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CAMBRIA COMMUNITY SERVICES DISTRICT

REGULAR MEETING

Thursday, July 28, 2011– 12:30 PM

VETERANS MEMORIAL BUILDING, 1000 MAIN ST., CAMBRIA, CA

AGENDA

This agenda is prepared and posted pursuant to Government Code Section 54954.2. By listing a topic on this agenda, the District's Board of Directors has expressed its intent to discuss and act on each item. In addition to any action identified in the summary description of each item, the action that may be taken by the Board of Directors shall include: a referral to staff with specific requests for information; continuance; specific direction to staff concerning the policy or mission of the item; discontinuance of consideration; authorization to enter into negotiations and execute agreements pertaining to the item; adoption or approval; and disapproval.

Copies of the staff reports or other documentation relating to each item of business referred to on the agenda are on file in the Office of the District Clerk, available for public inspection during District business hours. If requested, the agenda and supporting documents shall be made available in alternative formats to persons with a disability. The District Clerk will answer any questions regarding the agenda.

1. OPENING

A. Call to Order
B. Pledge of Allegiance
C. Establishment of Quorum
D. Report from Closed Session

2. SPECIAL REPORTS

A. SHERIFF'S DEPARTMENT REPORT

(Estimated Time: 5 minutes)

3. ACKNOWLEDGMENTS/PRESENTATIONS

A. Presentation by Greg Burns, VanScoyoc Associates

(Estimated Time: 20 minutes)

4. PUBLIC COMMENT

Members of the public may now address the Board on any item of interest within the jurisdiction of the Board but not on its agenda today. In compliance with the Brown Act, the Board cannot discuss or act on items not on the agenda. Each speaker has up to three minutes. Speaker slips (available at the entry) should be submitted to the District Clerk.

(Estimated Time: 20 minutes)

5. AGENDA REVIEW: ADDITIONS/DELETIONS AND PULLED CONSENT ITEMS

(Estimated Time: 5 minutes)

6. MANAGER'S AND BOARD REPORTS

A. MANAGER'S REPORT

B. DESALINATION AND WATER PROJECTS REPORT - General Manager and/or District Engineer

C. MEMBER AND COMMITTEE REPORTS

(Estimated Time: 30 minutes)

7. CONSENT AGENDA

All matters on the consent calendar are to be approved by one motion. If Directors wish to discuss a consent item other than simple clarifying questions, a request for removal may be made. Such items are pulled for separate discussion and action after the consent calendar as a whole is acted upon.

A. Approve Expenditures for Month of June 2011

B. Approve Minutes of Board of Directors Meeting, June 23, 2011

C. Schedule Public Hearing to Consider Approval of the Appropriation Limit for Fiscal Year 2011/2012

D. Approve 12-Month Extension of Intent to Serve Letter for Senior Care Facility, Michael Clark, Applicant, APN 024-191-052, Ardath Drive and Green Street Property

E. Approve a One-Year Extension of Agreement for Alternative Point of Water Diversion (Well SR 4) at Coast Union High School Between the CCSD and Coast Union School District

F. Consider Adoption of Resolution 37-2011 Authorizing Applicant's Agent Designation for Office of Emergency Services

G. Consider Adoption of Resolution 38-2011 Ratifying the Hiring of Wastewater Operator

(Estimated Time: 15 minutes)

8. HEARINGS AND APPEALS

A. Public Hearing to Consider Adoption of Resolution 35-2011 Ordering Abatement of Public Nuisance for Fire Hazard Fuel Reduction Program

B. Public Hearing to Take Public Testimony on the Mitigated Negative Declaration for the Proposed Geotechnical/Geophysical Research Investigation Study Project at Santa Rosa Creek Beach and Shamel Park Beach, Cambria, CA

(Estimated Time: 60 minutes)

9. REGULAR BUSINESS

A. Cast Ballot for LAFCO Alternate Special District Member

(Estimated Time: 10 minutes)

10. ADJOURN

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **6.A.**

FROM: Jerry Gruber, General Manager

Meeting Date: July 28, 2011 Subject: MANAGER'S REPORT

ADMINISTRATION

I continue to work on the following items with the assistance of staff and will keep the Board of Directors informed via emails, telephone calls and face to face meetings on the progress being made.

- Support 2011 Goals adopted by the Board of Directors.
- Finalize GIS for Wastewater Collection System .I will bring a power point presentation to the Board in August. .
- Work with staff, Ad-Hoc Committee and consultant on Master Fee Schedule
- Work with staff and Ad –Hoc Committee on Policy and procedures for all CCSD Facilities.
- Work with Finance Manager and Ad- Hoc Committee on Salary and Benefits.
- Submitted Proposition 84 grant application to the State regarding funding of Santa Lucia Park.
- Work with County Staff and Firma Consulting on environmental documents for the Moonstone Connector Trail
- Work with First American Title Company on lot mergers. The CCSD has retired a total of 28 lots
- Redistribute Accounts payable to Department Supervisors thus improving Administrative skills and freeing up administrative staff for projects.
- Continue to evaluate organizational effectiveness and efficiency.
- Work on evaluations for all supervisors and department managers.
- Work with Rockwell Construction Services on finalizing SCADA installation and start up budget.
- Work with District Engineer in support of Desalination environmental documentation.
- Work on transitioning Facilities and Resources Supervisors position due to retirement.
- Completed interviews for Water and Wastewater operator positions.

I attended the following community meetings and or events since the last Board of Directors meeting.

- Attended July 4 community celebration at Shamel Park.
- Realtors Association meeting at Rabobank and answered questions relating to the CCSD.
- Attended community forum meeting at Rabobank regarding the Land Conservancy and possible transfer of vacant Lots.
- Attended Chamber of Commerce Board meeting and answered questions regarding the CCSD
- Attended Realtors Association meeting in Los Osos to reach a broader range of Realtors and answered questions relating to the CCSD.

BOARD OF DIRECTORS' MEETING-JULY 28, 2011
ADDENDUM TO GENERAL MANAGER'S REPORT
FINANCE MANAGER'S REPORT

AUDIT-The CCSD's audited financial statements for the fiscal year ended June 30, 2010 have been posted to the CCSD's website.

BUDGET-The Operating Budget for FY 2011/2012 has been posted to the CCSD website. The Fourth Quarter Revenue and Expenditure report for the twelve months ended June 30, 2011 has not been completed due to it being the last report for the 2011/2012 fiscal year. In order to prepare as complete of a report as is possible, the last quarterly report of any given fiscal year is delayed so as to obtain all possible related information and some revenue and expenses information related to this period is not received until well after the year-end date of June 30. For instance, the last property tax revenue payment is not typically received until the following August. Even with this delay, some estimates must be made as significant billings, such as the final workers compensation insurance and 911 Dispatch invoices are usually not received until October or November.

EXPENDITURES-There were no disbursements in excess of $100,000 during June, 2011.

RESERVES-LAIF BALANCE-The balance in the Local Agency Investment Fund (LAIF) as of June 30, 2011, was $4,134,191, which does not include interest earned for during April-June, 2011 in the amount of $5,483. This is a decrease of $300,000 from May 31, 2011 and a decrease of $372,727 from June 30, 2010, although it is pertinent that there was approximately $230,000 more cash in the bank (after allowing for outstanding checks) on June 30, 2011 than on June 30, 2010. The balance in the LAIF as of June 30, 2011 is a decrease of $177,119 from June 30, 2009 (although there was approximately $260,000 more cash in the bank, after allowing for outstanding checks, on June 30, 2011 than on June 30, 2009).

The reason that the cash in bank balance is higher at this time than in years past is due to the fact that the CCSD now has a bank account that is insured by the FDIC for any amount. Although this account does not earn interest, because interest rates are so low at this time, it is cost effective to maintain funds in this account that will be needed in a short period of time for working capital. For example, in the first week of July, 2009 and July, 2010, withdrawals totaling a minimum of $300,000 were made from LAIF. There was no withdrawal made in the first week of July, 2011. For the second and third weeks of July, the amount withdrawn from LAIF in 2011 was equal to or less than the withdrawals in 2010 and 2009.

The LAIF Balance is made up as follows (restrictions, if applicable, are noted):

FUND	AMOUNT
General	$ 3,688,091
General (Prop. 1A)	$ 159,286
Resource Conservation (Lot Merger Program)	$ 44,068
Water	$ -0-
Wastewater (Capital)	$ 95,789
Wastewater (Operations)	$ 146,957

With the exception of the restricted funds to offset a potential future Proposition 1A take-away, restricted amounts are determined after all other fiscal year activity is recorded, reconciled and audited, although the balances are monitored during the fiscal year to ensure that funds set-aside for specific programs, such as the Lot Merger Program, are not overspent. The above amounts have been updated based on the audit for the fiscal year ended June 30, 2010. While Fiscal Year 2010/2011 ended on June 30, 2011, the activity for that fiscal year has not yet been reconciled or audited. It is projected that the Resource Conservation's balance (for the Lot Merger Program) will be updated for the August, 2011 Board of Directors' meeting.

INTERNAL LOANS-As of June 30, 2011, the CCSD Board of Directors approved the following internal loans to be made out of the General Fund and the indicated amounts have been disbursed.

BORROWING FUND	LOAN AMOUNT AUTHORIZED	COSTS TO DATE	AMOUNT OF LOAN OUTSTANDING TO DATE	PURPOSE OF LOAN
PENDING ACTIVITY:				
Water	$ 166,000	$ 166,000	$ 157,726	ACE Matching
Water	$ 30,000	$ 30,000	$ -0-	Stuart Street Tank & Rodeo Grounds Pump Station Environmental Review
Water	$ 17,000	$ 15,678	$ -0-	Stuart Street Tank & Rodeo Grounds Pump Station Environmental Review
Water	$ 21,650	$ -0-	$ -0-	Prepare SCADA Installation Budget
Water	$ 20,000	$ -0-	$ -0-	Prepare Desalination Financing Plan
COMPLETED ACTIVITY:				
Water	$ 60,000	$ 60,000	$ -0-	SCADA
Water	$ 34,000	$ 6,205	$ -0-	Western Main Street Overlay

Total Authorized Loans from the General Fund to the Water Fund: $ 348,650
Total Amount actually Loaned from the General Fund to the Water Fund: $ 157,726

BORROWING FUND	LOAN AMOUNT AUTHORIZED	COSTS TO DATE	AMOUNT OF LOAN OUTSTANDING TO DATE	PURPOSE OF LOAN
COMPLETED ACTIVITY:				
Wastewater	$ 15,000	$ 15,000	$ -0-	SCADA
Wastewater	$ 4,000	$ *	$ -0-	Western Main Street Overlay

*Costs were not separately identified; work was done as part of regular operations.

Total Authorized Loans from the General Fund to the Wastewater Fund: $ 19,000
Total Amount Loaned from the General Fund to the Wastewater Fund: $ -0-

The Wastewater Fund's costs were paid from current working capital. The Water Fund's costs for SCADA and the Western Street Overlay as well as $8,274 of the ACE Matching costs were paid from the Water Fund's current working capital. At this time, it is projected that the Water Fund's costs for Stuart Street Tank & Rodeo Grounds Pump Station Environmental Reviews will be able to be paid out of the Water Fund's current working capital from operations with a substantial portion of the ACE Matching costs also expected to be repaid from the Water Fund's current working capital from operations.

EXTERNAL LOANS-As of June 30, 2011, the CCSD external debt is as shown per the attachment, including interest rates and prepayment penalty provisions. The total balance of external loans as of June 30, 2011 was $3,217,308, which is a decrease of $704,302 from the balance as of June 30, 2010 of $3,921,610.

BOARD OF DIRECTORS' MEETING-JULY 28, 2011
ADDENDUM TO GENERAL MANAGER'S REPORT
FINANCE MANAGER'S REPORT ATTACHMENT
SCHEDULE OF LONG-TERM DEBT

DESCRIPTION>	Lease/Purchase Agreement-Pierce Dash Pumper	Bank Note (Funds 2006 Refund of 1995 Bonds)-65% Water	Bank Note (Funds 2006 Refund of 1995 Bonds)-35% Sewer	Bank Note (Funds 2006 Refund of 1999 Bonds)	State Revolving Fund Loan
DEBT HOLDER>	OshKosh Capital	Citizens Bank	Citizens Bank	City National Bank	SWRCB
ORIGINAL PRINCIPAL>	477,223.85	1,233,375.00	664,125.00	2,245,000.00	2,592,324.38
INTEREST RATE>	5.09%	4.50%	4.50%	4.55%	3.00%
FUND>	General	Water	Wastewater	Wastewater	Wastewater
DEPARTMENT>	Fire	Water	Wastewater	Wastewater	Wastewater
FINAL PAYMENT DATE>	5/19/2011**	5/1/2015	5/1/2015	9/23/2023	5/28/2016
AVERAGE ANNUAL PAYMENT(S)>	N/A	184,211	99,191	164,417	174,057
PRINCIPAL BALANCE @ 6/30/11>	0	542,945	292,355	1,585,000	797,008
PROJECTED BALANCE @ 6/30/12*>	0	383,175	206,325	1,497,000	646,861
PROJECTED BALANCE @ 6/30/13*>	0	216,190	116,410	1,403,000	492,210
PROJECTED BALANCE @ 6/30/14*>	0	41,665	22,435	1,303,000	332,920
PREPAYMENT PENALTY>	N/A	No	No	Yes-Not allowed until 10/1/13, 3% from 10/1/13-4/1/16, 2% from 10/1/16-4/1/20, none after 10/1/20	No

*Presumes all scheduled payments are timely made.

**Prepayment approved by the Board of Directors on January 20, 2011. Payoff took place on May 19, 2011. This note will not be shown on this schedule in the future.

BOARD OF DIRECTORS' MEETING July 28, 2011
ADDENDUM TO GENERAL MANAGER'S REPORT
FIRE CHIEF'S REPORT

Response information is attached and represents activities for the month of June 2011.

Progress updates and highlights regarding the different programs and services our department provides are identified below:

Prevention and Education (June 2011)

- **11** residential new and remodel fire plan reviews were completed.
- **06** residential and commercial technical fire inspections were conducted.
- **02** residential and commercial water appliance inspections were conducted.
- **12** engine company commercial fire and life safety inspections were conducted.
- **02** public education event
- **03** residential smoke detectors were installed and or the batteries changed.

Meetings and Affiliations (June)

- SLO County Chiefs Association — June 1st 0900-1300, Pismo Beach
- AFG Grant Workshop — June 3rd 0900-1200, Arroyo Grande
- SLO County Haz Mat JPA — June 6th 1300-1500, San Luis Obispo
- Central Coast Fire Prevention Officers — June 9th 0900-1100, San Luis Obispo
- SLO County Fire Safe Council — June 9th 1100-1300, San Luis Obispo
- Cambria Forest Committee — June 8th 1800-2000, Cambria

Operations

Members of the CCSD Fire Department recently participated in the quarterly Estero Bay training exercise. This training is geared to bring coastal mutual aid agencies together for standardization of operations and improved teamwork. Agencies participating were Cambria, Morro Bay, Cayucos, Cal Fire and South Bay Fire Departments. Skills covered during this drill were hand crew fire line operations; progressive hose lays and structure protection in the interface zone. The drill was held in Cayucos at the Whale Rock Reservoir. *See PowerPoint photos*.

The San Luis Obispo County Technical Rescue Team conducted high angle rescue training at the PG&E power plant in Morro Bay last month. The team consists of personnel from around the county and trains monthly to stay proficient at all technical rescue type situations. These situations include building collapse, confined space, high and low angle rope rescue, swift water, ocean rescue and other low frequency rescue scenarios that are technical in nature. Captain Michael Gallagher represents the Cambria Fire Department as a member of this team. *See PowerPoint photos*.

The North Coast Ocean Rescue (NCOR) responded to the aid of two overturned kayakers off of Leffingwell Point earlier this month. The team was able to bring in the

two kayakers who were wet and very cold but uninjured. This is the sixth successful rescue for the NCOR team since the fishing season opened on May 1st.

The cooperative agreement between the Cambria Community Healthcare District (CCHD) and the CCSD Fire Department allowing the fire department the ability to utilize the skills of paramedic personnel has been renewed. The agreement (set to expire on June 30, 2011) was extended by the San Luis Obispo County Emergency Services Authority (SLO EMSA) pending their decision to grant the CCSD Fire Department Advanced Life Support (ALS) or paramedic provider status. Staff from the CCHD and CCSD recently met to discuss this issue and the continuing commitment to provide a cooperative and fiscally responsible high level of care to the community.

Fire Departments from around San Luis Obispo County were recently awarded the Office of Traffic Safety (OTS) regional grant. The departments set to receive grant are Cambria, Morro Bay, San Luis Obispo, Atascadero, Paso Robles and Santa Margarita. The CCSD Fire Department took the lead in processing this opportunity under the leadership of Captain Mike Gallagher. This grant will provide $150,000 in funding for auto extrication and traffic safety equipment and training.

Prevention

Weed abatement season is officially winding down, with inspections being completed on July 10th. The parcel clearing program was pushed back by approximately one month this year to coincide closer to the coastal fire season. Other changes this year allow the CCSD to bill for contract work to clear parcels and will reduce the administrative fee for those who pay in a timely manner. This year 1853 parcels were inspected. All but 72 passed inspection compared to 85 that went to contract last year.

Members of the Fire Department recently met with the Rotary Club at their recent breakfast meeting and introduced the Ready Set Go (RSG) program. RSG is the comprehensive wildland fire prevention effort that encourages the community to prepare for wildland urban interface fire by educating them about defensible space, retrofitting their homes against ember intrusion, and early, orderly, and safe evacuation. Based on lessons learned from tragedy fires in both Australia and California, RSG has been adopted statewide and fitted for local needs. The fire department is available to provide information about evacuation planning and any other issues related to RSG. Contact the department if you would like a presentation.

"Wildfire Prevention is a Community Responsibility!"

CMB Fire Monthly Stats: Incidents

Categories	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Totals
Fire	0	0	0	3	1	2							**6**
Hazardous Mat.	1	0	1	0	0	0							**2**
Medical*	46	38	33	38	42	49							**246**
Vehicle TC	2	4	3	0	3	0							**12**
Hazardous Situations	1	1	6	1	1	0							**10**
Public Service Assist	10	11	10	7	15	5							**58**
False Alarms	5	1	6	2	3	10							**27**
Agency Assist	0	1	2	0	1	1							**5**
Mutual Aid	0	0	0	0	0	2							**2**
Auto Aid	0	0	0	1	0	0							**1**
Rescue	0	0	0	0	4	1							**5**
Fire Investigations	0	1	0	1	0	0							**2**
Monthly Response Totals	**65**	**57**	**61**	**53**	**70**	**70**	**0**	**0**	**0**	**0**	**0**	**0**	**376**
Cumulative Totals	**65**	**122**	**183**	**236**	**306**	**376**	**0**	**0**	**0**	**0**	**0**	**0**	**376**

Cambria Community Services Fire Department

Photo Journal
JUNE 2011

Cambria CSD Fire Department

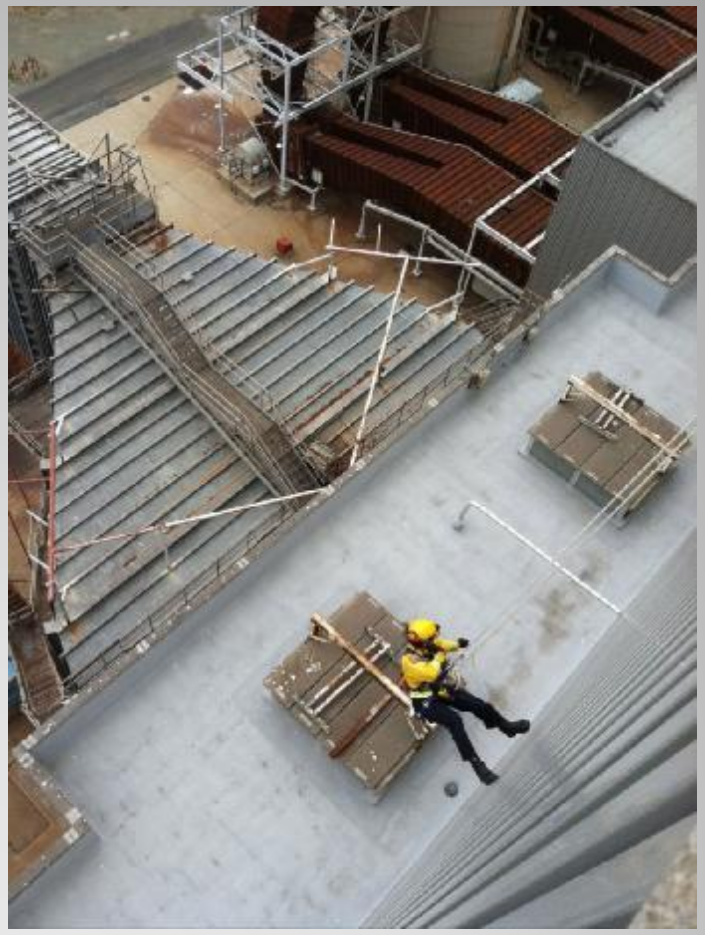
Quarterly Estero Bay Drill

Hand Crew Ops – Cutting Fire Line

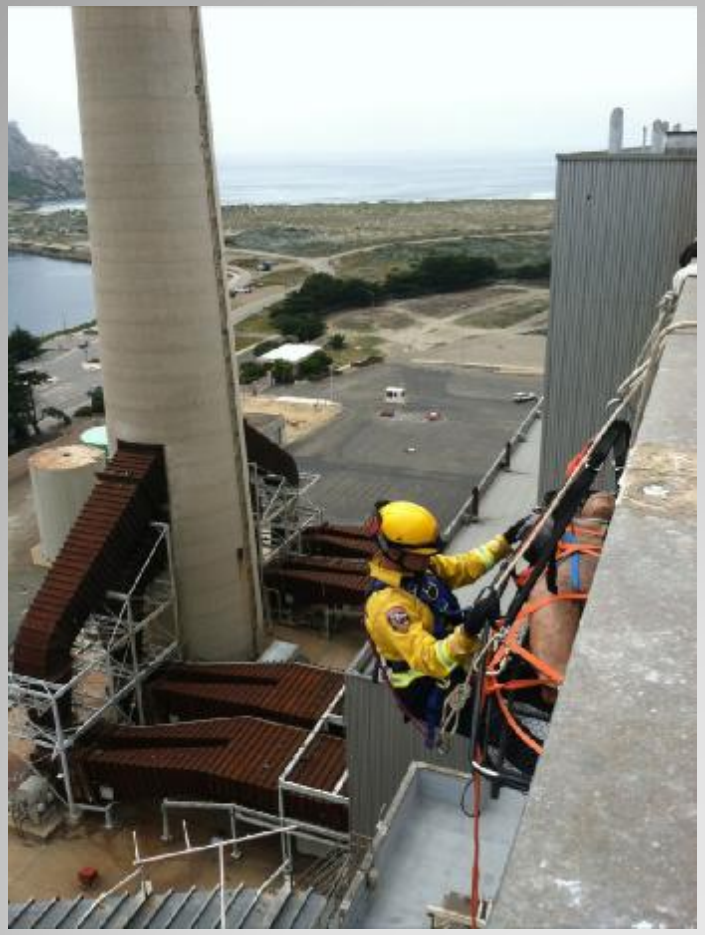
Progressive Hose Lay

1100 foot - Progressive Hose Lay

Structure Protection – I-Zone



Technical Rescue Team Training at Morro Bay



Technical Rescue Team
High Angle Rescue Drills

N.C.O.R Team


CAMBRIA FIRE RESCUE
EST. 1887


CAMBRIA · COMMUNITY · SERVICES · DISTRICT
1976

BOARD OF DIRECTORS' MEETING JULY 28 2011
ADDENDUM TO GENERAL MANAGER'S REPORT
WATER SUPERVISOR REPORT

- Attached is the Water department summary for June call outs: 145 in total.

- Well levels are still at the maximum they have been at for this time of year compared to recent years. Our pumping regime is still the same as last month.

- Paving is almost complete on Manor way. Should be completed by the end of the month.

- The annual Consumer Confidence Report is posted on the CCSD web site, and has been mailed out.

- SCADA – the site visits have been conducted, and the contractor has all the information he needs to evaluate the costs to implement the system.

- Repaired speed control valves at Stuart St. pump station.

- Retrofitted the Ellis St. Pressure Reduce Valves (PRV) with stainless steel tubing and fittings, from copper. This will prevent leaks from reoccurring.

- Meeting is scheduled for Wednesday the 27th with a tank inspector, for the Fiscalini tank.

- Per settlement agreement with neighboring rancher, which we are obligated to supply water to, we are activating the dedicated well in the spray field rather than potable water in the well field and running some water analyzes. They plan on planting crops in the near future.

- We are planning to make an appointment with PG&E to conduct pump efficiency tests on all of our active wells in the next few months.

- We have made a conditional offer of employment for the water treatment operator position. After all the paper work and physical comes back, he should start in the next few weeks.

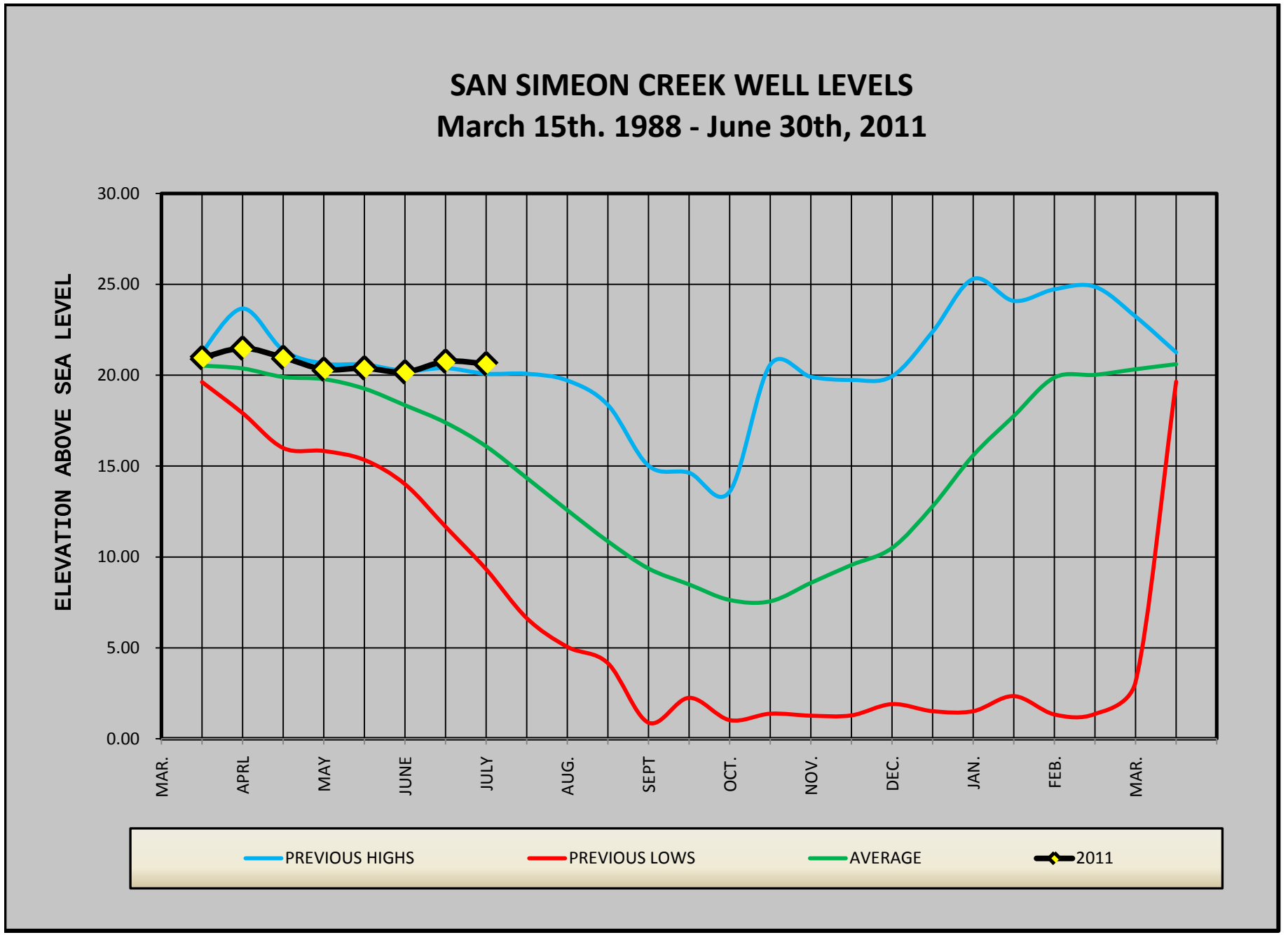
Jim Adams
Water System Supervisor

Water Department June 2011 Report

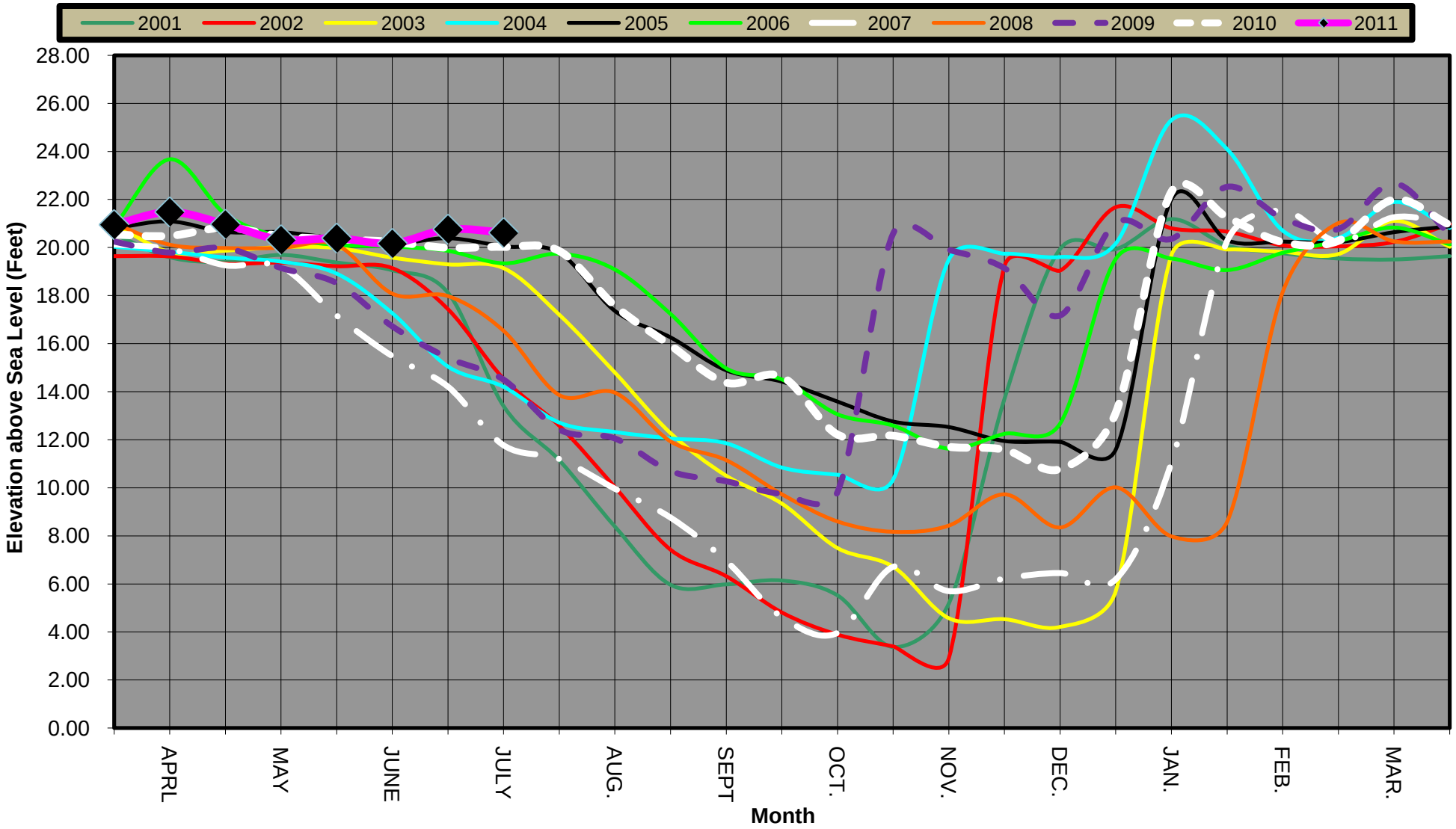
Nature Of Service Provided	Times Provided During Work hours	Times provided After hours	Total # of times provided
Read meter/locate meter	62		62
Leak/high usage on customers side of meter	8	3	11
Meter dial and/or Transmitter replaced (routine)	1		1
Lock/Unlock water meter	5		5
Shut off/ Turn on water at meter	6	3	9
Low water pressure			0
Dirty water complaints			0
Taste and Odor Complaints			0
Repair leak in distribution system	10		10
System alarms handled by operator on call	2	4	6
Water main breaks			0
Retro fit inspections (low flow toilets, hot water recic pumps)	9		9
Water meter and service line up-grades for fire flow	2		2
U.S.A North locations	17		17
Meter monitor installed/show customer how to read meter	2		2
Water service replaced as routine maintenance	2		2
Angle stops replaced (routine maintenance)	5		5
Other as not discibed above	4		4
		Total number of services preformed during work hours	135
		Total number of services preformed after work hours	10
		Total number of services preformed	145

Water Department June 2011 Report

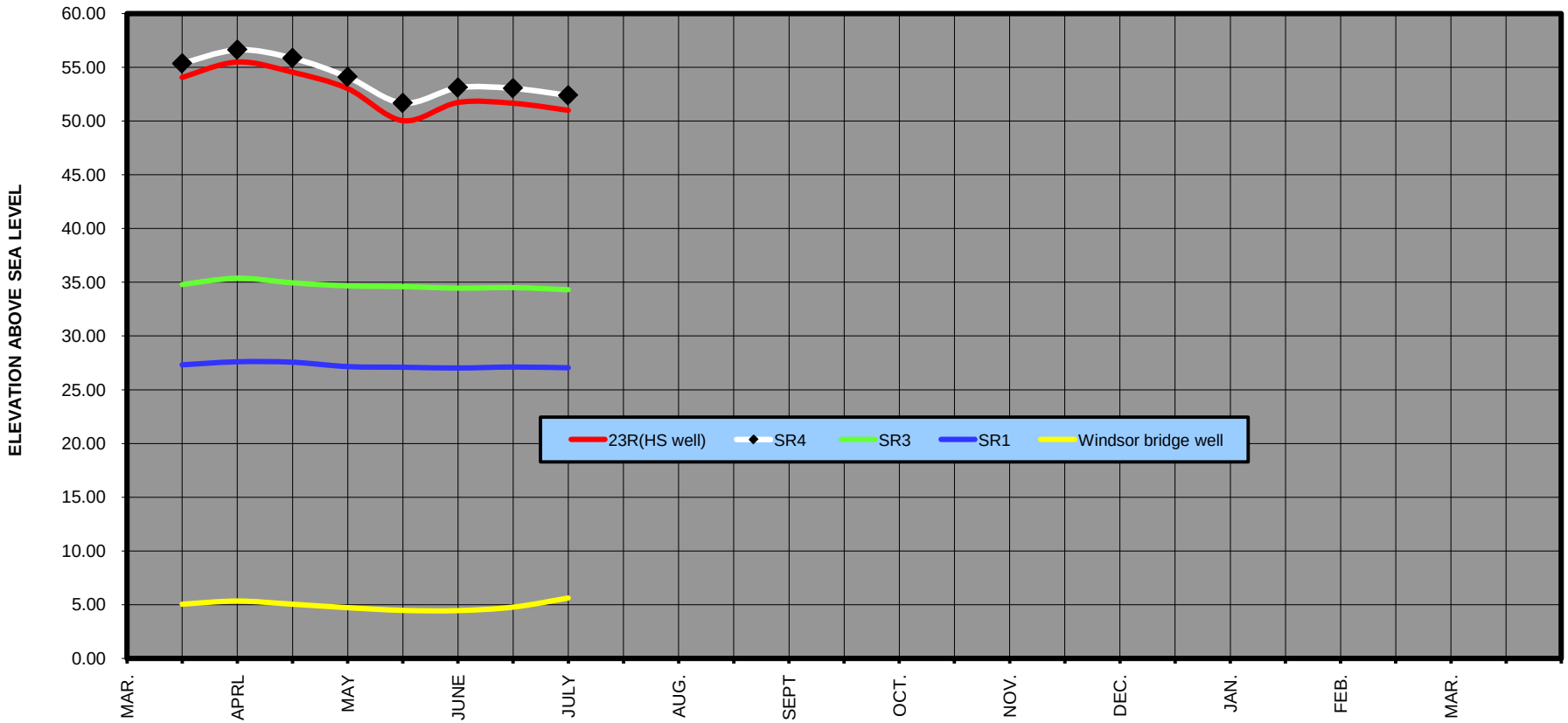
Other jobs and duties performed: Repaired cla-valves at Stuart St. Pump Station. Replaced copper tubing at Ellis St pressure reducing vault with Stainless Steel tubing. Had Fiscilini Tank evaluated by tank repair and coatings specialist. On going weed abatement


SAN SIMEON CREEK WELL LEVELS
March 15th. 1988 - June 30th, 2011
ELEVATION ABOVE SEA LEVEL
30.00
25.00
20.00
15.00
10.00
5.00
0.00
MAR.
APRL
MAY
JUNE
JULY
AUG.
SEPT
OCT.
NOV.
DEC.
JAN.
FEB.
MAR.
PREVIOUS HIGHS
PREVIOUS LOWS
AVERAGE
2011

San Simeon Creek Well Levels
Last 10 years
March 15th, 2000 - June 30th, 2011



SANTA ROSA CREEK WELL LEVELS
March 15th, 2011 - June 30th, 2011



6/30/11

CAMBRIA COMMUNITY SERVICES DISTRICT

WELL WATER LEVELS FOR 6/30/11

Well Code	Distance Ref. Point to Water Level	Reference Point Distance Above Sea Level	Depth of Water to Sea Level	Remarks
		SANTA ROSA CREEK WELLS		
23R	32.41	83.42	51.01	
SR4	29.61	82.00	52.39	
SR3	20.00	54.30	34.30	
SR1	19.35	46.40	27.05	
RP#1	20.80	46.25	25.45	
RP#2	14.92	33.11	18.19	
21R3	7.50	12.88	5.38	
WBE	11.26	16.87	5.61	
WBW	11.44	17.02	5.58	
	AVERAGE LEVEL OF DISTRICT'S SANTA ROSA WELLS =		37.91 FEET	
		SAN SIMEON CREEK WELLS		
16D1	6.85	11.81	4.96	
9M1	23.77	65.63	41.86	
9P2	8.04	19.11	11.07	
9P7	9.36	19.59	10.23	
9L1	10.45	27.33	16.88	
SS4		25.92		**Gradient = N/A**
9K2	11.65	30.23	18.58	
SS3	13.90	33.25	19.35	
SS2	12.90	34.01	21.11	
SS1	12.68	34.07	21.39	
11B1	19.80	105.43	85.63	
11C1	14.52	98.20	83.68	
PFNW		93.22		Not Read
10A1	25.72	78.18	52.46	
10G2	19.00	62.95	43.95	
10G1	17.40	59.55	42.15	
10F2	25.63	66.92	41.29	
10M2	24.07	55.21	31.14	
9J3	16.30	43.45	27.15	
			20.62 FEET	

Red Font are the CCSD's Production Wells 6/30/11

BOARD OF DIRECTORS' MEETING JULY 28, 2011
ADDENDUM TO GENERAL MANAGER'S REPORT
WASTEWATER SUPERVISOR REPORT

1) Installed new Influent pump panel.
2) Pulled and repaired #2 pump assembly at Lift station B2.
3) Completed weed abatement for the spray fields.
4) Calibrated Effluent flow meter.
5) Calibrated Aeration basin dissolved oxygen meters.
6) Manhole inspections.
7) Scheduled appointment with Souza Construction to replace Vault located on hillcrest.
8) Contacted Powerhouse generator to discuss setting up a quarterly Preventive maintenance program for emergency generators.
9) Completed annual Storm Water report.

Mike Finnigan
Senior WWTP Operator

Manhole Repair on Spencer St.

Manhole Repair on Spencer St.

Manhole Repair on Spencer St.

Completed Manhole Repair on Spencer St.

Manhole Repair Adams St.

BOARD OF DIRECTORS' MEETING – JULY 28, 2011
ADDENDUM TO GENERAL MANAGER'S REPORT FACILITIES AND RESOURCES MANAGER'S REPORT

List of properties cleared to date:

- Complete mow of East Ranch (Twice)
  100' fire break, West Ranch, (Huntington), SeaClift Estate, Warren, Victory Way, Wedgewood, Santa Rosa Creek Trail, Cross Town Trail.
  Complete mow of "Dog Park" (will need to be done again..Pinedorado Parking)
  100' around Santa Rosa Catholic Church, road to Fiscalini Water Tank,
  SR Well 3 lot

- Clearing under way on West Ranch: 100' cut behind Warren and Trenton,
  25' fire break one and ½ mile hillside East Ranch (redo Cal Fire cut 2 years ago)
  25' fire break Skye trail East Ranch
  4' wide X 8'high cut cross- town trail to Shamel Park
  30 plus CCSD/L.C lots in Fern Canyon. McCloud lots (100 ft on entire site)

- Eucalyptus tree removal and replacement with native plants:

- Work is to commence on Sept 16. The work is scheduled for 6 weeks, (4 weeks to clear the trees, 2 week to replant with native plants.)

- CCSD is committed to provide a honey hut, a loader tractor and haul trailer, and staff to operate same.

- Several dozen trees will be reserved to be used on the West Ranch Erosion repair site (due to perhaps, start late this September..) another several dozen will be donated to a steelhead restoration site in the South County.

- All slash will be chipped and hauled to the 3'Cs work site in SLO.

- Some firewood will be left on site for members of the public for firewood, if wanted.

- The Cal Poly Intern Project has begun: We have 120 hours. We will work with FFRP, County Ag, Cal Poly grass lands dept., and Elkhorn Slough grassland foundation.

- We will conduct a study of: The conditions of the grasslands on the Fiscalini Ranch, especially the Coastal Prairie grasslands. A 'conditions' report will be written, along with recommendations to remedy any unsatisfactory conditions realized.

Benjamin Boer
Resources and Facilities Supervisor

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **6.B.**

FROM: Jerry Gruber, General Manager
Bob Gresens, District Engineer

Meeting Date: July 28, 2011 Subject: DESALINATION AND WATER STORAGE FACILITIES REPORT

Please note that an updated Capital Projects summary table follows this report.

DESALINATION PROJECT

As of the date of this staff report (July 21, 2011), written comments on the Environmental Assessment and Initial Study/Mitigated Negative Declaration (EA & IS/MND) for the remaining geophysical and geotechnical investigation activities along the Santa Rosa Creek beach and Shamel Park beach area were under review with the Army Corps. It should be noted that this proposed investigation is to only collect data to assess whether a subterranean well may be feasible within the geologic deposits of the area. If so, the data would be used to further define and analyze various alternatives within a subsequent EIR/EIS document. A CEQA hearing on the proposed data collection effort is part of today's agenda.

Discussions are taking place with the California Coastal Commission about scheduling the Corps Coastal Consistency Determination hearing on their agenda at an upcoming meeting. The Army Corp is also in the process of pursuing a Right of Entry Permit from California State Parks for the data collection activities, which are proposed on the exposed beach during low tide, and outside of the natural preserve boundary. Such areas are typically permitted by California State Lands. However, State Parks has indicated they now manage the off shore area from ragged Point south to a location north of Cayucos, since the off shore area was re-designated as a Marine Park during an August 2010 State Parks and Recreation Commission meeting. The Marine Park area was further defined as being "a nonterrestrial marine or estuarine area…" in a May 6, 2011 State Parks letter to the Army Corps.

STUART STREET TANK AND RODEO GROUNDS PUMP STATION PROJECT
INITIAL STUDIES/MITIGATED NEGATIVE DECLARATIONS

The 30-day public review period for the Rodeo Grounds Pump Station replacement IS/MND ended on July 19, 2011. It had been planned to have a CEQA hearing on the proposed pump station project as part of today's meeting. However, a request was received from Friends of the Fiscalini Ranch to allow them more review time. In addition, staff discovered a miscommunication had occurred, which resulted in the Notice of Availability and Notice of Intent (NOA/NOI) to Adopt the IS/MND not being published in the newspaper. Therefore, to allow Friends more review time, and to also ensure proper NOA/NOI noticing occurs, the IS/MND is being advertised during the week of July 25, 2011 with a new 30-day

review period. This period will not close in time to prepare a staff report by the August 25, 2011 Board meeting, so its CEQA hearing is currently planned to be rescheduled for the September 22, 2011 Board meeting.

2010 Urban Water Management Plan (UWMP) Update

There has been no change to the planned UWMP update schedule since the June 23, 2011 Board meeting staff report. Its planned implementation schedule remains as the following:

- August 25, 2011 Board meeting – describe water conservation goal setting requirements of UWMP Act update & related CCSD data (information item only)
- September 23, 2011 – Public hearing on conservation goal setting portion of the update plan
- October 27, 2011 Board meeting – present entire UWMP & start public review period on full plan
- November 24, 2011 – consider any public testimony, followed by recommendations to formally adopt the updated plan.

Attachments: (1)

DRAFT

Cambria Community Services District - Capital Projects Summary

Report Date: 7/28/2011

CCSD Project #	Project	Status	Active?	Budget Category	$	Start Date	% Spent	Est'd physical % complete	$ Spent	Notes
1801	Seawater Desalination	Geotechnical data collection is in progress and pending further environmental review & permitting. Project EIR/EIS is waiting on geotechnical data to define alternatives. Preliminary design efforts are supporting EIR/EIS alternatives development.	Yes	ACE PM/ACE staff	862,784	3/27/2006	100		862,784	(1)
	Joint potable water supply project with Army Corps to provide drought protection and augment existing water supply.			Geo/DYA	1,034,666	9/30/2008	38%		389,475	**(2)** (3)
				Enviro/Chambers	673,482		17%		112,133	**(2)**
				30% Design/CDM	1,286,917	9/27/2010	11%		142848	**(2)**
				Subtotal	3,857,849			Subtotal	1,507,240	
				Planning Const'n Est	(4)					(4)
1814	SCADA (Supervisory Control & Data Acquisition) Remote equipment monitoring, controls, and alarms for water & wastewater infrastucture.	Planning & design of the SCADA system completed by Cybernet Consulting. Individual components & software have been purchased & factory tested. Local field panels & installation at remote sites remain to be completed.	No	Planning, Design. Programming/Cybernet	449,334	8/26/2004	100		449,334	
				Equipment & software/various vendors	244,264	4/12/2007	100		244,264	
				Subtotal	693,598			Subtotal	693,598	
				Field panels & install'n Est	350,000					
				Total Project Est	1,043,598					(5)
1818	Stuart Street & Fiscalini Tank Sites Storage	Preliminary design report was amended to include alternative for moving 125K-gallon Stuart St. tank to Fiscalini site. Public Review draft IS/MND est'd for mid July release. A Board CEQA hearing is planned for August 25, 2011.	Yes	Environmental/RBF	40,302	10/26/2006	64	65		(6) (7)
	Additional tank storage for fire protection			Design/RBF	119,950			10		(7)
				Subtotal	160,252				68,394	(8)
				10% Design Const'n Est	1,278,000					(9)
				CM/RE/Constn Eng @ 10%	127,800					
				Total Project Est	**1,405,800**					
1817	Rodeo Grounds Pump Station	Preliminary design report was amended to include connecting pipeline revisions. Public review draft IS/MND is to be released on June 20, 2011. A Board CEQA hearing is planned for July 28, 2011.	Yes	Environmental/RBF	75,608	10/26/2006	67	65		(6) (7)
	New station will replace existing station, which is obsolete due to its age, condition, & flood plain location. Fire pumps being designed as part of the new station will also increase distribution system flows for fire fighting.			Design/RBF	225,034			10		(7)
				Subtotal	300,642				117,948	(8)
				10% Design Const'n Est	2,397,600					(10)
				CM/RE/Constn Eng @ 10%	239,760					
				Total Project Est	**2,637,360**					

Notes:

(1) Costs are from a May 20, 2011 ACE quarterly report. ACE PM & staff time reflect costs to date from project inception. These costs show an increase of $234,000 when compared to the January 18, 2011 Quarterly report The ACE project manager further reported that the earlier January 18, 2011 report did not include $73,512 in ACE PM/ACE staff costs that had occurred prior to a conversion in the Corps financial software, which took place during calendar year 2005 +/-. The more current 5/20/2011 qaurterly report has now captured those earlier costs. Therefore the actual PM/ACE staff costs since the January 18, 2011 report amount to $160,488.

(2) Funding for these line items is 100% Federal from an earlier American Recovery & Reinvestment Act of 2009 appropriation

(3) The scope of work and associated percent complete are subject to further change based on resource agency permitting & right of entry requirements, which are currently unknown.

(4) From 1/29/2009 Board update report, construction costs were estimated at $16,400,000 without solar power, and $20,100,000 with solar power.

(5) Original planning-level project cost estimate by Cybernet was $1,300,000

(6) Project renamed from the Stuart Street Tank No. 3 project to "Stuart Street & Fiscalini Tank Sites Storage Project"

(7) The original October 26, 2006 RBF consulting contract of $443,894 lumped design and environmental consulting costs together for both the tank and pump station projects. For internal cost tracking purposes, and to allow a means to estimate costs for each project individually, RBF consulting costs were split 70% for the pump station and 30% for the tank project. This percent allocation between projects was based on a ratio of construction cost estimates for each project that were presented in an earlier April 26, 2007 Preliminary Design Report ($1,908,000 for the pump station project & $812,000 for the tank project). Following a change of scope to add an alternative to the Stuart St. tank project's environmental clearance process, a subsequent, May 27, 2010 RBF contract amendment for $17,000 was added to the overall contract. The $17,000 additional authorization was accompanied by a redistribution of estimated design and environmental line item costs by RBF without increasing the RBF Contract authorization ceiling above $460,894.

(8) Costs for environmental and design tasks are from a June 24, 2011 RBF invoice, which includes total costs from the October 26, 2006 contract approval date to May 31, 2011

(9) From a June 2011 preliminary design report addendum, which is based on June 2011 dollars, adding in $108,000 for moving the smaller tank, as well as a 20% construction contingency.

(10) From a June 2011 preliminary design report addendum, which is based on June 2011 dollars, adding in $200,000 for downstream pipeline reaches, as well as a 20% construction contingency.

CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
FOR THE MONTH ENDING JUNE 30, 2011

VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
ACCURATE MAILING SERVICE	52642	6/3/2011	1	45.00	WD/POSTAGE DEPOSIT FOR REMINDER NOTICES 06/11
ACCURATE MAILING SERVICE	52642	6/3/2011	2	45.00	WW/POSTAGE DEPOSIT FOR REMINDER NOTICES 06/11
ACCURATE MAILING SERVICE	52687	6/14/2011	1	352.00	RC/POSTAGE FOR WL & ITS ANNUAL FEES
ACCURATE MAILING SERVICE	52762	6/28/2011	1	(99.30)	RC/CREDIT MEMO METER WAIT LIST FEE 1
ACCURATE MAILING SERVICE	52762	6/28/2011	1	1.86	WD/POSTAGE REMINDER NOTICES 6/14/11
ACCURATE MAILING SERVICE	52762	6/28/2011	2	1.86	WW/POSTAGE REMINDER NOTICES 6/14/11
ACCURATE MAILING SERVICE	52762	6/28/2011	3	9.06	WD/PROFESSIONAL SERVICES REMINDER NOTICES 6/14/11
ACCURATE MAILING SERVICE	52762	6/28/2011	4	9.06	WW/PROFESSIONAL SERVICES REMINDER NOTICES 6/14/11
ACCURATE MAILING SERVICE	52762	6/28/2011	1	112.07	RC/METER WAIT LIST FEE POSTAGE
ACCURATE MAILING SERVICE	52762	6/28/2011	2	60.65	RC/METER WAIT LIST FEE PROFESSIONAL SERVICES
				537.26	
ADAMS, JAMES R.	52643	6/3/2011	1	45.00	WD/MONTHLY CELL PHONE SERVICE REIMB 6/11
AGP VIDEO	52669	6/9/2011	1	647.50	ADM/VIDEO PROD/DIST BOARD MEETING 5/26/11
AIR POLLUTION CNTRL DIST	52688	6/14/2011	1	991.54	WW/RENEW EQUIPMENT OPERATING PERMIT TO APRIL 2012
ALPHA ELECTRICAL SERVICE	52696	6/15/2011	1	739.52	WD/INSTALL COOLING FAN FOR VFD'S AT LEIMERT TANK
ALPHA ELECTRICAL SERVICE	52696	6/15/2011	2	411.40	WD/INSTALL LEVEL CONTROLS PINE KNOLLS TANKS
				1,150.92	
ASHLAND, INC.	52697	6/15/2011	1	1,500.35	WW/PRESTOL K
AT&T	52698	6/15/2011	1	282.45	WD/ALARM VAN GORDON RD WELL FIELD JUNE 2011
AT&T/CALNET2	52764	6/28/2011	1	15.87	WW/MONTHLY FAX CHARGES 5/10/11-6/09/11
AT&T/CALNET2	52764	6/28/2011	1	15.52	WD/TELEMETRY SYS MONTHLY CHARGES 5/10/11-6/09/11
AT&T/CALNET2	52764	6/28/2011	1	29.77	F&R/VET'S HALL ALARM 5/10/11 - 6/09/11
AT&T/CALNET2	52764	6/28/2011	1	661.29	WD/CIRCUIT ALARM CHARGES 5/10/11-6/09/11
AT&T/CALNET2	52764	6/28/2011	1	15.52	ADM/RADIO VAULT 05/10/11-06/09/11
AT&T/CALNET2	52764	6/28/2011	1	15.53	WW/BUILDING PUMP LEIMERT TANK 5/10/11-6/09/11
AT&T/CALNET2	52764	6/28/2011	1	16.28	ADM/FAX MONTHLY CHARGES 05/10/11-06/09/11
AT&T/CALNET2	52764	6/28/2011	1	282.26	ADM/MAIN OFFICE MONTHLY CHARGES 05/10/11 - 6/09/11
AT&T/CALNET2	52764	6/28/2011	1	66.59	WD/PHONE & FAX MONTHLY CHARGES 5/10/11-6/9/11
AT&T/CALNET2	52764	6/28/2011	1	138.63	FD/MONTHLY PHONE CHARGES 05/10/11-06/09/11
AT&T/CALNET2	52764	6/28/2011	1	107.27	WW/MONTHLY PHONE CHARGES 5/10/11-6/09/11
				1,364.53	
BOB WRIGHT CONSTRUCTION	52761	6/28/2011	1	1,430.00	WW/REPLACE CHK VLV & ISOLATION VLV AT LFT STN 4
BRENNTAG PACIFIC, INC.	52700	6/15/2011	1	1,233.23	WD/CHEMICALS APRIL 2011
BRENNTAG PACIFIC, INC.	52700	6/15/2011	1	711.26	WD/CHEMICALS JUNE 2011
BRENNTAG PACIFIC, INC.	52765	6/28/2011	1	817.20	WW/CHEMICALS
				2,761.69	
BURTON'S FIRE, INC.	52718	6/17/2011	1	67.34	FD/REPAIR OF DOOR 3 & 4 ON DASH 2000
BUSHWHACKER 1	52636	6/2/2011	1	385.00	WW/CLEAR OUTSIDE PERIMETER/WW PLANT
BUSHWHACKER 1	52636	6/2/2011	1	175.00	WW/CLEARING DENSE GROWTH AROUND THREE WELLS
BUSHWHACKER 1	52636	6/2/2011	1	1,320.00	WW/REMOVAL OF WEEDS & TREE TRIMMING/B STATION ROAD
				1,880.00	
BUSINESSPLANS, INC.	52644	6/3/2011	1	217.00	ADM/MONTHLY HRA PLAN ADMINISTRATION 6/11
CADY, SKY	52656	6/9/2011	1	52.81	WD/CUSTOMER REFUND

CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
FOR THE MONTH ENDING JUNE 30, 2011

VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
CAMBRIA AUTO PARTS	52699	6/15/2011	1	46.18	WW/PWR STEERING FLUID, RADIATOR HOSE, HOSE CLAMP
CAMBRIA AUTO PARTS	52699	6/15/2011	1	154.23	WW/OPERATING SUPPLIES
CAMBRIA AUTO PARTS	52699	6/15/2011	1	10.59	F&R/MOWER GREASE
CAMBRIA AUTO PARTS	52699	6/15/2011	1	88.65	WW/OPERATING SUPPLIES
CAMBRIA AUTO PARTS	52699	6/15/2011	1	11.02	FD/FMX-40 FUSE, CACHE TOOLS
CAMBRIA AUTO PARTS	52699	6/15/2011	1	19.45	WD/ANTIFREEZE, NON-DETERGENT OIL
CAMBRIA AUTO PARTS	52699	6/15/2011	1	110.05	WW/7 PC SAE GEAR WRENCH SET, ENGINE DEGREASER
				440.17	
CAMBRIA HARDWARE CENTER	52728	6/22/2011	1	51.71	FD/MAINT & REPAIR BUILDINGS
CAMBRIA HARDWARE CENTER	52728	6/22/2011	2	14.91	FD/MAINT & REPAIR LICENSED VEHICLES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	3	0.59	FD/MAINT & REPAIR NON-LICENSED VEHICLES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	4	23.57	FD/DEPARTMENT OPERATING SUPPLIES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	5	17.49	FD/SMALL TOOLS AND EQUIPMENT
CAMBRIA HARDWARE CENTER	52728	6/22/2011	1	(21.60)	F&R/TO ACCEPT C/M'S ISSUED IN ERROR BY C. HDWE
CAMBRIA HARDWARE CENTER	52728	6/22/2011	2	51.30	FD/MAINT & REPAIR BUILDINGS
CAMBRIA HARDWARE CENTER	52728	6/22/2011	3	6.69	FD/MAINT & REPAIR GROUNDS
CAMBRIA HARDWARE CENTER	52728	6/22/2011	4	6.69	FD/MAINT & REPAIR N0N-LICENSED VEHICLES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	5	88.71	FD/DEPARTMENT OPERATING SUPPLIES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	6	191.04	FD/SMALL TOOLS AND EQUIPMENT
CAMBRIA HARDWARE CENTER	52728	6/22/2011	1	38.68	ADM/MAINT & REPAIR BUILDINGS
CAMBRIA HARDWARE CENTER	52728	6/22/2011	1	14.32	WD/MAINT & REPAIR DISTRIBUTION
CAMBRIA HARDWARE CENTER	52728	6/22/2011	2	30.04	WD/MAINT & REPAIR WATER HYDRANTS
CAMBRIA HARDWARE CENTER	52728	6/22/2011	3	10.80	WD/OPERATING SUPPLIES
CAMBRIA HARDWARE CENTER	52728	6/22/2011	1	29.73	WW/MAINT & REPAIR WW PLANT
CAMBRIA HARDWARE CENTER	52728	6/22/2011	2	60.10	WW/MAINT & REPAIR WW COLLECTION SYSTEM
				614.77	
CAMBRIA ROCK	52628	6/2/2011	1	2,085.08	WD/CONCRETE BLOCKS
CAMBRIA VILLAGE SQUARE	52655	6/3/2011	1	3,182.13	ADM/MONTHLY OFFICE LEASE PYMT 1316 TAMSEN 6/11
CARMEL & NACCASHA LLP	52692	6/15/2011	12	(6,600.00)	ADM/LESS APRIL 2011 RETAINER
CARMEL & NACCASHA LLP	52692	6/15/2011	1	627.00	FD/GENERAL DISTRICT COUNCEL SERVICES APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	2	148.50	F&R/GENERAL DISTRICT COUNCEL SERVICES APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	3	6,442.70	ADM/GENERAL DISTRICT COUNCEL SERVICES APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	4	3,106.20	WD/GENERAL DISTRICT COUNCEL SERVICES APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	5	123.75	WW/GENERAL DISTRICT COUNCEL SERVICES APRIL 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	1	1,914.00	FD/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	2	7,147.30	ADM/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	3	1,124.25	RC/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	4	775.50	PR/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	5	724.05	WD/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	6	123.75	WW/GENERAL DISTRICT COUNCEL SERVICES MAY 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	1	18.50	WD/LITIGATION SERVICES BERGE APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	2	18.50	WW/LITIGATION SERVICES BERGE APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	3	347.96	WD/LITIGATION SERVICES LANDWATCH I APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	4	202.13	WD/LITIGATION SERVICES LANDWATCH II APRIL 2011
CARMEL & NACCASHA LLP	52692	6/15/2011	5	3,194.70	WD/LITIGATION SERVICES LINDSEY APRIL 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	1	18.50	WD/LITIGATION SERVICES BERGE MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	2	18.50	WW/LITIGATION SERVICES BERGE MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	3	651.85	WD/LITIGATION SERVICES LANDWATCH I MAY 2011
CARMEL & NACCASHA LLP	52691	6/15/2011	4	1,695.15	WD/LITIGATION SERVICES LINDSEY MAY 2011
				21,822.79	
CENTRAL COAST COFFEE	52670	6/9/2011	1	22.32	ADM/OFFICE SUPPLIES

CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
FOR THE MONTH ENDING JUNE 30, 2011

VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
CHAPARRAL BUSINESS MACHIN	52629	6/2/2011	1	143.31	ADM/RICOH 6110D TONER
CHAPARRAL BUSINESS MACHIN	52719	6/17/2011	1	3,088.00	ADM/ANNUAL MAINT RENEWAL SAVIN 4060 THRU 3/14/2011
CHAPARRAL BUSINESS MACHIN	52766	6/28/2011	1	54.13	ADM/RICOH MAINT KIT-FUSER OIL 6/21/11
				3,285.44	
COAST ELECTRONICS/RADIO	52630	6/2/2011	1	246.75	WD/SUBMERSIBLE HANDHELD VHF RADIO
COAST ELECTRONICS/RADIO	52630	6/2/2011	2	246.75	WW/SUBMERSIBLE HANDHELD VHF RADIO
				493.50	
COLLINGS & ASSOCIATES	52701	6/15/2011	1	1,665.00	FD/RESIDENTIAL FIRE SPRINKLER PLAN REVIEW
CORBIN WILLITS SYSTEMS	52646	6/3/2011	1	1,174.12	ADM/MONTHLY SUPPORT FINANCIAL MGT SOFTWARE 6/11
CORBIN WILLITS SYSTEMS	52671	6/9/2011	1	260.00	RC/TROUBLESHOOT PROBLEM W/ PERMIT COMPUTER
CORBIN WILLITS SYSTEMS	52693	6/15/2011	1	200.00	ADM/PROGRAM SIGNATURE CHANGE
				1,634.12	
CRYSTAL SPRING WATER CO.	52672	6/9/2011	1	63.85	WW/EQUIPMENT RENTAL MAY 2011
CSFA	52726	6/22/2011	1	1,875.00	FD/ANNUAL MEMBERSHIP DUES 6/1/11-5/31/12
CULLIGAN-KITZMAN WATER	52702	6/15/2011	1	52.00	FD/14 DAY WATER SOFTENER SERVICE 5/31/11
D.LAFFERTY HEATING	52616	6/1/2011	1	150.00	F&R/MAINTENANCE & REPAIR HEATING SYSTEM VET'S HALL
DE LA SANCHA, HERBERT	52657	6/9/2011	1	11.85	WD/CUSTOMER REFUND
DORADO PARKING SYSTEMS	52674	6/9/2011	1	2,274.69	WW/TRANSMITTER & RECEIVERS FOR LIFT STN ALARM SYS
ELANDER, BRADD	52658	6/9/2011	1	22.82	WD/CUSTOMER REFUND
ENNIX INCORPORATED	52647	6/3/2011	1	2,975.00	WW/ENNIX DIGESTER OPTIMIZATION 5/8/11 - 6/7/11
EVERBANK COMMERCIAL FINANCE	52621	6/2/2011	1	291.69	FD/SHARP X3500 COPIER LEASE AGREEMENT 5/7/11
EVERBANK COMMERCIAL FINANCE	52703	6/15/2011	1	317.11	FD/SHARP X3500 COPIER LEASE AGREEMENT 6/7/11
				608.80	
FARM PLAN	52704	6/15/2011	1	382.84	F&R/VEHICLE MAINT SUPPLIES
FERGUSON ENT., INC #632	52631	6/2/2011	1	1,977.61	WD/HYDRANT CONVERSION KITS
FERGUSON ENT., INC #632	52705	6/15/2011	1	3,206.99	WD/CLAMPS AND COUPLINGS
FERGUSON ENT., INC #632	52705	6/15/2011	1	260.87	WW/16" GASKETS FOR AERATION BASINS
				5,445.47	
FGL ENVIRONMENTAL	52622	6/2/2011	1	323.00	WW/INORGANIC, ORGANIC AND SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52680	6/9/2011	1	110.00	WD/BACTI & SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52680	6/9/2011	1	90.00	WD/BACTI & SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52680	6/9/2011	1	481.00	WW/INORGANIC, ORGANIC AND SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52680	6/9/2011	1	90.00	WD/BACTI & SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52706	6/15/2011	1	90.00	WD/BACTI & SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52706	6/15/2011	1	90.00	WD/BACTI AND SUPPORT ANALYSIS
FGL ENVIRONMENTAL	52706	6/15/2011	1	90.00	WD/BACTI AND SUPPORT ANALYSIS
				1,364.00	
FINNIGAN, MICHAEL	52686	6/14/2011	1	250.00	WW/OT OMITTED ON TIMECARD
FIRST AMERICAN TITLE CO	52617	6/1/2011	1	248.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52720	6/17/2011	1	539.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52720	6/17/2011	1	248.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52736	6/22/2011	1	98.00	RC/VOLUNTARY LOT MRGER EXPENSE

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CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
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VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
FIRST AMERICAN TITLE CO	52737	6/23/2011	1	257.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52738	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52739	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52740	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52741	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52742	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52743	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52744	6/23/2011	1	251.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52745	6/23/2011	1	251.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52746	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52747	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52748	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52748	6/23/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52753	6/28/2011	1	712.00	RC/VOLUNTARY LOT MRGER EXPENSE
FIRST AMERICAN TITLE CO	52754	6/28/2011	1	326.00	RC/VOLUNTARY LOT MRGER EXPENSE
				10,050.00	
FIRST BANKCARD	52665	6/9/2011	1	-	ADM/WD/WW/K. CHOATE VISA CHARGES MAY 2011
FIRST BANKCARD	52665	6/9/2011	2	183.12	WD/ROOM CHARGES J. ADAMS WO TESTING LODI 4/19-4/21
FIRST BANKCARD	52665	6/9/2011	3	39.30	ADM/APRIL 28 BOD MEETING SUPPLIES
FIRST BANKCARD	52665	6/9/2011	4	1,002.46	WW/REPAIRING MILLTRONICS PUMP CONTROLLER
FIRST BANKCARD	52665	6/9/2011	1	-	WD/WW/T. RUDOCK VISA CHARGES MAY 2011
FIRST BANKCARD	52665	6/9/2011	2	50.00	WD/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	3	50.00	WW/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	4	275.00	WD/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	5	275.00	WW/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	6	250.00	WD/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	7	250.00	WW/ONLINE AD FOR OPERATOR RECRUITMENT
FIRST BANKCARD	52665	6/9/2011	8	11.89	INTEREST MAY 11 TO BE REVERSED JUNE 11 STATEMENT
FIRST BANKCARD	52763	6/28/2011	1	-	ADM/K. CHOATE VISA CHARGES JUNE 2011
FIRST BANKCARD	52763	6/28/2011	2	49.00	ADM/CSDA RECORDS RETENTION WEBINAR 6/6/2011
				2,435.77	
GALLAGHER, MICHAEL S.	52623	6/2/2011	1	152.72	FD/REIMBURSE FOR KIDS SUPPLIES AT FIRE STATION
GERBER'S AUTO SERVICE	52727	6/22/2011	1	306.46	F&R/NEW LIGHT SWITCH/REPAIR WIRING JOHN DEERE
GRAINGER	52624	6/2/2011	1	424.53	WW/TOOL BOX FOR TRUCK
GRESENS, ROBERT C.	52648	6/3/2011	1	45.00	WD/MONTHLY CELL PHONE SERVICE REIMB 6/11
GRUBER, JEROME	52649	6/3/2011	1	22.50	WD/MONTHLY CELL PHONE SERVICE REIMB 6/11
GRUBER, JEROME	52649	6/3/2011	2	22.50	WW/MONTHLY CELL PHONE SERVICE REIMB 6/11
				45.00	
HOME DEPOT CREDIT SERVICE	52675	6/9/2011	1	368.65	ADM/PAINT AND SUPPLIES FOR ADMIN OFFICE
INNOVATIVE CONCEPTS	52650	6/3/2011	1	839.30	FD/MONTHLY BROADBAND SERVICES 6/11
INNOVATIVE CONCEPTS	52650	6/3/2011	2	839.30	F&R/MONTHLY BROADBAND SERVICES 6/11
INNOVATIVE CONCEPTS	52650	6/3/2011	3	839.30	ADM/MONTHLY BROADBAND SERVICES 6/11
INNOVATIVE CONCEPTS	52650	6/3/2011	4	839.30	WD/MONTHLY BROADBAND SERVICES 6/11
INNOVATIVE CONCEPTS	52650	6/3/2011	5	839.30	WW/MONTHLY BROADBAND SERVICES 6/11
INNOVATIVE CONCEPTS	52650	6/3/2011	6	25.00	FD/1 MONTH WEB HOSTING fire.cambriacsd.org 6/11
				4,221.50	
INSITE INSTRUMENTATION GROUP I	52618	6/1/2011	1	1,505.00	WW/HANDHELD PORTABLE ANALYZER
INTERSTATE BILLING SERVICE, IN	52721	6/17/2011	1	963.49	FD/REPAIR TURBO-VALVE CONTROL ENG# 57
INTERSTATE BILLING SERVICE, IN	52721	6/17/2011	1	100.00	FD/SERVICE 2007 PIERCE FIRE TRUCK
				1,063.49	

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VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
J B DEWAR	52625	6/2/2011	1	1,144.85	WD/DIESEL FUEL & GASOLINE CHARGES
J B DEWAR	52625	6/2/2011	1	1,429.88	FD/DIESEL FUEL & GASOLINE CHARGES
J B DEWAR	52625	6/2/2011	1	1,171.71	FD/DIESEL FUEL & GASOLINE CHARGES
J B DEWAR	52625	6/2/2011	1	578.83	WD/DIESEL FUEL & GASOLINE CHARGES
J B DEWAR	52625	6/2/2011	1	57.06	FD/GASOLINE CHARGES FOR CHAINSAW
J B DEWAR	52681	6/9/2011	1	2,029.42	WW/DIESEL FUEL CHARGE
J B DEWAR	52708	6/15/2011	1	114.12	FD/CHAINSAW GASOLINE CHARGES
J B DEWAR	52708	6/15/2011	1	388.12	WD/GASOLINE CHARGES
J B DEWAR	52708	6/15/2011	1	1,076.49	FD/DIESEL FUEL
J B DEWAR	52767	6/28/2011	1	1,162.61	WW/DIESEL FUEL
				9,153.09	
JENNY, RENEE	52659	6/9/2011	1	80.00	WD/CUSTOMER REFUND
JWC ENVIRONMENTAL	52729	6/22/2011	1	8,980.38	WW/CUTTER CARTRIDGE TO REBUILD MUFFIN MONSTER
JWC ENVIRONMENTAL	52729	6/22/2011	1	(1,141.88)	WW/REFUNDABLE CORE DEPOSIT INV 39846
				7,838.50	
KELLY, LARRY	52694	6/15/2011	1	25.00	WD/REFUND FOR REMODEL IMPACT FEE REVIEW
KUYKENDALL, MICHAEL	52651	6/3/2011	1	45.00	WW/MONTHLY CELL PHONE SERVICE REIMB 6/11
LAHR ELECTRIC MOTORS	52626	6/2/2011	1	2,135.78	WW/REPAIR REWIND RELIANCE PUMP
LEWIS, DEBBIE/MCNAUGHTON	52660	6/9/2011	1	329.43	WD/CUSTOMER REFUND
LIEBERT CASSIDY WHITMORE	52637	6/2/2011	1	2,341.50	ADM/PROFESSIONAL LEGAL SERVICES APRIL 2011
LIGHTHOUSE LITHO	52768	6/28/2011	1	106.40	ADM/PRINT BUSINESS CARDS J GRUBER GM
LIGHTHOUSE LITHO	52768	6/28/2011	2	49.70	WW/PRINT BUSINESS CARDS MIKE FINNIGAN WW OPS
				156.10	
LLOYD, JAN	52661	6/9/2011	1	112.05	WD/CUSTOMER REFUND
LUBRICATION ENGINEERS, INC	52709	6/15/2011	1	140.29	WW/MONOLEC OIL FOR CHAIN DRIVE FOR SCREW PRESS
MADRID, MONIQUE	52666	6/9/2011	1	110.49	ADM/REIMBURSE CAMERA FOR ADMIN OFFICE
MADRID, MONIQUE	52733	6/22/2011	1	411.00	ADM/REIMB EXP CUESTA COLL CLASS/TUITION/BOOKS
				521.49	
MARZIELLO, ELIZABETH	52662	6/9/2011	1	80.00	WD/CUSTOMER REFUND
MATHESON TRI-GAS, INC	52682	6/9/2011	1	51.76	WW/ACETYLENE CYL RENTAL MAY 2011
MCMASTER-CARR SUPPLY CO	52756	6/28/2011	1	91.08	WW/LIFT STATION ALARM DIALERS BACK UP BATTERIES
MCS INSPECTION GROUP, INC.	52722	6/17/2011	1	250.00	WD/INSPECT FISCALINI WATER TANK
MEL'S LOCK & KEY	52633	6/2/2011	1	48.69	ADM/REPAIR OF DOOR LOCKS
MELVIN MADE STEEL FABRICATION	52710	6/16/2011	1	1,905.20	F&R/VET'S HALL BBQ PIT NEW GRATE AND COVER
MENDOZA, CARLOS	52652	6/3/2011	1	22.50	F&R/MONTHLY CELL PHONE SERVICE REIMB 6/11
MENDOZA, CARLOS	52652	6/3/2011	2	22.50	ADM/MONTHLY CELL PHONE SERVICE REIMB 06/11
				45.00	
MENDOZA, NORMA	52663	6/9/2011	1	44.00	WD/CUSTOMER REFUND

CAMBRIA COMMUNITY SERVICES DISTRICT
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MILLER, MARK	52627	6/2/2011	1	26.10	FD/REIMBURSE FUEL FOR CHAINSAW
MILLER, MARK	52653	6/3/2011	1	45.00	FD/MONTHLY CELL PHONE SERVICE REIMB 06/11
				71.10	
MINER'S ACE HARDWARE	52757	6/28/2011	1	13.03	F&R/CLEANING BRUSH AND BRUSH CLEANER
MISSION LINEN SUPPLY	52667	6/9/2011	1	292.35	WD/LINEN SERVICE & UNIFORM CLEANING MAY 2011
MISSION LINEN SUPPLY	52667	6/9/2011	2	79.40	F&R/LINEN SERVICE & UNIFORM CLEANING MAY 2011
				371.75	
ML ENTRY GATES-MORTIMER LOPEZ	52634	6/2/2011	1	1,185.00	WD/REPAIR OF FENCE AT PINE KNOLL TANKS
MORRIS, RICHARD	52668	6/9/2011	1	2,148.00	FD/SETTLEMENT OF FHFR CONTRACT CHARGES
NANCY MCKARNEY	52632	6/2/2011	1	67.50	ADM/REVISED CCSD LETTERHEAD
NATIONAL NOTARY ASSOC.	52619	6/1/2011	1	52.00	ADM/ANNUAL NNA MEMBERSHIP RENEWAL
PACIFIC COAST ELECTRIC	52769	6/28/2011	1	592.00	F&R/REPAIR BBQ LIGHTS VETS HALL
PACIFIC COAST ELECTRIC	52769	6/28/2011	1	3,660.00	F&R/MAIN ELECTRICAL SERVICE UPGRADE VETS HALL
				4,252.00	
PACIFIC GAS & ELECTRIC	52677	6/9/2011	1	14.19	ADM/ELECTRIC SERVICE 4/30 - 5/31/11
PACIFIC GAS & ELECTRIC	52689	6/14/2011	1	4.73	F&R/ELECTRIC SERVICE 4/30 - 5/31/11
PACIFIC GAS & ELECTRIC	52689	6/14/2011	1	173.37	WW/ELECTRIC SERVICE 5/1 - 5/31/11
PACIFIC GAS & ELECTRIC	52689	6/14/2011	1	9.17	WD/ELECTRIC SERVICE 5/1 - 5/31/11
PACIFIC GAS & ELECTRIC	52689	6/14/2011	1	9,931.86	WD/ELECTRIC SERVICE 4/30 - 6/1/11
PACIFIC GAS & ELECTRIC	52689	6/14/2011	1	1,494.36	WD/ELECTRIC SERVICE 5/3 - 6/1/11
PACIFIC GAS & ELECTRIC	52749	6/23/2011	1	13,710.02	WW/ELECTRIC SERVICE 4/30/11 - 6/02/11
PACIFIC GAS & ELECTRIC	52752	6/23/2011	1	764.64	FD/ELECTRIC SERVICE 4/30/11 - 6/07/11
PACIFIC GAS & ELECTRIC	52752	6/23/2011	2	1,458.36	F&R/ELECTRIC SERVICE 4/30/11 - 6/07/11
PACIFIC GAS & ELECTRIC	52752	6/23/2011	3	493.03	ADM/ELECTRIC SERVICE 4/30/11 - 6/07/11
				28,053.73	
PASO PRINTERS	52676	6/9/2011	1	165.62	ADM/500 SET 3-PART PURCHASE ORDER FORMS
PENDLETON, ROBERT/VICTORI	52664	6/9/2011	1	23.69	WD/CUSTOMER REFUND
PERS RETIREMENT SYSTEM	52775	6/30/2011	1	96.20	FD/RETIREMENT CONTRIBUTION CORRECTION TO 07-2010-3
PETTY CASH	52734	6/22/2011	1	14.82	FR/MAINT & REPAIR GROUNDS
PETTY CASH	52734	6/22/2011	2	70.83	ADM/BOARD MEETING EXPENSES
PETTY CASH	52734	6/22/2011	3	17.40	ADM/MEETING EXPENSES 3/30/11 AND 4/28/11
PETTY CASH	52734	6/22/2011	4	3.99	ADM/OFFICE SUPPLIES
PETTY CASH	52734	6/22/2011	5	18.78	ADM/POSTAGE PETTY CASH
PETTY CASH	52734	6/22/2011	6	12.34	WD/SCAN DRAWINGS RODEO GROUNDS PUMP STATION
PETTY CASH	52734	6/22/2011	7	(18.75)	ADM/POSTAGE REFUND
PETTY CASH	52734	6/22/2011	8	(19.99)	ADM/OPERATING CREDIT
				99.42	
PITNEY BOWES CREDIT- PBCC	52730	6/22/2011	1	162.00	ADM/QUARTERLY LEASE MAILING EQUIPMENT
POSTMASTER	52678	6/9/2011	1	176.00	ADM/ANNUAL RENEWAL OF PO BOX 65
PROCARE JANITORIAL SUPPLY	52683	6/9/2011	1	162.32	ADM/PAPER PRODUCTS FOR ADMIN OFFICE

CAMBRIA COMMUNITY SERVICES DISTRICT
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VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
QUILL CORP	52690	6/14/2011	1	(270.61)	ADM/RETURN OF WHITE BOARD
QUILL CORP	52690	6/14/2011	1	4.09	FD/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	36.50	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	28.71	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	21.41	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	76.57	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	50.98	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	21.42	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	10.87	ADM/OFFICE SUPPLIES
QUILL CORP	52690	6/14/2011	1	23.32	ADM/OFFICE SUPPLIES
QUILL CORP	52758	6/28/2011	1	134.81	WW/OFFICE SUPPLIES
QUILL CORP	52770	6/28/2011	1	138.39	ADM/OFFICE SUPPLIES
				276.46	
RBF CONSULTING	52695	6/15/2011	1	7,621.04	WD/PROF SERVICES STUART & BOOSTER UPGRADE JAN 2011
RBF CONSULTING	52695	6/15/2011	1	1,599.30	WD/PROF SERVICES STUART & BOOSTER UPGRADE FEB 2011
RBF CONSULTING	52695	6/15/2011	1	11,237.90	WD/PROF SERVICES STUART & BOOSTER UPGRADE MAR 2011
RBF CONSULTING	52695	6/15/2011	2	8,069.22	WD/PROF SERVICES RODEO GROUND PUMP REPLACEMENT
RBF CONSULTING	52695	6/15/2011	1	6,815.74	WD/PROF SERVICES RODEO GROUND PUMP REPLACEMENT
RBF CONSULTING	52695	6/15/2011	2	2,921.02	WD/PROF SERVICES STUART & BOOSTER UPGRADE APR 2011
				38,264.22	
RITTERBUSH REPAIR SERVICE	52711	6/16/2011	1	1,119.90	FD/MAINT & RPR OF ENG 91 & 97 & UTL 57 MAY 2011
SDRMA	52759	6/28/2011	1	18,425.00	ADM/WORKERS COMP INSUR PREMIUM 1ST QTR FY 11/12
SELECT BUSINESS SYSTEMS	52635	6/2/2011	1	76.62	FD/SHARP X3500 MONTHLY SVC AGRMENT 4/25 - 5/25/11
SLO COUNTY	52724	6/17/2011	1	537.31	WD/CROSS CONNECTION CONTROL PROGRAM
SLO COUNTY CLERK-RECORDER	52750	6/23/2011	1	17.00	WD/LIEN RELEASE
SLO COUNTY NEWSPAPERS	52723	6/17/2011	1	156.80	WD/PUBLIC NOTICE - STNDBY & AVLBLTY CHRGES 5/10/11
SLO COUNTY NEWSPAPERS	52723	6/17/2011	2	156.80	WW/PUBLIC NOTICE - STNDBY & AVLBLTY CHRGES 5/10/11
SLO COUNTY NEWSPAPERS	52723	6/17/2011	1	409.30	WD/PUBLIC NOTICE - GEOTECH/GEOPHYS INTENT TO ADOPT
SLO COUNTY NEWSPAPERS	52723	6/17/2011	1	(52.40)	WD/BALANCE FORWARD
				670.50	
SMITH, JUSTIN T.	52725	6/17/2011	1	135.94	WD/REIMBURSEMENT FOR BROKEN TAIL LIGHT F250
STATE OF CALIFORNIA	52731	6/22/2011	1	52.00	PR/ATV REGISTRATION RENEWAL 2011
SUN PACIFIC	52684	6/9/2011	1	405.00	WW/INSPECT FAILED PUMP AT LIFT STATION 8
SUN PACIFIC	52712	6/16/2011	1	367.85	FD/REPLACE 100 AMP 2 PO1E BREAKER AT STN #2
SUN PACIFIC	52712	6/16/2011	1	515.90	FD/INSTALL NEW OUTSIDE LGHT TIMER AT STN #1
SUN PACIFIC	52755	6/28/2011	1	85,996.00	WW/NEW INFLUENT PUMP CONTROL PANEL AT WWTP
				87,284.75	
TECHXPRESS, INC.	52713	6/16/2011	1	2,725.00	ADM/MONTHLY NETGUARD IT SERVICE JUNE 2011
TECHXPRESS, INC.	52760	6/28/2011	1	2,745.00	ADM/MONTHLY NETGUARD IT SERVICE JULY 2011
				5,470.00	
THE DOCUTEAM	52673	6/9/2011	1	281.31	ADM/DOCUMENT STORAGE MAY 2011

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THE GAS COMPANY	52707	6/15/2011	1	173.24	F&R/GAS SERVICE 1000 MAIN 4/29/11-5/31/11
THE GAS COMPANY	52707	6/15/2011	1	15.74	ADM/GAS SERVICE 1316 TAMSEN STE 201 4/29 - 5/31/11
THE GAS COMPANY	52707	6/15/2011	1	211.03	FD/GAS SERVICE 2850 BURTON 4/29/11-5/31/11
THE GAS COMPANY	52707	6/15/2011	1	6.30	ADM/GAS SERVICE 1316 TAMSEN STE 203 4/29 - 5/31/11
THE GAS COMPANY	52707	6/15/2011	1	3.15	FD/GAS SERVICE 5490 HEATH 4/19/11-6/01/11
THE GAS COMPANY	52707	6/15/2011	1	40.44	WW/GAS SERVICE 4/29/11-6/01/11
THE GAS COMPANY	52707	6/15/2011	1	44.64	WW/GAS SERVICE 5500 HEATH LN 4/29/11-6/01/11
THE GAS COMPANY	52707	6/15/2011	1	99.57	F&R/GAS SERVICE 3195 BURTON 4/29/11-5/31/11
THE GAS COMPANY	52751	6/23/2011	1	764.64	FD/ELECTRIC SERVICE 4/30/11 - 6/07/11
THE GAS COMPANY	52751	6/23/2011	2	1,458.36	F&R/ELECTRIC SERVICE 4/30/11 - 6/07/11
THE GAS COMPANY	52751	6/23/2011	3	493.03	ADM/ELECTRIC SERVICE 4/30/11 - 6/07/11
				3,310.14	
THE TRIBUNE	52714	6/16/2011	1	94.50	FD/26 WEEK SUBSCRIPTION 6/30 - 12/29/11
TITAN INDUSTRIAL SUPPLY	52679	6/9/2011	1	62.34	WD/FIRST AID KIT SUPPLIES MAY 2011
UNITED STAFFING ASSOC	52638	6/3/2011	1	1,408.95	ADM/TEMP STAFFING 5/16 - 5/20/11
UNITED STAFFING ASSOC	52715	6/16/2011	1	893.49	ADM/TEMP STAFFING 5/30 - 6/3/11
UNITED STAFFING ASSOC	52732	6/22/2011	1	739.44	ADM/TEMP STAFFING 6/6 - 6/9/2011
UNITED STAFFING ASSOC	52771	6/28/2011	1	744.58	ADM/TEMP STAFFING 5/23 - 5/26/11
				3,786.46	
USA BLUE BOOK	52639	6/3/2011	1	845.23	WW/MAINTENANCE PROGRAM SOFTWARE & PRESSURE GAUGE
USA BLUE BOOK	52639	6/3/2011	1	264.25	WW/ASSORTED SMALL HAND TOOLS
USA BLUE BOOK	52685	6/9/2011	1	845.96	WW/BENCHTOP PH METER FOR LAB
USA BLUE BOOK	52716	6/16/2011	1	1,194.66	WW/SWING CHECK VALVE LIFT STATION #4
USA BLUE BOOK	52716	6/16/2011	1	810.03	WW/CAST IRON GATE VALVE FOR LIFT STATION #4
USA BLUE BOOK	52772	6/28/2011	1	117.43	WW/4" FLANGE PACK W/STAINLESS NUTS & BOLTS
USA BLUE BOOK	52772	6/28/2011	1	261.06	WW/4" FLANGE W/STAINLESS NUTS AND BOLTS
				4,338.62	
VAN SCOYOC ASSOC., INC.	52654	6/3/2011	1	6,225.00	ADM/PROF FED'L ADVOCACY FOR DESAL WASH D.C. 6/11
VERIZON WIRELESS	52620	6/1/2011	1	27.62	F&R/CELL PHONE SERVICE 4/8 - 5/7/11
VERIZON WIRELESS	52620	6/1/2011	2	27.62	WD/CELL PHONE SERVICE 4/8 - 5/7/11
VERIZON WIRELESS	52620	6/1/2011	3	27.62	WW/CELL PHONE SERVICE 4/8 - 5/7/11
VERIZON WIRELESS	52717	6/16/2011	1	27.89	F&R/CELL PHONE SERVICE 5/8 - 6/7/11
VERIZON WIRELESS	52717	6/16/2011	2	27.90	WD/CELL PHONE SERVICE 5/8 - 6/7/11
VERIZON WIRELESS	52717	6/16/2011	3	27.90	WW/CELL PHONE SERVICE 5/8 - 6/7/11
VERIZON WIRELESS	52773	6/28/2011	1	92.78	FD/CELL PHONE SERVICE 5/08/11 - 06/07/11
				259.33	
VIC'S BACKHOE SERVICE	52640	6/3/2011	1	765.00	WW/MAINT & REPAIR ALBAN STREET SEWER
WALLACE GROUP	52735	6/22/2011	1	1,144.30	WD/GIS SERVICE & ASSESSMENT ENGINEERING MAY '11
WALLACE GROUP	52735	6/22/2011	2	1,144.30	WW/GIS SERVICE & ASSESSMENT ENGINEERING MAY '11
WALLACE GROUP	52735	6/22/2011	3	1,144.30	WW/GIS SERVICE & ASSESSMENT ENGINEERING MAY '11
WALLACE GROUP	52735	6/22/2011	1	2,685.27	FD/FIRE HAZARD FUEL REDUCTION PROGRAM MAY '11
				6,118.17	
WINSOR CONSTRUCTION, INC.	52641	6/3/2011	1	108.60	WW/CLASS II BASE
WINSOR CONSTRUCTION, INC.	52774	6/28/2011	1	105.33	WW/CONCRETE SAND
				213.93	

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	52494	6/3/2011	9000	(839.30)	Ck# 052494 Reversed
	52494	6/3/2011	9002	(839.30)	Ck# 052494 Reversed
	52494	6/3/2011	9004	(839.30)	Ck# 052494 Reversed
	52494	6/3/2011	9006	(839.30)	Ck# 052494 Reversed
	52494	6/3/2011	9008	(839.30)	Ck# 052494 Reversed
	52494	6/3/2011	9010	(25.00)	Ck# 052494 Reversed
	52515	6/3/2011	9000	(1,536.00)	Ck# 052515 Reversed
	52581	6/8/2011	9000	(162.32)	Ck# 052581 Reversed
	52751	6/23/2011	9000	(764.64)	Ck# 052751 Reversed
	52751	6/23/2011	9002	(1,458.36)	Ck# 052751 Reversed
	52751	6/23/2011	9004	(493.03)	Ck# 052751 Reversed
				(8,635.85)	
Accounts Payable Vendor Subtotal				315,910.12	
AFLAC (AMER FAM LIFE INS)	2216	6/9/2011	1	527.80	VOLUNTARY INS-PRETAX
AFLAC (AMER FAM LIFE INS)	2216	6/9/2011	1	198.43	VOLUNTARY INS-PRETAX
AFLAC (AMER FAM LIFE INS)	2251	6/22/2011	1	527.80	VOLUNTARY INS-PRETAX
AFLAC (AMER FAM LIFE INS)	2251	6/22/2011	1	198.43	VOLUNTARY INS-PRETAX
				1,452.46	
AMERITAS	2211	6/6/2011	1	1,906.61	DENTAL INSURANCE-YER
AMERITAS	2211	6/6/2011	2	(178.83)	DENTAL INSURANCE-YER
AMERITAS	2211	6/6/2011	3	15.60	DENTAL INSURANCE-YER
AMERITAS	2211	6/6/2011	1	346.64	DENTAL INSURANCE-YER
AMERITAS	2262	6/30/2011	1	1,829.05	DENTAL INSURANCE-YER
AMERITAS	2262	6/30/2011	2	0.03	DENTAL INSURANCE-YER
AMERITAS	2262	6/30/2011	3	14.40	DENTAL INSURANCE-YER
AMERITAS	2262	6/30/2011	1	333.26	DENTAL INSURANCE-YER
				4,266.76	
CAMBRIA COMMUNITY SERVICES DIS	2217	6/9/2011	1	1,150.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2217	6/9/2011	2	100.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2217	6/9/2011	3	250.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2217	6/9/2011	4	100.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2217	6/9/2011	5	200.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2252	6/22/2011	1	1,150.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2252	6/22/2011	2	100.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2252	6/22/2011	3	250.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2252	6/22/2011	4	100.00	MEDICAL REIMBURSEMNT
CAMBRIA COMMUNITY SERVICES DIS	2252	6/22/2011	5	200.00	MEDICAL REIMBURSEMNT
				3,600.00	
CAMBRIA FIREFIGHTERS ASSN	2255	6/22/2011	1	232.00	RESERVE FIREFTR DUES
EMPLOYMENT DEVELOPMENT DP	2203	6/3/2011	1	3,528.10	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2203	6/3/2011	2	-	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2203	6/3/2011	3	-	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2203	6/3/2011	4	-	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2203	6/3/2011	1	385.95	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2207	6/3/2011	1	3,150.76	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2219	6/9/2011	1	3,096.55	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2219	6/9/2011	1	862.34	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2254	6/22/2011	1	5,386.28	STATE INCOME TAX
EMPLOYMENT DEVELOPMENT DP	2254	6/22/2011	1	1,352.81	STATE INCOME TAX
				17,762.79	

CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
FOR THE MONTH ENDING JUNE 30, 2011

VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
H.O.B.-DIRECT DEPOSIT	2204	6/3/2011	1	30,736.49	Direct Deposit -Net
H.O.B.-DIRECT DEPOSIT	2208	6/3/2011	1	30,528.93	Direct Deposit -Net
H.O.B.-DIRECT DEPOSIT	2220	6/9/2011	1	2,899.00	Direct Deposit Flat
H.O.B.-DIRECT DEPOSIT	2220	6/9/2011	1	46,263.27	Direct Deposit Flat
H.O.B.-DIRECT DEPOSIT	2256	6/22/2011	1	2,899.00	Direct Deposit Flat
H.O.B.-DIRECT DEPOSIT	2256	6/22/2011	1	51,589.38	Direct Deposit Flat
				164,916.07	
H.O.B./FEDERAL TAXES	2205	6/3/2011	1	14,967.68	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2205	6/3/2011	1	4,747.28	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2205	6/3/2011	1	3,841.22	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2209	6/3/2011	1	13,366.83	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2209	6/3/2011	1	1,384.42	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2221	6/9/2011	1	9,052.62	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2221	6/9/2011	1	7,582.87	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2221	6/9/2011	1	2,114.38	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2257	6/22/2011	1	17,317.97	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2257	6/22/2011	1	11,724.48	FEDERAL INCOME TAX
H.O.B./FEDERAL TAXES	2257	6/22/2011	1	3,269.24	FEDERAL INCOME TAX
				89,368.99	
ICMA-VNTGPT TRSFR AGT 457	2222	6/9/2011	1	2,538.46	457 DEF COMP-INDIV
ICMA-VNTGPT TRSFR AGT 457	2222	6/9/2011	1	800.00	457 DEF COMP-INDIV
ICMA-VNTGPT TRSFR AGT 457	2258	6/22/2011	1	2,538.46	457 DEF COMP-INDIV
ICMA-VNTGPT TRSFR AGT 457	2258	6/22/2011	1	800.00	457 DEF COMP-INDIV
				6,676.92	
LINCOLN FINANCIAL GROUP	2212	6/6/2011	1	644.96	LIFE INSURANCE
LINCOLN FINANCIAL GROUP	2212	6/6/2011	2	(471.76)	LIFE INSURANCE
LINCOLN FINANCIAL GROUP	2212	6/6/2011	3	7.57	LIFE INSURANCE
LINCOLN FINANCIAL GROUP	2212	6/6/2011	4	(3.79)	LIFE INSURANCE
LINCOLN FINANCIAL GROUP	2263	6/30/2011	1	176.98	LIFE INSURANCE
				353.96	
PERS HEALTH BENEFIT SERV	2213	6/6/2011	1	21,867.11	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	2	(1,088.44)	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	3	(1,229.36)	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	4	635.20	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	5	(0.07)	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	6	81.79	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	7	2,641.94	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	8	1,106.17	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	9	6,880.92	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	10	3,032.07	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	11	4,769.31	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	12	83.76	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2213	6/6/2011	1	1,922.01	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	1	21,259.87	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	2	(1,270.48)	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	3	80.76	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	4	2,641.94	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	5	1,106.17	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	6	6,880.92	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	7	3,032.07	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	8	4,769.31	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	9	83.76	MEDICAL INSURANC-YER
PERS HEALTH BENEFIT SERV	2264	6/30/2011	1	1,838.16	MEDICAL INSURANC-YER
				81,124.89	

CAMBRIA COMMUNITY SERVICES DISTRICT
EXPENDITURE REPORT
FOR THE MONTH ENDING JUNE 30, 2011

VENDOR NAME	CHECK NUMBER	CHECK DATE	LINE NO.	LINE AMOUNT	DESCRIPTION
PERS RETIREMENT SYSTEM	2206	6/3/2011	1	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2206	6/3/2011	2	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2210	6/3/2011	1	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2210	6/3/2011	2	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2223	6/9/2011	1	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2223	6/9/2011	2	20,669.78	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2259	6/22/2011	1	-	PERS PAYROLL REMITTANCE
PERS RETIREMENT SYSTEM	2259	6/22/2011	2	26,741.40	PERS PAYROLL REMITTANCE
				47,411.18	
SEIU, LOCAL 620	2224	6/9/2011	1	200.63	SEIU UNION DUES
SEIU, LOCAL 620	2260	6/22/2011	1	200.63	SEIU UNION DUES
				401.26	
SLO CREDIT UNION	2218	6/9/2011	1	300.00	CREDIT UNION
SLO CREDIT UNION	2253	6/22/2011	1	300.00	CREDIT UNION
				600.00	
THE VARIABLE ANNUITY LIFE	2225	6/9/2011	1	75.00	DEFERRED COMP -VALIC
THE VARIABLE ANNUITY LIFE	2261	6/22/2011	1	75.00	DEFERRED COMP -VALIC
				150.00	
Payroll Payable Vendor Subtotal				418,317.28	
TOTAL DISBURSEMENTS TO VENDORS FOR JUNE, 2011				734,227.40	

CAMBRIA COMMUNITY SERVICES DISTRICT
P.O. Box 65 • Cambria, CA 93428 • Telephone: (805) 927-6223 • Fax: (805) 927-5584

ADDENDA TO MONTHLY EXPENDITURE REPORT

DEPARTMENT CODES	
FD	Fire Department
F&R	Facilities and Resources
ADM	Administration
RC	Resource Conservation
WD	Water Department
WW	Wastewater Department
PR	Parks & Recreation

CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
THURSDAY, JUNE 23, 2011, 12:30 PM

AGENDA ITEM		DISCUSSION OR ACTION
1A.	CALL TO ORDER	President Clift called the regular meeting to order at 12:35 PM.
1B.	PLEDGE OF ALLEGIANCE	President Clift led the pledge of allegiance.
1C.	ESTABLISHMENT OF QUORUM	President Clift Present Vice President MacKinnon Present Director Bahringer Present Director De Micco Present Director Thompson Present Staff Present: Interim General Manager Gruber, District Counsel Tim Carmel, District Clerk Kathy Choate
1D.	REPORT FROM CLOSED SESSION	District Counsel Carmel reported no report from closed session.
2.	SPECIAL REPORTS	
	A. Sheriff's Department Report	Deputy Steeb reported 298 calls for service; of that 60 were EMS calls. Sheriff Parkinson concluded Town Hall meetings.
3.	ACKNOWLEDGEMENTS/PRESENTATIONS	None
4.	PUBLIC COMMENT	Tina Dickason, Cambria. Opposes lobbyist spending in FY 2011/12 budget.
5.	AGENDA REVIEW	Stands as published.
6.	MANAGER'S AND BOARD REPORTS	
	A. GENERAL MANAGER'S REPORT	Interim General Manager Gruber presented Manager's report. Board discussion followed. Public Comment: Tina Dickason, Cambria. Commented on conservation as number one alternative in WMP, acre feet needed for desal, and Engineer's time toward desal.
	B. DESALINATION AND WATER STORAGE FACILITIES REPORT	Jerry Gruber presented the report. Board discussion followed. Public Comment: Christine Heinrichs, Cambria. Commented on desal testing and California Guiding Principles for Desalination handbook. Conservation and recycle measures should be in place before desal is pursued. Opposes current project. Jeannie Jacobs, Cambria. Read Coastal Commission response to Geotech EA IS/MND, focusing on item number five, adequacy of proposed project activities. Requested independent water sampling to determine mercury levels.

	Jim Brownell, Cambria. 1993 resident. Professor Emeritus of soils. Desal operation killed once we got off San Simeon Beach, not enough sand at Shamel Park. Need mercury sampling, status of water extraction, draw down and yield eliminated, Mean High Tide Line issues, no permanent testing facilities. Desal selected by restricted engineering interpretation back in 1990. Opposes desal. Vance Hyde, Cambria. Commented on Coastal Commission response. Honesty and transparency first, responsiveness to citizens concerns, then desal debate. Elizabeth Bettenhausen, Cambria. Nine-year resident. Requested ACE quarterly report be included in agenda packet. Why news release regarding Coastal Commission response? Commented on VanScoyoc contract. Define ACE project team membership. Tina Dickason, Cambria. Opposes desal project; consider other alternatives. Full board discussion followed.
C. MEMBER AND COMMITTEE REPORTS	Director Thompson reported on June 7 PROS meeting. Director MacKinnon reported Salary and Benefit Committee will be meeting on salaries, compensation, contract issues, and policy changes. Director Bahringer reported SCADA consultant, Rockwell Construction surveyed equipment on-site and a future report back to Board. The North Coast Advisory Council (NCAC) meeting discussed refunding of Cambria Connection, Community Health Center may not close, and AB45 regarding wind turbines.
7. CONSENT AGENDA	Interim General Manager Gruber read consent agenda items A – D. Director DeMicco moved to approve the consent agenda. Director Thompson seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent - 0 Public Comment: None
A. Approve Expenditures for Month of May 2011	
B. Approve Minutes of Board of Directors Regular Meeting May 26, 2011 and Special Meeting May 26, 2011	

C. Approve Mission Country Disposal's Prop 218 Notice of Public Hearing Regarding Proposed Solid Waste Rate Increase and Schedule Public Hearing for August 25, 2011 to Consider Mission Country Disposal's Proposed Rate Increase in the Amount of 4.32%	
D. Adopt Resolution 25-2011 Approving Fire Hazard Fuel Reduction Contract	
8. HEARINGS AND APPEALS	None
A. Public Hearing to Consider Adoption of Resolution 26-2011 Approving the CCSD Operating Budget for Fiscal Year 2011/2012	Interim General Manager Jerry Gruber presented the item. Full Board discussion followed. President Clift opened public hearing. Public Comment: Elizabeth Bettenhausen, Cambria. ACE is prohibited by federal law from lobbying for funds except indirectly by the Board. Why is Parks reduced in revenue by 41%? Opposes page 82. President Clift closed public hearing. Director Bahringer moved to approve the CCSD operating budget for fiscal year 2011/2012 and keep Facilities/Resources and Parks and Recreation as two separate departments within the general fund. Director MacKinnon seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent - 0
B. Public Hearing to Adopt Resolution 27-2011 Authorizing a 3% CPI Adjustment in the Fire Suppression Benefit Assessment	Interim General Manager Gruber presented the staff report. President Clift opened public hearing. Public Comment: Chief Miller, Cambria. Commented on current maintain and hold position on infrastructure and vehicles. Needed for fuel cost increase, vehicle asset allocation and replacement fund. President Clift closed public hearing. Director Mackinnon moved to adopt Resolution 27-2011 authorizing a 3% CPI adjustment in the Fire Suppression Benefit Assessment. Director Thompson seconded. Motion carried unanimously. Ayes - 4, No – 1 (De Micco), Absent – 0
C. Public Hearing to Confirm Itemized Report and Consider Adoption of Resolution 28-2011 to Collect Delinquent Solid Waste Collection and Disposal Charges on the County Tax Roll	President Clift introduced the item. Interim General Manager Gruber presented staff report. President Clift opened the public hearing. Public Comment: None President Clift closed the public hearing.

	Director Demicco moved to adopt Resolution 28-2011 to collect delinquent solid waste collection and disposal charges on the County tax roll. Director Bahringer seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent - 0
9. REGULAR BUSINESS	
A. Presentation by Friends of the Fiscalini Ranch Preserve Regarding Seasonal Wetlands and Discuss and Consider PROS Commission Recommendation Regarding Seasonal Wetlands	Interim General Manager Gruber acknowledged Friends of Fiscalini Ranch Board Director Adolph Atencio, Executive Director Jo Ellen Butler, and PROS Commissioner Vice-Chair Gail Robinette. Vice Chair Robinette praised the collaboration to protect the Ranch trails. Jo Ellen Butler reported on FFRP trails survey and efforts to protect the trails. Director Atencio presented Joint FFRP/PROS Trail Committee Power Point regarding seasonal wetlands and future Ranch trails protection.
B. Approve Extension of Intent to Serve Commercial EDUs, Applicant Kim Eady, Cambria Shores Inn	President Clift introduced the item. Interim General Manager presented the staff report. Director Bahringer moved to approve extension of Intent to Serve Commercial EDUs, Cambria Shores Inn. Director Thompson seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent - 0
C. Adopt Resolution 30-2011 Approving Employment Agreement between CCSD and General Manager	President Clift introduced the item. District Counsel presented the staff report. Public Comment: Dennis Del Bono, retiree, four-year resident. Requested board wait for permanent status. Board discussion followed. Director Mackinnon moved to approve Resolution 30-2011 approving employment agreement between CCSD and General Manager Jerry Gruber. Director De Micco seconded. Motion carried unanimously. Ayes – 5, No – 0, Absent - 0
D. Adopt Resolution 31-2011 Amending Payment and Compensation Plan for Management and Confidential Employees	President Clift introduced the item. General Manager Gruber presented the staff report. Board discussion followed. Director De Micco moved to adopt Resolution 31-2011 amending payment and compensation plan, eliminating the internal relationship to salary percentages, among the Management and Confidential Employee group. Director MacKinnon seconded. Motion carried. Ayes – 4, No – 1 (Clift), Absent – 0
10. ADJOURN to Closed Session	President Clift adjourned the meeting to closed session at 4:14 p.m.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **7.C.**

FROM: Alleyne LaBossiere, Finance Manager

Meeting Date: July 28, 2011 Subject: Schedule Public Hearing to Consider Approval of the Appropriation Limit for Fiscal Year 2011/2012

Recommendation:

Schedule a public hearing at the Board's regular meeting on August 25, 2011, to review and consider approval of the Fiscal Year 2011/2012 Appropriation Limit.

Fiscal Impact:

None.

Discussion:

This is an annual item required by California state law, which limits the amount of property tax revenue that may be spent by local governments, including special districts, on activities other than education.

In November 1979 California voters passed Proposition 4, which places an upper limit each year on the amount of money that can be spent on general operations from state tax revenues. The limit is based on 1978/1979 base year and adjusts each year based on population growth and inflation.

In 1990 California voters approved Proposition 111, which provided new adjustment formulas making the Appropriation Limit more responsive to local growth issues, as well as requiring an annual review of limit calculations.

The Appropriation Limit is submitted to the audit firm and becomes part of the annual audit review, and is also submitted to the State Controller's Office.

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __ CLIFT ___ MACKINNON ___ BAHRINGER ___DE MICCO ___THOMPSON___

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **7.D.**

FROM: Jerry Gruber, General Manager

Meeting Date: July 28, 2011 Subject: Consider Approving Extension of Intent to Serve Letter for Senior Care Facility, Michael Clark, Applicant, APN 024.191.052

RECOMMENDATIONS:

Approve 12-month extension of Intent to Serve Letter for Senior Care Facility, Michael Clark, Applicant, APN 024.191.052, Ardath Drive and Green Street Property

FISCAL IMPACT: $200 fee paid.

DISCUSSION:

Per CCSD Code Section 8.04.080(E)(3), extension of Intent to Serve letters for more than three (3) EDUs are to be approved by the Board of Directors. Commercial project extensions are valid for a 12-month period.

This Intent to Serve letter for an 11.78 EDU Senior Care Facility at the intersection of Ardath Drive and Green Street was originally issued in 1998. The applicant has paid the administrative and retrofit-in-lieu fees. Mr. Clark has had twelve previous extensions for this project. They were as follows:

	May 1, 2000	June 1, 2005
Should have been 12 month ←	November 1, 2000	June 1, 2006
extension for commercial	May 1, 2001	June 1, 2007
	May 1, 2002	June 1, 2008
	June 1, 2003	June 1, 2009
	June 1, 2004	June 1, 2010

While Mr. Clark's project has undergone many transitions, it remains a viable work in progress, and he is presently faced with economic conditions.

If approved, this extension of the intent to serve letter would keep the project valid with the CCSD thru June 1, 2012.

Attachment: Application for Extension

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT ___ MACKINNON__ BAHRINGER___ DE MICCO___ THOMPSON____

APPLICATION FOR EXTENSION

_____INTENT TO SERVE LETTER
_____CONNECTION PERMIT

☐ RESIDENTIAL ☒ COMMERCIAL

Extension, if approved, is valid for 6 months on residential Intent to Serve Letters, and 12 months on Commercial Intent letters and all Connection Permits.

INSTRUCTIONS: Application for Extension shall be submitted at least thirty (30) days prior to expiration date of letter/permit. Applicant must provide proof that application(s) for a building construction permit and, if required for this project, a minor use permit, is/are actively being processed by the County Planning Dept. **Application must include payment of Extension Fee per District Fee Schedule.**

TODAY'S DATE: JUNE 20 2011 EXPIRATION DATE of LETTER/PERMIT JUNE 2011

OWNER'S NAME MICHAEL CLARK PHONE # 203-5388

OWNER'S MAIL ADDRESS P.O. BOX 419

AGENT'S NAME/PHONE NO. _____

ASSESSOR'S PARCEL NUMBER 024 . 191 . 052

INTENT TO SERVE LETTER FIRST ISSUED (DATE): _____ # OF EXTENSIONS PREVIOUSLY REQUESTED _____

(REQUIRED) • Attach **CURRENT** (no more than 30 days old) **COUNTY STATUS PRINT-OUT** showing RECENT activity on the project

(REQUIRED) • Building Permit/ Project No. B

(If applicable) • Minor Use Permit/ Project No. DRC 2005 - 00103

• Have you started the foundation or construction? Yes __ No ✓

Reason for this request: ECONOMIC CONDITIONS

I/We understand that the General Manager/Board of Directors (as applicable) shall have full discretion to approve or disapprove the requested extension, and if granted, the extension shall be subject to any conditions which may be imposed.

/s/ Mif Clark 6/ /2011
Signature of Applicant or Authorized Agent Date

---------- for office use ----------

Extension Fee Paid 10-27-11 CAU

All documentation received 10-27-11 CAU

Board Action Date (if applicable) _____

Extension APPROVED _____

New Expiration Date _____

Extension DENIED _____

Reason for Denial _____

_____ _____
/s/Permits Specialist / for General Manager Date

P:\Admin\Conservation & Permits\EXTENSIONS\FORMS\App for Extension Form.doc

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

April 15, 2011

Michael Clark
P.O. Box 419
Cambria, CA 93428-0419

RE: Extension of Time for Michael Clark / County File Number: DRC2005-00103

On, April 14, 2011 the Planning Commission considered and approved your request for a third and final Time Extension to, April 14, 2012, subject to the Resolution of the Planning Commission adopted, October 18, 2006.

If you have any questions on this matter, please call the Planning Department at (805)781-5612.

Sincerely,

RAMONA HEDGES, SECRETARY
COUNTY PLANNING COMMISSION

Case Activity Listing

San Luis Obispo County Department of Planning and Building
County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Case #: DRC2005-00103

CLARK MICHAEL B

39,391 SQUARE FOOT, 31-UNIT SENIOR CARE FACILITY. THE PROJECT WILL RESULT IN THE DISTURBANCE OF APPROXIMATELY 1 ACRE OF A 1.26 ACRE PARCEL.

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	
DRCFCU	**Development Plan/CUP Fees**			12/2/2005	None	DONE		JNB	12/2/2005	JNB
DRCM200	**Freeze Case**			10/29/2010	None	DONE		CMC	10/29/2010	CMC
	Check returned 10/21/10 $1645.00									
DRCM300	**UnFreeze Case**			11/4/2010	None	DONE		PSW	11/4/2010	PSW
	Paid with cashiers check from US Bank, $1680.00. Rcpt# 29201001346									
DRCCAD	**Planner Assignment**	12/2/2005	12/2/2005	12/7/2005	None	DONE	MLN	TKJ	12/20/2005	TKJ
	to coastal team planners-MLN...tkj									
DRCCAI1	**Planning Intake**	12/2/2005	12/2/2005	12/2/2005	None	DONE		JGJ	12/2/2005	JGJ
DRCCAM	**Fee Payment**	12/2/2005	12/2/2005	12/2/2005	None	DONE		JNB	12/2/2005	JNB
DRCCAM	**File Make-Up**	12/2/2005	12/2/2005	12/7/2005	None	DONE		TKJ	12/7/2005	TKJ
DRCCAP	**Referrals Sent**	12/2/2005	12/2/2005	12/7/2005	None	DONE		TKJ	12/7/2005	TKJ
DRCCAI2	**INFO HOLD LETTER SENT**	12/27/2005	12/27/2005	12/27/2005	None	DONE		MLN	12/27/2005	MLN
DRCCAC	**Dev Statement Sent**	6/20/2006	6/20/2006	6/22/2006	None	DONE		MLN	6/22/2006	MLN
DRCCAC	**Envir Receive File**	6/20/2006	6/20/2006	6/22/2006	None	DONE		MLN	6/22/2006	MLN
DRCCAC	**Negative Dec Proposed/Notice**	6/20/2006	6/20/2006	6/22/2006	None	DONE		MLN	6/22/2006	MLN

Case Activity Listing

San Luis Obispo County Department of Planning and Building
County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Case #: DRC2005-00103

CLARK MICHAEL B

39,391 SQUARE FOOT, 31-UNIT SENIOR CARE FACILITY. THE PROJECT WILL RESULT IN THE DISTURBANCE OF APPROXIMATELY 1 ACRE OF A 1.26 ACRE PARCEL.

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By
DRCCAD	**ACCEPTED FOR PROCESSING- ND**	6/20/2006	6/20/2006	6/22/2006	None	DONE		MLN	6/22/2006 MLN
DRCCAP	**NOTICE FORM/LABELS TO CLERK**	6/20/2006	6/20/2006	7/6/2006	None	DONE		MLN	7/6/2006 NAR
DRCCAN	**PDH HEARING**	7/6/2006	7/6/2006	8/18/2006	None	DONE		NAR	7/6/2006 NAR
DRCCAP	**HEARING NOTICED**	7/6/2006	7/6/2006	7/6/2006	None	DONE		NAR	7/6/2006 NAR
	To be published on 7/13/2006 in The Cambrian. Hard copies to mail on 7/10/2006.								
DRCCAP	**Send Staff Report**	8/3/2006	8/3/2006	8/3/2006	None	DONE		NAR	8/3/2006 NAR
DRCCAI6	**LAND USE PERMIT ISSUE**	8/18/2006	8/18/2006		None				8/18/2006 NAR
DRCCAP	**NOTIFICATION SENT**	8/18/2006	8/18/2006	8/24/2006	None	DONE		NAR	8/24/2006 NAR
	PDH - 8/18/06 - Local appeal period ends 9/1/06.								
DRCCAP	**PDH HEARING APPROVAL**	8/18/2006	8/18/2006	8/18/2006	None	DONE		NAR	8/18/2006 NAR
DRCKAD	**Project Complete**	8/18/2006	8/18/2006		None				8/18/2006 NAR
DRCKAD	**Project Complete**	8/18/2006	8/18/2006		None				8/18/2006 NAR

Case Activity Listing

San Luis Obispo County Department of Planning and Building
County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Case #: DRC2005-00103

CLARK MICHAEL B

39,391 SQUARE FOOT, 31-UNIT SENIOR CARE FACILITY. THE PROJECT WILL RESULT IN THE DISTURBANCE OF APPROXIMATELY 1 ACRE OF A 1.26 ACRE PARCEL.

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	
DRCMAM	**File Cleaning**	8/18/2006	8/18/2006		None				8/18/2006	NAR
DRCMAM	**File Cleaning**	8/18/2006	8/18/2006		None				8/18/2006	NAR
DRCMAM	**Micro-Film Records**	8/18/2006	8/18/2006		None				8/18/2006	NAR
DRCMAM	**Micro-Film Records**	8/18/2006	8/18/2006	1/25/2007	None	DONE		MVJ	1/25/2007	MVJ
DRCCAL	**APPEAL PERIOD CLOSED**	6/13/2007	6/14/2007	10/18/2006	None	DONE		NAR	6/13/2007	NAR
	No CCC appeals. Permit good to October 18, 2008.									
DRCCAD	**Planner Assignment**	11/30/2007	11/30/2007	11/30/2007	None	DONE	AMS	AMS	9/23/2008	TKJ
	Airlin									
DRCKAM	**Time Ext Fee Paymt**	9/23/2008	9/23/2008	9/3/2009	None	DONE		PSW	9/3/2009	PSW
DRCKAT1	**TIME EXT #1 REQST RECEIVED**	9/23/2008	9/23/2008	9/23/2008	None	DONE	AMS	TKJ	9/23/2008	TKJ
	first one year time extension valid thru 10/18/2009. tkj									
DRCKAT	**Time Ext #1 Letter**	5/14/2009	5/14/2009	5/14/2009	None	DONE		TKJ	5/14/2009	TKJ
	1st time ext valid thru 10-18-09. tkj									
DRCKAM	**Time Ext Fee Paymt**	9/3/2009	9/3/2009	10/7/2010	None	DONE		PSW	10/7/2010	PSW
DRCKAT2	**TIME EXT #2 REQST RECEIVED**	9/3/2009	9/3/2009	9/3/2009	None	DONE		TKJ	9/3/2009	TKJ

Case Activity Listing

San Luis Obispo County Department of Planning and Building

County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Case #: DRC2005-00103

CLARK MICHAEL B

39,391 SQUARE FOOT, 31-UNIT SENIOR CARE FACILITY. THE PROJECT WILL RESULT IN THE DISTURBANCE OF APPROXIMATELY 1 ACRE OF A 1.26 ACRE PARCEL.

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	
	2nd time extension valid thru 10/18/2010. tkj									
DRCKAT	**Time Ext #2 Letter**	9/3/2009	9/3/2009	9/3/2009	None	DONE		TKJ	9/3/2009	TKJ
DRCCAD	**Planner Assignment**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCCAD	**Final Staff Report**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCCAP	**Send Staff Report**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCCAP	**SCHEDULE PC HEARING**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCCAP	**HEARING NOTICED**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCCAP	**PC HEARING APPROVAL**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCKAM	**Time Ext Fee Paymt**	10/7/2010	10/7/2010		None				10/7/2010	TKJ
DRCKAT3	**TIME EXT #3 REQST RECEIVED**	10/7/2010	10/7/2010	10/7/2010	None	DONE		TKJ	10/7/2010	TKJ
	3rd and final time extension valid thru 10/18/2011. To the planner for review, then to PC hearing. tkj									
DRCCAN	**PLANNING COMMISSION HEARING**	3/18/2011	3/18/2011	4/14/2011	None	DONE		NAR	3/18/2011	NAR
	Tentative to Planning Commission - April 14, 2011									

Case Activity Listing

San Luis Obispo County Department of Planning and Building
County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Case #: DRC2005-00103

CLARK MICHAEL B

39,391 SQUARE FOOT, 31-UNIT SENIOR CARE FACILITY. THE PROJECT WILL RESULT IN THE DISTURBANCE OF APPROXIMATELY 1 ACRE OF A 1.26 ACRE PARCEL.

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	
DRCCAP	**NOTICE FORM/LABELS TO CLERK**	3/18/2011	3/18/2011	3/18/2011	None	DONE		NAR	3/18/2011	NAR
DRCCAP	**HEARING NOTICED**	3/18/2011	3/18/2011	3/18/2011	None	DONE		NAR	3/22/2011	NAR
	To be notice in the Telegram Tribune on March 25, 2011. Hard copies to mail out March 22, 2011.									
DRCCAP	**Send Staff Report**	4/4/2011	4/4/2011	4/4/2011	None	DONE		DSH	4/4/2011	DSH

99

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT BORDER. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

usbank

CASHIER'S CHECK

No. 5967500661

90-3582
1222

DATE: JUNE 23, 2011

PAY TWO HUNDRED DOLLARS AND 00 CENTS

$ 200.00

TO THE ORDER OF: CCSD

PURPOSE/REMITTER: MICHAEL CLARK EXTENTION

Location: 5967 SAN LUIS OBISPO RALPHS

U.S. Bank National Association
Minneapolis, MN 55480

AUTHORIZED SIGNATURE

⑈5967500661⑈ ⑆122235821⑆ 153400239535⑈

CAMBRIA COMMUNITY SERVICES DISTRICT
P.O. Box 65
CAMBRIA, CA 93428
(805) 927-6223

CRB 119-3

CASH RECEIPT

Date 6-27-11

007873

Received From MICHAEL CLARK

Address 5967 SAN LUIS OBISPO RALPHS

Dollars $ 200.00

For APPLICATION FOR EXTENSION

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK		
BALANCE DUE			MONEY ORDER ☐ CREDIT CARD ☐		

By S Cozen

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **7.E.**

FROM: Jerry Gruber, General Manager

Meeting Date: July 28, 2011 Subject: Approve a One-Year Extension of Lease Agreement between the CCSD and CUSD for Well SR4

RECOMMENDATIONS:

Approve a one-year extension of Memorandum of Understanding between the Coast Union School District (CUSD) and CCSD for an Agreement for Alternative Point of Water Diversion at Coast Union High School (well SR4).

FISCAL IMPACT:

Annual payment of $26,000 to CUSD per Agreement for Alternative Point of Water Diversion at Coast Union High School dated December 27, 2000, County Doc No. 2000-076811.

DISCUSSION:

On June 30, 2011 the CUSD Board extended the Memorandum of Understanding between CUSD and CCSD Agreement for Alternative Point of Water Diversion at CUHS to June 30, 2012. As directed I will request to start negotiations between the CCSD and the CUSD in January of 2012 in order to obtain a long term agreement that is beneficial to the CCSD, the CUSD and the community. Prior to negotiations I will solicit input from the CCSD Board of Directors regarding what key elements of the agreement they would like to see implemented.

Attachments: 2011 MOU extension
2010 MOU Extension
2000 Agreement for Alternative Point of Water Diversion at CUHS

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT ____ MACKINNON ____ BAHRINGER____ DE MICCO ___ THOMPSON___

MEMORANDUM OF UNDERSTANDING BETWEEN
COAST UNIFIED SCHOOL DISTRICT
AND
CAMBRIA COMMUNITY SERVICES DISTRICT

MOU – Extended from June 30, 2011 to June 30, 2012 Board approved: 6/30/11

This Memorandum of Understanding (this "**Memorandum**"), effective as of July 1, 2010 (the "**Effective Date**"), is made by and between Coast Unified School District (the "**District**") and Cambria Community Services District, a political corporation of the State of California ("**CCSD**"). Each of Coast and CCSD are sometimes referred to individually as a "**Party**" and collectively as "**Parties.**"

RECITALS

This Memorandum is entered into on the basis of the following facts, understandings, and intentions of the Parties:

A. The Parties entered into an Agreement for Alternative Point of Water Diversion at Coast Union High School (the "**Agreement**") recorded on December 14, 2000 as document number 2000-076811 in the San Luis Obispo County Recorder's Office under which the District granted CCSD the right to establish an alternative location from which to appropriate water from the Santa Rosa Creek due to the detection of carcinogenic and dangerous chemicals (defined in the Agreement as the MTBE plume) in the Santa Rosa Creek Wells, as defined in the Agreement;

B. Section 7 of the Agreement provides that the Agreement shall terminate upon the earlier to occur of: (i) the date that the MTBE plume is remediated, as evidenced by issuance of a No Further Action letter from the California State Water Resources Control Board ("**CSWRCB**") regarding remediation of groundwater contamination; or (ii) June 30, 2010;

C. Section 7 of the Agreement also provides that after the MTBE plume is remediated or June 30, 2010, whichever occurs first, the Parties shall have the option to renew the easement and secondary easement granted to CCSD by the District pursuant to the Agreement and that the terms and conditions of such renewal shall be governed by a separate and independent agreement to be negotiated and executed by the Parties prior to the expiration of the Agreement (a "**Subsequent Agreement**");

D. CRWRCB has not issued a No Further Action letter and to the knowledge of the Parties, the MTBE plume has not been remediated;

E. Section 8(c) of the Agreement provides that if the MTBE plume has not been remediated after year ten of the execution of the Agreement, the Parties, in good faith, shall renegotiate the annual compensation to be paid thereafter for each fiscal year until the MTBE

plume is remediated;

F. The Parties are presently negotiating terms of the Subsequent Agreement and such negotiations will not be completed prior to June 30, 2010; and

G. The Parties desire to enter into this Memorandum to establish the Parties' responsibilities and obligations while negotiating a Subsequent Agreement;

NOW THEREFORE, in consideration of the recitals set forth above and for other valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties mutually agree as follows:

TERMS AND CONDITIONS

1. Term of the Agreement. This Agreement shall become effective on the Effective Date and shall terminate upon the early to occur of the execution of a Subsequent Agreement, or June 30, 2011 (the "**Termination Date**") whichever occurs first.

2. Short-Term Extension of the Agreement. Subject to the approval of the Board of Trustees of the District at a properly noticed public meeting, the Parties agree that the terms of the Agreement shall continue in full force and effect until the Termination Date in order to permit the Parties to negotiate a Subsequent Agreement.

3. Governing Law. This Agreement shall be interpreted, governed by and construed under the laws of the State of California where is it deemed to have been executed and delivered.

4. Further Acts. Each Party hereto, upon the request of the other, agrees to perform such further acts and to execute and deliver such other documents as are reasonably necessary to carry out the provisions of this Memorandum.

5. Misc. This Memorandum may be executed in counterparts. This Memorandum may be modified only upon the mutual written consent of the Parties. Time is of the essence in the performance of each and every term of this Memorandum. The waiver or failure to declare a breach as a result of the violation of any term of this Memorandum shall not constitute a waiver of that term or condition and shall not provide the basis for a claim of estoppel, forgiveness, laches, or waiver by any Party to that term or condition.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum on the date first written.

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____ _____
Jerry Gruber, Interim General Manager Date

COAST UNIFIED SCHOOL DISTRICT

By_____ _____
Chris Adams, Superintendent Date

APPROVED AS TO FORM:

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____
Tim Carmel, District Counsel

KRONICK MOSKOVITZ TIEDEMANN & GIRARD

By_____
Shauna N. Cunningham, Attorney for
COAST UNIFIED SCHOOL DISTRICT

MEMORANDUM OF UNDERSTANDING BETWEEN
COAST UNIFIED SCHOOL DISTRICT
AND
CAMBRIA COMMUNITY SERVICES DISTRICT

This Memorandum of Understanding (this "Memorandum"), effective as of July 1, 2010 (the "Effective Date"), is made by and between Coast Unified School District (the "District") and Cambria Community Services District, a political corporation of the State of California ("CCSD"). Each of District and CCSD are sometimes referred to individually as a "Party" and collectively as "Parties."

RECITALS

This Memorandum is entered into on the basis of the following facts, understandings, and intentions of the Parties:

A. The Parties entered into an Agreement for Alternative Point of Water Diversion at Coast Union High School (the "Agreement") recorded on December 14, 2000 as document number 2000-076811 in the San Luis Obispo County Recorder's Office under which the District granted CCSD the right to establish an alternative location from which to appropriate water from the Santa Rosa Creek due to the detection of carcinogenic and dangerous chemicals (defined in the Agreement as the MTBE plume) in the Santa Rosa Creek Wells, as defined in the Agreement;

B. Section 7 of the Agreement provides that the Agreement shall terminate upon the earlier to occur of: (i) the date that the MTBE plume is remediated, as evidenced by issuance of a No Further Action letter from the California State Water Resources Control Board ("CSWRCB") regarding remediation of groundwater contamination; or (ii) June 30, 2010;

C. Section 7 of the Agreement also provides that after the MTBE plume is remediated or June 30, 2010, whichever occurs first, the Parties shall have the option to renew the easement and secondary easement granted to CCSD by the District pursuant to the Agreement and that the terms and conditions of such renewal shall be governed by a separate and independent agreement to be negotiated and executed by the Parties prior to the expiration of the Agreement (a "Subsequent Agreement");

D. CRWRCB has not issued a No Further Action letter and to the knowledge of the Parties, the MTBE plume has not been remediated;

E. Section 8(c) of the Agreement provides that if the MTBE plume has not been remediated after year ten after the execution of the Agreement, the Parties, in good faith, shall renegotiate the annual compensation to be paid thereafter for each fiscal year until the MTBE plume is remediated;

F. The Parties are presently negotiating terms of the Subsequent Agreement and such negotiations will not be completed prior to June 30, 2010; and

G. The Parties desire to enter into this Memorandum to establish the Parties' responsibilities and obligations while negotiating a Subsequent Agreement;

NOW THEREFORE, in consideration of the recitals set forth above and for other valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties mutually agree as follows:

TERMS AND CONDITIONS

1. Term of the Agreement. This Agreement shall become effective on the Effective Date and shall terminate upon the execution of a Subsequent Agreement, or June 30, 2011 (the "Termination Date") whichever occurs first.

2. Short-Term Extension of the Agreement. Subject to the approval of the Board of Trustees of the District at a properly noticed public meeting, and approval by the CCSD, the Parties agree that the Agreement shall continue in full force and effect until the Termination Date in order to permit the Parties to negotiate a Subsequent Agreement.

3. Termination of Agreement. Notwithstanding any other provision of this Agreement, any party hereto may terminate this Agreement, at any time, without cause by giving at least thirty (30) days prior written notice to the other parties to this Agreement.

4. Governing Law. This Memorandum shall be interpreted, governed by and construed under the laws of the State of California where is it deemed to have been executed and delivered.

5. Further Acts. Each Party hereto, upon the request of the other, agrees to perform such further acts and to execute and deliver such other documents as are reasonably necessary to carry out the provisions of this Memorandum.

6. Miscellaneous. This Memorandum may be executed in counterparts. This Memorandum may be modified only upon the mutual written consent of the Parties. Time is of the essence in the performance of each and every term of this Memorandum. The waiver or failure to declare a breach as a result of the violation of any term of this Memorandum shall not constitute a waiver of that term or condition and shall not provide the basis for a claim of estoppel, forgiveness, laches, or waiver by any Party to that term or condition.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum on the date first written.

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____
Tammy Rudock, General Manager

COAST UNIFIED SCHOOL DISTRICT

By_____
Chris Adams, Superintendent

APPROVED AS TO FORM:

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____
Tim Carmel, District Counsel

KRONICK MOSKOVITZ TIEDEMANN & GIRARD

By_____
Shauna N. Cunningham, Attorney for
COAST UNIFIED SCHOOL DISTRICT

RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

Cambria Community Services District
Attn: General Manager
P.O. Box 65
Cambria, California 93428

Doc No: 2000-076811 Rpt No: 00099402

Official Records
San Luis Obispo Co.
Julie L. Rodewald
Recorder
Dec 27, 2000
Time: 09:26

[30]

NF -1 0.00

TOTAL 0.00

AGREEMENT FOR ALTERNATIVE POINT OF WATER DIVERSION AT COAST UNION HIGH SCHOOL

This Agreement (the "Agreement") is made and entered into in the County of San Luis Obispo, State of California, on December 14, 2000, by and between the CAMBRIA COMMUNITY SERVICES DISTRICT, a political corporation of the State of California, hereinafter referred to as "CCSD," and COAST UNIFIED SCHOOL DISTRICT, hereinafter referred to as "CUSD," collectively "the Parties."

RECITALS

This Agreement is entered into on the basis of the following facts, understandings, and intentions of the Parties:

A. Pursuant to the California State Water Resources Control Board's ("CSWRCB") Decision 1624, CCSD has been issued a permit to appropriate unappropriated water from the Santa Rosa Creek underflow, in a maximum amount not to exceed 518 acre-feet per calendar year;

B. Santa Rosa Creek wells SR1 (27S. 8E. 26D-1) and SR3 (27S. 8E. 26C-5) (collectively the "Santa Rosa Creek wells") provide critical domestic water sources for the community of Cambria, including for drinking, firefighting and drought purposes;

C. Ground water monitoring wells located approximately 200 feet from Santa Rosa Creek and approximately 400 feet from the existing Santa Rosa Creek wells have detected the presence of methyl tertiary-butyl ether (MTBE), a fuel additive and animal carcinogen with the potential to cause cancer in humans, tertiary-butyl alcohol (TBA), Benzene and other hydrocarbons (collectively "MTBE plume");

D. The Santa Rosa Creek wells cannot be used for drinking, firefighting or other purposes until the MTBE plume is remediated, because the pumping of said wells may draw the MTBE plume into those wells and detrimentally affect water quality;

E. The inability to use the Santa Rosa Creek wells for drinking, firefighting or other purposes constitutes an emergency situation and poses a threat to life, health, property and the provision of essential public services;

F. In response to the detection of the MTBE plume, the California Regional Water Quality Control Board ("CRWQCB") issued Cleanup or Abatement Order No. 00-28, requiring that an alternative water supply be identified and secured by September 1, 2000;

G. Because of CCSD's inability to use the Santa Rosa Creek wells, CCSD desires to establish, upgradient from the Santa Rosa Creek wells and the MTBE plume, an alternative location from which to appropriate water from the Santa Rosa Creek underflow ("Alternative Point of Diversion"), on the area adjacent to the athletic fields of Coast Union High School (the "Site"), owned by CUSD and located at 2950 Santa Rosa Creek Road, Cambria, California;

H. Through the Alternative Point of Diversion, CCSD seeks only to access and use the water which it is entitled to appropriate from the Santa Rosa Creek underflow pursuant to its permit from CSWRCB, and does not intend to appropriate any water additional to the amount which it is entitled to appropriate pursuant to such permit and subject to the terms and limitations of this Agreement;

I. CCSD has filed a Petition for Temporary Urgency Change in Point of Diversion with CSWRCB;

J. CCSD intends to establish the Alternative Point of Diversion by drilling a municipal water supply well on the Site designated as well SR4 ("Well SR4"), providing for the treatment of water pumped from such well, transporting such water into CCSD's water distribution system, and connecting CUSD's Leffingwell Continuation High School ("Leffingwell Campus"), located at 2820 Santa Rosa Creek Road, Cambria, California, to CCSD's sewer system;

K. As part of the Alternative Point of Diversion, the Leffingwell Campus' connection to CCSD's sewer system is required because the only available route for the pipelines transporting the treated water into CCSD's water distribution system is presently occupied by the leach field, and the necessity of abandoning the septic system and associated leach field in order to maintain the integrity of such water;

L. CCSD shall not interfere with or affect the abilities and/or rights of CUSD to extract water from any wells located on Coast Union High School or CUSD property; and

M. The establishment and use of the Alternative Point of Diversion is intended only as an interim measure until the MTBE plume is remediated.

NOW, THEREFORE, in consideration of the recitals set forth above and the covenants, conditions, promises and agreements contained herein, CCSD and CUSD mutually agree as follows:

TERMS AND CONDITIONS

1. Recitals. The recitals set forth above are true.

2. Scope of Agreement.
   (a) CUSD hereby agrees to allow CCSD to perform the acts necessary to establish the Alternative Point of Diversion on the Site, which acts are described generally as follows and more particularly described in the project description attached as EXHIBIT A and incorporated herein by reference ("Project Description"):
      (i) Drilling of Well SR4 and operation, prompt repair and maintenance of said well;

(ii) Construction of water treatment plant ("Treatment Plant") to treat water extracted from Well SR4 for iron and manganese and to disinfect the water to meet all other requirements of the Department of Health Services, and operation, prompt repair and maintenance of said Treatment Plant;

(iii) Installation, operation, prompt repair and maintenance of water pipelines connecting Well SR4 to the Treatment Plant;

(iv) Installation, operation, prompt repair and maintenance of water pipelines connecting the Treatment Plant to CCSD's water distribution system;

(v) Installation of sewer pipeline connecting the existing sewage disposal system of CUSD's Leffingwell Campus to CCSD's sewer system;

(vi) Resurfacing, use, prompt repair and maintenance of the existing roadway for access between the maintenance yard on the Site and the Treatment Plant, as set forth in Section IV of the Project Description;

(vii) Use of any existing roadways for access between Santa Rosa Creek Road and the maintenance yard on the Site, which roadways have been designated by CUSD for use by CCSD; and

(viii) Use, prompt repair and maintenance of a roadway for access between the Treatment Plant and Well SR4.

(b) CUSD hereby agrees to grant CCSD an easement to access and use the water from Well SR4 which CCSD is entitled to appropriate from the Santa Rosa Creek underflow pursuant to its permit from CSWRCB, and to grant all secondary easements necessary for the use and enjoyment of said easement, which easement and secondary easements are set forth in the easement agreement attached as EXHIBIT B and incorporated herein by reference ("Easement Agreement"). CCSD agrees that its access to the Site shall be limited to the easement and secondary easements as set forth in the Easement Agreement, except in emergency circumstances upon notification to and approval by CUSD, which approval shall not be unreasonably withheld.

(c) In connection with the acts performed by CCSD described in subdivision (a) above, CCSD hereby agrees to fulfill all additional requirements and conditions set forth in the Project Description.

3. Primary Water Supply Source; Joint Use of Wells: Limitation on Easement

(a) Coast Union High School's ("CUHS") irrigation well, located on the Site and designated as well 23R-2 (27S. 8E. 23R-2; "Well 23R-2"), is CUHS's primary water supply source, *i.e.*, the source from which CUHS will always initially extract water for its irrigation needs. Likewise, Well SR4, which is being constructed pursuant to this Agreement, is CCSD's primary Santa Rosa Creek water supply source, *i.e.*, the source from which CCSD will always initially extract water for its Santa Rosa Creek water supply needs.

(b) CUSD and CCSD hereby agree that in the case of a short-term area wide emergency situation (i.e., natural disaster, wildfire) or if either CUHS or CCSD's well and/or related equipment function improperly so that water cannot be extracted from such well, the affected entity shall contact and consult the other entity for permission to extract water from that entity's primary water supply source subject to the limitations set forth in Paragraph 4 below.

(c) At no additional cost to CUSD, CCSD shall install valves and piping to allow CUSD and CCSD to extract water from Well SR4 and Well 23R-2.

4. Limitation on Extraction of Water. CCSD's use of water from Well SR4 and from Well 23R-2 is subject to the following limitations:

(a) CCSD shall install and maintain a meter on Well SR4 to measure the amount of water taken from Well SR4. CUSD shall have access to Well SR4 for the purposes of inspecting the meter on that well.
(b) CCSD shall monitor the level of water in Well SR4 and Well 23R-2 on a semi-monthly basis, maintain records of that monitoring and provide CUSD with copies of such monitoring records.
(c) Should the level of water in Well 23R-2 measure 10 feet above sea level or less, CCSD will notify CUSD immediately and initiate communications with CUSD to discuss limiting or ceasing CCSD's pumping from Well SR4 or, if applicable, Well 23R-2. In addition, CCSD will begin daily monitoring of the water levels of both Well SR4 and Well 23R-2 and provide CUSD with copies of the monitoring records.
(d) Should the level in Well 23R-2 measure sea level (0 feet) after being shut down for a period of two (2) hours, or should air be pumped from Well 23R-2, CCSD will cease pumping from Well SR4 immediately. Should the water level in Well 23R-2 return to 10 feet above sea level, CCSD may resume operation of Well SR4 under the limitations stated in subsections (c) and (d) of this Paragraph.

5. Soil and Water Conditions.
(a) To the actual knowledge of CUSD, CUSD has not received notice or other communication concerning any alleged violation of any federal, state or local laws in connection with the quality or condition of the soil or water on the Site, nor notice or other communication concerning any alleged liability in connection with the quality or condition of the soil or water on the Site, including threatened or pending writs, injunctions, decrees, orders, judgments, lawsuits, claims, proceedings, citations, directives, summons or investigations.
(b) CUSD has not represented or guaranteed the current quality or condition of the soil or water on the Site. CCSD accepts the site as it currently exists. In addition, CUSD has not guaranteed that a certain quality level of water or soil will be maintained in the future. CUSD advises CCSD to conduct its own investigation of the conditions. CUSD will make the site available for CCSD to conduct its own investigation of the conditions, should it choose to do so.

6. Exemption from CEQA. CCSD represents that the work to be performed pursuant to this Agreement is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c) because the work is necessary to prevent an emergency. An emergency situation currently exists as set forth above in the Recitals of this Agreement.

7. Term of Agreement; Option to Renew; Responsibilities upon Expiration of Agreement. This Agreement shall be effective from the date of execution of this Agreement until the date that the MTBE plume is remediated, as evidenced by issuance of a No Further Action letter by CRWQCB regarding remediation of groundwater contamination, or June 30, 2010, whichever occurs first. After the MTBE plume is remediated, or June 30, 2010, whichever occurs first, the Parties shall have the option to renew the easement and secondary easements granted to CCSD by CUSD pursuant to this Agreement. The terms and conditions of such renewal shall be governed by a separate and independent agreement to be negotiated and executed by the Parties prior to the expiration of this Agreement. If the Parties do not enter into any such subsequent agreement, CCSD shall cease use of Well SR4 and all associated water pipelines and, at its sole expense, shall remove the Treatment Plant and restore the surface area to its condition prior to the execution of this Agreement. If the parties do not enter into any such subsequent agreement, CUSD may use Well SR4 and all associated water pipelines in any manner CUSD considers appropriate.

8. Compensation. CCSD hereby agrees to compensate CUSD as follows:
   (a) Within thirty (30) days after execution of this Agreement, CCSD shall pay CUSD the sum of Thirty-Two Thousand Dollars ($32,000.00) for the first fiscal year (July 1, 2000 through June 30, 2001) of this Agreement, which includes the easement for access and use of water from Well SR4 and the secondary easements for construction of the improvements set forth in Paragraph 2(a) of this Agreement and for access to the Site for operation, maintenance and repair of such improvements.
   (b) For years two through ten after the execution of this Agreement or until the MTBE plume is remediated, CCSD shall pay CUSD the sum of Twenty Six Thousand Dollars ($26,000.00) per fiscal year, which includes the easement for access and use of water from Well SR4 and the secondary easements for access to the Site for operation, maintenance and repair of the improvements. CCSD shall deliver payment to CUSD no later than July 15 of each year. If the plume is remediated after July 1 of any year, the compensation paid for that fiscal year shall be prorated on a monthly basis.
   (c) If the MTBE plume has not been remediated after year ten after the execution of this Agreement, the Parties, in good faith, shall renegotiate the annual compensation to be paid thereafter for each fiscal year until the MTBE plume is remediated.

9. Default/Dispute Resolution. In the event of default by either party to this Agreement in the performance of any of the terms, covenants and conditions herein, the nondefaulting party shall give written notice to the defaulting party of such default. In the event that the defaulting party does not commence or complete the actions necessary to cure such default within thirty (30) days after such notice is postmarked or personally served on the defaulting party, the Parties shall meet together, face to face, to discuss any issues regarding the default. If, in the opinion of the non-defaulting party, the default is not cured within sixty (60) days after written notice of such default is postmarked or personally served on the defaulting party, the Parties shall submit the dispute to a mediator. The Parties shall select a mediator from the list of certified civil mediators who are located in San Luis Obispo County. If the Parties cannot agree on a mediator, mediation shall be waived. After selection of the mediator, a mediation conference shall be scheduled as soon thereafter as possible and both parties shall fully and completely present their positions at mediation and shall mediate in good faith. All of the rules applicable to court ordered mediation shall apply to the mediation.

10. Construction Contracts.
   (a) CCSD shall provide all construction contracts for the improvements made pursuant to this Agreement to CUSD for review and comment prior to the execution of such contracts.
   (b) CCSD shall require all contractors to whom construction contracts are awarded by CCSD ("Construction Contractors") to carry general liability insurance and worker's compensation insurance.
   (c) CCSD shall require all Construction Contractors to comply with all applicable laws and regulations in constructing the improvements pursuant to this Agreement, including notification of all digging and trenching on the Site.

11. Maintenance and Repairs. After completion of construction of all of the improvements pursuant to this Agreement, CCSD hereby agrees to maintain such improvements in good condition and to repair such improvements as necessary, including emergency repairs of equipment.

12. Indemnification. CCSD hereby agrees to indemnify, defend, assume all liability for and hold harmless CUSD and its officers, employees, agents and representatives from all actions, claims, penalties, obligations, liabilities, damages, judgments, personal injuries, costs or expenses, in any manner arising out of this Agreement or the performance or

attempted performance of the provisions hereof, including but not limited to any act or omission on the part of CCSD or its officers, employees, agents or representatives, except to the extent attributable to the negligence or willful misconduct of CUSD or its officers, employees, agents or representatives.

13. Nonassignability. The Parties shall not permit any right or privilege granted under this Agreement to be exercised by another, nor shall this Agreement or any right or privilege granted thereunder be in whole or in part sold, transferred, leased, assigned, disposed of or alienated. Any purported assignment of this Agreement or any interest in this Agreement shall be void and of no effect.

14. Inspection. CUSD and its representatives, employees, agents or independent contractors may enter and inspect the Site or any portion thereof or any improvements constructed, maintained, or operated pursuant to this Agreement at any time to verify CCSD's compliance with the terms and conditions of this Agreement.

15. Integration. This Agreement, including Exhibit A (Project Description) and Exhibit B (Easement Agreement), constitutes a single, integrated written contract expressing the entire agreement of the Parties relative to the subject matter hereof and all prior and contemporaneous discussions and negotiations have been and are merged and integrated into, and are superseded by, this Agreement. Thus, no covenants, agreements, representations, or warranties of any kind whatsoever, whether express or implied in law or fact, have been made by any party hereto, except as specifically set forth in this Agreement.

16. Miscellaneous Terms. The Parties hereto represent, warrant and agree as follows:
    (a) Each party has read the Agreement carefully, knows and understands the contents thereof, and has made such investigation of the facts pertaining to this Agreement and of all matters pertaining hereto as it deems necessary or desirable.
    (b) The terms of this Agreement are contractual, not a mere recital, and are the result of negotiations between the parties.
    (c) Each party agrees that such party will not take any action which would interfere with the performance of this Agreement by the other party hereto or which would adversely affect the rights provided for herein.
    (d) Whenever the context so requires, the singular number shall include the plural number, and vice versa.
    (e) Captions and paragraphs headings used herein are for convenience only. They are not a part of this Agreement and shall not be used in construing this Agreement.

17. Modifications. No modification, amendment or waiver of any of the provisions contained in this Agreement, or any future representation, promise or condition in connection with the subject matter of this Agreement, shall be binding upon any party hereto unless made in writing and signed by such party.

18. Execution in Counterparts. This Agreement may be executed and delivered in any number of counterparts or copies ("counterpart") by the parties hereto. When each party has signed and delivered at least one counterpart to the other party hereto, each counterpart shall be deemed an original and, taken together, shall constitute one and the same Agreement, which shall be binding and effective as to the parties hereto.

19. Authority to Execute. Each party executing this Agreement further represents and warrants that the execution of this Agreement has been duly authorized by its board or governing body and that each has the full right and authority to enter into and perform this Agreement on behalf of the party for whom each has signed and the full right and

authority to bind fully said party to the terms and obligations (including, without limitation, the representations and warranties set forth herein) of this Agreement.

20. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California where it is deemed to have been executed and delivered.

IN WITNESS WHEREOF, CAMBRIA COMMUNITY SERVICES DISTRICT and COAST UNIFIED SCHOOL DISTRICT have executed this Agreement on the day and year hereinabove set forth.

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____
Kenneth C. Topping, General Manager

COAST UNIFIED SCHOOL DISTRICT

By_____
Pamela A. Martens, Superintendent

APPROVED AS TO FORM:

CAMBRIA COMMUNITY SERVICES DISTRICT

By_____
Margaret Moore Sohagi, District Counsel

LOZANO SMITH

By_____
Christine A. Goodrich, Attorneys for
COAST UNIFIED SCHOOL DISTRICT

EXHIBIT A
PROJECT DESCRIPTION

I. Drill, develop, test, equip, operate and maintain one municipal water supply well:

A. Specifications of above-ground well appurtenances to be subject to approval by CCSD and CUSD. All above-ground appurtenances will be contained within a secure enclosure.

II. Construct, test, operate and maintain one water treatment plant including two water tanks, one pressure filter vessel, appurtenant pumps, valves, piping and controls, one masonry building containing plant control devices and chemical storage and feed systems, and a chain link perimeter fence with gates:

A. Tanks and filter vessel will not exceed thirteen feet above grade at any point.

B. The building shall not exceed fifteen feet above grade at any point.

C. The perimeter fence shall be eight feet high.

D. Building roofing materials and exterior wall and trim paint shall be as specified by CUSD.

E. Screen planting outside the perimeter fence shall be provided:

1. Planter area shall be 12″–18″ wide contained by a 2″ x 4″ redwood header and covered with 2″ of bark.
2. A drip irrigation system shall be installed with the irrigation system controller located at the treatment plant.
3. Plant materials and soil amendments shall be as specified by CUSD.
4. Maintenance of the planted area shall be the responsibility of CCSD.

F. The existing school irrigation well site fencing is to be removed and the electrical control panel relocated to the wall of the new building. The new perimeter fence will enclose and secure by locking the treatment plant and irrigation well. A chain link construction security fence will be installed prior to removal of the existing school irrigation well site fencing, and will be removed only after installation of the new perimeter fence, to insure continuous fencing of the area. CCSD will provide CUSD with the keys/code to allow CUSD access to the treatment plant and irrigation well.

G. Piping and valves allowing for use by CUSD and CCSD of CUSD and CCSD's wells will be constructed by CCSD at its cost.

H. All parts of the existing turf irrigation system conflicting with the new treatment plant, well, or access road shall be relocated by CCSD.

I. CCSD will perform all regulatory responsibilities pertaining to the storage of hazardous materials, including, but not limited to, compliance with California Health and Safety Code Section 25503.5 regarding implementation of a business plan for emergency response to a release of hazardous materials. CCSD will limit the chemicals on the site to those permitted by its business plan.

III. Construct, test, operate and maintain underground pipelines between the well and treatment plant and between the treatment plant and Santa Rosa Creek Road:

A. All pipelines shall be at least 24 inches below grade.

B. Trench backfill in turf areas shall be sand compacted to 90% up to 12″ below finish grade and native soil compacted to 90% in the top 12″. Trench backfill in road or hard surfaced areas shall be sand compacted to 90% up to 18″ below subgrade and to 95% up to subgrade.

C. Restoration of all disturbed surfaces shall be as specified by CUSD.

1. Restoration of turf areas shall be sod of the type specified by CUSD with soil amendments as specified by CUSD. Restoration of all other areas shall be of the same type as disturbed with approval of CUSD.

D. CCSD will contact CUSD to schedule the connection of the pipeline between the treatment plant and Santa Rosa Creek Road at such a time as not to disrupt the continuous water operation to the Coast Union High School and/or Leffingwell campuses.

IV. Resurface and maintain the existing roadway for operation, repair and maintenance access from the Coast Union High School maintenance yard to the treatment plant:

A. The roadway shall be 12 feet wide, surfaced with aggregate base.
   1. Subgrade shall be scarified to a depth of at least 6 inches and recompacted to 95%.
   2. Surfacing shall be 6 inches of compacted Class 2 Aggregate Base.
   3. Surfacing shall be contained on both sides with a 2" x 6" redwood header.
   4. Maintenance and repair of the roadway shall be the responsibility of CCSD.

V. Use of any existing roadways from Santa Rosa Creek Road to and through the Coast Union High School maintenance yard for operation, repair and maintenance access. CCSD shall use only those roadways which have been designated by CUSD for use by CCSD.

VI. Construct a sewer lateral to connect the existing Leffingwell campus sewage disposal system to a new public sewer to be constructed on Santa Rosa Creek Road.

A. Trench backfill and restoration of disturbed surfaces shall be as specified under Item III above.

B. Maintenance and repair of the sewer lateral on CUSD property shall be the responsibility of CUSD.

C. Proper abandonment of the existing septic tank and leach field shall be the responsibility of CCSD.

VII. Use, repair and maintain a roadway for operation, repair and maintenance access from the treatment plant to the well.

A. Maintenance and repair of the roadway shall be the responsibility of CCSD.

EXHIBIT B

EASEMENT AGREEMENT

This Easement Agreement (the "Easement Agreement") is made and entered into in the County of San Luis Obispo, State of California, on December 14, 2000, by and between COAST UNIFIED SCHOOL DISTRICT, hereinafter referred to as "GRANTOR" or "CUSD," and CAMBRIA COMMUNITY SERVICES DISTRICT, a political corporation of the State of California, hereinafter referred to as "GRANTEE " or "CCSD," collectively "the Parties."

RECITALS

A. GRANTOR is the owner of certain real property situated in the Community of Cambria, County of San Luis Obispo, California (hereinafter referred to as the "Servient Tenement"), and more particularly described in Attachment 1, which is attached to this Easement Agreement and hereby incorporated by reference.

B. GRANTEE desires to acquire certain rights in the Servient Tenement.

NOW, THEREFORE, in consideration of the recitals set forth above and the covenants, conditions, promises and agreements contained herein, the parties mutually agree as follows:

1. Character of Easement. The easement granted in this Easement Agreement is in gross.

2. Description of Easement. The easement granted in this Easement Agreement is an easement allowing CCSD to access and use the 518 acre-feet of unappropriated water per calendar year which it is entitled to appropriate from the Santa Rosa Creek underflow pursuant to its permit (Decision No. 1624) from the California State Water Resources Control Board ("CSWRCB"), the grant of CCSD's Petition for Temporary Urgency Change in Point of Diversion by CSWRCB, and subject to the limitations of the "Agreement for Alternative Point of Water Diversion at Coast Union High School" (the "Agreement") through the municipal water supply well designated as well SR4 ("Well SR4") and constructed pursuant to the Agreement, to which this Easement Agreement is attached as Exhibit B. Well SR4 is located on a portion of the Servient Tenement described in Attachment 2a and depicted in Attachment 2b, which are attached to this Easement Agreement and hereby incorporated by reference. This easement for access and use of water from Well SR4 is subject to the following limitations:
   (a) CCSD shall install and maintain a meter on Well SR4 to measure the amount of water taken from Well SR4. CUSD shall have access to Well SR4 for the purposes of inspecting the meter on that well.
   (b) CCSD shall monitor the level of water in Well SR4 and Coast Union High School's ("CUHS") irrigation well located on the Servient Tenement and designated as well 23R-2 (27S. 8E. 23R-2; "Well 23R-2") on a semi-monthly basis, maintain records of that monitoring and provide CUSD with copies of such monitoring records.
   (c) Should the level of water in Well 23R-2 measure 10 feet above sea level or less, CCSD will notify CUSD immediately and initiate communications with CUSD to discuss limiting or ceasing pumping from Well SR4 or, if applicable, Well 23R-2. In addition, CCSD will begin daily monitoring of the water levels of both Well SR4 and Well 23R-2 and provide CUSD with copies of the monitoring records.
   (d) Should the level in Well 23R-2 measure sea level (0 feet) after being shut down for a period of two (2) hours, or should air be pumped from Well 23R-2, CCSD will cease pumping from Well SR4 immediately. Should the water level in Well 23R-2 return to

10 feet above sea level, CCSD may resume operation of Well SR4 under the limitations stated in subsections (c) and (d) of this Paragraph.

3. Secondary Easements. The easement granted in this Easement Agreement also includes the incidental rights to use the Servient Tenement which are necessary for the use and enjoyment of the easement, provided that GRANTEE exercises such rights at GRANTEE's own cost and expense, and only in connection with the easement and only for as long as is necessary for the use and enjoyment of the easement. In exercising these rights, GRANTEE must use reasonable care and may not unreasonably increase the burden on the Servient Tenement. The incidental rights included as part of the easement granted in this Easement Agreement are as follows:
   (a) Drilling of Well SR4 and operation, repair and maintenance of said well, located on a portion of the Servient Tenement described in Attachment 2a and depicted in Attachment 2b.
   (b) Construction of water treatment plant ("Treatment Plant") to treat water extracted from Well SR4 for iron and manganese and to meet all other requirements of the Department of Health Services, and operation, repair and maintenance of said Treatment Plant, located on a portion of the Servient Tenement described in Attachment 3a and depicted in Attachment 3b, which are attached to this Easement Agreement and hereby incorporated by reference.
   (c) Installation of underground water pipelines and electrical conduits and wires between Well SR4 and the Treatment Plant, and operation, repair and maintenance of said pipelines, located on a portion of the Servient Tenement described in Attachment 4a and depicted in Attachment 4b, which are attached to this Easement Agreement and hereby incorporated by reference.
   (d) Installation of underground water pipelines between the Treatment Plant and GRANTEE's water main located along Santa Rosa Creek Road, and operation, repair and maintenance of said pipelines, located on a portion of the Servient Tenement described in Attachment 5a and depicted in Attachment 5b, which are attached to this Easement Agreement and hereby incorporated by reference.
   (e) Installation of underground sewer pipeline connecting the existing sewage disposal system of Leffingwell Continuation High School, located at 2820 Santa Rosa Creek Road, to GRANTEE's sewer main located along Santa Rosa Creek Road, located on a portion of the Servient Tenement described in Attachment 6a and depicted in Attachment 6b, which are attached to this Easement Agreement and hereby incorporated by reference.
   (f) Resurfacing of the existing roadway for access between Coast Union High School's maintenance yard and the Treatment Plant, and use, repair and maintenance of said roadway, as set forth in Exhibit A, Section IV of the Agreement, and located on a portion of the Servient Tenement described in Attachment 7a and depicted in Attachment 7b, which are attached to this Easement Agreement and hereby incorporated by reference.
   (g) Use of any existing roadways for access between Santa Rosa Creek Road and Coast Union High School's maintenance yard, which roadways have been designated by GRANTOR for use by GRANTEE, and located on the Servient Tenement.
   (h) Use, repair and maintenance of a roadway for access between the Treatment Plant and Well SR4, located on a portion of the Servient Tenement described in Attachment 8a and depicted in Attachment 8b, which are attached to this Easement Agreement and hereby incorporated by reference.

4. Access to Servient Tenement. GRANTEE agrees that its access to the Servient Tenement shall be limited to the location of the easement and secondary easements as provided in Paragraphs 2 and 3 of this Easement Agreement, except in emergency circumstances upon

notification to and approval by GRANTOR, whose approval shall not be unreasonably withheld.

5. Term of Easement. The easement granted in this Easement Agreement shall terminate on the date that the MTBE plume is remediated, as evidenced by issuance of a No Further Action letter by the California Regional Water Quality Control Board regarding remediation of groundwater contamination, or June 30, 2010, whichever occurs first. After the MTBE plume is remediated or June 30, 2010, whichever occurs first, GRANTOR and GRANTEE shall have the option to negotiate a renewal of the easement and secondary easements granted by GRANTOR pursuant to this Easement Agreement. The terms and conditions of such renewal shall be governed by a separate and independent agreement to be negotiated and executed by GRANTOR and GRANTEE prior to the expiration of this Agreement. If GRANTOR and GRANTEE do not enter into any such subsequent agreement, GRANTEE shall cease use of Well SR4 and all associated water pipelines and, at its sole expense, shall remove the Treatment Plant and restore the surface area to its condition prior to the execution of the Agreement. If GRANTOR and GRANTEE do not enter into any such subsequent agreement, GRANTOR may use Well SR4 and all associated water pipelines in any manner GRANTOR considers appropriate.

6. Exclusive Easement. GRANTEE's use of the easement for access and use of the water granted in this Easement Agreement shall be exclusive, except as otherwise set forth herein. GRANTOR shall not grant or assign to others any right to access and use water through Well SR4 during the term of the Agreement. GRANTOR retains the right to use the Servient Tenement in any manner that is consistent with GRANTEE's use and enjoyment of the easement and as otherwise set forth herein.

7. Nonassignability. This Easement Agreement shall not be assigned. Any purported assignment of this Easement Agreement or of any interest in this Easement Agreement shall be void and of no effect.

8. Binding Effect. This Easement Agreement shall be binding upon and inure to the benefit of GRANTOR and GRANTEE and their respective heirs, legal representatives and successors.

IN WITNESS WHEREOF, CAMBRIA COMMUNITY SERVICES DISTRICT and COAST UNIFIED SCHOOL DISTRICT have executed this Easement Agreement on the day and year hereinabove set forth.

CAMBRIA COMMUNITY SERVICES DISTRICT

By _____
Kenneth C. Topping, General Manager

COAST UNIFIED SCHOOL DISTRICT

By _____
Pamela A. Martens, Superintendent

APPROVED AS TO FORM:

CAMBRIA COMMUNITY SERVICES DISTRICT

By Margaret M Sohagi
Margaret Moore Sohagi, District Counsel

LOZANO SMITH

By_____
Christine A. Goodrich, Attorneys for
COAST UNIFIED SCHOOL DISTRICT

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CERTIFICATE OF ACCEPTANCE
(Government Code § 27281)

This is to certify that the easements conveyed by the Agreement for Alternative Point of Water Diversion at Coast Union High School dated December 14, 2000, from the Coast Unified School District to the Cambria Community Services District ("the District"), a special district, is hereby accepted by the action of the District Board on November 16, 2000, and the grantee consents to recordation thereof.

Dated: 12-14-00

By _____
Kenneth C. Topping
General Manager
Cambria Community Services District

ATTACHMENT 2a
LEGAL DESCRIPTION

BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

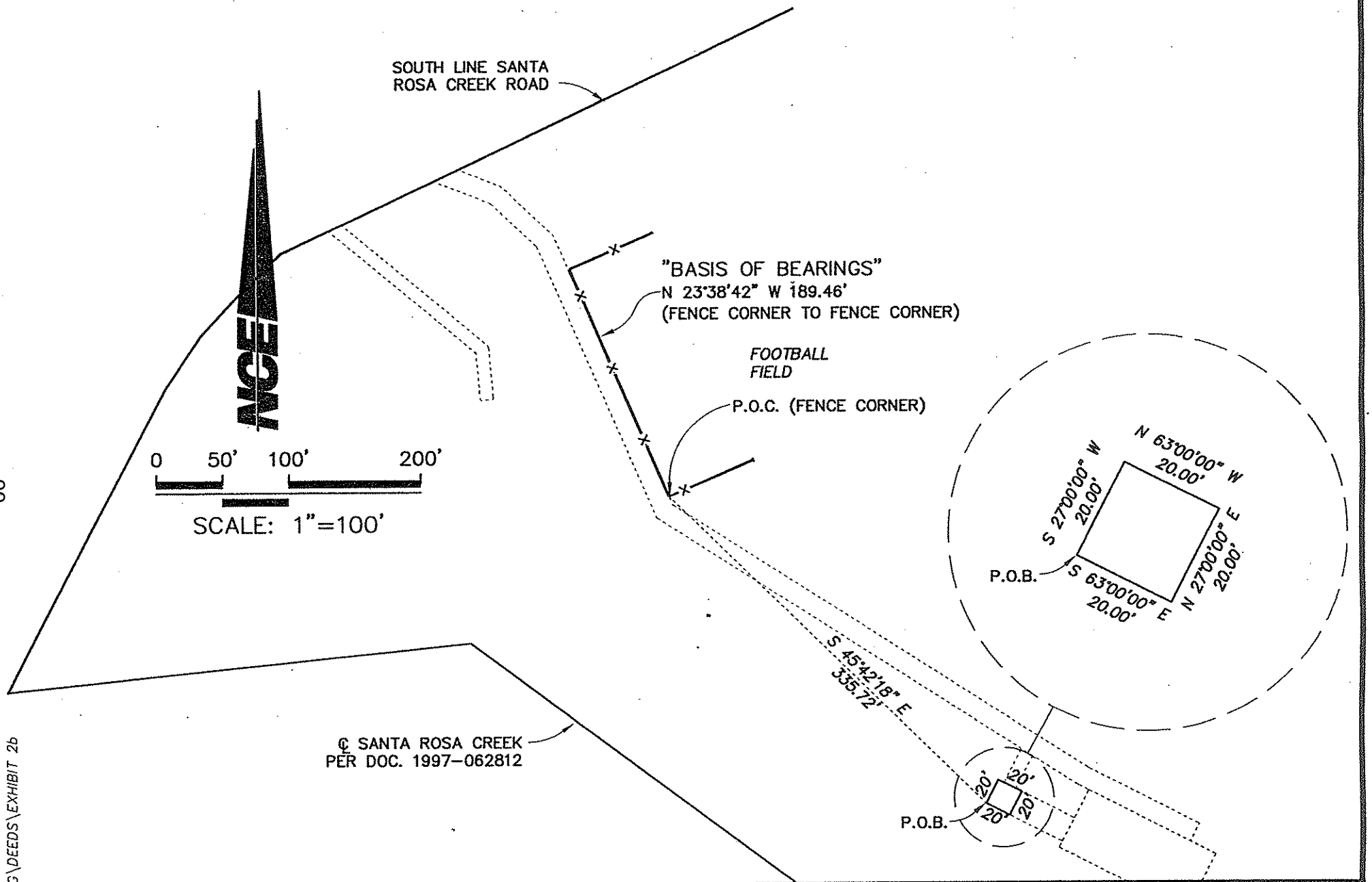
COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 45°42'18" EAST, 335.72 FEET **TO THE POINT OF BEGINNING;** THENCE SOUTH 63°00'00" EAST, 20.00 FEET; THENCE NORTH 27°00'00" EAST, 20.00 FEET; THENCE NORTH 63°00'00" WEST, 20.00 FEET; THENCE SOUTH 27°00'00" WEST; 20.00 FEET **TO THE POINT OF BEGINNING.**

SEE ATTACHMENT 2b ATTACHED HERETO AND MADE A PART HEREOF.

John R. Sanders 12-5-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004

I:\00132\Document\Legal - Well Easement.doc
November 16, 2000



ATTACHMENT 2b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

J:\00132\DWG\DEEDS\EXHIBIT 2b

06

ATTACHMENT 3a
LEGAL DESCRIPTION

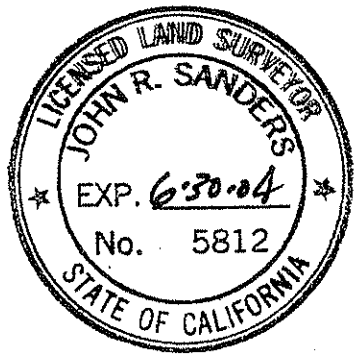
BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

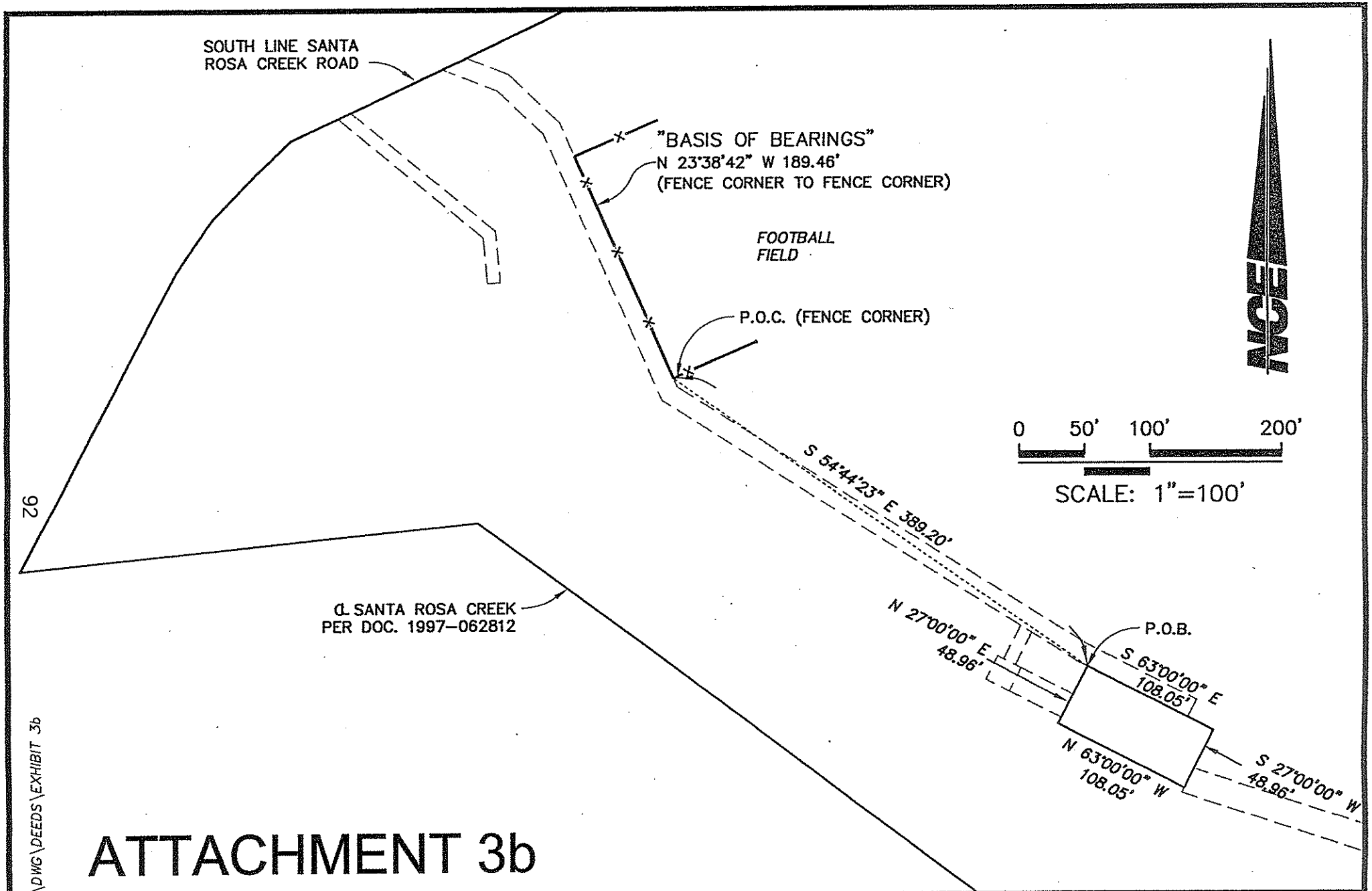
COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 54°44'23" EAST, 389.20 FEET **TO THE POINT OF BEGINNING;** THENCE SOUTH 63°00'00" EAST, 108.05 FEET; THENCE SOUTH 27°00'00" WEST, 48.96 FEET; THENCE NORTH 63°00'00" WEST, 108.05 FEET; THENCE NORTH 27°00'00" EAST; 48.96 FEET **TO THE POINT OF BEGINNING**.

SEE ATTACHMENT 3b ATTACHED HERETO AND MADE A PART HEREOF.

John R. Sanders 12.5.00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004





ATTACHMENT 3b

J:\00132\DWG\DEEDS\EXHIBIT 3b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

ATTACHMENT 4a
LEGAL DESCRIPTION

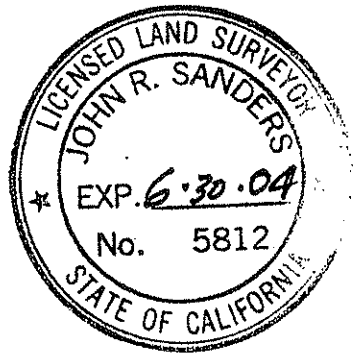
BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 49°13'32" EAST, 335.18 FEET **TO THE POINT OF BEGINNING;** THENCE SOUTH 63°00'00" EAST, 10.00 FEET; THENCE NORTH 27°00'00" EAST, 27.88 FEET; THENCE NORTH 57°23'42" WEST; 10.05 FEET; THENCE SOUTH 27°00'00" WEST, 28.86 FEET **TO THE POINT OF BEGINNING.**

SEE ATTACHMENT 4b ATTACHED HERETO AND MADE A PART HEREOF.

John R. Sanders 12-5-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004



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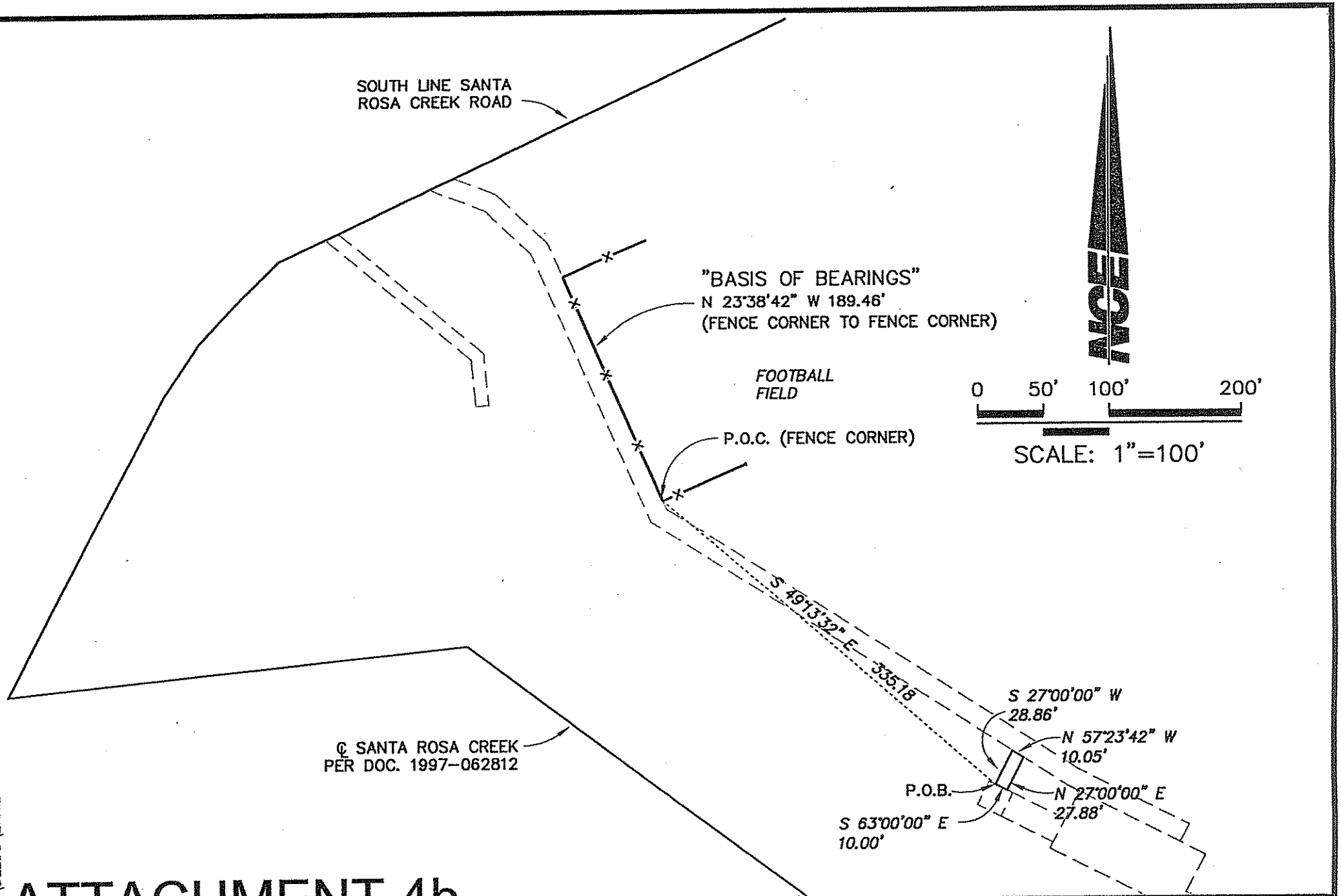
November 16, 2000



ATTACHMENT 4b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

J:\00132\DWG\DEEDS\EXHIBIT 4b

ATTACHMENT 5a
LEGAL DESCRIPTION

BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT 15 FEET IN WIDTH, LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

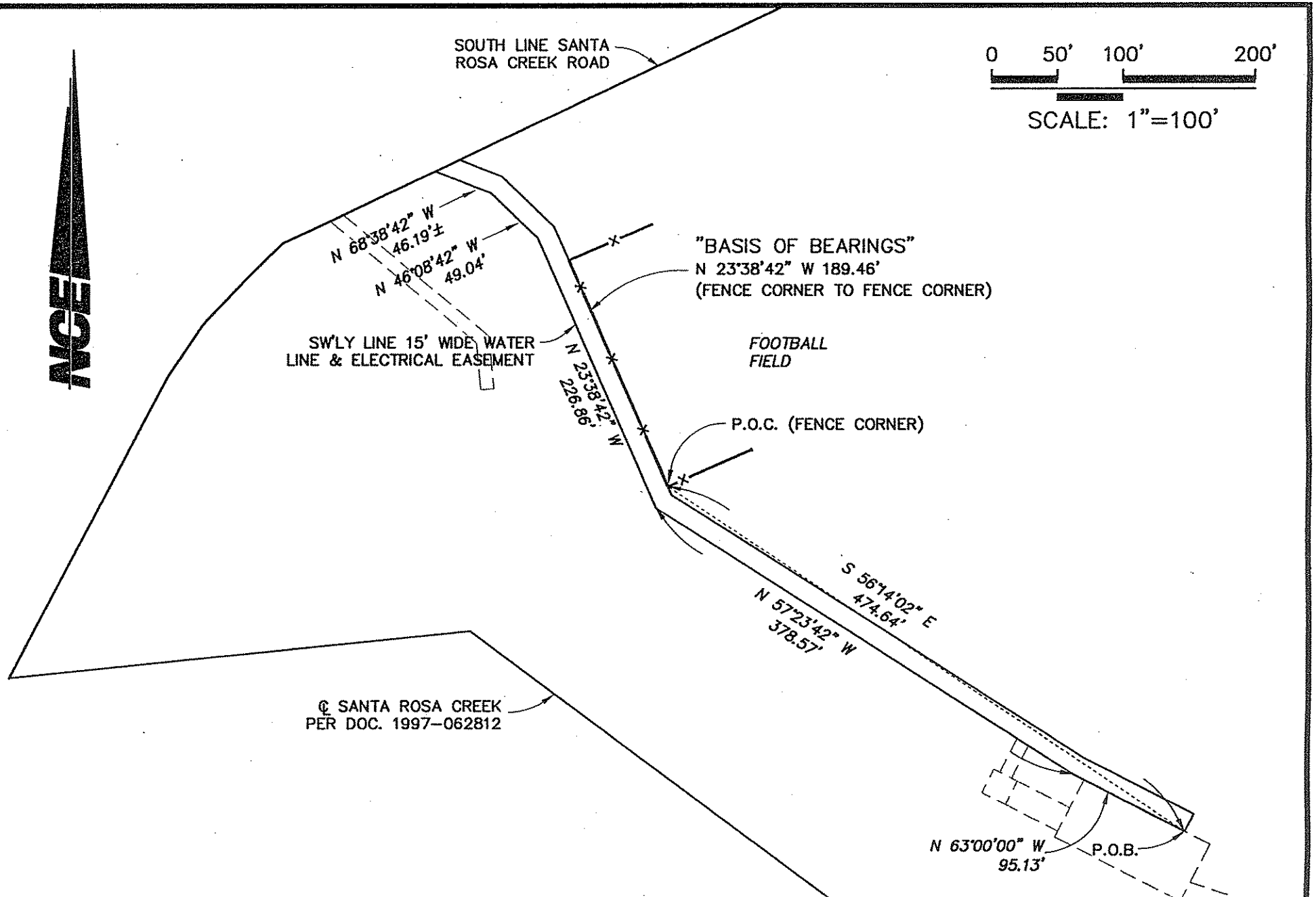
COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 56°14'02" EAST, 474.64 FEET TO **THE POINT OF BEGINNING**; THENCE NORTH 63°00'00" WEST, 95.13 FEET; THENCE NORTH 57°23'42" WEST, 378.57 FEET; THENCE, NORTH 23°38'42" WEST, 226.86 FEET; THENCE NORTH 46°08'42" WEST, 49.04 FEET; THENCE NORTH 68°38'42" WEST, 46.19 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY LINE OF SANTA ROSA CREEK ROAD AND THE TERMINUS OF THIS DESCRIPTION.

SEE ATTACHMENT 5b ATTACHED HERETO AND MADE A PART HEREOF.

12-5-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004

I:\00132\Document\Legal - Water Easement.doc
November 16, 2000



ATTACHMENT 5b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

96

J:\00132\DWG\DEEDS\EXHIBIT 5b

ATTACHMENT 6a
LEGAL DESCRIPTION

BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT 10 FEET IN WIDTH, LYING 5 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

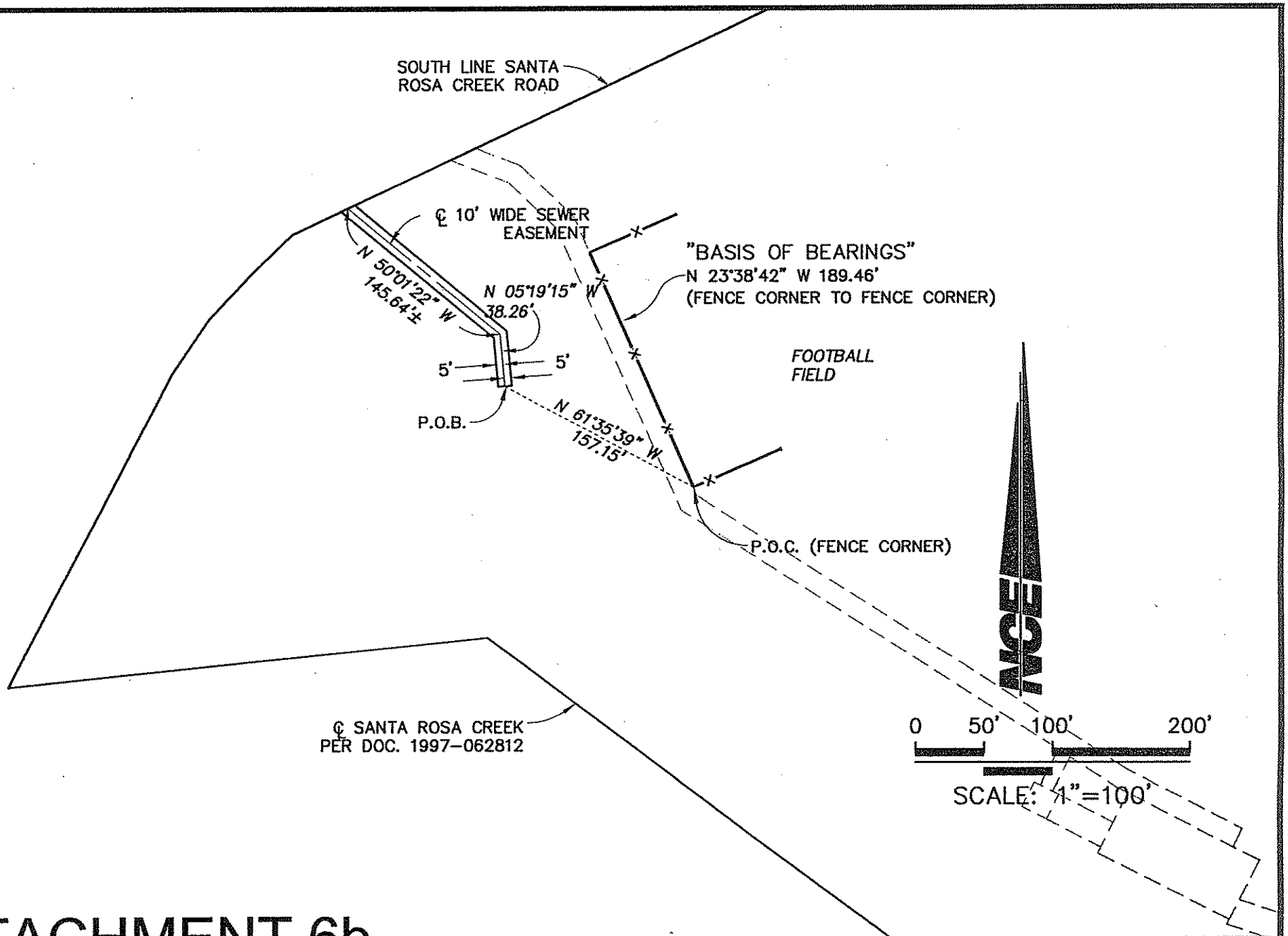
COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE NORTH 61°35'39" WEST, 157.15 FEET TO **THE POINT OF BEGINNING**; THENCE NORTH 5°19'15" WEST, 38.26 FEET; THENCE NORTH 50°01'22" WEST, 145.64 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY LINE OF SANTA ROSA CREEK ROAD AND THE TERMINUS OF THIS DESCRIPTION.

SEE ATTACHMENT 6b ATTACHED HERETO AND MADE A PART HEREOF.

12-5-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004

I:\00132\Document\Legal - Sewer Easement.doc
November 16, 2000



ATTACHMENT 6b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

J:\00132\DWG\DEEDS\EXHIBIT 6b

ATTACHMENT 7a
LEGAL DESCRIPTION

BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

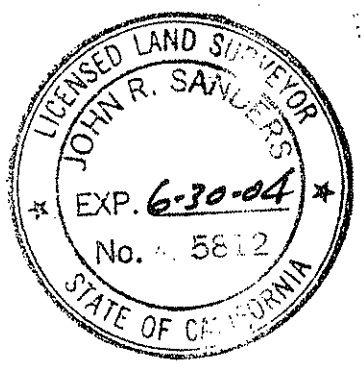
AN EASEMENT 20 FEET IN WIDTH, LYING 10 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 51°40'19" EAST, 503.02 FEET TO **THE POINT OF BEGINNING**; THENCE ALONG THE EXISTING GRAVEL ROAD SOUTH 71°50'27" EAST, 254.43 FEET; THENCE SOUTH 64°15'06" EAST, 230.53 FEET; THENCE SOUTH 69°37'33" EAST, 200 FEET, MORE OR LESS TO THE EXISTING MAINTENANCE YARD AND THE TERMINUS OF THIS DESCRIPTION.

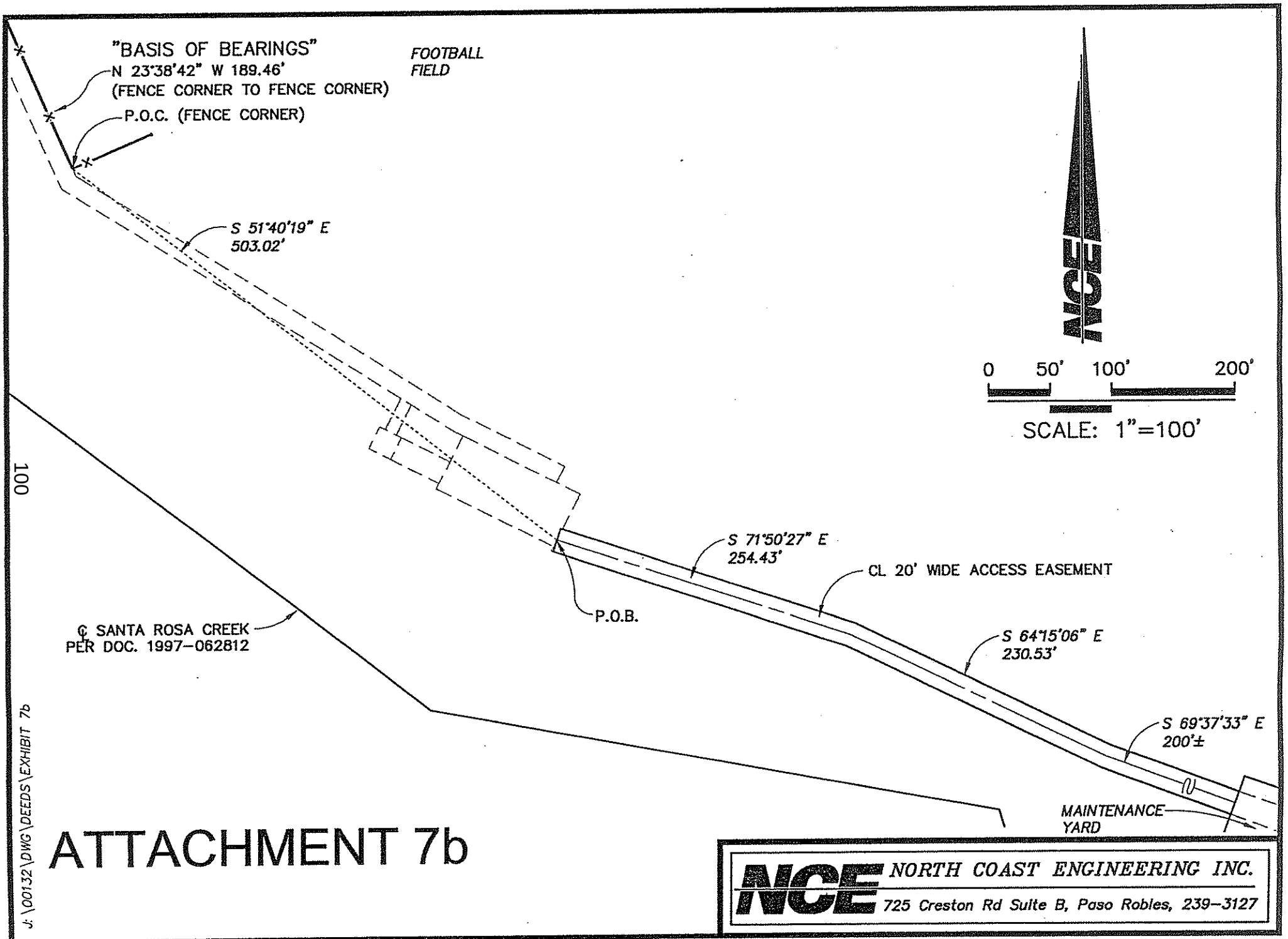
SEE ATTACHMENT 7b ATTACHED HERETO AND MADE A PART HEREOF.

John R. Sanders 12-5-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004



I:\00132\document\Legal -Exhibit 7a.doc
November 16, 2000



ATTACHMENT 7b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

ATTACHMENT 8a
LEGAL DESCRIPTION

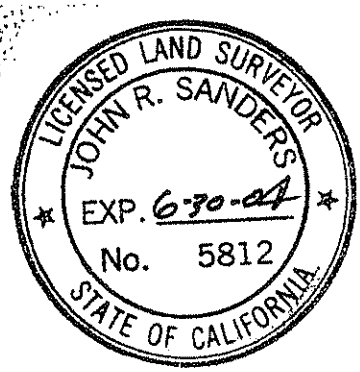
BEING A PORTION OF SECTIONS 23 AND 24, TOWNSHIP 27 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED RECORDED NOVEMBER 4, 1997, AS DOCUMENT 1997-062812 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY FENCE CORNER OF THE FENCE AROUND THE FOOTBALL FIELD (THE WESTERLY LINE OF SAID FENCE BEING THE BASIS OF BEARING FOR THIS DESCRIPTION); THENCE SOUTH 46°39'54" EAST, 354.87 FEET **TO THE POINT OF BEGINNING;** THENCE SOUTH 63°00'00" EAST, 44.62 FEET; THENCE NORTH 27°00'00" EAST, 20.00 FEET; THENCE NORTH 63°00'00" WEST, 44.62 FEET; THENCE SOUTH 27°00'00" WEST; 20.00 FEET **TO THE POINT OF BEGINNING**.

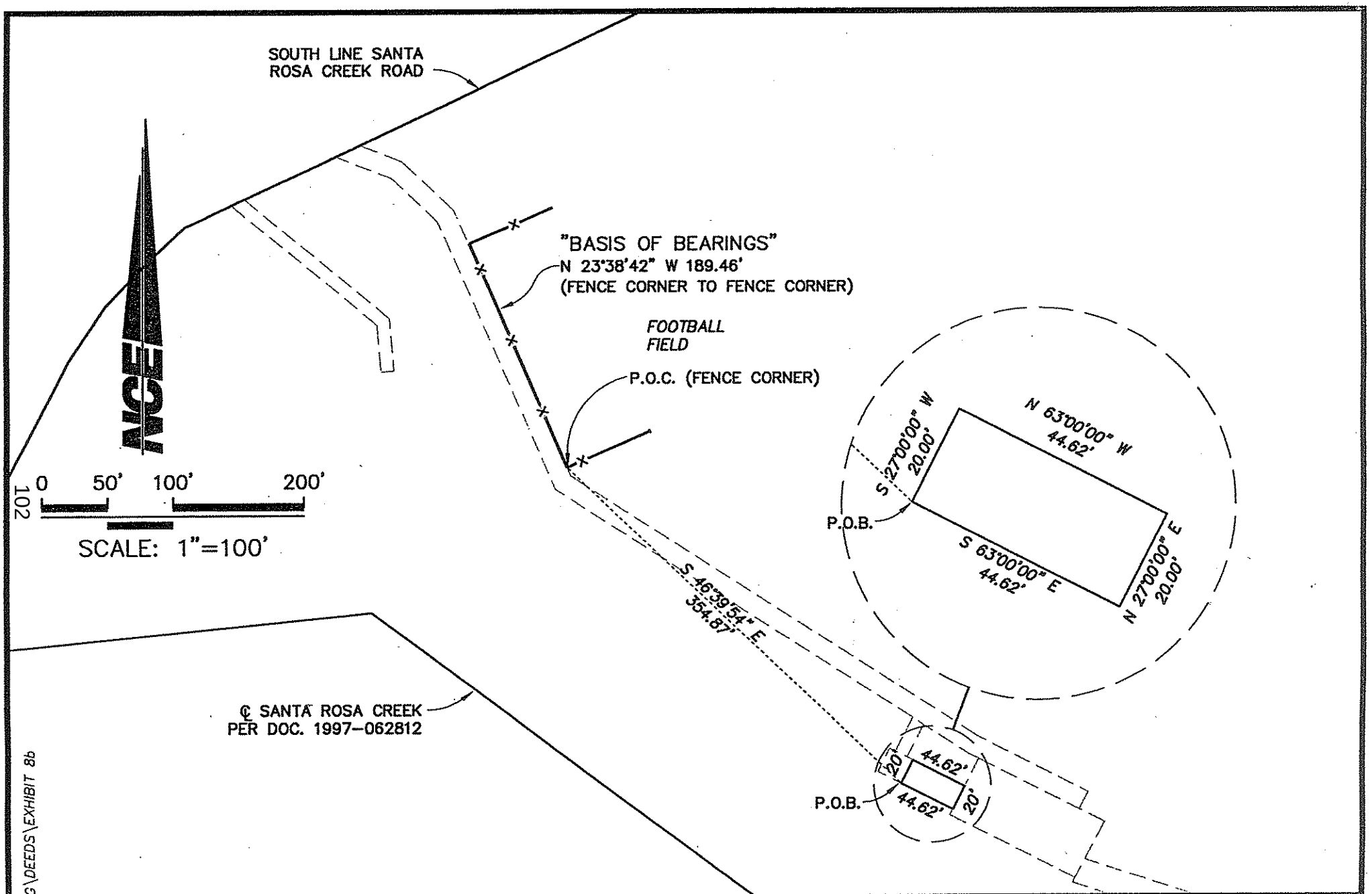
SEE ATTACHMENT 8b ATTACHED HERETO AND MADE A PART HEREOF.

John R. Sanders 12-05-00

JOHN R. SANDERS DATE
L.S. 5812 EXP. 6/30/2004



I:\00132\Document\Legal - Exhibit 8a.doc
November 16, 2000



ATTACHMENT 8b

J:\00132\DWG\DEEDS\EXHIBIT 8b

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Luis Obispo } ss.

On Dec. 6-00 (Date), before me, Laura C. Darling, notary public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Kenneth C. Topping (Name(s) of Signer(s)),

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Laura C. Darling
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement

Document Date: 12.14.00 Number of Pages: 29

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Cambria Community Services

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Luis Obispo } ss.

On Dec 6, 2000 (Date), before me, Laura C. Darling Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")),
personally appeared Pamela A. Martens (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

LAURA C. DARLING
Commission # 1182240
Notary Public - California
San Luis Obispo County
My Comm. Expires May 2, 2002

Place Notary Seal Above

Laura C. Darling
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement

Document Date: 12-14-00 Number of Pages: #1cd #29

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Coast Unified School District

END OF DOCUMENT

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO **7.F.**

FROM: Jerry Gruber, General Manager

Meeting Date: July 28, 2011 Subject: Consider Adoption of Resolution 37-2011 Authorizing Applicant's Agent Designation for Office of Emergency Services

Recommendations:

Adopt Resolution 37-2011 authorizing applicant's agent designation for Office of Emergency Services.

Fiscal Impact:
Recover $2,000 insurance deductible.

Discussion:

The State of California requires a designation of applicant's agent resolution for the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

CCSD's Special District Risk Management Authority (SDRMA) insurance covered the January 2, 2011 storm event with disaster costs totaling $18,330.77 with a $2,000 deductible.

California Emergency Management Agency (Cal EMA) will reimburse the CCSD for the $2,000 insurance deductible. In order to complete the claim Cal EMA needs an updated applicant's agent designation for Office of Emergency Services Form 130. Resolution 37-2011 authorizing applicant's agent designation is attached for Board consideration.

Attachment: Resolution 37-2011
Cal EMA Form 130

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __CLIFT___ MACKINNON __ BAHRINGER ___ DE MICCO ___THOMPSON__

RESOLUTION NO. 37-2011
JULY 28, 2011

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
APPROVING THE DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES –
CALIFORNIA EMERGENCY MANAGEMENT AGENCY (Cal EMA) FORM 130

The Board of Directors of the Cambria Community Services District does hereby resolve as follows:

1. To approve State of California, Designation of Applicant's Agent Resolution for non-State agencies, Cal EMA FORM 130 (attached).

PASSED AND ADOPTED THIS 28th day of July 2011.

_____
Muril N. Clift, President
Board of Directors

APROVED AS TO FORM:

_____
Timothy J. Carmel
District Counsel

ATTEST:

_____
Kathy A. Choate
District Clerk

STATE OF CALIFORNIA
CALIFORNIA EMERGENCY MANAGEMENT AGENCY
Cal EMA 130

Disaster No: _____
Cal EMA ID No: _____

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

_____
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____, a public entity
(Name of Applicant)
established under the laws of the State of California, this application and to file it with the California Emergency Management Agency for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the _____, a public entity established under the laws of the State of California,
(Name of Applicant)
hereby authorizes its agent(s) to provide to the California Emergency Management Agency for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and futures disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20_____

_____
(Name and Title of Governing Body Representative)

_____
(Name and Title of Governing Body Representative)

_____
(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20___.

_____ _____
(Signature) (Title)

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **7.G.**

FROM: Jerry Gruber, General Manager

Meeting Date: July 28, 2011 Subject: Consider Adoption of Resolution 38-2011 Ratifying the Hiring of Wastewater Operator

RECOMMENDATIONS:

Adopt Resolution 38-2011 ratifying the hiring of Wastewater Operator.

DISCUSSION:
As a result of a recent vacancy staff has proceeded with the recruitment for a replacement Wastewater Operator. The position is critical to the public safety and delivery of essential services to the community, and to maintain employee workplace safety.

Per Resolution 13-2009: *The General Manager may determine that a vacated position is deemed necessary and critical to public safety or the delivery of essential services to the community. Upon such written determination, which shall be immediately transmitted to the Board of Directors, such a position may be filled on a temporary basis, subject to further review, consideration and ratification by the Board at its next meeting*.

Written determination was provided to the Board of Directors on July 18, 2011. Staff recommends adoption of Resolution 38-2011 ratifying hiring of Wastewater Operator, granting an exception from the hiring freeze imposed by Resolution 13-2009.

Attachment: Resolution 38-2011
July 18, 2011 Memo to Board

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT ___ MACKINNON ___ BAHRINGER ___ DE MICCO ___ THOMPSON

RESOLUTION 38-2011
July 28, 2011

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
RATIFYING THE HIRING OF A WASTEWATER OPERATOR AS
AN EXCEPTION TO THE HIRING FREEZE

The Board of Directors of the Cambria Community Services District does hereby resolve as follows:

1. Ratifies recruitment and hiring of a Wastewater Operator, granting an exception from the hiring freeze imposed by Resolution 13-2009, filling a budgeted vacant position that is critical to the delivery of essential services and public and employee safety.

PASSED AND ADOPTED THIS 28th day of July 2011.

_____
Muril N. Clift President
Board of Directors

ATTEST:

_____
Kathy A. Choate
District Clerk

APPROVED AS TO FORM:

_____
Timothy J. Carmel
District Counsel

CAMBRIA COMMUNITY SERVICES DISTRICT

P.O. Box 65 • Cambria, CA 93428 • Telephone: (805) 927-6223 • Fax: (805) 927-5584

TO: CCSD Board of Directors

FROM: Jerry Gruber
General Manager

DATE: July 18, 2011

SUBJECT: Recruitment for Wastewater Operator

Staff has been proceeding with the recruitment for a replacement Wastewater Operator, as a result of the retirement (July 15) of Mike Kuykendall, Wastewater System. The position is critical to the public safety and delivery of essential services to the community, and to maintain employee workplace safety.

The Wastewater Department has four (4) operator positions, one of which is a working supervisor (Senior Operator). All operators, including the working supervisor, are in a 24-hour standby rotation for after-hour service interruptions and emergencies. For employee workplace safety, and depending upon the size of a job, a 2-man team works on wastewater system repairs (at a minimum). There are 3800+ wastewater service customers. Four (4) wastewater operators is minimal staffing for the CCSD wastewater service system.

Ratification of my GM action to pursue the recruitment will be on the Board's next regular meeting agenda.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **8.A.**

FROM: Mark Miller, Fire Chief

Meeting Date: July 28, 2011 Subject: Public Hearing to Consider Adoption of Resolution 35-2011 Ordering Abatement of Public Nuisance for Fire Hazard Fuel Reduction Program

---

RECOMMENDATIONS:

1. Receive staff report and review Resolution 35-2011
2. Open Public Hearing, consider and overrule any protests or objections and adopt Resolution 35-2011 authorizing the Fire Chief to abate the nuisance by having the weeds and debris removed from the parcels of property listed in exhibit "A"

FISCAL IMPACT:

The fiscal impact to the CCSD is limited to paying the District Contractor abatement charges and personnel time in processing inspections and billing. These costs are then recovered from the property owners by billing for reimbursement, plus administrative fees. Property owners that have parcels on the contract list will be billed for services rendered by the District's contractor, plus a $200 administrative fee. Funds not recovered through this billing process will be placed on the County Tax Roll for calendar year 2012, with an increased administrative fee of $400

DISCUSSION:

In accordance with the requirements of the Health and Safety Code, a Notice to Destroy Weeds and remove debris was sent to 1,853 parcels, which were identified and noticed for weed abatement this year. Many of these parcels were abated by parcel owners and /or their personal contractors prior to the inspection deadline. Of these 1853 parcels, 72 did not pass inspection and have been placed on the contract list (exhibit A).

July 28th was established as the date to hold a public hearing to consider any objections or protests to the abatement of the weeds. Under the provisions of the Health and Safety Code, the Board is to consider any protest and allow or overrule any or all objections. Thereafter, the Board acquires jurisdiction to have the work of removal accomplished by the District. The Board's decision is final.

By adoption of the attached resolution the Board will be ordering the abatement of the offending weeds and debris (Health and Safety Code Section 14900) and directing the Fire Chief to abate them. Health and Safety Code Section 14900.5 also provides that the Board

may declare the weed nuisance to be “seasonal and recurrent” and thereafter weeds and debris on parcels that have been designated as having seasonal and recurrent nuisances can be abated in future years without additional hearings. For such parcels, Health and Safety Code Section 14900.6 sets forth noticing requirements in the form of a post card notice with certain required information. The attached resolution includes language declaring the weeds and debris on the subject parcels to be seasonal and recurrent.

.

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT ____ MACKINNON ____ BAHRINGER____ DE MICCO ___ THOMPSON___

RESOLUTION NO. 35-2011
DATED: JULY 28, 2011

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CAMBRIA COMMUNITY SERVICES DISTRICT
ORDERING ABATEMENT OF PUBLIC NUISANCE FOR
FIRE HAZARD FUEL REDUCTION PROGRAM

WHEREAS, on May 26, 2011, Resolution No. 19-2011 declaring the vegetation and hazardous wildland fire fuels located on certain private property a public nuisance within the Cambria Community Services District pursuant to Health and Safety Code Section 14880 was duly adopted by the Board of Directors; and

WHEREAS, all affected property owners received a "Notice to Destroy Weeds" in conformance with Health and Safety Code Section 14890 *et seq.* and Section 14893 *et seq.*; and

WHEREAS, a public hearing to consider all objections or protestations, if any, to the proposed removal of weeds pursuant to Section 14898 of the Health and Safety Code was held by the Board of the Cambria Community Services District on July 28, 2011; and

WHEREAS, pursuant to Health and Safety Code Section 14900, at the conclusion of the public hearing on July 28, 2011, the Board overruled any and all objections and ordered the abatement of the public nuisance by having the weeds removed; and

WHEREAS, said public nuisance consists of noxious or dangerous vegetation and hazardous wildland fire fuels growing upon the private property parcels described on the attached document marked "Exhibit A", which is incorporated herein by reference as though here fully set forth, all of which parcels are located within said District; and

WHEREAS, it is in the public interest that said public nuisance be abated and that the District authorities be directed to remove and abate said vegetation and hazardous wildland fire fuels; and

WHEREAS, Health and Safety Code Section 14900.5 further provides that in the event the public nuisance is declared to be seasonal and recurrent by the Board, thereafter such seasonal and recurring weeds shall be abated every year without the necessity of any further hearing, subject to notice to property owners in accordance with Health and Safety Code Section 14900.6,

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

Section 1. That the recitals set forth herein above are true, correct and valid.

Section 2. That pursuant to Section 14900 of the Health and Safety Code, the District Fire Chief is hereby directed to abate said nuisance or to cause said nuisance to be abated by having the weeds removed from the parcels of real property described in said Exhibit "A".

Section 3. That the Board hereby declares that the public nuisance of vegetation and hazardous wildland fire fuels to be seasonal and recurrent and, in future years, shall be abated pursuant to the provisions of Health and Safety Code Section 14900.6.

By unanimous vote on the motion of_____, seconded by Director_____, Resolution No. 35-2011 is adopted at the Regular Meeting of the Cambria Community Services District this 28th day of July 2011.

Muril N. Clift, President
Board of Directors

ATTEST:

Kathy A. Choate, District Clerk

APPROVED AS TO FORM:

Timothy J. Carmel, District Counsel

Parcel
013.241.025
022.042.014
022.071.027
022.171.046
022.181.038
023.015.018
023.019.039
023.047.007
023.049.012
023.088.044
023.091.020
023.091.039
023.096.044
023.107.004
023.113.031
023.116.019
023.118.006
023.119.005
023.141.042
023.142.023
023.172.026
023.181.003
023.192.004
023.204.012
023.213.027
023.214.010
023.214.022
023.214.040
023.215.007
023.233.001
023.233.029
023.233.038
023.233.058
023.233.068
023.233.076
023.261.043
023.332.020
023.333.042
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023.425.002
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023.432.011
023.492.028
024.021.030
024.031.021

024.032.009
024.062.038
024.103.002
024.123.050
024.151.014
024.152.023
024.152.025
024.161.011
024.161.023
024.162.021
024.162.031
024.182.014
024.201.005
024.202.011
024.212.002
024.222.017
024.252.003
024.252.013
024.252.035
024.261.010
024.273.017
024.282.020
024.312.029
024.342.011
024.342.017
024.353.009
024.381.008
Total
parcels= 72

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **8.B.**

FROM: Jerry Gruber, General Manager
Bob Gresens, District Engineer

Meeting Date: July 28, 2011 Subject: Public Hearing to Take Public Testimony on a Mitigated Negative Declaration for Proposed Geotechnical/Geophysical Research Investigation Study Project at Santa Rosa Creek Beach and Shamel Park Beach, Cambria, CA

RECOMMENDATIONS:

1. Receive staff report on proposed Geotechnical/Geophysical Research Investigation Study being conducted by the Army Corps of Engineers
2. Open Public Hearing.
3. Take Public Testimony.
4. Close Public Hearing.
5. Discussion

FISCAL IMPACT:

The data collection effort is 100 % federally funded.

DISCUSSION:

The above subject study is being completed by the Army Corps and its contractors to assess the feasibility of subterranean horizontal or slant wells as they may pertain to a future water supply project for Cambria. The collected data would also support further definition and analysis of alternatives that would be included among other water supply alternatives within a subsequent project-level EIR/EIS.

Today's hearing is on a Mitigated Negative Declaration (MND) prepared in conformance with the California Environmental Quality Act (CEQA) for the above subject data collection project. Although the data collection effort is 100 % federally funded, the CCSD chose to include a CEQA-compliant MND due to the potential for future shared funding. The MND was originally circulated for 30 days beginning on May 18, 2011 with a close of written comments occurring on June 20, 2011. Noticing included posting at the County Clerk's bulletin board, the CCSD bulletin boards, as well as advertising in The Tribune newspaper. A Notice of Completion was also filed with the State Clearinghouse in Sacramento. At the close of comments, the District

received 20 written comment letters. In addition to the written comments received to date, public testimony heard today will also be entered into the public record.

All written comments received by the CCSD have been forwarded onto the Army Corps. Additional information from today's hearing will also be forwarded along to the Army Corps. The Army Corps complies with the federal, National Environmental Policy Act (NEPA), and was completing responses to comments as well as a Finding of No Significant Action (FONSI) as of the date of this staff report (July 21, 2011). The Los Angeles Division of the Army Corps would have the Division's Colonel or his designated representative sign the FONSI to complete their NEPA process. In addition, the Army Corps must also complete a Coastal Consistency Determination hearing with the California Coastal Commission.

The enclosed Exhibit A contains each of the letters received during the public review period. To date of this staff report, formal response to comments had not been completed. Response to comments are not normally required as part of an MND process. However should responses become available from the Army Corps in time for today's hearing, they will be handed out separately. A brief presentation will also be made by staff to provide an overview of the Corps data collection project, its proposed mitigations, and key issues to date. Subject to the receipt of public testimony and further Board deliberations, staff recommends accepting the public comments and testimony received today, as well as directing staff to forward all comments onto the Army Corps.

Exhibit A: Written Comments

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT ____ MACKINNON ____ BAHRINGER____ DE MICCO ___ THOMPSON___

Exhibit A

Written Comments

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 20, 2011

Robert C. Gresens
Cambria Community Services District
1316 Tamson Drive, Suite 201
Cambria, CA 93428

Subject: Geotechnical/Geophysical Research Investigation Study at Santa Rosa Creek Beach and Shamel Park Beach, Cambria, CA
SCH#: 2011051053

Dear Robert C. Gresens:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on June 17, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2011051053
Project Title Geotechnical/Geophysical Research Investigation Study at Santa Rosa Creek Beach and Shamel Park Beach, Cambria, CA
Lead Agency Cambria Community Services District

Type Neg Negative Declaration

Description The investigation study is being completed under the auspices of NEPA, with the Army Corps of Engineers serving as lead Federal agency. CEQA compliance is being completed with the Cambria Community Services serving as Lead agency due to the potential for future shared funding. Geotechnical and geophysical investigation study will collect data to further assess the feasibility of subterranean wells for purposes of collecting seawater, as well as returning concentrated seawater. Such alternative approaches towards seawater desalination.

Lead Agency Contact

Name Robert C. Gresens
Agency Cambria Community Services District
Phone (805) 927-6223 **Fax**
email
Address 1316 Tamson Drive, Suite 201
City Cambria **State** CA **Zip** 93428

Project Location

County San Luis Obispo
City Cambria
Region
Lat / Long
Cross Streets Windsor Blvd. & Pembrook Dr.
Parcel No. 022-101-001
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 1
Airports
Railways
Waterways
Schools
Land Use Recreation & seaward from MHTL of oepn space & recreation

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Coastal Zone; Geologic/Seismic; Noise; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 5; CA Department of Public Health; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 05/19/2011 **Start of Review** 05/19/2011 **End of Review** 06/17/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *GOVERNOR*

CALIFORNIA COASTAL COMMISSION

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June 16, 2011

TO: Josephine R. Axt, Ph.D
Chief, Planning Division
U.S Army Corps of Engineers
Los Angeles District
ATTN: Thomas W. Keeney,
CESPL-PD-RQ
P.O. Box 532711
Los Angeles, CA 92053-2325

Mr. Bob Gresens, P.E.
District Engineer
Cambria Community Services District
P.O. Box 65
Cambria, CA 93428

VIA EMAIL: thomas.w.keeney@usace.army.mil
bgresens@cambriacsd.org

RE: Comments on Draft Environmental Assessment/Mitigated Negative Declaration (Draft EA/MND) for Cambria Geotechnical Sampling and Geophysical Survey

Dear Dr. Axt and Mr. Gresens:

We are providing below our comments on the above-referenced Draft EA/MND. The Corps has prepared the document pursuant to requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The document evaluates a proposal to conduct several types of geotechnical and geophysical surveys meant to identify subsurface characteristics beneath Santa Rosa Beach in Cambria, San Luis Obispo County. Data collected will be used to determine whether the site provides a feasible location for a subsurface water intake or discharge well for a desalination facility being considered by the Cambria Community Services District (CCSD). That facility will be the subject of a separate NEPA Environmental Impact Statement (EIS) and CEQA Environmental Impact Report (EIR). Along with the information requested on the Draft EA/MND, the Coastal Commission will need additional information as part of its review of the consistency determination to be submitted by the Corps and/or the Coastal Development Permit (CDP) application to be submitted by the CCSD. We have provided those comments and requests in the ***General Comment*** and ***Comments 1 – 4*** below.

GENERAL COMMENT

Our primary comment regarding the Draft EA/MND is that the currently proposed activities do not appear adequate for their intended purpose. The project purpose is to determine whether the site provides a feasible location for a subsurface intake or discharge; however, the activities currently proposed are not likely to provide sufficient information to make that determination. We therefore recommend that the project as currently proposed not be implemented. We recommend instead that the Corps and CCSD either consider a different site where the necessary information can be obtained, or that the proposal be re-evaluated to incorporate the more comprehensive data collection activities approved for the site last year.

Background: Last year, the Coastal Commission approved a request by the Corps to conduct a more comprehensive set of activities at the site (see May 13, 2010 Coastal Commission Final Adopted Findings for #CD-02-010). These included installing monitoring wells and conducting a pump test, both of which were needed to determine the effects of water withdrawals on the nearby estuary. Last year's approved project also included water quality sampling and testing to determine whether mercury or other contaminants beneath the site might be mobilized due to water withdrawals. The information to be derived from these activities was considered necessary to adequately characterize site conditions and to ensure protection of the site's coastal resources, which include several listed and sensitive species, protected estuarine habitat, numerous marine organisms, and public access and recreational benefits.

The current proposal, however, does not include the monitoring wells, pump test, or water quality sampling and testing, and does not propose any replacement activities that would provide the information expected to be derived from them. The main reason for deleting these activities appears to be the recent determination that part of the project site is designated as a State Natural Preserve. That designation precludes certain uses and would require some of the previously proposed activities to be done elsewhere on or near the project site. However, moving the pump test and monitoring wells outside the Natural Preserve area would apparently require that they be located on the beach below the Mean High Tide Line (MHTL), where it would be difficult, if not impossible, to safely conduct a pump test and install monitoring wells (that area would also be within a State Marine Park and a federal Marine Sanctuary). Without those activities, though, the Corps and CCSD will not be able to provide the Commission with the information it needs to determine whether this site will serve as a feasible location for a proposed intake/discharge system and whether such a proposal would be consistent with relevant Coastal Act policies.[1]

Summary: In sum, we suggest the current proposal not be implemented as currently proposed. If it is not possible to conduct the full set of previously-approved and necessary data collection activities at the site, it does not appear beneficial to implement only a portion of them. Not only will they provide less information than needed to characterize the site, they also involve higher risks to coastal resources (e.g., higher spill potential due to heavy equipment operating below the MHTL, less control of potential toxics release, etc.). We therefore suggest that if the currently proposed site does not allow for the necessary data collection, the Corps and CCSD consider alternative sites that would allow data collection and that appear suitable for proposed subsurface structures. Alternatively, should the Corps and CCSD wish to continue consideration of the current site for the full-scale project, we recommend the current proposal be re-evaluated – to either identify additional options that would provide the needed data or to determine whether the previously approved activities can be modified to allow them to be implemented at or near this site. Most of our comments below are meant to address the potential that the Corps and CCSD will continue to consider Santa Rosa Beach as the project site. If so, we recommend the Corps and CCSD address those comments and information requests in the Final EA/MND.

[1] For a consistency determination from the Corps, the Commission will need sufficient information to determine the proposed development would be consistent to the maximum extent practicable with the enforceable policies of the state's Coastal Zone Management Program, as required pursuant to 15 C.F.R. § 930 *et seq.*. For a CDP application from the CCSD, the Commission will need sufficient information to determine consistency with applicable Chapter 3 policies of the Coastal Act.

COMMENTS AND ADDITIONAL INFORMATION NEEDED FOR UPCOMING COMMISSION REVIEW

1) **Relationship of current proposal with previously approved activities:** As noted above, the Coastal Commission last year approved a proposal by the Corps to conduct at this site several geotechnical and geophysical surveys meant to serve the same purpose as the current proposal. The currently proposed activities evaluated in this Draft EA/MND are not entirely consistent with those approved previously – for example, last year's approval did not allow for any activities below the Mean High Tide Line (MHTL) while the current proposed activities would occur largely below MHTL. Additionally, the previous approval included a pump test, water quality testing, and other project components that are not part of the current proposal. Please clarify whether the current set of proposed activities is meant to entirely replace the previous approval or whether the Corps plans to also implement some aspects of the previously approved activities as part of the current proposal.

2) **Long-term site suitability:** As you know, Commission staff generally recommends subsurface systems be used where feasible for desalination projects. Please describe what types of potentially feasible subsurface intake or discharge systems are being considered at the site. We recognize that this will be more fully described in the EIS/EIR for the full-scale project, but it would be helpful to have a general understanding of what systems are being considered and how site conditions might affect those systems. For example, installing vertical wells at this location may require structures at or near the surface of a highly dynamic beach environment, while constructing a slant well may require a well several hundred feet longer than the longest known example (i.e., the slant well at Dana Point). Based on currently available information, please describe which systems are under consideration and identify any known site characteristics that may allow or limit construction and operation of those systems.

   Please also provide the status of the full-scale project's EIS/EIR, which we understand is in preparation. Please identify the current level of proposed project design, environmental analysis, alternatives being considered, and the proposed schedule for publishing the draft and final documents. Please also identify how and when results from the currently proposed geotechnical and geophysical activities will be incorporated into the EIS/EIR review.

3) **Roles of, and regulatory approvals for, the Corps and the CCSD:** Please clarify the respective roles of the Corps and the CCSD in carrying out the proposed work. From the information provided, it appears that the CCSD may be a project applicant or co-applicant and would therefore need to submit a coastal development permit (CDP) application to the Coastal Commission. If so, there would be no need for the Corps to submit a consistency determination, as the Commission's review and decision on the CDP application would include any findings necessary for federal consistency review.

   The Draft EA/MND's description of each entity's role does not appear consistent with the description in the Project Cooperative Agreement (PCA), which is the document establishing the funding and technical relationship between the Corps and the CCSD for this project. Both documents identify the Corps and the CCSD as project sponsors, but the PCA states that the proposed activities are a CCSD project for which the Corps is to provide assistance. Additionally, the Draft EA/MND suggests that the CCSD's role, and the need for CEQA

review, is due only to the CCSD potentially providing future project funding. However, it appears from the PCA that the CCSD has already provided project funding, either directly or through in-kind contributions, for both already-completed and currently proposed project activities. Please provide any additional information available that would clarify whether the Corps and/or the CCSD are to be considered either sole project applicants or co-applicants.

4) **Other Permits and Approvals / Proof of Legal Interest:** Please identify all state and local discretionary permits and approvals needed to conduct the proposed activities, and please identify whether the Corps or the CCSD (or both) will be applicants for those permits and approvals. Please also provide documentation showing the Corps' and/or the CCSD's proof of legal interest in using or accessing the properties needed to implement the project.

COMMENTS ON DRAFT EA/MND

5) **Adequacy of Proposed Activities for Project Purpose:** The proposed project is meant to determine whether Santa Rosa Beach is a feasible location for a subsurface desalination intake or discharge. The currently proposed activities include collecting geophysical data by conducting Rotosonic sampling, cone pentrometer testing, and acoustic testing. Data collected will be used to identify subsurface characteristics and to further define previously identified paleochannels beneath the beach area.

   The current proposal does not include at least three previously-approved project components that had earlier been identified as necessary to adequately identify the site's feasibility for potential subsurface desalination structures (see the above-referenced Final Adopted Findings for #CD-002-10). As part of that earlier approval, the Corps was to conduct a pump drawdown test and place monitoring wells to determine whether the nearby estuary would be affected by subsurface water withdrawals. Previously approved activities also included conducting water quality testing to determine whether mercury or other contaminants wee present in the site's subsurface sediments or groundwater and whether those contaminants might be mobilized during subsurface water withdrawals. The current Draft EA/MND states that concerns meant to be addressed by these previously proposed project components will be addressed later as part of a subsequent project-level EIS/EIR. However, without site-specific data obtained through the pump test, monitoring wells, and water quality sampling and testing, it does not appear that the currently proposed activities will provide adequate data to address those concerns or to support a later EIS/EIR. Therefore, please provide in the Final EA/MND the additional information requested below regarding these concerns:

   a) **Pump test and monitoring wells:** The Draft EA/MND states that in lieu of a pump test and monitoring wells, results from the cone pentrometer tests will be modeled to determine the feasibility of subsurface intake alternatives. Please identify the type of modeling that will be conducted and the extent to which that model and the proposed cone pentrometer samples will be able to adequately identify the site characteristics that affect the feasibility of a subsurface intake or discharge (e.g., subsurface permeability and water flow rates, expected water yields, effects on estuarine surface water, etc.). Please also identify any limitations of the model in identifying those characteristics, and describe whether modeling results will later need to be confirmed through ground-truthing or additional data collection.

Regarding monitoring wells, the Draft EA/MND states that the potential future need for those wells will be assessed following completion of the EIS/EIR for the full-scale desalination project. Please identify what criteria will be used to determine whether monitoring wells will be needed. Please also identify what information the EIS/EIR will use to support its analysis in the absence of well monitoring data.

b) **Water and sediment testing:** The previously approved project included testing for hazardous waste constituents pursuant to California Title 22 toxicity testing requirements. The previously completed project work (in October 2010) included two boreholes drilled at the south end of Santa Rosa Beach. Please provide complete results and findings from water and sediment testing done from those boreholes.

The currently proposed project includes no water quality sampling or sediment testing to determine whether mercury or other contaminants are present beneath the beach or whether they can be mobilized due to proposed groundwater pumping. The Draft EA/MND states that mercury concentrations in the underlying aquifer are below allowable drinking water concentrations; however, the citation for that statement refers to samples taken some distance from the proposed project site, including several taken from a different watershed. Other samples taken at several locations along Santa Rosa Creek over the past several decades show concentrations of mercury in sediments in or near the mouth and estuary (see, for example, those listed in the 2010 Santa Rosa Watershed Management Plan "Summary of Watershed Conditions and Voluntary Recommendations"). Some of those mercury concentrations, including several from samples at the Santa Rosa Creek mouth and estuary, are above the 0.12 mg/kg NOAA "threshold effects level".

We recommend the Final EA/MND incorporate more comprehensive data regarding mercury in the Santa Rosa watershed, including those referenced above. We also recommend the currently proposed project be modified to include water quality and sediment testing – at a minimum, for example, we recommend the Corps test water and sediment samples taken during CPT and Rotosonic surveys. Regarding the forms of mercury that might be present, the Draft EA/MND states that it is unlikely to be in its more toxic methylated form; however, as noted in the previous Coastal Commission Findings, both mercury and methymercury are highly toxic and are classified as Persistent Bioaccumulative Toxins (PBTs). We recommend that any toxics testing conducted be suitable for identifying the different forms of mercury that might be present at the site – e.g., inorganic, organic, methylated, etc. Finally, if no sampling and analysis is proposed, please identify how the project EIS/EIR will address potential mercury contamination and mobilization at the site in the absence of sampling data.

6) **Location and timing of project activities:** The Draft EA/MND states that activities will take place above the MHTL within Shamel Park and below the MHTL adjacent to the Santa Rosa State Natural Preserve. It also states that a survey will be conducted each work day to determine the location of the MHTL (currently estimated to be about 4.6 feet above MLLW). The proposal would have equipment operate on the beach below the MHTL, but only during daytime and when there are low and minus tides. The document states that work below the MHTL would start only when the ebb tide falls below 3.6 feet MLLW and would end before

the incoming tide is at 2.0 feet MLLW. Surf conditions and forecasts would be monitored so work would not occur during heavy rain or high surf conditions. Based on tide tables, the Corps expects to have several days of daylight low tide periods between September and November during which it can accomplish the CPT and Rotosonic surveys. Please include in the Final EA/MND the information requested below regarding these elements of the proposed project:

a) **MHTL survey:** Please identify the survey method(s) that will be used to determine MHTL.

b) **Project modification based on actual site conditions:** The Draft EA/MND states that the basis for the proposed work periods on the beach – i.e., when the ebb tide is below 3.6 feet MLLW and the incoming tide is no greater than 2.0 feet MLLW – is based on bathymetry mapping from 2003 showing that the beach has an average 6% slope. The document notes that this slope would provide a minimum of 17 feet and a maximum of 44 feet of exposed beach during those times – i.e., there would be a 17-foot horizontal width of exposed beach for every one foot drop in the tide level. However, actual beach conditions are not likely to match that particular gradient, and will probably include steep wave-cut benches, sand "coves" along the beach, or other features that could reduce or eliminate times available to work "in the dry". Please describe how project activities will be modified if the beach is not at the presumed 6% slope. Please also provide any more recent site-specific data, site documentation, photographic evidence, etc., that can be used to better identify likely beach conditions during the proposed work period.

c) **Defining "heavy rain" and "high surf" conditions:** Please define what level of "heavy rain" and "high surf" conditions would serve as thresholds for stopping work on the beach.

d) **Modify tide data used:** The Draft EA/MND used tide data from Port San Luis, which is about 50 miles from the project site. We recommend the tide calculations and expected work periods instead be based on tide data available from San Simeon, which is about nine miles away. Please either provide new calculations based on the San Simeon data or show that the Port San Luis tide data is consistent with that of San Simeon.

e) **Proposed work season:** The Draft EA/MND proposes that project work be conducted between August 15, 2011 and November 30, 2011, with a possibility of extending the work period to mid-December 2011. The Coastal Commission's previous approval limited the work period to September 1 to November 1, based on the need to avoid potential effects to sensitive species (including the steelhead, tidewater goby, harbor seal, Western snowy plover, and California grunion), to avoid and minimize potential effects on nearby estuarine waters, to reduce potential effects on public access, and to minimize risks associated with storms and high surf conditions. Including any modifications made in response to other comments in this letter, please identify what project activities could be accomplished within the previously-approved September 1-November 1 time period.

f) **Available work periods:** The document states that a single Rotosonic boring can take about two to three days, and that sampling casings may have to be left in place overnight during that period. Using the above-referenced modifications, please identify the number of three-day periods within the September 1 – November 1 work period, and the number of daylight hours within those periods, that would allow for Rotosonic boring activities.

7) **Structures on beach:** Please identify in the Final EA/MND the materials used in the Rotosonic casings and any special measures that may be needed to ensure they remain intact during the sampling period. Please also identify how the casings will be removed.

8) **Beach access for project equipment:** The Draft EA/MND states that the project would use a CPT truck – a tracked vehicle about 23 feet long, 11 feet high, and 9 feet wide, weighing about 20 tons – and a Rotosonic vehicle about 16 feet long and seven feet high, weighing about nine tons. Please identify in the Final EA/MND all measures that may be needed to allow beach access for this equipment, including any modifications or improvements to the beach accessways or the existing vehicle ramp to the beach, any vegetation that may need to be removed between the project staging area and the beach, etc. Please also identify any restoration proposed for areas of the beach or accessways that may be disturbed by project activities.

9) **Staging and public access:** Please clarify whether equipment and vehicles will be staged and stored at the nearby CCSD wastewater treatment facility (as stated on p. 14 of the Draft EA/MND) or at the Shamel Park parking area (as stated on p. 20 of the Environmental Checklist). In either case, please identify the total number of public parking spaces that project equipment and vehicles would use and the amount of time those spaces would be used. Please also identify the location and extent of any road or trail closures or rerouting and their effects on public access to the shoreline.

10) **Project-related noise:** The Draft EA/MND identifies the project equipment as having the following sound levels:

- CPT: 89 decibels at 70 feet; 83 decibels at 140 feet
- Rotosonic: 85 decibels at 100 feet; 79 decibels at 200 feet

The document notes that these sound levels are not likely to significantly affect the closest residences; however, it did not evaluate potential effects on nearby marine life and public recreation areas. The previously-approved project included the use of sound attenuation devices during project activities. Please identify what sound attenuation methods will be included in the currently proposed project and the resulting noise levels expected for any nearby marine life receptors and the nearest public recreation areas.

11) **Lighting and Safety:** The document states that any above-grade casings present on the beach overnight will be covered with reflective markings and illuminated with a spotlight. As the proposed lighting may affect nearby marine life, please identify alternatives that would avoid or minimize such effects – e.g., providing overnight safety without lighting or with reduced lighting.

12) **Spills and Spill Prevention:** The Draft EA/MND includes a proposed Hazardous Spill Contingency Plan. Given the environmental sensitivity of the project area shoreline, we recommend the proposed Spill Plan be revised to include several additional measures to ensure spills are avoided and that the effects of any spills are minimized:

   a) **General:** Please include the maximum potential spill from the equipment proposed to be used during project activities – i.e., total fuel and oil capacity of project vehicles and equipment. Please also clarify in the Plan that response procedures will apply to all spills of fuel, oil, or other hazardous materials.

   b) **Section 1.1 – Potential Spill Sources:** We recommend the Plan be modified to address potential mercury contamination from sediment core samples, and that the Plan incorporate measures to handle core samples in a manner that will avoid potential mercury releases (e.g., bagging, disposing offsite, etc.).

   c) **Section 1.1.1 – Drilling Fluids:** We recommend the Plan specify the use of environmentally benign drilling fluids only – e.g., fluids that do not contain petroleum products, heavy metals, etc.

   d) **Section 1.1.3 – Petroleum Products from Vehicles and Equipment:** This section refers to a staging area described in the Plan's Section 2.0 (Project Description); however, our copy of the Draft EA/MND did not include that section. Please provide that section. We also recommend the Plan specify that no refueling will take place on the beach and that all refueling will occur only within an approved staging area that includes spill response materials necessary to contain the maximum potential spill from the project equipment and vehicles.

   e) **Section 1.2 – Spill Response Team:** The Plan identifies a Terrestrial Emergency Responder only. Please provide information about the contracted Marine Emergency Responder for the project. Please also identify the minimum expected response times for both terrestrial and marine responses.

   f) **Section 1.3 – Onsite Response Equipment:** Please modify the Plan as needed to ensure that the amount of onsite response equipment is adequate to contain the maximum potential spill from any project activities.

CLOSING

Thank you for the opportunity to provide comments. Please feel free to contact me at 415-904-5248 or tluster@coastal.ca.gov if you have questions.

Sincerely,

Tom Luster

Tom Luster
Energy, Ocean Resources, and Federal Consistency Division

State of California • Natural Resources Agency
Edmund G. Brown Jr., *Governor*

DEPARTMENT OF PARKS AND RECREATION
Ruth Coleman, *Director*
San Luis Obispo Coast District
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July 11, 2011

Josephine R. Axt, Ph.D.
Chief, Planning Division
U.S. Army Corps of Engineers
Los Angeles District
ATTN: Thomas W. Keeney, CESPL-PD-RQ
Post Office Box 532711
Los Angeles, California 92053-2325

Re: Comments on Draft Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study Project at Cambria, California – State Clearing House No. 2011051053

Dear Ms. Axt,

Thank you for the opportunity to review and comment on the above-referenced document ("Draft JEA/MND") for the Cambria Geotechnical/Geophysical Research Investigation Study Project ("Project").

The Project proposes data and core sample collection by means of rotosonic core drilling at four to six locations, seven cone penetrometer ("CPT") grab samples, and geophysical seismic reflection data collection. The Project area includes portions of Cambria State Marine Park and Hearst San Simeon State Park. This latter park includes a sub-unit called the Santa Rosa Creek Natural Preserve. Rotosonic core samples and CPT grab samples will be taken below the mean high tide line.

The Department of Parks and Recreation ("DPR") operates the two parks listed above. DPR is statutorily designated as a trustee agency under the California Environmental Quality Act ("CEQA") for the natural resources that are within units of the State Park System. Those resources are "held in trust for the people of the State of California." CEQA Guideline section 15386. This trustee responsibility extends to all of the flora and fauna within the parks and also to their geologic features. Public Resources Code section 5019.53. Similarly, DPR will be acting as a CEQA responsible agency for the Project because it has discretionary approval power over the portion of the Project that will be occurring in the areas of DPR's jurisdiction. CEQA Guideline section 15381. This discretionary approval will be the consideration of a DPR Right of Entry Permit ("ROE") for the Project.

In addition to the terrestrial areas of the parks, the Public Resources Code provides that DPR's jurisdiction extends as follows:

> ...(to) any granted or ungranted tidelands or submerged lands abutting property of (DPR) and used for recreational purposes by members of the general public in conjunction with their use of (DPR's) property between the boundary of the lands under the jurisdiction of (DPR) and a line running parallel to and 1,000 feet waterward of the ordinary high water mark... (Public Resources Code section 5003.05)

This DPR jurisdiction has also been acknowledged by the California State Lands Commission in its comment letter on the Project dated June 20, 2011 as extending "1,000 feet *waterward* of the ordinary high water mark." (Emphasis in original.)

As a result, the Draft JEA/MND should acknowledge that the resources potentially impacted by the Project are subject to DPR's jurisdiction, an ROE from DPR is required, and that, therefore, DPR is a coordinating agency. The current list of coordinating agencies on page 50 does not include DPR. DPR appreciated your earlier coordination efforts that included a letter from you dated March 15, 2011 and DPR's response dated May 6, 2011. As DPR has been in the past, it is committed to working with the U. S. Army Corps of Engineers and the Cambria Community Services District on this Project.

Specifically, DPR is interested in having the Draft JEA/MND address the following three provisions of state law and regulation. This is perhaps best done in the section titled "Environmental Compliance" that discusses "all applicable laws (and) regulations." Draft JEA/MND, page 51.

First, as DPR has advised before, the Santa Rosa Creek Natural Preserve has specific statutory protection. Public Resources Code section 5019.71 provides that "(h)abitat manipulation shall be permitted only in those areas found by scientific analysis to require manipulation to preserve the species or associations that constitute the basis for the establishment of the natural preserve." Similarly, Public Resources Code section 5001.8 prohibits the use of motor vehicles in natural preserves and California's Vehicle Code includes in this definition vehicles that are self-propelled. (California Vehicle Code section 415.) If the Project will not be impacting this area through the use of a motor vehicle or by habitat manipulation, the Draft JEA/MND should so state. If the Project will be impacting this area, the Draft JEA/MND should state how the work will address these provisions of state law.

Second, the Draft JEA/MND describes its purpose as, in part, assessing the "feasibility of subterranean wells." Draft JEA/MND, page 16. It also concludes that the impacts to "geologic features" will be only short-term. Draft JEA/MND, page 35. DPR believes that these areas may be features that cannot be disturbed without a permit from DPR. Title 14, California Code of Regulations, section 4307 provides that "No person shall destroy, disturb, mutilate or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves." However, section 4309 allows DPR to permit the disturbance of such features. Such permitting can either be in the form of a separate permit or appropriate provisions can be in the ROE Permit. Please include a discussion of this provision of state regulation and the impact of the Project, if any, on any such resource.

Finally, while it is clear that this Draft JEA/MND is not the approval of a final solution to the described water supply concerns in the Project area, DPR wants to advise you that any project that is approved in the future cannot result in the commercial exploitation of the resources of the any units of the State Park System. Public Resources Code section 5001.65.

Thank you for the opportunity to review the Draft JEA/MND and to provide comments. DPR is available to discuss these comments. Please don't hesitate to contact me.

Sincerely,

Nicholas Franco
District Superintendent

cc: Ronilee Clark
Ann Malcolm
Kathryn Tobias

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

CURTIS L. FOSSUM, *Executive Officer*
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California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1890**
Contact FAX: **(916) 574-1885**

June 20, 2011

File Ref: SCH #2011051053

Robert C. Gresens
Cambria Community Services District
1316 Tamson Drive, Suite 201
Cambria, CA 93428

Subject: Draft Environmental Assessment/Mitigated Negative Declaration (EA/MND) for the Cambria Geotechnical Sampling and Geophysical Survey, San Luis Obispo County

Dear Mr. Gresens:

The California State Lands Commission (CSLC) staff has reviewed the subject EA/MND for the Cambria Geotechnical Sampling and Geophysical Survey (Project), which is being prepared by the U.S. Army Corps of Engineers (Corps) and the Cambria Community Services District (CCSD). The Corps, as the Project proponent, is the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.), and the CCSD is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] § 21000 et seq.). CSLC staff has prepared these comments as a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, because the Project involves geological and geophysical surveys on sovereign lands and, pursuant to PRC section 6826, will require both an Offshore Geologic Sampling Permit and an Offshore Geophysical Survey Permit from the CSLC, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable rivers, sloughs, lakes, etc. The CSLC has certain residual and review authority for tide and submerged lands legislatively granted in trust to local jurisdictions (PRC §6301 and §6306). All tide and submerged lands, granted or ungranted, as well as navigable rivers, sloughs, etc., are impressed with the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of

- Determine subsurface material characteristics by a combination of laboratory analysis of collected samples and cone penetrometer measurements, and verify whether subterranean wells may be feasible to include among alternatives to be defined and analyzed within a subsequent Environmental Impact Statement/Environmental Impact Statement (EIS/EIR) for a future water supply augmentation project.

CSLC staff understands that the Project would include the following components, all performed seaward of the MHTL on exposed beach during low tide and low surf conditions:

- Rotosonic sampling, collecting approximately four to six vertically-cored samples
- Cone penetrometer testing (CPT) in seven different sites, each involving pushing a one to one-half inch diameter sensor into the beach sediment using hydraulic force; and
- Geophysical data collection involving hand-placing hydrophones with interconnecting cables on the beach, then producing sound into the sand by striking a 20-pound sledge hammer onto a 1-inch thick steel plate.

Environmental Review

CSLC staff requests that the Corps and the CCSD consider the following comments on the Project's EA/MND:

Project Description

1. There are inconsistencies in the description of the CPT method. On page 13, the EA/MND states that "the CPT testing equipment is operated by a seated driver inside a protective cab," while on page 30, the document notes that both the rotosonic sampling rig *and* CPT rig are "'walked' by remote control by the operator next to the rig". Please clarify the description of work.

2. Because the Project's avoidance of activities, including operation of "motorized vehicles", on the Santa Rosa Creek State Nature Preserve is relevant to the types of authorizations and permits required for the Project, please explain in more detail how those lands will be avoided (e.g., how equipment operators will recognize the boundary, whether or not the turning radii of the rotosonic and CPT equipment are small enough to maneuver below MHTL, etc.).

Air Resources

3. On Page 42 of the EA/MND, Table 6 lists the estimated emissions of various pollutants for the Project, but there is no explanation of how those numbers were derived. In the interest of transparency, please provide the source or model used to determine the estimates.

Thank you for the opportunity to comment on the EA/MND for the Project. Please send additional information on the Project to CSLC staff as plans become finalized.

Please contact Richard Greenwood, Statewide Geophysical Coordinator, at (562) 590-5897 or by email at Richard.Greenwood@slc.ca.gov, for information concerning our permitting requirements. For questions concerning the environmental review, please contact Sarah Sugar, Environmental Scientist, at (916) 574-2274 or by e-mail at Sarah.Sugar@slc.ca.gov. Please send any CEQA notices for this and future related projects to the letterhead address, Attn: DEPM.

Sincerely,

Cy R. Oggins, Chief
Division of Environmental Planning
and Management

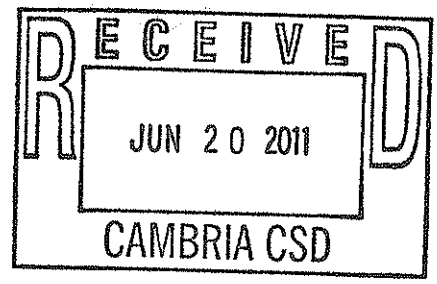
cc: Office of Planning and Research
Richard Greenwood, MRMD, CSLC
Sarah Sugar, DEPM, CSLC

Cambria Proposed Desalination EA & IS/MND Reports - Public Review

To: Bob Gresens – CCSD Engineer

Jerry Gruber – CCSD General Manager

Thomas Keeney – US Army Corps of Engineers



The following are my comments submitted within the authorized 30-day public review period.

- The current proposal, documents that any animal life feeding below the mean high water line during the proposed Geotech Drilling #2 effort will be removed and relocated to a non-affected area. If you look at the current amount of animal activity feeding on the surface and below the surface of the sand below MHW then I fail to understand how this could be achieved without serious effects to the animals. Also, I am not sure how stripped trout corralling at the creek mouth can be protected from the noise and percussion of the drilling efforts. It should be noted that according to Interpretive Boards at the mouth of the river, the striped trout are a protected fishery.

- Geotech #1 drilling was completed about a year ago and despite numerous requests by interested parties there has not been any release of the drilling and survey report. If it isn't deemed important to release already known information, why then is further money and resources being expended for further drilling?

- The Geotech #2 site is further north than the #1 site. It could be conceived that there might be adequate sand suitable for the desalination wells to be constructed here - but as no results for the #1 tests have been released it would appear that the tests showed the site is not suitable. If someone looks westward at site #1 and then walks up to where the proposed #2 site is located and looks westward it will be noticed that there are huge rocks that go right up the the edge of low tide. If rocks are there then how can anyone believe there will be any better sand at site #2 compared to site #1. Remember, just looking at the site costs nothing!

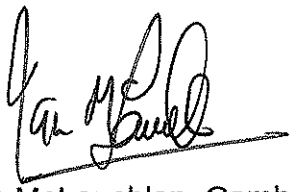
- The Monterey Bay Sanctuary have published a guide for desalination proposals that state before any desalination proposals proceed, full analysis of all alternatives need to be completed. This has not been realistically completed by any independent party so the current push to continue with the desalination project should be declared invalid. Viable examples of alternatives include reverse pumping of free winter runoff from Santa Rosa or San Simeon Creeks to Whale Rock and using 'banked' water during any year that doesn't produce enough water for an aquifer refresh, or, the construction of farm ponds within the catchment areas of Santa Rosa or San Simeon Creeks which will buffer and refresh the aquifer.

- If the Geotech #2 proposals have been designed to get around restrictions placed by California State Parks and/or Monterey Bay Sanctuary and/or California Coastal Commission, then it hardly seems reasonable that a building permit would ever be issued for such a sensitive area.

- Recent reports from Lois Capp and the Washington DC Lobbyist indicate that any Federal Funds that have been dangled in front of CCSD are now pretty low on Federal funding lists. Estimations for the capital cost for a desalination project for Cambria now seem to be running at least $30 million and yearly operation and maintenance conservatively are running at about $5 million. How can anyone realistically believe 4000 Cambrian Water Customers can afford this extravagant sum. These operating and maintenance expenses workout at over an extra $200 per account for every 2 month billing period and this does not include the Bond Payments for the Capital Expenses. I'm sure when this information is known by voters for the next CCSD Board then there will be major opposition to any grandiose desalination plans.

- Finally, Cambrian residents have survived without too much discomfort with our present water supply. Recent reports have shown that the average water requirements have dropped over 15% in the last 10 years. If we are using less water, then why does funding a desalination project make any sense. It should be noted that Santa Barbara (population 85,000) closed down their plant and sold it as it was too expensive to operate, Morro Bay (population 11,000) has it's desalination plant in a non-operational state and Marina (population 20,000) has closed their desalination plant down. If these major areas can not support a desalination plant then what is so special about Cambria that would make anyone think it would be any different here?

Signed and dated Monday June 20, 2011



Ian McLauchlan, Cambria.

Kathy Choate

From: Jerry Gruber
Sent: Monday, June 20, 2011 5:09 PM
To: Kathy Choate
Subject: FW: Cambria Geotechnical Drilling Project 2 Comments

More comments.

From: Margaret (P.J.) Webb [mailto:pjwebb@inreach.com]
Sent: Monday, June 20, 2011 9:56 AM
To: Thomas.w.keeney@usace.army.mil
Cc: bresens@cambriacsd.org; Jerry Gruber
Subject: Cambria Geotechnical Drilling Project 2 Comments

Mr. Thomas Keeney

US Army Corps of Engineers

Planning Division, Environmental Policy Section

P.O. Box 532711

Los Angeles, CA 90053-2325

Thomas. W. Keeney@usace.army.mil

RE: Cambria Geotechnical Drilling Project #2

Dear Mr. Keeney,

I am concerned that the mercury contamination present in the watershed is not being addressed sufficiently. This county experience heavy mercury mining at several locations in and around this watershed from 1868 to 1971 prompting emergency EPA action in 20 and EPA superfund activities ongoing. Reservoirs and roadbeds were constructed using mining tailings and that has spread the mercury contamination even further than simply in the stream beds. Not all the mines are as well documented or monitored as the Klau/Buena Vista mine and the amount of mercury in the layers of sediment downstream is not known. The level of mercury in the underlying aquifer does not accurately portray the mercury contamination potential in the sediment of the watershed. Historic minir operations resulted in not only mercury contamination but also other chemical pollutants including but not limited to arsenic, lead, manganese and boron. This drilling project will disturb that soil and potentially become an exposure pathway to the workers and the public. More information is needed on the contamination potential before a project that disturbs this ground should be allowed. In addition to the contamination issues, the location of the proposed project is an environmentally sensitive area that has critical steelh habitat as well as many other important species that can be harmed by these human, acoustic, and mechanical disturbances and thei after effects.

Reports on the EPA and California Department of Public Health assessments:

http://yosemite.epa.gov/r9/sfund/r9sfdocw.nsf/3dc283e6c5d6056f88257426007417a2/52e828ada36b4ae58825788500749733/$FIL Klau_BuenaVista4_11_440kb.pdf

http://www.ehib.org/projects/KlauFinal.pdf

Thank you for your consideration of these matters and protection of this valuable natural resource ecosystem. Please do not proceed with a project that damages this area.

Sincerely,

Margaret Webb
P.O. Box 702

Cambria, CA. 93428

June 20, 2011

Bob Gresens
Cambria Community Services District
1316 Tamson St.
Suite 201
Cambria, CA 93428
bresens@cambriacsd.org

and Jerry Gruber
jgruber@cambriacsd.org

Mr. Thomas Keeney
US Army Corps of Engineers
Planning Division, Environmental Policy Section
P.O. Box 532711
Los Angeles, CA 90053-2325
Thomas.w.keeney@usace.army.mil

RE: **ENVIRONMENTAL ASSESSMENT AND INITIAL STUDY/MITIGATED NEGATIVE DECLARATION for PROPOSED DESALINATION PLANT**

The following comments are submitted in response to the Cambria Community Services District (CCSD) and the Army Corps of Engineers (ACE) May 20th 2011 joint Environmental Assessment (EA) and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California. Pursuant to the California Environmental Quality Act (CEQA) the lead agency is the Cambria Community Services District Pursuant to the National Environmental Policy act (NEPA) the lead agency is the Army Corps of Engineers.

The area proposed for drilling and data collection activity lies within the boundaries of the Cambria State Marine Park, Monterey Bay National Marine Sanctuary, California Sea Otter Refuge, and is adjacent to Hearst San Simeon State Park and the Santa Rosa Creek Natural Preserve. This beach drilling activity is to locate and characterize paleochannels for intake and outfall pipes for a future desalination plant proposal that is highly controversial in Cambria, CA.

NEED FOR PROJECT

The CCSD has access to 1,230 Acre Feet Year of water from the San Simeon Valley Basin and 518 Acre Feet Year from the Santa Rosa Valley Basin per SWRCB. Production report states we used 672 AFY in 2010, down from a high of 819 AFY in 1988. However, it should be noted that the CCSD reported an estimate of 30% in water leaks in the 1980's. Current water losses are estimated at 10-15%. **Water Production data attached Exhibit A**

The existing annual supply and demand indicates a surplus, however, the dry season extraction limit occasionally creates a seasonal supply deficit. This occasional, seasonal dry season supply deficit can be resolved with conservation, recycling, gray water use, storage solutions, small water projects, and off stream storage alternatives. Cambrians are conserving and the CCSD is plugging the leaks. Instead of capitalizing on this trend or augmenting with storage, the CCSD wishes to develop a 602 Acre Foot Year desalination plant in order to end a building moratorium and allow the issuance of new water meters to permit new home construction as well as provide a 50% 'quality of life increase' in water

usage for residents who are actively conserving. Cambrians are correctly asking if desalination is the answer to a question of "do we need more water or do we need more money?"

The creation and maintenance of a water wait list has resulted in water wait list positions being bartered and sold with prices depending on position number. Parcels purchased without water rights cannot be developed, yet real estate speculation on water wait list positions continue. Rather than pursuing a costly desalination project the existing water wait list(s) could be adjudicated and lots without water retired. Language describing a no growth alternative is available in county planning documents "*SLO County acknowledges that the water supply is problematic existing levels of development. This level of constraint of an essential service might seem to imply that it would be prudent to stop new development until additional capacity could be obtained. The Resource Management System (RMS) program allows, but does not require, the County to reduce or eliminate new development in this situation. The County has thus far not taken this step."*

SOCIOECONOMICS

2010 Census reports Cambria's population at 6,032, down from a decade high of approx. 6,400. The median age of people living in Cambria, CA was **50.9** at the time of the 2000 census survey. (The United States average at the time was 35.3). **26.6** percent of the population in the community was 65 years and over, more than twice the national average of 12.40%. Based on the 2000 Census data, the median household income in the County was $41,994, and the median family income was $50,046.

Efforts to construct desalination in Cambria have been unsuccessful for over 20 years. The exorbitant costs passed on to a senior population on fixed incomes, the high level of environmental concerns due to proposed locations in highly regulated scenic areas and public parks have prevented prior attempts. The lack of transparency and public participation, and contradictory scenarios describing amount of water needed and amount of water used in Cambria have also hampered efforts. Viable and preferable water alternatives to desalination have been largely ignored, eliminated, or deemed unacceptable by using subjective criteria in the Task 4 evaluation matrix in the Cambria Water Master Plan.

A full Environmental Impact Report on Desalination and complete review of the growth inducing effects of desalination is long past due. Water alternatives that are less damaging are still available but not pursued. These water options need independent review and should be fully explored in an EIR. A California Coastal Commission Coastal Development Permit should be required at this stage of the desalination proposal, prior to any drilling activity on the beach.

DESALINATION

Choosing desalination and drilling on the beach before water supply alternatives have been pursued is inconsistent with recommendations and guidelines in the following plans:

a. **San Luis Obispo County North Coast Area Plan**
b. **NOAA/Monterey Bay Guidelines for Desalination Plants in the Monterey Bay National Marine Sanctuary**
c. **2004 California Coastal Commission Desalination Guidelines**

ALTERNATIVES

According to study "The purpose of the Joint Environmental Assessment (EA) / Mitigated Negative Declaration (MND) is to address potential impacts that may result from implementation of the proposed geotechnical research investigation data collection study for a proposed water supply action/activity. The data collected from this study will be used to determine the feasibility of various water supply alternatives to be addressed in a subsequent, project-level EIS/EIR.

The EA/MND refers to the "No Action Alternative" however this project, wrongfully segmented, is part and parcel of the full blown desalination project now undergoing design under the ACE/CCSD and therefore a full EIS/EIR and alternatives analysis is required:

The Council on Environmental Quality (CEQ) refers to the alternatives analysis section as the "heart of the EIS," and requires agencies to devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits. The identification, consideration, and analysis of alternatives are key to the NEPA process and goal of objective decision-making.

Consideration of alternatives leads to a solution that satisfies the project needs and protects environmental and community resources. The Council on Environmental Quality (CEQ) requires rigorous exploration and objective evaluation of all reasonable alternatives and for alternatives which were eliminated from detailed study, and the reasons for their having been eliminated.

- Choosing desalination using a subjective evaluation matrix in the Cambria Water Master Plan that eliminated some water alternatives before evaluation was performed, assigning subjective favorable ratings to desalination based on funding, reliability, and claiming desal to be environmentally superior. **Matrix Table 8-37 attached -Exhibit B**

- Multiple smaller water projects that could meet either 300 Acre Feet or 602 Acre Feet target were not proposed or evaluated.

- Elimination of water alternatives (including Water supply enhancement with small-scale catchment systems, tertiary treatment of wastewater, Surface Water from Lake Nacimiento, Additional Santa Rosa Creek Groundwater wells, Basin Management, Subterranean Dam in San Simeon Basin, Warren Reservoir, Seasonal Storage of Groundwater, Seasonal Storage for District Use) before evaluation process began resulting in Desalination recommendation.

- Regional approach to desalination is recommended in the NOAA guidelines. No discussions for co-location have been documented with Morro Bay (desalination plant just 20 miles south on Highway One). Unlike Cambria, Morro Bay has existing intake/outfall pipelines.

From 1995 Santa Barbara LCP:

Two of the fundamental questions raised by the proposal to use private desalination facilities are: the potential precedent such a facility generates for inducing unlimited growth based upon a technically unlimited supply of water; and the further fragmentation of public utility services, and related tendency toward scattering public

work facilities, and their related impacts, rather than consolidating them as stipulated in Coastal Act Section 30260. Proliferation of desal facilities where consolidation is feasible, whether private or public, is inconsistent with the requirements of PRC Section 30260.

Consolidation and expansion of existing public desalination facilities will help to successfully operate the complex technology and reduce or mitigate potential impacts resulting from such facilities. The success of desalination facilities is also more likely when operated by established water purveyors serving large geographic bases and a larger rate-paying pool as compared to a private homeowners association with limited funds and expertise to manage such complex operations. The experience of small private water purveyors depending upon small industrial desalination facilities and water wells in the Goleta/Santa Barbara area and other areas in the coastal zone has demonstrated the difficulties of sustained operation of such facilities.

Region-wide provision of desalination facilities, prevents proliferation of smaller individual desalination facilities, thereby reducing cumulative impacts on coastal resources, including marine resources, created by individual facilities. A region-wide approach supports the Commission's consolidation policy, Section 30260, which encourages coastal-dependent industrial facilities, such as portions of desalination facilities, as determined on a case by case basis. These facilities are encouraged to expand within existing sites so long as they are designed to permit reasonable long term growth consistent with the Coastal Act and certified LCP.

- Agreements should be pursued with cooperative agricultural irrigators that may otherwise continue pumping during times of extended drought. Provide incentives to plant drought tolerant and low water use crops. Enact agreements to fallow or purchase agricultural land as open space for watershed recharge.

- Warren Reservoir: An off stream storage proposal whereby land would be sold to the Cambria CSD by local rancher Clyde Warren for a small reservoir. Idea was rejected in Water Master Plan evaluation matrix that claimed this storage idea needed to be three times larger than necessary to meet the districts goal of 602 Acre Feet. Recent statements by directors at CCSD meetings and in viewpoints by directors have revised the 602 Acre Feet needed to 300 Acre Feet. Several storage projects could meet this goal but were not proposed or analyzed.

CONSERVATION

- Residential and Commercial plumbing retrofit programs identified in the Water Master Plan have not been fully implemented. Rebates once available for purchase of efficient washing machines are no longer available.

- Outdoor irrigation accounts for almost 40% of water used during the dry season, when Cambria's rainfall is at its lowest and demand is highest, yet watering lawn is allowed as long as one pays for the water.

- The Cambria Grammar School used potable water to irrigate fields because their ECS system was not working. CCSD applying for grant for Playing Fields at the Middle School in May 2011 with no water recycling plan in place. Potable water should not be used on playing fields yet no recycling program has been implemented.

- Rainwater harvesting or gray water systems are not being promoted or incentivized. The existing annual water supply and demand indicates a surplus, however, the dry season extraction limit creates a seasonal supply deficit. Lowering demand for water in the dry season could eliminate need for additional water or substantially reduce amount of water needed.

- No plan exists to recycle water for outdoor irrigation for residential customers. The proposed recycling program is not independent of desalination. The proposed recycling program consists of using recycled water to irrigate commercial/public play fields and park areas. There may not be a need for desalination or a small water project may suffice if more extensive recycling efforts were enacted now.

- Inattention to Infrastructure repairs and leaking pipes has resulted in less than adequate water distribution and sewage spills have resulted. System water losses thru leaks are estimated at 10-15%.

GROWTH and the North Coast Area Plan

The CCSD now serves approximately 6,032 residents as compared to an estimated 1,716 in 1976 when the CCSD was created. From 1980 to 2000, the population of Cambria increased 100% from 3,110 to 6,232. During the ten year span of 1980-1990 the population increased 73% and growth rate was 7.3%. In the 1990's Cambria's population increased by 836, a 10-year growth rate of an additional 16%. Unsustainable growth since 1980 resulted in the enacting of a water code 350 emergency due to overdrafting of Santa Rosa Creek. I raise the following concerns because this project document references the SLO North Coast Area Plan. There are more questions than answers when considering growth in the SLO NCAP.

- Against advice from Cambria's legal counsel March 2011, Cambria CSD directors continue to make public statements considering lifting a 10 year building moratorium claiming that 'we have enough water to start building again'. It was overbuilding from 1980 to 2000 that resulted in the 2001 building moratorium and an emergency 350 declaration due to overdrafting Santa Rosa Creek. We either have water for building or we don't. Which is it? If we have enough water to start building, drilling on the Hearst San Simeon State beach and the Cambria State Marine Park for a future desalination plant for more water is unnecessary.

- Cambria has added 310 housing units since the 2001 building moratorium. There were only 124 'grandfathered meters' when the moratorium was put in place. There are water meters for sale today that claim 'build now'. One must assume that 'grandfathered meters' still exist therefore building past the recommendations by the Coastal Commission continues.

- Providing additional water has a propensity for unsustainable growth and development in a community. Growth inducing effects of desalination are of the utmost concern. Desalination can

provide unlimited water and production can be expanded in modules. The supposed limit of residential growth does not limit commercial growth, and residential growth limit is already being undermined by the addition of 310 housing units during a building moratorium.

- The CCSD and County have been in discussions to extend water service to an unverified # of wait list properties 670 -701 on the CCSD list and another 400 on the County water wait list, and to the town of San Simeon. The number of positions on the Water Wait list, although supposedly 'frozen' in 1990 under SLO county's Title 26 Growth Management Ordinance changes in number from year to year.

ENVIRONMENT and SPECIES

- A claim is made that because the study site is now in the intertidal zone below Santa Rosa Creek, the rotosonic drilling activity will have no effect on Steelhead or other species of concern. This is false. Steelhead migrate from the Ocean to the Creek annually and high noise levels and presence in the intertidal areas may disrupt migration patterns.

- In stream Flow Studies have not been conducted, adopted or funded for San Simeon or Santa Rosa Creeks. As a result acceptable creek drawdowns are largely unknown. NCAP revised findings: "*In order to find the proposed updated LUP consistent with the Coastal Act, the updated water section must be re-written to more accurately describe the nature of the aquifer and the need for a more thorough study to determine safe yield. To ensure that additional water withdrawals for municipal uses will not adversely impact the coastal resources of riparian/wetland habitats and agriculture, a planning standard must be added to Chapter7,C, Cambria Urban Area Standards (pg. 7-47 et seq.) which provides for a moratorium on all new development which would be served with water from either of these sources unless variety of performance standards are met over the next three years to ensure that coastal resources are adequately protected. As specified in Suggested Modification 107, basic performance standards that should beet include the preparation of an InStream Flow Management Study to determine the water needs of riparian and wetland species living in Santa Rosa and San Simeon Creeks;*"

- Habitat Conservation Plans (recommended in SLO North County Area Plan) have not been conducted, adopted or funded resulting in an incomplete understanding of the creek ecosystem.

- The Cambria Forestry Management Plan has been conducted and adopted, but not funded and a Forest Manager has not been hired as recommended in the plan. From the SLO NCAP: *Opportunity exists to begin a program to purchase and provide ongoing maintenance for some of the small substandard lots in Lodge Hill, Happy Hill and Park Hill on an annual basis, and then commit them to open space. In conjunction with the Forest Management District, the lots could be used for a variety of purposes such as pocket parks, viewsheds, habitat preservation and other uses beneficial to the community. The program would enhance the value of properties located near open space lots, as well as reduce crowding of buildings, traffic congestion and demand for water and other services.* Funds need to be made available for existing plans prior to causing potential damage to the forest ecosystem that desalination..

- Cambria currently disposes of wastewater thru a biosolids dewatering system and extracts groundwater primarily from the San Simeon Creek Basin. No intake or outfall pipelines currently exist in front of San Simeon or Santa Rosa Creek. New intake and outfall pipelines carrying wastewater and toxic brine should not be approved into CA State Parks lands, the Monterey Bay National Marine Sanctuary and Cambria State Marine Park because less environmentally damaging alternatives are available.

- Numerous negative environmental impacts of desalination plant construction and operation including viewshed impacts of plant, toxic effluent, impacts on wildlife and watershed, carbon footprint of operation have not been evaluated. Cumulative effects of Desalination need to be presented in a full Environmental Impact report before more drilling or other activity or testing is conducted on beaches or in the tidelines for the desalination project. Cumulative effects of having 2 desalination plants within 20 miles of each other should require evaluation.

- According to comments made by National Marine Fisheries Service (NMFS) regarding construction in the intertidal areas in Pismo Beach "Drilling and construction in the intertidal zone can change the physical, chemical and biological characteristics of the substrate, impact or smother immobile benthic communities in the footprint of the activity and force mobile animals to migrate from the area, create limited short-term turbidity plumes, and potentially directly or indirectly affect adjacent habitats." Surveys should been conducted to identify species of concern in the Marine environment, protected under the creation of the new Cambria State Marine Park for recreational enjoyment. Has an Essential Fish Habitat (EFH) study been conducted? Please make the results public if so.

- The Santa Rosa Creek freshwater wildlife corridor is abundant with deer, birds, opossums, raccoons, skunks, and occasional coyotes, mountain lions and bobcats. NMFS has determined that sandy beach and rocky habitats may be negatively impacted by construction activities at similar beaches and are requiring Fish and Wildlife Coordination Act enforcement. "the purpose of the FWCA is to ensure that wildlife conservation receives equal consideration, and is coordinated with other aspects of water resources development (16 U.S.C. 661). The FWCA establishes a consultation requirement for federal departments and agencies that undertake any action that proposes to modify any stream or other body of water for any purpose, including navigation and drainage (16 U.S.C. 662(a))." Does this act apply to construction on or near Santa Rosa Creek containing endangered species and abundant wildlife? Would the larger project of desalination trigger this consultation requirement? If so, we should be considering the larger project and cumulative effects on wildlife rather than the smaller geotech survey project.

- Waste of water in the desalination process. Mixing brine with waste water may contaminate what is increasingly being considered a new source of water (tertiary treatment of wastewater). For this reason, municipal wastewater should not be used for brine dilution.

- Negative impacts on stream with potential for excellent restoration of steelhead salmon habitat and population. Plans not mentioned in this report include the 2010 Greenspace Santa Rosa Creek Watershed plan www.greenspacecambria.org.

- If entry is granted, request for extension of Drilling time should be denied. Drilling activities and driving on the beach should be limited to September and October as specified by the Coastal Commission in 2010, due to impacts on Steelhead in front of Santa Rosa Creek in the ocean, noise levels and impacts to migrating birds, impacts to snowy plovers and increasing possibilities of crossing water when rains begin in the fall.

- Sites chosen for future development and drilling activities contain the highest levels of environmental protection including Hearst San Simeon State Park, Shamel Park, Santa Rosa Creek Natural Reserve, Cambria State Marine Park, the Monterey Bay Marine Sanctuary and the CA Sea Otter Refuge.

TOXIC DISCHARGE, MtBe AND MERCURY

- Construction and operation of a desal plant on a stream with historic mercury mining sediments and methyl mercury will exacerbate public health hazards and distribution of toxic sediment. See 2010 Geotechnical Drilling Report on Mercury.

- Reports from 2010 GeoTech drilling have not been submitted in answer to FOIA requests made by citizens.

- Toxicity of brine effluent from the desalination plant with concentrations of heavy salinity, heavy metals and other toxins when less toxic water projects are available and viable.

- MtBE plume was detected near district wells SR 1 and SR 3 but contamination of wells never occurred. A new well, SR 4 was drilled upstream from possible MtBE contamination. This well is considered an alternative water supply to SR 1 and SR 3 but is not mentioned in the project document. Since installation, Well SR 4 has not been pumped as it isn't needed at present.

PUBLIC POLICY

- Never voted for desalination in Cambria (**7,900** advisory surveys mailed to lot owners and others. Cambria only has **4,206** Cambria residents eligible to vote. 3,694 surveys were sent to people who do not vote here.)

- Lack of response of local officials to environmental and pragmatic concerns of citizens to the problems of desal.

- Denial of Freedom of Information Act (FOIA) and Public Records requests by citizens to the CCSD and Army Corps of Engineers. **FOIA and denial attached. Public Records requests and denials attached. Exhibit C**

- Choosing desal as a solution without support and research on grants or attempts for funding more environmentally friendly, more sustainable alternatives, such as reuse of gray water and other water saving and recycling techniques, off stream storage, additional water tanks, Whale Rock reservoir is inconsistent with all plans.

- SLO county claiming drilling and construction actions on SLO county park lands are 'ministerial' and therefore do not require permits.

- Drilling and Desalination project being segmented and piecemealed therefore avoiding full environmental review of cumulative impacts.

- Avoiding and evading environmental review in 2010. CEQA process gathered 100's of pages of opposition letters that were essentially 'blackholed' and never read by Coastal Commission prior to May 13, 2010 decision to allow drilling at Santa Rosa Creek. Had full review been conducted in 2010 access limits to motorized vehicles in the Santa Rosa Creek Natural Preserve would have been uncovered. The Chumash Burial site at Shamel Park would have been exposed as it was described in the 1994 EIR for Desalination.

- Project ownership is being manipulated and confused between being an Army Corps of Engineers Project versus a Cambria Community Services District project. Cambrians have been paying dearly for desalination (a project that was never called a 'project" until just a few years ago) but requests for total price spent on desalination remain unanswered. The CCSD has received credit of $3 million of costs up to 1999 but much more has been spent since that time. Regulatory and environmental protection may easily fall thru the cracks while the Army Corps and the CCSD trade project ownership.

CULTURAL RESOURCES

- Section 106(36 CFR 800) requires Federal agencies to take into account the effects of their undertaking on historic properties; and to protect significant historic properties that are located on Federal lands and/or which would be affected by Federal actions. Slant well drilling near Shamel Park has been described by the CCSD for the Desalination Project. Shamel Park is a documented Chumash Burial Ground site as described in the 1994 EIR for Desalination proposal at San Simeon Creek. Slant Well Drilling near Shamel Park has potential to destroy or harm historic properties. Pursuant to 36 CFR 800.3(a) (1), the Corps has further obligations under Section 106.

DRILLING 2010 and 2011

- Project does not seem to meet intended purposes as described in detail in 2010. Drilling and data gathering activities described in 2010 are completely eliminated from this 2011 project description. Either the Army Corps needed those tests last year or they didn't. At what point does the Coastal Commission determine the Army Corps has completed its testing?

- The Army Corps carefully avoided traveling below the MHTL in 2010 due to high level of impacts to the beach, the wildlife, and possibilities of crossing water. In 2011 the project describes most construction below the MHTL instead of above it. Why? What has changed? How does traveling below the MHTL make less of an impact on species? I would think it would make more of an impact as the drill rigs are now traveling into the Monterey Bay National Marine Sanctuary, the Cambria State Marine Park and the CA Sea Otter Refuge.

- Bagged samples of materials were left unattended in the back of a truck at Shamel Park. No oversight of the handling of potentially toxic materials and people may have been exposed. **Photo attached** of core samples unattended and mishandled. **Exhibit D**

- 2008 Penetrometer Study referenced in the 2011 Geotech Initial Study was unlawful. A Coastal Development Permit should have been obtained for the 2008 action, according to a **June 8, 2008 letter to CCSD Engineer Bob Gresens attached. Exhibit E**

- This 2008 Penetrometer study indicated paleo channels were 40-75 feet deep in the 2 locations the Army Corps drilled. Instead, it is believed the Army Corps drillers hit bedrock at 20 feet in 2 out of 3 proposed drilling locations. Drilling activities that were expected to last for 2 months ended in just a few days. A formal public records request (FOIA) asking for drilling data and results of the 2010 drilling and data gathering activity was denied. The Army Corps of Engineers should not be allowed to rototill the beach without restrictions searching for paleochannels from a flawed 2008 study that was unlawful. All results of the 2010 studies should be made public at the earliest possible date.

- Concrete ramp is described as "reinforced". Wooden boards were placed under the weakest parts of ramp. Questions remain on the ability of this ramp to withstand repeated vehicle access. If ramp caves in, no emergency access will be available to the beach at this site.

- Noise Impacts of rotosonic drilling in the ocean are omitted. Impacts of rotosonic test well drilling below the Mean High Tide Line must include the effects of noise levels in the ocean on fish and other species of concern.

- **Temporary Structures** description is inconsistent:

  1. "May be left overnight for one to three nights and all impacts from this activity must be reconsidered and mitigated if this project is approved. "

  2. Page 28 "If a rotosonic casing pipe must be left in place overnight, the pipe would be capped and a six foot pole would be attached. The pole would be covered with luminance tape and other reflective marking. Temporary signage and expandable barricades from two or three angles will be placed above the high tide line to warn beachgoers or surfers of the protruding casing. Furthermore, an onshore security watch service would be provided during the non-working hours of the day as an additional safety measure. A security guard would be stationed near the site of the casing to further alert any members of the public."

  3. Page 5 "the investigation study does not include the temporary or permanent construction of any structures or facilities."

  4. Page 13 "The proposed investigation activities will not include the construction of any features or structures that are not described in this document."

  5. Page 55 "The proposed study is designed to gather information and will not result in the construction of any permanent structures.

6. Page 96 "The project is a temporary study and does not involve the construction of any structures."

All structures should be described fully in the project and mitigations and impacts must be considered as if structures will be left overnight. No structures should be installed in the Marine Sanctuary and Marine Park.

COSTS and FUNDING

- Water Supply Alternatives to desalination have not been enacted, seriously studied, and funding not pursued. Monthly reports from Washington Lobbyist do not indicate pursuit of alternative water supply option funding or grants. Direction has not been given to staff to pursue water alternatives or funding for water projects other than desalination. No serious recycling attempts have been enacted and a 2008 recycling effort described in Initial Study is tied to desalination. Successful conservation programs have been defunded and money diverted to buying lots in town that are unbuildable without desalination.

- Excessive energy use by desalination process. CA AB 32 law limits greenhouse gases –desal requires a significant increase of energy use and high costs in energy will result in unknown ratepayer increases for this water option.

- Project funding in jeopardy according to lobbyist reports.

LOCATION IN EMERGENCY EVACUATION ZONE FOR FLOODS, & TSUNAMIS

- The magnitude 9.0 Tohoku Earthquake of March 11, 2011 generated a tsunami that caused damage around the Pacific basin. A published paper, "Large California Tsunamis from Central Coast Historians and Central Coast Newspaper Records", documents 4 tsunamis destroying Avila and Pismo Beach wharfs ranging in height between 55 and 100 feet between 1812 and 1913. The scientific paper concludes, "Emergency planning for Central Coast tsunamis should be anticipating tsunami waves in the 50 to 100 feet elevation range." The paper was presented at the American Geophysical Union, Fall Meeting 2009.
http://adsabs.harvard.edu/abs/2009AGUFMNH31B1113B

- Dangerous location for development or drilling project in Flood Zone and Tsunami Evacuation map depicting sea level rise.

Executive Order 11988, Flood Plain Management (May 24, 1977), directs Federal agencies to issue or amend existing regulations and procedures to ensure that the potential effects of any action it may take in a floodplain are evaluated and that its planning programs and budget requests reflect consideration of flood hazards and floodplain management. The purpose of this directive is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." Guidance for implementation of EO 11988 is provided in the floodplain management guidelines of the U.S. Water Resources Council (40 CFR 6030; February 10, 1978) and in A Unified National

Program for Floodplain Management, prepared by the Federal Interagency Floodplain Management Taskforce. **Cal/FIRE Evacuation Map attached. Exhibit F**

- April Estimates of Tsunami damages are over $48 million statewide, with $25 million at Santa Cruz Harbor. The March 11 event happened at low tide and damage would have been greater if it had been high tide. Desalination development and drilling project is dangerously located in Tsunami zone. Consideration of all impacts including future economic impacts of constructing desalination plant in flood/tsunami zone should be described in a full EIR for desalination.

- Traffic problems were observed during drilling activities in 2010. Park Hill Neighborhood evacuated March 11, 2011. Impacts of drilling project and equipment creating traffic hazards between Windsor Drive and Heath Lane magnified in an emergency scenario. **Photo attached-Exhibit G**

- Attempting to drill only during low tide. The plan is to drive the drill rigs out to the beach during low tides to conduct tests, then drive back up narrow emergency access ramp to Shamel Park, then to the wastewater treatment plant on Heath Lane for up to four months. This plan increases motor vehicle activity in a public park and high public access area. Number of trips creates cumulative damage.

- Location of Mean High Tide Line (MHTL) and survey has not been done. A formal study should be conducted before drill rigs drive on beach.

SLO NORTH COAST AREA PLAN REFERENCES
The project makes reference to consistency with the North Coast Area Plan.

Excerpts from comments made by LandWatch to SLO County's Conservation and Open Space Element:

"Overall the draft conservation and open space element lacks current data and analyses of current data on which relevant, effective and legally binding goals, policies and implementation plans can be based.

Meaningful policies that guide the long-term development of the County must be based on collection, inventorying, and analyses of current, relevant data. LandWatch points out that the policies, goals and implementation devises in the draft conservation and open space element are not built on or responsive to current data and analyses. The draft COSE contains no such analyses as foundations for the recommended goals, policies, and implementation plans. Instead, many of the policies themselves are mere suggestions to wait until some future date to collect the necessary baseline data."

"Until such a data base is established for all resources and are reflected in legally binding mechanisms including open space designations, land use decisions will continue to be made development by development, based on resource data provided by each developer to serve the interests of the developer.

The brightest line example of the lack of relevant current data and analyses is the antiquated 1984 North Coast Area Plan. In 1998 the Coastal Commission listed the changes that had occurred in the North Coast Area since the 1984 including population growth and significant new development, limits to the capacities of creeks to provide water, the listing of new threatened species, designation of the San Simeon fault, establishment of the Monterey Bay National Marine Sanctuary, and discovery of new archeological sites.

Basically unchanged since it was written in 1984, the North Coast Area Plan entirely lacks current identification of resources and existing environmental conditions needed to develop the goals, policies, and plans reflective of these changes. The 1984 land use designations remain to this day.

In addition, to protect the spectacular and rare resources in the North Coast Area in particular and to maintain consistency with the goals and policies of the COSE until an updated plan is in place, the COSE should forestall approval of any land use permits including lot line adjustments and changes in zoning until the North Coast Area Plan is adopted and certified by the Coastal Commission. The COSE should also specify the need for a specific plan for all development planned by the Hearst Corporation on its properties so the specific plan can be developed along with the North Coast Area Plan update and reflect the goals, policies, and plans of the COSE."

In the years since this review, there have been significant changes in both circumstances and knowledge about coastal resource protection along the North Coast.

These changes include:

- Increased population growth in the planning area, with significant new development and associated resource demands;
- New information concerning the limited capacities of the five major water supply creeks in the planning area;
- The listing of several endangered species, including steelhead trout, redlegged Frog and tidewater goby.
- The emergence of Pitch Canker Disease as a significant threat to the Monterey Pine Forest in and around Cambria;
- Emergence of significant new breeding colonies of elephant seals at Piedras Blancas in the early 1990s;
- Designation of the San Simeon fault as an active fault by the State Geologist in 1986;
- Designation of the Monterey Bay National Marine Sanctuary in 1992;
- Increases in the number of visitors to the North Coast, and a 110% increase in the number of visitor-serving accommodations.
- Better knowledge concerning the effectiveness of visual resource protection policies from the Commission's experience in Big Sur, just above the North Coast of San Luis Obispo;
- Significant flood and tsunami events in Cambria;
- Discovery of new archeological sites;
- Addition of the new Cambria State Marine Park

Changed circumstances are important to evaluate because of their integral connection to the effective implementation of the local coastal policies and programs. This is particularly true in the case of natural resource changes, where new information and scientific understanding is constantly evolving. Plans and policies put in place over fifteen years ago could not have anticipated the range and complexity of resource management problems that characterize the North Coast of today.

For example, as listed above, in the case of the North Coast, at least two new Marine Protections have been enacted. This project makes reference only to the provision of 'subsurface intake' in the North Coast Area Plan. All new resources summaries and limitations on development or construction, and commercial extraction for the Cambria State Marine Park and the Monterey Bay National Marine Sanctuary should be included in this project description.

In light of all information above a federal consistency determination appears premature. The Commission does not have adequate information before it as a basis for determining the project's consistency with the Coastal Act, which a full environmental review would provide. Further, a consistency determination would likely prejudice the current environmental review process against project alternatives.

Without a full project description of the growth inducing effects of desalination, size of plant, location of plant, location of intake and outfall pipelines, verified water demand and supply, independently reviewed water alternatives, complete environmental impact studies and identification of species of concern, brine discharge solutions, slant well locations and distances and possible mitigation estimates, I don't believe the Commission can meet the requirement of the Coastal Zone Management Act to find this project to be consistent to the maximum extent practicable with the Coastal Act. I respectfully urge the Coastal Commission to reject the consistency determination and instead require a complete environmental review of desalination at the earliest possible date.

Thank you for the opportunity to comment on this project.

Mary Webb
1186 Hartford
Cambria, CA 93428

Exhibit "A"

2011

CAMBRIA COMMUNITY SERVICES DISTRICT
WATER PRODUCTION, BY SOURCE
ACRE-FEET

YEAR	SOURCE	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	1000.0 TOTAL	YEAR
	S.S.	51.20	57.90	63.20	47.30	57.40	44.20	50.00	51.70	41.90	37.40	27.40	36.00	565.60	
1988	S.R.	0.00	0.00	0.00	16.30	15.70	30.70	31.20	34.90	36.00	34.90	35.20	19.00	253.90	1988
	TOTAL	51.20	57.90	63.20	63.60	73.10	74.90	81.20	86.60	77.90	72.30	62.60	55.00	819.50	
	S.S.	51.00	47.90	53.90	61.90	57.20	62.20	69.20	60.90	36.30	38.70	42.60	40.60	622.40	
1989	S.R.	0.00	0.00	0.00	1.00	13.80	13.50	17.90	28.00	42.00	22.60	17.60	18.20	174.60	1989
	TOTAL	51.00	47.90	53.90	62.90	71.00	75.70	87.10	88.90	78.30	61.30	60.20	58.80	797.00	
	S.S.	45.70	47.00	55.28	44.75	31.46	32.34	40.00	38.00	31.91	31.40	29.40	29.90	457.14	
1990	S.R.	8.70	0.80	0.50	18.03	32.30	26.79	22.30	22.20	20.64	20.20	19.30	14.90	206.66	1990
	TOTAL	54.40	47.80	55.78	62.78	63.76	59.13	62.30	60.20	52.55	51.60	48.70	44.80	663.80	
	S.S.	26.90	23.10	32.70	39.60	48.60	44.10	40.10	34.80	30.50	28.00	26.40	30.10	404.90	
1991	S.R.	15.30	13.10	0.50	0.10	0.10	5.50	15.60	21.60	20.20	21.00	19.70	18.70	150.80	1991
	TOTAL	42.20	36.20	33.20	39.70	48.70	49.60	55.10	56.40	50.70	49.00	46.10	48.80	555.70	
	S.S.	45.30	42.20	45.90	55.20	64.00	58.10	44.90	41.80	35.00	32.80	34.00	43.10	542.30	
1992	S.R.	0.80	0.30	0.10	0.40	0.50	6.10	22.70	28.10	26.30	25.10	19.50	5.50	135.40	1992
	TOTAL	46.10	42.50	46.00	55.60	64.50	64.20	67.60	69.90	61.30	57.90	53.50	48.60	677.70	
	S.S.	50.10	45.70	52.60	56.30	68.30	68.80	68.10	69.80	59.80	56.10	51.40	43.50	690.50	
1993	S.R.	0.50	0.30	0.00	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.90	1993
	TOTAL	50.60	46.00	52.60	56.30	68.40	68.80	68.10	69.80	59.80	56.10	51.40	43.50	691.40	
	S.S.	47.00	38.60	48.60	52.00	54.60	63.40	69.30	47.80	31.70	30.80	28.20	26.00	538.00	
1994	S.R.	0.00	0.00	0.00	0.00	0.10	0.00	0.00	25.00	30.20	27.70	21.20	19.90	124.10	1994
	TOTAL	47.00	38.60	48.60	52.00	54.70	63.40	69.30	72.80	61.90	58.50	49.40	45.90	662.10	
	S.S.	41.30	41.10	47.10	52.14	53.50	59.00	74.70	74.10	65.40	64.70	55.30	47.60	675.94	
1995	S.R.	1.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.90	1995
	TOTAL	43.20	41.10	47.10	52.14	53.50	59.00	74.70	74.10	65.40	64.70	55.30	47.60	677.84	
	S.S.	46.66	43.40	47.39	56.95	66.18	70.83	75.70	77.27	68.23	65.58	50.37	49.43	717.99	
1996	S.R.	0.01	0.03	0.03	0.03	0.03	0.01	0.03	0.02	0.01	0.02	0.02	0.02	0.26	1996
	TOTAL	46.67	43.43	47.42	56.98	66.21	70.84	75.73	77.29	68.24	65.60	50.39	49.45	718.25	
	S.S.	50.61	49.20	65.66	68.65	76.18	79.14	82.31	57.02	37.32	27.50	38.96	45.96	678.51	
1997	S.R.	0.02	0.08	0.02	0.02	0.02	0.02	0.38	25.92	31.54	36.85	12.41	0.01	167.29	1997
	TOTAL	50.63	49.28	65.68	68.66	76.20	79.16	82.69	82.94	68.86	64.35	51.37	45.97	785.80	
	S.S.	44.39	46.36	47.00	50.53	56.43	63.43	77.75	80.30	68.35	66.58	54.06	52.13	707.31	
1998	S.R.	0.01	0.01	0.01	0.01	0.00	0.01	0.01	0.09	0.01	0.00	0.00	0.00	0.16	1998
	TOTAL	44.40	46.37	47.01	50.54	56.43	63.44	77.76	80.39	68.36	66.58	54.06	52.13	707.47	
	S.S.	56.40	45.26	52.16	57.40	70.43	71.35	85.41	82.68	69.45	68.04	57.78	57.69	774.05	
1999	S.R.	0.01	0.01	0.01	0.04	0.02	0.07	0.01	0.02	0.32	0.02	0.00	0.00	0.53	1999
	TOTAL	56.41	45.27	52.17	57.44	70.45	71.42	85.42	82.70	69.77	68.06	57.78	57.69	774.58	
	S.S.	56.41	50.43	55.27	65.40	70.84	73.60	85.00	84.68	73.30	65.60	58.49	59.80	798.82	
2000	S.R.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2000
	TOTAL	56.41	50.43	55.27	65.40	70.84	73.60	85.00	84.68	73.30	65.60	58.49	59.80	798.82	
	S.S.	56.16	48.05	55.92	60.69	73.30	77.51	85.01	78.50	53.45	56.21	48.16	52.29	745.25	
2001	S.R.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.78	21.08	16.87	8.06	0.89	52.68	2001
	TOTAL	56.16	48.05	55.92	60.69	73.30	77.51	85.01	84.28	74.53	73.08	56.22	53.18	797.93	
	S.S.	54.43	52.23	60.70	65.43	69.75	55.13	66.79	73.35	66.59	62.03	56.36	53.98	727.77	
2002	S.R.	1.28	1.27	1.10	1.11	14.82	22.79	19.54	9.67	3.52	4.02	2.04	0.55	81.71	2002
	TOTAL	55.71	53.50	61.80	66.54	75.57	77.92	86.33	83.02	70.11	66.05	58.40	54.53	809.48	
	S.S.	52.73	49.97	57.35	58.32	62.82	68.22	65.05	63.34	58.91	67.08	56.20	48.84	708.83	
2003	S.R.	0.70	1.11	0.48	0.94	1.84	5.63	19.77	22.04	16.00	6.58	3.12	5.84	84.05	2003
	TOTAL	53.43	51.08	57.83	59.26	64.66	73.85	84.82	85.38	74.91	73.66	59.32	54.68	792.88	
	S.S.	55.83	51.40	58.56	64.33	67.98	52.62	47.04	39.68	41.06	34.80	49.30	49.92	612.52	
2004	S.R.	0.00	0.61	1.17	4.84	8.68	22.08	30.80	36.30	27.32	24.95	1.73	1.63	160.11	2004
	TOTAL	55.83	52.01	59.73	69.17	76.66	74.70	77.84	75.98	68.38	59.75	51.03	51.55	772.63	
	S.S.	50.05	46.16	51.09	55.01	65.70	68.81	80.52	61.60	48.71	47.08	40.83	36.70	652.26	
2005	S.R.	0.00	0.62	0.93	0.76	0.76	0.73	1.64	17.32	20.25	21.69	16.92	7.36	88.98	2005
	TOTAL	50.05	46.78	52.02	55.77	66.46	69.54	82.16	78.92	68.96	68.77	57.75	44.06	741.24	
	S.S.	50.81	49.10	48.82	49.65	60.58	65.65	56.12	59.67	52.49	42.86	34.46	42.75	612.96	
2006	S.R.	0.00	0.78	0.00	0.62	0.74	2.56	23.58	20.72	20.17	23.88	26.46	13.63	133.14	2006
	TOTAL	50.81	49.88	48.82	50.27	61.32	68.21	79.70	80.39	72.66	66.74	60.92	56.38	746.10	
	S.S.	57.70	47.45	56.47	60.50	56.11	51.21	55.95	63.48	58.72	37.58	34.83	38.61	618.61	
2007	S.R.	0.00	0.00	0.60	1.81	14.47	22.24	23.47	12.37	5.29	18.70	21.20	9.42	129.57	2007
	TOTAL	57.70	47.45	57.07	62.31	70.58	73.45	79.42	75.85	64.01	56.28	56.03	48.03	748.18	
	S.S.	43.35	45.35	51.55	52.59	40.45	33.03	40.15	47.57	47.24	41.53	21.47	25.41	489.69	
2008	S.R.	2.33	0.67	0.71	2.20	24.69	33.55	32.94	24.87	18.26	21.03	32.21	24.46	217.92	2008
	TOTAL	45.68	46.02	52.26	54.79	65.14	66.58	73.09	72.44	65.50	62.56	53.68	49.87	707.61	
	S.S.	28.17	37.57	50.95	58.52	48.56	37.47	48.80	40.69	31.99	44.62	53.05	46.55	526.94	
2009	S.R.	24.83	3.81	0.00	0.00	13.53	26.06	25.21	34.10	32.64	11.02	0.00	1.34	172.54	2009
	TOTAL	53.00	41.38	50.95	58.52	62.09	63.53	74.01	74.79	64.63	55.64	53.05	47.89	699.48	
	S.S.	45.44	40.48	47.48	48.39	56.26	55.29	50.73	44.58	35.05	37.61	36.14	36.45	533.90	
2010	S.R.	0.00	0.00	0.77	0.62	0.68	8.74	21.96	27.30	32.52	21.71	14.48	9.73	138.51	2010
	TOTAL	45.44	40.48	48.25	49.01	56.94	64.03	72.69	71.88	67.57	59.32	50.62	46.18	672.41	
	S.S.	48.05	43.36	45.17	52.11										
2011	S.R.	0.00	0.70	0.00	0.76										2011
	TOTAL	48.05	44.06	45.17	52.87										
	DIFFERENCE	2.61	3.58	-3.08	3.86										

TABLE 8-37
EVALUATION MATRIX FOR POTENTIAL WATER SUPPLY ALTERNATIVES

Alternatives	Supply Capabilities	Water Quality	Reliability	Required Agreements	Environmental Issues	Permitting/ CEQA	Cost Combination	Funding Availability	Total
Weight factor	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*1*
Seawater Desalination									
RO-300 gpm	1	1	5	2	3	2	4	4	2.8
RO-600 gpm [a]	2	1	5	2	3	2	3	4	2.8
RO-900 gpm	4	1	5	2	3	2	3	3	2.9
Lake Nacimiento									
Town Creek- 1 ps, vt pumps	2	4	2	2	2	3	2	1	2.3
Franklin Creek- 1 ps, vt pumps	2	4	2	2	2	3	2	1	2.3
Town Creek- 3 ps, pd pumps	2	4	2	2	2	3	2	1	2.3
Franklin Creek- 3 ps, pd pumps	2	4	2	2	2	3	2	1	2.3
Whale Rock Exchange									
700 AFY	2	3	2	1	3	4	4	1	2.5
1,000 AFY	5	3	2	1	3	4	1	1	2.5
Hard Rock Drilling	1	3	3	3	1	3	4	1	2.4
Recycled Water [a]	1	1	5	4	3	3	5	3	3.1
Demand Mangagement [a]	1	5	3	3	5	5	5	4	3.9
San Simeon Dam- Van Gordon	2	2	1	2	2	3	5	2	2.4
Jack Creek Dam	3	2	2	1	1	3	5	2	2.4
definition of rank 1:	< 600 AFY	Very Poor	Not Reliable	Very Difficult	Significant	Very Difficult	Above Average	None Available	Poor
definition of rank 5:	> 1,000 AFY	Excellent	Very Reliable	None Needed	None	None Needed	Below Average	Fully Funded	Excellent

Note: (a) Recommended alternatives.

Exhibit "B"

G:\PROJECTS\2002\024602.10\Report\FINAL\Tables_final

"C"

----- Original Message -----
From: "Anderson, Kathleen S SPL" <Kathleen.S.Anderson@usace.army.mil>
To: name redacted
Sent: Tuesday, February 22, 2011 7:47 PM
Subject: RE: horses on state park property YouTube - Duke & Dan Pull Over 10,000lbs (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Name redacted
I am following up on your request. I don't recall seeing the original but you don't need to refile.

Kathleen Stryker Anderson
Project Manager
Civil Project Branch
(p) 818-776-9049 Ext. 106
(c) 213-706-2682
kathleen.s.anderson@usace.army.mil

-----Original Message-----
From: name redacted
Sent: Monday, February 14, 2011 6:24 AM
To: Anderson, Kathleen S SPL
Subject: Re: horses on state park property YouTube - Duke & Dan Pull Over 10,000lbs (UNCLASSIFIED)

Hello Kathleen,

I was preparing to re-file the attached FOIA when your e-mail arrived. It was returned to me after 60 days with a note that my request had been sent to you and stating that the results were not available. It would save work for the legal department if you will send me the results of the drilling at Shamel Park and if you are not going to provide them please give me the reason. I would like the lab reports and at what depth you hit bedrock. As you know many in the community are concerned about this lack of transparency and why the information we have requested countless times has been denied or ignored.
When we submit any request for information the Cambria Services District general manager refers us to the Army Corp.

Thank you
Name redacted
Classification: UNCLASSIFIED
Caveats: NONE

"C"

----- Original Message -----
From: "Williams, Sharon A SPL" <Sharon.A.Williams@usace.army.mil>
To: name redacted
Cc: "Large, Burke S SPL" <Burke.S.Large@usace.army.mil>; "Buxton, Darrell W SPL" <Darrell.W.Buxton@usace.army.mil>
Sent: Tuesday, March 30, 2010 8:46 AM
Subject: FOIA 10-0080

Dear name redacted

The FOIA Officer has reviewed the material of the requests you submitted. The documents will go out in the mail today. This is a partial reply as we continue to retrieve and examine additional material sent out to the California Coastal Commission.

Thank you for your patience.

SHARON A WILLIAMS
Paralegal Specialist

Attorney Work Product
Attorney-Client Privileged Communication Do Not Copy Do Not Forward Under FOIA

-----Original Message-----
From: name redacted
Sent: Monday, March 15, 2010 10:35 AM
To: Williams, Sharon A SPL; Large, Burke S SPL
Cc: Buxton, Darrell W SPL
Subject: Emailing: ACe Foia.pdf

I sent 3 FOIA's on Feb 18, 21, 22 and I have not heard one word on the status. I believe the Army Corp.'s policy/statute is that they are to be fulfilled in 20 days. It is now over 20 days.
I have enclosed the original;Foia's for your information.

Please contact me on the status of my requests.I can be reached by e-mail or phone name redacted

Regards,
Name redacted

"C"

February 18, 2010

Re: Freedom of Information Act Request

Dear Ms Sharon Williams,

Please add this additional issue to the FOIA I requested yesterday.

This is a request under the Federal Freedom of Information Act.

The US Army Corps of Engineers (Corps) Los Angeles District proposes a Geotechnical and Hydrogeologic Investigation Study (project) at Santa Rosa Creek and Shamel Park Beach, Cambria, San Luis Obispo County, California. The non-federal sponsor of this project is the Cambria Community Services District.

The Army Corp of Engineers deemed the geo –tech project to be excluded from review under the National Environmental Policy Act (NEPA) based upon a Categorical Exclusion

Please provide:

Legal basis and category of (NEPA) Categorical Exclusion. Please identify the CE used for the exclusion. Please provide all federal authorities, laws, studies, reports, data and other information used to justify and/or support the categorical exclusion.

Thank you for your attention to my request.

Sincerely,

Name redacted

Exhibit "C"

June 26th 2010

Army Corp of Engineers

Los Angeles District

Re: Freedom of Information Act Request

Dear Mr. Burke S. Large,

This is a request under the Federal Freedom of Information Act.

Fee Declaration

I hereby declare that I will pay up to two hundred US dollars ($200) for the FOIA dated June 26th 2010. If it simplifies the requests please place all the information on a CD otherwise hard copies.

The US Army Corps' of Engineers (Corps') Los Angeles District proposes a Geotechnical and Hydrogeologic feasibility study at Santa Rosa Creek and Shamel Park Beaches, Cambria, San Luis Obispo County, California. The non-federal sponsor of this project is the Cambria Community Services District (CCSD).

On May 13, 2010, the California Coastal Commission (CCC) conditionally concurred with:
Consistency Determination CD-002-1 0 - Corps' of Engineers geotechnical and hydrogeologic feasibility study at Santa Rosa State Beach and Shamel County Park, Cambria, San Luis Obispo County.

The CCC found the proposed activity would be consistent to the maximum extent practicable with the California Coastal Management Program (CCMP), *provided* that the Corps' agrees to conduct the activities in accordance with the project as described in the Commission's Adopted Consistency Determination which includes the conditions described below:

The Commission's Consistency Determination concurrence includes the following three Conditions:
1) **Timing of Major Project Activities:** Mechanized project activities on the beach, including drilling test holes and wells, installing and removing wells, and conducting pump tests, shall occur only between September 1 and November 1 of any year.
2) **Water Quality Sampling, Testing, and Reporting:** In addition to the water quality grab samples taken before starting the pump tests, the Corps' shall collect a grab sample from each test well at the end of the pump test. Using the protocols required pursuant to NPDES General Permit # R3-2006-0063, the Corps' will test the samples for the chemical constituents listed in Appendix D of that permit. Upon receipt of those test results, the Corps' will provide a copy to the Executive Director.
3) **Surface Water Elevation Monitoring:** During the pump tests, the Corps' shall continuously monitor the water elevation of the estuarine or creek surface waters closest to the pump test locations.

On or about November 2008 The Corps' entered into a contract with Diaz/Yourman in furtherance of the geo-tech investigation at Santa Rosa State Beach and Shamel County Park, Cambria, San Luis Obispo County. Both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) were to be undertaken in parallel review. After a contract was entered into with the Chambers Group to perform the environmental review Chambers recommended Categorical Exemptions (Cat Ex's) for NEPA and CEQA (about December 2009). However the CCSD then changed the CEQA review to a Negative Declaration (about Jan 2010).

In April 2010 the Corps' met with the CCSD in Los Angeles to discuss the Negative Declaration under CEQA for the geo tech project. A decision was reached at this meeting to stop all environmental review under CEQA

#1

I request that a copy be provided to me of all documents associated with the Consistency Determination particularly the status of the Corps' acceptance of the three May 13th 2010 CCC conditions. If not accepted all reasons why not accepted.

#2
Pleases provide all documentation on the Cat Ex determinations by Chambers group .Provide all documentation on why a Negative Declaration under CEQA and an environmental Assessment under NEPA were not implemented.

#3
Please provide all documentation of the Los Angeles meeting in April 2010 between the CCSD and the Corps'. where the decision was made to not pursue the CEQA Negative Declaration. Provide the recommendations made to the CCSD in order to reach the decision. (See 3 choices in Corps' PowerPoint provided for the meeting)

#4
The geo tech investigation requires Right of Entry permits from California State Parks and from San Luis Obispo County Department of Parks and Recreation. Please provide all documentation on the status of these permits.

Please provide for the above requests:

1. All contracts and/or agreements with the Cambria Community Services District related to Consistency Determination;
2. all communications with the California Coastal Commission related to Consistency Determination, CD conditions and American Recovery Reinvestment Act funds;
3. all contracts and/or agreements with consultants and/or consulting firms related to the project; the National Environmental Policy Act (NEPA) categorical exclusion related to the project and The California Environmental Quality Act (CEQA) Categorical Exclusion related to the project;
4. studies, reports, data and other information used to justify and/or support the categorical exclusions;
5. all records of any and all actions taken by any federal agency including the Army Corps' to approve the project or any element of the project including decision to stop CCSD review under CEQA;
6. any and all documents that describe the Army Corps'' d role in the Cambria Community Services decision to stop environmental review under CEQA;
7. all communications with representatives of the Cambria Community Services District board and/or staff including but not limited to letters sent by U.S. mail and electronic communications transmitted by any device for the above;

8. all communications with representatives of the California Coastal Commission and/or staff including but not limited to letters sent by U.S. mail and electronic communications transmitted by any device;
9. records of all communications with any representative of the Chambers Group staff including but not limited to letters sent by U.S. mail and electronic communications transmitted by any device;
10. Communications to mean all electronic, e-mail , telephone logs, faxes, and written devices;

I am willing to pay fees for this request up to a maximum of $200. If you estimate that the fees will exceed this limit, please inform me first.

Other than maps and diagrams that usually are not word searchable, where the information I am seeking is in *word searchable* electronic format or can be put into such form, I request that you provide it on a disk. Otherwise, I request the information on paper copies.

I have included my email address and a telephone number at which I can be contacted during the hours of 9:00 to 5:00, if necessary, to discuss any aspect of my request. Thank you for your consideration of this request.

Sincerely,

Redacted for privacy

CC Sharon William

"C"

----- Original Message -----
From: "Williams, Sharon A SPL" <Sharon.A.Williams@usace.army.mil>
To: name redacted
Cc: "Large, Burke S SPL" <Burke.S.Large@usace.army.mil>
Sent: Friday, November 05, 2010 7:59 AM
Subject: RE: FOIA 11-0010 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Dear name redacted

RE: Lab Report

I have contacted the Project Manager for Cambria on behalf of your recent Freedom off Information Act request. She has not received the results from the lab nor the report of the geophysical investigation.

You may contact the Corps again in 60-90 days. Any concerns, or questions please feel free to contact us.

SHARON A WILLIAMS
Paralegal Specialist
Attorney Work Product
Attorney-Client Privileged Communication Do Not Copy Do Not Forward Under FOIA

-----Original Message-----
From: redacted
Sent: Monday, October 11, 2010 3:26 PM
To: Large, Burke S SPL
Cc: Minch, Lawrence N SPL; Williams, Sharon A SPL
Subject: FOIA 11-0010

Please find FOIA request in enclosed in pdf

Name redacted
Classification: UNCLASSIFIED
Caveats: FOUO

"C"

October 11, 2010

Army Corp of Engineers
Los Angeles District
Re: Freedom of Information Act Request

Dear Mr. Burke S. Large,
This is a request under the Federal Freedom of Information Act.

The US Army Corps' of Engineers Los Angeles District has proposed a Geotechnical and Hydrogeologic feasibility study at Shamel Park Beach Cambria, San Luis Obispo County, California. The non-federal sponsor of this project is the Cambria Community Services District (CCSD). The project consisting of drilling for core samples on Shamel Park beach began in mid-September 2010.

On Sept 28th an e-mail from the project manager, Kathleen Anderson, of the Army Corp' was sent to a Cambria resident. An excerpt of that e-mail is below:

"Diaz/Fugro determined that they gathered enough samples/borings by late Thursday so didn't need to continue on Friday. The samples were sent to the lab and they are logging the boring results. **We'll have lab results back in about two weeks. Then a report will be developed based on the results. Right now all information is draft preliminary and I don't have a full analysis.** In the meantime beach topography survey work is tentatively scheduled for the week of October 12."

My FOIA request is for the lab report of the above referenced core samples/borings. I am requesting a complete report or preliminary report of the analysis of the core samples and any studies, reports, data and other information relating to the core sample/borings. If it simplifies my request please place all the information on a CD otherwise hard copies.

Fee Declaration

I hereby declare that I will pay up to two hundred US dollars ($200) for the FOIA dated October 11, 2010. If you estimate that the fees will exceed this limit, please inform me first.

I have included my email address and a telephone number where I can be contacted during the hours of 9:00 AM to 5:00 PM, if necessary, to discuss any aspect of my request. Thank you for your consideration of this request.

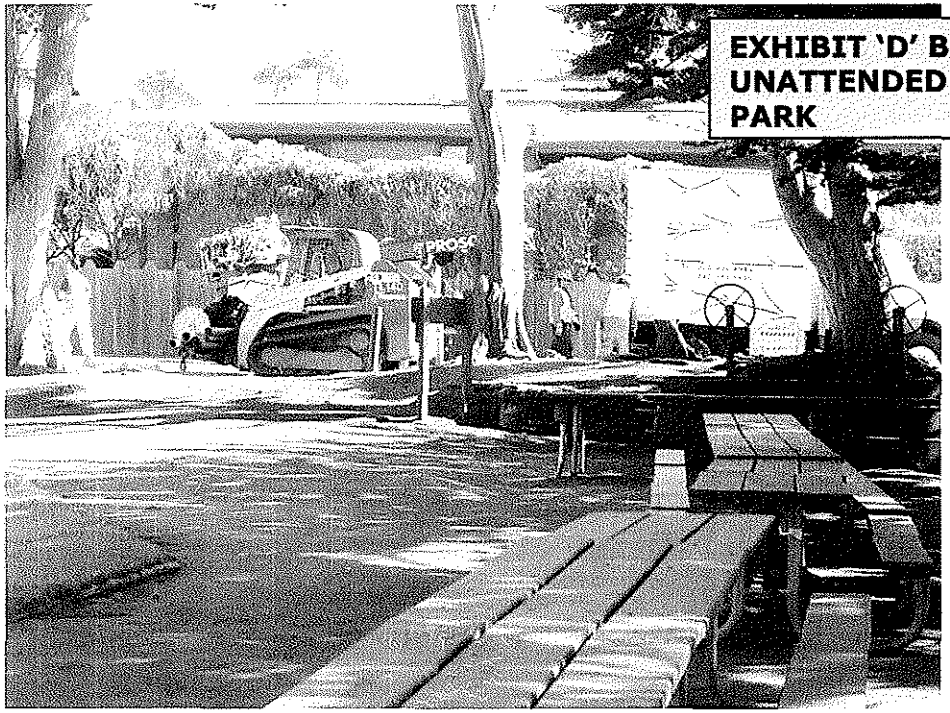
Please note that a FOIA I placed on June 30th 2010 has not been fulfilled. I have now made two follow up requests. This is my third.

Sincerely,

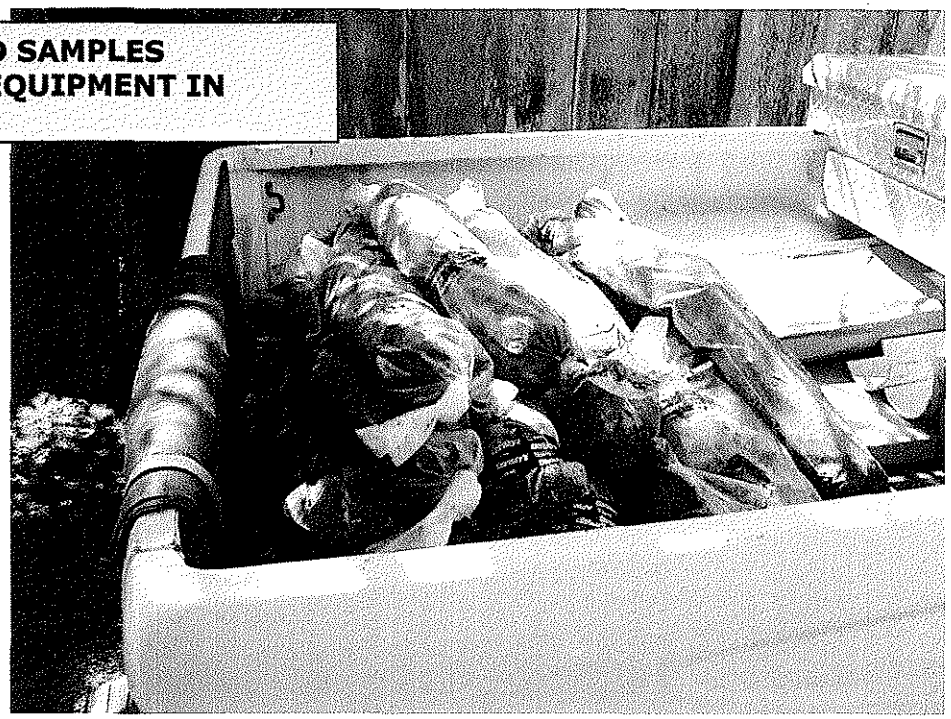
Redacted for privacy

CC Sharon William
Lawrence.N.Minch

EXHIBIT 'D' BAGGED SAMPLES UNATTENDED AND EQUIPMENT IN PARK

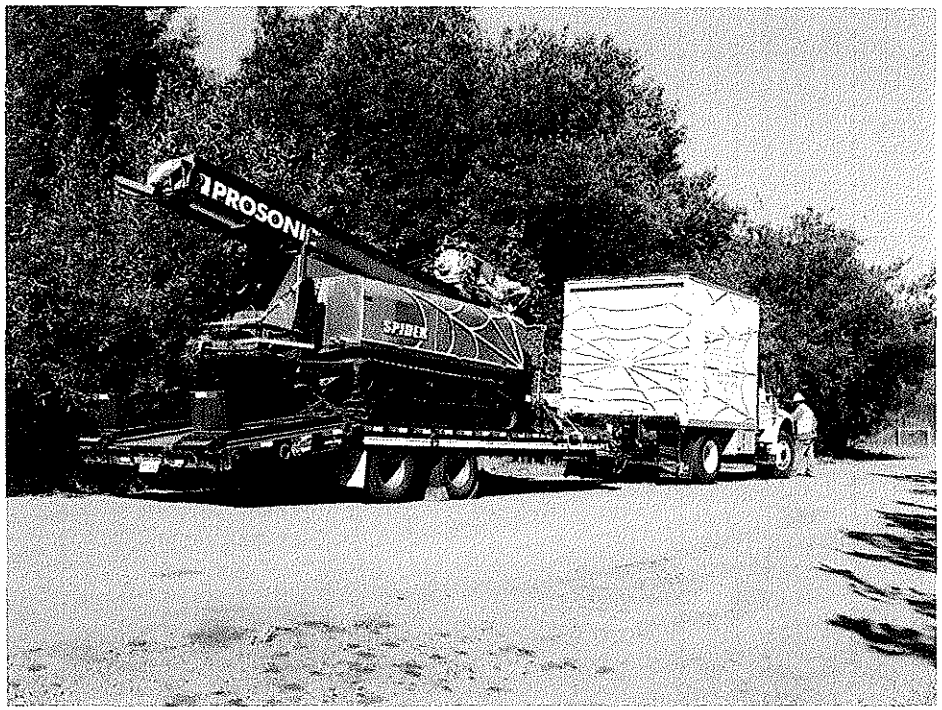


LOADING AND UNLOADING BOBCAT AND DRILL RIG IN PARK



BAGGED CORE SAMPLES LEFT UNATTENDED IN PARK

CAPTURING DRILL MUD IS IMPRECISE



SIZE OF RIG WITH TRAILER AND TRUCK
(41' SIZED RIG DESCRIBED IN GEOTECH#1 WAS DOWNSIZED)

STATE OF CALIFORNIA--THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

CALIFORNIA COASTAL COMMISSION

725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
VOICE (831) 427-4863
FAX (831) 427-4877

June 18, 2008

Mr. Robert C. Gresens
District Engineer
Cambria Community Services District
1316 Tamson Drive, Suite 201
Cambria, CA 93428

Re: Geoprobe sampling and data collection activities in Shamel Park Beach area

Dear Mr. Gresens,

This letter concerns the Geoprobe sampling and data collection activities which have occurred in Shamel Park Beach area, near or at the mouth of Santa Rosa Creek in Cambria, San Luis Obispo County. It's my understanding that the activities took place in March and May of this year on two separate days. In my conversation with you on May 19, 2008, you stated that before undertaking the activities you contacted the San Luis Obispo (SLO) County Planning Department concerning permit requirements, and the County told you that a coastal development permit (CDP) is not required to perform certain geophysical investigation work, including the work you proposed to undertake using the Geoprobe. Therefore, you informed me that you proceeded with undertaking the Geoprobe sampling and data collection activities, which consisted of you and another person pushing the Geoprobe down an emergency access ramp onto the beach, then pushing a 2-inch diameter sampling tube 20 feet to 25 feet into the sand to take samples to determine sand location, hydrologic conductivity, and other pertinent data. You explained to me that when the Coastal Commission denied the Cambria Community Services District's (CSD) CDP application for a desalination plant that the Commission was concerned that the Cambria CSD had not looked at other potential desalination sites, and had only looked at sites in the San Simeon Creek and Beach area. Therefore, you said in response to the Commission's concerns you were undertaking Geoprobe sampling and data collection activities at another location, Shamel Park Beach area, near or at the mouth of Santa Rosa Creek. When I asked if any coastal resources, including protected snowy plovers, were impacted from the activities, you said that there were no snowy plover nests in the area where the Geoprobe was used, and that there were no coastal resource impacts from the activities.

Please note that the sampling and data collection activities that the CSD apparently undertook near Santa Rosa Creek appear to constitute "development" under the Coastal Act, and that the area in which such activities apparently took place appears to be in an area where the Commission may retain coastal permitting jurisdiction. As such, the CSD should have first contacted the Commission and applied for a CDP before undertaking such work. However, based on your representation that: the CSD undertook such activities without such CDP based on County direction; the activities were limited in scope to a relatively small area; and the activities did not result in habitat, public access, or other coastal resource impacts, we do not believe it to be a good use of Commission or CSD time to perfect any necessary Commission CDP authorizations "after the fact". That said, we recommend that the CSD contact the

Exhibit E

Commission prior to undertaking any future sampling activities in the near shore area so that any CDP requirements can be clearly understood before any such work takes place.

On this point, you went on to state that Cambria CSD staff plan to undertake additional drilling for sampling and data collection using large equipment in the Shamel Park Beach area, near or at the mouth of Santa Rosa Creek, and in the San Simeon Creek and Beach area. You said you understand that the proposed additional drilling, which would involve using heavy equipment and drilling 200 feet or more into the sand and below the sand, is defined as "development," under the Coastal Act and the SLO County's Local Coastal Program (LCP), and that you will apply for a CDP, and would wait to receive a CDP prior to undertaking the proposed additional drilling. Therefore, we expect to see the Cambria CSD apply for and receive a CDP prior to performing the proposed additional drilling. If the Cambria CSD does not obtain a CDP and carries out the proposed additional drilling without a CDP, the Commission would consider this a knowing and intentional violation of the County's and the Coastal Act's CDP requirements.

If you have any questions concerning this letter, please contact me at the above address, or by phone, at 831-427-4881.

Sincerely,

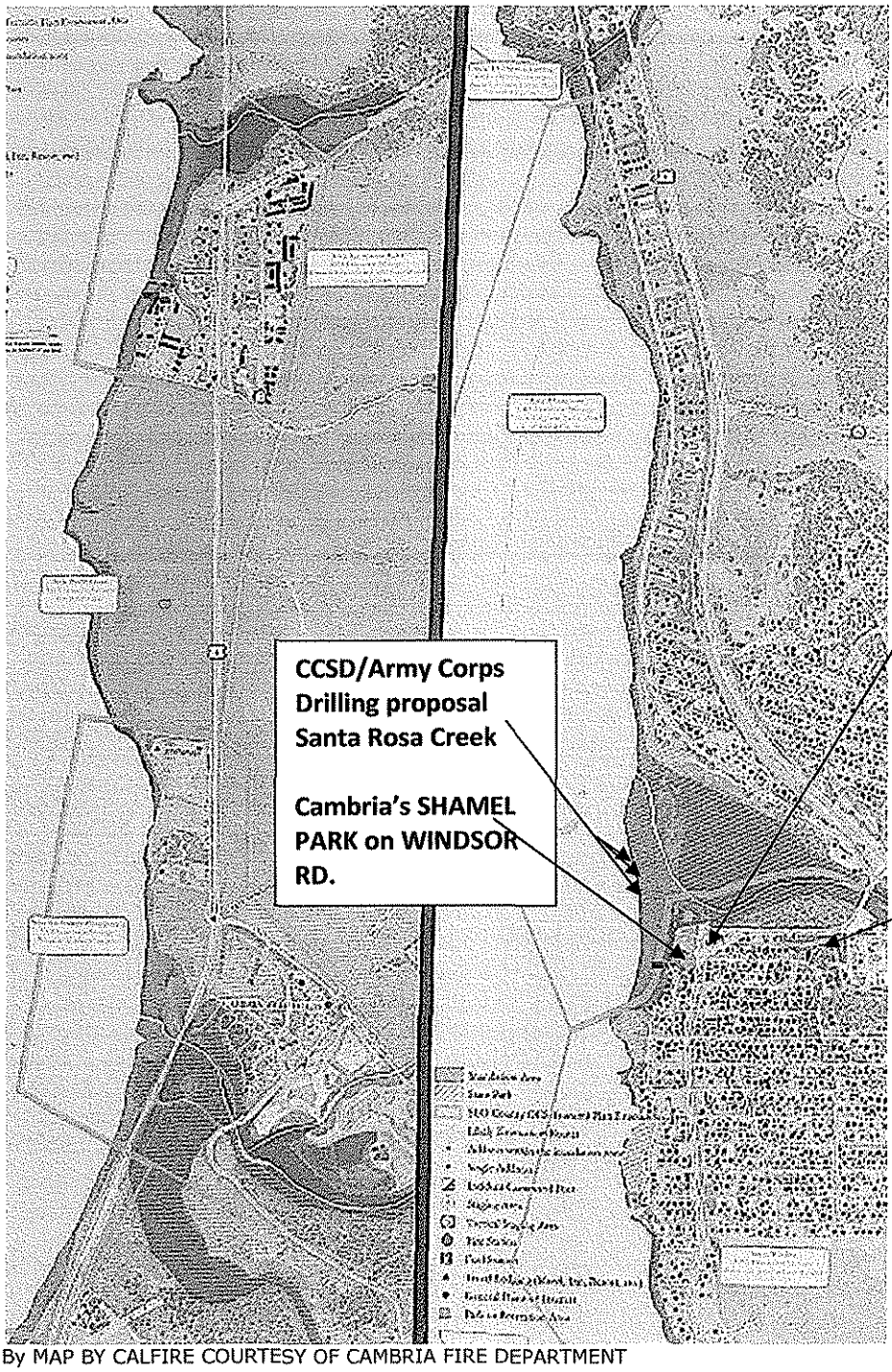
Sharif Traylor
Enforcement Officer

Cc: Nancy Cave, Northern California Enforcement Supervisor
Dan Carl, Central Coast District, District Manager
Jonathan Bishop, Central Coast District, Planner
Tammy Rudock, Cambria CSD, General Manager
Nancy Orton, SLO County, Supervising Planner
Art Trinidade, SLO County, Code Enforcement Supervisor

Exhibit E

Exhibit "F"

Posted on Thu, Mar. 17, 2011



By MAP BY CALFIRE COURTESY OF CAMBRIA FIRE DEPARTMENT

CAL/FIRE TSUNAMI EVACUATION NOTICE

Cambria is a small town which has an economy based on tourism. The local population has an older than average age, and will likely require extra assistance with evacuations should that be necessary. Additionally, roads in Cambria exhibit a wide spectrum of conditions, including paved, poorly maintained and dirt.

Lastly, there is only one primary way in and out of Park Hill, namely Windsor Road. This two lane road is heavily traveled and is constrained by a narrow bridge passing over the creek near Moonstone Beach Dr.

All drilling equipment will move between Shamel Park on Windsor Road and Heath Lane. All roads will be heavily used should evacuation become imminent.

Cal/FIRE claims evacuations in Cambria are potentially more challenging than many other areas of SLO County.

A map prepared by the CAL/FIRE in June 2010 shows in red the areas that could be inundated in a major tsunami event. The zones stretch well inland along San Simeon and Pico creeks (above left) and **Santa Rosa and Leffingwell creeks (above right),** but only cover the black boxes marking structures in few spots in San Simeon Acres, San Simeon Campground, near and in Sea Clift Estates.

Exhibit "G"

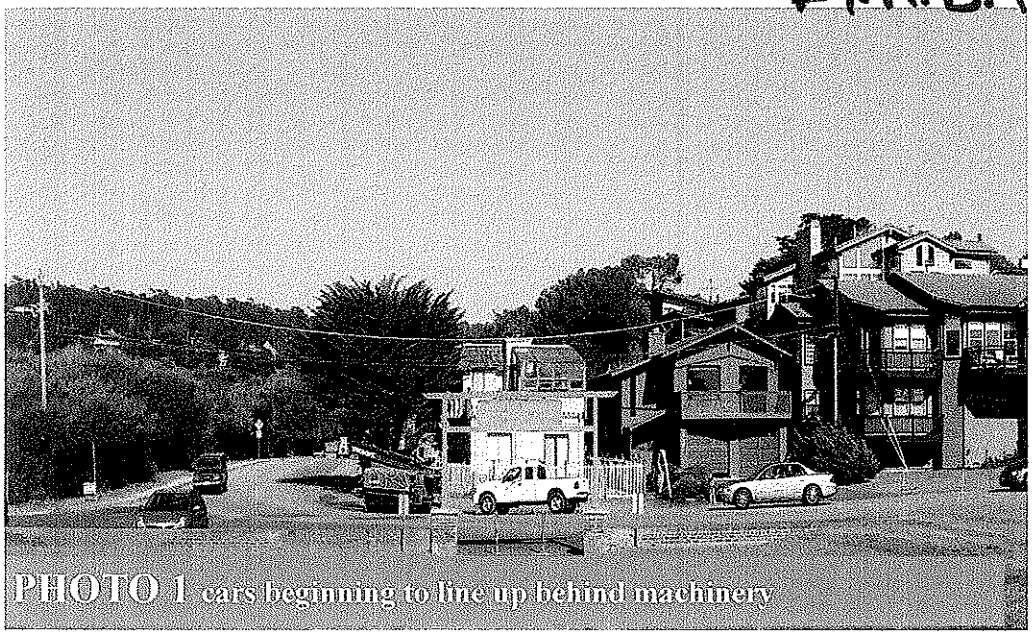


PHOTO 1 cars beginning to line up behind machinery

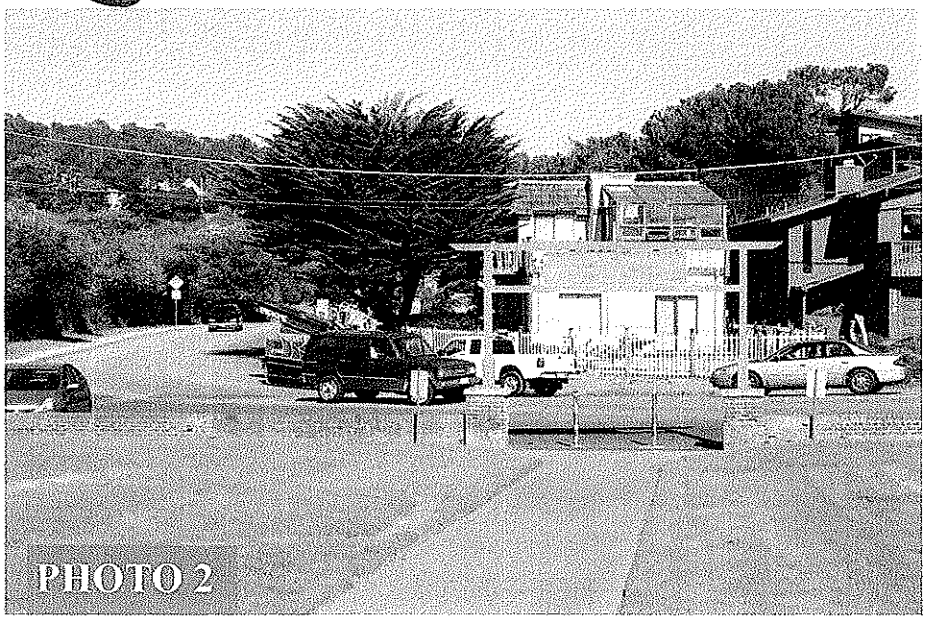


PHOTO 2

The slow moving parade of machinery caused unsafe traffic conditions at this location. This road is the main emergency exit for Park Hill residents. The residents of Park Hill were evacuated March 11, 2011 because of Tsunami warnings specifically affecting the beaches in front of Park Hill at Shamel Park. There is very little room for error on this road especially during peak working hours.

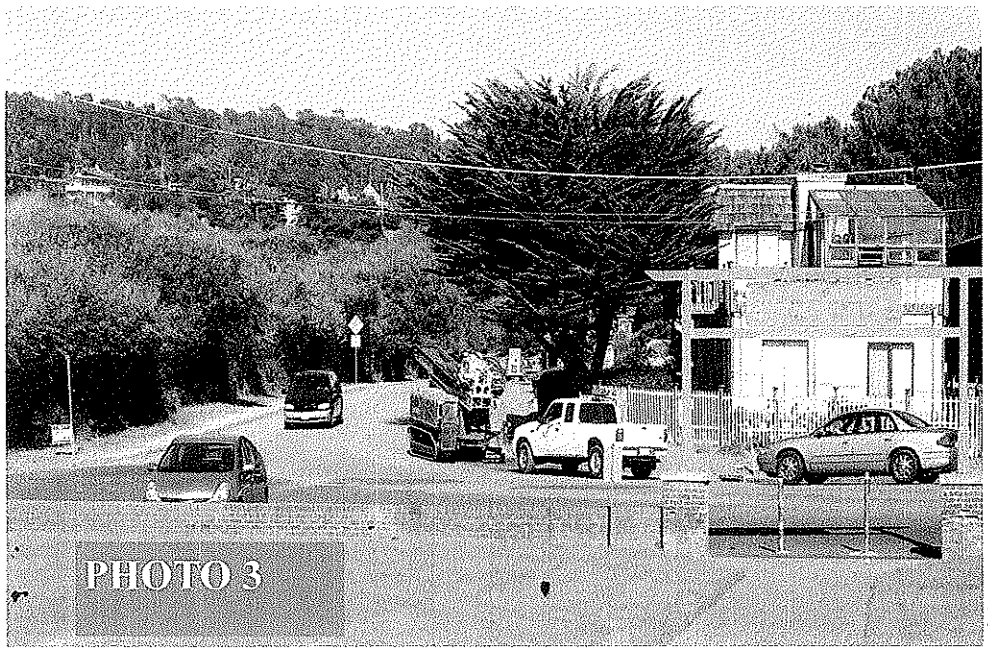


PHOTO 3

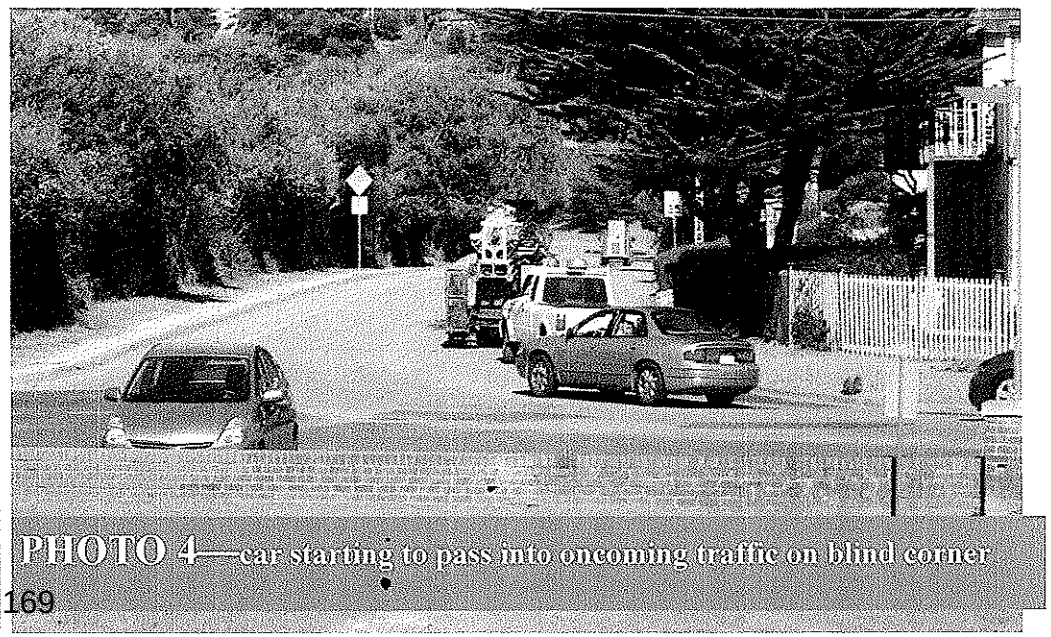


PHOTO 4—car starting to pass into oncoming traffic on blind corner

Exhibit "G"

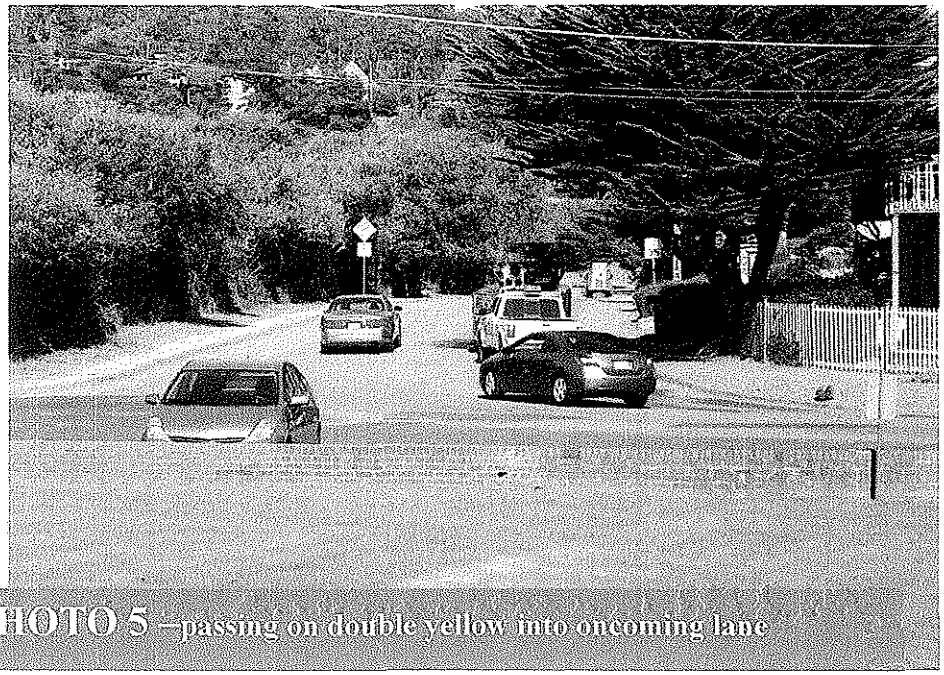


PHOTO 5 –passing on double yellow into oncoming lane

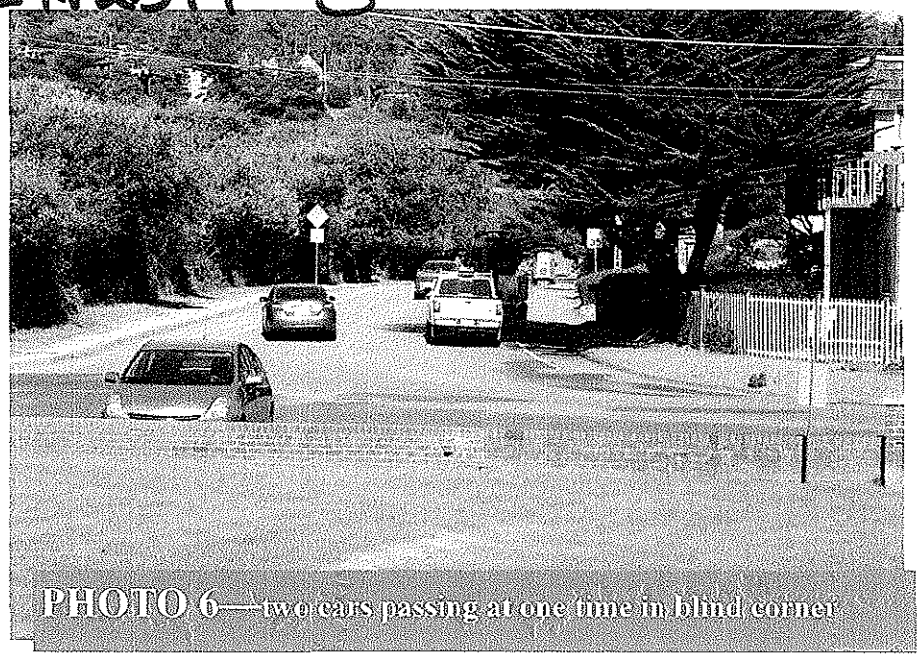


PHOTO 6—two cars passing at one time in blind corner

Impatient motorists attempting to pass slow moving machinery drive into oncoming traffic lanes, leap frogging in between the machinery. 3 cars illegally passed on a double yellow line in one half hour. Imagine if an emergency happened at this time. This road is the main emergency exit for residences on Park Hill, a residential area that was evacuated during the Tsunami event in Japan on March 11, 2011.

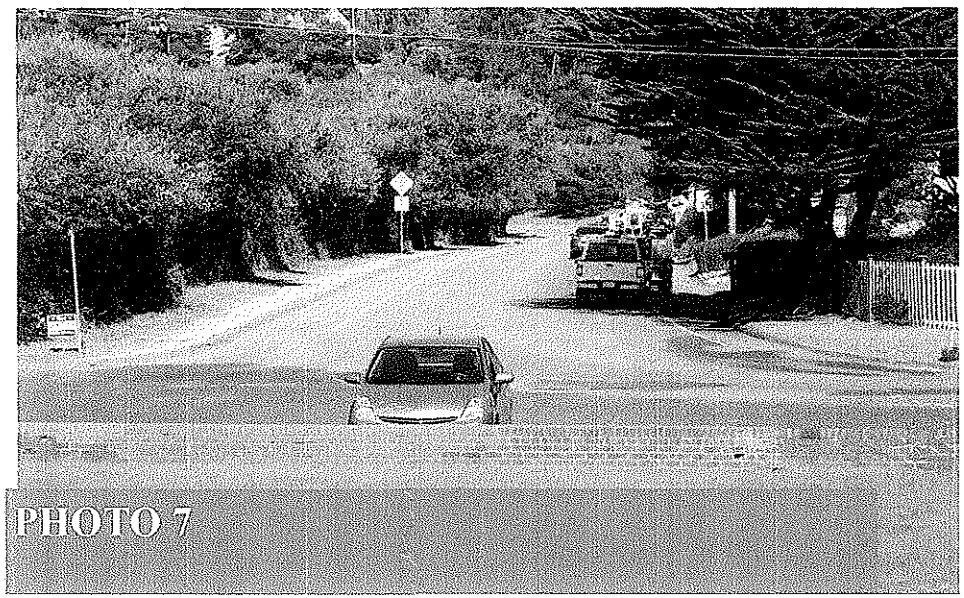


PHOTO 7

Submitted by:
Lynne Harkins
Cambria, CA
June 20, 2011

Public Comment on Army Corps/CambriaCSD **DRAFT JOINT ENVIRONMENTAL ASSESSMENT AND INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR GEOTECHNICAL/GEOPHYSICAL RESEARCH INVESTIGATION STUDY**

Along with legal and science-based issues, there's the additional critically important matter of stewardship and the need to protect the incomparable beauty of the public's land and ocean treasures in this area. Without first exhausting all other remedies available to address a need for supplemental water in this community, there can be no justification for exploring industrial scale extraction of seawater and discharge of desal effluent in or near Santa Rosa Creek Natural Preserve and Cambria Marine State Park. Water efficiency and reuse provide ecologically and financially sound alternatives to this desal geotech proposal and their full evaluation-updated beyond the 2008 Water Master Plan PEIR- should reasonably be explicated as a part of the NEPA "no action" alternative in this document.

Legal Issues:
There is good support for the assertion that this geotech investigation does not comply with NEPA or CEQA. As it has no "stand alone" use or "independent utility", the geotech work should be considered only in the context of the entirety of an EA/EIS for the whole proposed desalination project.

From the US Army Environmental Command, in response to my questions about NEPA and "independent utility" :

> "If projects have independent utility it is not considered segmentation and a means of making a proposed project seem to have less environmental impacts than would otherwise be reflected if the proposed project were analyzed as a whole."

Legal clarification of independent utility was included in an unclassified document about NEPA

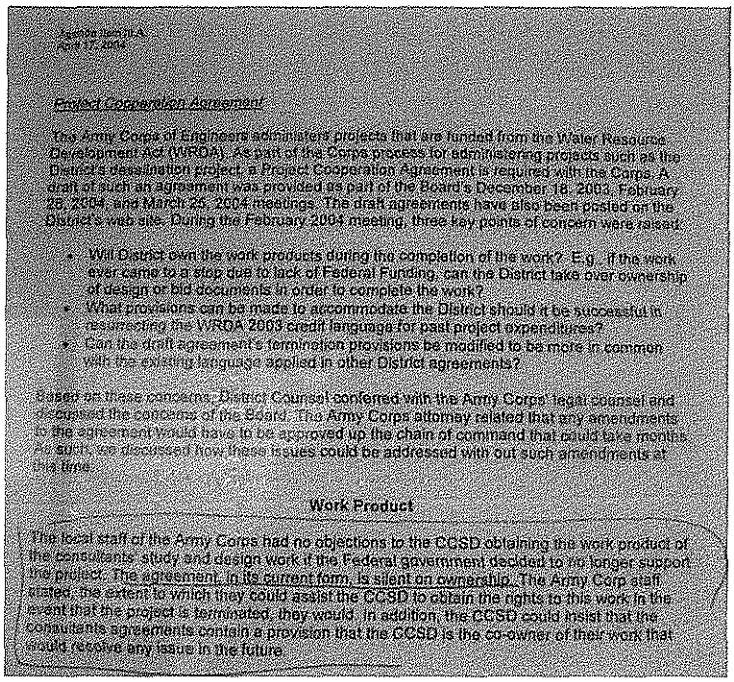
The legal precedent below nearly parallels the situation we have with the desalination geotechnical work and the desalination plant/ project as a whole. The courts did not allow separate EA's in the case.

> The first aspect of the scoping process – consideration of three types of action (connected, cumulative, and similar) – has been the subject of significant litigation to determine whether one or more actions should be considered in the same EA or EIS. For purposes of this analysis, the most important factor is whether the projects are "connected." Actions are connected when there is a clear nexus between them. When the actions justify and depend on each other, they are considered to be connected.
>
> For example, in Thomas v. Peterson, 753 F.3d 754 (9th Cir. 1985), the court rejected separate EAs for timber sales and a road to be built to access the timbered areas. The court found that the road would not be built without the timber sale, and the timber sale would not happen without the construction of the road. [redacted]

The geotech work is inextricably connected to the larger desal proposal and it therefore also does not comply with CEQA which does not allow segmentation or piecemealing of projects.

An additional matter rises from the SLO County North Coast Area Plan 7-31
5. Desalinization Plants. Desalinization plants constructed to serve development within the service boundaries of the CCSD shall only be permitted if owned and operated by the CCSD. Private desalinization plants are prohibited.

According to the Project Cooperative Agreement, CCSD is not designated as owner the proposed desal facility.
From staff report by CCSD Counsel Art Montandon at time of original CCSD signing of Project Cooperative Agreement.



Agenda Item A
April 17, 2004

Project Cooperation Agreement

The Army Corps of Engineers administers projects that are funded from the Water Resource Development Act (WRDA). As part of the Corps process for administering projects such as the District's desalination project, a Project Cooperation Agreement is required with the Corps. A draft of such an agreement was provided as part of the Board's December 16, 2003, February 25, 2004, and March 25, 2004 meetings. The draft agreements have also been posted on the District's web site. During the February 2004 meeting, three key points of concern were raised:

- Will District own the work products during the completion of the work? E.g., if the work ever came to a stop due to lack of Federal Funding, can the District take over ownership of design or bid documents in order to complete the work?
- What provisions can be made to accommodate the District should it be successful in resurrecting the WRDA 2003 credit language for past project expenditures?
- Can the draft agreement's termination provisions be modified to be more in common with the existing language applied in other District agreements?

Based on these concerns, District Counsel conferred with the Army Corps' legal counsel and discussed the concerns of the Board. The Army Corps attorney related that any amendments to the agreement would have to be approved up the chain of command that could take months. As such, we discussed how these issues could be addressed with out such amendments at this time.

Work Product

The local staff of the Army Corps had no objections to the CCSD obtaining the work product of the consultants' study and design work if the Federal government decided to no longer support the project. The agreement, in its current form, is silent on ownership. The Army Corp staff stated, the extent to which they could assist the CCSD to obtain the rights to this work in the event that the project is terminated, they would. In addition, the CCSD could insist that the consultants agreements contain a provision that the CCSD is the co-owner of their work that would resolve any issue in the future.

.....

Potential Contamination Issues

There is only a passing historical reference to an MtBE plume in the East Village. You ignore the fact that there is a current MtBE site in the West Village listed by RWQCB. It lies within about half a mile of the proposed geotech sites.

Given the potential mobility of MtBE in SR Creek aquifer, why no consideration of it as a current or future concern?

Regarding this document's inadequate examination of the mercury issues in the watershed with the attendant potential for contamination, it is startling to see 1994 science referred to in an attempt to minimize concerns about mercury and mercury methylation. I would note also the absence of any reference to possible consequences of land use inputs in the watershed. Additionally, I'd raise the question of why the CCSD only tests for mercury every two years when both our watersheds have a mercury presence....and then the test they do is not for methylmercury?

From the 2011 o5 Public review Draft Geotech Invest EA IS_MND page 18 of 124

Section 1.5.1

"Mercury contamination concerns – Surface sampling of beach sands by a private individual previously reported the presence of background levels of mercury. However, historic mercury analyses on the underlying aquifer have been within allowable concentrations for drinking water (CCSD 2009). Past water analyses support fate and transport theories suggesting mercury adheres to soil particles as opposed to being present in an aqueous phase (CPSUSLO 1994). Historic study of the Nacimiento watershed has also noted the methylation of elemental mercury into its more toxic methylated state is inhibited under saline conditions (CPSUSLO 1994). Mercury concentrations on samples obtained from 2010 sampling of the Shamel Park beach area were also non-detectable (USACE 2011, in-prep). Regardless, the sampling methodology of the currently proposed investigation will bag all sampled materials for offsite analysis and appropriate disposal methods. Further discussion and analysis of potential mercury concerns, including its associated fate and transport, would be included within any subsequent EIR/EIS alternative defining the application of subterranean " (Where's the rest of this?)

Just to begin with some more up-to-date information:

"Water sampling cited in the study shows that mercury levels in 2006 were approximately 30 percent higher than those measured in the mid-1990s. This study documents for the first time the formation of methylmercury in the North Pacific Ocean."

That's a highlight from the Science Daily May 3, 2009 article below, followed by other sources which call into question the scientific basis for the dismissal of concerns related to the potential for nearshore contamination in the course of this proposed activity and the future activities required in order for this geotech investigation to be of any value.

ScienceDaily (May 3, 2009) — A new landmark study documents for the first time the process in which increased mercury emissions from human sources across the globe, and in particular from Asia, make their way into the North Pacific Ocean and as a result contaminate tuna and other seafood. Because much of the mercury that enters the North Pacific comes from the atmosphere, scientists have predicted an additional 50 percent increase in mercury in the Pacific by 2050 if mercury emission rates continue as projected.

"This unprecedented USGS study is critically important to the health and safety of the American people and our wildlife because it helps us understand the relationship between atmospheric emissions of mercury and concentrations of mercury in marine fish," said Secretary of the Interior Ken Salazar. "We have always known that mercury can pose a risk, now we need to reduce the mercury emissions so that we can reduce the ocean mercury levels."

"This study gives us a better understanding of how dangerous levels of mercury move into our air, our water, and the food we eat, and shines new light on a major health threat to Americans and people all across the world," said EPA Administrator Lisa P. Jackson. "With this information in hand, plus our own mercury efforts, we have an even greater opportunity to continue working with our international partners to significantly cut mercury pollution in the years ahead and protect the health of millions of people."

Water sampling cited in the study shows that mercury levels in 2006 were approximately 30 percent higher than those measured in the mid-1990s. This study documents for the first time the formation of methylmercury in the North Pacific Ocean. It shows that methylmercury is produced in mid-depth ocean waters by processes linked to the "ocean rain." Algae, which are produced in sunlit waters near the surface, die quickly and "rain" downward to greater water depths. At depth, the settling algae are decomposed by bacteria and the interaction of this decomposition process in the presence of mercury results in the formation of methylmercury. Many steps up the food chain later, predators like tuna receive methylmercury from the fish they consume.

One unexpected finding from this study is the significance of long-range transport of mercury within the ocean that originates in the western Pacific Ocean, off the coast of Asia.

"Mercury researchers typically look skyward to find a mercury source from the atmosphere due to emissions from land-based combustion facilities. In this study, however, the pathway of the mercury was a little different. Instead, it appears the recent mercury enrichment of the sampled Pacific Ocean waters is caused by emissions originating from fallout near the Asian coasts. The mercury-enriched waters then enter a long-range eastward transport by large ocean circulation currents," said USGS scientist and coauthor David Krabbenhoft.

Scientists sampled Pacific Ocean water from 16 different sites between Honolulu, Hawaii and Kodiak, Alaska. In addition, the scientists constructed a computer simulation that links atmospheric emissions, transport and deposition of mercury, and an ocean circulation model.

In the United States, about 40 percent of all human exposure to mercury is from tuna harvested in the Pacific Ocean, according to Elsie Sunderland, a coauthor of the study. Methylmercury is a highly toxic form of mercury that rapidly accumulates in the food chain to levels that can cause serious health concerns for those who consume the seafood. Pregnant women who consume mercury can pass on life-long developmental effects to their children. That is why in 2004 EPA and FDA issued the landmark Joint Guidance on the Consumption of Fish specifically targeted towards pregnant women and nursing mothers. Previous studies show that 75 percent of human exposure worldwide to mercury is from the consumption of marine fish and shell fish.

Scientists have known for some time that mercury deposited from the atmosphere to freshwater ecosystems can be transformed (methylated) into methylmercury, but identifying the analogous cycles in marine systems has remained elusive. As a result of this study we now know more about how the process which leads to the transformation of mercury into methylmercury.

In addition to USGS mercury expert David Krabbenhoft, the authors include Elsie Sunderland, Harvard University; John Moreau, University of Melbourne, Australia (until recently a USGS, NRC Post Doctoral Candidate); William Landing, Florida State University; and Sarah Strode, Harvard University.

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Story Source:

The above story is reprinted (with editorial adaptations by *ScienceDaily* staff) from materials provided by **United States Geological Survey**.

Journal Reference:

1. Sunderland et al. **Mercury sources, distribution, and bioavailability in the North Pacific Ocean: Insights from data and models.** *Global Biogeochemical Cycles*, 2009; 23 (2): GB2010 DOI: 10.1029/2008GB003425

A more recent article amplifies further:

Mercury Converted to Its Most Toxic Form in Ocean Waters

ScienceDaily (Apr. 27, 2011) — University of Alberta-led research has confirmed that a relatively harmless inorganic form of mercury found worldwide in ocean water is transformed into a potent neurotoxin in the seawater itself.

After two years of testing water samples across the Arctic Ocean, the researchers found that relatively harmless inorganic mercury, released from human activities like industry and coal burning, undergoes a process called methylation and becomes deadly monomethylmercury.

Unlike inorganic mercury, monomethylmercury is bio-accumulative, meaning its toxic effects are amplified as it progresses through the food chain from small sea creatures to humans. The greatest exposure for humans to monomethylmercury is through seafood. The researchers believe the methylation process happens in oceans all over the world and that the conversion is carried out by microbial life forms in the ocean.

The research team, led by recent U of A biological sciences PhD graduate Igor Lehnherr, incubated seawater samples collected from the Canadian Arctic Archipelago. Lehnherr says conversion of inorganic mercury to monomethylmercury accounts for approximately 50 per cent of this neurotoxin present in polar marine waters and could account for a significant amount of the mercury found in Arctic marine organisms. The researchers say this is the first direct evidence that inorganic mercury is methylated in seawater.

The research was published earlier this month online in *Nature Geoscience*.

Story Source:
The above story is reprinted (with editorial adaptations by *ScienceDaily* staff) from materials provided by **University of Alberta**, via EurekAlert!, a service of AAAS.

Journal Reference:

1. Igor Lehnherr, Vincent L. St. Louis, Holger Hintelmann, Jane L. Kirk. **Methylation of inorganic mercury in polar marine waters.** *Nature Geoscience*, 2011; DOI: 10.1038/ngeo1134

And I include a pdf summary of 2009 research focused on:

Submarine Groundwater Discharge of Total Mercury and Monomethylmercury to Central California Coastal Waters

...this work demonstrates that SGD is an important source of both HgT and MMHg to coastal waters along the central California coast.

Environ. Sci. Technol. 2009, 43, 3952–3959

Submarine Groundwater Discharge of Total Mercury and Monomethylmercury to Central California Coastal Waters

FRANK J. BLACK,*,†,‡ ADINA PAYTAN,§ KAREN L. KNEE,§,⊥ NICHOLAS R. DE SIEYES,∥ PRIYA M. GANGULI, ELLEN GRAY,† AND A. RUSSELL FLEGAL†

WRA Laboratory, Department of Environmental Toxicology and Institute of Marine Sciences, University of California, Santa Cruz, California 95053, Department of Geological & Environmental Sciences, Stanford University, Stanford, California 94305-2115, and Department of Civil and Environmental Engineering, Stanford University, Stanford, California 94305-4020

Received February 20, 2009. Revised manuscript received May 12, 2009. Accepted May 14, 2009.

Fluxes of total mercury (HgT) and monomethylmercury (MMHg) associated with submarine groundwater discharge (SGD) across sites on the central California coast were estimated by combining measurements of HgT and MMHg in groundwater with the use of short-lived, naturally occurring radium isotopes as tracers of groundwater inputs. Concentrations of HgT were relatively low, ranging from 1.2 to 38.3 pM in filtered groundwater, 0.8 to 11.6 pM in filtered surface waters, and 2.5 to 12.9 pM in unfiltered surface waters. Concentrations of MMHg ranged from <0.04 to 3.1 pM in filtered groundwater, <0.04 to 0.53 pM in filtered surface waters, and 0.07 to 1.2 pM in unfiltered surface waters. Multiple linear regression analysis identified significant ($p < 0.05$) positive correlations between dissolved groundwater concentrations of HgT and those of NH_4^+ and SiO_2 and between dissolved groundwater concentrations of MMHg and those of HgT and NH_4^+. However, such relationships did not account for the majority of the variability in concentration data for either mercury species in groundwater. Fluxes of HgT via SGD were estimated to be 250 ± 180 nmol day^{-1} m^{-1} of shoreline at Stinson Beach and 3.0 ± 2.0 nmol m^{-2} day^{-1} at Elkhorn Slough. These HgT fluxes are substantially greater than net atmospheric inputs of HgT reported for waters in nearby San Francisco Bay. Calculated fluxes of MMHg to coastal waters via SGD were 10 ± 12 nmol day^{-1} m^{-1} of shoreline at Stinson Beach and 0.24 ± 0.21 nmol m^{-2} day^{-1} at Elkhorn Slough. These MMHg fluxes are similar to or higher than fluxes of MMHg out of surface sediments commonly reported for estuarine and coastal environments. Consequently, this work demonstrates that SGD is an important source of both HgT and MMHg to coastal waters along the central California coast.

Introduction

Mercury is a toxic heavy metal found at elevated levels in the environment due to anthropogenic activities (*1*, *2*). Methylated forms of mercury are the most toxic, with monomethylmercury (MMHg) being of most concern for ecological and human health because it is readily biomagnified in aquatic food chains (*3*, *4*). Wildlife are at risk because of developmental mercury exposure (*5*), and elevated mercury levels have resulted in fish consumption advisories for some freshwater, estuary, and coastal areas in North America and Europe. Although fish represent an important protein source for humans and fisheries form the economic backbone of many coastal areas, the consumption of fish is also the pathway responsible for most human exposure to mercury (*3*). However, many aspects of mercury's cycling in marine ecosystems remain unknown (*6*, *7*), among them the source of MMHg that is biomagnified to potentially toxic levels.

Moderately elevated levels of mercury in groundwater and soil pore waters have been reported in coastal plains (*8*, *9*) and the potential importance of groundwater–surface water interactions in the migration of mercury has been suggested (*10*), groundwater was not previously believed to be an important transport medium for mercury in the environment (*11*). Recent studies of mercury dynamics in subterranean estuaries in Massachusetts (*12*) and northern France (*13*) have suggested that the flux of total mercury (Hg_T) to the ocean via groundwater discharge may be more important than previously believed, and may even be the dominant input of mercury to some coastal systems. These new results corroborate research over the last two decades demonstrating that groundwater inputs of nutrients and pollutants to coastal zones can be substantial and significantly affect coastal ecosystems (*14*–*16*). There have been very few studies of MMHg in groundwater, and we are not aware of any reports on MMHg fluxes in submarine groundwater discharge (SGD). Despite this, given concentrations of MMHg in groundwater shown here (*10*, *12*) and recent reports of Hg in groundwater discharge to coastal ecosystems (*12*, *14*), SGD may represent a previously unidentified source of MMHg to coastal waters.

The potential for subterranean estuaries to be an important source of mercury to marine waters is exceptionally high along the coastal California coast. The reasons for this are: (*1*) the area's location within the highly mineralized circum-Pacific mercury belt and the widespread occurrence of large ecotonme mercury deposits responsible for the contamination of surface waters in the region (*20*, *21*); (*2*) the presence of oil-bearing rock formations along the central California coast coupled with the co-occurrence of mercury with hydrocarbon deposits (*22*, *23*); (*3*) the same geothermal processes responsible for past mercury mineralization and association with metalliferous deposits may result in currently active hydrothermal systems that are prevalent in the region being a source of mercury to groundwater (*23*, *24*); and (*4*) anthropogenic activities (e.g., mining and industrial processes) have created a large reservoir of contaminant mercury at the land–sea interface in central California (*25*), much of which exists in soils and unconsolidated sediment where the mercury may be methylated and subsequently advected and discharged to coastal waters via SGD.

Here we describe measurements of Hg_T, MMHg, and nutrients (NH_4^+, NO_3^-, PO_4^{3-}, and SiO_2) in groundwater and

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In urging that you give the mercury issue more attention, I'll conclude by quoting David Schwartzbart, PG of the Regional Water Quality Control Board:

> *Mine generated pollution in San Simeon and Santa Rosa Creek watersheds is a current and future environmental issue...*
>
> *Mercury mine generated contaminants potentially exist at the mouth of Santa Rosa Creek. Complete environmental analysis of a project potentially disturbing or involving those contaminants includes all potential impacts to and from such contaminants.*

Thank you for this opportunity to comment.

Lynne Harkins
Cambria

FROM LYNNE HARKINS - PUBLIC COMMENT

Environ. Sci. Technol. 2009, 43, 5652–5659

Submarine Groundwater Discharge of Total Mercury and Monomethylmercury to Central California Coastal Waters

FRANK J. BLACK,*,†,‡ ADINA PAYTAN,§ KAREN L. KNEE,§,∥ NICHOLAS R. DE SIEYES,⊥ PRIYA M. GANGULI,† ELLEN GRAY,§ AND A. RUSSELL FLEGAL†

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Fluxes of total mercury (Hg_T) and monomethylmercury (MMHg) associated with submarine groundwater discharge (SGD) at two sites on the central California coast were estimated by combining measurements of Hg_T and MMHg in groundwater with the use of short-lived, naturally occurring radium isotopes as tracers of groundwater inputs. Concentrations of Hg_T were relatively low, ranging from 1.2 to 28.3 pM in filtered groundwater, 0.8 to 11.6 pM in filtered surface waters, and 2.5 to 12.9 pM in unfiltered surface waters. Concentrations of MMHg ranged from <0.04 to 3.1 pM in filtered groundwater, <0.04 to 0.53 pM in filtered surface waters, and 0.07 to 1.2 pM in unfiltered surface waters. Multiple linear regression analysis identified significant ($p < 0.05$) positive correlations between dissolved groundwater concentrations of Hg_T and those of NH_4^+ and SiO_2, and between dissolved groundwater concentrations of MMHg and those of Hg_T and NH_4^+. However, such relationships did not account for the majority of the variability in concentration data for either mercury species in groundwater. Fluxes of Hg_T via SGD were estimated to be 250 ± 160 nmol day^{-1} m^{-1} of shoreline at Stinson Beach and 3.0 ± 2.0 nmol m^{-2} day^{-1} at Elkhorn Slough. These Hg_T fluxes are substantially greater than net atmospheric inputs of Hg_T reported for waters in nearby San Francisco Bay. Calculated fluxes of MMHg to coastal waters via SGD were 10 ± 12 nmol day^{-1} m^{-1} of shoreline at Stinson Beach and 0.24 ± 0.21 nmol m^{-2} day^{-1} at Elkhorn Slough. These MMHg fluxes are similar to benthic fluxes of MMHg out of surface sediments commonly reported for estuarine and coastal environments. Consequently, this work demonstrates that SGD is an important source of both Hg_T and MMHg to coastal waters along the central California coast.

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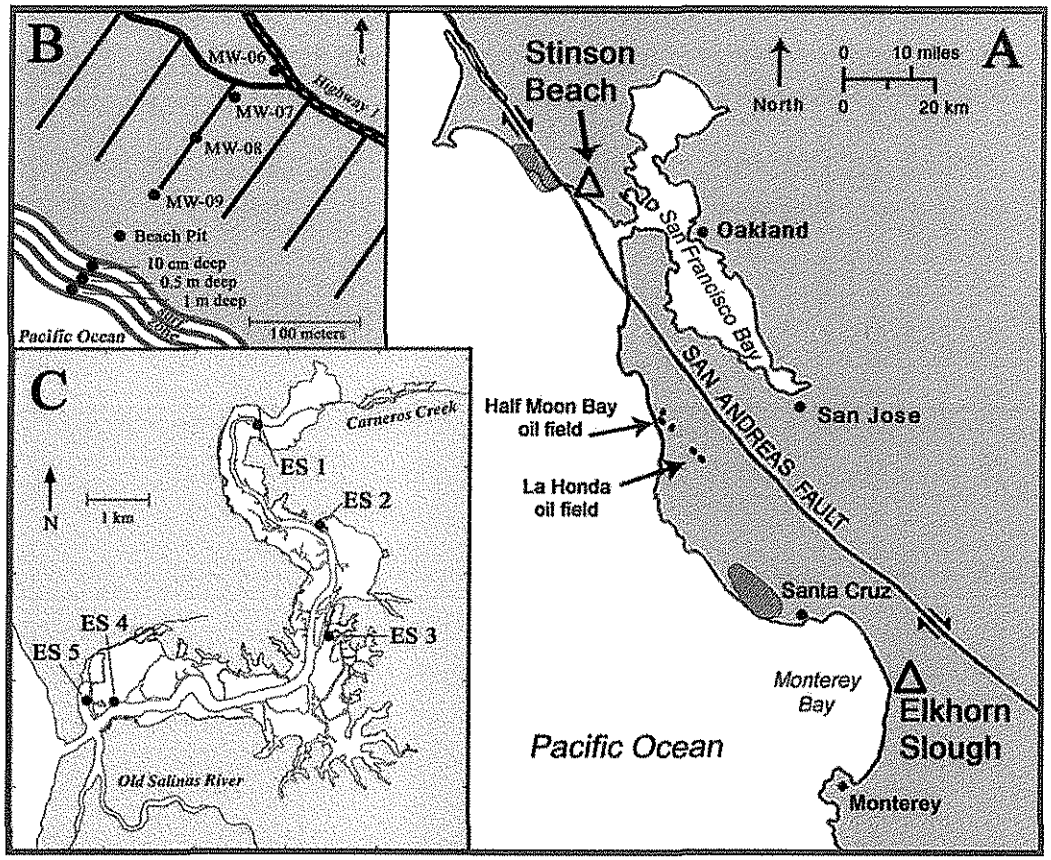

FIGURE 1. (A) Location of the study sites, Stinson Beach and Elkhorn Slough, on the central California coast. Cross-hatched areas in A denote location of oil-bearing sandstone intrusions. (B) Location of sampling wells and surface water sites at Stinson Beach. (C) Sites of groundwater and surface water sample collection at Elkhorn Slough.

adjacent surface waters at two locations along the central California coast. These data were combined with measurements of naturally occurring radium (Ra) isotopes and other hydrological parameters to calculate SGD related fluxes of mercury species and elucidate the role of other variables controlling these fluxes. We present the first reported estimates of MMHg fluxes to coastal waters via SGD, and discuss the importance of SGD as a source of Hg_T and MMHg to coastal ecosystems relative to other sources.

Materials and Methods

Study Sites. Stinson Beach (Figure 1) is an open-ocean, southwest-facing, reflective beach composed principally of medium grain sand with mixed semidiurnal tides and a high energy surf zone. The central California coast is characterized by a Mediterranean climate, with rainfall occurring predominately during the winter between November and April. Land cover in the area is primarily forested, but a small coastal town using individual septic systems for wastewater disposal is located along the beach. Microbial pollution and elevated nutrient levels have been documented in the subsurface, as has groundwater discharge to the Pacific Ocean (*26*). The unconfined aquifer is composed primarily of beach and dune sands underlain by lacustrian clay, which in turn is underlain by an assemblage of highly fractured sandstone, limestone, and shale (*26*).

Stinson Beach is located near the San Andreas Fault system (Figure 1), which is associated with mercury mineralization in the region (*23*). Groundwater movement along faults might therefore encounter naturally occurring mercury in the subsurface before discharging to the ocean. Stinson Beach is also located near oil-bearing sandstone units, the weathering of which may release mercury into local groundwater. Discharge of nutrient-rich septic effluent to shallow groundwater results in reducing conditions within a few meters of the water table, which could increase microbial MMHg production and export from the surficial aquifer.

Elkhorn Slough is a small, shallow (mean depth ~2.5 m), tidally flushed estuary that empties into Monterey Bay (Figure 1). The estuary is comprised of a main channel that reaches approximately 11 km inland and numerous tidal creeks and wetlands that surround the main channel. Mudflats comprise ~59% of Elkhorn Slough's area, and intertidal salt marshes an additional ~29% (*27*). Freshwater inputs are minimal, and in the winter rainy season are limited to Carneros Creek at the head of the slough, and in the summer dry season to the Old Salinas River channel near the mouth of the slough via Moss Landing Harbor. The estuary's tidal prism accounts for 60–75% of the mean estuary volume (*28*). Estimates of mean water residence time in Elkhorn Slough's main channel are on the order of ~1 day, but can be substantially greater in the tidal flats and upper reaches of the slough during the dry season (*28*).

The regional water table near Elkhorn Slough has experienced substantial overdraft because of intensive agricultural practices, and saltwater intrusion has become increasingly common (*27*). As a result, advective inputs of fresh groundwater represent only a minor source of freshwater to the slough. Nevertheless, recent work suggests that tidally controlled recirculated seawater through wetland sediments is significant and can account for 12% of the water volume of the slough daily (*29*). Elkhorn Slough is surrounded by large tracts of wetlands, which are hotspots for the production of MMHg (*30–32*). We hypothesized that the tidally driven seawater recirculation through surficial marsh sediments that

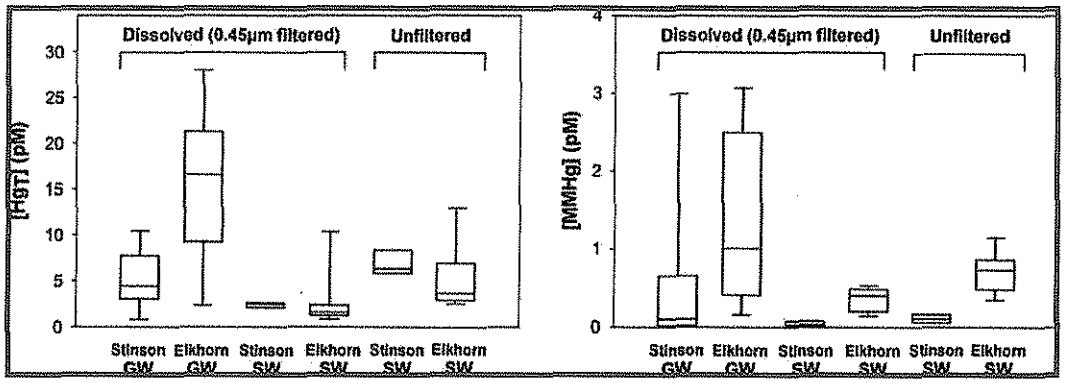

FIGURE 2. Box plots of Hg_T and MMHg concentrations in 0.45 μm filtered and unfiltered groundwater (GW) and surface waters (SW) at Elkhorn Slough and Stinson Beach. The median is represented by the middle line of each box, hinges represent the 25% quartiles, and whiskers represent the 5 and 95 percentiles.

results in substantial transfer of nutrients to the slough and adjacent coastal waters (*29*) would also transport MMHg.

Sample Collection. Groundwater and surface seawater samples were collected along ~300 m cross-shore transects at Stinson Beach (Figure 1) on October 31, 2007 (one transect at high tide) and July 7, 2008 (one transect at low tide, a second transect at high tide). Filtered (0.45 μm) groundwater samples were collected from one hand-dug pit in the beach zone and four inland wells with PVC casings installed to depths of 3–6 m such that they intersect the unconfined coastal aquifer within 250 m inland of the high tide line (see de Sieyes et al. (*26*)). Filtered and unfiltered surf zone seawater was collected along cross-shore transects (3 sample points per transect) extending ~20 m out into the surf zone, where water depths were approximately 10 cm, 0.5 m, and 1 m.

Filtered and unfiltered surface waters and filtered groundwater were collected at Elkhorn Slough along an ~10 km transect (Figure 1) on June 18, 2008, from the head of the slough to its mouth. On June 19, 2008, multiple samples were collected at a single point (ES 2) as part of a seven hour time series. At each sampling site or time in Elkhorn Slough, a groundwater sample (from a 1–2 m deep hand-dug pit employed to retrieve groundwater from the surficial unconfined aquifer) and adjacent surface water samples were collected as close together temporally and spatially as possible.

Both groundwater and surface water samples were collected using trace metal clean techniques with the use of a peristaltic pump using Teflon sampling lines with C-Flex tubing in the pump head. Methods for acid cleaning sample bottles, filters, and tubing are in the Supporting Information. Filtered water samples were collected using an acid cleaned 0.45 μm polypropylene cartridge filter (Osmonics) fitted to the end of the sample line. Because the advection of sediment- or particle-associated nutrients or mercury species is unlikely in the subsurface on time scales of interest to our study, filtered (0.45 μm) groundwater samples were collected at all sites, but only limited sampling of unfiltered groundwater was undertaken. Samples for Hg_T and MMHg were collected in acid-cleaned Teflon bottles, placed on ice in the field, and kept cold and dark until transported back to the laboratory where they were preserved the same evening. Samples for Hg_T were preserved by amendment to 1% BrCl, except for organic rich unfiltered groundwater, which was amended to 2% BrCl. MMHg samples were preserved by amendment to either 18 mM H_2SO_4 (saline and brackish samples) or 30 mM HCl (low salinity samples). Samples were stored in the dark at either 4 °C (MMHg samples) or room temperature (Hg_T samples) and were analyzed within 2 months of collection.

Dissolved radium was extracted from ~100 L water samples in the field by filtering through columns of MnO_2-impregnated acrylic fiber at a flow rate not exceeding 1 L min^{-1} (*33, 34*). Untreated acrylic fiber plugs were used to prevent the contamination of the MnO_2 fiber with particulate matter. The fibers were removed from the columns and stored in plastic bags until processing and analysis. The collection and analysis of nutrient samples and suspended particulate matter samples using established techniques are described in the Supporting Information.

Sample Analysis. Total mercury concentrations were determined by oxidation with BrCl, reduction with $SnCl_2$, gold trap amalgamation, and quantification by cold vapor atomic fluorescence spectrometry (CVAFS) using established methods (*35*). The average daily Hg_T detection limit, calculated as 3× the standard deviation of Milli-Q water blanks amended to 1% BrCl, was 0.5 pM. The relative standard deviation of samples ($n = 3$) collected and analyzed for Hg_T in triplicate averaged (mean ± s.d.) 6 ± 7%, whereas field blanks (Milli-Q water pumped in the field through sample tubing and filter) averaged 1.2 ± 0.4 pM Hg_T ($n = 3$).

MMHg concentration measurements were made on 45 mL aliquots by distillation, aqueous phase ethylation, separation by gas chromatography, thermal decomposition, and quantification by CVAFS (*36*). Each set of up to 20 MMHg samples distilled was accompanied by at least two distillation blanks (Milli-Q water amended to either 30 mM HCl or 0.1 M KCl and 18 mM H_2SO_4) and two MMHg matrix spikes. MMHg matrix spike recoveries ($n = 11$) averaged 93 ± 10%. The MMHg detection limit, calculated as 3× the standard deviation of distillation blanks ($n = 10$), was 0.04 pM MMHg. The relative standard deviation of samples ($n = 3$) collected and analyzed for MMHg in triplicate averaged 8 ± 6%, and MMHg field blanks ($n = 3$) averaged 0.02 ± 0.02 pM. Tests for artifactual formation of MMHg and methods for its correction are described in the Supporting Information.

MnO_2 fibers used for collecting Ra isotopes were rinsed with Ra-free water to remove salts and particles, then hand-squeezed to remove excess water. Activities of the short-lived isotopes ^{223}Ra and ^{224}Ra were measured within 2 days of collection using a delayed coincidence counter (*33, 37*). Samples were rerun 3–6 weeks after collection to account for ^{228}Th-supported ^{224}Ra activity, which accounted for ~3% of the original ^{224}Ra activity. Uncertainties associated with Ra isotope activities were calculated using the method of Garcia-Solsona et al. (*38*) and averaged 34 and 3% for ^{223}Ra and ^{224}Ra, respectively.

Results and Discussion

Hg_T Concentrations in Groundwater and Surface Waters. Concentrations of Hg_T in groundwater were greater than those in adjacent surface waters (Figure 2). However, Hg_T levels were relatively low (<29 pM) in all samples and displayed only modest spatial and temporal variability (Figures 3 and 4, and Figure 2 in the Supporting Information).

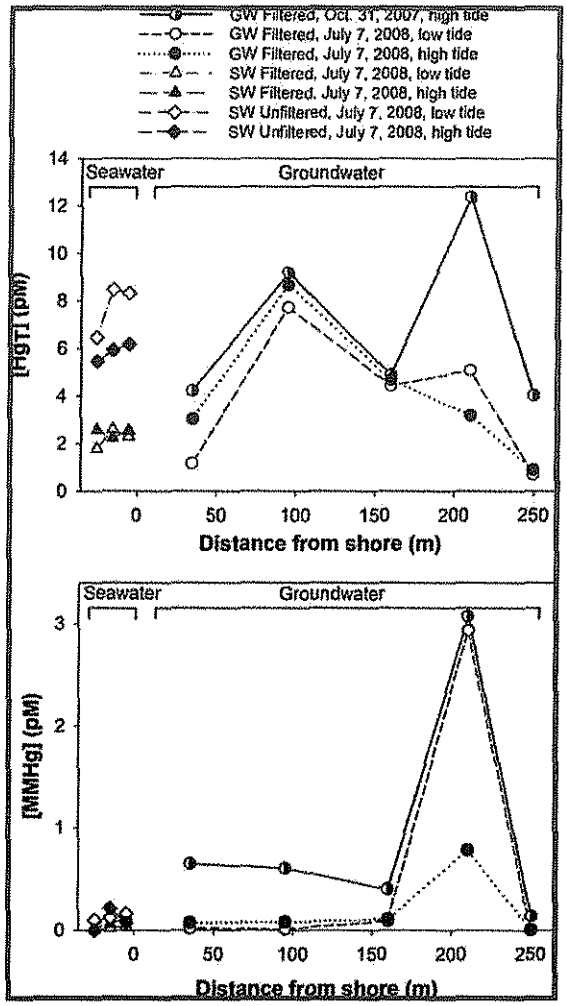

FIGURE 3. Concentrations of Hg_T (top plot) and MMHg (bottom plot) in filtered and unfiltered groundwater (GW) and surface seawater (SW) measured at Stinson Beach.

Concentrations of Hg_T in filtered groundwater ranged from 1.2 to 12.4 pM at Stinson Beach and 1.8–28.3 pM at Elkhorn Slough (Figure 2). These Hg_T concentrations are similar to those reported for groundwater studies in some areas (*11, 13, 19*), but somewhat lower than those in others (*8, 9, 12*). Concentrations of Hg_T in filtered surface water samples ranged from 1.7 to 2.6 pM at Stinson Beach and 0.8–11.6 pM at Elkhorn Slough, while Hg_T concentrations in unfiltered surface water samples ranged from 5.4 to 8.5 pM at Stinson Beach and 2.5–12.9 pM at Elkhorn Slough (Figure 2). These Hg_T concentrations are typical of uncontaminated coastal and estuarine surface waters (39–44), but are higher than in continental shelf and open ocean waters (<3 pM) (*6*).

Dissolved Hg_T levels were generally only slightly higher in groundwater compared to adjacent surface waters (Figures 3 and 4 and Figure 2 in the Supporting Information). Exceptions to this trend were near the head of Elkhorn Slough, where concentrations of dissolved Hg_T were substantially higher in groundwater than surface water. The similarity between dissolved concentrations of Hg_T in groundwater and surface waters is attributed to mercury being very particle reactive. Values of log K_d (partition coefficient) for Hg_T in surface seawater at Stinson Beach were in the range 5.0–5.6, which is typical of values reported for coastal and estuarine waters elsewhere (39–44). Log K_d values for Hg_T in Elkhorn Slough surface waters were noticeably lower, with a range of 3.3–4.0. Sampling of unfiltered groundwater for both mercury and suspended solids was only conducted at Elkhorn

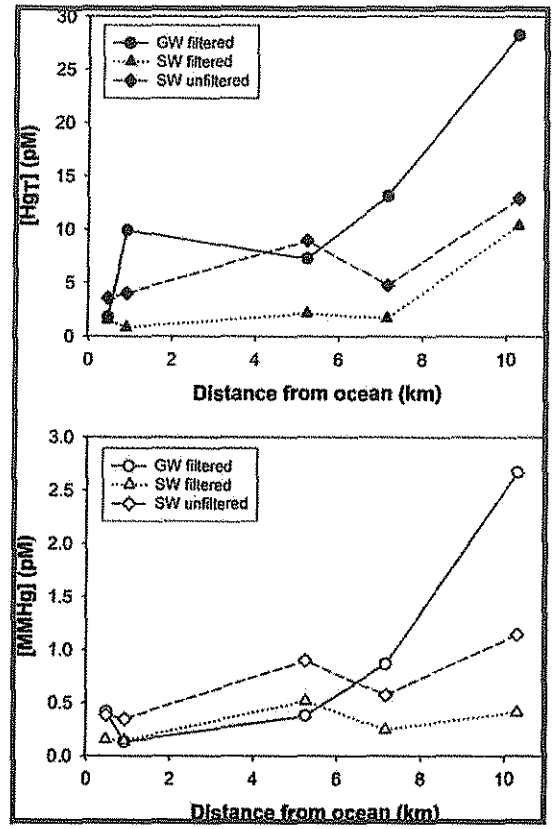

FIGURE 4. Concentrations of Hg_T (top plot) and MMHg (bottom plot) in filtered and unfiltered groundwater (GW) and adjacent surface waters (SW) along transect of Elkhorn Slough sampled June 18, 2008.

Slough, where log K_d values for Hg_T in groundwater were ~1.5 in the harbor at the mouth of the slough and 4.2–5.8 near the head of the slough. The lower degree of partitioning of Hg_T onto the solid phase in groundwater in the harbor was likely due to the unconfined aquifer material here being composed of coarse quartz sands with low organic matter content, compared to the much smaller particle sizes and higher organic matter content characterizing the aquifer moving toward the head of the slough. Similar reasoning was invoked by Bone et al. (*12*) to explain the low K_d values for Hg_T in groundwater measured in that study.

MMHg Concentrations in Groundwater and Surface Waters. Concentrations of filtered MMHg in groundwater varied more than those in surface waters (Figure 2), ranging from below the limit of detection (0.04 pM) to 3.1 pM at Stinson Beach and 0.13–3.1 pM at Elkhorn Slough (see Figures 3 and 4 and Figure 2 in the Supporting Information). Previous studies reported that MMHg was not detectable (<0.04 pM) in groundwater of a subterranean estuary (*13*), but that MMHg ranged from <0.04 to 2.9 pM in groundwater of a wetland-forested watershed (*19*) and 0.6–35 pM in near surface groundwater from a peatland (*10*). MMHg concentrations measured in coastal groundwater in our study were intermediate of these and within the range generally reported for estuarine and coastal sediment porewaters (*31, 32, 45–51*).

MMHg concentrations in filtered surface water samples ranged from below the detection limit to 0.13 pM at Stinson Beach and from 0.14 to 0.53 pM at Elkhorn Slough, whereas MMHg concentrations in unfiltered surface water samples ranged from 0.07 to 0.25 pM at Stinson Beach and from 0.35 to 1.2 pM at Elkhorn Slough (Figures 3 and 4 and Figure 2 in the Supporting Information). MMHg levels in surface seawater are within the range typically reported for coastal and estuary waters elsewhere (*39–44*).

Values of log K_d for MMHg were in the range 5.1−6.2 for surface seawater at Stinson Beach and 4.5−5.1 for surface waters of Elkhorn Slough. These values of K_d for MMHg are higher than those for Hg_T in the same waters, which is unusual, although the reason for this is unclear. Log K_d values for MMHg in groundwater were ~1.9 at Moss Landing Harbor at the mouth of the slough and 3.0−3.3 near the head of the slough. The lower K_d values for MMHg in groundwater measured at the mouth of the slough compared to further inland was similar to the trend described for Hg_T above, and likely controlled by the same differences in aquifer material.

Large variations in the percentage of Hg_T as MMHg in groundwater were measured, indicating that conditions in some regions of these subterranean estuaries are more conducive than others to the net production of MMHg and/or its partitioning into the dissolved phase relative to Hg_T. The percentage of Hg_T present as MMHg in groundwater tended to be relatively high at Elkhorn Slough (3−23%), but was low at Stinson Beach (<16%), with the exception of groundwater from well MW-07 (25−58%). This particular well also had consistently higher MMHg concentrations than elsewhere at Stinson Beach (Figure 3) and high concentrations of dissolved NH_4^+ (57−510 μM) that were 3× greater than those at any other Stinson Beach well sampled during the study. Perennially high fecal indicator bacteria and nitrogen concentrations measured at MW-07 in 2005−2007 indicate septic effluent contamination at that location (N. R. de Sieyes, unpublished data), implying a possible connection between this MMHg hotspot and groundwater contamination by sewage. The lack of a decreasing seaward trend in groundwater MMHg concentration at wells between MW-07 and the ocean (Figure 2), as would be expected because of the seaward direction of groundwater flow (*26*) and dilution in the brackish mixing zone, is likely the result of nonconservative behavior of MMHg in this region of the subterranean estuary.

The high percentage of Hg_T as MMHg in unfiltered surface waters at Elkhorn Slough (9−33%) is in contrast to both surface waters at Stinson Beach (<4%) and coastal and estuary surface waters elsewhere, where MMHg generally constitutes <4% of the total mercury pool (*39*−*44*). This difference is likely because wetlands (such as those surrounding Elkhorn Slough) are hotspots for the production of MMHg (*30*−*32*) that can subsequently be advected to adjacent surface waters.

In contrast to surface waters, sediment porewaters typically have a high ratio of MMHg to Hg_T because surficial sediments are important sites of microbial production of MMHg (*39, 52*−*54*). Thus, the high percentage of Hg_T as MMHg measured in groundwater in this study (up to 58%) is typical of surficial sediment porewaters. However, previous studies of MMHg in sediment porewaters have typically focused on the upper 10−15 cm of sediments and have shown that MMHg concentrations and net mercury methylation potentials are often greatest near the oxic/suboxic interface and decrease above and below this depth (*31, 45, 50, 54, 55*).

The groundwater collected in this study was from wells with screen intervals of 1.5−3 m at Stinson Beach and from 1−2 m deep pits at Elkhorn Slough. Our groundwater samples essentially represent a composite of groundwater collected across a large vertical depth interval far greater than 10 cm, which in the case of Elkhorn Slough spanned the oxic/suboxic interface. Given the previously reported low concentration of MMHg in many sediment porewaters on either side of the oxic/suboxic interface, one would therefore have expected the MMHg concentrations in these composite samples to be low. But instead, the MMHg concentrations and the %MMHg measured were relatively high in a number of samples from both Stinson Beach and Elkhorn Slough. This observation may indicate that the production and/or transport of MMHg occur over a wider depth interval in coastal groundwater systems compared to nontidally flushed estuary and coastal sediments.

Temporal variability and the effect of daily tidal cycle on concentrations of Hg_T and MMHg in groundwater and surface waters (of which there was relatively little and no consistent patterns discernible) are discussed in the Supporting Information.

Correlations between Groundwater Concentrations of Mercury Species and Nutrients. Concentration data for mercury species (Hg_T and MMHg), dissolved nutrients (NH_4^+, NO_3^-, PO_4^{3-}, SiO_2), and ancillary parameters (pH, salinity, temperature, total suspended solids, distance from shore) were analyzed by multiple linear regression to identify correlations between mercury species and other variables. When treating dissolved Hg_T in groundwater as the dependent variable the only factors contributing to the model at the $p = 0.05$ level were dissolved concentrations of NH_4^+ and SiO_2. The multiple linear regression analysis for dissolved MMHg in groundwater revealed that only dissolved concentrations of Hg_T and NH_4^+ contributed to the model at the $p = 0.05$ level. This is in contrast to concentrations of filtered or unfiltered MMHg in surface waters, which did not correlate with any of the variables measured ($p > 0.1$, multiple linear regression). Thus, a weak positive relationship ($r^2 = 0.31$, $p = 0.003$) was found to exist between dissolved MMHg and Hg_T in groundwater, but not in adjacent surface waters (see Figure 1 in the Supporting Information).

Bone et al. (*12*) found no discernible relationship between concentrations of Hg_T in coastal groundwater and those of iron, dissolved organic matter, or chloride, despite their ability to influence the transport and fate of Hg_T. Our results suggest that the transport and partitioning of Hg_T between the solid phase and dissolved phase in the groundwater systems we studied are controlled by similar mechanisms to those of NH_4^+ and SiO_2, but differ from those controlling NO_3^- and PO_4^{3-}. The positive correlation between dissolved NH_4^+ and both Hg_T and MMHg in groundwater may be related to the remineralization of organic matter, which would release NH_4^+ and organic matter-bound mercury species into solution. Another possibility is that reducing conditions in the subsurface would favor the presence of NH_4^+ (mean NH_4^+ concentration in Elkhorn Slough groundwater was 460 ± 390 μM compared to 47 ± 90 μM for NO_3^-), the microbial production of MMHg, and the release of sorbed Hg_T and MMHg due to the reductive dissolution of manganese and iron oxyhydroxides.

The production, decomposition, and export of MMHg from sediments are controlled by the complex interplay of various geochemical, biological, and physical factors (*39, 49, 50, 52, 54, 55*). These include parameters measured in this study (pH, temperature, salinity, and nutrients) that influence sorption as well as microbial community diversity and respiration rates. However, the multiple linear regression model could account for only 36% of the variance in groundwater MMHg concentrations ($r^2 = 0.36$, $p < 0.001$), so the two variables found to have significant correlations with MMHg (dissolved Hg_T and NH_4^+) were apparently not the only factors controlling concentrations of MMHg in the two groundwater systems studied.

Fluxes of Hg_T and MMHg to Coastal Waters via Submarine Groundwater Discharge. Hg_T and MMHg concentration data were used to calculate fluxes by combining them with estimates of SGD, which were in turn based on excess radium activities and a simple mass balance model (*17, 18, 37*). A SGD flux at Stinson Beach of 30 ± 11 L min^{-1} m^{-1} of shoreline was calculated from the average excess ^{224}Ra activity of 24 ± 4 dpm $(100\ L)^{-1}$ at the surf zone (within 20 m from the shoreline), a residence time of water at this site of 6 h (based on estimates of littoral drift, rip cell spacing, and

dilution length scales), and unconfined coastal aquifer groundwater ^{224}Ra levels of 81 ± 27 dpm (100 L)$^{-1}$. Uncertainties associated with the SGD fluxes are based on uncertainty in ^{224}Ra activities, whereas uncertainties reported for fluxes of Hg_T and MMHg in SGD presented below are reported with respect to both the variability in the groundwater concentration of mercury species and uncertainties in the SGD flux. At Stinson Beach, the average concentration of dissolved Hg_T in groundwater from the beach pits and well MW-09 was 5.7 ± 3.2 pM (groundwater composition at these locations nearest the beach best represents the discharging mixture of fresh and saline groundwater). This corresponds to a dissolved Hg_T flux of 170 ± 110 pmol min^{-1} m^{-1} of shoreline (250 ± 160 nmol m^{-1} day^{-1}). The average concentration of MMHg in groundwater at Stinson Beach (beach pits and well MW-09 only) was 0.24 ± 0.26 pM, corresponding to a MMHg flux in SGD of 7.2 ± 8.2 pmol min^{-1} m^{-1} of shoreline (10 ± 12 nmol m^{-1} day^{-1}). SGD fluxes at Stinson Beach were normalized to shoreline length (m^{-1}) rather than area (m^{-2}) because there were insufficient data to accurately define the area of the seepage face at this coastal ocean beach site.

At Elkhorn Slough, excess ^{224}Ra in the main channel averaged 42 ± 8 dpm (100 L)$^{-1}$ and the average groundwater (pits) ^{224}Ra was 450 ± 130 dpm (100 L)$^{-1}$. Using channel volume and a water residence time of 1 day for the main channel (*28*), SGD flux to the slough was estimated at 5.3 ± 1.8 × 10^5 m^3 day^{-1}. Using the average dissolved Hg_T concentration in Elkhorn Slough groundwater of 15 ± 9 pM (15 ± 9 nmol m^{-3}), this corresponds to a dissolved Hg_T flux of 8.0 ± 5.5 mmol day^{-1} to the tidal estuary. The area of the slough is 2.7 × 10^6 m^2, giving a Hg_T flux via SGD of 3.0 ± 2.0 nmol m^{-2} day^{-1} when normalized to area. This flux is greater than that reported by Bone et al. (*12*) for Waquoit Bay, MA (0.47–1.9 nmol m^{-2} day^{-1}). The average dissolved MMHg concentration in groundwater at Elkhorn Slough (1.2 ± 1.0 pM) was similarly used to estimate a dissolved MMHg flux of 0.65 ± 0.58 mmol day^{-1} to the tidal estuary, giving an area-normalized MMHg flux via SGD of 0.24 ± 0.21 nmol m^{-2} day^{-1}.

Although our SGD fluxes are based on data collected over only a few sampling events, they are consistent with previous estimates based on more extensive Ra data sets and/or hydraulic gradients and Darcy–Dupuit estimates in these same systems (*26, 29*). Using previously published SGD fluxes for Stinson Beach (17–23 L min^{-1} m^{-1} (*26*)), we calculate a dissolved Hg_T flux of 160 ± 95 nmol day^{-1} m^{-1} of shoreline, and a MMHg flux in SGD of 6.9 ± 7.5 nmol day^{-1} m^{-1} of shoreline. At Elkhorn Slough, tidally driven seawater recirculation through the surficial marsh sediments was previously reported to be 6.8 × 10^5 m^3 day^{-1} (*29*). Using this SGD flux, we calculate a dissolved Hg_T flux at Elkhorn Slough of 3.9 ± 2.2 nmol m^{-2} day^{-1} when normalized to area. Similarly, we calculate a dissolved MMHg flux of 0.31 ± 0.33 nmol m^{-2} day^{-1} at Elkhorn Slough when normalized to area.

Comparison of Fluxes of Mercury Species via SGD to Other Sources. The importance of the fluxes of Hg_T and MMHg via SGD to coastal waters estimated above can be evaluated by comparing them to other sources (see Table 1 in the Supporting Information). In marine environments that do not receive substantial fluvial inputs and are not directly affected by local sources of mercury pollution, inputs of Hg_T are generally dominated by atmospheric deposition (*1, 2*). Net Hg_T atmospheric deposition to surface waters of nearby San Francisco Bay have been estimated to be roughly 0.19 nmol m^{-2} day^{-1} (*56, 57*). The Hg_T fluxes in SGD we calculated (3.0 ± 2.0 nmol m^{-2} day^{-1} at Elkhorn Slough) are an order of magnitude greater than that atmospheric deposition rate.

The MMHg fluxes in SGD calculated in this study (0.24 ± 0.21 nmol m^{-2} day^{-1} for Elkhorn Slough) are greater than previously reported MMHg benthic fluxes out of surficial estuary and coastal sediments due to diffusion and bioirrigation (0–0.16 nmol m^{-2} day^{-1}) estimated from concentration gradients between pore waters and overlying waters or using laboratory based flux chambers employing sediment cores (*31, 45, 46, 48–51*). MMHg fluxes to overlying waters measured using in situ benthic flux chambers, which will capture inputs from SGD and other advective processes, are considerably greater and range from −1.5 to 10.9 nmol m^{-2} day^{-1} (*31, 45–47*). Although it is difficult to distinguish between different components contributing to these fluxes, our results suggest that the higher in situ measured MMHg benthic fluxes are likely in part due to the role of SGD as a source and means of transporting MMHg to overlying waters both from and through surficial and deep sediments.

Surficial sediments are widely held to be the dominant source of MMHg to estuary and coastal waters (*31, 45, 46, 50*). Thus, the observation that SGD inputs of MMHg are greater than fluxes out of surficial coastal sediments due to diffusion and bioirrigation indicates that benthic inputs of MMHg may be controlled to a greater degree by the flux of submarine groundwater into the system and the parameters impacting this flux. Such a comparison also suggests that estimates of MMHg benthic fluxes derived from laboratory based (rather than in situ) flux chambers or calculated from MMHg concentration gradients are likely to substantially underestimate in situ MMHg fluxes as they do not capture MMHg fluxes from SGD and other advective processes. This in turn suggests that inputs of MMHg, the form of mercury of most concern for marine ecosystems, to some coastal waters may be considerably greater than previously thought.

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Supporting Information Available

Analytical details and data related to ancillary parameters and temporal variability in Hg_T and MMHg concentrations (PDF). This material is available free of charge via the Internet at http://pubs.acs.org.

Literature Cited

(1) Mason, R. P.; Sheu, G. R. Role of the ocean in the global mercury cycle. *Global Biogeochem. Cycles* **2002**, *16*, 1093.
(2) Sunderland, E. M.; Mason, R. P. Human impacts on open ocean mercury concentrations. *Global Biogeochem. Cycles* **2007**, *21*, GB4022.
(3) National Research Council. *Toxicological Effects of Methylmercury*; National Academy Press: Washington, D.C., 2000.
(4) Mergler, D.; Anderson, H. A.; Chan, L. H. M.; Mahaffey, K. R.; Murray, M.; Sakamoto, M.; Stern, A. H. Methylmercury exposure and health effects in humans: A worldwide concern. *Ambio* **2007**, *36*, 3–11.
(5) Scheuhammer, A. M.; Meyer, M. W.; Sandheinrich, M. B.; Murray, M. W. Effects of environmental methylmercury on the health of wild birds, mammals, and fish. *Ambio* **2007**, *36*, 12–18.
(6) Fitzgerald, W. F.; Lamborg, C. H.; Hammerschmidt, C. R. Marine biogeochemical cycling of mercury. *Chem. Rev.* **2007**, *107*, 641–662.
(7) Munthe, J.; Bodaly, R. A.; Branfireun, B. A.; Driscoll, C. T.; Gilmour, C. C.; Harris, R.; Horvat, M.; Lucotte, M.; Malm, O. Recovery of mercury-contaminated fisheries. *Ambio* **2007**, *36*, 33–44.
(8) Barringer, J. L.; Szabo, Z. Overview of investigations into mercury in ground water, soils, and septage, New Jersey coastal plain. *Water, Air, Soil Pollut.* **2006**, *175*, 193–221.

(9) Barringer, J. L.; Szabo, Z.; Kauffman, L. J.; Barringer, T. H.; Stackelberg, P. E.; Inahnenko, T.; Rajagopalan, S.; Krabbenhoft, D. P. Mercury concentrations in water from an unconfined aquifer system, New Jersey coastal plain. *Sci. Total Environ.* **2005**, *346*, 169–183.
(10) Branfireun, B. A.; Heyes, A.; Roulet, N. T. The hydrology and methylmercury dynamics of a Precambrian Shield headwater peatland. *Water Resour. Res.* **1996**, *32*, 1785–1794.
(11) Krabbenhoft, D. P.; Babiarz, C. The role of groundwater transport in aquatic mercury cycling. *Water Resour. Res.* **1992**, *28*, 3119–3128.
(12) Bone, S. E.; Charette, M. A.; Lamborg, C. H.; Gonneea, M. E. Has submarine groundwater discharge been overlooked as a source of mercury to coastal waters. *Environ. Sci. Technol.* **2007**, *41*, 3090–3095.
(13) Laurier, F. J. G.; Cossa, D.; Beucher, C.; Brévière, E. The impact of groundwater discharges on mercury partitioning, speciation and bioavailability to mussels in a coastal zone. *Mar. Chem.* **2007**, *104*, 143–155.
(14) Charette, M. A.; Buesseler, K. O. Submarine groundwater discharge of nutrients and copper to an urban subestuary of Chesapeake Bay (Elizabeth River). *Limnol. Oceanogr.* **2004**, *49*, 376–385.
(15) Johannes, R. E. The ecological significance of the submarine discharge of ground water. *Mar. Ecol.: Prog. Ser.* **1980**, *3*, 365–373.
(16) Krest, J. M.; Moore, W. S.; Gardner, L. R.; Morris, J. T. Marsh nutrient export supplied by groundwater discharge: evidence from radium measurements. *Global Biogeochem. Cycle* **2000**, *14*, 167–176.
(17) Moore, W. S. Large groundwater inputs to coastal waters revealsed by ^{226}Ra enrichment. *Nature* **1996**, *380*, 612–614.
(18) Paytan, A.; Shellenbarger, G. G.; Street, J. H.; Gonneea, M. E.; Davis, K.; Young, M. B.; Moore, W. S. Submarine groundwater discharge: An important source of new inorganic nitrogen to coral reef ecosystems. *Limnol. Oceanogr.* **2006**, *51*, 343–348.
(19) Stoor, R. W.; Hurley, J. P.; Babiarz, C. L.; Armstrong, D. E. Subsurface sources of methyl mercury to Lake Superior from a wetland-forested watershed. *Sci. Total Environ.* **2006**, *368*, 99–110.
(20) Ganguli, P. M.; Mason, R. P.; Abu-Saba, K. E.; Anderson, R. S.; Flegal, A. R. Mercury speciation in drainage from the New Idria mercury mine, California. *Environ. Sci. Technol.* **2000**, *34*, 4773–4779.
(21) Rytuba, J. J. Mercury mine drainage and processes that control its environmental impact. *Sci. Total Environ.* **2000**, *260*, 57–71.
(22) Jonasson, I. R.; Boyle, R. W. Geochemistry of mercury and origins of natural contamination of the environment. *Can. Inst. Mining Bull.* **1972**, *65*, 8–15.
(23) Peabody, C. E.; Einaudi, M. T. Origin of petroleum and mercury in the Culver-Baer cinnabar deposit, Mayacmas district, California. *Econ. Geol.* **1992**, *87*, 1078–1103.
(24) Fein, J. B.; Williams-Jones, A. E. The role of mercury-organic interactions in the hydrothermal transport of mercury. *Econ. Geol.* **1997**, *92*, 20–28.
(25) Conaway, C. H.; Black, F. J.; Brieb, T. M.; Roy, S.; Flegal, A. R. Mercury in the San Francisco Estuary. *Rev. Environ. Res. Contam.* **2008**, *194*, 29–54.
(26) de Sieyes, N. R.; Yamahara, K. M.; Layton, B. A.; Boehm, A. B. Submarine discharge of nutrient-enriched fresh groundwater at Stinson Beach, California is enhanced during neap tides. *Limnol. Oceanogr.* **2008**, *53*, 1434–1445.
(27) *Elkhorn Slough Tidal Wetland Strategic Plan*; Elkhorn Slough Tidal Wetland Project: Elkhorn Slough, CA, 2007.
(28) Broenkow, W. W.; Beaker, L. C. *A 30-Year History of Tide and Current Measurements in Elkhorn Slough, California*; Scripps Institute of Oceanography Library: La Jolla, CA, 2005.
(29) Breier, J. A.; Nidzieko, N.; Monismith, S.; Moore, W.; Paytan, A. Tidally driven chemical fluxes across the sediment-surface water interface in Elkhorn Slough, California: evidence from a coupled geochemical and hydrodynamic approach. *Limnol. Oceanogr.* **2009**, submitted.
(30) Babiarz, C.; Hurley, J.; Benoit, J.; Shafer, M.; Andrewn, A.; Webb, D. Seasonal influences on partitioning and transport of total and methylmercury in rivers from contrasting watersheds. *Biogeochemistry* **1998**, *41*, 237–257.
(31) Choe, K. Y.; Gill, G. A.; Lehman, R. D.; Han, S.; Heim, W. A.; Coale, K. H. Sediment-water exchange of total mercury and monomethyl mercury in the San Francisco Bay-Delta. *Limnol. Oceanogr.* **2004**, *49*, 1512–1527.
(32) Heim, W. A.; Coale, K. H.; Stephenson, M.; Choe, K. Y.; Gill, G. A.; Foe, C. Spatial and habitat-based variations in total and methyl mercury concentrations in surficial sediments in the San Francisco Bay-Delta. *Environ. Sci. Technol.* **2007**, *41*, 3501–3507.
(33) Moore, W. S.; Arnold, R. Measurement of ^{223}Ra and ^{224}Ra in coastal waters using a delayed coincidence counter. *J. Geophys. Res.* **1996**, *101*, 1321–1329.
(34) Rama; Todd, J. F.; Butts, J. L.; Moore, W. S. A new method for the rapid measurement of ^{224}Ra in natural waters. *Mar. Chem.* **1987**, *22*, 43–54.
(35) *Method 1631, Revision E: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry*; U.S. Environmental Protection Agency: Washington, D.C., 2002.
(36) *Method 1630, Methyl Mercury in Water by Distillation, Aqueous Ethylation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry*; U.S. Environmental Protection Agency: Washington, D.C., 2001.
(37) Moore, W. S. Sources and fluxes of submarine groundwater discharge delineated by radium isotopes. *Biogeochemistry* **2003**, *66*, 75–93.
(38) Garcia-Solsona, E.; Garcia-Orellana, J.; Masqué, P.; Dulaiova, H. Uncertainties associated with ^{223}Ra and ^{224}Ra measurements in water via a Delayed Coincidence Counter (RaDeCC). *Mar. Chem.* **2008**, *109*, 198–219.
(39) Baeyens, W.; Meuleman, C.; Muhaya, B.; Leermakers, M. Behaviour and speciation of mercury in the Scheldt estuary (water, sediments and benthic organisms). *Hydrobiologia* **1998**, *366*, 237–257.
(40) Balcom, P. H.; Hammerschmidt, C. R.; Fitzgerald, W. F.; Lamborg, C. H.; O'Connor, J. S. Seasonal distributions and cycling of mercury and methylmercury in waters of New York/New Jersey Harbor Estuary. *Mar. Chem.* **2008**, *109*, 1–17.
(41) Benoit, J. M.; Gilmour, C. C.; Mason, R. P.; Riedel, G. S.; Riedel, G. F. Behavior of mercury in the Patuxent River estuary. *Biogeochemistry* **1998**, *40*, 249–265.
(42) Conaway, C. H.; Squire, S.; Mason, R. P.; Flegal, A. R. Mercury speciation in the San Francisco Bay estuary. *Mar. Chem.* **2003**, *80*, 199–225.
(43) Faganeli, J.; Horvat, M.; Covelli, S.; Fajon, V.; Logar, M.; Lipej, L.; Cermelj, B. Mercury and methylmercury in the Gulf of Trieste (northern Adriatic Sea). *Sci. Total Environ.* **2003**, *304*, 315–326.
(44) Leermakers, M.; Galletti, S.; De Galan, S.; Brion, N.; Baeyens, W. Mercury in the southern North Sea and Scheldt estuary. *Mar. Chem.* **2001**, *75*, 229–248.
(45) Covelli, S.; Faganeli, J.; De Vittor, C.; Predonzani, S.; Acquavita, A.; Horvat, M. Benthic fluxes of mercury species in a lagoon environment (Grado Lagoon, Northern Adriatic Sea, Italy). *Appl. Geochem.* **2008**, *23*, 529–546.
(46) Covelli, S.; Faganeli, J.; Horvat, M.; Brambati, A. Benthic fluxes of mercury and methylmercury in the Gulf of Trieste. *Estuarine, Coastal Shelf Sci.* **1999**, *48*, 415–428.
(47) Gill, G. A.; Bloom, N. S.; Cappellino, S.; Driscoll, C. T.; Dobbs, C.; McShea, L.; Mason, R.; Rudd, J. Sediment-water fluxes of mercury in Lavaca Bay, Texas. *Environ. Sci. Technol.* **1999**, *33*, 663–669.
(48) Hammerschmidt, C. R.; Fitzgerald, W. F. Sediment-water exchange of methylmercury determined from shipboard benthic flux chambers. *Mar. Chem.* **2008**, *109*, 86–97.
(49) Hammerschmidt, C. R.; Fitzgerald, W. F.; Balcom, P. H.; Visscher, P. T. Organic matter and sulfide inhibit methylmercury production in sediments of New York/New Jersey Harbor. *Mar. Chem.* **2008**, *109*, 165–182.
(50) Hammerschmidt, C. R.; Fitzgerald, W. F.; Lamborg, C. H.; Balcom, P. H.; Visscher, P. T. Biogeochemistry of methylmercury in sediments of Long Island Sound. *Mar. Chem.* **2004**, *90*, 31–52.
(51) Mason, R. P.; Kim, E. H.; Cornwell, J.; Heyes, D. An examination of the factors influencing the flux of mercury, methylmercury and other constituents from estuarine sediment. *Mar. Chem.* **2006**, *102*, 96–110.
(52) Benoit, J. M.; Gilmour, C. C.; Heyes, A.; Mason, R. P.; Miller, C. L. Geochemical and biological controls over methylmercury production and degradation in aquatic environments. In *Biogeochemistry of Environmentally Important Trace Elements*; Cai, Y., Braids, O. C., Eds.; ACS Symposium Series No. 835; American Chemical Society: Washington, D.C., 2003; pp 262–297.
(53) Gilmour, C. C.; Henry, E. A.; Mitchell, R. Sulfate stimulation of mercury methylation in fresh-water sediments. *Environ. Sci. Technol.* **1992**, *26*, 2281–2287.

(54) King, J. K.; Kostka, J. E.; Frischer, M. E.; Saunders, F. M.; Jahnke, R. A. A quantitative relationship that demonstrates mercury methylation rates in marine sediments are based on community composition and activity of sulfate-reducing bacteria. *Environ. Sci. Technol.* **2001**, *35*, 2491–2496.
(55) Marvin-Dipasquale, M. C.; Agee, J. Microbial mercury cycling in sediments of the San Francisco Bay-Delta. *Estuaries* **2003**, *26*, 1517–1528.
(56) Macleod, M.; Mckone, T. W.; Mackay, D. Mass balance for mercury in the San Francisco Bay Area. *Environ. Sci. Technol.* **2005**, *39*, 6721–6729.
(57) Tsai, P.; Hoenicke, R. *San Francisco Bay Atmospheric Deposition Pilot Study, Part 1: Mercury*; San Francisco Estuary Institute: San Francisco, CA, 2001.

ES900539C

Kathy Choate

From: aileenkeeter@att.net
Sent: Sunday, June 19, 2011 6:34 PM
To: Kathy Choate
Subject: CCSD Website Inquiry - Character set not allowed

Below is the result of your feedback form. It was submitted by (aileenkeeter@att.net) on Sunday, June 19, 2011 at 18:33:54

First Name: Larry

Last Name: Keeter

Feedback: Comments on proposed desalination project: my main concern regarding the proposed desalination plant is the cost. How secure is the Federal government commitment? What happens if the current administration is significantl defeated in 2012 or the federal deficit gets even worse? Have additional funds been set aside for the usual building cos overruns, expected lawsuits and maintenance? Need alone is not sufficient.

Submit: Submit

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; GTB7.0; .NET CLR 1.0.3705; .NET CLR 1.1.4322; Media Center PC 4.0; .NET CLR 2.0.50727; .NET CLR 3.0.04506.30; .NET CLR 3.0.4506.2152; .NET CLR 3.5.30729; BRI/2)

Mr. Robert Gresens
Cambria Community Services District
1316 Tamson Drive, Suite 201
Cambria, CA 93428

June 17, 2011

RE: Joint Environmental Assessment and Initial Study/ Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California

Dear Robert,

The proposed drilling operation below the Mean High Tide line adjacent to the Santa Rosa Creek Natural Preserve, places this activity in the intertidal zone with jurisdiction shared by the Cambria State Marine Park, Hearst San Simeon State Beach, the Monterey Bay National Marine Sanctuary, the California State Lands Commission and Shamel Park in San Luis Obispo County. Their regulatory and advisory language would guide the creation of a proposed investigation in this location.

The Public Trust Policy of the California State Lands Commission is clear that lands under the ocean are owned by the public. The acceptable uses of trust lands include environmental preservation and recreation. The public trust embraces the right of the public to use these lands for general recreational purposes or simply preserve the lands in their natural state for scientific study, open space and as wildlife habitat.

The Cambria State Marine Park, part of the California Department of Parks and Recreation, is a good example of a use of public trust lands that confer significant benefits to Californians statewide. Designed to both preserve the unique near shore habitat and provide public recreation, the park fulfills this public trust. Public Resources Code (5001.65) prohibits the commercial exploitation of resources within units of the State Parks System. The waters within the Cambria State Marine Park are "resources" within the meaning of this code. Investigating subterranean intake/outflow sites for a proposed desalination plant, which will extract this resource, process it and provide the finished product to commercial enterprises would appear to be prohibited.

The Santa Rosa Creek Natural Preserve and Hearst San Simeon State beach on the landward side of this proposed drilling activity, are governed by all rules and regulations adopted for State Park units. Public Resources Code (5003.05)

states that they also apply on granted or ungranted tideland or submerged lands abutting state property from "a line running parallel to and 1,000 feet waterward" of the ordinary high water mark. The prohibition of commercial exploitation of resources would appear to apply to the intertidal zone abutting state property. The Preserve classification further restricts all motor vehicle use (DOM Section 0304.5.2). It also appears that this prohibition would apply to the adjacent intertidal zone. The proposed study notes that some vehicles are remotely controlled while others are clearly driven on to the beach. Common sense would indicate that a prohibition on motor vehicle use would apply to some of this equipment. It is no surprise that the protections and preservation afforded the park and preserve designation are at odds with efforts to extract resources for commercial purposes. These designations are intended to provide broad benefits to the general public, not simply those engaged in commerce.

The NOAA's Monterey Bay National Marine Sanctuary regulates any "drilling into...or otherwise altering the submerged lands of the Sanctuary" and has issued guidelines on desalination. NOAA encourages an evaluation of "the potential for an integrated regional water supply project...this should include an evaluation of other potential desalination locations...as well as other forms of water supply". The two alternatives in the proposed Research Investigation Study are: do the project or no project. This represents an infeasible range of options given the type of evaluation NOAA recommends. MBNMS asks permit seekers to demonstrate that the activity must be conducted in the sanctuary. The alternatives presented in the study proposal do not appear adequate to demonstrate this. For example, the regional potential of a permitted desalination plant in Morro Bay and a large impoundment at Whale Rock Reservoir in Cayucos, both outside the sanctuary, are not mentioned. These projects expand the regional potential for water production and storage.

NOAA is clear that preferred alternatives to desalination, such as "increased conservation and wastewater recycling", should be pursued for meeting water needs. The Geotechnical/ Geophysical Research Investigation Study notes that the Cambria Community Services District has adopted a "three pronged" strategy to meet water needs. These include desalination, wastewater recycling and water conservation. The status of wastewater recycling and conservation efforts in Cambria are omitted. This does not allow for an assessment of whether NOAA's guidelines have been met. Implicit in this recommendation is the idea that both conservation and wastewater recycling should be fully utilized before a technology such as desalination becomes a viable alternative.

The obstacles mentioned above are some of the external problems this proposal faces. Internally the document includes a confusing array of descriptions of the actual purpose of the Research Investigation Study. The first page states that "data collected from this study will be used to determine feasibility of various water supply alternatives". At 3.1, the study notes "because the 2008 geophysical investigation was more suited towards determining the depth of the alluvial material to bedrock as opposed to characterizing the actual permeability of the underlying materials", this study is needed. At 1.5 one objective is "to define horizontal alignment of the paleochannels as they head seaward". One "Key Issue" noted on the next page, describes the need for geophysical study to "allow for better accurate borehole placement" during subsequent drilling. The last reference to the purpose of the Study notes that (3.2.1) "the thickness of the alluvial materials is the subject of the proposed Geotechnical investigation". With the variety of goals represented in this study proposal, types of impacts will vary and be difficult to assess.

With two studies by the Cambria Community Services District in the same area, it should be possible to specify what more needs to be known. The July 21, 2008 report by Advanced Geosciences Inc. describes that "three separate seismic profiles to prepare a consistent interpretation of subsurface conditions based on three different seismic data modeling procedures" were used. To augment this information, "Geoprobe borehole...subsurface investigation was conducted...at six locations". "Lithologic sampling and hydraulic conductivity testing were conducted..." Drilling into channels A and B ran into "yellowish brown gravelly clay" (25' at channel B and at 23' and 33' for channel A). In 2010 more tests were conducted in the same general area. The results of those tests have not been made public. A Freedom of Information request for the release of this information has been denied by the district's partner, the Army Corps of Engineers. Some results are referenced in the 2011 proposal (1.5.1) where it is stated that "mercury concentrations on samples obtained from 2010 sampling of the Shamel Park beach area were also non-detectable". What was or was not found in the 2010 study remains a mystery. Why the inadequacies of the 2008 study were not remedied in the design of the 2010 study and how the proposed 2011 data gathering proposal will ultimately address any remaining gaps should be explicit in the Joint Environmental Assessment.

Apparent from the 2011 Research Investigation Study is that many tests planned and designed for the 2010 Geotech Study are now not included. Tests that were deemed essential to indentifying the utility of Santa Rosa Creek mouth

as a potential site for subterranean saltwater intakes and returns are absent from the 2011 proposal. This leads to speculation that perhaps the recommended tests were not essential to the 2010 study or that the 2011 study may not gather enough information to achieve its design goals. Further, while 2010 drilling activities were constrained to a two month window by the California Coastal Commission, pump tests were scheduled to continue for up to two years. It adds to the confusion when the 2011 study can be completed in a matter of months or days and includes no such tests. In either case, the two study proposals now stand at odds with each other and are inconsistent. This may be indicative of another major obstacle presented by this highly protected ecologically sensitive environment: it is simply too well protected and fragile to allow such invasive procedures to occur. If the tests needed to determine the sites feasibility cannot reasonably be undertaken, then this result must by definition weigh on the determination of what is feasible.

The time frame requested for the Study (1.5.5) expands upon the September/October time frame instituted by the California Coastal Commission. This condition to the Coastal Consistency Determination in 2010, was added to avoid impacts to the lifecycle of the south central California coastal steelhead, tidewater goby, harbor seal, Western snowy plover which may use Santa Rosa Creek, lagoon and adjacent ocean waters. The wisdom of this condition was made clear when late October rains began the process of filling the Santa Rosa Creek watershed. The south central steelhead is a threatened species. NOAA's National Marine Fisheries Service, Steelhead Recovery Plan identifies Santa Rosa Creek as critical habitat for steelhead. The likelihood of crossing flowing creek mouths with heavy equipment would increase if the timeframe requested for the study were granted. Further, steelheads are known to congregate in the ocean near stream mouths as the spawning season approaches. Drilling activities allowed later in the year are more likely to interfere with this natural process. The highly sensitive lateral line on a steelhead can help a fish to find a small anchovy at a distance. The proposed pounding on a steel plate with a sledge hammer, driving vehicles weighing tens of tons along the beach and rotosonic drilling in the intertidal zone may disturb and dissuade fish from entering Santa Rosa Creek.

The proposed study is oddly silent on the topic of noise produced by the project other than that on land. While a discussion of vehicular noise levels is provided, the topic of underwater noise and vibration is not. It is well known that

vibration propagates through water and substrate as well as air. Augering or drilling is expected to generate noise and vibration that should be monitored and reported. Project activities should be limited to the months when species of concern, such as the south-central coastal steelhead, will be least likely to be in or in front of the project area. The degree to which this underwater noise will disturb or harass local marine mammals needs to be addressed and monitored. If these mammals are present and observed during project activities, the extent of disturbance to them, if any, should be documented. Levels of harassment and associated permitting are outlined in MBNMS guidelines.

A future "project level EIR" is mentioned in the study document, it is not available now. Submitting pieces of the larger desalination project one at a time may constitute the impermissible practice of piecemealing under CEQA. The lack of a clearly defined purpose for the proposed study and the lack of analysis from past studies, appear to make this project not appropriate for public lands. It would be hard to find a site with a greater degree of environmental preservation and protection. The mouth of an active steelhead creek, flowing into the state's newest marine park, within the envelope of a National Marine Sanctuary is a poor choice for the infrastructure associated with desalination. The Cambria Community Services District Desalination Facility, 1993 Preliminary Site Analysis concluded: "The Santa Rosa Creek alternatives offer both the least costly projects coupled with the most uncertainty of overcoming obstacles. Fundamentally, this area appears too cramped for a full sized desalination facility." Unmentioned is the fact this site lies in a Tsunami Inundation zone and within the flood plain of Santa Rosa Creek.

The choice of alternatives should cover a range of sites and water supply options, not simply "the least costly" where fresh water underflow and aggregate pre-filtering are anticipated to cut operating costs. Historically saving money at the expense of the environment has not proven to be good public policy. The proposed study mentions the 2004 California Coastal Commission report on desalination. In that report it is noted that "in some areas they (subsurface intakes) can be located either on the shoreline or at some distance inland if water is available below the surface due to naturally occurring or induced seawater intrusion". The proposed Geotechnical study states that in Cambria "the potential for salt water intrusion becomes critical" late in the season. If this intrusion exists, there may be a range of potential sites with fewer environmental and ecosystem risks. The 2010 Resource Summary Cambria State Marine Conservation Area includes (Fig. 2) a map of substrate types in the Cambria State

Marine Park. The 39 % of shore that is indicated as being "coarse grained sand beaches" might be of particular interest for this purpose. The 2010 NOAA MBNMS Desalination Guidelines encourage desalination plant proponents to "include an evaluation of other potential desalination locations and alternatives, as well as other forms of water supply". The lack of such alternatives in this proposal places it at odds with these recommendations.

Parts of the biological discussion in the proposed Geotechnical study appear inappropriate for the central coast of California. Given the multiplicity of species present at or near the proposed drilling sites, it is puzzling to see grunion and corbina singled out for particular attention. While typical of the southern California bight, they are at best infrequent visitors to waters north of Point Conception. The lack of impact to them is therefore of little relevance. Varieties of perch, croaker, starry flounder, sand sole, leopard shark, skates and rays are much more common and likely to be affected by any impact. The tide water goby, a listed species, which lives within a hundred yards of the project site, goes unmentioned. The black abalone, a threatened species, which clings to rocks immediately adjacent to the intertidal zone, is not discussed. The many near shore species of rockfish that inhabit the Cambria State Marine Park are also not mentioned. It would seem that if impacts to the corbina are addressed then impacts to species more commonly found should be assessed.

Birds inhabit, feed and migrate through all of the parks and beaches in the proposed study area. In the discussion on the snowy plover, the study notes (4.2.1) "if any snowy plovers were to occur on Santa Rosa Creek Beach, they most likely would forage in the intertidal or along the shores of Santa Rosa Creek lagoon rather than within the study site above the mean high tide line. Therefore it is unlikely that the proposed study would have any effects on snowy plover." This assurance is at odds with proposed study location (4.3.1) "on an active beach below the high water line" and (3.0) "the study area is bordered by Santa Rosa Creek State Beach MHTL (mean high tide line) to the east". The reference to Santa Rosa Creek State Beach is a construct of the project proposal and not a part of the California Parks and Recreation department. The logic of having this study not impact plovers because they are found in the intertidal zone would imply that there may be impacts on them now that the study is in the intertidal zone.

A similar confusion seems to plague the discussion of resident and migratory birds at the proposed study site. Numerous species are mentioned (3.2.1), "large numbers of birds were observed congregating in the Santa Rosa Creek lagoon adjacent to the study site. The intertidal area seaward of the study

site is used for foraging by gulls and shorebirds. Birds in the lagoon and intertidal areas would not be affected by study activities". This is predicated on the study site being above the MHTL in 2010, not on the current proposal. While the lagoon may not see vehicular traffic, the intertidal zone will have vehicles traversing back and forth on days of active project investigations. This will of necessity cause these birds to scatter and leave their observed feeding locations. The effects of traffic on intertidal fauna should consider the impact on birds that typically feed on this food source at this time of year. Migratory birds that use this beach to feed and continue on in their migration may be adversely affected, perhaps disproportionately so given the diminishing late season availability of food sources and their brief time on local beaches.

The current study states (4.2.1) that in the intertidal zone, "there could be some negligible amounts of mortality" for intertidal invertebrates. Confusingly the next sentence seems to contradict this, concluding "therefore, the effects of proposed geotechnical investigation on sand intertidal invertebrates below MHTL, would not be expected to be negligible with two passes along the beach per day and work on the beach with the rotosonic and CPT rigs." "Negligible" or not the disturbance to foraging or resting birds from passing vehicles would be profound and unavoidable. This is precisely why motor vehicles are not allowed on virtually all state beaches and all state preserves. The proposed study seems to argue that since this area is used for recreational purposes (3.2.1), year round disturbances to birds exist; the additional disturbances by the proposed project will therefore have little or no impact. It would be useful to reference where it has been demonstrated that increased stress on a species has no discernable effects on their well being.

The proposed study indicates (4.2.1) that portions of the study site are on the upper beach which is "not a major migration corridor for wildlife." Typically coastal streams, with associated riparian habitat, are known to have plentiful wildlife. Movement along the stream by migrating animals occurs in the water and near its banks throughout the year. The mouth of Santa Rosa Creek is already artificially constrained by development to the west, Moonstone Beach drive, to the east by Park Hill and Seaclift Estates and bisected by Highway One. Yet, it is home to many foraging and migrating birds. Hawks, owls, raccoons, opossum, skunks, bobcats, mountain lion, deer, rodents, insects, inland birds, wetland birds, shore birds, reptiles, amphibians, fish and humans all rely on environmental services the creek provides. The mouth of Santa Rosa Creek is a mobile feature from season to season, storm to storm. To accurately predict its precise location

at a future point in time is virtually impossible. Therefore, knowing precisely how the study site will intersect with this essential corridor for wildlife is equally unknowable. Confidence in assessing impacts would become correspondingly uncertain. Constrained to this last bit of undeveloped land, it is difficult to accept that traversing the beach twice daily with an entourage of heavy equipment, will have no impact on any of the myriad forms of wildlife that call the creek home.

The proposed study includes a listing of "key issues" from the 2010 Coastal Consistency Hearing in front of the California Coastal Commission. Absent from the list was the frequent call for a NEPA/CEQA review of the project, rather than the Categorical Exclusion obtained by ACE. Another key issue was the segmentation of the desalination project into smaller projects, such as the 2010 Geotechnical Investigation. If no desalination infrastructure can be developed in this location arguments were made that the need for further geotechnical investigations are unnecessary.

The similarity of the 2010 project and associated desalination infrastructure to the 2007/2008 proposed San Simeon Creek project, which had been rejected by the California Coastal Commission, was noted by many. Simply moving from one environmentally sensitive site to an environmentally similar one further down the beach did not realistically provide a true 'alternative site' for Commission consideration. Traffic congestion, interference with typical patterns of recreation and lack of beach access during drilling activities was also highlighted. While initially described drill rig sizes were changed during implementation of the 2010 project, congestion was documented as rigs returned to Heath Lane. There is no indication in the current proposal how any of these impacts will be remedied. In fact the 2011 study posits two different 'staging areas' for equipment, Heath Lane and "a portion of the southern Shamel Park parking lot will be used as a staging area". This simply adds further to the impacts to park users, residents traveling on Windsor Blvd. and the ability of emergency personnel to move freely.

This project is the third 'investigation' into what lies beneath the sands of Santa Rosa Creek. A clear statement should be included in the current proposal of what is being searched for: definition of acceptable and unacceptable aggregate sizes, what thickness of aggregate substrate would make this a potential intake site or rule it out, a clear definition of what rate of permeability is too low and what range would be acceptable, should precede any further investigation. Without such clear goals, the ability of decision makers to understand test results will be limited. The goal to "define horizontal alignment of the paleochannels as they head seaward" would appear to presuppose that the

question of whether these channels extend seaward has been previously settled. No reference for this result is given in the proposal or cited from past studies. Definition of the "horizontal alignment" might be a worthwhile goal if information were provided on what configuration would be useful and which configurations would rule this site out. Similar projects have instituted review by a panel of independent experts to provide guidance on these complex issues. "Technical Working Groups" could provide further project definition. Local universities and colleges are often the source of such expertise.

A clear statement should be made, that if these project goals are not met, further investigation will be abandoned at this site. There should be a 'fatal flaw', which if found, eliminates the site. The lack of definition of precisely what is being searched for, with no follow through action should it not be found, renders this project vague and lacking in sufficient scientific clarity to produce useful conclusions. It should be possible to construct a study that allows for the conclusion that no further study is needed if conditions warrant. For example, if bedrock is encountered at shallower than anticipated depths, if clay layers present impediments to permeability, if mercury levels are above safe levels, if sand is too fine and aggregate in too thin a layer, or similar findings could provide a terminus to this investigation.

Given the vagaries of the current proposal, the internal contradictions, the inconsistencies with past proposals, it should not go forward. Study proponents have decided to pursue the Santa Rosa Creek mouth site and ignored the recommendations of their own consultants. The "No Project" alternative is preferable both for its precision, consistency and avoidance of detrimental environmental consequences.

Jim Webb 1186 Hartford St., Cambria, CA 93428 805-927-1662

Kathy Choate

From: Jerry Gruber
Sent: Monday, June 20, 2011 5:38 PM
To: Jeannine
Cc: Kathy Choate
Subject: RE: Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria

Thank you very much. Based on my schedule for Wednesday we may have to reschedule our time together. I am havir Kathy see if there is a conflict with my schedule and the time we were suppose to meet.

Best regards,

From: Jeannine [mailto:blueheronca@gmail.com]
Sent: Saturday, June 18, 2011 10:50 PM
To: Thomas.w.keeney@usace.army.mil; Jerry Gruber; bgresens@cambriacsd.gov
Subject: Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria

The following comments are submitted in response to the Cambria Community Services District(CCSD) and the Army Corps of Engineers (ACE) May 20th 2011 joint Environmental Assessment (EA) and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California Pursuant to the California Environmental Quality Act (CEQA) the lead agency is the Cambria Community Services Distr Pursuant to the National Environmental Policy act (NEPA) the lead agency is the Army Corps of Engineers

Hello CCSD and ACOE,

Our Cambria Community Services District has not reviewed the myriad of water catchment or reclamation methods, sufficiently, to determine the need for a desalination plant. This conservation and self-sufficiency approach is not only financially and environmentally advantageous, it is quite feasible. Grant money for desalination construction is dwindlin more than likely, due to budget cuts. We are loosing precious time for other, more practical procedures; therefor, I feel the investment for the test drilling, the lobbyist for a desalination grant is unpractical and detrimental to our beach and marine habitat.

Other means of capturing the tons of rainwater that pass into the ocean: on the ranches, the roofs, intertidal zones, the roads and vacant lots, water tank roofs, treatment plant roof, flood planes, and augmented lagoons is vastly under-ratec With water catchment plans from three different specialists: Jim Brownell, Justin Smith and Ken Renshaw, we may not need a desalination plant. The water gathered by slowing down the watershed flow, directing it into our underground wells and storage tanks and/or flood planes would supply energized water in its finest quality to our community and to o environment.

Using the treated "reclaimed" water to dilute the salt brine for discharge into the ocean is counter-productive. The lifetin of the proposed trench (pipe) intake for desalination has not been determined; therefor, the concerns for additional trenches remains unresolved.

Other counties, San Diego and Orange County, have not chosen to implement desalination. They have natural resourc conservation incorporated into their policies. I would like that for this town. Our conservation approach does not reach enough, and is undermined by the board's need to pursue this expensive, industrial-dependent, environmentally compromising technology.

Think Like Water,

Jeannine Jacobs

Friday, June 17, 2011

Cambria Community Services District
Bob Gresens
1316 Tamson St.
Suite 201
Cambria, CA 93428

CC: Jerry Gruber, District Manager

RE: Draft EA/MND Cambria Geotechnical Sampling and Geophysical Survey

The sampling near Shamel Park is limited in its scope by the close proximity of the Monterey National Marine Sanctuary, Cambria Marine State Park and is proposed to be below the Mean High Tide Line (MHTL). This appears to be a device to get around environment requirements by those agencies. It is my understanding that the California Coastal Commission permits for the earlier sampling limited sampling on the beach to areas above the MHTL In the letter of 16 June from Tom Lester, of the Federal Consistency Division of the Commission questions the adequacy of the linear limited scope sampling of produce sufficient information for its intended purpose. Which is, of course, is there a sand and gravel bedding to allow both extraction sea water and discharge of reject water for the desalination of sea water. The sampling limited to a narrow band below the MHYL is not likely produce enough information for the determination. Without monitoring wells and extraction pump testing, which can not be established below the MHTL, it will be difficult if not impossible to determine if there is the potential for water extraction without impacting the estuary.

With the risks of disturbance of public use and wild life of the beach, the potential for contamination of the beach, the hazard of sampling equipment below the MHTL, and the likely hood of not getting sufficient information from the limited sampling. The risks exceed the benefits. Shamel Beach is famous for its sneaker waves that run much farther up the beach than the average that will greatly increase the potential damage to the equipment and contamination of the beach and sea water.

The need to extend the sampling season, Aug. 15- Nov 20 is earlier and later than the permitted time line of the Commission, Sept. 1 to Nov. 1 to avoid affecting endangered species. No mitigation is offered for this extension.

Jim Brownell
310 Stafford St.
Cambria CA

287 Weymouth Street
Cambria, CA 93428
June 20, 2011

Mr. Jerry Gruber and Mr. Bob Gresens
Cambria Community Services District
1316 Tamson St.
Suite 201
Cambria, CA 93428

Dear Sirs:

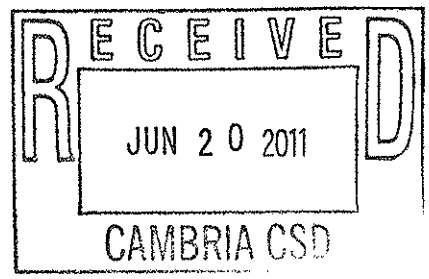
Re: Geotech Drilling #2

As a Cambria voter, rate payer and citizen, I am unalterably opposed to this proposed violation of our ocean by the CCSD in the Cambria State Marine Park (SMP). I urge you to re-read the attached Resource Summary to be reminded that this is not a matter within the prerogatives of the CCSD.....this "state marine park is a nonterrestrial marine or estuarine area that is designated so the state may provide opportunities for spiritual, scientific, educational, and recreational opportunities only. No drilling or taking of any commercial resources is allowed in this park."

Vance Hyde

(Ms) Vance Hyde
vancehyde@sbcglobal.net..

Cc to: Mr. Thomas Keeney
US Army Corps of Engineers
Planning Division, Environmental Policy Section



Resource Summary
Cambria State Marine Conservation Area
July 2010

I. INTRODUCTION

Purpose

Section 5002.1 of the Public Resources Code (PRC) requires that an inventory of the scenic, natural, and cultural features be submitted by the Department of Parks and Recreation to the California State Park and Recreation Commission for its consideration when classifying or reclassifying an area. This purpose of this document is to provide the requisite inventory information to reclassify Cambria State Marine Conservation Area as a State Marine Park.

Background

The Cambria State Marine Conservation Area (SMCA) was classified and named by the California Fish and Game Commission in September 2007 as part of a network of new marine protected areas in the Central Coast region under the Marine Life Protection Act planning process. In addition to classifying the area, the commission adopted special fishing regulations that allow for recreational take of living marine resources but no commercial take. In taking their action, the commission also recommended that the area be considered for reclassification by the California Park and Recreation Commission as a State Marine Park.

According to Section 5019.56(a) of the PRC, state park system lands seaward of the mean high tide line containing ecological, geological, scenic, or cultural resources of significant value shall be preserved and designated as state marine reserves, state marine parks, state marine conservation areas, or state marine cultural preservation areas

This Resource Summary has been prepared for proposed reclassification from State Marine Conservation Area to State Marine Park. The definition for this classification is found in Sections 36700(b) of the PRC, and reads as follows:

36700(b). A "state marine park" is a nonterrestrial marine or estuarine area that is designated so the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following:

(1) Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems.
(2) Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding representative or imperiled marine habitats or ecosystems.
(3) Preserve cultural objects of historical, archaeological, and scientific interest in marine areas.
(4) Preserve outstanding or unique geological features.

II. AREA DESCRIPTION

Cambria SMCA runs along the shore approximately 5.8 miles, approximately 75% of its shoreline borders Hearst San Simeon State Park (Figure 1). It encompasses an area of 6.26 sq miles and a depth ranging from 0-105 feet with 22% hard bottom and 78% soft bottom. The primary habitat types are: sandy beach, rocky intertidal, surfgrass, shallow hard and soft bottom, and kelp bed.

This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 37.10' N. lat. 121° 09.20' W. long.;
35° 37.10' N. lat. 121° 10.70' W. long.;
35° 32.85' N. lat. 121° 06.70' W. long.; and
35° 32.85' N. lat. 121° 05.85' W. long.

The commercial take of all living marine resources is prohibited but recreational take is allowed.

Cambria SMCA is almost entirely within the Monterrey Bay Marine Sanctuary and the Sea Otter Refuge. As part of a network of marine protected areas, the area, in conjunction with adjacent White Rock State Marine Conservation Area and nearby Piedras Blancas State Marine Reserve, provides a comparison of managed use within the Central California seascape province. Each of the marine protected areas has long-term monitoring programs associated with them that quantify fish, invertebrates and plants.

Many rocky outcroppings are scattered along the shoreline of Cambria SMCA. All of the rocky areas that are exposed at mean high tide are part of the California Coastal National Monument established by Presidential Proclamation No. 7263 in January 2000 to recognize and protect these biological and geological "treasures". The monument extends along the entire coastline of California and contains more than 20,000 rocks, pinnacles and small islands. The monument includes lands retained by the Federal government and is administered by the Bureau of Lands Management. Monument lands are co-managed by State Parks and Department of Fish and Game under a Memorandum of Understanding signed in May 2000. These rocky outcroppings provide important habitat for intertidal species as well as important haul outs for a variety of marine mammals and roosting areas for sea birds.

Hearst San Simeon State Park provides a land-based platform for educating the public about the land-sea connection, the need for protection, and the special marine managed area designations established by both the state and federal government along this region of the coast.

III. NATURAL RESOURCES

Nearshore Habitats

The following rocky shore types have been mapped in the Central Coast study region by the National Oceanic and Atmospheric Administration for the Environmental Sensitivity Index in 2002. The percentage of each shore type was extracted from this dataset for Cambria SMCA (Figure 2):

Coarse-grained sand beach: 38.9% of shoreline, characterized as moderate-to-steep beach of variable width with soft sediments, typically at river mouths; may be backed by dunes or cliffs; fauna scarce.

Exposed wave cut rocky platform: 18.5% of shoreline, characterized as including flat rocky bench of variable width with irregular surface and tidepools. Shore may be backed by scarp or bluff with sediments or boulders at base. Some sediment accumulation occurs in pools and crevices. These areas may support rich tidepool and intertidal communities with algae, barnacles, snails, mussels, sea stars, crabs, and polychaetes.

Exposed rocky cliff: 18% of shoreline, characterized as having steep intertidal zone (greater than 30 degrees slope) with little width and little sediment accumulation. There is strong vertical zonation of intertidal communities; barnacles, mussels, limpets, sea stars, anemones, crabs, and macro-algae abundant.

Exposed wave cut rocky platform and Coarse-grained sand beach: 14.8% of shoreline with mixed characteristics of the two classifications.

Coastal marsh: 5.3% of shoreline, characterized as including intertidal areas with emergent vegetation, either salt marsh or brackish marsh. The width of marsh varies from a narrow fringe to extensive areas and provides important habitat for a variety of species.

Sheltered tidal flats: 1.6% of shoreline, characterized as including intertidal flats comprised of silt and clay (eg, mudflats). They are present in calm water habitats and sheltered from wave exposure; frequently bordered by marsh. Soft sediments support large populations of worms, clams, and snails; important foraging area for migrating shorebirds.

Coastal marsh and Sheltered tidal flats: 2.3% of shoreline, characterized as shoreline with mixed characteristics of two classifications.

Sheltered rocky shore: 0.3% of shoreline, characterized as bedrock shores of variable slope (cliffs to ledges) that are sheltered from wave exposure. The intertidal community may include algae, mussels, barnacles, anemones, sea stars, snails, and crabs. Sheltered rocky shores are very rare in central California, they are typically found inside bays or estuaries.

Exposed tidal flats: 0.1% of shoreline, characterized as including intertidal flats composed of sand and mud. The presence of some wave exposure generally results in a higher presence of sand than in sheltered tidal flats; occurs in bays and lower sections of rivers. Sediments in tidal flats are generally water saturated with the presence of an infaunal community that attracts foraging shorebirds. Tidal flats are used as a roosting site for birds and haulout site for marine mammals. Exposed tidal flats are very rare in Central California.

Offshore Habitats

The Department of Fish and Game provided spatial mapped data on hard and soft substrata based on data compiled by Greene et al. (2004) for the *Fisheries Habitat Characterization of the California Continental Margin*. For the area the following percentages were calculated (Figure 2):

Soft Bottoms: 22% of the area is characterized as soft bottom. Soft bottom habitats are found in estuaries, along sand beaches, and on the continental shelf and slope throughout the region. Soft bottom habitats lack the structural complexity and relief of hard bottom substrata and are generally dominated by bottom dwelling invertebrates and fishes. Soft bottom habitats can be highly dynamic in nature as sediments shift due to wave action, bottom currents, and geological processes.

Hard Bottoms: 78% of the area is characterized as hard bottom. Hard bottom areas (rocky reefs) within the study region are also well known to commercial and recreational fishermen, as well as other mariners and researchers. The species that associate with hard substrata differ greatly with depth and type of substratum. Rocky reefs provide hard substrata to which kelp and other alga can attach in the nearshore (<30m depth). In addition, many invertebrates such as sponges and anemones require hard substrate for attachment and are found only on hard surfaces. In addition to attached organisms, the structural complexity of rocky reefs provides habitat and protection for mobile invertebrates and fish. The fauna of rocky reefs differs by depth zone and substratum type (i.e., the amount of relief changes with gravel, cobble, boulders, and smooth rock outcrop).

Kelp Forests: Kelp beds are found along hard substrata in the near shore (Figure 3). Kelp forests are one of the most productive marine habitats along the coast of California and provide habitat and nursery areas for many species of fishes and invertebrates. California's giant kelp forests are globally unique and significant. Studies have shown that distribution and abundance of kelp beds and successional processes are effected by climatic and oceanographic changes, abundance of urchins and other grazers, as well as certain types of fisheries.

Two species of canopy-forming brown macro-algae species of kelp are found within the area –giant kelp and bull kelp. The two kelp forests differ in their biological productivity. Giant kelp, the dominant species in the area, forests are more productive. Kelp beds are persistent over time but exhibit marked seasonal and annual changes in the extent of the canopy, primarily due to winter storm activity and changing oceanographic conditions such as El Niño events.

Aquatic Fauna

A notable marine mammal in the area is the sea otter. Otters are a keystone species, exerting strong top-down control on their prey species. Their predation on sea urchins has been shown to limit urchin abundance, allowing for the growth of kelp forests and associated species. Sea otters use many nearshore habitats along the coast, from estuaries to kelp forests and rocky habitats; typically sea otters are found nearshore but sometimes are seen as much as 10km from shore.

California sea lions and harbor seals are common and seen throughout the year. The Northern elephant seal may be found along the northernmost portion of the area.

Fishes found in this region of the state are representative of the South-Central Coastal Ichthyofaunal Province. Common species include: mackerel sharks, leopard sharks, eagle rays, surfperches, greenlings and lingcods, rockfish, sculpins, sardines and herrings, pricklebacks, mackerels and tuna, and salmon and trout.

Intertidal invertebrates are quite numerous. Some of the most abundant species include sea anemone species, the ocher starfish, pink barnacle, white buckshot barnacle, hermit crab, sand crab and sand flea.

IV. CULTURAL RESOURCES

The State Lands Commission shipwreck database has no record of any existing shipwrecks within Cambria State Marine Conservation Area and there are no other known underwater cultural resources.

V. RECREATIONAL RESOURCES

Recreational activities most associated with the area include: surfing, steelhead fishing, surf fishing, beachcombing, scuba diving, and sea kayaking.

Public land access to the area is found both within the boundaries of Hearst San Simeon State Park as well as at Shamel County Park, Fiscalini Ranch Preserve (Cambria Community Services District), and other public access points along the Cambria and San Simeon communities.

Recreational fishing is expected to benefit from the prohibition of commercial fishing as well as from the areas proximity to both Piedras Blancas State Marine Reserve to the north and to White Rock State Marine Conservation Area to the immediate south. Both of these marine protected areas restrict all fishing. It has been shown that marine protected areas that afford the maximum protection result in larger individual fish. Large fish produce more and larger young, thereby increasing the reproductive output of the area. Therefore, in addition to the absence of potential competition for fish resources from commercial fishing, an anticipated outcome of the MPA network is the "spillover" of young fish from the more protective marine protected areas.

Leffingwell Landing, located near the center of the Cambria SMCA in the Moonstone Beach Drive area, is an important coastal recreational site within Hearst San Simeon State Park. The site has day use parking, picnic areas, a beach area, and a boat launching ramp. The site is a good place to observe sea otters and is also a favorite of shore fishermen. The paved boat ramp on the south side of Leffingwell Creek is where divers and fishermen can launch small boats and kayaks. Leffingwell Headlands form a small cove at this point that partially protects the boater, but it appears that most often it requires going through some waves to launch a boat.

Figure 1

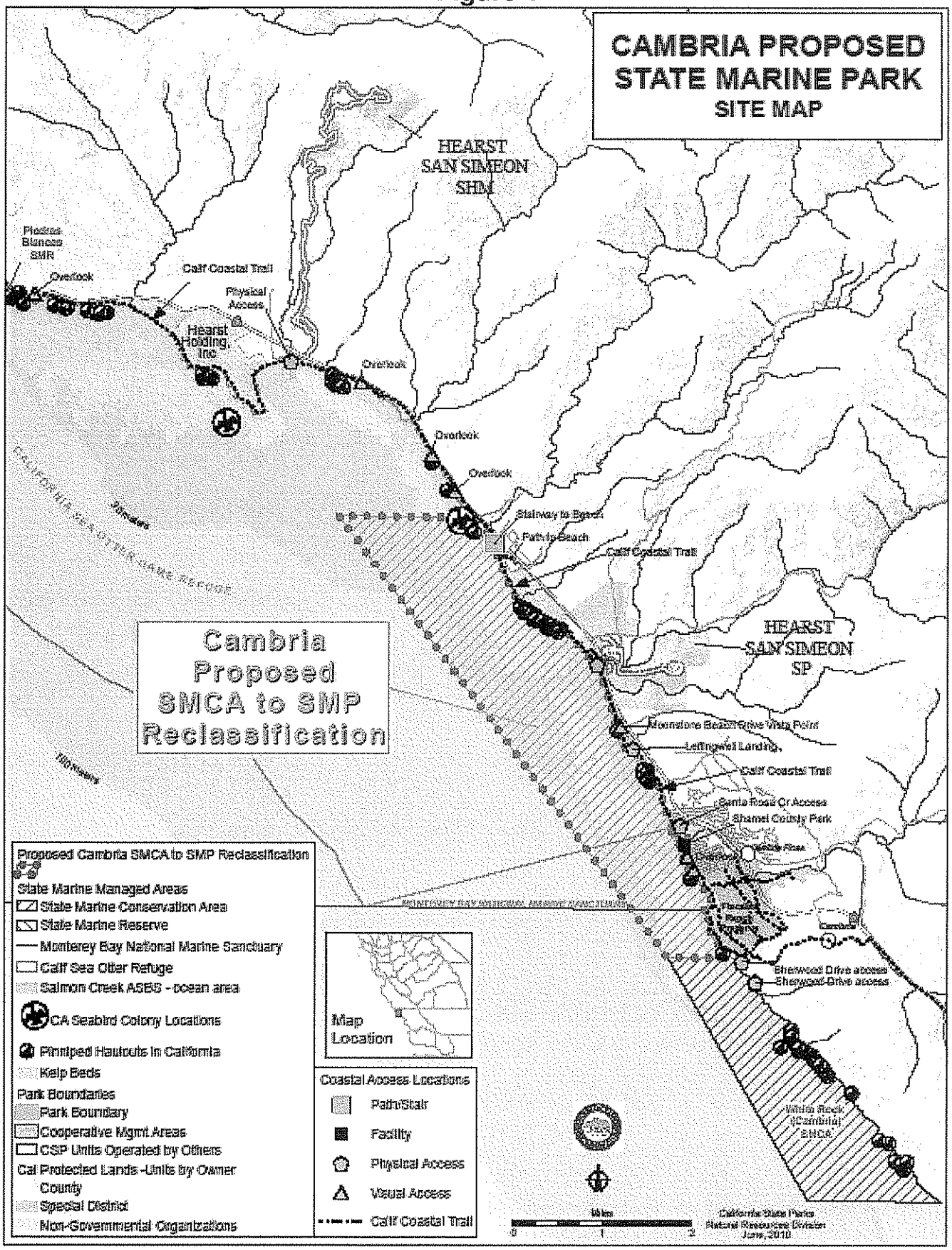

CAMBRIA PROPOSED
STATE MARINE PARK
SITE MAP
HEARST
SAN SIMEON
SHM
Piedras
Blancas
SMR
Overlook
Calif Coastal Trail
Physical
Access
Hearst
Holding,
Inc
Overlook
Overlook
Overlook
Stairway to Beach
Path to Beach
Calif Coastal Trail
HEARST
SAN SIMEON
SP
Moonstone Beach Drive Vista Point
Leffingwell Landing
Calif Coastal Trail
Santa Rosa Cr Access
Shamel County Park
Sherwood Drive access
Sherwood Drive access
White Rock
(Cambria)
SMCA
Cambria
Proposed
SMCA to SMP
Reclassification
Highway
Proposed Cambria SMCA to SMP Reclassification
State Marine Managed Areas
State Marine Conservation Area
State Marine Reserve
Monterey Bay National Marine Sanctuary
Calif Sea Otter Refuge
Salmon Creek ASBS - ocean area
CA Seabird Colony Locations
Pinniped Haulouts in California
Kelp Beds
Park Boundaries
Park Boundary
Cooperative Mgmt Areas
CSP Units Operated by Others
Cal Protected Lands -Units by Owner
County
Special District
Non-Governmental Organizations
Map
Location
Coastal Access Locations
Path/Stair
Facility
Physical Access
Visual Access
Calif Coastal Trail
Miles
California State Parks
Natural Resources Division
June, 2010

Figure 2.
Substrate Types of Cambria State Marine Park

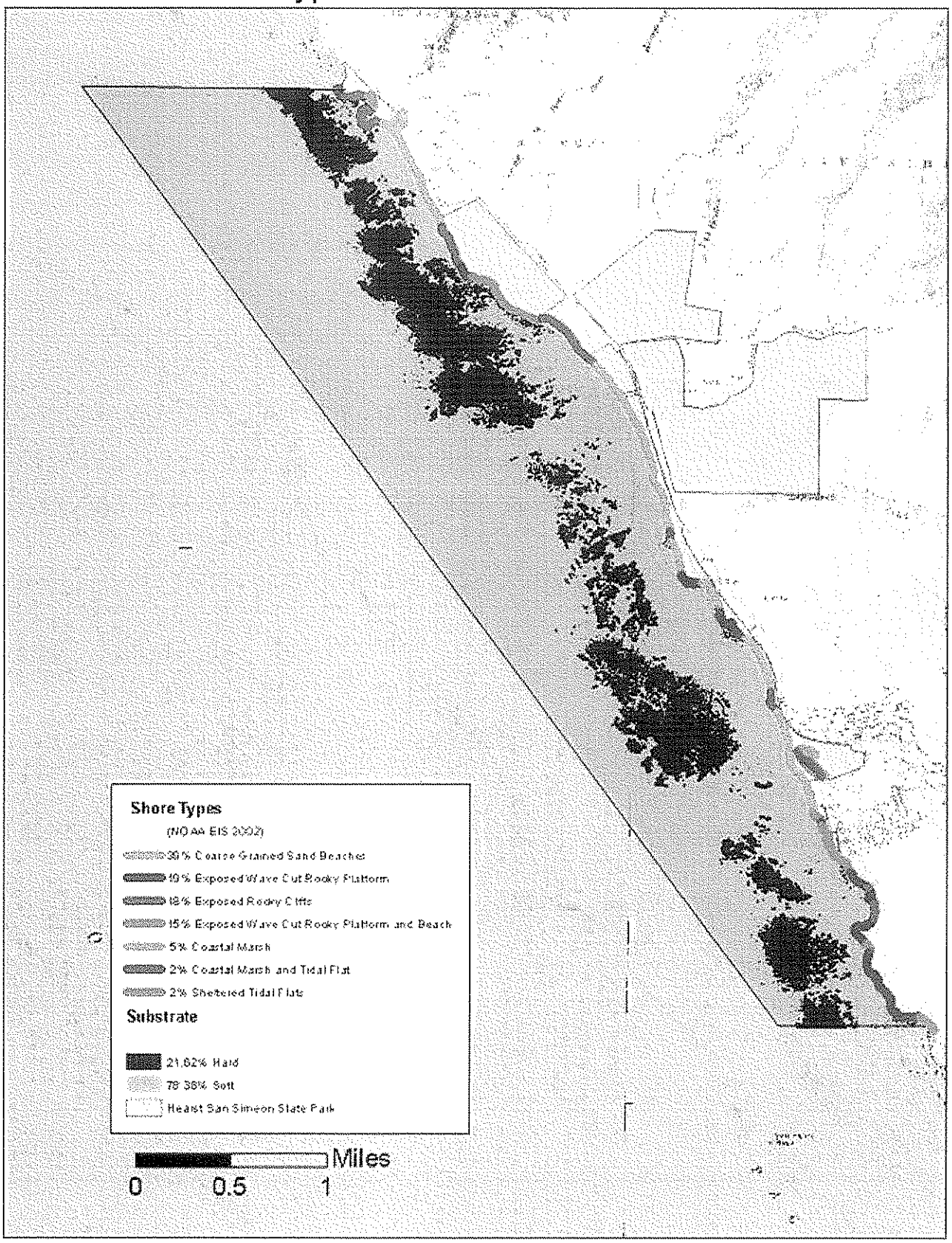
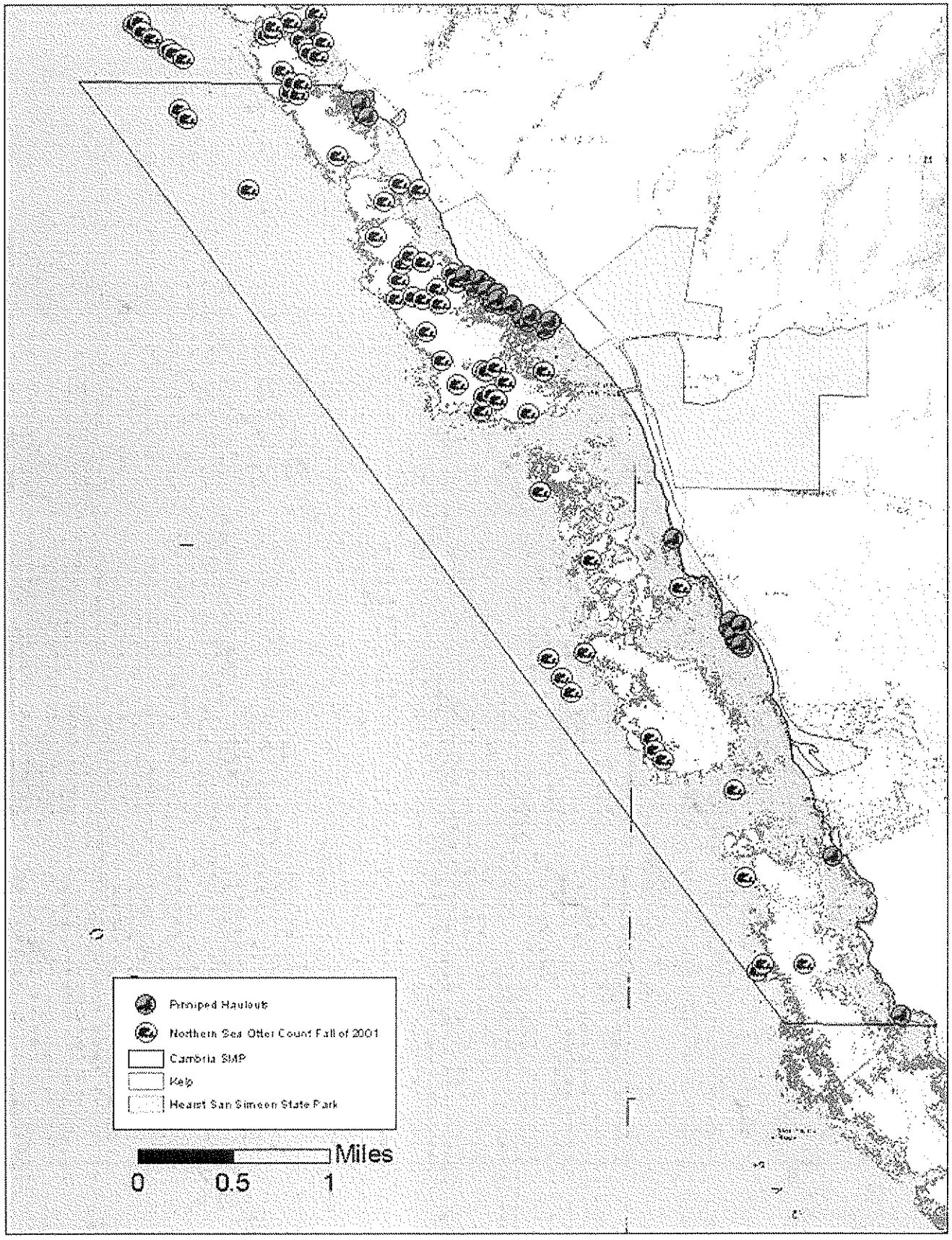


Figure 3.

Kelp Beds of Cambria State Marine Park



Cambria CSD
P.O. Box 65
Cambria, CA 93428

16 June 2011

To the Board:

The desalination plant has been discussed and investigated. The goal of providing adequate water to the community can be better solved, at lower cost, with other measures. Support expansion of gray-water systems. Provide audits to help residents use water more efficiently. Create incentives such as rebates for low-use appliances. Upgrade the sewer system to conserve water.

The initial costs of desalination are not reasonable for our community. Ongoing issues of maintenance and pollution are unnecessary and unacceptable.

I urge you to discontinue testing for the proposed desalination system and abandon it. Instead, get serious about solving our water problems rather than creating problems, both financial and environmental, for the future.

Sincerely,

Christine and Gordon Heinrichs
1800 Downing Ave.
Cambria, CA 93428

RECEIVED & REVIEWED ON 6-20-11

GREENSPACE
THE CAMBRIA LAND TRUST

Josephine Axt, Planner
Thomas W. Keeney
US Army Corps
Los Angeles District
PO Box 532711
Los Angeles, CA 92053-2325

Bob Gressens, PE
District Engineer
CCSD
PO Box 65
Cambria, CA 93428

June 17, 2011 Via Email and USPS

RE: Comments on the Draft Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study [GGRIS] at Cambria, San Luis Obispo County, California

Dear Josephine and Bob:

Thank you for the opportunity to make comments on the above mentioned Environmental Assessment (EA).

The issue of working below the Mean High Tide Line (MHTL) is fraught with problems. Your jointly prepared document does not adequately explain how you determine the MHTL and how the project will protect this unique and protected public property. As a matter of fact, the document fails to adequately address the values of the Public Trust Doctrine and the intent of lands that are held in public trust by California State Parks, the newly formed Cambria Marine Park and the Monterey Bay National Marine Sanctuary.

The movement of sand is significant on this beach. What appears to be a stable beach one day may be three feet higher or lower the following day. Dangerous 'sleeper' waves have swept more then one person from the beach and people have drowned one this beach as a result. This surf reality can not be mitigated. Just being on the beach below the prior high tide debris line has huge risks and placing equipment loaded with hydrocarbons and other contaminants in the tide zone is pure folly. Many signs warn users of the beach of these dangerous waves that can occur anytime and in any season.

RICHARD HAWLEY
EXECUTIVE DIRECTOR

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rick@greenspacecambria.org
www.greenspacecambria.org

The project clearly is attempting to piecemeal a larger project into smaller components. This is not giving a fair and adequate analysis of the projects scope of potential damage to the environment. While you request to exploit public resources you must divulge the full environmental and social impacts of extracting resources from and through lands that the public has decided is worthy of its highest form of protection. Your document fails to consider the whole of the project.

Now that the entire community is aware of mercury issues in the watershed so should the EA and precious little is understood on how this hidden toxic will affect the environment if accidently disturbed. The document fails to take mercury contamination and release into the environment into consideration.

As currently written, this document fails to identify whose project this is – the Cambria Community Services District or the Army Corps of Engineers. The public has the right to know who is responsible for damages and who will ultimately pay for potential mismanagement or accidents that cause harm to public resources and people who enjoy using this public property. Who is responsible for accidents? Will the State of California be liable for mistakes the ACOE's may make? Will the citizens of Cambria be responsible for damages?

The document will need another Federal Consistency review by the California Coastal Commission but we question whether Federal Consistency can be actually determined at this stage of the project – particularly when the entire project is not known by the public or by responsible agencies but the design of the project is currently under contract. This seems disingenuous and casts a shadow of doubt on the intentions of whoever is responsible for this project.

The fact that this project is not a 'stand alone' project can not be denied. The project described in the EA is a direct link to a larger project. Federal law clearly intends projects to be fully documented and analyzed and not segmented. This EA clearly is part of a larger facility and the described project is not independent but, rather, definable and integral part of a desal project and can not stand on its own merits as a stand alone project. This fact alone is grounds for conducting a complete and thorough document describes all the issues and alternatives.

Thank you,

Tina S. Dickason
574 Leighton St.
Cambria, CA 93428

Comments **on**
"Draft Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study (GGRIS) at Cambria, CA"

Thank you, for the opportunity to comment on the EA-IS/MND, and may I assume, that unlike in the case of Geotech. Phase 1, comments from the public and various agencies, **will** be addressed in a public hearing on the proposal of Geotech II. It is noted in Mr. Gresens' Notice of Intent to Adopt a Mitigated Negative Declaration, 5-17-11, for the proposed GGRIS at Santa Rosa Creek Beach and Shamel Park, CA., that "the public hearing for the Project is tentatively scheduled on Thursday, July 28, 2011 at 12:30 p.m. in the Cambria Vets Hall, located at 1000 Main St., Cambria, CA 93428."

I will attempt to address a limited number of issues related to this proposal, as others, whose comments I have read, have commented in very detailed and well-researched fashion on many issues related to this proposal. For the sake of time and duplication, I offer the following comments and questions.

First, I would like to ask why there has been no response(s) to my, and others' requests about testing done on September 22 and 23, 2010 from ACE Project Manager, Kathleen Anderson. "I don't yet have the results from the lab, my initial estimate was optimistic. Results go through a quality control/quality assurance review before they can be released. Once results are QA'd and I receive the report I'll be sure to send you a copy" (10 Oct. 2010 15:04:30).

Based on this scenario, I am very skeptical as to whether any results from the newly proposed testing will be forthcoming from ACE to the Cambria Community Services District (as they have not made it evident to the public that they themselves have any results), nor the California Coastal Commission, various agencies, and the public, who have made requests, including FOIA requests, with no responses. The public has a right to know how their tax dollars are being spent!

On **p. ii** of the Draft Joint EA/IS/MTG of the U.S. Army Corps of Engineers (ACE), Los Angeles, under the heading, **Purpose and Need**, the following sentence appears: "The data collected from this study will be used to determine the feasibility of various water supply alternatives to be addressed in a **subsequent, project-level** Environmental Impact Statement/Environmental Impact Report." (bold added). This is baffling to me. Why would this study be used to determine various water supply alternatives, when I was under the impression it was to determine the feasibility of a subsurface intake/discharge system? What exactly do you have in mind, when you refer to "various water supply alternatives" in relationship to this proposed investigation? This seeming lack of data gathering for this proposal only adds to the feeling that taxpayers' dollars are not being used prudently.

In the same section, p.iii, I question the following: "The proposed geotechnical investigation activities **will not result in the construction of any temporary or permanent features associated with a future water supply project, including those that may be associated with a future desalination project;**"(bold added). It's unclear to this reader of the proposal, just exactly what ACE's

intentions are. It appears that considerable changes have been made to this proposal reducing the objectives of the September, 2010 testing.

Again, the same section, p.iii, under the heading, **Conclusion, "The study would not result in significant impacts to the environmental resources.**" (bold added in quotes).

I take extreme issue with this statement, as well as statements made on **p.42. Section 4.6 Noise Resources/4.6.1 Proposed Action:** "The geotechnical investigation and geophysical survey activities will not result in the creation of a new long-term noise source. **The study could result in a temporary and minor increase in noise levels at the study site.**" (bold added). What exactly is meant by the words "temporary" and "minor?" The San Luis Obispo County's Noise Ordinance threshold is 70dBA, and yet in the proposal p. 42, section 4.6.1 it states: "**Under full drilling conditions the rig produces a noise of about 85 dBA at 100 feet"** at the rotosonic drill specific site. **The CPT rig produces 89 dBA at 70 feet**. (bold added). Clearly, these levels exceed the County's ordinance threshold. Also, if the proposed testing timeline of Aug. 15, 2011 thru November 30, 2011, and possibly extending that timeline to the middle of December, 2011 (going against the Calif. Coastal Commission's guidelines of Sept. 1--Nov. 1), only increases the chances of noise levels. The type of equipment planned for usage in this project, and the location of such, certainly questions the consideration of marine and birdlife in the staged area, as well as visitors to the beach area. See my comments to FIRMA on Geotech. I http://by145w.bay145.mail.live.com/default.aspx?wa=wsignin1.0#n=372172053&st=to%3A%20david%20foote&mid=b127073f-4434-494f-8949-13df493833b8&fv=1

In addition to comments made above, I also refer to Mr. Gresens statement, under STAFF DETERMINATION in the Notice of Intent to Adopt MND, 5-17-11: "The undersigned, having undertaken and completed an environmental evaluation of the Project, has concluded that the Project, as mitigated, will not have a significant effect on the environment and that, following close of the 30-day public review period, the Cambria Community Services District will consider adoption of this Mitigated Negative Declaration and approval of the Project." I take issue with this statement of "not having a significant effect on the environment." If the proposal doesn't include water or sediment testing, how can there be proof of no mercury contamination, or indeed, any other contaminants? Why was there a change from the 2010 proposed project to this current proposal? This is serious and needs to be addressed! (Please refer to California Title 22, requirements for toxicity testing). The CCC gave a timeline of Sept. 1 to Nov. 1, to lessen the need for potential harmful effects of sensitive species, public access issues, and storm/surf activity, in addition to other considerations. It would seem that much of what has been advocated by the CCC is being ignored in this proposal.

The proposed site for new geotech. activity is within the Monterey Bay National Marine Sanctuary, a State Natural Preserve, and the newly-named Cambria State Marine Park, (by Calif. Dept. of Parks and Recreation, Aug. 2010). In this proposal, testing is said to occur **below** the MHTL, (not consistent with the proposed project in 2010), next to the Santa Rosa State Natural Preserve, as well as above the MHTL within Shamel Park. These sites would appear to be the most unlikely candidates given their pristine status, usability by local residents and tourists (this is, after all, a tourist impacted community), marine and bird habitat, as well as the threats to species in Santa Rosa Creek, lagoon, and coastal waters. This site in fact was declared by the Cambria Community Services District Desalination Facility, in a 1993 Preliminary Site Analysis to "offer both the least costly projects coupled with the most uncertainty of overcoming obstacles. Fundamentally, this area appears too cramped for a full sized desalination facility."

I would have to add to those concerns, the obvious threat: that of possible earthquake/ tsunami activity, given the location of fault lines in the immediate and neighboring areas. A desal facility near the current water treatment plant, could be extremely vulnerable, given the possible aforementioned natural disaster happenings. Just recently, when Japan suffered a severe tsunami, coastal warnings and alerts were put in place along the California coast, including access to Park Hill, (the location of Shamel Park/Santa Rosa

Creek Beach), which was cut off to residents and tourists, alike. The County's Sheriff Dept. had deployed staff to cut off access to Moonstone Beach Drive and Park Hill, which meant the main artery to Park Hill, Windsor Drive, was completely cut off. Residents who had left their homes to go into town or elsewhere, were unable to get back to their homes until the Sheriff's Dept. had received the "all clear." (I happen to live on Park Hill, so I can vouch for what occurred). In my opinion, this is another example of a serious oversight in this proposal, and one that needs to be looked at very carefully. We're not just discussing a water solution for Cambria; in the process we need to be very aware of possible catastrophic events; we are not immune by a long shot!

In regard to the roles that the CCSD and ACE play in this proposed project, or even in the previous geotech. project, I am baffled. There appear to be inconsistencies in who is/has been the lead agency; what role does the CCSD play? If the Federal gov't. has allocated and appropriated funding for the geotech. investigations, then why on Sept. 18, at a Special Meeting of the CCSD Board of Directors was the "Resolution 43-2009 Authorizing Expenditure of $166,000 of CCSD Reserves Required for Local Matching Funds to Encumber Federal Appropriations for FY 2008/09 Ending September 30. 2009 for Desalination Project Geotechnical Investigation" unanimously approved by the directors of the board on September 18, 2009? (At a later meeting, which I believe to be, January of 2010, counsel to the CCSD disagreed with the board's execution of the resolution).

There is an awful lot to address in this proposal. The proposal lacks in at least the areas I have commented on. I ask that the parties concerned give serious attention to my comments and those of others who have given serious thought and time in reading and responding to the proposal. I have to say, that I found the overall tone of the proposal to be somewhat audacious, and at times arrogant; that is a shame, and I hope I can look forward to a more congenial and agreeable tone in future NEPA/CEQA reporting.

Sincerely,

Tina S. Dickason
574 Leighton St.
Cambria, CA 93428

February 10, 2010

David Foote ASLA
c/o FIRMA
1034 Mill St.
San Luis Obispo, CA 93401

Dear Mr. Foote,

I am writing to express my concerns in regard to the proposed Negative Declaration by the Army Corps of Engineers and the Cambria Community Services District in regard to Geotech drilling for test wells on the Santa Rosa Creek Beach area of Cambria.

The very fact that this particular site has been chosen for such activity is alarming in, and of itself. Shamel Park is a county park, which provides the only public children's playground in Cambria; it has the only public swimming pool in Cambria; it is the most heavily used beach/park area in Cambria; many public and private events are held at this location; i.e. weddings, July 4th celebrations, (with firework displays on the beach conducted by the Cambria Fire Dept.)., Pinedorado/Labor Day celebrations, public picnics and BBQ's. In addition, the park is used for sports and recreational activities; i.e., soccer, kite flying, swimming, including scheduled swim instruction/classes for youth during the summer; dog/owner recreation. In other words, this is truly the People's Park in Cambria, and as such, it deserves to be given serious consideration by all agencies
involved in the evaluating process of the proposed Negative Declaration.
In adddition to this site being a county park, it is also a California state beach, and is part of the Monterey Bay Marine Sanctuary, and as such is a protected area in regard to marine life and natural habitat.

Shamel Park is located in the Park Hill area of Cambria, a residential neighborhood. There are homes in Park Hill that border the beach area, the south parking lot to Shamel Park, and directly across the street from Shamel Park. It is of great concern to me, that very large pieces of equipment will be used in the proposed geotech. testing for a period of 1 to 2 years. These pieces of equipment will create noise pollution in excess of the County Noise Ordinance threshold of 70dBA. In the Negative Declaration, it is stated that the equipment for drilling may produce up to 86-90 dBA at the noise source. In addition to noise pollution, the emission of carbon monoxide will be significant from the equipment used for the geotech. drilling; This is extremely problematic, and begs the question: How could there possibly be a Negative Declaration on an EIR for this project at this site, considering the above mentioned concerns and issues?

Others have addressed in detail and with much data, my concerns stated above, as well as a host of other issues, including the disruption of an environmentally sensitive habitat, access to the beach, the number of test wells proposed, the length of time for such testing, the negative impact to bird life, marine life and human life. This project defies any reasonable concern for the environment, and serious consideration should be given to the public's commenting on this issue.

The very reason I chose to live in Cambria, is because I am an asthmatic, and clean air is vitally important to me for health reasons, as it should be for all. To impose pollutants into this pristine area for an extended period of time, would appear harmful to animal and human life.

Accessing Shamel Park for large pieces of testing equipment would appear problematic, as the only access from Hwy. 1, is Windsor Blvd, which has a very old, and fairly narrow bridge, crossing over Santa Rosa Creek. What impact will the necessary equipment have on the bridge itself? In addition, the constant activity of equipment at Shamel Park/beach area will be highly disruptive to the public's use of such area. Park Hill residents will be impacted by the constant moving of equipment from Shamel

Park/beach area, back and forth to the CCSD's water treatment plant area for storage of the equipment, just off of Windsor Blvd.

Thank you for considering my comments.

Respectfully,

Tina S. Dickason
574 Leighton St.
Cambria, CA 93428

Elizabeth Bettenhausen, Ph.D.
345 Plymouth Street
Cambria, CA 93428
(805) 927-0659; elizabethbettenhausen@gmail.com

Comments on
"Draft Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study [GGRIS] at Cambria, San Luis Obispo County, California"

I am grateful for the opportunity to comment on this Environmental Assessment and Initial Study/Mitigated Negative Declaration (EA-IS/MND).

Preface

In *High & Low Tides 2011 for Central California Coast* ("Easy Read" Tide Book[tm], Wilkins Printing), the center pages give "2011 Expected Grunion Runs." The note at the bottom of the page includes this sentence: "Remember, grunion don't read this schedule, so they might not be there when you are." This provides a perspective that would be optimal for this and every Environmental Assessment and Initial Study.

The sentence also reminds me of Jared Diamond's discussion of "landscape amnesia" in *Collapse: how societies choose to fail or succeed* (2005; p. 433). He writes, "It appears to me that much of the rigid opposition to environmental concerns in the First World nowadays involves values acquired early in life and never again reexamined: 'the maintenance intact by rulers and policy-makers of the ideas they started with,' to quote Barbara Tuchman once again." Landscape amnesia thrives on old values, such as these:

human interests are superior to "Mother Nature;"
engineering will make nature serve human interests;
wealth has the privilege of defining need; and
the ocean is so huge it can take whatever we do to it.

Major Comments

1. The objectives of this GGRIS are given on p. 5 and include
   - Determine subsurface material characteristics by a combination of laboratory analysis of collected samples and cone penetrometer measurements. Verify whether subterranean wells may be feasible towards including among the various alternatives that will be further defined and analyzed within a subsequent, project-level EIS/EIR.

This verification of the feasibility of subterranean wells pertains to the feasibility of the desalination project proposed by the Cambria Community Services District as a possible future water supply.

However, in the "Procedures for Implementing NEPA" of the Army Corps of Engineers is the following

> 6. Actions normally requiring an EIS are: a. Feasibility reports for authorization and construction of major projects....
>
> (Department of the Army, U.S. Army Corps of Engineers' CECW-RE, Regulation No 200-2-2; 4 March 1988; Environmental Quality, Procedures for Implementing NEPA).

Performing only an Environmental Assessment of the Geotechnical/Geophysical Research ignores this important Procedure in official Army Corps of Engineers requirements or implicitly claims an abnormal situation.

The only reason for this geotechnical and geophysical research is to determine the feasibility of pipes and wells at and within the site for desalination of the ocean water in the plant located nearby. The research is germane only to the larger project and its construction.

The GGRIS is a segment of the desalination project, for which an EIS/EIR will be done. This violates the segmentation rule of CEQA. **The analysis must be integral to a complete EIS/EIR analysis in the future and not individually separated from the composite and comprehensive analysis of impacts on the environment of the desalination project and the ecosystems in which it might be placed (no site has been finally chosen).**

2. Since the Cone Penetrometer Testing description refers to the possibility of casing left in place, why is the claim made that no temporary features associated with a future water supply project will be constructed? "Depending on the sampling arte [sic] and depth to bedrock at each sampling location, a four to six inch diameter rotosonic sampling casing may have to be left in place overnight. It is proposed that such a casing would be left approximately 6 feet above the surface, which could possibly occur over two to three consecutive working days. (pp. 10f.; see also p. 47). Since 4-6 boreholes are planned, casings might need to be left in place for up to 18 days/night and perhaps more. **On what basis is the claim made that temporary construction is not involved in the EA/?**

3. The Study Location section states: "The study area will include the beach area west of Shamel Park and the littoral zone below the mean high tide line of Santa Rosa Beach and Shamel Beach within the Monterey Bay National Marine Sanctuary (MBNMS) and Cambria State Marine Park."

However, "Santa Rosa Beach" is an unofficial name for a part of Hearst San Simeon State Park, which also includes the Santa Rosa Creek Natural Preserve. The EA/IS/MND states:

> Geophysical data collection work will be conducted seaward from the MHTL in areas that may be contiguous with the inland State Parks natural preserve boundary to avoid encroachment onto the preserve area (5; see also pages 13 and 17).

Additional information is given on p. 8:

> An onshore land survey will be needed to determine the MHTL along the beach which will be used to establish the western boundary of the inland natural preserve area.

Nowhere in the EA/IS is it made clear why the researchers will use the MHTL as the western boundary of the natural preserve <u>for purposes of assessment of impact on the environment, including ecosystems.</u> .

On p. 5 we read this sentence, "Geophysical data collection work will be conducted seaward from the MHTL in areas that **may be contiguous** with the inland State Parks natural preserve boundary to avoid encroachment onto the preserve area" (emphasis added). This sentence suggests that the researchers' knowledge of the boundary is ambiguous.

Is the MHTL a boundary of environmental impact of activities? If so, what evidence supports the claim? Or, is choosing the MHTL strictly a legal matter with no attention to environmental and ecological consequences of the choice?

4. "Encroachment" on Cambria State Marine Park is part of GGRIS research. What is the basis of the researchers' understanding of the Cambria State Marine Park?

The Cambria State Marine Conservation Area was changed to the Cambria State Marine Park by California State Park and Recreation Commission on August 17, 2010. At that meeting they received the July 2010 Resource Summary of the Cambria State Marine Conservation Area. In it the Public Resources Code (PRC) is cited follows:

> 36700(b) A "state marine park" is a nonterrestrial marine or estuarine area that is designated so the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following: (1) Protect or restore outstanding, representative, or imperiled species, communities, habitat, and ecosystems.

However, in the EA/IS no mention is made of the Resource Summary and its specific characterizations of the Cambria State Marine Park. Some of the characteristics posited about Cambria State Marine Park in the EA-IS/MND conflict with the Resource Summary description. For example, in discussing the environmental Setting in Section 3.2.1, this claim is made. "The subtidal habitat adjacent to the study site is predominantly sedimentary, and interspersed with isolated rocky features" and "The study site has no rocky substrata tend to support a generally more diverse epibiota" [sic] (p. 20; see also p. 37).

The Resource Summary describes the same area differently: "Many rocky outcroppings are scattered along the shoreline of Cambria SMCA....These rocky outcroppings provide important habitat for intertidal species as well as important haul outs for a variety of marine mammals and roosting areas for sea birds" (p. 2). The outcroppings, visible along the shore, are certainly grounded. In addition, 78% of the offshore area is characterized as hard bottom (p. 4). Interaction between the intertidal and offshore ecosystems is not acknowledged by the EA/IS.

The EA/IS also assumes that only those marine mammals who come ashore might be affected by the research. This again posits an air-tight, water-tight, ground-tight boundary that does not exist in nature. See the discussion of the sea otter in 3.2.2 as an example, as well as 3.2.3. Marine Mammals and Sea Turtles.

Data that might support the EA/IS claims about the inter-tidal and subtidal habitat and the behavior of marine life are absent.

5. The discussion of noise as objectionable sound takes into account the effects of noise on people (3.6, pp. 28ff.). The claim is then made that the proposed study "is exempt from the San Luis Obispo Land Use Ordinance and noise standards" (3.6), so sound objectionable to humans need not be taken into account.

A related topic is barely mentioned. **What is the effect of the study's objectionable noise on marine and beach life?** One reference is made. "Noise and activities on the upper beach would not disturb sea otters offshore. There will not be an effect to the sea otter from implementation of the geotechnical investigation and geophysical study" (p.39). No studies or data are cited to defend this claim. No mention is made of possible disturbance of harbor seals, dolphins, cormorants, sea stars, grunion, etc. by noise and vibration either.

6. Why is only an Alquist-Priolo Fault Hazard map used regarding faults through the proposed study site? The current USGS Active Fault Map for this area shows **active fault lines running directly through Cambria, Santa Rosa Creek, and San Simeon State Beach** (http://earthquake.usgs.gov/earthquakes/recenteqscanv/FaultMaps/121-35.html).

7. The data drawn from the Geotechnical and Hydrogeologic tests done at Shamel Beach in September 2010 have not been made public, although FOIA requests have been made. Are the objectives and results of those tests pertinent to the proposed new investigation? Why or why not?

8. Why does the discussion of issues of Socioeconomics and Environmental Justice (3.12) use census data from 1990, 2000, and 2007 but not from 2010? Significant demographic changes have taken place here, perhaps pertinent to the decline of water use in Cambria.

Finally, I include part of a paragraph from my comments on the *Initial Study of Environmental Impact* (ISEI) of Geotechnical and Hydrogeologic Study at Santa Rosa Creek Beach and the draft Negative Declaration proposed by the Cambria Community Services District in 2010.

Marine scientists at an international conference in Spain in 2006 developed an analysis of beach investigation. The lead author of the report, Thomas A. Schlacher, and the others wrote:

> Beach management often focuses only on the physical attributes and processes of beaches, particularly those related to managing sand budgets and the stability of the shoreline.... In contrast, conservation of ecological features and processes does, in many cases, not form part of routine beach management. Consequently, the impacts on ecosystems are rarely included in impact assessment.[1]

I look forward to a thorough analysis of environmental impact of the whole future water supply project, including this second part of its first segment: GGRIS. I am confident that the county, state, and federal governmental units who are stewards of Heart San Simeon State Park, Cambria State Marine Park, Shamel Beach, and Monterey Bay National Marine Sanctuary will set a high standard for right of entry for all such proposed research and high standards of assessment of the impact on these complex ecosystems. "Remember, grunion don't read this schedule, so they might not be there when you are."

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[1] "Sandy beach ecosystems: key features, sampling issues, management challenges, and climate change impacts" in Marine Ecology 29 (Suppl.1) (2008), 81.

June 19, 2011

Muril Clift, President
Jerry Gruber, General Manager
Cambria Community Services District
P.O. Box 65
1316 Tamsen Street, Suite 201
Cambria, CA 93428

RE: Environmental Assessment and Initial Study/Mitigated Negative Declaration (EA/MND) sponsored by the U.S. Army Corp of Engineers and the Cambria Community Services District.

A resident and home owner in Cambria, I write this letter in opposition to the proposed geotechnical and geophysical research investigation at Shamel and Santa Rosa Beaches. This environmentally sensitive area should not be violated by the proposed initial investigation with its underlying intent for desalination of sea water. This currently pristine area on the central coast is one of the very few remaining coastal areas that provides a natural habitat for many endangered species, on the beaches, and in the coastal tidewaters. The area provides public access for resident and visiting families; this access will be impaired by the presence of heavy equipment and investigative activities. The potential for hazardous spills could endanger the health of humans and protected species.

The current EA/MND is incomplete and inadequate in content and detail. Among other deficiencies is the failure to fully address prevention and mitigation for the potential release of mercury as well as possible petroleum spills from equipment and vehicles. Investigations conducted in 2010 and now proposed in 2011 to be followed by the proposed desalination project represent a piece by piece approach rather than cohesive well formulated plans with full disclosure and documentation. A full environmental impact review is needed before engaging in any further violation of this environmentally sensitive coastal area.

Comments Respectfully Submitted

Nancy Anderson, Resident
P.O. Box 1417
Cambria, CA 93428

Amanda C Rice
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Cambria, CA 93428
805-927-4191
CambriaMaven@gmail.com

June 20, 2011

Re: Comments on Draft Environmental Assessment/Mitigated Negative Declaration (Draft EA/MND) for Cambria Geotechnical Sampling and Geophysical Survey

Dear Dr. Axt and Mr. Gresens,

I am an interested citizen of Cambria and value every meaningful opportunity to engage in the decision-making processes of our community. CEQA provides for my participation, to ensure a public agency can receive and evaluate my reaction to the environmental consequences of its actions. I have reviewed the Draft Environmental Assessment/Mitigated Negative Declaration (Draft EA/MND) for Cambria Geotechnical Sampling and Geophysical Survey Draft EA/MND and offer some of my thoughts below.

I also had a chance to review the comments provided by the California Coastal Commission regarding this Draft EA/MND(June 16, 2011). I considered the draft EA/MND, the content of that letter, as well as the Coastal Commission's expertise and dedication to thorough review of coastal projects. I support the conclusions in that letter and am equally interested in the responses to their stated concerns as I am in the response to my concerns.

The rest of this letter outlines some specific concerns I have regarding stated purpose of the project in the Draft EA/MND.

The statement of purpose does not allow for a reasonable range of alternatives – there's only project or no project. Are there literally no impacts if this study is not done? Why should it be done then? It seems reasonable to expect some impact to not doing the proposed geotechnical sampling and geophysical survey . Specifically, a desalination project could not be developed and the threat of seawater intrusion into the aquifers and other environmental degradation of the watersheds would not be abated. This line of reasoning leads to another, more complex question: If not having a desalination water supply has no impact on the community, why should one continue to be pursued?

The stated objective of the EA/MND, "is to address potential impacts that may result from implementation of the proposed geotechnical research investigation data collection study for a proposed water supply action/activity. The data collected from this study will be used to determine the feasibility of various water supply alternatives to be addressed in a subsequent, project-level Environmental Impact Statement/Environmental Impact Report."

I have two main concerns regarding this stated purpose:

1. It does not specify that the testing is intended to determine whether this site is appropriate for a seawater desalination project – not some vague or unknown variety of water supply alternatives.

2. The decision-makers do not have all the information needed to effectively choose between the proposed project and no project. A reasonable person might logically conclude, probably correctly, that one of the potential impacts is development of a seawater desalination plant. This EA/MND doesn't evaluate the entire project, but only one small part of it. Should the testing determine seawater intakes are feasible at this site, a desalination project would have to be evaluated. It would seem a more reasonable approach to embark on a thorough environmental document that would give the decision-makers better information on the full spectrum of potential impacts of a desalination project.

I look forward to reading the responses to these concerns about the purpose for this project. Please add my name and address to the Distribution List for future communications. Thank you.

Very Sincerely,

Amanda Rice

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C/BOD
JG
BG
F/S

June 11, 2011

Dear CCSD,

On February 7, 2010, the Cambrian published a special opinion piece of mine in which I objected to the test drilling at Santa Rosa creek. It was called $733,000 for What? Regardless of whether the costs of the test drilling is paid for directly by CCSD rate payers or by the federal government, in either case taxpayers' money is not being used wisely.

I objected to the testing then, and after eighteen months of further investigation still do. I object on grounds of the **heart**--the effects on the life, human, plant and animal. I also object on the grounds of the **head**, that is of the cost, when other solutions would cost less and with less negative impact.

Points of the heart

Having read the description of these proposed tests, it is clear that our coastal environment will be jeopardized by the tests alone, not to mention that it may lead to the construction of an actual desalination plant at a nearby location.

The test plans state that they will have to take large and heavy equipment on the beach between high and low tide. This is a point in time where hundreds of sea birds gather to feed on the small creatures left under the waves.

Furthermore the plan stated that should they find endangered species they will be caught and moved elsewhere. Our steelhead trout and other endangered species who depend upon this wonderful waterway for their existence cannot simply be caught, moved elsewhere and hope to survive. Anywhere else does not meet the requirements for their survival.

Sea birds depend upon the estuary for water, food and respite. The sand bar at the mouth of the creek creates a lagoon where many species of fish breed, which in turn feed birds, otters, wildlife and us.

Construction of test wells and a desalination plant may increase the levels of toxins on the beach, in the ocean, our air, and in our water. Toxic mercury from old mines would likely be released and becomes highly toxic when it comes in contact with oxygen. Leaks from equipment and pollution from their engines threaten our air and land.

Over the long term, should a desalination plant be installed, a large plume of salt and at least 25 known carcinogens would be spewed out into the ocean, resulting in a dead area in the ocean and continued contamination. Sea water contains pollutants which would have to be counteracted by the process.

Reasons of the Head: Fiscal Irresponsibility of the Plan

The proposed desalination project is sized to allow for every household to use 18 units bimonthly. Our actual average per household use is about 9 units bimonthly. Why? Such excess production is costly.

A local water engineer has gathered data on the high energy costs of running such a plant. Solar panels would add millions to the cost, and may end up as carbon offsets. At a CCSD meeting in 2010, Greg Sanders, then president said the panels would be built out in the desert and other means of power would have to be used at the plant site. That means burning carbon based fuels here in exchange for making solar power elsewhere.

Piece-mealing as a strategy: The desalination project has not yet been designed, even though millions have already been spent on negotiations, studies and lobbying. ($6000 a month for lobbying alone). The CCSD hired Bob Gresens, to design the plant. However, when he said at a CCSD meeting that he could do this design, then CCSD director Sanders said they would instead hire an outside engineering firm. Each step in this piecemeal process is a strategy which avoids carefully looking at what the entire project would entail and **fairly** evaluating alternatives. Each of these piecemeal steps costs lots or money. However, the CCSD has made their finance committee deliberations ad hoc, and therefore not open to the public.

Fiscally Responsible Solutions

What makes the desalination project even more problematic is that there are less costly solutions. Some of these have been given unfair short shrift by our water master plan, because it was assumed that desalination would get federal support and the other measures would not. However, federal funds could have also been applied to update our sewer system, which water expert Blando, from Morro Bay water department has said would save up to 40% of our water. Desalination got the highest rating on the criteria of cost because of this assumed funding, not because of its cost effectiveness. (See the concluding chart on in the Water Master Plan, posted on the CCSD website.)

Other methods have been more fully enumerated via a water panel, called Water U Thinking, held at Rabobank in March, 2010. It is available for viewing at https://public.me.com/vbentz. Here are some of them:

greywater systems could save 30-50% of water

expand the underfunded rebates program for low water usage wash machine and toilets

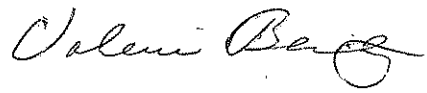
conduct water audits on each home and business by experts

develop ponds and/or storage tanks up Santa Rosa Creek. (Dr. Jim Brownell conducted such a study, available in the Cambria Library, largely ignored!)

I conclude now, as I did in February 2010, that there are too many reasons, both of the heart and the head, to go ahead with the costly text drilling at our precious Shamel Park or with the plan for building a desalinization plant with so many better solutions available.

Do not let fear or greed rule the day.

Sincerely,

Valerie Bentz, Ph.D 

Cambria resident since 2000

TABLE 8-37
EVALUATION MATRIX FOR POTENTIAL WATER SUPPLY ALTERNATIVES

Alternatives	Supply Capabilities	Water Quality	Reliability	Required Agreements	Environmental Issues	Permitting/ CEQA	Cost Combination	Funding Availability	Total
Weight factor	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*0.125*	*1*
Seawater Desalination									
RO-300 gpm	1	1	5	2	3	2	4	4	2.8
RO-600 gpm [a]	2	1	5	2	3	2	3	4	2.8
RO-900 gpm	4	1	5	2	3	2	3	3	2.9
Lake Nacimiento									
Town Creek- I ps, vt pumps	2	4	2	2	2	3	2	1	2.3
Franklin Creek- 1 ps, vt pumps	2	4	2	2	2	3	2	1	2.3
Town Creek- 3 ps, pd pumps	2	4	2	2	2	3	2	1	2.3
Franklin Creek- 3 ps, pd pumps	2	4	2	2	2	3	2	1	2.3
Whale Rock Exchange									
700 AFY	2	3	2	1	3	4	4	1	2.5
1,000 AFY	5	3	2	1	3	4	1	1	2.5
Hard Rock Drilling	1	3	3	3	1	3	4	1	2.4
Recycled Water [a]	1	1	5	4	3	3	5	3	3.1
Demand Mangagement [a]	1	5	3	3	5	5	5	4	3.9
San Simeon Dam- Van Gordon	2	2	1	2	2	3	5	2	2.4
Jack Creek Dam	3	2	2	1	1	3	5	2	2.4
definition of rank 1:	< 600 AFY	Very Poor	Not Reliable	Very Difficult	Significant	Very Difficult	Above Average	None Available	Poor
definition of rank 5:	> 1,000 AFY	Excellent	Very Reliable	None Needed	None	None Needed	Below Average	Fully Funded	Excellent

Note: (a) Recommended alternatives.

No one tried to get funding for alternatives!

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RE: Joint Environmental Assessment and Initial Study/ Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California

Ron Massengill, 2434 Trenton Ave, Cambria. Resident 12 years. I am a retired biologist having worked with ocean pollution issues most of my thirty five year career. I addition I was on the Desalination Committee for the Monterey Bay National Marine Sanctuary during the sanctuary's development of the Master Plan as a member of the Advisory Council.

I think the testing and development within the boundaries of the MBNMS and Cambria Marine State Park is a mistake and a misuse of public land. Secondly, seasonally large storm waves will change sediment composition radically and render today's results irrelevant in the future. Thirdly, all the general assumptions in the about the interstitial organisms that inhabit the sandy intertidal is too general . There is no knowledge of what is actually there. No field work is planned

Abuse and misuse of public land.. The Santa Rosa beach area is targeted for geotechincal exploration and possible future development is an aesthetic conflict with both the National Marine Sanctuary and the recently developed Cambria Marine State Park. Clarification is needed on agency review before testing or site development is allowed.

The High Wave Energy Coastline at Santa Rosa Creek is not a suitable site for desalination development: Coastal marine geologists and oceanographers should have been consulted before any site considered for development. An Oceanographer is listed in the contractors list in the proposal but no mention of effects of storm surf. The CSD and Army Corps is premature moving ahead on geo-testing sediment/water quality without doing oceanography first. The coastline is a high energy surf area with major long shore transport of sediments of up to 2 meters vertical change seasonally from February to July. Common sense would suggest that 12 to 20 foot waves during storm events would render any man made filtering structure for a desal subsurface intake in the surf zone ineffective or short lived. Over estimating engineering design abilities and underestimating the power of the ocean is a common and expensive mistake along our coast line.

Mahala Burton

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June 17th, 2011

Cambria Community Services District
Bob Gresens, Engineer
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US Army Corps of Engineers
Mr. Thomas Keeney
Planning Division, Environmental Policy Section
P.O. Box 532711
Los Angeles, CA 90053-2325

Comments on Joint Environmental Assessment and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California.

Dear Sir,

The following comments are submitted in response to the Cambria Community Services District (CCSD) and the Army Corps of Engineers (ACE) May 20th 2011 joint Environmental Assessment (EA) and Initial Study/Mitigated Negative Declaration for Geotechnical/Geophysical Research Investigation Study at Cambria, San Luis Obispo County, California. Pursuant to the California Environmental Quality Act (CEQA) the lead agency is the Cambria Community Services District Pursuant to the National Environmental Policy act (NEPA) the lead agency is the Army Corps of Engineers

As a concerned resident, I am writing in order to promote the quality of life for all residents of Cambria and for environmental protection of the marine and near shore habitat and species.

After a careful review and analysis of the joint draft EA/MND I conclude that the proposed project raises substantial issues, as to its conformance with the California Environmental Quality Act, the National Environmental Policy Act, and the applicable policies of the San Luis Obispo Local Coastal Program , the San Luis Obispo County North Coast Area Plan (as revised August 24, 2008).and to California Coastal Act provisions, the May 2010 guidelines developed by the National Marine Fisheries and Monterey Bay National Marine Sanctuary; Cambria Marine Park regulations and San Simeon State Beach regulations and codes.

Even after mitigation measures described in the EA/MND are implemented the proposed project MAY have significant effects and impacts on the environment. An environmental impact report is the

proper level of scrutiny for the project as required under CEQA and NEPA before the CCSD and ACE may lawfully approve the project.

Please enter the following comments into the formal record of this proposed action.

Location

Project is in the coastal region of Central California in the northwestern portion of San Luis Obispo County, California, within the community of Cambria. Cambria is located approximately 35 miles northwest of the City of San Luis Obispo and 25 miles west of the City of Paso Robles. The study area will include the beach area in front of Shamel Park and the littoral zone below the mean high tide line of Santa Rosa Beach and Shamel Beach inside the Monterey Bay National Marine Sanctuary and Cambria Marine State Park.

The project description

The Proposed Investigation Study would include: approximately six sample boreholes produced using a rotosonic method that creates four to six inch diameter cores; seven cone penetrometer tests, which create one to one and one-half inch diameter probe penetrations; and, a seismic reflection/refraction geophysical investigation. The rotosonic method does not use drilling fluid, and will bag all sampled materials for off -site analysis. The cone penetrometer test pushes a rod with a sensor into the ground using a hydraulic ram. Non-invasive geophysical investigation activities include hand placement of acoustic sensors (hydrophones) and connecting cables, which are evenly spaced and aligned over the surface of the exposed beach area. During the geophysical investigation, sound would be generated into the subterranean materials from a 20-pound sledge hammer being struck against a 1-inch thick steel plate. The investigation study does not include the temporary or permanent construction of any structures or facilities. The proposed investigation study would not produce any discharge of materials into jurisdictional waters of the US. Because there is no discharge of dredged or fill material proposed, the proposed study will not require Section 404 and 401 Permits. Based on the analysis presented in the EA/MND, the proposed action will not violate or threaten to violate any Federal, state, or local law or requirement imposed for the protection of the environment. The proposed study would not result in significant impacts to the environmental resources including, but not limited to biological, cultural, water air, aesthetic, transportation, safety, utility service resources and environmental justice. Short-term data collection impacts would be minimized by implementation of the environmental commitments identified in this EA/MND.

Purpose

The purpose of the current project is poorly defined and problematic. The EA/MND offers in several places a confusing description of the actual purpose of the Research Investigation Study. As stated therein, the purpose of the project is to "determine feasibility of various water supply alternatives", but only one is presented—Desalination. If the purpose of the study is ill-defined, assessment of impacts will be impossible and 'prospecting' for a suitable paleochannel, or substrate, in an environmentally sensitive area is the unavoidable result.

A short bullet list of stated purposes:

- Determine feasibility of various water supply alternatives
- Characterizing the actual permeability of the underlying materials" in channels at the mouth of Santa Rosa Creek.
- To define horizontal alignment of the paleochannels as they head seaward".
- The purpose of the study is stated to "allow for better accurate borehole placement" during subsequent drilling.
- The thickness of the alluvial materials is the subject of the proposed Geotechnical investigation.

More confusion of purpose abounds. Included below are various statements of purpose from the geo tech investigation in 2010.

October 2009 Noble contract for part of the geotechnical Investigation 2010

> LOS ANGELES— The U.S. Army Corps of Engineers Los Angeles District awarded a $70,727 stimulus contract Oct. 30 to Noble Consultants, Inc., a San Francisco-based small business, for the preparation of an environmental assessment report associated with the Cambria water desalination plant project in San Luis Obispo County, Calif.
> The report will address environmental clearance requirements to allow for the geotechnical evaluation of site characteristics US Army Corps of Engineers - Los Angeles District - NR09-49 - Corps awards Cambria water desalination contract for the proposed subterranean salt water intake and seawater concentrate brine return line, which is part of the environmental documentation needed for the preparation of future project actions**.**

December 2009 ACE Coastal Consistency Determination purpose:

> "The Los Angeles District of the U.S. Anny Corps of Engineers (Corps) proposes a Geotechnical and Hydrogeologic Feasibility Investigation Study at Cambria in San Luis Obispo County, California. This proposed investigation will provide an assessment of the feasibility only of including this design alternative for a proposed seawater desalination facility in Cambria."

May 2010 CCSD Negative Declaration /Initial Study prepared by David Foote of Firma consultants.

No purpose in the IS prepared by Firma

September 21st 2010 contract with Diaz/Yourman and Fugro of Oakland

LOS ANGELES – The U.S. Army Corps of Engineers Los Angeles District awarded a $297,000 contract to Diaz Yourman and Fugro of Oakland, Calif. on Sept. 10 to perform a geotechnical investigation and gather data in support of an Environmental Impact Statement that will evaluate water supply alternatives for the Cambria community.

The project is scheduled from Sept. 22 to Oct. 31. It involves installing temporary monitoring wells, collecting water samples and soil borings, including pumping test wells, to determine water quality and characterization of subsurface soil.

CEQA Project Piece-mealing/Segmentation

It is well established that CEQA prohibits "piece-mealing or segmentation" of environmental review by "'chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences." (Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo (1985) 172 Cal. App. 3d 151, 165 [217 Cal. Rptr. 893].)

California Environmental Quality Act (CEQA) Guidelines, §§15130, 15378).

Segmentation and ―piece-mealing refer to the avoidance of environmental review by chopping a larger project into smaller components or phases and studying them separately, in a way that understates the actual environmental impacts of the whole project. Instead, CEQA requires that environmental review address the ―whole of the action‖ including reasonably foreseeable future phases of the proposed project.

There is almost complete absence of information in the EA/MND regarding the full-blown desalination facility. Merely a casual reference that a facility is planned. The EA/MND has artificially "segmented" the desalination project into two projects by completely omitting the description and impacts of the full blown desalination facility in spite of the fact that the CCSD (partnering with the ACE) is planning construction nearby at a site adjacent to their waste treatment plant. Results of the proposed EA/MND bore hole drilling and penetrometer study would be used to determine whether the site's geologic and hydrologic characteristics are suitable for locating subsurface intake and discharge structures that would be used by such a facility.

In fact the plan for a desalination facility is underway. The ACE has entered into two contracts in furtherance of the project level desalination facility.

The contract with CDM states:

To provide design and construction assistance for a seawater desalination facility for the community of Cambria, located in the northern coastal region of unincorporated San Luis Obispo County, CA. Expected Outcome: CDM will provide a Design Documentation Report and 30% design Plans and Technical Specifications**.**
9-27-10 Contract Award Dollar Amount $1,286,917

The contract with the Chambers Group**:**

The project consists of preparing a draft and final EIS/EIR to disclose and analyze potential environmental Impacts associated with the proposed action and alternatives for providing alternative water supply with concentration on a desalinization facility.
9-15-10 Contract Award Dollar Amount: $543,650.32

The desalination project cannot go forward without the drilling results. By moving ahead with the design of the full blown desalination facility the CCSD and ACE have put the cart before the horse. CEQA "Segmentation" occurs when the project description does not encompass the entire project. The drilling of boreholes and penetrometer surveys on the beach in furtherance of siting intake and outtake pipes for a desalination facility is part and parcel of the desalination project see in *San Joaquin Raptor Society v. County of Stanislaus*. The danger of segmentation is that it chops projects into smaller bits, which standing alone, may not present the full range and intensity of adverse impacts resulting from the entire project

The drilling of boreholes and penetrometer surveys is a reasonably foreseeable additional component of the full blown desalination project, it, and its impacts; have to be analyzed as one project. Findings that the activities related to the drilling of bore holes and penetrometer surveys on the public beach will not disrupt public access and resources is meaningless on its own and must necessarily be based on analysis that the permanent infrastructure itself will not cause such disruption.

Would pipelines and vertical beach wells be allowed at this site for the desalination plant?

The CCSD and ACE should be required to do the field study first along the pipeline route that would be built for this site before they are allowed to break ground to find water? Isn't this the cart before the horse? Shouldn't they have to show that the final desalination plant pipelines and infrastructure will cause no significant impact to sensitive habitats before they are allowed to bore into the beach to further the project?

Cumulative Impacts

As defined by §15355 of the CEQA Guidelines:

*"**Cumulative** impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

*(b) The **cumulative** impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. **Cumulative** impacts can result from individually minor but collectively significant projects taking place over a period of time. (Emphasis added)*

The Cambria desalination facility is not only reasonably foreseeable – it is planned. Under-going design and a full blown EIR/EIS near completion. Under CEQA, the CCSD and ACE must carefully consider the cumulative effects of the proposed project borehole drilling and penetrometer surveys in combination with the effects that the proposed desalination project may have on the environment at the site including the effects of seawater intake and effluent discharge and of construction and maintenance of intake and effluent pipes on the protected and designated Environmentally Sensitive Habitat Areas of Santa Rosa Creek, the lagoon, the sand spit, and the near shore marine habitats.

When a project is linked to and facilitates another planned project, the first step is to review, analyze and determine the cumulative impacts of both projects on the environment. The courts do not allow agencies to avoid the requirements of the California Environmental Quality Act by piece-mealing, by "chopping" up proposed projects into bite-sized pieces which if individually considered, might be found to have no significant effect on the environment or to be only ministerial. (Plan for Arcadia, Inc. v. City Council of Arcadia (1974, Cal App 2d Dist) 42 Cal App 3d 712, 117)

The CCSD and ACE is required to, but did not, assess at the Initial Study phase whether cumulative effects would require an EIR/EIS.

CEQA Guidelines at §15064 state that:

*(h)(1) When assessing whether a **cumulative** effect requires an EIR, the lead agency shall consider whether the **cumulative** impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the **cumulative** impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.*

Independent Utility

The proposed geo technical drilling project has s no "independent utility". The geo technical drilling project cannot stand alone with any purpose absent the desalination facility. There is a patent linkage between the geo- technical drilling project and the full blown desalination facility. There is an undeniable interdependence of the two projects. But for the desalination project is there a need for the geo technical drilling project? The geo technical project falls within the purview of the desalination facility and the ACE is violating NEPA by limiting the scope of its review only to the drilling project instead of considering the entire desalination project's potential significant effects on the human and marine environment, cumulative impacts and failing to do a larger study with a more inclusive evaluation of alternatives.

An independent utility analysis focuses on whether a particular project is a "stand alone" project, that is, assuming that no other project is contemplated, the project serves a distinct purpose or function. The CEQ regulations use the term "unconnected single actions" to describe this concept. 40 CFR 1508.25(a). If an action (a) does not automatically trigger other actions potentially requiring an EIS, (b) is not an interdependent part of larger actions on it depends for its justification, and (c) does not require prior or simultaneous actions to be taken for the action to proceed, then the action should be said to demonstrate "independent utility" and the scope of the environmental impact assessment should be for the direct, indirect and cumulative impacts of that proposed action only. 40 CFR 1508.
The ACOE expresses this "stand alone" concept through the use of the terms "independent utility" and "single and complete project".

The "single and complete project" definition is included in the Definitions section of the ACOE Nationwide Permit Program and includes references to the regulatory definition at 33 CFR 330.2(i). In practice, in order to determine whether a particular project meets the definition of "single and complete project," the ACOE examines whether the project has "independent utility." As part of the Nationwide Permit Program, the ACOE has promulgated a definition of "independent utility" that provides: Independent Utility - A test to determine what constitutes a single and complete project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility.

NEPA requires the preparation of an EIS for any "major Federal action significantly affecting the quality of the human environment."42 U.S.C. § 4332(2) (C). In assessing the "significance" of environmental effects, agencies must ask "whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to

anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts."40 C.F.R. § 1508.27(b)(7).**2** To run afoul of this rule is to engage in illegal "segmentation."

The hallmarks of segmentation are where the proposed component action has little or no independent utility or involves such a large and irretrievable commitment of resources that it may virtually force a larger or related project to go forward notwithstanding the environmental consequences. See *Maryland Conservation Council, Inc. v. Gilchrist, 808 F.2d 1039 (4th Cir. 1986).* In determining whether illegal segmentation has occurred, we ask whether the completion of the first action has a "direct and substantial probability of influencing [the] decision" on the second. *North Carolina v. City of Virginia Beach, 951 F.2d 596 (4th Cir. 1991).*

Courts apply an "independent utility test" to determine whether two actions are connected and, therefore, should be analyzed in one environmental document.

Wilderness Workshop v. Bureau of Land Management, 531 F.3d 1220, 1228 (10th Cir. 2008). "The crux of the test is whether each of the two projects would have taken place with or without the other and thus has independent utility." Id. at 1229.

An agency is required to consider more than one action in a single EIS if they are 'connected actions,' 'cumulative actions,' or 'similar actions..

Kleppe v. Sierra Club, 427 U.S. 390, 408 (1976).

*"In Daly v. Volpe..., decided under NEPA, the Court of Appeals set forth ... criteria for evaluating sufficiency of an environmental review document which covers a portion of a larger roadway. First, recognizing that "piecemealing proposed highway improvements in separate environmental statements should be avoided,"..., the court relied on federal regulations which stated that a highway section which would be entitled to separate environmental review is one which is (a) of substantial length and (b) between logical terminal points (termini) (defined as major crossroads, population centers, major traffic generators, or similar major highway control elements).... As a second criterion, the court stated that case law has required a separately reviewable highway section to have **'independent utility."***

Alternative Water Supply Options to Desalination

NEPA Alternatives Analysis /No Action Alternative

The EA/MND refers to the "No Action Alternative" however this project, wrongfully segmented, is part and parcel of the full blown desalination project now undergoing design by the ACE/CCSD and therefore a larger study with a more inclusive evaluation of alternatives and a complete EIS/EIR and alternatives analysis is required Furthermore there is no independent utility for this drilling project , it is improperly segmented from the project level desalination facility and that in itself is grounds for a complete EIR/EIS .

The NEPA Council on Environmental Quality (CEQ) refers to the alternatives analysis section as the "heart of the EIS," and requires agencies to devote substantial treatment to each alternative

considered in detail including the proposed action so that reviewers may evaluate their comparative merits. The identification, consideration, and analysis of alternatives are key to the NEPA process and goal of objective decision-making.

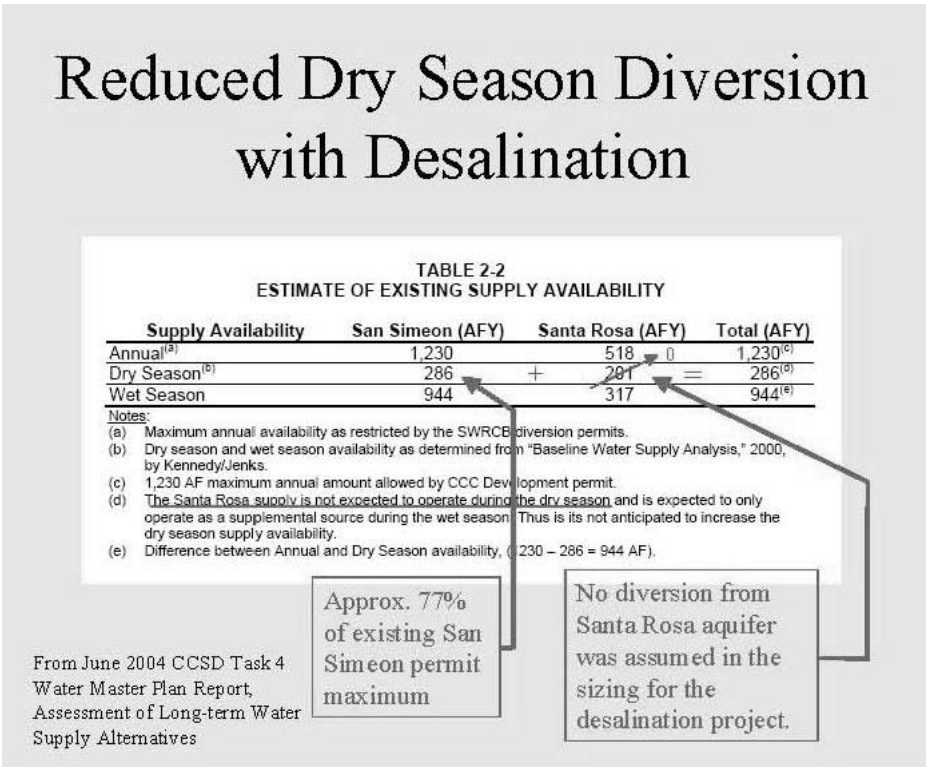
Consideration of alternatives leads to a solution that satisfies the project needs and protects environmental and community resources. The CEQ requires rigorous exploration and objective evaluation of alternatives. All reasonable alternatives and for alternatives which were eliminated from detailed study, and the reasons for their having been eliminated.

As stated in the EA/MND: "The purpose of the Joint Environmental Assessment (EA) / Mitigated Negative Declaration(MND) is to address potential impacts that may result from implementation of the proposed geotechnical research investigation data collection study for a proposed water supply action/activity".

The 2008 Cambria Water Master Plan matrix of alternatives assigned subjective favorable ratings to desalination based on funding (which has now been proven to be lacking), reliability, and claiming desalination to be environmentally superior and penalized any water source which does not provide 602 acre feet. No semblance of objectivity in scoring possible long-term water supply strategies despite the fact that local, smaller scale, less expensive, easier-to-permit projects could provide additional water for both residents and groundwater supply if designed appropriately.

Cambria's 2008 Water Master Plan (WMP) estimates a need of 602 AF additional water for current residents however this need was artificially boosted by adding a 50% "quality of life" increase. Historically well pumpage has decreased from a high of 819 AF in 1988 to 809 AF in 2002 and has continued a downward spiral to 672 AF in 2010 –all the while adding hundreds of additional homes. Between 1990 and March of 2000 815 homes were built in Cambria. Between 2001 and June 30, 2008 197 single family units and 4 multi-family units were built.

The 1999-2000 Baseline Water Analysis is used to justify the Cambria moratorium however due to the threat of MTBE in the lower wells of Santa Rosa Creek the CCSD did not factor in the water allowed under the SRC diversion permit.—a total of 518 AF with 201 AF of that amount in the dry season. Although MTBE never reached the well field, as a precaution it was shut down and a new highly productive well was constructed up stream on the local high school property. The high school well provides enough water to make up for the temporary loss of the downstream wells. All MTBE in the general vicinity of the well field is being mitigated.



Santa Rosa Creek diversion permit allows withdrawals during the dry season

Seawater desalination as a new water source is a flawed option for Cambria. Desalination adversely affects the marine ecosystem due to incidental killing of sea life inadvertently sucked into intake pipes. Brine, desalination's salty by-product, also triggers concerns about adverse environmental impacts to the marine environment. The massive economical expenditures associated with desalination can be attributed to technological expenditures and the enormous amounts of energy required to run a desalination facility. Desalination plants require energy via fossil fuels in order to operate, resulting in air pollution. Currently 40% of desalination costs come from energy costs.

Anointing desalination with the mantle of superiority is an egregious error in reasoning— and folly at best. All assumptions of the amount of needed supplemental water require re-evaluation. Alternatives analyzed in the CCSD WMP should be re-evaluated objectively that accurately weighs cost and environmental factors. A whole host of superior alternatives never evaluated exist and should be considered.

There is a diverse portfolio of efficient water choices available and a combination of approaches to conservation and efficiency can yield great water savings . . . acting as a de facto "new supply."

- Nacimiento /Whalerock Exchange: pipeline completed and water flowing. Can provide 600 AF. Far superior environmentally to desalination. Explore federal & state funds
- Water supply enhancement with small-scale catchment systems
- Tertiary treatment of wastewater for large irrigators actually implement the program

- Additional Santa Rosa Creek Groundwater wells
- Basin Management
- Subterranean Dam in San Simeon Basin,
- Warren Reservoir to store recycled water
- Seasonal Storage of Groundwater
- Storm water reclamation
- Leading edge of water use technology and conservation
- Off-stream storage of winter flow for use in the dry season
- Purchase of developable land through an open space district
- Fix 12% unaccounted water and leak detection
- Subsidies for residential graywater system and rainwater collection to offset potable water use for irrigation(irrigation =40-60% of potable water use)
- Subsidies to replace all residential and commercial grass with drought tolerant landscaping
- Smart" irrigation controllers save water by automatically adjusting watering schedules based on weather patterns.
- High-Efficiency Toilets use about 20% less water than conventional ultra-low-flush toilets that use 1.6 gallons per flush.
- High-Efficiency Clothes Washer Rebates .These washers save 50% of water and energy use.
- Free Landscape Surveys and Irrigation Equipment Incentives. Landscape professionals evaluate landscape areas, including soil and plant materials, and provide recommendations for enhanced water efficiency.

The California Constitution requires that all uses of the state's water be both reasonable and beneficial. It prohibits the waste and unreasonable use, method of use, or method of diversion of water. The constitution, require that we use our local water resources as efficiently as possible. Efficiencies include: conservation, reclamation and reuse, conjunctive use of surface and ground water, watershed management that includes utilization of storm water, the development of a landscape ethic.

The California Department of Water Resources Desalination Handbook has as a guiding principle that conservation and water recycling measures should be in place before desalination facilities are pursued. The Task Force acknowledged that to the extent possible, conservation and recycled water use measures should be maximized before desalination or other new sources of water are pursued. As identified by the State Water Plan, "new" water can be achieved through conservation for a much smaller investment than most other sources of new water. Where conservation has been maximized, desalination and other more costly sources of water then provide alternatives to be evaluated as part of the water resources portfolio to address identified needs.

National Sierra Club Guidelines for Desalination Projects provides that state and federal agencies should encourage water use efficiency projects in preference to all types of water supply projects, including desalination.

Desalination Alternatives and Need Guidelines for Desalination Plants in the Monterey Bay National Marine Sanctuary provides : Since seawater desalination currently is an energy intensive and expensive water source, it should only be pursued when there is a clear and established need for a new water supply, and when other economically and environmentally preferable alternatives such as

increased conservation, brackish water desalination, and wastewater recycling have been thoroughly evaluated, and pursued, if feasible. Alternatives, such as conservation and recycling, could reduce new desalination discharges to the MBNMS while also reducing the volume of existing wastewater discharges.

Sea Water Desalination and the California Coastal Act 2004 provide: Desalination proposals should be reviewed in the context of an overall water management plan. A proposed desalination facility should not be reviewed in isolation - it should be part of a comprehensive water management approach that identifies other water sources, incorporates conservation methods, and assesses alternative methods of providing a community's water supply. A comprehensive plan should identify and implement all opportunities for water conservation and reclamation that would reduce impacts on coastal resources. As part of this approach, Local Coastal Programs (LCPs) should incorporate and encourage use of conservation and reclamation measures to reduce the need for new water projects.

From the Pacific's Institute's Desalination, with a Grain of Salt a *California Perspective:* The potential benefits of ocean desalination are great, but the economic, cultural, and environmental costs of wide commercialization remain high. In many parts of the world, alternatives can provide the same freshwater benefits of ocean desalination at far lower economic and environmental costs. These alternatives include treating low-quality local water sources, encouraging regional water transfers, improving conservation and efficiency, accelerating wastewater recycling and reuse and implementing smart land-use planning.

Questionable and Incompatible use of Study Site

Proposed Study site may be inappropriate and is subject to the regulatory and advisory language of numerous state and federal agencies.

The proposed drilling operation below the Mean High Tide line adjacent to San Simeon State Beach and the Santa Rosa Creek Natural Preserve, places this activity in the intertidal zone managed by and under the jurisdiction of the California State Parks and Cambria State Marine Park, the Monterey Bay National Marine Sanctuary , the California Coastal Commission and their regulatory language to protect species habitat and public access to the beach and ocean and the California State Lands Commission that owns all submerged tidelands in California held in trust for the people of California.

The acceptable uses of trust lands include environmental preservation and recreation. The public trust embraces the right of the public to use these lands for general recreational purposes or simply preserve the lands in their natural state for scientific study, open space and as wildlife habitat.

The Cambria State Marine Park, part of the California Department of Parks and Recreation, governed by Public Resources Code (5001.65) prohibits the commercial exploitation of resources within units of the State Parks System. The waters within the Cambria State Marine Park are "resources" within the meaning of this code. Siting of intake pipes for a desalination facility which would in turn extract public resources whose purpose is the commercial sale of water to Cambria is prohibited. Cambria sells 27% of its water to vacation rentals, restaurants, motels and other commercial establishments. The CCSD has discussed with the San Simeon service district the possibility of selling it desalinated water.

Federal courts have consistently defined commercial operation in terms of whether the operator receives direct or indirect payment for the operation. It is not necessary that the operation be

conducted for profit or even that there be any intent or ability to make a profit. The compensation is not just limited to monetary payments but includes anything of value. This broad definition of compensation has been affirmed and adopted by the federal courts. Common definitions of commercial include any item other than real property that has been sold, leased, or licensed to the general public; or has been offered for sale, lease, or license to the general public.

Hearst San Simeon State beach and the Santa Rosa Creek Natural Preserve adjacent to and above the MHTL of this proposed drilling activity, are governed by all rules and regulations adopted for State Park units. Section 5003.05 states that they also apply on granted or ungranted tideland or submerged lands abutting state property, "a line running parallel to and 1,000 feet waterward" of the ordinary high water mark. Therefore, commercial exploitation of resources is prohibited above the high water mark and below it. The Natural Preserve classification further restricts all motor vehicle use (DOM Section 0304.5.2). This prohibition would apply to the adjacent intertidal zone. Attempting to extract resources for commercial purposes would clearly violate the public resource code.

The project will be located in the Monterey Bay National Marine Sanctuary (MBNMS) administered by The National Oceanic and Atmospheric Administration (NOAA). The Sanctuary was designated in 1992, for the purpose of resource protection, research, education and appropriate public use. The Sanctuary's mission is to understand and protect the ecosystem and cultural resources of central California. To implement its mission of resource protection, the MBNMS prohibits or otherwise regulates a number of activities within its boundaries. Three of the Sanctuary's regulations relate directly to desalination. The first involves a prohibition on discharging or depositing any material within Sanctuary boundaries. Since the brine concentrate, and in some cases other materials associated with desalination, are usually disposed of in ocean waters, this activity would require Sanctuary authorization of relevant Regional Water Quality Control Board (RWQCB) permits. The second Sanctuary regulation pertains to discharging materials outside of the boundaries, which subsequently enter Sanctuary waters and negatively impact MBNMS resources. As with the previous regulation, Sanctuary approval through an authorization of a RWQCB-issued permit would be required. The third relevant regulation involves a prohibition on activities that cause alteration of the seabed. Consequently, installation of certain desalination facility structures such as intake/outfall pipelines on or beneath the ocean floor would require Sanctuary authorization of California Coastal Commission Coastal Development Permits that allow for seabed disturbance.

Furthermore MBNMS asks permit seekers to demonstrate that the activity must be conducted in the sanctuary. To date the CCSD has not seriously considered any water supply alternatives and they excluded many viable alternatives because once they chose desalination all other alternative dropped off the radar.NOAA is clear that preferred alternatives to desalination, such as "increased conservation and wastewater recycling", should be pursued for meeting water needs. To date Cambria has not implemented the use of 400,000 gallon of recycled water available everyday save for a simple faucet residents can fill with buckets. 21st notions of advanced forms of conservation and water management have been ignored.

Clearly the MBNMS prohibitions and recommendations including ocean bed alteration is a strong signal that he current project must be analyzed along with the desalination facility as one project not many small projects chopped up so the full picture is obscured and the effect to the public and marine species cannot be fully analyzed.

The proposed project is to be carried out in a highly sensitive and protected area. It is adjacent to land categorically designated as Environmentally Sensitive Habitat Area in the Local Coastal Program. The

project(with no apparent firm termination date) is on an ever-changing highly dynamic beach that is subject to storm surges, wave run up , rogue waves, beach contour changes located near the current mouth of Santa Rosa Creek. Where the creek mouth opens in the fall and winter is a function of nature – the volume and velocity of water coming down the creek, the tides, wave action and weather conditions. The creek mouth shifts and historically has opened as far south as the concrete access ramp at Shamel Park beach.

While the study document states the project will be executed completely below the MHTL undoubtedly due to weather dynamics it will be forced onto the beach above the MHTL. One would have to suspend disbelief that the project with its drilling rig , support vehicles, , pipe trailers, and other ancillary equipment, 25 ft. or more of cordoned off area and flags to demarcate the MHTL will for the entire length of the project (up to 3 months or more) never violate the MHTL project boundary line. Once above the MHTL all rules and prohibitions of the State Parks Natural Preserve apply

The near-by lagoon and creek provide critical habitat for endangered and threatened species including the tidewater goby, red legged frog, and steelhead. The sand where the CCSD/ACE proposes to drill is a living habitat upon which species of shore birds depend and provides rich habitat for marine species. The EA/MND does not analyze or not even acknowledge potentially significant as impacts from noise and the potential of ingestion of mercury by fish, birds, and mammals? What will the danger be in leaving a 6 ft. high pipe casing in the sand all night to marine species, to an elephant seal coming ashore? The twice daily or more movement of heavy equipment on the beach may cause significant impacts to sand dwelling animals and the birds that feed on them. To what depth will the sand habitat be compressed and rendered uninhabitable? To what depth will sand dwellers be destroyed? How long will it take for the sand habitat to be regenerated and repopulated by all the species that exist there now? What are the immediate and long term impacts to bird species that depend on the sand dwellers for food?

These impacts have not been addressed and require analysis within a full EIR/EIS because these impacts threaten to eliminate the community of sand dwelling animals, and restrict the habitat and range for endangered birds that feed on the sand dwellers.

Mercury Contamination

I am unable to thoroughly analyze potential project related impacts of mercury contamination (section 1.5.1) because the EA/MND does not include key materials that were referenced in support of the EA/MND's conclusions and does not provide complete and consistent data sufficient to support environmental analysis.

Section 1.5.1

"Mercury concentrations on samples obtained from 2010 sampling of the Shamel Park beach area were also non-detectable (USACE 2011, in-prep). Regardless, the sampling methodology of the currently proposed investigation will bag all sampled materials for offsite analysis and appropriate disposal methods. Further discussion and analysis of potential mercury concerns, including its associated fate and transport, would be included within any subsequent EIR/EIS alternative defining the application of subterranean"

The EA/MND draws conclusions without supporting data that there is no detectable mercury. In fact a FOIA was filed with the ACE for the results of the core samples obtained from the 2010 sampling of the Shamel Park beach area by a Cambrian .The FOIA was not fulfilled. The reason given – "no results available". Subsequently the ACE sent two e-mails to the Cambria citizen stating results would be forthcoming however no results were ever provided.
To this date the public has not received any evidence of what was found in the core samples or the depth of drilling to bedrock. The California Coastal commission in a phone conversation suggested bedrock was at 24 ft. The current project will entail drilling in a paleo channel that is approximately 150 ft. deep before bedrock. The potential for mercury contamination will surely be heightened at this depth.

The critical issue is mercury that has migrated from Santa Rosa Creek upstream mining activities and settled into soils where it could be disturbed by both the geotechnical drilling and the future construction and operation of the seawater intake and effluent pipes associated with the proposed desalination plant. The federal government calls methylmercury one of the nation's most serious hazardous waste problems and the Centers for Disease Control and Prevention say it is a possible carcinogen. The CCSD has received data showing that highly toxic methylmercury has been found in creek sediments.

Mercury from mine waste travels up the food chain through bacteria, which converts it to methylmercury - a potent toxin that can permanently damage the brain and nervous system, especially in fetuses and children.

The California Coastal Commission Coastal Consistency Determination staff report May 2010 for the pervious drilling project at Shamel Beach noted "the Santa Rosa Creek watershed includes naturally occurring mercury in surface and subsurface deposits, some of which appears to have moved downstream into nearby sediments, with some now in the form of methyl mercury". The CCC found that additional measures are necessary to ensure the proposed project is consistent with the CCMP's marine resource protection policies.

Viewing the awesome speed and force with which winter storm water makes its way down Santa Rosa Creek to the ocean, sweeping huge quantities of sediment one has to question the wisdom of planning to site an intake pipe at the terminus of a creek that had almost three million pounds of liquid mercury extracted from a mine just five miles upstream.

The following excerpt was posted on July 29th, 2009, in the New Times

"Don't eat the fish: *Mercury becomes hazardous after it's extracted from ore and leaks into water. Most mercury clings to sediment and gets picked up by small mud-dwelling organisms. Fish that eat the contaminated organisms end up with mercury in their muscle tissue. When humans eat enough fish they, too, can accumulate toxic doses. In sufficient doses, mercury is a neurotoxin to humans and other mammals. Developing fetuses are vulnerable when their mothers eat contaminated fish, explained Susan Klasing, who studies fish and water quality for the state Office of Environmental Health Hazard Assessment (commonly referred to as OEHHA and pronounced "o' wee ha"). "It is toxic at very low levels," she said. At such levels the effects are subtle, Klasing said. Human mercury poisoning is manifested in attention deficits or other learning difficulties, for example. The element has been shown to be toxic to other mammals and possibly fish-eating birds. Asked about other effects, on plant life for example, Klasing said she's aware of no data. It's hard to isolate effects because processed mercury is dynamic. "Once mercury is released into the environment it's really difficult to control because it changes forms," Klasing said. "It's really volatile and it moves around."*

What are the methods of returning potentially contaminated soil from boring samples and native material into boreholes? What is the method of backfilling? What is the plan if there is a rogue wave, wave run up; storm surge since drilling is in the storm season? Disturbance of methylmercury could impact all interrelated ecosystems involved in the proposed project including the sandy beach, the marine environment, the creek, and the lagoon indicating that a full EIR /EIS must be prepared. A citizen has photographs showing that the core samples from the 2010 drilling were tossed in the bed of a pick-up truck, unguarded with the samplings spilling out of their bags. Where is the plan to safeguard the core samples?

The Hazardous Spill Contingency Plan has been included as Attachment C. with no mention of mercury. The plan lacks pertinent data and is insufficient.

The potential for mercury contamination requires a thorough review of all potential significant effects and mitigation measures. Coupled with the numerous other conclusions drawn throughout the EA/MND with insufficient supporting data raises the level of this project from an EA/MND to a full EIR/EIS.

Public Access and Recreation

3.10 EA/MND Recreation

Cambria is an attractive center for retired persons and tourists visiting the central coast. The study site is on a beach area that that is easily accessed through Shamel Park for recreational purposes. The large beach area is contiguous with the State Park that extends north from Shamel Park to Moonstone Beach and Leffingwell Landing. Recreational activities that occur in the area include walking, bird watching, sun bathing, picnicking, surfing, kayaking, and swimming. Shamel County Park adjacent to the site is 6 acres and has a developed lawn area with picnic tables, barbecues, a swimming pool, restrooms, parking and direct beach access.

1.5.6 EA/MND Security

If a rotosonic casing pipe must be left in place overnight, the pipe would be capped and a six foot pole would be attached. The pole would be covered with luminance tape and other reflective marking. Temporary signage and expandable barricades from two or three angles will be placed above the high tide line to warn beachgoers or surfers of the protruding casing. Furthermore, an onshore security watch service would be provided during the non-working hours of the day as an additional safety measure. A security guard would be stationed near the site of the casing to further alert any members of the public.

4.9.1 *States a security guard will be stationed near the site of the casing and will be using a 20 million powered hand held spotlight focused on the six foot luminance taped pole.*

3.11 EA/MND Public Health and Safety

The primary threat to safety in and near the study site is danger from large ocean waves. High storm flows in Santa Rosa Creek also could pose a safety hazard.

3.11 contradicts 1.5.6. Is the exposed pipe a safety hazard or waves alone?

If a project is a threat to the safety of the public one might ask why are government agencies putting the public at risk? Leaving an exposed 6 ft. pipe in a highly dynamic surf zone overnight is a deathtrap .It is not clear if a guard plans to spend the night on the beach guarding the pipe holding a flashlight in his

hand all night— where overnight camping is illegal. How many guards? Is one guard expected to be awake all night never leaving his post? Explain how large ocean waves that often overtop the lagoon will not dislodge the pipe and endanger the guard?

4.9.1 Proposed Action

Equipment working in a public use area can pose safety issues for adults and children. Children may come close to equipment, and equipment operators may not be able to see all areas around their work zone. Signs and caution flagging shall be placed around all work areas. Construction fencing shall be placed around equipment in the staging area. With these measures safety risks to beach and park users will be insignificant.

The CCSD Firma CEQA Negative Declaration May 2010 for the first iteration of this project required that the drilling rig project have a safety enclosure of 50 feet. Why has the enclosure been reduced to 20 -25. Drilling in the surf zone undoubtedly will be more dangerous to the public than drilling on dry sand.

The test well project is sited on Shamel County Park and beach front, the beach below the MHTL of Santa Rosa State Park and Santa Rosa Natural Preserve. Shamel Park is a small and heavily used park. It was established to provide the community and public with outdoor activities that promote their health and well-being. This site is the community's main and only public park with a playground and is used heavily by residents and visitors alike. The park provides a heavily used soccer playing area and has a large grassy region where families picnic.

Claims made in the EA/MND state that the public will not be impacted by the drilling project however the drilling vehicles, equipment, and machinery will all pass in front of the children's playground. Children and other park users will be in danger of oncoming traffic from construction vehicles in both directions. Park users will be exposed to noise, fumes and other by-products of the equipment. This is objectionable. Public parking will be taken up by project vehicles and equipment displacing the public's right to park.

The access path proposed for twice-daily trips of heavy equipment and on-going use by supply trucks through Shamel Park is heavily used by families, children including toddlers, and youth and adult sports groups. There are picnic tables, barbeques and a playground directly adjacent to the access path. There is no plan for how the public including children will be protected during the movement of equipment and trucks described above along the entire beach over the course of drilling. This parade will include support trucks for transporting staff and soil samples in multiple daily trips on and off site.

There is no plan for how the public will be protected from trucks moving up and down the beach and no acknowledgement that the ongoing movement of trucks, and the at least twice-daily movement of the drill rig, support truck, and pipe trailer will create a hazard to beachgoers and impact public access.

Public beaches constitute a lower cost visitor and recreational facility. As such, any development on a public beach is subject to scrutiny as to whether the development would affect the public's access and recreational interest. While the impacts to sandy recreational areas will be temporary and intermittent under this proposal, the impacts will nonetheless adversely impact this lower cost public recreational beach and park. The project is near the mouth of Santa Rosa Creek and Lagoon. The site is within a highly variable beach controlled to a large extent by flooding on the creek, and lagoon, tides, exposure to direct wave attack, surf, and wave run. The levees along the creek and lagoon overtop and it is likely that drilling sites would be flooded multiple times. Aggressive sea level rise would increase the frequency of high tides and creek flooding. There is a high probability that the areas of the drilling would be over washed by wave run up from a 20 year storm event.

Kayakers, swimmers, surfers, surf fishing persons will all be placed in danger by the drilling machinery. Is the plan to refuse the public their legal right to engage in their ocean activities for the duration of the project that may take 3 months or longer? How will you protect a surfer from surfing into the drilling machinery? A kayak from crashing into the drilling machinery? A swimmer from being forced by a large wave into the drilling machinery? What is the plan to protect the public from these reasonable and foreseeable significant effects of the project? Is the plan to tell the public to stay away for 3 months or longer?

Public access and recreation in Shamel Park and the public beach areas will be significantly diminished by this project. There is no firm end date to the project. A declaration made that the project impacts to recreation would be insignificant because they will occur during times of low beach use has no data to determine times of low beach.

5.4 The EA/MND states lateral beach access will be maintained at all times during study activities. As enumerated above this is unsupported and false—public access will be severely curtailed.

4.8.1 States study activities would not interrupt lateral beach access. Drilling activities will occur for a maximum of four weeks and will take place during times and seasons of low beach use. All site work will be performed during daylight hours during non-holiday weekdays. Once again the EA/MND contradicts self. The EA/MND Table 1 Study Schedule and Equipment states week of 5: work hours to 8pm. Darkness in the late fall and winter is early …5pm is nighttime not daylight hours. The work schedule clearly contradicts the assertion all activities will be in the daylight hours. Why is it assumed that the fall months often the most popular time of year for many people due to the foggy weather having ended will mean lower beach use? This is another assumption with no data. The project states it will continue as necessary for up to 3 month however gives no end date.

Please present adequate supporting data that public beach and park access and recreational uses of park and beach areas will not experience significant effects.

Please provide data that the drilling project is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act. Pub. Res. Code Section 30604(c).

Coastal Act Section 30210

…maximum access, which shall be conspicuously posted and recreational opportunities, shall be provided for all the people consistent with public safety needs.

Coastal Act Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation."

Coastal Act Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Coastal Act Section 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

In summary, I find that there are unmitigated potentially significant environmental effects that could result from project implementation and, therefore, the EA/MND is not sufficient to meet the requirements of CEQA or NEPA. I respectfully request that the U.S. Army Corps of Engineers and Cambria Community Services District analyze these potentially significant impacts in an Environmental Impact Statement/Environmental Impact Report.

I have included comments from the California Coastal Commission dated June 16th 2011. . Please incorporate these recommendations into your EA/MND.

I respectively submit these comments,

June 17 th 2011

Cambria, California

CALIFORNIA COASTAL COMMISSION
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105- 2219
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June 16, 2011

TO: Josephine R. Axt, Ph.D
Chief, Planning Division
U.S Army Corps of Engineers
Los Angeles District
ATTN: Thomas W. Keeney,
CESPL-PD-RQ
P.O. Box 532711
Los Angeles, CA 92053-2325

Mr. Bob Gresens, P.E.
District Engineer
Cambria Community Services District
P.O. Box 65
Cambria, CA 93428

VIA EMAIL: thomas.w.keeney@usace.army.mil
bgresens@cambriacsd.org

RE: Comments on Draft Environmental Assessment/Mitigated Negative Declaration (Draft EA/MND) for Cambria Geotechnical Sampling and Geophysical Survey

Dear Dr. Axt and Mr. Gresens:

We are providing below our comments on the above-referenced Draft EA/MND. The Corps has prepared the document pursuant to requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The document evaluates a proposal to conduct several types of geotechnical and geophysical surveys meant to identify subsurface characteristics beneath Santa Rosa Beach in Cambria, San Luis Obispo County. Data collected will be used to determine whether the site provides a feasible location for a subsurface water intake or discharge well for a desalination facility being considered by the Cambria Community Services District (CCSD). That facility will be the subject of a separate NEPA Environmental Impact Statement (EIS) and CEQA Environmental Impact Report (EIR). Along with the information requested on the Draft EA/MND, the Coastal Commission will need additional information as part of its review of the consistency determination to be submitted by the Corps and/or the Coastal Development Permit (CDP) application to be submitted by the CCSD. We have provided those comments and requests in the ***General Comment*** and ***Comments 1 – 4*** below.

GENERAL COMMENT

Our primary comment regarding the Draft EA/MND is that the currently proposed activities do not appear adequate for their intended purpose. The project purpose is to determine whether the site provides a feasible location for a subsurface intake or discharge; however, the activities currently proposed are not likely to provide sufficient information to make that determination. We therefore recommend that the project as currently proposed not be implemented. We recommend instead that the Corps and CCSD either consider a different site where the necessary information can be obtained, or that the proposal be re-evaluated to incorporate the more comprehensive data collection activities approved for the site last year.

Background: Last year, the Coastal Commission approved a request by the Corps to conduct a more comprehensive set of activities at the site (see May 13, 2010 Coastal Commission Final Adopted Findings for #CD-02-010). These included installing monitoring wells and conducting a pump test, both of which were needed to determine the effects of water withdrawals on the nearby estuary. Last year's approved project also included water quality sampling and testing to determine whether mercury or other contaminants beneath the site might be mobilized due to water withdrawals. The information to be derived from these activities was considered necessary to adequately characterize site conditions and to ensure protection of the site's coastal resources, which include several listed and sensitive species, protected estuarine habitat, numerous marine organisms, and public access and recreational benefits.

The current proposal, however, does not include the monitoring wells, pump test, or water quality sampling and testing, and does not propose any replacement activities that would provide the information expected to be derived from them. The main reason for deleting these activities appears to be the recent determination that part of the project site is designated as a State Natural Preserve. That designation precludes certain uses and would require some of the previously proposed activities to be done elsewhere on or near the project site. However, moving the pump test and monitoring wells outside the Natural Preserve area would apparently require that they be located on the beach below the Mean High Tide Line (MHTL), where it would be difficult, if not impossible, to safely conduct a pump test and install monitoring wells (that area would also be within a State Marine Park and a federal Marine Sanctuary). Without those activities, though, the Corps and CCSD will not be able to provide the Commission with the information it needs to determine whether this site will serve as a feasible location for a proposed intake/discharge system and whether such a proposal would be consistent with relevant Coastal Act policies.[1]

Summary: In sum, we suggest the current proposal not be implemented as currently proposed. If it is not possible to conduct the full set of previously-approved and necessary data collection activities at the site, it does not appear beneficial to implement only a portion of them. Not only will they provide less information than needed to characterize the site, they also involve higher risks to coastal resources (e.g., higher spill potential due to heavy equipment operating below the MHTL, less control of potential toxics release, etc.). We therefore suggest that if the currently proposed site does not allow for the necessary data collection, the Corps and CCSD consider alternative sites that would allow data collection and that appear suitable for proposed subsurface structures. Alternatively, should the Corps and CCSD wish to continue consideration of the current site for the full-scale project, we recommend the current proposal be re-evaluated – to either identify additional options that would provide the needed data or to determine whether the previously approved activities can be modified to allow them to be implemented at or near this site. Most of our comments below are meant to address the potential that the Corps and CCSD will continue to consider Santa Rosa Beach as the project site. If so, we recommend the Corps and CCSD address those comments and information requests in the Final EA/MND.

[1] For a consistency determination from the Corps, the Commission will need sufficient information to determine the proposed development would be consistent to the maximum extent practicable with the enforceable policies of the state's Coastal Zone Management Program, as required pursuant to 15 C.F.R. § 930 *et seq.*. For a CDP application from the CCSD, the Commission will need sufficient information to determine consistency with applicable Chapter 3 policies of the Coastal Act.

COMMENTS AND ADDITIONAL INFORMATION NEEDED FOR UPCOMING COMMISSION REVIEW

1) **Relationship of current proposal with previously approved activities:** As noted above, the Coastal Commission last year approved a proposal by the Corps to conduct at this site several geotechnical and geophysical surveys meant to serve the same purpose as the current proposal. The currently proposed activities evaluated in this Draft EA/MND are not entirely consistent with those approved previously – for example, last year's approval did not allow for any activities below the Mean High Tide Line (MHTL) while the current proposed activities would occur largely below MHTL. Additionally, the previous approval included a pump test, water quality testing, and other project components that are not part of the current proposal. Please clarify whether the current set of proposed activities is meant to entirely replace the previous approval or whether the Corps plans to also implement some aspects of the previously approved activities as part of the current proposal.

2) **Long-term site suitability:** As you know, Commission staff generally recommends subsurface systems be used where feasible for desalination projects. Please describe what types of potentially feasible subsurface intake or discharge systems are being considered at the site. We recognize that this will be more fully described in the EIS/EIR for the full-scale project, but it would be helpful to have a general understanding of what systems are being considered and how site conditions might affect those systems. For example, installing vertical wells at this location may require structures at or near the surface of a highly dynamic beach environment, while constructing a slant well may require a well several hundred feet longer than the longest known example (i.e., the slant well at Dana Point). Based on currently available information, please describe which systems are under consideration and identify any known site characteristics that may allow or limit construction and operation of those systems.

   Please also provide the status of the full-scale project's EIS/EIR, which we understand is in preparation. Please identify the current level of proposed project design, environmental analysis, alternatives being considered, and the proposed schedule for publishing the draft and final documents. Please also identify how and when results from the currently proposed geotechnical and geophysical activities will be incorporated into the EIS/EIR review.

3) **Roles of, and regulatory approvals for, the Corps and the CCSD:** Please clarify the respective roles of the Corps and the CCSD in carrying out the proposed work. From the information provided, it appears that the CCSD may be a project applicant or co-applicant and would therefore need to submit a coastal development permit (CDP) application to the Coastal Commission. If so, there would be no need for the Corps to submit a consistency determination, as the Commission's review and decision on the CDP application would include any findings necessary for federal consistency review.

   The Draft EA/MND's description of each entity's role does not appear consistent with the description in the Project Cooperative Agreement (PCA), which is the document establishing the funding and technical relationship between the Corps and the CCSD for this project. Both documents identify the Corps and the CCSD as project sponsors, but the PCA states that the proposed activities are a CCSD project for which the Corps is to provide assistance. Additionally, the Draft EA/MND suggests that the CCSD's role, and the need for CEQA

review, is due only to the CCSD potentially providing future project funding. However, it appears from the PCA that the CCSD has already provided project funding, either directly or through in-kind contributions, for both already-completed and currently proposed project activities. Please provide any additional information available that would clarify whether the Corps and/or the CCSD are to be considered either sole project applicants or co-applicants.

4) **Other Permits and Approvals / Proof of Legal Interest:** Please identify all state and local discretionary permits and approvals needed to conduct the proposed activities, and please identify whether the Corps or the CCSD (or both) will be applicants for those permits and approvals. Please also provide documentation showing the Corps' and/or the CCSD's proof of legal interest in using or accessing the properties needed to implement the project.

COMMENTS ON DRAFT EA/MND

5) **Adequacy of Proposed Activities for Project Purpose:** The proposed project is meant to determine whether Santa Rosa Beach is a feasible location for a subsurface desalination intake or discharge. The currently proposed activities include collecting geophysical data by conducting Rotosonic sampling, cone pentrometer testing, and acoustic testing. Data collected will be used to identify subsurface characteristics and to further define previously identified paleochannels beneath the beach area.

The current proposal does not include at least three previously-approved project components that had earlier been identified as necessary to adequately identify the site's feasibility for potential subsurface desalination structures (see the above-referenced Final Adopted Findings for #CD-002-10). As part of that earlier approval, the Corps was to conduct a pump drawdown test and place monitoring wells to determine whether the nearby estuary would be affected by subsurface water withdrawals. Previously approved activities also included conducting water quality testing to determine whether mercury or other contaminants wee present in the site's subsurface sediments or groundwater and whether those contaminants might be mobilized during subsurface water withdrawals. The current Draft EA/MND states that concerns meant to be addressed by these previously proposed project components will be addressed later as part of a subsequent project-level EIS/EIR. However, without site-specific data obtained through the pump test, monitoring wells, and water quality sampling and testing, it does not appear that the currently proposed activities will provide adequate data to address those concerns or to support a later EIS/EIR. Therefore, please provide in the Final EA/MND the additional information requested below regarding these concerns:

a) **Pump test and monitoring wells:** The Draft EA/MND states that in lieu of a pump test and monitoring wells, results from the cone pentrometer tests will be modeled to determine the feasibility of subsurface intake alternatives. Please identify the type of modeling that will be conducted and the extent to which that model and the proposed cone pentrometer samples will be able to adequately identify the site characteristics that affect the feasibility of a subsurface intake or discharge (e.g., subsurface permeability and water flow rates, expected water yields, effects on estuarine surface water, etc.). Please also identify any limitations of the model in identifying those characteristics, and describe whether modeling results will later need to be confirmed through ground-truthing or additional data collection.

Regarding monitoring wells, the Draft EA/MND states that the potential future need for those wells will be assessed following completion of the EIS/EIR for the full-scale desalination project. Please identify what criteria will be used to determine whether monitoring wells will be needed. Please also identify what information the EIS/EIR will use to support its analysis in the absence of well monitoring data.

b) **Water and sediment testing:** The previously approved project included testing for hazardous waste constituents pursuant to California Title 22 toxicity testing requirements. The previously completed project work (in October 2010) included two boreholes drilled at the south end of Santa Rosa Beach. Please provide complete results and findings from water and sediment testing done from those boreholes.

The currently proposed project includes no water quality sampling or sediment testing to determine whether mercury or other contaminants are present beneath the beach or whether they can be mobilized due to proposed groundwater pumping. The Draft EA/MND states that mercury concentrations in the underlying aquifer are below allowable drinking water concentrations; however, the citation for that statement refers to samples taken some distance from the proposed project site, including several taken from a different watershed. Other samples taken at several locations along Santa Rosa Creek over the past several decades show concentrations of mercury in sediments in or near the mouth and estuary (see, for example, those listed in the 2010 Santa Rosa Watershed Management Plan "Summary of Watershed Conditions and Voluntary Recommendations"). Some of those mercury concentrations, including several from samples at the Santa Rosa Creek mouth and estuary, are above the 0.12 mg/kg NOAA "threshold effects level".

We recommend the Final EA/MND incorporate more comprehensive data regarding mercury in the Santa Rosa watershed, including those referenced above. We also recommend the currently proposed project be modified to include water quality and sediment testing – at a minimum, for example, we recommend the Corps test water and sediment samples taken during CPT and Rotosonic surveys. Regarding the forms of mercury that might be present, the Draft EA/MND states that it is unlikely to be in its more toxic methylated form; however, as noted in the previous Coastal Commission Findings, both mercury and methymercury are highly toxic and are classified as Persistent Bioaccumulative Toxins (PBTs). We recommend that any toxics testing conducted be suitable for identifying the different forms of mercury that might be present at the site – e.g., inorganic, organic, methylated, etc. Finally, if no sampling and analysis is proposed, please identify how the project EIS/EIR will address potential mercury contamination and mobilization at the site in the absence of sampling data.

6) **Location and timing of project activities:** The Draft EA/MND states that activities will take place above the MHTL within Shamel Park and below the MHTL adjacent to the Santa Rosa State Natural Preserve. It also states that a survey will be conducted each work day to determine the location of the MHTL (currently estimated to be about 4.6 feet above MLLW). The proposal would have equipment operate on the beach below the MHTL, but only during daytime and when there are low and minus tides. The document states that work below the MHTL would start only when the ebb tide falls below 3.6 feet MLLW and would end before

the incoming tide is at 2.0 feet MLLW. Surf conditions and forecasts would be monitored so work would not occur during heavy rain or high surf conditions. Based on tide tables, the Corps expects to have several days of daylight low tide periods between September and November during which it can accomplish the CPT and Rotosonic surveys. Please include in the Final EA/MND the information requested below regarding these elements of the proposed project:

a) **MHTL survey:** Please identify the survey method(s) that will be used to determine MHTL.

b) **Project modification based on actual site conditions:** The Draft EA/MND states that the basis for the proposed work periods on the beach – i.e., when the ebb tide is below 3.6 feet MLLW and the incoming tide is no greater than 2.0 feet MLLW – is based on bathymetry mapping from 2003 showing that the beach has an average 6% slope. The document notes that this slope would provide a minimum of 17 feet and a maximum of 44 feet of exposed beach during those times – i.e., there would be a 17-foot horizontal width of exposed beach for every one foot drop in the tide level. However, actual beach conditions are not likely to match that particular gradient, and will probably include steep wave-cut benches, sand "coves" along the beach, or other features that could reduce or eliminate times available to work "in the dry". Please describe how project activities will be modified if the beach is not at the presumed 6% slope. Please also provide any more recent site-specific data, site documentation, photographic evidence, etc., that can be used to better identify likely beach conditions during the proposed work period.

c) **Defining "heavy rain" and "high surf" conditions:** Please define what level of "heavy rain" and "high surf" conditions would serve as thresholds for stopping work on the beach.

d) **Modify tide data used:** The Draft EA/MND used tide data from Port San Luis, which is about 50 miles from the project site. We recommend the tide calculations and expected work periods instead be based on tide data available from San Simeon, which is about nine miles away. Please either provide new calculations based on the San Simeon data or show that the Port San Luis tide data is consistent with that of San Simeon.

e) **Proposed work season:** The Draft EA/MND proposes that project work be conducted between August 15, 2011 and November 30, 2011, with a possibility of extending the work period to mid-December 2011. The Coastal Commission's previous approval limited the work period to September 1 to November 1, based on the need to avoid potential effects to sensitive species (including the steelhead, tidewater goby, harbor seal, Western snowy plover, and California grunion), to avoid and minimize potential effects on nearby estuarine waters, to reduce potential effects on public access, and to minimize risks associated with storms and high surf conditions. Including any modifications made in response to other comments in this letter, please identify what project activities could be accomplished within the previously-approved September 1-November 1 time period.

f) **Available work periods:** The document states that a single Rotosonic boring can take about two to three days, and that sampling casings may have to be left in place overnight during that period. Using the above-referenced modifications, please identify the number of three-day periods within the September 1 – November 1 work period, and the number of daylight hours within those periods, that would allow for Rotosonic boring activities.

7) **Structures on beach:** Please identify in the Final EA/MND the materials used in the Rotosonic casings and any special measures that may be needed to ensure they remain intact during the sampling period. Please also identify how the casings will be removed.

8) **Beach access for project equipment:** The Draft EA/MND states that the project would use a CPT truck – a tracked vehicle about 23 feet long, 11 feet high, and 9 feet wide, weighing about 20 tons – and a Rotosonic vehicle about 16 feet long and seven feet high, weighing about nine tons. Please identify in the Final EA/MND all measures that may be needed to allow beach access for this equipment, including any modifications or improvements to the beach accessways or the existing vehicle ramp to the beach, any vegetation that may need to be removed between the project staging area and the beach, etc. Please also identify any restoration proposed for areas of the beach or accessways that may be disturbed by project activities.

9) **Staging and public access:** Please clarify whether equipment and vehicles will be staged and stored at the nearby CCSD wastewater treatment facility (as stated on p. 14 of the Draft EA/MND) or at the Shamel Park parking area (as stated on p. 20 of the Environmental Checklist). In either case, please identify the total number of public parking spaces that project equipment and vehicles would use and the amount of time those spaces would be used. Please also identify the location and extent of any road or trail closures or rerouting and their effects on public access to the shoreline.

10) **Project-related noise:** The Draft EA/MND identifies the project equipment as having the following sound levels:

- CPT: 89 decibels at 70 feet; 83 decibels at 140 feet
- Rotosonic: 85 decibels at 100 feet; 79 decibels at 200 feet

The document notes that these sound levels are not likely to significantly affect the closest residences; however, it did not evaluate potential effects on nearby marine life and public recreation areas. The previously-approved project included the use of sound attenuation devices during project activities. Please identify what sound attenuation methods will be included in the currently proposed project and the resulting noise levels expected for any nearby marine life receptors and the nearest public recreation areas.

11) **Lighting and Safety:** The document states that any above-grade casings present on the beach overnight will be covered with reflective markings and illuminated with a spotlight. As the proposed lighting may affect nearby marine life, please identify alternatives that would avoid or minimize such effects – e.g., providing overnight safety without lighting or with reduced lighting.

12) **Spills and Spill Prevention:** The Draft EA/MND includes a proposed Hazardous Spill Contingency Plan. Given the environmental sensitivity of the project area shoreline, we recommend the proposed Spill Plan be revised to include several additional measures to ensure spills are avoided and that the effects of any spills are minimized:

a) **General:** Please include the maximum potential spill from the equipment proposed to be used during project activities – i.e., total fuel and oil capacity of project vehicles and equipment. Please also clarify in the Plan that response procedures will apply to all spills of fuel, oil, or other hazardous materials.

b) **Section 1.1 – Potential Spill Sources:** We recommend the Plan be modified to address potential mercury contamination from sediment core samples, and that the Plan incorporate measures to handle core samples in a manner that will avoid potential mercury releases (e.g., bagging, disposing offsite, etc.).

c) **Section 1.1.1 – Drilling Fluids:** We recommend the Plan specify the use of environmentally benign drilling fluids only – e.g., fluids that do not contain petroleum products, heavy metals, etc.

d) **Section 1.1.3 – Petroleum Products from Vehicles and Equipment:** This section refers to a staging area described in the Plan's Section 2.0 (Project Description); however, our copy of the Draft EA/MND did not include that section. Please provide that section. We also recommend the Plan specify that no refueling will take place on the beach and that all refueling will occur only within an approved staging area that includes spill response materials necessary to contain the maximum potential spill from the project equipment and vehicles.

e) **Section 1.2 – Spill Response Team:** The Plan identifies a Terrestrial Emergency Responder only. Please provide information about the contracted Marine Emergency Responder for the project. Please also identify the minimum expected response times for both terrestrial and marine responses.

f) **Section 1.3 – Onsite Response Equipment:** Please modify the Plan as needed to ensure that the amount of onsite response equipment is adequate to contain the maximum potential spill from any project activities.

CLOSING

Thank you for the opportunity to provide comments. Please feel free to contact me at 415-904-5248 or tluster@coastal.ca.gov if you have questions.

Sincerely,

Tom Luster

Tom Luster
Energy, Ocean Resources, and Federal Consistency Division

55 C Municipal Wharf
Santa Cruz, CA 95060

Ocean Conservancy
Start a Sea Change

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831.425.5604 Facsimilie
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Delivered via electronic mail: bgresens@cambriacsd.org
thomas.w.keeney@usace.army.mil

June 20, 2011

Mr. Bob Gresens
District Engineer
Cambria Community Services District
P.O. Box 65
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Thomas Keeney
US Army Corps of Engineers
Planning Division
P.O. Box 532711
Los Angeles, CA 90053-2325

RE: Comments on Draft Environmental Assessment/Mitigated Negative Declaration for Cambria Geotechnical Sampling and Geophysical Survey

Dear Mr. Gresens and Mr Keeney:

Please accept the following comments regarding the Draft Environmental Assessment/Mitigated Negative Declaration (EA/MND) for the Cambria Geotechnical Sampling and Geophysical Survey on behalf of Ocean Conservancy. In short, we do not believe the EA/MND is legally adequate under National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) requirements. Fundamentally, the project is located in an inappropriate site for any proposed future desalination related facility or activities given the site's ecological importance and sensitivity and its status as a both federally and state protected coastal and marine area. We strongly encourage your agencies not to spend additional time, money and effort exploring a misguided project alternative that we believe is ultimately unapprovable.

Ocean Conservancy is a national environmental organization focused on a range of critical ocean issues. Headquartered in Washington, DC, we have offices in Florida, the Gulf of Mexico, and the Pacific. Ocean Conservancy has worked in California for more than twenty years, where our efforts have included programs focused on protecting California's four national marine sanctuaries and on advancing effective implementation and management of California's new system of marine protected areas established under the Marine Life Protection Act. Specific to the project at hand, our organization advocated for the establishment of both the Monterey Bay

National Marine Sanctuary and the Cambria State Marine Park and we have a strong interest in the effective protection of the habitats and marine species within these special ocean areas.

It is our understanding that the EA/MND for the Cambria Geotechnical Sampling and Geophysical Survey is intended as an initial stage, exploratory project and that any potential future desalination facility would be the subject of a full Environmental Impact Statement under NEPA and Environmental Impact Report under CEQA. Nonetheless, we have significant concerns with the long-term impacts of any proposed desalination facilities or activities at the proposed project site as well as short-term impacts associated with the geotechnical sampling and geophysical survey work specifically described in the EA/MND.

The EA/MND is fundamentally deficient in that it fails to explicitly identify the inconsistencies between the proposed project (both short-term and long-term) and national marine sanctuary and state marine park designations associated with the proposed project location. For example, Page 31 of the EA/MND, which addresses recreation, should be revised to specifically discuss the fact that the project area was recently identified by both the California Fish and Game Commission and the California State Parks Commission as an area of special recreational significance. A map showing the location of the State Marine Park relative to the proposed project should also be included in the EA/MND and the document should be revised to consistently refer to this area as the "Cambria State Marine Park." The current draft of the document erroneously refers to the area as the Cambria Marine State Park in several places. The area's designation as the Cambria State Marine Park demonstrates the statewide significance its exceptional recreational values. Fishing should also be identified as an activity enjoyed in the area and one that could be disrupted by the project. Furthermore, Monterey Bay National Marine Sanctuary regulations designed to protect ocean habitat generally, prohibit activities that would result in "alternation of the seabed" the documents should fully explore the implications of this regulation for the proposed project.

Finally, Section 7.0 of the EA/MND titled "Environmental Compliance" should be revised to include relevant national marine sanctuary regulations as well as explicit discussion of California's Marine Life Protection Act, Marine Managed Areas Improvement Act, and the sections of the California Public Resources code which contains regulatory language governing Cambria State Marine Park.

Notably, Section 36700(b) of the California Public Resources Code states:

> A "state marine park" is a nonterrestrial marine or estuarine area that is designated so the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following:
> (1) Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems.
> (2) Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding representative or imperiled marine habitats or ecosystems.

(3) Preserve cultural objects of historical, archaeological, and scientific interest in marine areas.
(4) Preserve outstanding or unique geological features.

Section 36710. (b) notes that:

> In a state marine park, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial exploitation purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features, may be restricted by the designating entity or managing agency. All other uses are allowed, including scientific collection with a permit, research, monitoring, and public recreation, including recreational harvest, unless otherwise restricted. Public use, enjoyment, and education are encouraged, in a manner consistent with protecting resource values.

In conclusion, the proposed project area has been identified by state and federal agencies as having exceptional ecological and recreational values. Any future plans to develop the site for a major industrial public works project is fundamentally inconsistent with its natural resource and recreational values as well as its legal status as a state marine park and national marine sanctuary. Accordingly, it is our view that this exploratory project should be reconsidered and should not be pursued.

Thank you for your consideration of our comments.

Sincerely,

Pacific Program Director

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **9.A.**

FROM: Jerry Gruber General Manager
Kathy Choate, District Clerk

Meeting Date: July 28, 2011 Subject: Cast Ballot for LAFCO Alternate Special District Member

RECOMMENDATION:

Cast ballot voting for alternate LAFCO (The Local Agency Formation Commission) Special District Member.

FISCAL IMPACT:

None.

DISCUSSION:

Four individuals have been nominated to fill the Special District member vacancy on the San Luis Obispo Local Agency Formation Commission (LAFCO). The term would expire in December 2013. The nominees are as follows:

Rosie Flynn, San Miguel Cemetery District
Brian Kreowski, Port San Luis Harbor District
Marshall Ochylski, Los Osos Community Services District
Greg O'Sullivan, Templeton Community Services District

Each independent special district may vote for one nominee. The completed ballot is to be returned to the LAFCO office no later than August 12, 2011. A copy of the ballot is attached with information about each candidate who submitted their information to LAFCO.

Attachment: June 22, 2010 Ballot for LAFCO Special District Member
Nominee Statements

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ CLIFT___ MAC KINNON ___ BAHRINGER ___ DE MICCO ___THOMPSON ___

LAFCO - San Luis Obispo - Local Agency Formation Commission

SLO LAFCO - Serving the Area of San Luis Obispo County

TO: **EACH INDEPENDENT SPECIAL DISTRICT**

FROM: **DAVID CHURCH, EXECUTIVE OFFICER**

DATE: **JUNE 22, 2011** **DUE DATE: August 12, 2011**

SUBJECT: **BALLOT FOR LAFCO ALTERNATE SPECIAL DISTRICT MEMBER**

Four individuals have been nominated for the vacant Special District position. The term for this position would expire in December 2013. Please vote for one of the nominees:

Rosie Flynn	San Miguel Cemetery District
Brian Kreowski	Port San Luis Harbor District
Marshall Ochylski	Los Osos Community Services District
Greg O'Sullivan	Templeton Community Services District

Agenda Date of Action: _____

Name of Special District: _____

General Manager/President: _____

Ballot Instructions. The Government Code (56332 (c)(1)) states that "at the end of the nomination period, the Executive Officer shall prepare and deliver, or send by certified mail, to each independent special district one ballot and voting instructions." The Government Code also allows for the ballot and instructions to be sent electronically if the special district selection committee agrees and written evidence of receipt of the ballot and instructions is retained by the executive officer. The local California Special District Association (CSDA) chapter of Special Districts has agreed that completing the election electronically is appropriate because attaining a quorum is not possible.

Each Independent Special District may vote for one nominee. The vote by a District must be considered by the District's Board of Directors as an item on its agenda. Please schedule this matter for a vote at your Board of Directors meeting as soon as possible. The District's selection should be returned to the LAFCO office no later than **August 12, 2011** via one of the following ways:

1) An email indicating the date the item was on the Board of Directors agenda and the selected nominee,

2) A scanned pdf of this ballot attached to an email with one of the nominees selected and the date it was considered on the Board's agenda, or

3) A fax with a cover memo sent to LAFCO with one of the nominees selected and the agenda date of the Board's decision. FAX number 805-788-2072.

Please contact me at 805-781-5795 or dchurch@slolafco.com if you have any questions.

cc: Members, Formation Commission

Rosie Flynn
San Miguel Cemetery District
P.O. Box 237
San Miguel, CA 93451

I was the office manager at the Paso Robles District Cemetery (PRDC) for 20 years, from 1987 to 2007. In 2001 I was certified as a Special District Administrator. After stepping down as office manager at PRDC I stayed on as an IT consultant. Currently I am a Trustee of the San Miguel Cemetery District. Our family has been the management company in charge of all aspects of the PRDC since 1986. I have lived in SLO County since 1979. I feel I have considerable experience with special districts and have a passion for San Luis Obispo County as a whole and would like to serve on LAFCO as a special district commissioner.

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Commissioner Brian Kreowski, known to his family and friends by his middle name "Craig", is a graduate of Arroyo Grande High School and his family has resided in San Luis Obispo County for more than 30 years. In the 80's, while attending Cuesta College and Cal Poly, Commissioner Kreowski worked at Port San Luis as a Sport Launch Operator and Maintenance Worker for the District.

Brian is one of the founding members of the Central Coast Aquarium Society, and helped facilitate the establishment and continuation of a mobile, interactive sea life educational program *Tidepool Treasures,* which has served in educating countless children and adults about our Ocean environments. He has participated in fostering many collaborative activities and programs with other marine organizations and was instrumental in facilitating the initial discussions for the Cal Poly take over of the Unocal Pier at Port San Luis.

In 1996, Brian was appointed to the Dinosaur Caves Task Force for the City of Pismo Beach. He served for over one year as vice-chairperson and was instrumental in the formulation of the Task Force recommendation to establish the property as an "open space" park.

Following the dissolution of the Task Force, Brian, and three other members created the Dinosaur Caves Preservation Society (DCPS), a non-profit 501(c)(3) organization, dedicated to preserving the Dinosaur Caves Property. He continues to serve as vice president of the society. Together with the City of Pismo Beach, the society has raised close to $900,000 to develop the park.

In addition to practicing law, Commissioner Kreowski has taught at Cuesta College for the past 15 years and was the first part-time professor to receive the prestigious M'may Diffley Teaching award.

In 2003, Brian was appointed as a Commissioner to the Port San Luis Harbor Commission, by his fellow Commissioners, and then subsequently affirmed in his position as a Commissioner by an election of the people of the District. Since becoming a Commissioner, Brian has traveled to Washington, DC to represent the District and assist in the lobbying effort to acquire Federal Funding for the District's breakwater, which suffered earthquake damage in 2003. In 2008, Brian became President of the San Luis Obispo County Historical Society, and currently serves in that capacity, as well as a Commissioner for the Port San Luis Harbor District, Professor of Political Science at Cuesta College and managing member of the Shell Beach Law Group.

Marshall Ochylski

President, Los Osos Community Services District

President, California Special Districts Association
San Luis Obispo County Chapter

Managing Attorney, The Ochylski Law Group

I am running for the Special District Alternate to LAFCO because I believe that I have the experience and ability to represent the residents of our Special Districts and their unique needs.

I have worked hard since being elected in 2008 as a Director of the Los Osos Community Services District to move my District forward by listening, learning, and leading on a variety of issues - skills that I will bring to LAFCO.

I have also worked diligently to serve all of our Special Districts as the elected President of the San Luis Obispo County Chapter of the California Special Districts Association. Our bi-monthly meetings are an opportunity for elected officials as well as staff members of our Special Districts to get together and discuss issues of common concern, hear from various governmental officials on matters that affect our Districts, as well as give valuable input into the governmental decision-making process.

I believe that I have the necessary background and experience to best represent our Special Districts in addressing the issues and their complexities that arise as a result of the split in jurisdiction over land use decisions and the provision of public services in the areas within and adjacent to our Special Districts. I will make decisions that promote the efficient use of our limited natural resources and infrastructure capacity, while providing for the interests and concerns of all of our Special Districts.

I sincerely appreciate the support that I have received from our various Special Districts and ask for your District's vote in this election.

Selected Career Highlights:

President of San Luis Obispo County Special Districts Association, 2010 - Present.

President of the Los Osos Community Services District, 2010 - Present.

Chair of the Los Osos Community Services District Financial Advisory Committee, 2010 - Present.

Member of the Executive Committee of the Morro Bay National Estuary Program, 2010 - Present.

Member of the Environmental Working Group, Technical Advisory Committee, Los Osos Waste Water Project, San Luis Obispo County, 2007 – 2008.

Chair of the San Luis Obispo Downtown Association Beautification Awards Committee, 1986 – Present.

Member of the South Bay (Los Osos) Advisory Council, 1983-1986.

Biography for Greg O'Sullivan
Candidate for Special District's representative for LAFCO

My wife and I Rose moved to Templeton in 1998 to raise our two daughters in a better environment. I worked 26 years in the Fire Service in the Los Angeles area before taking the position of the Templeton Fire Chief, retiring from the fire service after 38 years of public service in 2010.

After moving to Templeton both of us immediately became involved in the community; Rose volunteering in the classroom and in PTA and I began coaching in Templeton's recreational leagues in Basketball, Soccer and Softball (over 34 teams over a 10 year period) serving on each of the three sports' Boards. Rose and I were recognized by the Templeton Education Foundation in 2001 by being presented the organization's *Community Service Award.*

I was elected to the Templeton School Board in 2006, however had to resign when it was determined I could not serve both as Templeton's Fire Chief and on the School Board. However, I have continued my involvement in the School District, including attending all School Board meetings.

I serve as the Treasurer for the Templeton Eagles Athletic Boosters; Chair the 2011 THS Graduation Committee; and a member of the Historical Society's Board of Directors.

I hold a BA in Management from Azusa Pacific University and an Associates degree in Fire Science.
I am past president of San Luis Obispo Fire Chiefs Association. I was a 14-year volunteer for the American Red Cross and was Vice Chairman of the Board for the Pasadena Chapter, receiving San Gabriel Valley Volunteer of the Year and the Reeve Award.

To the best of my abilities I will ensure the ideals identified in LAFCO's Mission and Purpose statements, first reflect the wishes of those we serve and then work toward their implementation in a professional and methodical manner, while ensuring budget expenditures are appropriate and within appropriations.

I would ask for your vote, but more importantly, for your District's involvement in those issues for which LAFCO is responsible by maintaining a communication link between your District and the appropriate LAFCO representative.