

## **CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV



# F15a

### **A-3-SLO-21-0065 (BOOKOUT SFD) MARCH 11, 2022 HEARING EXHIBITS**

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San Simeon

Hearst San Simeon State Park

Project Location

6725 Cambria Pines Rd

Cambria

Cambria

Fiscalini Ranch Preserve

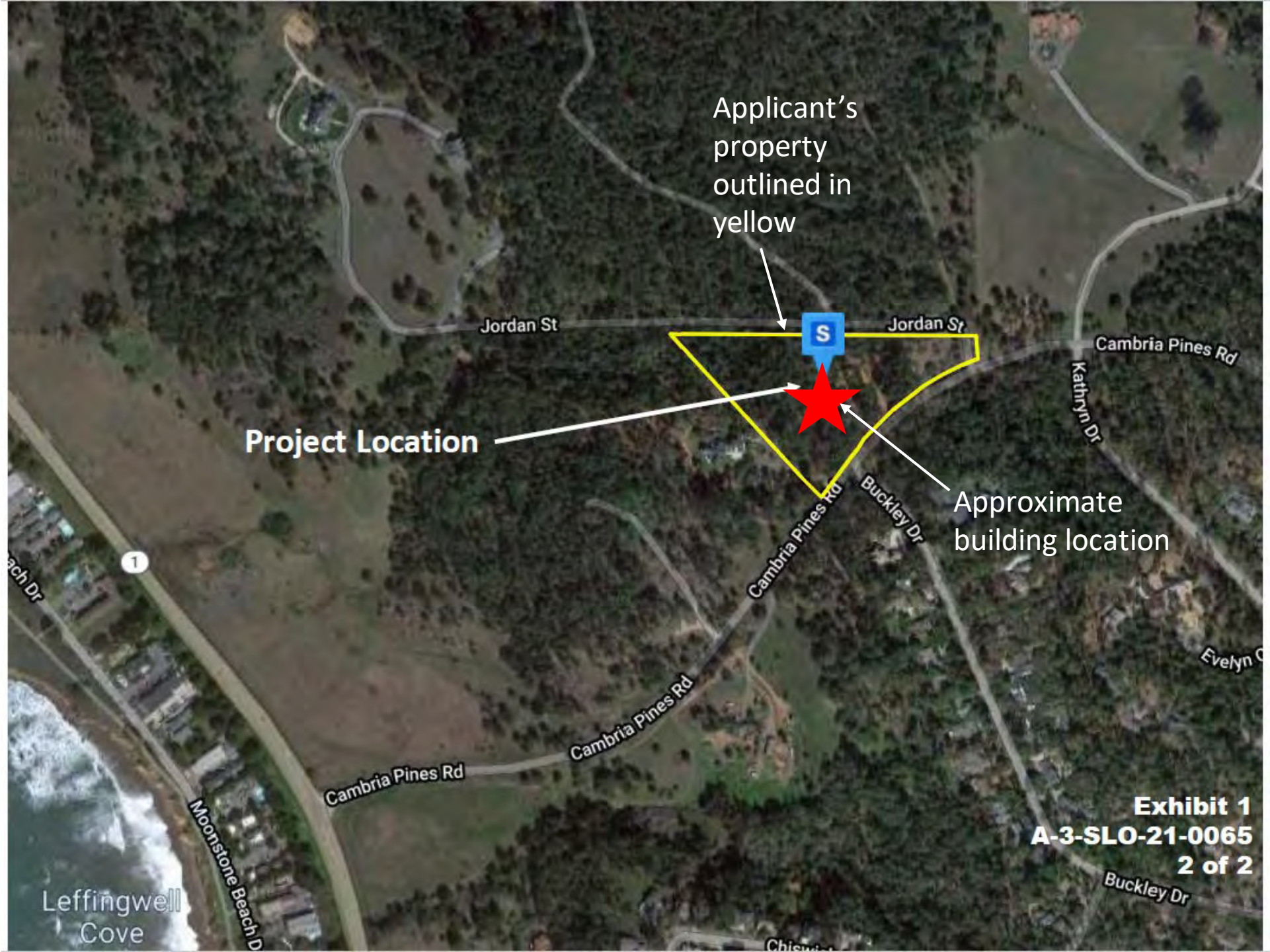
Cayucos

Data CSUMB SFML, CA OPC  
Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Exhibit 1  
A-3-SLO-21-0065  
1 of 2

Google Earth





Applicant's  
property  
outlined in  
yellow

Project Location

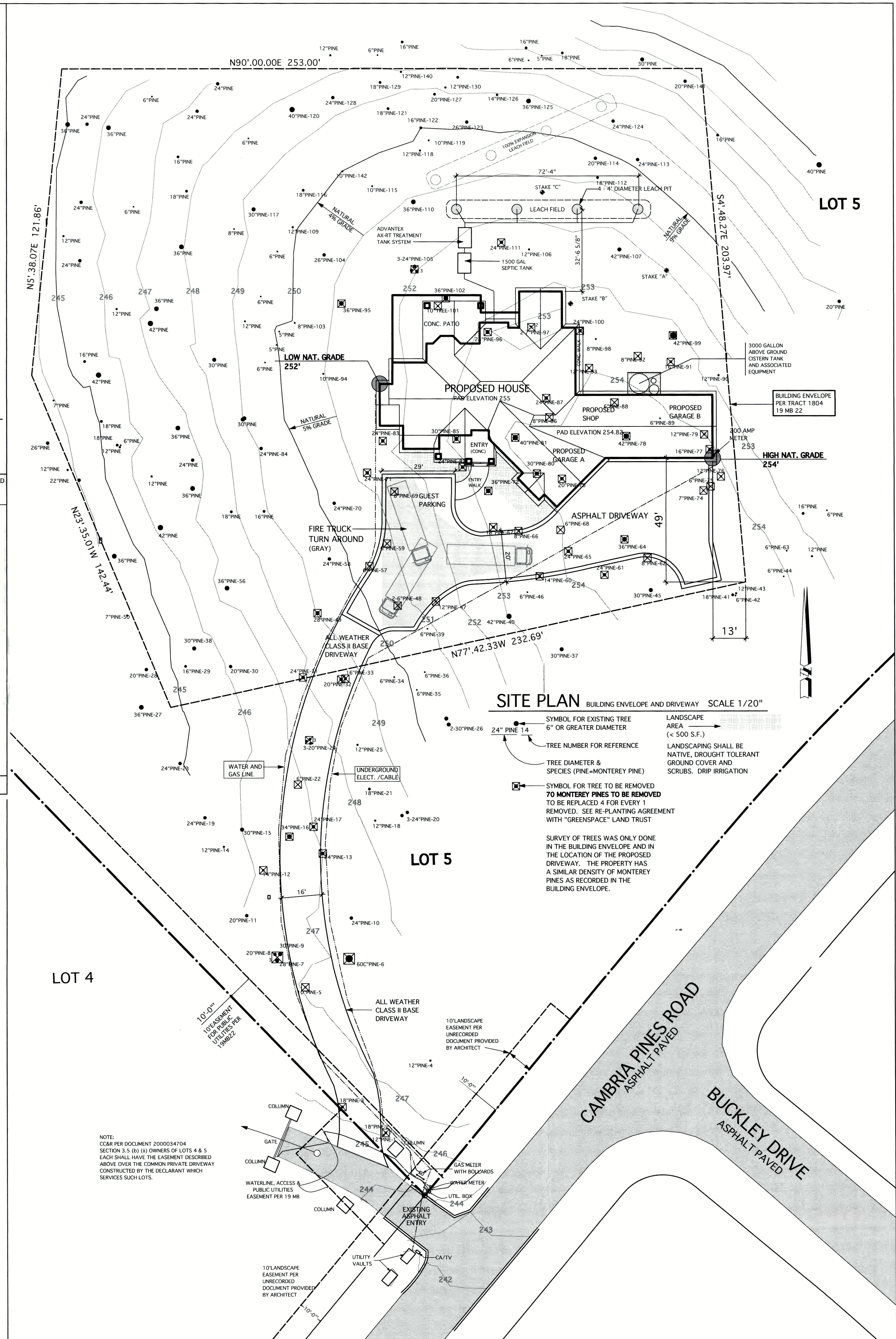
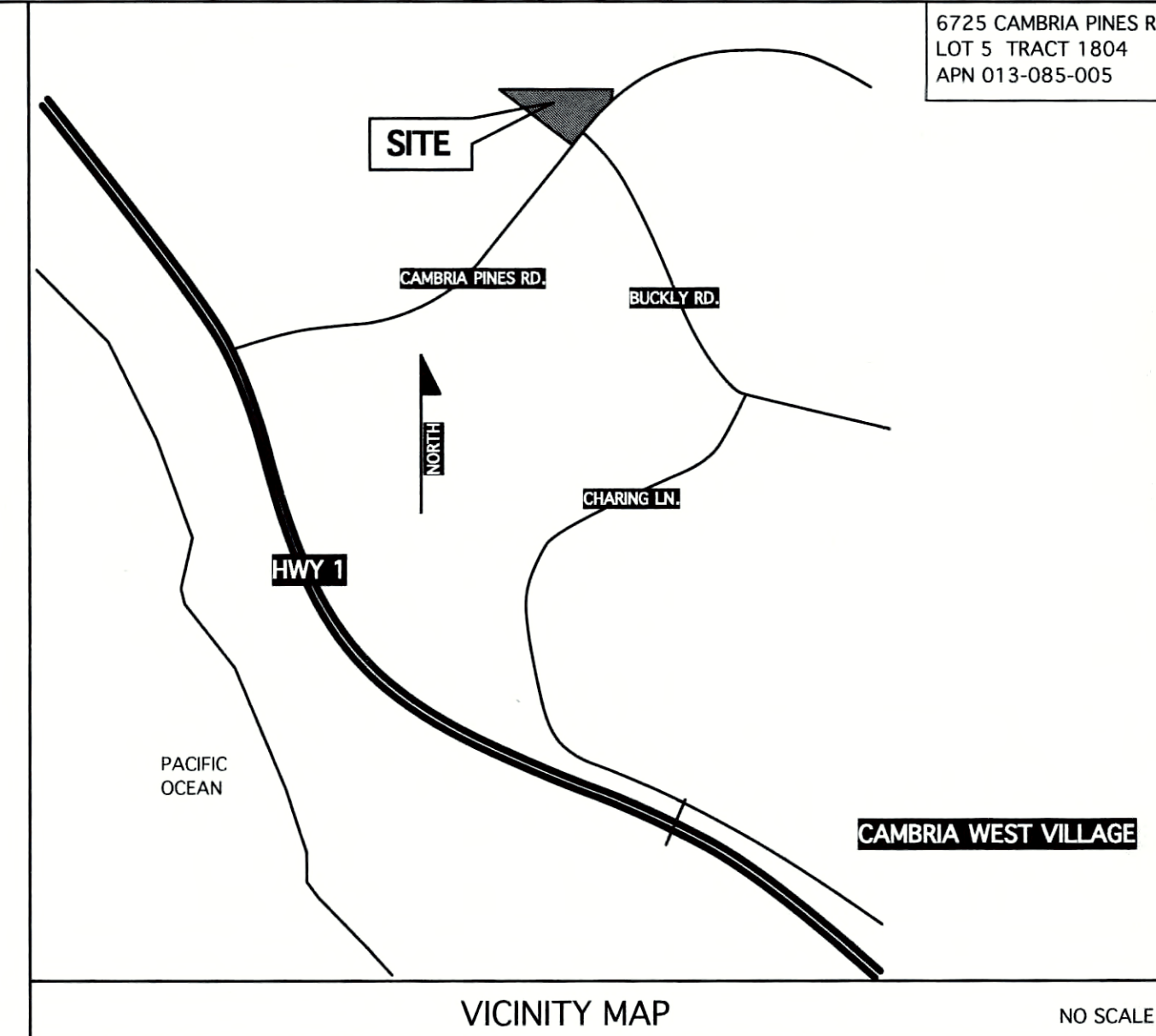
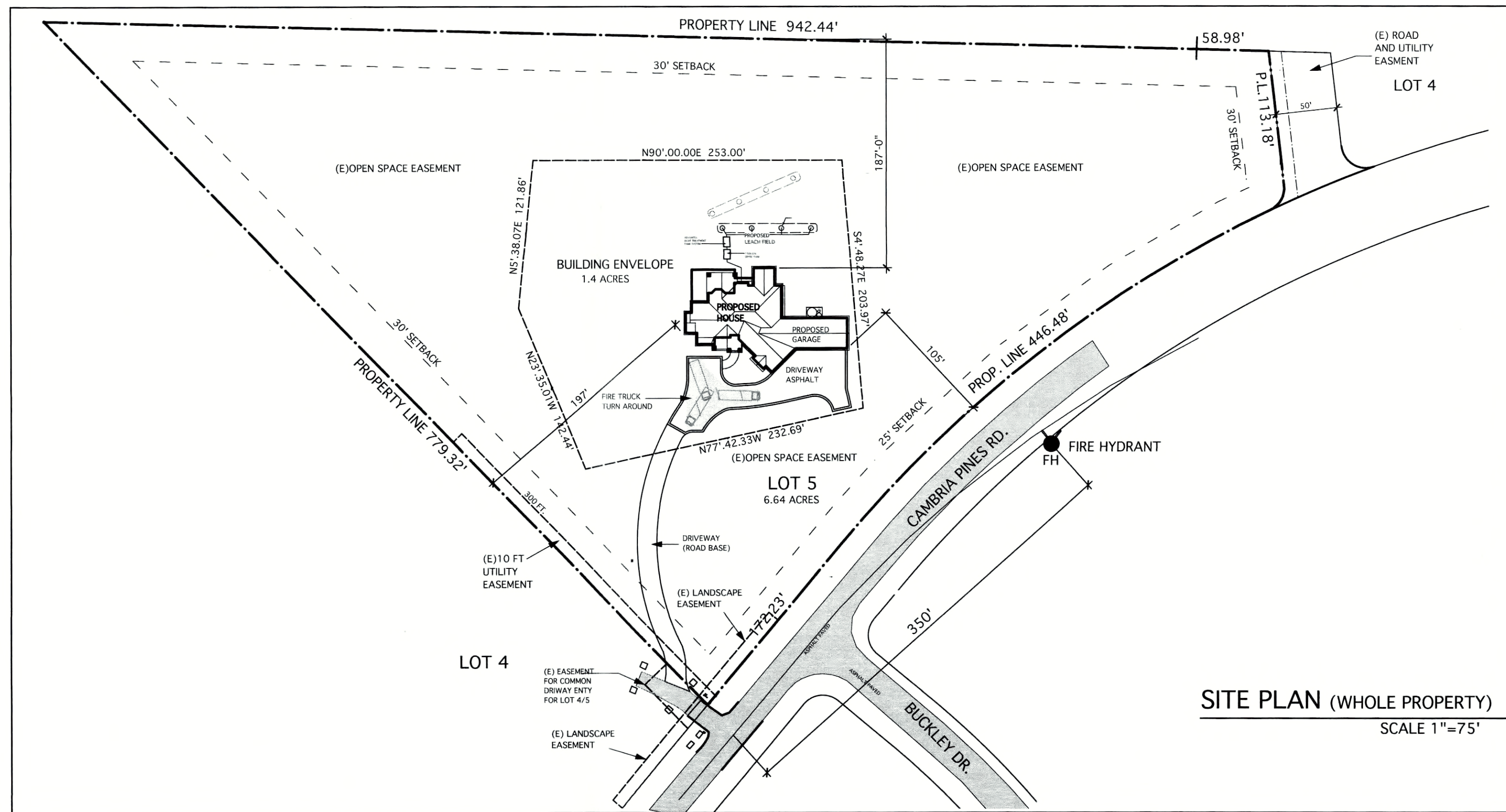
Approximate  
building location

**Exhibit 1**  
**A-3-SLO-21-0065**  
**2 of 2**









**DAVID EINUNG**  
CUSTOM HOME DESIGN

DAVIDEINUNG.COM

670 PINE RIDGE LN. ARROYO GRANDE 93420  
805-674-2842 david.einung@gmail.com

**BOOKOUT HOUSE**  
6725 CAMBRIA PINES RD. CAMBRIA CA.

**MUP PLAN SET**  
NOT FOR CONSTRUCTION

VERSION DATE:	
VERSION:	MUP APPL 09-15-19
REVISION:	
REVISION:	
REVISION:	
REVISION:	
REVISION:	
REVISION:	
REVISION:	
REVISION:	

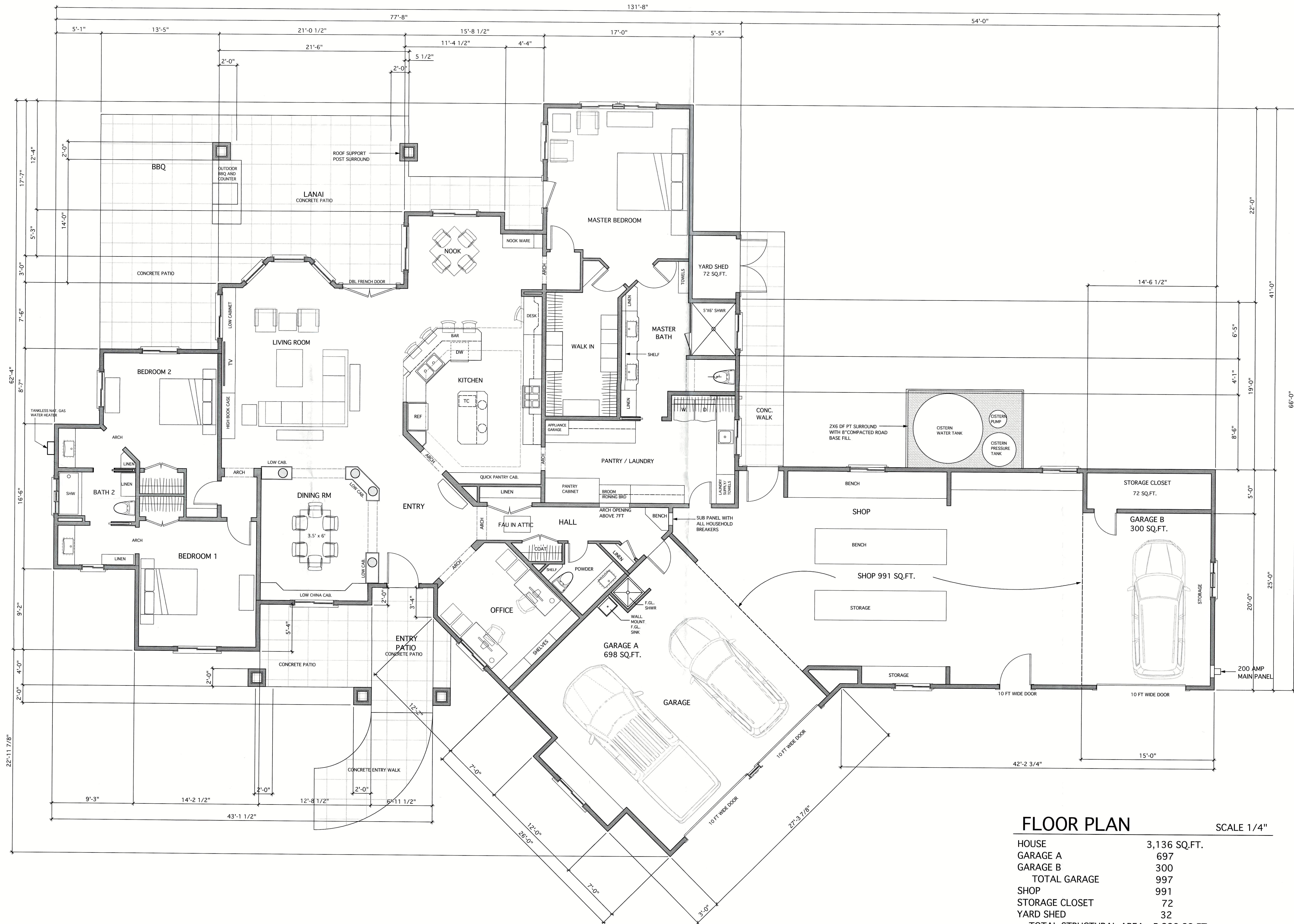
**APPLICANT**  
RALPH AND BETTY  
**BOOKOUT**  
5617 W. GROVE CT.  
VISALIA CA. 93291  
559-250-0209

**SITE LOCATION**  
6725 CAMBRIA PINES RD  
CAMBRIA CA.  
LOT 5 TRACT 1804  
APN 013-085-005

**SHEET**

**SITE PLAN**  
**MUP-2**





## FLOOR PLAN

SCALE 1/4"

HOUSE	3,136 SQ.FT.
GARAGE A	697
GARAGE B	300
TOTAL GARAGE	997
SHOP	991
STORAGE CLOSET	72
YARD SHED	32
TOTAL STRUCTURAL AREA	5,228 SQ.FT.



## BOOKOUT HOUSE

6725 CAMBRIA PINES RD. CAMBRIA CA.

## MUP PLAN SET

NOT FOR CONSTRUCTION

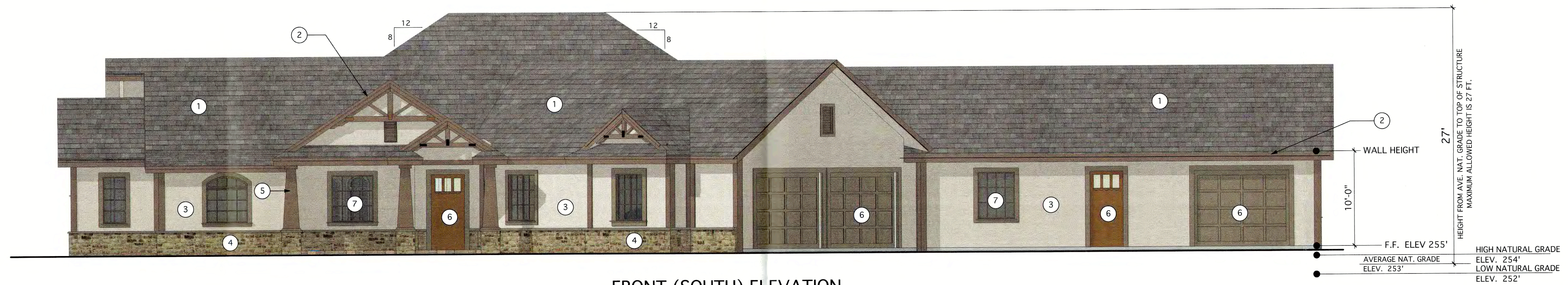
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APPLICANT	RALPH AND BETTY <b>BOOKOUT</b> 5617 W. GROVE CT. VISALIA CA. 93291 559-250-0209
SITE LOCATION	6725 CAMBRIA PINES RD CAMBRIA CA. LOT 5 TRACT 1804 APN 013-085-005
SHEET	

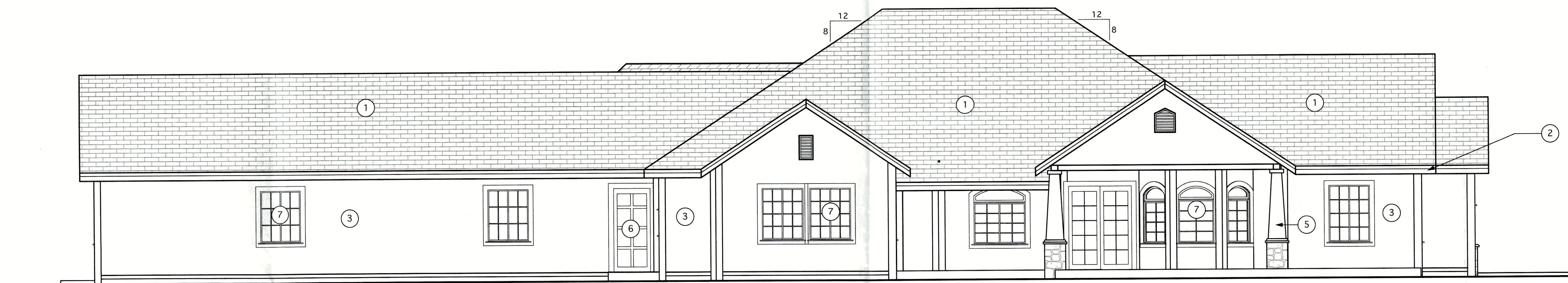
## FLOOR PLAN

## MUP-3

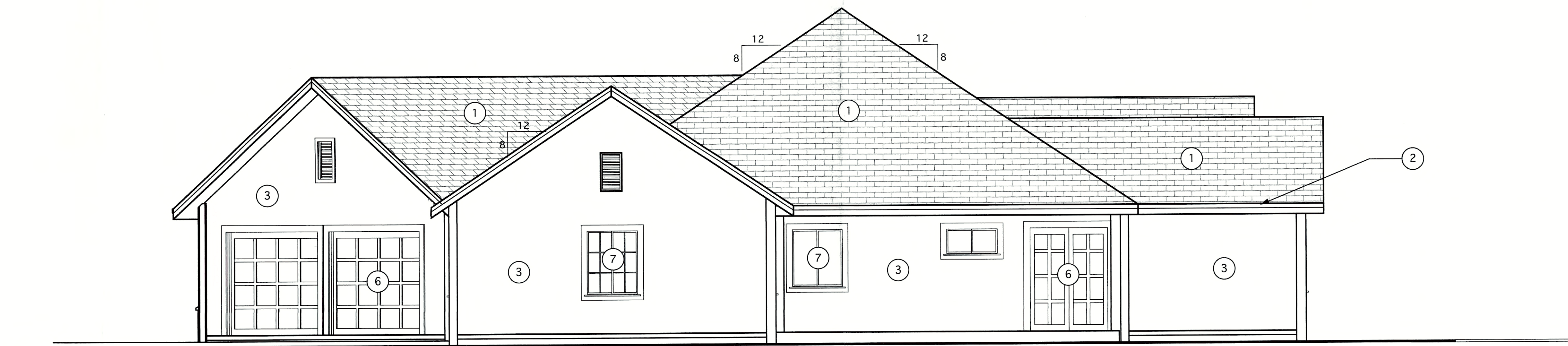




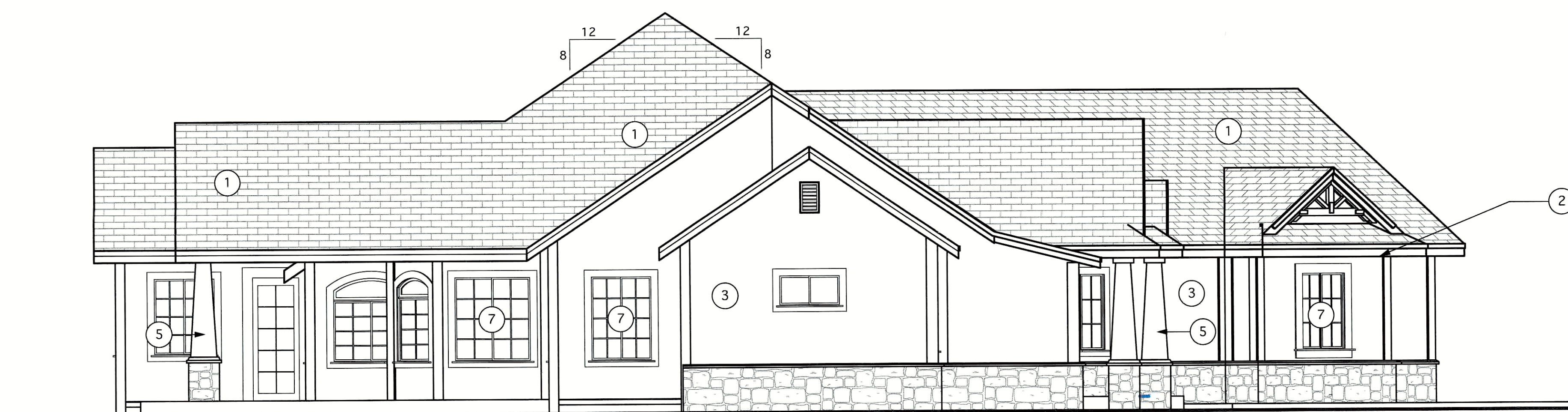
FRONT (SOUTH) ELEVATION



BACK (NORTH) ELEVATION



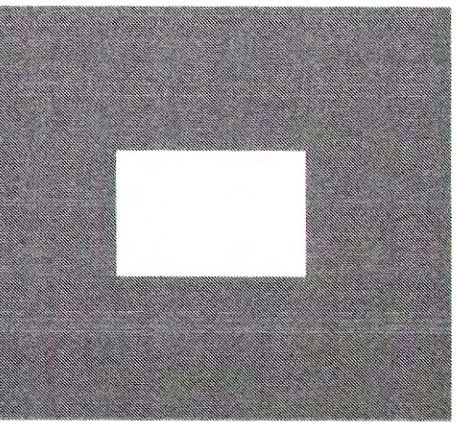
RIGHT (EAST) ELEVATION



LEFT (WEST) ELEVATION

EXTERIOR SPECIFICATIONS:	
① ROOFING:	<b>ALL ROOF PITCHES 8:12</b> - COMPOSITION SHINGLES CERTANTEED BRAND PRESIDENTIAL SERIES "SHADOW GRAY"
② FASCIA:	-PAINT DUNN EDWARDS "PALOMINO PONY"
③ STUCCO WALL CLADDING	STUCCO: -COLOR COAT PAINT DUNN EDWARDS "CHARLESTON"
④ MANUFACTURED STONE	-ELDORADO BRAND RUSTIC LEDGE STYLE "CASCADE"
⑤ PILASTERS:	-ELDORADO BRAND RUSTIC LEDGE STYLE "CASCADE" -PAINT DUNN EDWARDS "PALOMINO PONY"
⑥ DOOR /WINDOW TRIM:	-PAINT DUNN EDWARDS "PALOMINO PONY"
⑦ WINDOWS:	-MILGARD VINYL COLOR "CLAY"





DAVID EINUNG  
CUSTOM HOME DESIGN

DAVIDEINUNG.COM

*David Einung*  
670 PINE RIDGE LN. ARROYO GRANDE 93420  
805-674-2842 david@einung.com

BOOKOUT HOUSE

6725 CAMBRIA PINES RD. CAMBRIA CA.

MUP PLAN SET

NOT FOR CONSTRUCTION

VERSION DATE:

VERSION: MUP APPL. 09-15-19

REVISION:

REVISION:

REVISION:

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REVISION:

REVISION:

REVISION:

APPLICANT

RALPH AND BETTY  
BOOKOUT  
5617 W. GROVE CT.  
VISALIA CA. 93291  
559-250-0209

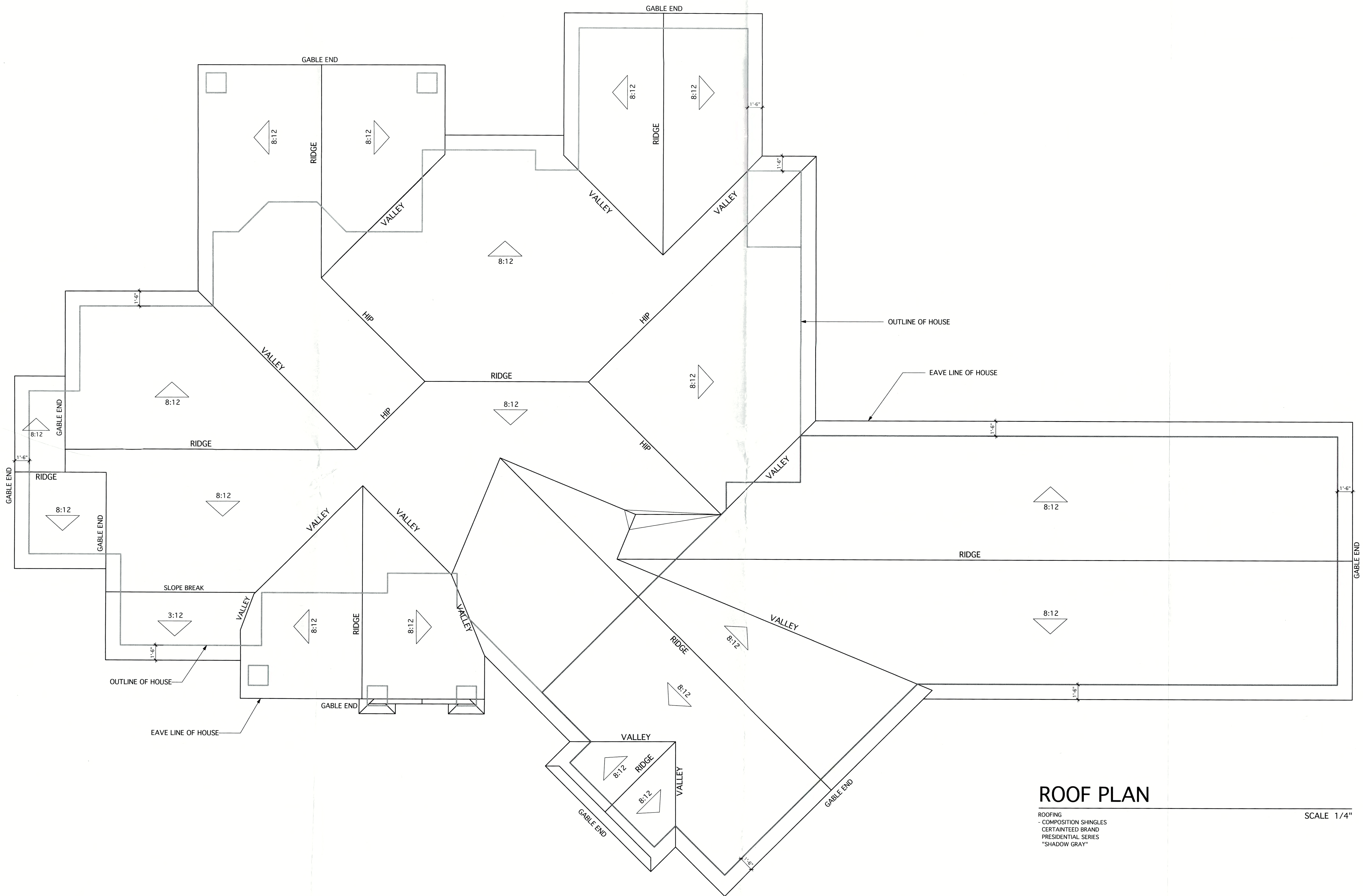
SITE LOCATION

6725 CAMBRIA PINES RD  
CAMBRIA CA.  
LOT 5 TRACT 1804  
APN 013-085-005

SHEET

ROOF PLAN

MUP-5



ROOF PLAN

ROOFING  
- COMPOSITION SHINGLES  
CERTAINTED BRAND  
PRESIDENTIAL SERIES  
"SHADOW GRAY"

SCALE 1/4"



RESOLUTION NO. 26-2021

July 15, 2021

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT  
DECLARING A STAGE 4 WATER SHORTAGE EMERGENCY

WHEREAS, the Board of Directors of the Cambria Community Services District ("CCSD") has declared a Water Code Section 350 Water Shortage Emergency; and

WHEREAS, pursuant to Water Code Section 353, the Board of Directors may adopt such regulations and restrictions on the delivery of water which will conserve the water supply for the greatest public benefit; and

WHEREAS, in addition to Water Code Section 353, Water Code Section 375 provides that a public entity which supplies water may, after holding a public hearing, adopt and enforce water conservation programs to reduce the quantity of water used by the persons within the entity's service area or jurisdiction for the purpose of conserving the entity's water supplies; and

WHEREAS, after holding a duly noticed public hearing on June 17, 2021 the Board of Directors adopted Resolution 24-2021 adopting the Water Shortage Contingency Plan (WSCP); and

WHEREAS, CCSD staff have analyzed the status and condition of existing supplies and compared them to the water shortage criteria contained within the WSCP to recommend that the Board take action to declare a water shortage and direct staff to implement the appropriate shortage response actions contained within the WSCP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District as follows:

1. Based upon the existing water supply conditions as described in the staff report for agenda item 6 A presented to the Board of Directors at today's meeting and in light of the drought currently impacting much of the West Coast and classified locally as "Extreme" by the U.S. Drought Monitor, the Board of Directors hereby finds that the demands and requirements of water consumers cannot be satisfied without depleting the water supply of the CCSD to the extent that there would be insufficient water for human consumption, sanitation and fire protection and that, based on the condition, the Board of Directors hereby declares a Stage 4 Water Shortage Emergency.
2. Resolution 18-2017 is hereby repealed and replaced by this Resolution. The Water Shortage Response Actions set forth in Exhibit "A" which is attached hereto and incorporated herein, shall be effective immediately and apply within the jurisdictional boundaries of the Cambria Community Services District until rescinded or modified by the Board of Directors. All other CCSD water conservation rules, regulations, restrictions, definitions, enforcement procedures, violation provisions and appeal procedures which are in force shall remain in force, except where they may conflict with the Water Shortage Response Actions set forth in this Resolution.
3. The General Manager is hereby authorized and directed to implement the Water Shortage Response Actions set forth in Exhibit "A" including establishing administrative procedures to carry out the requirements in an effective and equitable manner. Monthly meter readings shall be suspended and commercial water use allocations shall be based on 2019 meter usage.

Exhibit 3

A-3-SLO-21-0065



4. CCSD staff is hereby directed to continue to monitor and evaluate current water and drought conditions on an ongoing basis and report back to the Board of Directors on a monthly basis.
5. The Board Secretary shall publish this Resolution in full within 10 days of its adoption in accordance with the provisions of Water Code Section 376(a). After such publication, and in accordance with the provisions of Water Code Section 377, violation of the Water Shortage Response Actions set forth in Exhibit "A" is a misdemeanor and punishable as set forth in Water Code Section 377.
6. Within fourteen (14) days from the date of this Resolution, the General Manager is hereby directed to provide notice to all water customers of the Stage 4 Water Shortage condition and the Water Shortage Response Actions as set forth herein as well as consequences for a violation thereof. The General Manager is further directed to pursue a vigorous public information program about water supply conditions and the need to reduce water consumption, through local newspapers and other media, mailings to customers, by handouts and by such other means deemed appropriate by the General Manager.

PASSED AND ADOPTED THIS 15<sup>th</sup> day of July, 2021, by the following vote:

Ayes: Steidel, Howell, Farmer, Dean, Gray

Nays: 0

Absent: 0

Abstain: 0

DocuSigned by:

*Cindy Steidel*

FC05957325F041F...

Cindy Steidel, President  
Board of Directors

ATTEST:

DocuSigned by:

*Ossana Terterian*

DC3E1DD0C7A84D1

Ossana Terterian  
Board Secretary

APPROVED AS TO FORM:

DocuSigned by:

*Timothy J. Carmel*

B04B40A50AA141E...

Timothy J. Carmel  
District Counsel



## 8.4 Shortage Response Actions

CCSD Municipal Code Chapter 4.08 entitled “Waste of Water,” prohibits water waste at all times, regardless of whether there may a particular water conservation stage in place. This approach was originally adopted by the CCSD Board during 2000 as Ordinance 4-2000, which has since been codified within the CCSD Municipal Code.

As mentioned above, there are long-term and short-term water supply shortages with significant overlap in regard to stages, mandatory prohibitions, and consumption reduction methods as described in the following sections. **Table 8-2** summarizes the possible actions identified by CCSD staff to implement during a water shortage as well as the criteria that would trigger each water shortage stage. This table of actions is designed as a menu of options; CCSD is not required to implement each action for each stage. Actions identified in earlier stages may also be used in later stages (e.g., actions identified in Stages 1-3 may be implemented in Stage 4 as well as other Stage 4 actions, etc.).

**Table 8-2. Shortage Response Actions**

STAGE	CRITERIA	SUGGESTED ACTIONS
<b>1 – UP TO 10% WATER USE REDUCTION</b>	Baseline - Water Use Efficiency is a Way of Life	<b>THE FOLLOWING ARE PROHIBITED AT ALL TIMES UNDER CHAPTER 4.08 OF THE CCSD MUNICIPAL CODE:</b>
	Dry season starts in June or later	The watering of grass, lawns, ground-cover, shrubbery, open ground, crops, and trees herein after collectively called "landscape or other irrigation," in a manner or to an extent which allows excess water to run-off the area being watered. Every water user is deemed to have under his or her control at all times his or her water distribution lines and facilities and to know the manner and extent of his or her water use and excess run-off;
	Rainfall at 86-100% of normal	The watering of grass, lawns, ground-cover, shrubbery, open ground, crops or trees or other irrigation within any portion of the district in violation of the following schedule and procedures: a. Watering shall be accomplished with a person in attendance; b. Watering shall not take place between the hours of ten a.m. and six p.m.; and c. Watering shall be limited to the amount of water necessary to maintain landscaping.
	Average SS well levels at or above 100% of normal (≥20.1 ft)	The washing of sidewalks, walkways, driveways, parking lots, windows, buildings, and all other hard-surfaced areas by direct hosing unless utilizing high-pressure, low-volume systems;
	WBE/WBW well levels at or above 100% of normal (WBE is ≥5.6 ft and WBW is ≥5.6 ft)	The escape of water through breaks or leaks within the water user's plumbing or distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. Water must be shut off within two hours after the water user discovers such leak or break or receives notice from the district of such leak or break, whichever occurs first. Such leak or break shall be corrected within an additional six hours;
	9P2/SS4 gradient at or above 100% of normal (≥3.0 ft)	The serving of water to customers by any eating establishment except when specifically requested;
		Except as approved in advance in writing by the general manager of the district, the use of water by governmental entities or agencies for: (1) routine water system flushing for normal maintenance, (2) routine sewer system flushing for normal maintenance, and (3) fire personnel training;
		Washing vehicles by use of an unrestrained hose. Use of a bucket for washing a vehicle and rinsing with a hose with a shutoff at the point of release is permitted subject to non-wasteful applications. Vehicle is defined as any mechanized form of transportation including, but not limited to, passenger cars, trucks, recreational vehicles (RVs), campers, all-terrain vehicles (ATVs), motorcycles, boats, jet skis, and off-road vehicles;



STAGE	CRITERIA	SUGGESTED ACTIONS
		<p>Use of potable water from the district's water supply system for compacting or dust control purposes;</p> <p>Using unmetered water from any fire hydrant, except as required for fire suppression;</p> <p>It is unlawful for any consumer to remove, replace, alter, or damage any water meter or components thereof.</p> <p>Landscape irrigation using non-potable water sources is encouraged; no restrictions.</p> <p>Irrigation of parks, school ground areas, and road median landscaping will not be permitted more than twice a week.</p> <p>Irrigation of ornamental turf on public medians with potable water is prohibited.</p> <p>No application of potable water to outdoor landscapes (turf and ornamental landscapes) within 48 hours before, during, or after a rainfall event with measurable rainfall. Measurable rainfall for the region is defined as greater than or equal to 0.5 inches.</p> <p>New landscaping should be limited to native or drought tolerant plants when a Stage 1 water conservation program is in effect.</p> <p>Limits on watering duration. Watering or irrigating of lawns, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than 15 minutes per day per station. This subsection does not apply to landscape irrigation systems that exclusively use high efficiency irrigation equipment, very low-flow drip type irrigation systems when no emitter produces more than two gallons of water per hour, and weather-based controllers or high-efficiency stream rotor sprinklers.</p> <p>Operators of hotels, motels, and other commercial establishments offering lodgings shall post in each room a notice of water shortage conditions, encouraging water conservation practices.</p> <p>Lodging establishment must offer opt out of linen service.</p> <p>Require covers for pools and spas.</p> <p>Watering to maintain the level of water in swimming pools shall occur only when essential.</p>
<b>2 – UP TO 20% WATER USE REDUCTION</b>	<p>Drought Watch</p> <p>Dry season starts in June or later</p> <p>Rainfall at 71-85% of normal</p> <p>Average SS well levels at 91-100% of normal (18.2-20.1 ft)</p> <p>WBE/WBW well levels at 91-100% of normal (WBE is 5.2-5.6 ft and WBW is 5.1-5.6 ft)</p> <p>9P2/SS4 gradient at 91-100% of normal (2.8-3.0 ft)</p>	<p>Up to 3 days per week landscape irrigation when using potable water; no more than 15 minutes per day per station.</p> <p>Car washing is only permitted using a commercial carwash that recirculates water or by high pressure/low volume wash systems.</p> <p>Commercial car wash and laundry systems. Installation of new or replacement non re-circulating water systems in commercial conveyor car wash or commercial laundry systems is prohibited.</p> <p>Use of graywater, as that term is defined in the California Health &amp; Safety Code, or recycled water for irrigation is permitted on any day and at any time, subject only to any permits issued by the County.</p> <p>Construction operations receiving water from a construction meter or water truck shall not use water unnecessarily for any purpose other than those required by regulatory agencies. Construction projects requiring watering for new landscaping materials shall adhere to the designated irrigation requirements set forth in this plan and shall only install native or drought-tolerant plant species.</p> <p>District will commence public outreach campaign regarding water shortage watch restrictions including presentations and/or materials provided to local schools and street signage.</p>



STAGE	CRITERIA	SUGGESTED ACTIONS
<b>3 – UP TO 30% WATER USE REDUCTION</b>	Water Shortage Warning	Irrigation on public medians with potable water is prohibited.
	Dry season starts in May or later	Decorative water features that use potable water must be drained and kept dry. Wash only full loads of laundry and/or dishes.
	Rainfall at 56-70% of normal	Filling, refilling, or replenishing swimming pools, spas, ponds, streams, and artificial lakes is prohibited. Tune-up irrigation system by checking for and repairing leaks and damaged sprinklers.
	Average SS well levels at 81-90% of normal (16.1-18.1 ft)	Up to two days per week of landscape irrigation when using potable water; no more than 15 minutes per day per station. Shorten showers and turn off faucets while brushing teeth or shaving.
	WBE/WBW well levels at 81-90% of normal (WBE is 4.6-5.1 ft and WBW is 4.6-5.0 ft)	District will expand outreach campaign to include a staffed booth at the weekly Farmer's Market. Water efficient product giveaways will be provided, budget permitting. Fix leaky faucets, toilets, showerheads, pipes, and other water plumbing immediately.
	9P2/SS4 gradient at 81-90% of normal (2.5-2.7 ft)	
<b>4 – UP TO 40% WATER USE REDUCTION</b>	Drought Emergency	Up to one day per week of landscape irrigation when using potable water; no more than 10 minutes per day per station.
	Dry season starts in April or later	Maintenance of existing landscaping necessary for fire protection as specified by the Fire Chief of the Cambria CSD Fire Department; if fire-protection landscaping is not sustainable by irrigation one (1) days per week, irrigation may be increased to not more than two (2) days per week;
	Rainfall at 41-55% of normal	Maintenance of existing landscaping for erosion control; if erosion-control landscaping is not sustainable by irrigation one (1) day per week, may be irrigated up to two (2) days per week.
	Average SS well levels at 71-80% of normal (14.1-16.0ft)	Implement monthly meter reading; customer notification re: percentage of allocation used
	WBE/WBW well levels at 71-80% of normal (WBE is 4.1-4.5 ft and WBW is 4.0-4.5 ft)	Existing pools shall not be emptied and refilled using potable water unless required for public health and safety purposes. No new will serves for projects including pool or spa installation will be permitted. Staff directed to communicate with water users in the 90th percentile of their customer class to help reduce consumption.
	9P2/SS4 gradient at 71-80% of normal (2.2-2.4 ft)	Previous waivers for watering or water use in excess of drought restrictions will be revoked. Washing of personal vehicles at home (including autos, trucks, trailers, motor homes, boats, or others) is prohibited. Water use allocation per permanent resident: 3 units per month. Commercial water use allocation: 3 units per EDU or fraction thereof; or average of last 12 months water use, whichever is less. Vacation rental allocation: 3 units per month. Upon the declaration of a water shortage emergency, no new water meters allowed, except for health and safety, unless water demand is offset to a net zero increase. Achieving net zero water increase is when potable water use of proposed development is no greater than current demand within the District's service area prior to installation of the new meters. The District will separately develop a "Net Zero Water Increase Program." The objective of the Program shall be to provide a means to continue sustainable growth during continuing water shortage conditions. No new temporary construction meter permits will be issued by the District.



STAGE	CRITERIA	SUGGESTED ACTIONS
		<p>The District will suspend consideration of annexations to its service area unless the annexation increases the water supply available to the District by more than the anticipated demands of the property to be annexed.</p> <p>Staff directed to prepare WRF for operation.</p>
<b>5 – UP TO 50% WATER USE REDUCTION</b>	<p>Extreme Drought Emergency</p> <p>Dry season starts in March or earlier</p> <p>Rainfall at 26-40% of normal</p> <p>Average SS well levels at 61-70% of normal (12.1-14.0 ft)</p> <p>WBE/WBW well levels at 61-70% of normal (WBE is 3.5-4.0 ft and WBW is 3.4-3.9 ft)</p> <p>9P2/SS4 gradient at 61-70% of normal (1.9-2.1 ft)</p>	<p>No irrigation of turf, landscapes and/or ornamental gardens with potable water sources.</p> <p>Water use for public health and safety purposes only. Customer rationing may be implemented.</p> <p>No new construction meters will be issued.</p> <p>Dedicated irrigation meters will be locked by CCSD staff.</p> <p>Staff directed to perform mandatory water audits for water users in the 90th percentile.</p> <p>No replacement water may be provided for ponds or lakes. Aeration equipment should be managed in such a way as to eliminate evaporative loss of water.</p> <p>Water use allocation per permanent resident: 2 units per month. Commercial water use allocation: 2 units per EDU or fraction thereof; or 75% of average of last 12 months water use, whichever is less. Vacation rental allocation: 2 units per month.</p> <p>Penalty charges for violation of water use allocations. Water use that exceeds allocation by less than 25% will be subject to a five-hundred percent (500%) surcharge levied on all usage above the customer's allocation. Water use that exceeds allocation by more than 25% will be subject to a one-thousand percent (1000%) surcharge levied on all usage above the customer's allocation. The tiered penalty structure is designed to acknowledge those customers who make a good faith effort to reduce consumption but go over their allocation by a small amount.</p> <p>Staff directed to operate WRF.</p> <p>No water for commercial car washes.</p> <p>No planting of new landscaping (seed, sod, or other plant materials).</p>
<b>6 – GREATER THAN 50% WATER USE REDUCTION</b>	<p>Exceptional Drought Emergency</p> <p>Dry season starts in March or earlier</p> <p>Rainfall at &lt;25% of normal</p> <p>Average SS well levels at &lt;60% of normal (≤12.0 ft)</p> <p>WBE/WBW well levels at &lt;60% of normal (WBE is ≤3.4 ft and WBW is ≤3.3 ft)</p> <p>9P2/SS4 gradient at &lt;60% of normal (≤1.8 ft)</p>	<p>All landscape and non-essential outdoor water use for all Customers in all areas of the District's retail water service area shall be prohibited.</p> <p>Water rationing and penalties for exceeding allocations to remain in effect.</p> <p>Water use for public health and safety purposes only.</p> <p>Staff directed to operate WRF.</p>



RECEIVED

SEP 24 2021

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

ADAMSKI MOROSKI MADDEN  
CUMBERLAND & GREEN LLP  
ATTORNEYS AT LAW

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T 805-543-0990 • F 805-543-0980 • [www.ammcglaw.com](http://www.ammcglaw.com)  
Email: [green@ammcglaw.com](mailto:green@ammcglaw.com)

September 15, 2021

VIA EMAIL

Forest Donovan  
725 Front Street, Suite 300  
Santa Cruz, CA 95060  
Email: [forest.donovan@coastal.ca.gov](mailto:forest.donovan@coastal.ca.gov)

Re: Hadian 6785 Cambria Pines Road, Cambria (DRC2020-00107) &  
Bookout 6725 Cambria Pines Road, Cambria (DRC2019-00214)

Dear Mr. Donovan:

This firm represents (i) Al Hadian, the owner of property located at 6785 Cambria Pines Road, Cambria (DRC2020-00107); and (ii) Ralph Bookout, the owner of property located at 6725 Cambria Pines Road, Cambria (DRC 2019-00214). Both properties are single-family residential lots and represent two of the eight lots that remain undeveloped within the West Cambria Tract 1804 (“the Leimert Tract”). Both properties were connected to Cambria Community Services District’s (“CCSD”) water system in April 16 2001. The CCSD has since been supplying them with potable water and they have continued to pay a monthly water service fee to the CCSD. As such, both properties are referred to by the CCSD as “grandfathered meters” and they were specifically exempted from the Cambria Water Moratorium Ordinance adopted on November 15, 2001 (the “Moratorium”). They were also expressly recognized as such by the Coastal Commission in its approval of the North Coast Area Plan Amendment in 2007. Most importantly, both properties could be damaged by a misreading of the North Coast Area Plan Amendment which would result in the elimination of their vested rights in “grandfathered meters” (2019-A-3-SLO-19-0199 “Hadian-2019 appeal”). As “grandfathered meters”, Mr. Bookout’s and Mr. Hadian’s properties represent the CCSD water service commitments existing as of November 15, 2001 (“existing commitments”) and therefore are exempt from the Moratorium and the obligation to assure no adverse impacts on water resources. Thus, despite the clear language of the North Coast Area Plan Amendment, the Coastal Commission, through its Staff, has revised the North Coast Area Plan to limit exempt properties, resulting in a loss of vested rights by our clients. The Coastal Commission Staff’s position violates the North Coast Area Plan, as adopted, the Moratorium, and the constitutionally protected rights of the holders of existing commitments (e.g., “grandfathered meters”). We respectfully request that the rights of these “grandfathered meters” be recognized, as required by law, and find no substantial issue with respect to these “grandfathered meters” lots developments.<sup>1</sup>

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<sup>1</sup> We find it inexplicable that 100% of every Leimert Tract lot that applied for a permit were approved and developed after the Moratorium, between 2007 and 2019, with the latest approved in 2019. It would seem that sometime prior to denial of Mr. Hadian’s previous application, the Coastal Commission, for some unspecified reason, has changed its position as to the Leimert Tract lots in violation of the 2007 NCAP amendment.



While there is a long history underlying attempts to restrict development within the Cambria Community, it is best for our purposes to begin with the adoption of the CCSD's water allocation ordinance ("Ordinance No. 2-2000") by which the CCSD sought to allocate its limited water resources while balancing the interests of a water shortage with the rights of property owners with existing commitments from the CCSD. In doing so, the CCSD Board essentially found that it lacked the water resources to serve all potential developments within its jurisdiction. In that light, based on a thorough water resource study and by working with the Coastal Commission, on October 23, 2000, the CCSD adopted Ordinance No. 2-2000. By the Ordinance, the CCSD essentially found that it had water resources available only to provide for its "Existing Commitments," but that other potential development (those without a water commitment existing) would have to wait until the development of additional resources. Existing Commitments is defined in Ordinance 2-2000 as follows:

*"Existing Commitments"- Service commitments made to District customers, including Active Service Commitments, Non-Active Service Commitments, and Parks/Landscaping/Irrigation Commitments, as established by Exhibit B inventories Non-Active Service Commitments and Parks/Landscaping/Irrigation Commitments. (Bold added).*

The Ordinance 2-2000 goes on to define "Non-Active Service Commitments" as:

*This category consists of parcels with what the District has determined have pre-existing (grandfathered) commitments for service, but which do not have active service uses. Non-Active Service parcels are listed by current Assessor Parcel Number ("APN"), prior APN (if applicable), address, account number (if any) and status, including the type (single-family residential, multi-family residential, commercial, or affordable housing) and number of EDUs assigned. (Bold Added)*

Based on the CCSD lists provided at the time<sup>2</sup>, the breakdown of properties that were entitled to be served under Ordinance No. 2-2000 was as follows:

Outstanding Service Commitments (Will-Serve Letters Issued):	65
Active Service Meters:	14
Connection Permits:	20
<b>Grandfathered Meters:</b>	<b>25</b>
Total:	124

Thus, at the time of the CCSD adoption of Ordinance No. 2-2000 in October 23, 2000, there were only 124 properties exempted from the Moratorium and entitled to water connection, based on

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<sup>2</sup> Coastal Commission Monaco staff Report (A-3-SLO-02-050) dated 7/8/02 on page-9 also describes the CCSD exempt properties "At the time the moratorium was declared, there were 124 outstanding commitment letters remaining, including 14 with active service meters, 20 with connection permits, 25 grandfathered meters (defined as those projects established prior to the development of the 1991 CCSD waiting list, these meters with an existing service commitments, or those projects with water meters already in place at the time of the moratorium), and 65 previously issued intend-to-serve letters."



the available water supply. **The Leimert Tract, which includes the Hadian and Bookout properties, make up 18 of the 124 entitled properties.** All properties in the Leimert Tract were deemed “existing service commitments” with a more refined definition of “grandfathered meters” at the time the Ordinance 2-2000 was adopted. On April 16, 2001 “grandfathered meters” water meters of all 18 lots at Leimert Tract were installed and connected to the CCSD. On November 15, 2001 the CCSD enacted the moratorium ordinance and excluded all its commitments existed to date from moratorium. In 2007 the Coastal Commission approved the CCSD moratorium and its exempted commitments known as “certified 2007 NCAP amendment”. As such, the plain meaning of “grandfathered” is that the moratorium ordinance being enacted in November 15, 2001 does not apply to the “grandfathered meters” and the grandfathered meter lots are in conformance with the 2007 NCAP amendment to develop. Attached to the CCSD Ordinance 2-2000 (as Exhibit B) is the comprehensive list of exempted properties from the Ordinance. Included on this list of exemptions are all properties in the Leimert Tract (Including Hadian and Bookout).

Taking a more focused look at the exemptions from the Moratorium, however, we find that the real crux of the CCSD’s decision was based on the number of Equivalent Dwelling Units (“EDUs”) generated by the exempted properties.

*Except as provided in Section 2.5-2(A)(3) (Parks/Landscape/Irrigation Commitments), Equivalent Dwelling Units (EDUs) shall be used as the basis for the allocation of water and sewer connections by the District...*

At the time the Moratorium was adopted, the estimated amount of “committed” or exempt EDUs was 202.31. The specifics of this EDU commitment are set forth at pages 9-10 of Staff Report for Coastal Development Permit Application A-3-SLO-02-050 (“Monaco-7/18/02”). We have attached pages 9-10 for convenience but summarized, it spells out the exempt properties on page 9 and in a graph on page 10 erroneously labeled as “Outstanding ‘Pipeline’ Projects After CCSD Connection Moratorium.”<sup>3</sup> In that graph, which appears to have been created and certainly relied on by the Commission, “grandfathered” single-family residential “committed” EDUs are shown at 25. Those 25 include the undeveloped Leimert lots, including Mr. Hadian’s and Mr. Bookout’s properties.

In 2007, the Coastal Commission adopted changes to the North Coast Area Plan (“NCAP”) which added the following as a new Communitywide LCP Standard (certified 2007 LCP amendment).

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

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<sup>3</sup> The reason the title is erroneous is that “pipeline projects” seems to be a term that is used loosely by the Commission Staff and, as herein later mentioned, was misused in an attempt to redefine exempt properties. None of the Leimert Tract properties, at least to our knowledge, fall within the narrow definition of “pipeline properties” later applied by the Coastal Commission Staff.



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

Therefore, taking the plain meaning of the NCAP, there are two types of commitments that are not subject to the Moratorium. One is new projects not using CCSD connection (meaning those projects that can secure their potable water use from any other source but the CCSD connection). The second is new projects with a water service commitment existing as of the date of the Moratorium which **includes, but is not limited to**, “pipeline projects”. As noted above, in Monaco staff report (A-3-SLO-02-050) the Coastal Commission staff recognized that there are certain existing water commitments, including those for the Leimert Tract, totaling 202.31 EDUs. Therefore, under the plain meaning of the NCAP amendment, a “water service commitment” (e.g. Hadian and Bookout) supports development without the need to assure “no adverse impacts to Santa Rosa and San Simeon Creeks.” Those commitments were included in the CCSD’s water demand commitment and therefore the subject properties are free to develop under the Moratorium and are not required to analyze impacts on Santa Rosa Creek and San Simeon Creek. Development occurring in conjunction for those commitments does not raise a substantial issue or create any ability in the Coastal Commission to intervene in their development process based on water service.

The misreading of the NCAP by Coastal Staff, referenced in the opening paragraph of this letter, is evidenced in the application filed by Mr. Hadian and denied by the Coastal Commission in 2019-A-3-SLO-19-0199 (“Hadian-2019 Appeal”). In the appeal, the Coastal Commission Staff seems to ignore the actual language of the NCAP amendment and, instead, limits the exemptions only to “pipeline projects” which it defines as projects that, as of November 15, 2001, had a will-serve letter from the CCSD and a project application before the County of San Luis Obispo. Staff contends that these very limited exemptions were created out of a sense of fairness and goes on to say that there are no longer any “pipeline projects”.

This position to limit the CCSD commitments to just pipeline projects completely misconstrues both the Moratorium and the NCAP amendment, neither of which limit the exemption to “pipeline projects.” In fact, as noted by the Commission Staff, “pipeline projects” were projects **without an existing water** commitment (meaning without a CCSD water meter) but which had a will serve letter from the CCSD and a development application pending with the County. It is important to recognize that *the definition of a “pipeline project” is irrelevant and has absolutely no bearing on properties, such as the Hadian and Bookout properties, which had their water meters in place and were connected to the CCSD as of November 15, 2001 and were clearly recognized as “water service commitments” by the CCSD and the Coastal Commission through the plain language of the 2007 amendment to the North Coast Area Plan.* “Water service commitments”, by the express terms of the NCAP, are simply exempt from the Moratorium and, under the North Coast Area Plan, are, as a matter of law, allowed to develop without regard to the impact on San Simeon Creek or Santa Rosa Creek. In essence, the impact of those two categories of development were “baked into” the Moratorium and the NCAP, both of which recognized that such projects constituted part of the 202.31 EDUs outstanding CCSD water commitment. That outcome is mandated by the language of the NCAP and it is somewhat befuddling that the Coastal Commission Staff changed the narrative so that



the exemption is limited to pipeline projects. (This new limitation is even more curious when it is realized that 100% of every lot at Leimert Tract that applied for permit were approved and developed after the Moratorium, between 2007 and 2019).

Further, the Commission's attempt to redefine "pipeline projects" as all-encompassing is blatantly inconsistent with more accurate statement made by Coastal Commission Staff in a letter to County Planning Staff on February 16, 2021. In that letter, Commission Staff writes:

*We understand that pipeline projects are a specific subset of existing commitments and the larger categories of development .... In other words, all pipeline projects are existing commitments, but not all existing commitments are pipeline projects.*

Commission Staff's recognition that "existing service commitments" is a broader category than simply pipeline projects, is a welcome recognition of the legal and historic status of water service rights within the CCSD. As noted by the Coastal Commission in its denial of Mr. Hadian's previous application, pipeline projects were a creation based on fairness and an attempt to avoid litigation by those applicants who had a will serve letter in hand and an application before the County. However, what the Commission failed to recognize in the previous application is the broader category of users who, at the time the Moratorium was adopted, were connected to CCSD water service. Those connections were recognized as having vested rights and defined appropriately as "grandfathered" connections. Hadian and Bookout are two of that small group of grandfathered connections (most of which have been built out) and are entitled to be treated as such and, in fact, were treated as such for nearly two decades while the majority of the Leimert Tract was developed. There is no legitimate argument otherwise and there is certainly no substantial issue for consideration by the Commission.<sup>4</sup>

We believe that Coastal Staff might seek some traction on the fact that the CCSD is issuing a new "confirmation of water availability" letter to Mr. Hadian and Mr. Bookout and contend that such new letters are somehow proof that there was no water meter connection in April 16, 2001. However, these new letters are requested by the County and provided by the CCSD to confirm that the CCSD water service connection, which has been in place since April 16, 2001, is still active. (A copy of Mr. Hadian's "Confirmation of water availability for new construction with grandfather meter" letter is attached). This new letter simply confirms what is apparent from a review of the documents; the remaining eight undeveloped lots in the Leimert Tract were connected to the CCSD in April 16, 2001 and the CCSD has been supplying them potable water ever since. They have been paying their monthly water services fee for the past two decades.<sup>5</sup> It is worth mentioning that both Hadian and Bookout are using their potable water currently for irrigation and erosion control of their properties.

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<sup>4</sup> We want to emphasize that the previous denial of Hadian's property on the basis that it wasn't a "pipeline project" and only pipeline projects are exempt from the moratorium was completely erroneous. Hadian and Bookout (as grandfathered meter properties) have vested rights to a water connection that are far superior to any rights that may have gone with pipeline project status. We urge the Commission not to repeat its error but, rather, to recognize that there is no substantial issue raised by these single-family residential projects.

<sup>5</sup> The Leimert Tract properties some retrofit obligations under an existing settlement agreement.



Forest Donovan  
Sept. 15, 2021  
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The exemptions in the Moratorium and NCAP were created to avoid a challenge that the imposition of the Moratorium would deprive those connected and with commitments of their private property rights due process or without the payment of just compensation. Read by their plain language, those exemptions afford exactly that protection to the CCSD. However, if the Coastal Commission is going to change its position (in violation of NCAP) to ignore the existing commitment exemption and create, by fiat, a narrow definition of exempt development, the Coastal Commission is opening up both itself and the CCSD to an action that will ultimately uphold the rights of those impacted property owners, such as Mr. Hadian and Mr. Bookout, and result in significant damage awards. We urge the Coastal Commission Staff to remain consistent with the Moratorium and NCAP and find no substantial issue with respect to the subject development applications.

Very truly yours,

ADAMSKI MOROSKI MADDEN  
CUMBERLAND & GREEN LLP



THOMAS D. GREEN

TDG:jac-tlg  
Enclosure

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Kip Morais  
County of San Luis Obispo Planner  
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Lot - 2  
10-19-2020

## CAMBRIA COMMUNITY SERVICES DISTRICT

**DIRECTORS:**

HARRY FARMER, President  
CINDY STEIDEL, Vice President  
AMANDA RICE, Director  
DAVID PIERSON, Director  
DONN HOWELL, Director

**OFFICERS:**

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1316 Tamsen Street, Suite 201 • P.O. Box 65 • Cambria CA 93428  
Telephone (805) 927-6223 • Facsimile (805) 927-5584

October 15, 2020

Al Hadian  
18581 Caspian Court  
Granada Hills, CA 91344

**\*Requires CCSD Retrofit Inspection prior to Permit Finalization\***

Subject: **CONDITIONAL CONFIRMATION OF WATER & SEWER AVAILABILITY FOR DEVELOPMENT  
USING GRANDFATHERED METER (LEIMERT TRACT 1804 – LOT TWO)<sup>1</sup>**  
ASSESSOR'S PARCEL NO. 013-085-002  
6785 CAMBRIA PINES ROAD – NEW SFR WITH DETACHED GARAGE/WORKSHOP

Cambria Community Services District (CCSD) has reviewed the plans provided to San Luis Obispo County for a Permit to improve the above property. San Luis Obispo County requires written assurance that water and sewer service is available from the CCSD. **Said project is authorized with the conditions as indicated below:**

**Approval Conditions (Required if Checked)**

<input checked="" type="checkbox"/>	<b>Demand Offset Required.</b> Upon issuance of a county-approved building permit, Applicant shall have the obligation to provide retrofits in the district's service area that offset the water demand of the project, as represented by the required number of points as determined by district staff. The district may permit all or a portion of the required points to be satisfied by payment of in-lieu fees for points from the points bank. A connection permit will not be issued until compliance with the retrofit program is achieved.
<input checked="" type="checkbox"/>	<b>All existing and new water fixtures</b> must meet current standard under Title 4 of District Code. CCSD plumbing code is more stringent than the Cal Green Plumbing Code. Visit <a href="https://www.cambriacsd.org/retrofits-remodels">https://www.cambriacsd.org/retrofits-remodels</a> for more information.
<input checked="" type="checkbox"/>	Applicant must go online to schedule a retrofit inspection before permit finalization. Visit <a href="https://www.cambriacsd.org/water-fixture-retrofit-program">https://www.cambriacsd.org/water-fixture-retrofit-program</a> to schedule.
<input checked="" type="checkbox"/>	Applicants must work with Cambria Fire Department & CCSD's Water Department staff to determine water meter size requirement to serve this project (if applicable).
<input type="checkbox"/>	Provide proof that the underlying lots are one legal parcel, or otherwise complete a lot merger of the underlying lots <b>within 90 days</b> of this notice.
<input type="checkbox"/>	Under CCSD regulations, remodels must not change the existing water service status of the property by creating additional separate dwelling units. <b>WARNING! A GUEST UNIT MAY NOT BE RENTED AS A SEPARATE DWELLING.</b>

<sup>1</sup> APN 013-085-002 is one of eighteen lots granted water service via the July 12, 1999 Settlement Agreement and Full Mutual Release executed between the CCSD and Cambria West/Leimert. Connection fees were satisfied, and water systems were installed at all eighteen lots by April 16, 2001. Eight of the original eighteen lots, including Lot Two, remain on the CCSD's Existing Commitment List as of the date of this letter.

Exhibit 4

A-3-SLO-21-0065

8 of 10



- Reactivate the retro-fit program as contained in the CCSD Ordinances 1-98, 2-98, and 2-99;
- Investigate additional opportunities to implement water saving measures through the retro-fit program;
- Enforce Ordinance 4-2000 (water waste provision);
- Identify any additional opportunities to improve Ordinance 4-2000;
- Request that the County of San Luis Obispo adopt restrictions on the installation of landscaping within the Cambria CSD to minimize the impact or irrigation on water supplies;
- Develop a plan to ensure the enforcement of all restrictions and regulations regarding water usage in Cambria;
- Pursue the development of water master plan;
- Evaluate the current rate structure and develop changes and improvements.

Through the declaration of a moratorium on new water connections, the CCSD has taken a critical step in curbing short-term development potential in Cambria. Since October 25, 2001 no new intent-to-serve letters have been issued by the CCSD. The moratorium effectively limits new development in Cambria until the uncertainty with respect to water supplies can be resolved. However, the moratorium does not limit those projects declared "in the pipeline" by the CCSD. "Pipeline projects" are defined as projects that have development applications accepted for processing by the County, and are also accompanied by an intent-to-serve letter from the CCSD.

As mentioned, the CCSD declared a water emergency on November 15, 2001. At the time the moratorium was declared, there were 124 outstanding commitment letters remaining, including 14 with active service meters, 20 with connection permits, 25 grandfathered meters<sup>2</sup>, and 65 previously issued intent-to-serve letters (including the 38 approved commitments of the Oct 25, 2001 CCSD Board Meeting). These outstanding commitments include both residential and commercial development totaling 202.31 "Equivalent Dwelling Units"(EDU's)<sup>3</sup>, or approximately 48.55 acre-feet of water. In 2000, the CCSD supplied a total of 798 acre-feet of water. Based on these figures, the total "pipeline projects" represent an approximate 6.1% increase in total water supplies needed to serve these outstanding commitments.

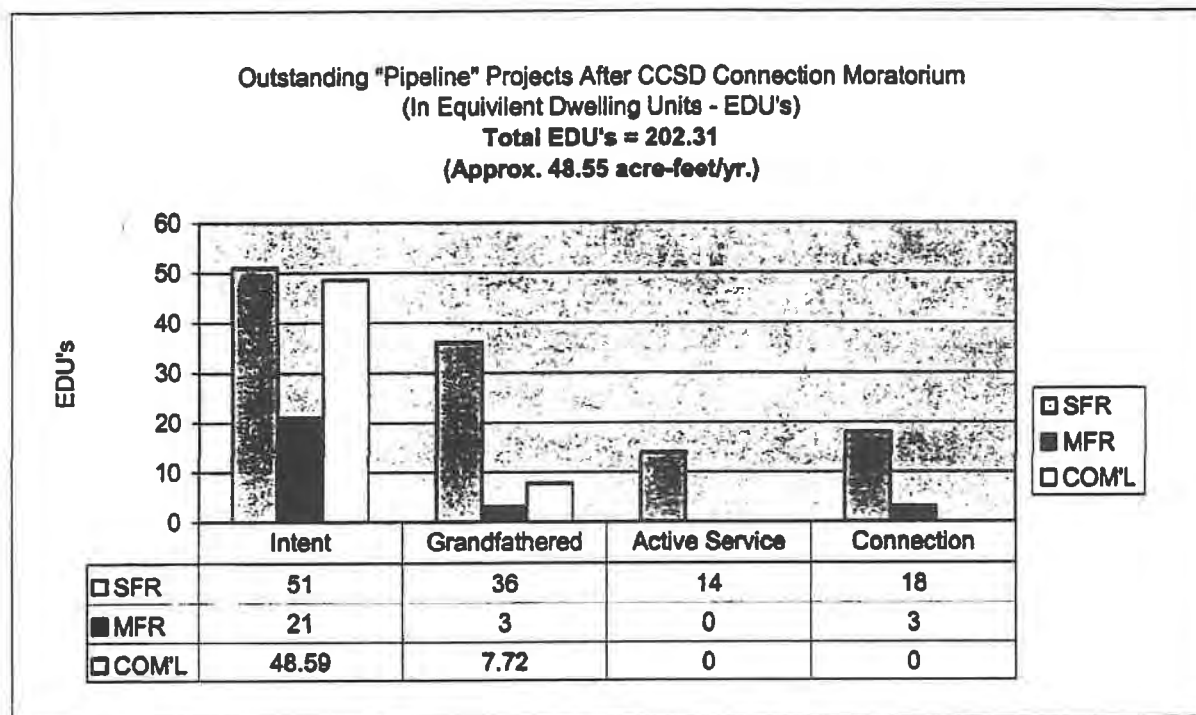
The following graphic represents the outstanding "pipeline project" commitments displayed in equivalent dwelling units (EDU's) following the declaration of a moratorium on new water connections by the CCSD.

<sup>2</sup> Grandfathered meters are defined as those commitments established prior to the development of the 1991 CCSD waiting list, those meters with an existing service commitment, or those projects with water meters already in place at the time of the moratorium.

<sup>3</sup> In Cambria, an Equivalent Dwelling Unit (EDU's) is equal to approximately 217 gallons (.24 acre feet) per dwelling unit.







The "pipeline projects" list presents a starting point when analyzing individual projects for recommendation to the Commission. It is important to note, however, that being on this list does not ensure approval by the Commission. Each project on the list must be evaluated on its individual merits. All projects included must be analyzed for the amount of water used and for consistency with the complete spectrum of governing LCP policies and ordinances.

## 2. Substantial Issue Analysis

The issue brought forth by the appellant relates to the adequacy of available water supplies to support new development. In terms of this coastal development permit analysis, water supply data presented supports a finding that the standards of the certified LCP to assure sustainable new development are not being met. Specifically, Public Works Policy 1 requires that:

*prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed . . . .*

The subject lot is an existing legal parcel. The issue presented here is whether there is adequate water to serve this parcel as well as all of the existing developed parcels in Cambria, as it is clear there is not enough water to serve all of the existing developed and all of the vacant parcels (build-out). The CCSD has, by allocating water service to this project found that adequate water is available for this project





Terrestrial ESHA

Bookout Parcel

JORDAN RD

KATHRYN DR

UNNAMED RD

Terrestrial ESHA

#### LEGEND

- Coastal Zone Boundary
- Lake or Pond
- Planning Area Boundary
- Planning Sub Area Boundary
- Urban Service Line
- Cambria Urban Reserve Line
- Combining Designations**
  - H - Historic
  - V - Visitor Serving Area
- ASA - Archaeological Sensitive Area
- AR - Airport Review Area
- EX - Extractive Area
- EX 1 - Energy Extractive Area
- Flood Hazard
- GSA - Geologic Study Area
- GSA - Alquist-Prilo
- SRA - Sensitive Resource Area
- Environmentally Sensitive Habitat**
  - Coastal Stream
  - Marine Habitat
  - Riparian Vegetation
  - Terrestrial Habitat
  - Wetland



**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
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February 16, 2021

Planning Department  
976 Osos St., Room 300  
San Luis Obispo, CA 93408

Re: Agenda Item 6 and 7. Coastal Development Permits DRC2019-00214  
(Bookout) and DRC2020-00107 (Hadian)

Dear Planning Department Hearing Officer,

Thank you for providing our office with the opportunity to comment on the above-referenced agenda items regarding two proposed residences in Cambria. As the County is aware, the Commission has appealed and denied several proposed residences in Cambria the last few years, including a 2019 denial of a residence proposed by Mr. Hadian. This letter is in response to the County's new interpretation of the North Coast Area Plan (NCAP) policies and the applicants representative's February 10, 2021 letter. Namely, the County and the applicants both assert that "pipeline projects" are separate and distinct from the "existing commitments" list maintained by the Cambria Community Services District (CCSD). The County and applicants further state that existing commitments, including all projects within the Leimert Tract, are exempt from the NCAP policy that requires new development in Cambria to show the project will have "no adverse impacts to Santa Rosa and San Simeon Creeks" and all other applicable LCP policies. We disagree, as explained in more detail below.

First, we understand that pipeline projects are a specific subset of the larger category of existing commitments and that these are not two distinct categories of development. We do agree that pipeline projects are those that had secured a CCSD will-serve letter and that the County had accepted an application for processing prior to November 15, 2001. However, our understanding is that all pipeline projects were included in the CCSD existing commitments list.<sup>1</sup> In other words, all pipeline projects are existing commitments, but not all existing commitments are pipeline projects. We have long requested a list of pipeline projects from both the CCSD and the County, but this list has still not been provided. Our understanding is that there are no pipeline projects left. The two projects at issue here were proposed in 2019 and 2020. Thus, even if there were

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<sup>1</sup> We also note that the CCSD has continued to add projects to the "existing commitments" list after 2001 and do not agree that the list previously provided constitutes the correct list. The existing commitments list is finite and only includes projects that were on the list in 2001. The list that was recently provided by the County was created in 2020 and was not in existence in 2001.



pipeline projects remaining, these projects are clearly not in the pipeline project category as they did not have a will serve letter and application in process in 2001.

Second, we disagree that existing commitments do not need to meet the NCAP "no adverse impacts to Santa Rosa and San Simeon Creeks" standard. This policy states that "new development **not using** CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073), shall assure no adverse impacts to Santa Rosa and San Simeon Creeks" (emphasis added). This policy clearly differentiates between projects **using** water connections and those that are not. We recognize that there were a handful of non-pipeline projects that were approved between 2001 and 2007. The intent of this policy is to capture all development that had connected to the water system and began using water service by the time the 2007 NCAP update was approved. All other new development not actively utilizing water service must meet the "no adverse impacts" standard, which all evidence suggests is not currently possible. The only exception to the NCAP "no adverse impacts to Santa Rosa and San Simeon Creeks" standard was for pipeline projects, of which these projects do not qualify and of which there are no projects remaining.

Finally, as we have explained in prior staff reports, even if pipeline projects were to exist, other LCP coastal resource protection policies (e.g. those related ESHA, Groundwater Basins, Watersheds, Coastal Streams and Riparian Habitats, etc.) are all applicable to the project and no new connections in Cambria would be able to be found consistent with these policies. Compliance with all LCP policies and standards is required by CZLUO sections 23.01.033 and 23.01.033.034. Moreover, the NCAP states that the pipeline project allowance was based, in part, on the CCSD's "reliability conclusions of the CCSD's Water Supply Analysis during a November 15, 2001 meeting." In other words, the CCSD believed at the time that there was sufficient water to serve the remaining pipeline projects without adverse impacts. The overwhelming evidence gathered since that time suggests that the CCSD's 2001 conclusions were incorrect and there is not sufficient water to serve even existing development. Additionally, any issues of procedural fairness as an exception for pipeline projects has substantially diminished, as almost 20 years has passed since the moratorium was enacted and all Cambrians have been aware of the community's water scarcity issues during this time.

The applicants representatives' February 10 letter states that they are dumbfounded by the Commission's position. However, the Commission has repeatedly and consistently made it's perspective clear. In the 2002 appeal staff report for the project referenced in the NCAP policy, A-3-SLO-02-050, the Commission found that "[t]he "pipeline projects" list presents a starting point when analyzing individual projects for recommendation to the Commission. It is important to note, however, that **being on this list does not**



***ensure approval by the Commission.*** Each project on the list must be evaluated on its individual merits. All projects included must be analyzed for the amount of water used and ***for consistency with the complete spectrum of governing LCP policies and ordinances.***” As explained above, while a handful of projects have previously been approved based on earlier erroneous conclusions that sufficient water was available, all available information gathered since 2001 suggests that the Cambria’s water supply is insufficient to serve even existing development, including the 2014 water shortage emergency declaration.

We will note that it is Cambria’s lack of water, not the Commission, that has prevented new development from being approved in the community. The Commission has continued to evaluate new development based on substantial evidence regarding the reliability of Cambria’s water supply, as should the County in the current proposals. Should Cambria secure a new sustainable water supply or conduct acceptable instream flow studies to demonstrate that existing water supplies are adequate to serve new development, as the Commission has suggested for decades, new development could potentially be approved.

In short, our office has not changed our opinion that new connections in Cambria cannot be found consistent with the LCP and must be denied. During the last Commission denial of a Cambria project, several Commissioners expressed strong frustration that the County and CSSD continues to approve projects when the Commission’s direction has been overwhelmingly and unanimously clear. These two projects, if approved, are very likely to be appealed and denied. We would strongly encourage the County and the CCSD to focus on securing a new sustainable water supply for the community, rather than continue to waste staff time and energy on individual projects that have very little chance of success. Hopefully this helps clarify our position.

Sincerely,

Brian O’Neill  
Coastal Planner