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APPENDIX K

COASTAL DEVELOPMENT PERMIT 428-10



California Coastal Commission
 SOUTH CENTRAL COAST REGIONAL COMMISSION
 735 STATE STREET, (805) 963-6871
 BALBOA BUILDING, SUITE 612
 SANTA BARBARA, CA 93101



RECEIVED JUN 29 1981

COASTAL DEVELOPMENT PERMIT 2 absent

On May 29, 1981, by a vote of 10 to 0, the California Coastal Commission granted to CAMBRIA COMMUNITY SERVICES DISTRICT Permit # 428-10, subject to the conditions set forth below, for development consisting of amendment to condition of Coastal Development Permit No. 132-18 and (132-20) (Condition Nos. 2 and 4 respectively) to modify the annual ^{131.20} hook-ups permissable to allow 125 residential hook-ups.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in San Luis Obispo County at Community of Cambria.

After public hearing held on May 29, 1981, the Commission found that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; if between the sea and the public road nearest the sea, is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976; and either (1) will not have any significant adverse impact on the environment, or (2) there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the development as approved may have on the environment.

Issued on behalf of the South Central Coast Regional Coastal Commission on May 29, 1981.

Carl C. Hetrick

Carl C. Hetrick
 Executive Director

The undersigned permittee acknowledges receipt of the California Coastal Commission Permit # 428-10, and fully understands its contents, including all conditions imposed. (Please return one signed copy to the South Central Coastal Commission as soon as possible; upon receipt of same, the permit card will be mailed to you to post on project property.

June 30, 1981

Edward V. Main

PERMITTEE



Permit # 428-10, is subject to the following conditions:

I. STANDARD CONDITIONS

1. Assignment of Permit This permit may not be assigned to another person except as provided in Cal. Admin. Code, Title 14, Section 13170.
2. Notice of Receipt and Acknowledgement Construction authorized by this permit shall not commence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.
3. Expiration If construction has not commenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.
4. Construction All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Commission pursuant to Cal. Admin. Code, Title 14, Sections 13164 - 13168.

II. SPECIAL CONDITIONS

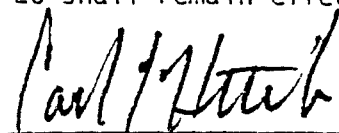
1. Approve the Amendment to Coastal Development Permit Nos. 132-18 and Conditions 2 and 4 respectively to state as follows:

Unless and until a Local Coastal Program is certified specifically approving an increase in water supply beyond that provided by this permit:

- a. No more than a total of 5,250 dwelling units shall be permitted to receive water connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence.
- b. The total number of annual hookups shall be limited to 125 dwelling units. The total number of service connections allowed shall be cumulative (i.e., if all 125 dwelling unit hook-ups are not utilized in one year, the remainder can be added to the next year's total).

The additional allocation from that allowed in Permit Nos. 132-18 and 131-20 is based on the reduction in per capita water use experienced in 1979 and 1980, and assumes that the reduction is indicative of a long term reduction in water usage. As the majority of the reduction is due to the implementation of the increasing block rate structure, the Commission finds that this amendment shall be void if the District changes the rate structure to a flat rate or a decreasing block rate structure.

2. All other conditions of Coastal Development Permit Nos. 132-18 (as partially amended by Permit No. 161-07) and 131-20 shall remain effective.



CARL C. HETRICK
Executive Director

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST REGION

CAMBRIA COMMUNITY SERVICES DISTRICT
APPLICATION NO. 428-10

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HEARING ITEM NO. 7
(II-7)

MEETING AT DISCOVERY MOTOR INN
1800 Monterey Street, San Luis Obispo, CA
HEARING AGENDA - FRIDAY, May 29, 1981 - 1:15 p.m.
APPLICATION NO. 428-10

APPLICANT: Cambria Community Services District
P.O. BOX 65
Cambria, CA 93428

LOCATION: Community of Cambria
Co. of San Luis Obispo

PROJECT: Amendment to condition of Coastal Development Permit No. 132-18 and 132-20 (Condition Nos. 2 and 4 respectively) to modify the annual hook-ups permissible to allow 125 residential hook-ups.

STAFF RECOMMENDATION:

The Staff recommends that the Commission adopt the following resolution:

I. APPROVAL WITH CONDITIONS

The Commission hereby approves a permit for the proposed amendment subject to the conditions below, on the grounds that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, with the public access and public recreation policies of Chapter 3 of the Coastal Act, will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the Coastal Act, and there are no possible alternatives, or mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the development as finally proposed may have on the environment.

1. Approve the Amendment to Coastal Development Permit Nos. 132-18 and Conditions 2 and 4 respectively to state as follows:

Unless and until a Local Coastal Program is certified specifically approving an increase in water supply beyond that provided by this permit:

- a. No more than a total of 5,250 dwelling units shall be permitted to receive water connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence.
- b. The total number of annual hookups shall be limited to 125 dwelling units. The total number of service connections allowed shall be cumulative (i.e., if all 125 dwelling unit hook-ups are not utilized in one year, the remainder can be added to the next year's total).

The additional allocation from that allowed in Permit Nos. 132-18 and 131-20 is based on the reduction in per capita water use experienced in 1979 and 1980, and assumes that the reduction is indicative of a long term reduction in water usage. As the majority of the reduction is due to the implementation of the increasing block rate structure, the Commission finds that this amendment shall be void if the District changes the rate structure to a flat rate or a decreasing block rate structure.

2. All other conditions of Coastal Development Permit Nos. 132-18 (as partially amended by Permit No. 161-07) and 131-20 shall remain effective.

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

1. Project Description

The Cambria Community Services District (CCSD) has applied for an amendment to Coastal Development Permit No. 132-18, Condition No. 2 and Coastal Development Permit No. 131-20, Condition No. 4. The original permits were for the expansion and upgrade of the community water and sewer systems and are summarized in following:

- (a) 132-18. The rehabilitation of the existing Cambria water distribution system and the development of a new source of water for the District users by the drilling of wells in the San Simeon Groundwater Basin. The State Water Resources Control Board, Division of Water Rights, had appropriated 1,230 acre/feet of water from this basin to the District with a determination that safe yield of the groundwater basin is 1,460 acre feet.
- (b) 131-20. The expansions of the existing secondary treatment plant to a 1 mgd packaged treatment plant, construction of 12 foot land outfall 15,000 square feet in length and disposal fields and a reservoir in the San Simeon Creek area.

The condition(s) requested for modification limited the number and yearly allocation of new (the full conditions are for these permits are included as Appendix 1) residential water and sewer hook-ups in Cambria. The condition is as follows:

"Unless and until a Local Coastal Program is certified specifically approving an increase in water supply beyond that provided by this permit:"

- a. "No more than a total of 3,800 dwelling units shall be permitted to receive water connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence."
- b. "The total number of annual hookups shall be limited to the schedule of service connections in the Feasibility Report, attached hereto and incorporated herein by reference as Exhibit 4. The effective date of this schedule shall coincide with the implementation of this project. The total number of service connections allowed shall be equal to the cumulative total to that date."

"In addition to the 3,800 connections allowed under this permit, the Commission may allow additional connections consistent with the other conditions of the permit if the Commission determines after public hearing that water conservation measures have achieved a reduction in water usage consistent with the requirements of Public Resources Code Section 30231; the number of connections allowed in this manner shall be determined by the long term reduction in water usage."

The schedule referred to under "b" and presented as Table 1 extends for a 30 year period and allows 84 hookups in the first year, decreasing over time to 56. The schedule was derived from the original estimates which the CCSD based their financial analysis upon.

Specifically, the District requests that "Exhibit A" as referenced in (b) above and presented as Exhibit 1 herein be changed and in its place the annual number of water and sewer hookups be set at 125. The District has not explicitly requested that the total number of dwelling units referenced in "a" above, 3,800, be modified, however based on the discussion which follows it is reasonable that if the Commission grants the rate change that it should also modify the total number of hookups permissible.

The yearly allocation begins on March 21st of each year. The yearly allocation for FY1981 was exhausted in less than one month

2. Commission Regulations with Respect to Permit Amendments

The Administrative Regulations set forth the circumstances whereby an amendment to a permit may be filed. Section 13166(a) requires:

"13166. Amendments to Permits Other than Administrative Permits.
(a) Applications for amendments to previously approved developments shall be filed with the commission or regional commission which issued the permit."

"(1) An application for an amendment shall be rejected if, in the opinion of the executive director, the proposed amendment would lessen or avoid the intended effect of a partially approved or conditioned permit unless the applicant presents newly discovered material information, which he could not, with reasonable diligence, have discovered and produced before the permit was granted."

In the case of this permit the Executive Director has determined that there is materially new information indicating a decrease in per capita water demand. Accordingly, the application has been filed.

3. Basis of the Original Permit Condition

Citing PRC Sections 30250(a) and 30254, the Commission found that there could be adverse impacts on coastal resources as a result of the development accommodated by the water project equal to an increase of 2.9 times the existing population. Accordingly, the Commission established that the project should be limited to serve 3,800 households, limit the area to be served to existing developed areas, and mitigate the rate of development to extend over a 30 year period required to meet the repayment plan of the Davis-Grunsky Loan Project Funding.

FOOTNOTES:
 ① Current District practice is to credit full amount of ad valorem tax revenues to water revenue account. Column 4 above reflects only 50% of ad valorem tax revenues applied to the water revenue account.
 ② Connection charge income shown to net income after deducting estimated connection costs which are incurred by the District. Net income is estimated at \$100 per connection for the years 1977 and 1978, and at one-half the connection charge thereafter.
 ③ Water availability charge income is based upon \$10 charge per 6,388 parcels remaining after July 1, 1977.
 ④ Effective November 1, 1978, increased water rates system application. Based on estimated District population of 2,308 and annual per capita water sales revenue of \$24 (54.30 per month). Water sales revenue are estimated allowing for future population increases.
 ⑤ Amortization of \$1.3 million Davis Grunsky Loan dated July 1, 1977 with final payment in the year 2007 (30 year term). Note that surpluses/deficits column is allowed for additional capital expenditures in the years 1979 and 1979, and does not reflect full 100% application of ad valorem tax revenues per parcel. Estimated deficits will be further reduced to the extent that District approved valuation increases in future years.

REVENUE AND EXPENSE ESTIMATES
(Allowing for Increased Water Rates, Availability
Change, Connection Fees and Proposed Davis Grunsky Loan)

Year Ends 6-30	Service Connections	Unit Charge	Ad Valorem Taxes	Water Connection Avail.	REVENUES				Annual Per Service	Water Rate 100 c.f.l.	Operation and Maintenance	EXPENDITURES		Surplus/ Deficit
					Water Sales	Water Revenue	Total Revenue	Capital Expenditures				Total Expenditures		
1977	84	230	28	3	235	135	135	78.30	.80	143	137	137	34.4	
1978	84	184	43	3	235	135	135	90.30	.80	137	137	137	18	
1979	83	1805	37	20.5	45	146	249	90.30	.80	170	170	170	23.2	
1980	79	1912	300	41	19.5	174	300	137	.80	180	180	180	22.8	
1981	78	1912	500	44	19.5	207	312	107.00	.90	191	191	191	18.8	
1982	78	1912	500	53	21.5	219	321	104.00	.90	214	214	214	14.0	
1983	78	2147	600	53	21.5	219	321	104.00	1.00	227	227	227	4.2	
1984	78	2272	600	58	23.5	232	339	113.30	1.00	241	241	241	4.2	
1985	68	2175	500	62	25.0	250	347	113.30	1.00	254	254	254	4.2	
1986	68	2175	700	73	23.0	262	445	124.75	1.10	270	270	270	4.2	
1987	68	2423	700	78	23.0	262	445	124.75	1.10	287	287	287	4.2	
1988	68	2449	700	82	23.0	262	445	124.75	1.10	304	304	304	4.2	
1989	68	2772	800	82	23.5	270	442	134.00	1.20	312	312	312	4.2	
1990	56	2772	800	82	23.5	270	442	134.00	1.20	329	329	329	4.2	
1991	56	2772	800	82	23.5	270	442	134.00	1.20	342	342	342	4.2	
1992	56	2772	800	82	23.5	270	442	134.00	1.20	354	354	354	4.2	
1993	56	2831	800	82	24.5	278	451	147.25	1.30	362	362	362	4.2	
1994	56	2847	800	82	24.5	278	451	147.25	1.30	374	374	374	4.2	
1995	56	2947	800	82	24.5	278	451	147.25	1.30	384	384	384	4.2	
1996	56	2947	800	82	24.5	278	451	147.25	1.30	394	394	394	4.2	
1997	56	3079	800	82	24.5	278	451	147.25	1.30	404	404	404	4.2	
1998	56	3113	800	82	24.5	278	451	147.25	1.30	414	414	414	4.2	
2000	56	3113	800	82	24.5	278	451	147.25	1.30	424	424	424	4.2	
2001	56	3113	800	82	24.5	278	451	147.25	1.30	434	434	434	4.2	
2002	56	3113	800	82	24.5	278	451	147.25	1.30	444	444	444	4.2	
2003	56	3113	800	82	24.5	278	451	147.25	1.30	454	454	454	4.2	

Public Resources Code Section 30250.

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate, in order areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Public Resources Code Section 30254.

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division.

Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall be precluded by other development.

In determining the amount of development which could be accommodated by the withdrawal of 1,230 acre feet the following factors were utilized. One, water demand was estimated to be 140 gallons per day per person, or .163 acre/feet per person per year. Two, average persons per household for the future was estimated to be 2.0. Based on these assumptions, approximately 7,600 persons or 3,800 households could be accommodated by the water available from the appropriation from San Simeon Groundwater Basin.

It had been estimated that there were a total of 6,300 building sites within the District as defined by County ordinance (this is not total development potential, as it assumes one unit per legal building site). Of the 6,300 sites, approximately 1,500 parcels had been improved leaving 4,800 undeveloped sites. Accordingly, the project could serve 2,300 new parcels (3,800-1,500) or 48 of the 4,800 remaining vacant parcels (one lot, one unit).

4. Basis for Request for Amendment

The CCSD request is based on (1) a documented decrease in per capita water consumption; (2) identification of additional water resources (Santa Rosa Creek, Steiner Creek and Perry Creek). With respect to the second factor, the staff does not believe that sufficient information has been provided to date to indicate that additional water resources are available and can be developed consistent with Coastal Act policies.

With respect to the first matter, decrease in per capita water consumption, the CCSD has provided information that actual per capita water consumption in 1979 and 1980 was substantially less than originally projected. In 1979, per capita water consumption was 92 gpcd; in 1980 105 gpcd (1979 population 2,932 (estimated); 1980 population 3,030 from U.S. Census Bureau).

This represents a substantial reduction in assumed per capita water consumption of 140 gpcd or 34% in 1979 and 25% in 1980 below assumed water consumption. In reviewing the disaggregated data on residential and commercial data, it is clear that the reduction is primarily the result of conservation efforts in the residential sector. Table 2 is a presentation of Water Produced and Metered Consumption, Cambria for 1966 through 1980.

Several factors have resulted in the substantial actual water reduction from the original projections, the major ones are consumer education and a change in water rate structure. The District has engaged in an aggressive water conservation education program which has included the provision of free flow reducing devices for plumbing fixtures. The District's water rate structure for residential customers was modified in April 1978, in response to a requirement of the Regional Commission (Permit No. 161-07). The reduction in the bimonthly minimum charge and the implementation of an increasing block rate structure has provided customers with a considerable financial incentive to conserve water.

According to the District manager, the greater decrease in per capita water consumption in 1979, as compared to 1980, may be reflective of the immediate reaction to the change in water rates in mid-1978. The District manager also advises the staff that he anticipates further reduction in per capita water use in the future due to impact to major increases in power costs which will be a result in higher costs to the consumers; and the increase in proportion of the housing stock comprised of energy efficient residences as required by recent changes to County Code.

The staff believes that it is reasonable to assume that the per capita water demand reduction of 25% from the 140 gpcd is reflective of general long-term water demand assuming that the increasing block rate structure is maintained. While per capita demand may decrease even more over time, it can not be predicted with any certainty at this time. In the original permit condition the Commission recognized that should long term water usage decrease, the total number of connections permitted could be evaluated.

WATER PRODUCED AND METERED CONSUMPTION
CAMBRIA, (1966-1980)¹

YEAR	POPULATION ²	WATER PRODUCED	METERED CONSUMPTION
1966		299.4	215.9
1967		327.4	225.2
1968		358.0	229.2
1969		369.5	243.6
1970	1,716	357.0	261.8
1971		415.8	296.3
1972		416.1	309.7
1973		396.6	3
1974		3	
1975		483	3
1976	2,667	518	3
1977(DROUGHT)		330	3
1978		447	3
1979		456	302
1980	3,030	473	355

1 Data for 1966 - 1973 from Cambria County Water District, Feasibility Report, Proposed Water Improvements (October, 1976); Data for 1975 - 1980 from District Manager.

2 Population for census years only from U.S. Bureau of The Census (1970 and 1980) State Department of Finance (1975).

3 Information not available.

For comparison purposes in following is a presentation of the number of existing lots which can be served by the appropriate water from San Simeon Groundwater Basin, based on the original analysis contained in Permit No. 132-18 of per-capita water demand and the number of existing lots which can be served based on the 25% water reduction evidenced in 1980.

Original Analysis (Permit No. 132-18)

^a 7,600 persons equivalent to 3,800 households can be served by 1,230 acre/feet (.163 acre/feet per person per year).

3,800 households served by the project
-1,500 existing developed parcels, (1977)
2,300 potential new development

2,300 = 48% of the 4,800 remaining vacant lots

Analysis Based on New Information

^a 10,500 persons equivalent to 5,250 households can be served by 1,230 acre/feet (.117 acre/feet per person per year).

5,250 households served by the project
-1,800 existing developed parcels, (1981, estimate)
3,450 potential new development

3,450 = 77% of the 4,500 remaining vacant lots

It should be underscored that this analysis assumes one unit per legal lot and does not assume any divisions of land at all. The County's LUP hearing draft plan by land use designation shows development twice what the existing water system could accommodate or 21,525 people.

The District's request to modify the rate of growth of the system to allow 125 residential housing units annually would allow for the phasing of growth over a 30 year period, consistent with the original permit. For the first new full year, 1982, the 125 permits would last 27 years plus the four years between 1978-1981 (in 1978 only 42 permits were allowed to be issued). For this year (1981) the District would be entitled to 41 additional residential permits over the number the District has already issued.

The growth rate of the Community, commensurate with services available would theoretically remain in balance with the original permit for the District. One of the major concerns of the Commission is that the community have adequate time to develop additional water resources in an environmentally sensitive manner and to allow the community sufficient time to implement a resource based land use plan.

In regard to the capability of the wastewater treatment facilities the following applies. According to District estimates, the existing treatment facility of 1.0 million gallons per day (mgd) has sufficient capacity for 13.4 years; assuming an annual growth rate of 125 residential units. The plant has been designed to accept the addition of two more packaged treatment plants (future) for a total capacity of 2.0 mgd. Revenue reserves are being set aside at this time for that possibility. Upon reaching 75% design capacity of the total 1.0 mgd plant the District plans to proceed with detailed design for a third module which will provide another 0.5 mgd.

The growth management system in the original permit was based on the need to mitigate the impacts of growth accommodated by the water system over a sufficient period, based on assumptions of known water supplies available to the Community. The limitation on sewer capacity does not pose major problems with regard to the impact on environmental resources as does a possible additional water project. For instance, with a water project evaluation of the impact on the groundwater resources must be carefully evaluated.

5. Environmentally Sensitive Resources and Location of New Development

The relevant Coastal Act policies are PRC Sections 30231, 30240, 30250 and 30254.

Public Resources Code Section 30231.

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum population of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water recamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Public Resources Code Section 30240.

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Public Resources Code Section 30250.

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate, in order areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In ad-

dition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Public Resources Code Section 30254.

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division.

Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall be be precluded by other development.

The amendment allows for an increase in development accommodated by the water distribution system. There will be no increase in water supply, rather more people can be served by the original system due to community conservation.

The remaining conditions of the original Permit 132-18, except as amended by 161-07 shall not be changed; nor shall any of the other existing conditions of Permit No. 131-20. The development to be accommodated by the project prior to certification of the LCP is thereby limited to the existing service district and users with existing water service agreements; priority uses are established for 20% of the system capacity is designated for public commercial and recreational uses; and mitigation measures to assure maintenance of the resources of San Simeon and Santa Rosa Creek groundwater resources is included.

The project modifications as requested by the District will accommodate development over a 30 year period which is equivalent to the development period under the original permit and will permit the impacts associated with the substantial development accommodated by the project to be adequately mitigated.

6. Prejudice to the Local Coastal Program

Public Resources Code Section 30604(a) states:

- (a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

In the County LUP hearing draft, the staff proposed that the yearly growth rate of Cambria be increased to allow 125 residential permits annually, consistent with this permit application.

There are a number of issues which the Commission staff have identified with regard to the existing plan. There were presented in the joint Regional-State Commission staff review of April 3, 1981. They relate to ultimate buildout and site standards. The issue of community restoration is still of very high priority and must be resolved in the LUP. There are land use planning solutions to the overcommitment to development in the Community which must be seriously considered and evaluated prior to allowing additional subdivisions in the Community.

The change requested by the District based on an increase in development accommodated by the original permit will not prejudice the County's ability to prepare an LCP consistent with the requirements of PRC Section 30604(a).

APPENDIX

CONDITIONS OF APPROVAL OF COASTAL DEVELOPMENT
PERMITS 132-18, 131-20 and 161-07

Conditions as Adopted for Appl. No. 132-18, Cambria Community Services District

Condition No. 1 - Service Area

Prior to the certification of the appropriate Local Coastal Program, the district shall neither guarantee nor promise to deliver any amount of the 1,230 acre feet of water to be derived from the wells located in the area known as the Bonomi Ranch in the San Simeon Creek groundwater basin to any individual or entity whose property is located outside of its Assessment District Nos. 1 and 2 and Subdivided Tracts Nos. 358, 384 and 420. Provided however, that should the Commission prior to the certification of the appropriate Local Coastal Program grant a development permit for the subdivision of any land within the District which is outside of Assessment Districts Nos. 1 & 2 and Subdivision Tracts Nos. 358, 384 and 420, then the District may provide water service from this 1,230 acre feet to such land and provided further, that the applicant may utilize portions of this 1,230 acre feet of water to service the following individuals and entities whose property is located outside of the District's present boundaries, but with which the District has existing water service agreements:

- a) Air Force Radar Station
- b) Sibley Ranch - agricultural uses
- c) YMCA Camp
- d) Cambria Cemetery
- e) San Simeon State Park

Since the intent of this condition is to avoid the premature commitment of any lands within the district to other than presently existing uses before adequate Coastal Planning has been done at the local level, the District shall not:

- a. Cause to be assessed for benefit received from this project,
- b. Levy any stand by fees or,
- c. Accept any future payment in exchange for the promise to serve or to issue water permits for or to annex,

Any property which is not located in the District's Assessment District No. 1 & 2 and Subdivision Tracts 358, 384, and 420 or which have not been subdivided pursuant to a Coastal Development Permit granted by the Commission subsequent to the effective date of this permit and prior to the certification of the appropriate Local Coastal Program.

Condition No. 2 - Service Connections

Unless and until a Local Coastal Program is certified specifically approving an increase in water supply beyond that provided by this permit:

- a. No more than a total of 3800 dwelling units shall be permitted to receive water connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence.
- b. The total number of annual hookups shall be limited to the schedule of service connections in the Feasibility Report, attached hereto and incorporated herein by reference as Exhibit 4. The effective date of this schedule shall coincide with the implementation of this project. The total number of service connections allowed shall be equal to the cumulative total to that date.

In addition to the 3800 connections allowed under this permit, the Commission may allow additional connections consistent with the other conditions of the permit if the Commission determines after public hearing that water conservation measures have achieved a reduction in water usage consistent with the requirements of Public Resources Code 30231; the number of connections allowed in this manner shall be determined by the long term reduction in water usage.

Condition No. 3. - San Simeon Creek Groundwater Quality

The District shall prepare an operation and maintenance manual for a basin management program which meets the requirements of the State Water Resources Control Board's Water Right's Determination; to the extent that the State Water Resources Control Board's Water Right's Determination takes into account the existing fishery resources, the water supply appropriate for domestic purposes and a water supply appropriate for agricultural purposes.

This operations and maintenance manual shall be submitted to the State Water Resources Control Board staff. An annual report on the operation of the basin shall be prepared by a qualified hydrologist and submitted to the Regional Water Quality Control Board and State Health Department to demonstrate that the District has complied with the requirements of this condition.

Condition No. 4. - Santa Rosa Creek

Use of all District wells on Santa Rosa Creek shall be discontinued when water production from San Simeon Creek has been established. Any continued permitted use of the Santa Rosa Creek wells shall be limited to the supplementing of San Simeon Creek well production in years when the 1230 acre feet cannot be safely removed. Except in the emergency situations defined below, the withdrawal of water from Santa Rosa Creek shall not exceed 260 acre feet during the dry season which normally extends from July 1 through November 20 and shall not exceed 147 acre feet per month at any other time. At no time shall the combined withdrawal from San Simeon Creek and Santa Rosa Creek exceed the 1230 acre feet annually. In addition, the following emergency situations shall be permitted: fire or any emergency use authorized by the State Water Resources Control Board or the State Health Department. Until the San Simeon Creek wells are functioning, no new water permits shall be permitted in the District (Requirement underlined amended by Permit No. 161-07).

Condition No. 5 - Erosion Control

The areas which are disturbed by the construction work shall be restored to their approximate original condition prior to construction, this shall include but is not limited to the replanting of any vegetation removed during the course of construction.

Condition No. 6 - Water Conservation

Prior to utilization of facilities, the applicant shall demonstrate the existence of a water conservation program. An acceptable water conservation program shall include, at a minimum: elimination of the decreasing block rate structure which currently exists; modification of the plumbing portions of the building code to require installation of low-flow toilets and pressure reducing devices on all taps; establishment of a retrofit program providing free water dams and pressure reducing washers; and evidence of a public information program informing the public of the need to save water, the availability of flow reduction devices, and the need to use drought-resistant plants in landscaping.

Condition No. 7 - Reservation of Capacity for Public Commercial and Recreation Uses

At all times at least 20% of the permitted water production capacity shall be reserved for public commercial or recreation uses; a public commercial or recreation use shall be a use designated as such in a permit action by the Regional or State Coastal Commission or a designated recreational use set forth in an approved Local Coastal Program for the Cambria area.

Condition No. 8 - Archaeology

Prior to construction the applicant shall have an archaeological survey made of all areas potentially affected by construction which have not been previously surveyed. All feasible recommendations made by the applicant's archaeological consultant shall become conditions of this permit. The choice of archaeological consultant, and final determination of the feasibility of the consultant's recommendations shall be subject to approval by the State Historic Preservation Officer.

Conditions to Application No. 161-07, Amendment to No. 132-18 Condition No. 4, to permit District to issue seven (7) water permits per month after commencement of drilling wells in the San Simeon basin:

1. The Cambria Community Services District (CCSD) shall be permitted to issue no more than seven (7) water permits monthly for a period not to exceed six months, or until such time as an overdraft situation is indicated by the District's water use monitoring program.
2. Should the San Simeon wells become operational while this amendment is in effect this amendment shall expire.
3. On a monthly basis the District shall submit to the Executive Director of the Regional Commission logs for wells #1, 3 and the Taylor Ranch well. At such time as the Executive Director of the Regional Commission determines that an impending overdraft situation exists he may immediately void this permit amendment. Such action shall remain binding unless changed by the Regional Commission, which will retain final authority to resolve any disputes in this matter.

4. Prior to issuance of permit, applicant shall submit to the Executive Director for his review and opinion evidence to the effect that a rate structure which encourage water conservation has been implemented (i.e., a rate structure that provides for elimination of the decreasing block rate structure and of the minimum monthly charge).

Conditions for Application 131-20, Sewer Treatment Plant of Cambria Community Services District.

Condition No. 1 - Service Area.

Prior to certification of the Local Coastal Program the District can neither guarantee nor provide sewer service to any area outside of its Assessment Districts No. 1 and 2 and Subdivision Tracts Nos. 358, 384 and 420. Provided however, that should the Commission prior to the certification of the appropriate Local Coastal Program grant a Development Permit for the subdivision of any land within the District which is outside of Assessment Districts No. 1 and 2 and Subdivision Tracts 358, 384 and 420 then the District may provide sewer service to such land.

Further, since the intent of this condition is to avoid the premature commitment of any lands within the District to other than presently existing uses before adequate coastal planning has been done at the local level, the District shall not:

- a. Cause to be assessed for benefit received for this project,
- b. Levy any standby fees or,
- c. Accept any future payment in exchange for any promise to serve, to issue sewer connection permits for, or to annex,

any property which is not located in the District's Assessment District Nos. 1 & 2 and Subdivision Tracts 358, 384 and 420.

Condition No. 2 - Treatment Plant Capacity.

The treatment plant capacity allowed under this permit shall not be greater than a 1.0 million gallon daily flow.

Condition No. 3 - San Simeon Creek Groundwater Quality.

The District shall prepare an operation and maintenance manual for a basin management program which meets the requirements of the State Water Resources Control Board's Water Right's Determination, to the extent that the State Water Resources Control Board's Water Rights Determination takes into account the existing fishery resources, the water supply appropriate for domestic purposes and a water supply appropriate for agricultural purposes.

This operation and maintenance manual shall be submitted to the State Water Resources Control Board staff. An annual report on the operation of the basin shall be prepared by a qualified hydrologist and submitted to the Regional Water Quality Control Board and State Health Department to demonstrate that the District has complied with the requirements of this condition.

Condition No. 4 - Sewerage Connections.

Unless and until a Local Coastal Program is certified specifically approving an increase

in water supply beyond that provided by Permit 132-18:

- a. No more than a total of 3800 dwelling units shall be permitted to receive sewer connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence. In order to assure priority for existing residences the District shall submit evidence to the Regional Commission that connections have been reserved for the total of residences existing as of the day of this permit. Additional connections for up to a total of 3800 dwelling units, shall be allowed for that portion of the 3800 dwelling units which remains after capacity has been reserved for existing residences.
- b. The total number of annual hookups shall be limited to the schedule of service connections attached hereto and incorporated herein by reference as Exhibit 4. The total cumulative number of connections shall be the same as those connections allowed under Application 132-18.

In addition to the 3800 connections allowed under this permit the Commission may allow additional connections consistent with the other conditions of this permit if the Commission determines after public hearing that water conservation measures have achieved a reduction in water usage consistent with the requirements of Public Resources Code 30231; the number of connections allowed in this manner shall be determined by the long-term reduction of water usage.

Condition No. 5 - Reservation of Capacity for Public Commercial and Recreation Uses.

At all times at least 20% of the permitted capacity shall be reserved for public commercial or recreational uses; the public commercial or recreation use shall be a use designated as such in a permit action by the Regional or State Coastal Commissions or a designated recreational use set forth in an approved Local Coastal Program for the Cambria area.

Condition No. 6 - Archaeological Sites.

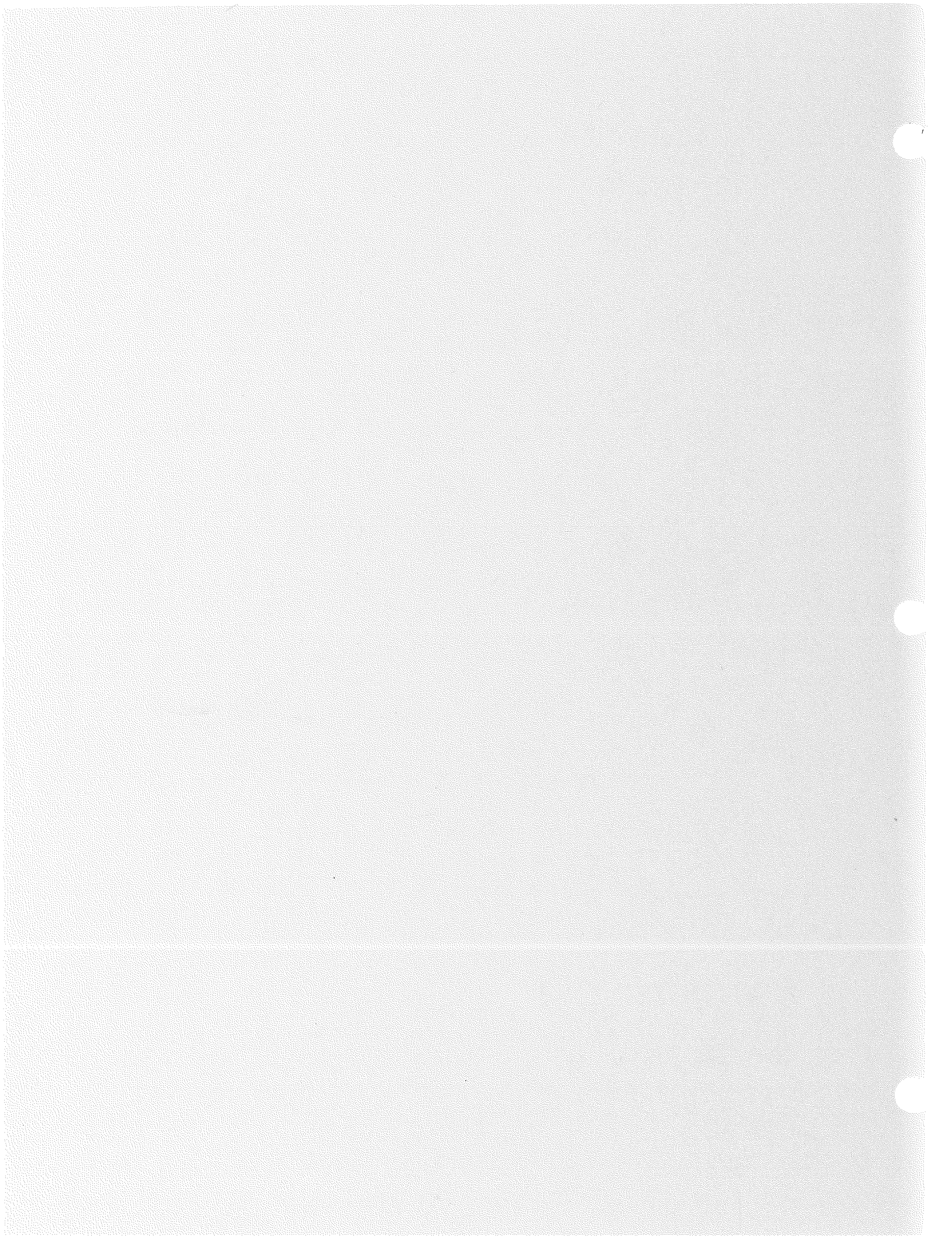
Prior to construction the District shall have an archaeological survey made of all areas potentially affected by construction which have not been previously surveyed. All feasible recommendations made by the applicant's archaeological consultant shall become conditions of this permit. The choice of archaeological consultant and final determination of the feasibility of the consultant's recommendation shall be subject to approval by the State Historic Preservation Officer.

Condition No. 7 - Erosion Control.

The areas which are disturbed by the construction work shall be restored to their approximate original condition prior to the construction, this shall include but is not limited to the replanting of any vegetation removed during the course of construction.

RS/sm





California Coastal Commission
 SOUTH CENTRAL COAST REGIONAL COMMISSION
 1224 COAST VILLAGE CIRCLE, SUITE 36
 SANTA BARBARA, CALIFORNIA 93108
 805-569-5828



WATER

August 12, 1977

Conditions as Adopted for Application No. 132-18, Cambria Community Services District

Condition No. 1. - Service Area

Prior to the certification of the appropriate Local Coastal Program, the district shall neither guarantee nor promise to deliver any amount of the 1230 acre feet of water to be derived from the wells located in the area known as the Bonomi Ranch in the San Simeon Creek groundwater basin to any individual or entity whose property is located outside of its Assessment District Nos. 1 and 2 and Subdivision Tracts Nos. 358, 384, and 420. Provided however, that should the Commission prior to the certification of the appropriate Local Coastal Program grant a development permit for the subdivision of any land within the District which is outside of Assessment Districts Nos. 1 & 2 and Subdivision Tracts Nos. 358, 384 and 420, then the District may provide water service from this 1230 acre feet to such land and provided further, that the applicant may utilize portions of this 1230 acre feet of water to serve the following individuals and entities whose property is located outside of the District's present boundaries, but with which the District has existing water service agreements:

- a) Air Force Radar Station
- b) Sibley Ranch - agricultural uses
- c) YMCA Camp
- d) Cambria Cemetery
- e) San Simeon State Park

Since the intent of this condition is to avoid the premature commitment of any lands within the district to other than presently existing uses before adequate Coastal Planning has been done at the local level, the District shall not:

- a. Cause to be assessed for benefit received from this project,
- b. Levy any stand by fees or,
- c. Accept any future payment in exchange for the promise to serve or to issue water permits for or to annex,

Any property which is not located in the District's Assessment District Nos. 1 & 2 and Subdivision Tracts 358, 384 and 420 or which have not been subdivided pursuant to a Coastal Development Permit granted by the Commission subsequent to the effective date of this permit and prior to the certification of the appropriate Local Coastal Program.

Condition No. 2 - Service Connections

Unless and until a Local Coastal Program is certified specifically approving an increase in water supply beyond that provided by this permit:

(M)

- a. No more than a total of 3800 dwelling units shall be permitted to receive water connections (including existing and new units). For the purposes of this condition a "dwelling unit" is defined as a single apartment or condominium unit or a single family residence.
- b. The total number of annual hookups shall be limited to the schedule of service connections in the Feasibility Report, attached hereto and incorporated herein by reference as Exhibit 4. The effective date of this schedule shall coincide with the implementation of this project. The total number of service connections allowed shall be equal to the cumulative total to that date.

In addition to the 3800 connections allowed under this permit, the Commission may allow additional connections consistent with the other conditions of the permit if the Commission determines after public hearing that water conservation measures have achieved a reduction in water usage consistent with the requirements of Public Resources Code 30231; the number of connections allowed in this manner shall be determined by the long term reduction in water usage.

Condition No. 3. - San Simeon Creek Groundwater Quality

The District shall prepare an operation and maintenance manual for a basin management program which meets the requirements of the State Water Resources Control Board's Water Right's Determination; to the extent that the State Water Resources Control Board's Water Right's Determination takes into account the existing fishery resources, the water supply appropriate for domestic purposes and a water supply appropriate for agricultural purposes.

This operations and maintenance manual shall be submitted to the State Water Resources Control Board staff. An annual report on the operation of the basin shall be prepared by a qualified hydrologist and submitted to the Regional Water Quality Control Board and State Health Department to demonstrate that the District has complied with the requirements of this condition.

Condition No. 4. - Santa Rosa Creek

Use of all District wells on Santa Rosa Creek shall be discontinued when water production from San Simeon Creek has been established. Any continued permitted use of the Santa Rosa Creek wells shall be limited to the supplementing of San Simeon Creek well production in years when the 1230 acre feet cannot be safely removed. Except in the emergency situations defined below, the withdrawal of water from Santa Rosa Creek shall not exceed 260 acre feet during the dry season which normally extends from July 1 through November 30 and shall not exceed 147 acre feet per month at any other time. At no time shall the combined withdrawal from San Simeon Creek and Santa Rosa Creek exceed the 1230 acre feet annually. In addition, the following emergency situations shall be permitted: fire or any emergency use authorized by the State Water Resources Control Board or the State Health Department. Until the San Simeon Creek wells are functioning, no new water permits shall be permitted in the District.

Condition No. 5 - Erosion Control

The areas which are disturbed by the construction work shall be restored to their approximate original condition prior to construction, this shall include but is not limited to the replanting of any vegetation removed during the course of construction.

Condition No. 6 - Water Conservation

Prior to utilization of facilities, the applicant shall demonstrate the existence of a water conservation program. An acceptable water conservation program shall include, at a minimum: elimination of the decreasing block rate structure which currently exists; modification of the plumbing portions of the building code to require installation of low-flow toilets and pressure reducing devices on all taps; establishment of a retrofit program providing free water dams and pressure reducing washers; and evidence of a public information program informing the public of the need to save water, the availability of flow reduction devices, and the need to use drought-resistant plants in landscaping.

Condition No. 7 - Reservation of Capacity for Public Commercial and Recreation Uses

At all times at least 20% of the permitted water production capacity shall be reserved for public commercial or recreation uses; a public commercial or recreation use shall be a use designated as such in a permit action by the Regional or State Coastal Commission or a designated recreational use set forth in an approved Local Coastal Program for the Cambria area.

Condition No. 8 - Archaeology

Prior to construction the applicant shall have an archaeological survey made of all areas potentially affected by construction which have not been previously surveyed. All feasible recommendations made by the applicant's archaeological consultant shall become conditions of this permit. The choice of archaeological consultant, and final determination of the feasibility of the consultant's recommendations shall be subject to approval by the State Historic Preservation Officer.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description

The proposed project includes the replacement of all steel mains in the water distribution system which are 4" or smaller. This is approximately 90% of the existing distribution system. New pressure zones will be established to take advantage of existing storage tanks and looping would be provided to eliminate excessively long dead-end mains.

The project also includes the development of a new water source for the Cambria Community Services District in the San Simeon Creek basin. The Cambria Community Services District has applied for the water rights for 1230 acre feet per year from the San Simeon Creek basin. Three wells are planned, their locations are illustrated in Exhibit 1, and the water will be transmitted by a 14" pipeline along San Simeon Creek road and along Highway 1 as shown in Exhibit 1.

Existing water supply. The existing water supply from Santa Rosa Creek has been determined by the State Department of Public Health to be unsuitable for consumption without treatment because of the high content of manganese and iron in the well water. Continued utilization of Santa Rosa Creek would require treatment relatively expensive to reduce iron and manganese and treatment would not resolve the additional problems of hardness and salinity. The existing supply also exceeds the recommended State and

Federal standards for total dissolved solids. Therefore, the existing development requires a water supply of higher quality or the use of a treatment plant.

In addition, the water supply in lower Santa Rosa Creek is limited because the groundwater basin where the wells are located is not well connected hydraulically with the greater Santa Rosa groundwater basin, and has limited storage capacity. The supply from the Cambria Community Services District's (CCSD) wells have not met the community's needs during this drought period. Since 1970 there has been a 40% increase in service connections. The District has been supplementing the wells with water pumped from the wells upstream on Santa Rosa Creek. However, the dependability of these wells is now known, and more intensive utilization of Santa Rosa Creek groundwater by establishing upstream wells would also involve potential conflicts with upstream agricultural users. Consequently, the District is proposing to shift their well field to San Simeon Creek.

The groundwater in the San Simeon Creek basin does not require treatment for manganese and iron removal and contains half the TDS and hardness of the Santa Rosa basin groundwater. The available water to be pumped from storage in the San Simeon Creek alluvium has been estimated to be 1045 acre feet. This compares with an estimated safe yield from the District wells in the Santa Rosa Creek basin of 260 acre feet.

2. Development Accomodated by the Project.

The proposed project would ultimately withdraw 1230 ac. ft. annually from the San Simeon Creek basin from wells proposed to be located at the Bonomi Ranch. It has been estimated by the Feasibility Report that this would serve a population of approximately 7600 persons. This is based on historical use of water at 140 gallons per day per person. Based on an average occupancy of 2.0 persons per dwelling unit the 1230 ac. ft. would be capable of serving 3800 dwelling units.

The existing population of Cambria was found in the 1976 population special census to be the following:

1976

Population....2667 persons
Housing units.1594 units
Vacancy.....25.2%
Population per
occupied unit 22.2 persons/H.H.

It has been estimated that there are a total of 6300 building sites within the District as defined by the County Ordinance. Of the 6300 sites, approximately 1500 parcels have been improved leaving approximately 4800 undeveloped sites existing in Cambria.

Based on the fact the 1230 ac. ft. will serve 3800 households, it is projected that the project will be able to serve 60% of the total potential development on existing parcels. The potential new development served by this project is estimated as follows:

3800 households served by the project
1500 existing developed parcels
2300 potential new development

2300 = 48% of the 4800 remaining vacant parcels.

Therefore, the proposed 1230 ac. ft. will serve the existing households plus an additional 2300 new households (or 48% of the existing vacant parcels). This is an increase of 4933 persons, or 2.9 times the existing population.

3. Location of Development

PRC 30250(a) provides that new development shall be located within, contiguous with, or in close proximity to, areas able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or accumulatively, on coastal resources.

The Cambria Community Services District includes both existing residential subdivided land and undivided agricultural lands. Exhibit 3 illustrates the location of the boundaries and the general land uses included in the District. The developed areas include:

Assessment District No. 1
Improvement District No. 1
Tracts 358, 384, and 420.

Within these developed areas, there are located the 4800 vacant parcels. Based on the proposed projects ability to serve 2300 new households, it is found that new development can be located within the existing developed area.

The location of the proposed distribution system is confined to the existing developed areas. However, the District boundaries do include 400 acres which are not subdivided, generally located within the north portion between the community of Cambria and Leffingwell Creek. The 400 acres has been in agricultural use and has been proposed for subdivision, although the Commission has not reviewed any application for subdivision of the area.

The inclusion of this 400 acres in the service or benefit area of the proposed project would extend the location of new development outside of the existing developed area, to an undivided area without existing streets or water and sewer lines.

Interpretive Guideline 7 states that new development in the coastal zone should first be channeled to existing developed areas able to accommodate it as required by Section 30250a. As such it is found that the location of the new development should be limited to the existing developed which able to accommodate it and the area of service and benefit should be limited to those specific areas. In addition, the new development served should be limited to the 3800 households in order to assure that the demand of the water resource is not exceeded.

Therefore, the project as conditioned to limit the connections to 3800 households and to limit the area to be served and benefited by the project to the existing developed areas as identified in recommended condition 1 would allow the Commission to make the finding that the project is consistent with PRC 30250a.

4. Impact of Development Generated by this Project.

PRC 30254 provides that new or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division.

There could be adverse impacts on coastal resources as a result of the development generated which is an increase of 2.9 times the existing population. The impact on the community's ability to plan for the growth and its ability to accommodate the development within the policies of the Coastal Act as required by the Local Coastal Program would be mitigated if the rate of development were extended over the 30 year period required to meet the repayment plan of the Davis-Grunsky Loan (project funding).

The project as conditioned to limit the number of new services to the annual rate of connection projected in Exhibit 4, Table D, would allow the Commission to make the finding for approval because the impact of the development of the 2300 sites would be extended over the 30 year period and would allow the adverse impacts of development to be distributed over the entire period and therefore mitigated.

5. Land Modification and Erosion.

PRC 30251 provides that permitted development shall be sited and designed to minimize the alteration of natural land forms; and PRC 30253(2) provides that new development shall neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area.

The proposed project would extend a 14 inch transmission main from Moonstone Beach Drive to the new well field on San Simeon Creek, traversing agricultural lands and San Simeon State Park. The mitigation measures in the EIR indicate that "where vegetation is temporarily disturbed by construction, natural vegetation will be encouraged to return; and special attention will be given to a pipeline route and well locations which will minimize the impact on native vegetation." Although this speaks to the concerns addressed in Sections 30251 and 30253 it does not specifically require the applicant to take adequate mitigation measures.

Therefore, condition 5 allows the Commission to make the finding that the project during and after its construction will not significantly add to any potential erosion problems of the area.

6. Recreational Uses.

PRC 30254 provides that where existing or planned public works facilities can only accommodate a limited amount of new development services to coastal dependent land use, essential public services and basic industries, public recreation and commercial recreation and visitor serving land uses shall not be precluded by other development.

Cambria has been developing as a residential area for persons retiring and establishing vacation homes on the coast. The remote location and unique scenic beauty of the Santa Lucia mountains and the rich marine environment along the shoreline have made Cambria a place sought by many as a place to live. Recent growth in Cambria has been stimulated by the improvement of Highway 46 between Highway 101 and Cambria and the general increase in recreational use of our accessible coastal areas. Cambria's location along Highway 1 just south of the Big Sur area makes it a unique recreational destination point. In order to meet the recreational and visitor serving demands the allocation of ^{water} sewer connections should reserve a minimum for those uses, exclusive of residential uses. This will become an even more important factor as Cambria becomes a community or more permanent residences. Predominantly vacation and retirement communities on the coast have realized an increase in the number of permanent residences.

The project as conditioned to reserve 20% of the water available for the designated public and commercial recreation uses will allow the Commission to make the finding that the recreational and visitor-serving demands will not be precluded by the demands of the residential development.

7. Groundwater quality in San Simeon Creek.

Even though the utilization of the San Simeon Creek basin will improve the water quality and water supply for domestic use, development of the San Simeon well field will have adverse impacts on the coastal fishery resources. PRC 30231 requires that the biological productivity of coastal waters, streams, estuaries be maintained and, where feasible, restored through, among other things, preventing depletion of groundwater supplies and substantial interference with surface waterflow. In addition PRC 30240(b) provides that development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.

According to the final EIR for the water supply project, "streamflow occurs naturally in the last several hundred feet of San Simeon Creek, providing constant positive head from the lagoon to the ocean, and keeping salinity in the lagoon to a minimum. Removal of water from the basin could cause the streamflow to cease, thereby allowing degradation of the lagoon as an anadromous fish resource." The EIR points out that sea water intrusion into the basin could be established, and that the project could accelerate the dewatering of the mid-portion of the stream, with adverse effects on spawning and on fry and juvenile mortality. The use of Van Gordon and San Simeon Creek bottomlands for effluent disposal is expected to maintain freshwater inflow into the San Simeon Creek estuary, and limit saltwater intrusion, to mitigate the adverse effects on anadromous fisheries.

The Department of Fish and Game has protected the District's application for water rights to the 1230 ac. ft. from San Simeon Creek based on the adverse impacts on the stream flows. That protest has been withdrawn based on the following conditions:

1. "The permittee shall maintain water levels in the lower basin to sustain stream flow to the lagoon at the mouth of San Simeon Creek to maintain fish and riparian wildlife habitat."
2. "The permittee shall provide and operate as necessary, irrigation facilities to maintain riparian vegetation within district owned property."

Based on this agreement the Commission can find that the stream flows of San Simeon Creek will be maintained to protect the fish and riparian wildlife habitat.

The withdrawal of water by the proposed wells in the San Simeon basin could cause problems with sea water intrusion. The primary concern would be the lateral movement of saline water into the well field. The proposed District plan is to not allow the water levels in the well field vicinity to drop below sea level. According to Kenneth D. Schmidt, groundwater quality consultant in correspondence dated June 13, 1977 Gil Torres of the SWRCB staff the proposed monitoring program will allow early detection of sea water intrusion if it should occur. The rectifying measures include (1) pumpage of saline groundwater from the lower part of the valley and disposal to the ocean, and (2) pumpage from individual wells in the well field could be altered to decrease that in the lower part.

It should be emphasized that continual monitoring is essential to the protection of the water quality of the stream and its long term use as a domestic water supply.

The project as conditioned to require adequate monitoring and mitigation measures to maintain the quality of the water for the fishery and wildlife habitat of San Simeon Creek and the quality of the water basin for domestic water use will allow the Commission to make the finding that the effect of the withdrawal of water from San Simeon Creek on the biological productivity will not be adverse and that the project will be compatible with the continuance of the habitat.

8. Agricultural water users on San Simeon Creek.

PRC 30241 provides that the maximum amount of prime agricultural land shall be maintained in agricultural production through among other means, the assurance that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

This raises the issue of the impact of withdrawal on the agricultural users of the subject water basin.

A study prepared by Coastal Valley Engineering (Attachment) to examine this problem showed that the primary water related agricultural interests upstream from the Bonomi Ranch were a total of 83 acres of fields, most of which were in alfalfa production. The total maximum requirements for water on the 83 acres would be 266 acre-feet per year. The owner of those acres is Mr. Pedotti and he has lodged a protest to the CCSD water rights application with State Water Resources Control Board. The District feels the vested rights of the upstream user have been carefully considered in the project plan and that the water rights hearing process protects the vested rights of this user.

Because the State Water Resources Control Board is responsible for the determinations for appropriative and riparian water rights, and the fact the protest of the agricultural users on San Simeon Creek have been accepted for a hearing before the SWRCB the Commission can find that the viability of the agricultural productivity on San Simeon Creek will not be impaired through the loss of water supply as a result of this project.

9. Withdrawals from Santa Rosa Creek.

PRC 30231 provides that the biological productivity and the quality of coastal waters, streams, wetlands, estuaries appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, preventing depletion of groundwater supplies and substantial interference with surface water flow.

The district proposes to supplement the water supply of San Simeon Creek with water from the existing Santa Rosa Creek wells. Although the District is requesting the appropriative rights for 1230 ac. ft. cannot be safely withdrawn without adversely affecting the Stream flows in any year which is drier than normal. This is estimated to occur in 50 out of every 100 years.

If the San Simeon supply were not supplemented with the Santa Rosa Creek supply the actual capacity of the San Simeon source would be approximately 5200 persons.

The discontinuance of use of the Santa Rosa Creek wells would increase the stream flows and enhance the coastal fishery resources at Santa Rosa Creek is the most important anadromous fish stream in San Luis Obispo county in terms of stream flow and numbers of Steelhead. In the consideration of the use of the San Simeon Creek wells it is important to balance the improvement of Santa Rosa Creek stream flows from the abandonment of the wells and the sewage treatment disposal field with the adverse environmental effects which will occur to San Simeon Creek. As such, the use of San Simeon Creek can be justified by the improved conditions that will exist at Santa Rosa Creek.

The condition to restrict the use of the Santa Rosa Creek wells to the safe yield of 260 ac. ft. during a dry season allows the Commission to make the finding that the withdrawals from Santa Rosa Creek will have minimal adverse effects on Santa Rosa Creek as an anadromous fish resource and on the quality of the ground water.

10. Water Conservation.

PRC 30250a provides that development shall be located in areas where it will not have significant adverse effects either individually or cumulatively on coastal resources. In this case the protection of the limited water supply for the residential and commercial uses should include conservation measures to insure that the available water resource is carefully utilized. The project as conditioned for the implementation of a water conservation program allows the Commission to make the finding that the project will mitigate adverse effects by reducing average per capita use.

11. Archaeological Sites.

The EIR of the Project Feasibility Report identifies several prehistoric sites of scientific interest and a letter from the Central Coast Indian Council also indicates concern for the protection of potential and existing sites of archaeological importance. Conditions 7 was developed to insure that the project would not adversely affect these coastal cultural resources as required by PRC 30244.

12. Local Coastal Program.

PRC 30604a provides that prior to the certification of LCP; a coastal development permit shall be issued if the Commission finds that the proposed development is in conformity of the policies of Ch. 3 and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program. The project raises two issues the development generated by the project and its impact on the Highway 1 remaining as a scenic two land road.

In terms of the development generated, the gradual build^{out} of Cambria as provided in condition 2 would allow the local government the opportunity to prepare the Local Coastal Program. The impact of the development on the policy in 30254 which provides that Highway 1 should remain a scenic two lane road is not clear in the absence of detailed planning consistent with the LCP.

Substantive Documents

Feasibility Report
EIR

Correspondence to JoAnne Yokota date June 24, 1977
from William McFerrin, Coastal Valley Engineering.

Correspondence to Gil Torres, SWRCB, dated June 13,
1977 from Kenneth D. Schmidt

Hydrogeology and Basin Management for the proposed
San Simeon Project, prepared by Kenneth D. Schmidt,
Groundwater Quality Consultant.



California Coastal Commission

SOUTH CENTRAL COAST REGIONAL COMMISSION

1735 STATE STREET
BALBOA BUILDING, SUITE 612
SANTA BARBARA, CA 93101



COASTAL DEVELOPMENT PERMIT 2 absent

On July 25, 1980, by a vote of 10 to 0, the California Coastal Commission granted to CAMBRIA COMMUNITY SERVICES DISTRICT Permit # 415-22, subject to the conditions set forth below, for development consisting of amendment of Coastal Development Permit No. 132-18 to allow installation of 8", 6" and 2" waterline and appurtenances in existing right-of-way and on Coast Union High School.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in San Luis Obispo County

at within the right-of-way of Main Street, Santa Rosa Creek Rd. and Coast Union High School, Community of Cambria, (APN: 13-081-17-996)

After public hearing held on July 25, 1980, the Commission found that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; if between the sea and the public road nearest the sea, is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976; and either (1) will not have any significant adverse impact on the environment, or (2) there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the development as approved may have on the environment.

Issued on behalf of the South Central Coast Regional Coastal Commission on July 25, 1980,

Carl C. Hetrick
Executive Director

The undersigned permittee acknowledges receipt of the California Coastal Commission Permit # 415-22, and fully understands its contents, including all conditions imposed. (Please return one signed copy to the South Central Coastal Commission as soon as possible; upon receipt of same, the permit card will be mailed to you to post on project property.

Aug 15, 1980
DATE

Edward V. Mani
PERMITTEE



GENERAL MANAGER

Permit # 415-22, is subject to the following conditions:

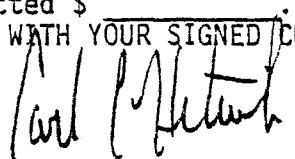
I. STANDARD CONDITIONS

1. Assignment of Permit This permit may not be assigned to another person except as provided in Cal. Admin. Code, Title 14, Section 13170.
2. Notice of Receipt and Acknowledgement Construction authorized by this permit shall not commence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.
3. Expiration If construction has not commenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.
4. Construction All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Commission pursuant to Cal. Admin. Code, Title 14, Sections 13164 - 13168.

II. SPECIAL CONDITIONS

1. Prior to the issuance of a coastal development permit, the applicant shall submit a program for the review and approval of the Executive Director assuring that a satisfactory level of water conservation has been incorporated in the high school facilities.
2. The water from San Simeon Creek for this project is to be utilized exclusively for human consumption and fire protection and is not to be utilized for irrigation.
3. The water distribution connection is to serve Coast Joint Union High School exclusively.

The complete Permit Fee of \$ _____ must be submitted to the Commission. You have previously submitted \$ _____
PLEASE ENCLOSE THE REMAINDER (\$ _____) WITH YOUR SIGNED COPY OF THE PERMIT FORM.



CARL. C. HETRICK
Executive Director





California Coastal Commission
SOUTH CENTRAL COAST REGIONAL COMMISSION
24 COAST VILLAGE CIRCLE, SUITE 36
ATA BARBARA, CALIFORNIA 93108
(505) 969-5828

RECEIVED JAN 10 1978



January 9, 1978

Howard Main
General Manager
Cambria Community Services District
P.O. Box 65
Cambria, CA. 93428

Subject: Permit #132-18

Dear Mr. Main:

This will acknowledge receipt of your signed copy of Coastal Development Permit No. 132-18. In addition, with reference to your accompanying letter dated November 29, 1977, we agree:

(a) that an application for an amendment to the last sentence in condition 4 would be accepted for filing if the District presented new information showing that the capacity of the Santa Rosa Creek basin has not been met;

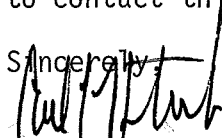
(b) that water permits issued by the District prior to the effective date of this permit would not be counted as part of the annual hook-up limitation in condition 2b, and;

(c) that water connections not used for dwelling purposes, such as service to vacant parcels for raising horses, farm animals and vegetables, will not be counted as "dwelling unit" connections under condition 2.

However, we do not have any basis upon which to agree or disagree with points 1, 2, and 3 in your letter. You are, of course, free to take any legal action which you may feel necessary. However, you should be aware that under California law it is necessary to exhaust ones administrative remedies before seeking court action; and since the District failed to exhaust its administrative remedies by filing an appeal of the Regional Commission's decision imposing the conditions to the State Commission, we do not see how the District could now seek judicial relief from those conditions.

I hope we have clarified the Commission's intent in the wording of the conditions. If there are further questions please do not hesitate to contact this office.

Sincerely,


Carl C. Hetrick
Executive Director

cc: Regional Commissioners



CCH/JY/mt

