, there is more than ample parking along West Cliff Drive and on adjoining streets to allow access to what appears to be a very small and unidentified group of the public, one that wishes to park in the dark, in front of view-impairing fences, between 10:00 p.m. and 12:00 midnite in the parking bulb-outs. That this small segment of the public would not wish to park across the street, along the street curb, and under street lights would seem to be unsupportable.

My observation is that members of the public that wish to park in the dark in the bulb-outs between 10:00 p.m. and 12 midnight include drug dealers. West Cliff Drive is a popular street for consummating such transactions, as one only has to look in two directions to see anyone approaching. Parking in spaces side by side is much more

conducive to drug deals than parking along the street curb, one car in line behind the other. As you can imagine, the latter is unlikely to occur. But parking in the dark in the bulb-outs, with the cars side by side, facilitates the exchange of money for drugs (typically handed over in backpacks from one car to the other), while affording an easy getaway.

We have unfortunately experienced a great deal of criminal behavior in our neighborhood. On July 10, 2006, the police broke up a 300-person party on the West Side of Santa Cruz. Members of rival gangs spilled out into the streets. A vehicle hiding a sleeping young girl was set on fire and burned to the ground. Members of the rival gangs drove off in their cars to resume a dispute that had started at the party as they chased one another along West Cliff Drive. 9mm bullets struck two houses as the thugs shot at one another out their car windows; one of those houses was ours. One bullet buried itself in a beam, but another passed through the outside stucco wall, crossed our stairwell, and came to rest in the opposite wall – moments after our daughter had gone upstairs to bed. Some months later the bullet dug out of our upstairs wall was matched to bullets used to kill one young man and put the other in a permanent coma.

On another night prior to reinstallation of the No Parking signs, when our home was undergoing repairs and we were unable to park anywhere on or in front of our lot, we parked both of our cars across the street in the bulb-out. The front passenger windows of both of our cars were smashed during the night in a search for personal property, probably to be sold for drug money. Methamphetamine addiction is at epidemic levels in our community, and the probability is high that this smash-and-grab was the work of an addict.

Recent criminal activity along West Cliff Drive includes a meth lab that had been constructed out of sight in an area below the cliffs. Also, not long ago, the Santa Cruz Fire Department was called to put out a fire started in one of the naturally occurring caves below the cliffs. Unfortunately, assaults and attempted rapes have also recently become a concern for those walking on West Cliff Drive at night.

The July 10, 2006 incident referred to above was a wake-up call to us, to our neighborhood, to our police department, and to all of our citizenry. The reinstallation of the No Parking signs was an outgrowth of that wake-up call, and was undertaken out of concern for safety in our neighborhood.

The reinstallation of the No Parking and tow away signs has calmed our neighborhood a great deal. There is still plenty of undesirable behavior along West Cliff Drive between the hours of 5:00 a.m. and 10:00 p.m. But since the No Parking signs were reinstalled, I don't believe we have made even one incident report to the Santa Cruz police department. Prior to the signage being restored, we made incident reports on a

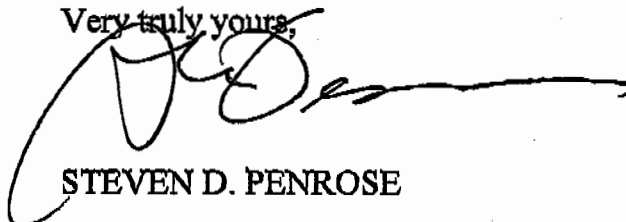
fairly regular basis, concerning drug deals, car parties, overnite camping, loud music, and other disturbing behavior occurring after 10:00 p.m., often on week nights.

Finally, I would like to add that for the most part West Cliff Drive fronts on very dangerous cliffs. Most of the signage along the ocean side of the street is not for parking control, but to warn visitors of the very real dangers of walking along the eroding bluffs. Access to the water is simply not available along the majority of the drive, and attempts to access the water after 10:00 p.m. in the pitch black, or even just to stand on the rocks below the cliffs, very often result in rescue calls. Drownings caused by rogue waves seem to occur on the order of one to two times per year in our area.

Unlike the general public, and most unlike visitors from out of the area, those surfers who may wish to surf after 10:00 p.m. at night have, as the staff pointed out, some 81 parking spaces along West Cliff Drive that offer access - from just across the street. It is hard to imagine that having to walk across the street would stop a member of this group from access.

In summary, this is not an access issue, it's a safety issue. I urge the Commission to approve the CDP as applied for by the City of Santa Cruz.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Penrose', with a long horizontal flourish extending to the right.

STEVEN D. PENROSE

cc: Mark Dettle, Director of Public Works, City of Santa Cruz
Marlin Granlund, Parking Programs Manager, City of Santa Cruz
Howard Skerry, Chief of Police, City of Santa Cruz

Th13a

COLMER CONSTRUCTION

5000 Parkway Calabasas • Suite 110 • Calabasas • California 91302 • (818) 222-5666 • FAX (818) 222-5668 • EMAIL COLMER32@sbcglobal.net

February 29, 2008

RECEIVED

MAR 03 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Mr. Michael Watson
California Coastal Commission
725 Front Street
Suite 300
Santa Cruz, CA 95060-4508

RE: Appeal A-3-MRB-06-064
Black Hill Villas

Dear Mr. Watson:

This staff report contains omissions and mischaracterization of facts that could affect the outcome of the appeal. The following corrections to the report should be made by Coastal staff prior to the hearing:

1. The staff report infers the applicant removed trees from the property without the proper CDP. Coastal Commission staff is aware that the City of Morro Bay, the authority for granting the tree removal permit, authorized the removal of trees by the applicant and its prior owner under City guidelines. The City guidelines allowed up to 4 trees to be removed per parcel per year administratively, without a formal application. The City did require approval of a consultant's, "Raptor Activity Study and Recommendations" prior to each tree removal request. The Coastal staff report states "compensatory mitigation" is required for this inferred enforcement issue¹. Exhibit 1 provides the City's explanation. Compensatory mitigation should not be required.
2. The Coastal staff report should disclose that to comply with the Coastal Commission Conditions of Approval a new subdivision map will be required. The approved tentative tract map is subdivided with 17 residential lots and one open space lot. Coastal Commission Conditions 1 (a) and 1 (b) require two additional new lots for an ESHA/Stream Habitat parcel and a Raptor Habitat Area parcel. The creation of new parcels is in our opinion unnecessary.
3. "City fire rules require a minimum 30-foot buffer." Page 2 – Paragraph 4. The City Planning Department and City Fire Department have no knowledge of any such buffer requirements.

¹ Page 32 paragraph 4

4. Page 3 – Paragraph 2 states that the residential development will degrade views towards the Morro Bay Estuary. This development does not affect views towards the Estuary..
5. The Staff report fails to disclose its Conditions prohibit housing development on the lower parcel and there is an existing house on this property.
6. Page 21 – Description of the Stream Channel should disclose the stream's National Wetland Inventory classification. The stream channel that crosses the property is classified as a PSSAx (Palustrine, Scrub – Scrub, Temporarily Flooded, Excavated) stream in the National Wetlands Inventory. The functions and values of this type of stream/wetland are typically not very high.
7. The staff report's description of the origins of the stream channel on Pg. 21 in our opinion is incorrect (*The stream slopes from its origins in the Black Hill Natural Area across the subject property and then under South Bay Boulevard towards Chorro Flats and into the Chorro Creek watershed, one of the largest contributors to the Morro Bay Estuary*) and Pg. 22 (*The origins of the stream channel are found in the upper slopes of the Black Hill Natural Area*). The origins of the stream channel are from a small drainage area to the northwest of the site, on the north side of State Highway 1. This is clearly shown on the USGS 7.5 minute quadrangle map, the NWI map, and on aerial photographs of the area. (Current configuration probably most clearly seen in the 1963 aerial.) The staff report makes it seem like there the stream origin is in ESHA within the Black Hill Natural Area. It is not. Much of the runoff from the upper slopes of the Black Hill Natural Area is directed east toward South Bay Boulevard by a small ridge located midway up the slope. The channel definitely receives runoff from a portion of the northern flank of Black Hill. There are no well-defined channels that run north through the Black Hill Natural Area down into the channel. There are shallow swales (vegetated with upland plants) in a few locations.

Sincerely



Wayne Colmer

Exhibit 1

From: Michael Prater [mailto:]
Sent: Monday, February 25, 2008 12:25 PM
To: Wayne Colmer
Cc: Michael Watson
Subject: Black Hill Villas vegetation removal

Mr. Colmer,

In reference to your inquiry about removal of trees for subject property prior to permit processes for subdivision. Our understanding is that 16 trees were removed during a two-year period, which included Blue Gum trees. At the time of removal the City operated under the authorization to remove 4 trees per year per lot. It is the City's understanding removal of these 16 trees followed the guidelines and no permit was necessary.

Mike

Mike Prater, Planning Manager
Public Services Department
955 Shasta Ave.
Morro Bay, Ca 93442
Tel: (805) 772-6211 Fax: (805) 772-6268
mprater@morro-bay.ca.us

TH13a

MY NAME IS RAY McKELLIGOTT I AM AN APPELLANT

I LIVE IN BLUE HERON TERRACE MOBILEHOME PARK

I REMEMBER A LITTLE HISTORY OF THIS AREA.

IN 1995 WE HAD A FLOOD THAT WAS PRETTY BAD. WE COULDN'T GET OUT OF OUR PARK FOR 1 & 1/2 DAYS.

I HAVE PICTURES AVAILABLE THAT I TOOK AT THAT TIME.

WE WORRY ABOUT SOME OF PLACES THAT USUALLY DON'T HAVE MUCH RAIN, AND THEN HAD A STORM THAT DUMPED 8 OR 10 INCHES IN A FEW HOURS, IF THAT HAPPENED TO US, WE WOULD BE IN A REAL MESS.

THE NEXT THING IS A SEWER PROBLEM THAT NOW EXISTS.

THE MORNING OF OCT. 22, 2007 MYSELF AND A NEIGHBOR WANTED TO WASH CLOTHES IN OUR LAUNDRY ROOM BUT THERE WAS A SIGN, DO NOT USE THESE WASHERS BECAUSE OF A SEWER PROBLEM IN THE STREET. IT'S A SEWER LIFT STATION ON QUINTANA ROAD NEAR THE INTERSECTION OF SOUTH BAY BLVD. IT COLLECTS SEWAGE FROM THE WHOLE AREA, AND PUMPS IT UP THE HILL ON ITS WAY TO THE WASTEWATER TREATMENT PLANT NEAR THE CENTER OF TOWN I WANTED TO KNOW WHAT IS GOING ON SO I TALKED TO THE PROJECT MANAGER AND WE AGREED THAT LIFT STATION HAS BEEN A PROBLEM, AND WILL CONTINUE TO BE A PROBLEM UNTIL A NEW LIFT STATION IS PLANNED AND INSTALLED AT THAT LOCATION.

IT SEEMS TO ME THAT NO DEVELOPMENT SHOULD BE APPROVED OR PLANNED IN THIS AREA THAT REQUIRES SEWER HOOK-UPS UNTIL THIS SEWER PROBLEM IS COMPLETELY TAKEN CARE OF.

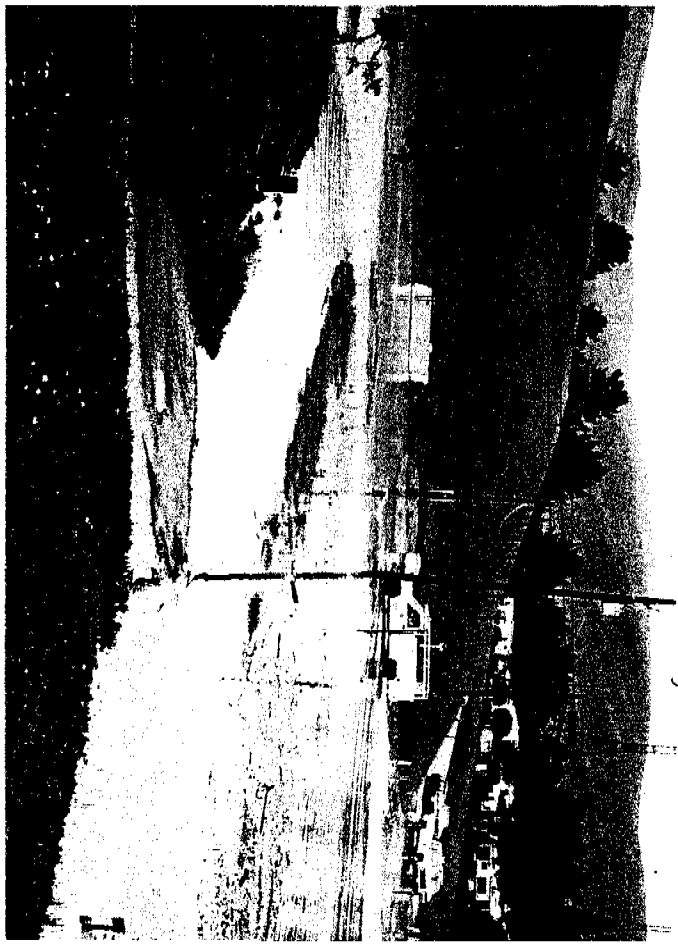
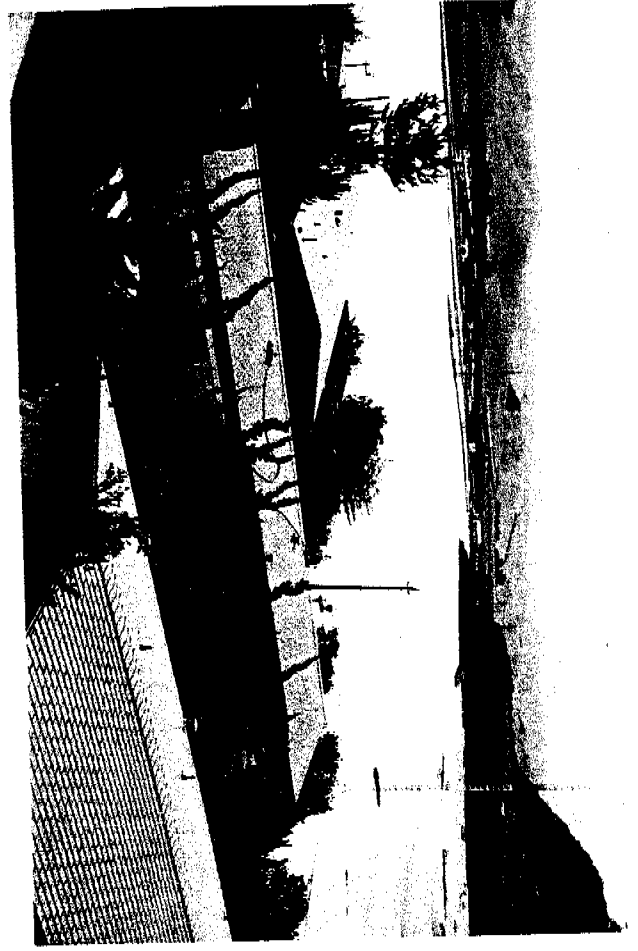
I HAVE A PICTURE OF THAT LIFT STATION AND ITS LOCATION.

RECEIVED

FEB 27 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

19951-2000 - APPEAR # A-3-MRB-06-064 TR13 (BLACK HILLS VILLAS)



LOOKING TOWARD QUINTANA & SOUTH BAY
BLVD. INTERSECTION



DRIVEWAY TO BAUE HERON M.H.P.



CREEK COMING DOWN THRU COLMER
PROPERTY

