

**Board of Directors  
San Simeon Community Services District**



**BOARD PACKET**

**Wednesday, December 12, 2018  
Regular Meeting 6:00 pm**

**Cavalier Banquet Room  
250 San Simeon Avenue  
San Simeon, CA**

Prepared by:



**GRACE**  
ENVIRONMENTAL SERVICES

**AGENDA**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**Wednesday, December 14, 2018**  
**6:00 pm**

**CAVALIER BANQUET ROOM**  
**250 San Simeon Avenue**  
**San Simeon, CA 93452**

**1. REGULAR SESSION: 6:00 PM**

A. Roll Call

B. Pledge of Allegiance

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

**Public Comment** - Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda. Presentations are limited to three (3) minutes or less with additional time at the discretion of the Chair. Your comments should be directed to the Board as a whole and not directed to individual Board members. The Brown Act restricts the Board from taking formal action on matters not published on the agenda.

**3. SPECIAL PRESENTATIONS AND REPORTS:**

**A. STAFF REPORTS:**

- i. **Sheriff's Report** – Report for November.
- ii. **General Manager's Report** – Summary of November Activities.
- iii. **Superintendent's Report** - Summary of November Activities.
- iv. **District Financial Summary** – Update on Monthly Financial Status.
- v. **District Counsel's Report** – Summary of November Activities.

**B. BOARD OF DIRECTORS AND COMMITTEE REPORTS:**

**C. SPECIAL PRESENTATION:**

**D. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:**

**Public Comment** - This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #3 – Special Presentations and Reports. If a member of the public wishes to speak to this time, Public Comment is limited to three (3) minutes.

**4. CONSENT AGENDA ITEMS:**

**Public Comment** - Members of the public wishing to speak on consent agenda items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes.

A. Review and approval of Minutes for the Regular Meeting on November 14, 2018.

B. Review and approval of Disbursements Journal.

**5. BUSINESS ITEMS:**

**Public Comment** – Public comment will be allowed for each individual business item. Members of the public wishing to speak on business items may do so when recognized by the Presiding Officer. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes for each business item.

A. **Consideration of Review of Draft District Audit 2017-2018 presented by Travis Hole from Moss, Levy & Hartzheim, LLP.**

B. **Consideration of candidates to replace the Board of Director Vacancy created by the Resignation of Daniel Williams and Board Appointment of the new Director.**

C. **Discussion regarding the revised Coastal Development Permit (CDP) application for the rip rap at the Waste Water Treatment Plant (WWTP).**

**6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS** – Requests from Board members to Staff to receive feedback, prepare information, and/or place an item on a future agenda(s).

**7. ADJOURNMENT**

All staff reports or other written documentation, including any supplemental material distributed to a majority of the Board within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the District office, 111 Pico Avenue, San Simeon. If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. To make a request for a disability-related modification or accommodation, contact the District Administrator at 805-927-4778 as soon as possible and at least 48 hours prior to the meeting date. This agenda was prepared and posted pursuant to Government Code Section 54954.2.



## GENERAL MANAGER'S REPORT

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### Item 3.A.i

**Staff Activity** – Report on Staff activities for the month of November.

Regular activities performed by District staff include:

Processing of utility payments, customer service duties, answering phone calls, mailing of the regular monthly utility bills. Prepared and distributed the agenda and Board packet.

During the month of November, staff also attended to the following items:

- Responded to three (3) public records requests.
- Mailed – Removal of Stage 1 Water Restriction Notices to the public.
- Obtained bids for tree stump removal on Pico Ave.
- Continued updates to the fixed asset spreadsheet.

**Update on the Beautification Grant** – Staff has been in contact with representatives from the Business Improvement District and the Chamber of Commerce. At this time, the agencies are determining if they can assist with the cost of the project. District staff is also working with District Counsel to gather more information related to the scope of the project. If staff is unable to gather the necessary information needed to determine the feasibility of the project in effort to meet the January 14, 2019 application deadline.

**Prop 84 Grant Update** – The December 5, 2018 IRWM meeting was canceled.

**PA system** – Agenda item request – At the end of the November Board meeting the staff was directed to place an item on the December agenda allowing for a discussion regarding the PA system. Staff contacted a local company and obtained a new quote from this company. The quote provided by falls within the \$5,000.00 amount previously approved by the Board. Staff is moving forward with purchase of the PA system. Therefore the item was not added to the December meeting agenda.

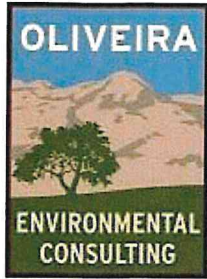
**Capacity Fee Study Progress Report** – Tuckfield and Associates continues working on the capacity fee study for the District. Included in the disbursements journal is the first payment for work completed during the month of November. The invoice reflects that the project is 31% complete.

**Phase 1 Tank Project Environmental Review** – Oliveira Consulting provided a progress report.

**Phase 1 Tank Project Engineering Report** – Phoenix Engineering provided a progress report.

Enc: Oliveira Environmental Consulting progress report.  
Phoenix Engineering progress report.

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December 5, 2018

San Simeon Community Services District  
Board of Directors  
111 Pico Avenue  
San Simeon, CA 93452

**Subject: Project Update - San Simeon Community Services District Water Tank Project CEQA Review and Permitting**

SSCSD Board:

Thank you for the opportunity to submit the following update for the San Simeon Community Services District (SSCSD) Water Tank Project CEQA review and permitting process. This memo is intended as a follow-up to the environmental review process and project permitting update presented to the SSCSD Board of Directors at the November 2018 hearing.

As you recall, the SSCSD Water Tank project is considered a “project” under the California Environmental Quality Act (CEQA). After a preliminary review of the potential project environmental impacts and discussion with County staff, it was determined that the preparation of a Mitigated Negative Declaration (MND) would be the appropriate level of environmental review.

Please see attached for a chart depicting the timing and completion schedule of each of the major milestones in the CEQA review and permitting process. The following is a brief update for each of the identified milestones.

**Prepare Technical Reports (Archaeological, Biological Resource Assessment, Visual Simulations)**

The technical reports have been completed and the visual simulations have been finalized as of last week. As a follow up to the presentation at the November SSCSD Board hearing, it has been confirmed that the proposed water tanks would be almost completely blocked from views along Highway 1 by intervening topography and vegetation.

**Issue Tribal Consultation Invitation per the Requirements of AB 52**

As required by State law, a notice has been sent to the Tribal Representatives in the project area identified by the Native American Heritage Commission. This is a requirement for all CEQA projects, with the exception of CEQA Exemptions. Tribes have 30 days to request consultation on

the project if they have any concerns. Any requests for consultation will be reported to the Board.

**Prepare Draft MND**

Preparation of the Draft MND has begun. With the technical reports prepared for the project, we anticipate a fairly smooth report. Once reviewed, a Final MND will be printed and published through the State Clearinghouse for the required 30-day public review period. Any comments received will be noted and presented to the SSCSD Board during the hearing for Certification and Adoption of the MND. Please note that the timing for this task is subject to change.

**Prepare Final MND**

To be initiated upon final review of the Draft MND.

**Publish MND and Notice of Availability**

To be completed upon preparation of the Final MND. The Final MND will be printed and published with the State Clearinghouse for the 30-day public review period.

**Public Review (30 Days)**

To be initiated upon publication of the Final MND.

**Consideration of MND for Certification by SSCSD Board**

Once the public review period is complete, the MND will be considered for Certification and Adoption by the SSCSD Board.

**File Notice of Determination with County Clerk**

To be completed within 5 working days after Board Certification.

**Submit Permit Application to County**

To be completed upon filing of the NOD with the County. It is expected that the project will trigger the need for a Conditional Use Permit from the County. We will work with the County to waive any project permit fees possible. CEQA review will have been completed already, which should speed up the County's review process.

**County Permit Hearing**

The project Land Use Permit will require a public hearing, to be scheduled by the County, for project approval.

Thank you for the opportunity to provide a brief update of the project CEQA review and permitting process. Please feel free to contact me if you have any questions.

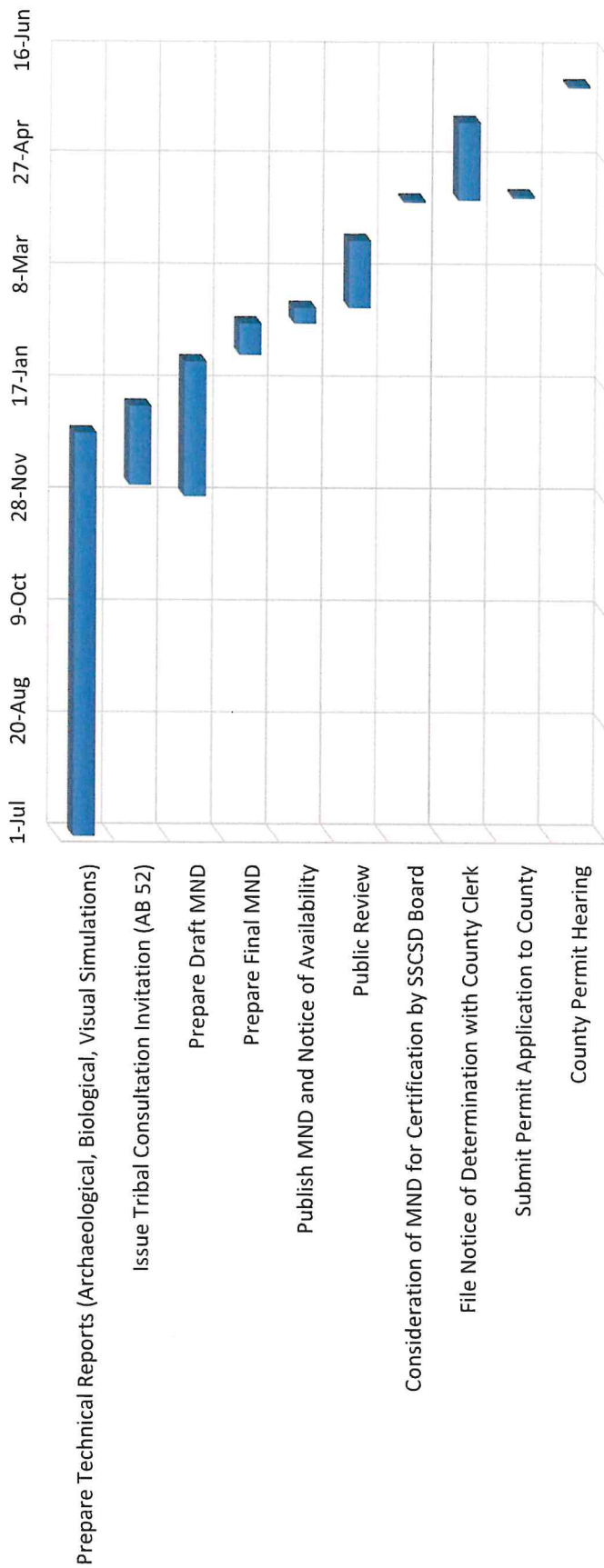
Sincerely,



**Jeff Oliveira, Principal Environmental Planner**

Oliveira Environmental Consulting LLC

### SSCSD Water Tank Project MND and Permitting Milestones



Note: Milestone start dates and completion times subject to change.



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# Phoenix Civil Engineering, Inc.

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535 East Main Street Santa Paula, California 93060 805.658.6800  
info@phoenixcivil.com www.phoenixcivil.com

## Memorandum – Project Design Status Water Systems Improvement Project Phase 1 San Simeon Community Services District December 4<sup>th</sup>, 2018

This memo is providing you a project status update. The following activities have been performed to date:

- Topographic survey has been completed.
- Geotechnical study and investigation have been completed.
- Phase 1 Pipeline Improvements design has been completed to 50% level. Electrical system design is currently underway.
- Instrumentation design site visit completed. Instrumentation design is at 50% level.
- Reservoir site grading and pipeline design plans are completed to a 50% level and have been provided for the District to review. List of technical specifications has been prepared along with the front-end document.

Anticipated Activities for the Month of December:

- Electrical Engineer site visit.
- Submission of 75% level plans and specifications to the District for review.
- Bid phase advertising for tank manufacturer's for design (75% level set of plans).
- Submission of OPCC to the District for review.

**3. A. iii. SUPERINTENDENT'S REPORT**  
**Jerry Copeland**  
**Facilities Update for November 2018**



## SUPERINTENDENT'S REPORT

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### Item 3.A.iii

Prepared by: Jerry Copeland

#### 1. Wastewater Treatment Plant

- All sampling, testing and reporting at the Wastewater Treatment Plant and the Recycled Water Facility was performed as required by the RWQCB.
- Annual grease trap inspections were performed around the District.
- Quarterly blower maintenance was performed.
- One load of sludge was hauled away.

#### 2. Water Distribution System

- All routine sampling and testing was performed. The monthly report was submitted to the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW).
- Monthly maintenance on the R.O. unit was performed.
- Monthly water meter reading was performed.

#### 3. District and Equipment Maintenance

- Staff continues with all of the scheduled preventive maintenance for all the equipment at the facilities. We are recording all of these activities.
- Quarterly maintenance was performed on the stand-by generators at the WWTP and the well site.

**San Simeon Community Services District Superintendent's Report November 2018**

**MONTHLY DATA REPORT**

Date	Day	Wastewater Inflow	Wastewater Effluent Daily Flow	Well 1 Total Daily Produced	Well 2 Total Daily Produced	Total Daily Water Produced	R.O. Daily Inflow	R.O. Daily Effluent Flow	R.O. Daily Brine Flow	Distribution Chloride	Chloride Wells 1 2	Recycled Water Distributed	Water Level Well 1	Water Level Well 2	Rainfall in Inches	State Influent Daily Flow
11/01/18	Thu	53,982	55,770	0	69,414	69,414	0	0	0	-	-	0	12.3	12.8	0.00	9,177
11/02/18	Fri	57,102	56,250	69,265	0	69,265	0	0	0	-	-	0	12.4	12.9	0.00	6,372
11/03/18	Sat	63,784	63,980	0	70,611	70,611	0	0	0	-	-	0	12.5	12.9	0.00	10,131
11/04/18	Sun	65,737	67,800	70,088	0	70,088	0	0	0	-	-	0	12.6	13.1	0.00	8,465
11/05/18	Mon	59,559	61,970	0	67,096	67,096	0	0	0	-	-	0	12.5	12.9	0.00	6,469
11/06/18	Tue	47,611	47,320	59,616	598	60,214	0	0	0	-	-	0	12.5	12.9	0.00	9,004
11/07/18	Wed	56,907	55,910	0	0	0	0	0	0	-	32	0	12.5	12.9	0.00	3,756
11/08/18	Thu	69,062	51,270	5,535	77,418	82,953	3983	2447	1536	-	-	0	12.6	13.0	0.00	7,447
11/09/18	Fri	67,819	51,440	67,694	0	67,694	0	0	0	-	-	0	12.7	13.1	0.00	7,320
11/10/18	Sat	87,333	83,050	0	75,548	75,548	0	0	0	-	-	0	12.8	13.2	0.00	12,081
11/11/18	Sun	92,763	86,730	72,631	0	72,631	0	0	0	-	-	0	12.8	13.2	0.00	10,850
11/12/18	Mon	64,585	72,700	0	71,658	71,658	0	0	0	-	-	0	12.8	13.3	0.00	7,828
11/13/18	Tue	65,618	54,540	66,796	0	66,796	0	0	0	-	-	0	12.8	13.3	0.00	6,542
11/14/18	Wed	51,939	51,020	60,812	0	60,812	0	0	0	-	-	0	12.9	13.4	0.00	5,659
11/15/18	Thu	56,246	56,030	0	61,934	61,934	0	0	0	-	-	0	12.9	13.4	0.00	5,752
11/16/18	Fri	64,632	54,340	25,507	5,685	31,192	0	0	0	-	-	0	12.9	13.4	0.00	5,624
11/17/18	Sat	100,556	83,620	55,053	45,329	100,382	0	0	0	-	-	0	12.9	13.4	0.00	12,598
11/18/18	Sun	78,961	87,860	0	46,974	46,974	0	0	0	-	-	0	13.1	13.5	0.00	13,068
11/19/18	Mon	83,218	81,660	75,922	1,421	77,343	0	0	0	-	-	0	13.0	13.5	0.00	11,087
11/20/18	Tue	78,218	75,460	0	71,808	71,808	0	0	0	-	-	0	13.0	13.5	0.00	12,671
11/21/18	Wed	87,196	87,020	71,210	0	71,210	0	0	0	-	-	0	13.0	13.4	0.00	11,845
11/22/18	Thu	73,816	67,940	0	72,406	72,406	0	0	0	-	-	0	13.0	13.4	0.00	3,034
11/23/18	Fri	109,636	98,190	74,202	0	74,202	0	0	0	-	-	0	12.9	13.4	0.00	20,818
11/24/18	Sat	98,542	97,120	0	76,670	76,670	0	0	0	-	-	0	12.8	13.3	0.00	19,684
11/25/18	Sun	63,843	70,950	74,052	0	74,052	0	0	0	-	-	0	12.4	12.8	0.00	8,769
11/26/18	Mon	53,261	62,870	0	66,647	66,647	0	0	0	-	56	0	12.2	12.6	0.00	4,663
11/27/18	Tue	50,316	43,790	0	0	0	0	0	0	-	-	0	12.2	12.6	0.00	5,661
11/28/18	Wed	73,210	61,130	67,470	0	67,470	0	0	0	-	47	0	12.2	12.6	0.00	7,760
11/29/18	Thu	62,756	67,410	0	61,860	61,860	0	0	0	-	-	0	11.4	11.7	0.00	5,166
11/30/18	Fri	58,582	49,780	0	0	0	0	0	0	-	74	0	10.6	11.1	0.00	9,959
<b>TOTALS</b>		<b>2,096,790</b>	<b>2,004,920</b>	<b>915,851</b>	<b>943,078</b>	<b>1,858,930</b>	<b>3983</b>	<b>2447</b>	<b>1536</b>			<b>0</b>			<b>0.00</b>	<b>269,260</b>
Average		69,893	66,831	30,528	31,436	61,964	133	82	51	39	52	38	12.6	13.0	0.00	8,975
Minimum		47,611	43,790	0	0	0	0	0	0	39	32	32	10.6	11.1	0.00	3,034
Maximum		109,636	98,190	75,922	77,418	100,382	3983	2447	1536	39	74	47	13.1	13.5	0.00	20,818

## DATA SUMMARY SHEET

	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Total for 2018
Wastewater Influent	1,762,514	1,707,154	2,752,139	2,188,423	2,254,636	2,475,142	3,200,941	3,139,374	2,539,174	2,339,012	2,096,790		26,455,299
Wastewater Final Effluent (Month Cycle)	1,718,650	1,748,894	2,796,460	2,287,640	2,303,330	2,485,760	3,156,580	3,158,998	2,479,999	2,286,320	2,004,920		26,427,551
Adjusted Wastewater Influent (- State Flow)	1,516,601	1,459,319	2,320,828	1,819,468	1,901,248	2,082,826	2,641,403	2,500,033	2,107,514	1,951,269	1,800,530		22,101,039
Water Produced (month cycle)	1,464,210	1,578,354	1,677,091	1,845,614	2,252,051	2,539,202	2,954,183	2,975,092	2,423,071	2,187,526	1,858,930		23,755,326
Sewer Influent/Water Produced Ratio	1.20	1.08	1.64	1.19	1.00	0.99	1.08	1.05	1.05	1.07	1.13		N/A
Adjusted Sewer/Water Produced Ratio	1.04	0.92	1.38	0.99	0.84	0.82	0.89	0.84	0.87	0.89	0.97		N/A
Well 1 Water Production	314,983	582,542	40,691	885,332	1,122,301	1,233,003	1,648,293	1,475,355	1,277,659	1,248,188	915,851		10,744,199
Well 2 Water Production	1,149,227	995,812	1,636,400	960,282	1,129,750	1,306,199	1,305,891	1,499,737	1,145,412	939,338	943,078		13,011,128
Total Well Production	1,464,210	1,578,354	1,677,091	1,845,614	2,252,051	2,539,202	2,954,183	2,975,092	2,423,071	2,187,526	1,858,930		23,755,326
Water Well 1 Avg Depth to Water	10.6	10.1	9.5	10.1	10.2	9.9	10.2	10.8	11.6	12.2	12.6		N/A
Water Well 2 Avg Depth to Water	11.0	10.5	9.9	10.5	10.5	10.3	10.6	11.2	12.1	12.6	13.0		N/A
Average Depth to Water of Both Wells	10.8	10.3	9.7	10.3	10.4	10.1	10.4	11.0	11.9	12.4	12.8		N/A
Change in Average Depth to Water from 2017	+2.7	+2.3	-0.3	+0.3	+0.5	+0.4	+0.3	+0.6	+1.4	+1.4	+1.0		N/A
Average Chloride mg/L at the Wells	34.5	35.5	32	35.5	35.5	32	32	32	32	34.5	45		N/A
State Wastewater Treated	245,913	247,835	431,311	368,955	353,388	392,298	559,538	639,341	431,660	387,743	269,260		4,327,242
State % of Total WW Flow	14%	15%	16%	17%	16%	16%	18%	20%	17%	17%	13%		N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0	0	0		0
Biosolids Removal (Gallons)	9,600	0	4,800	9,600	4,800	4,800	13,500	13,500	9,000	4,500	4,500		78,600
WW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0		N/A
RW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0		N/A
Constituent Exceeded	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A
Sample Limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A
Sample Result	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A

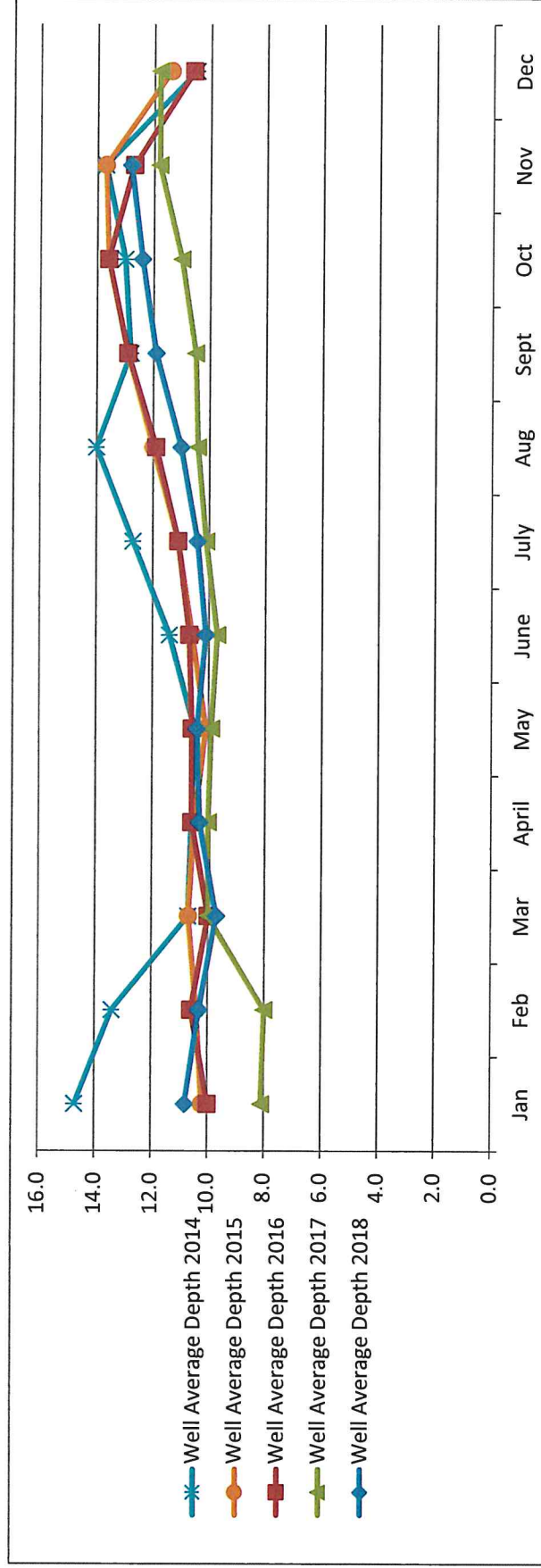
	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Total for 2017
Wastewater Influent	4,686,295	4,225,605	2,454,810	2,674,358	2,408,421	2,400,006	3,248,977	2,976,582	2,314,982	2,167,268	1,852,863	1,972,595	33,382,762
Wastewater Final Effluent (Month Cycle)	4,621,950	4,185,250	2,372,800	2,628,130	2,496,660	2,398,120	2,953,830	2,648,061	2,259,220	2,140,520	1,816,710	1,893,300	32,414,551
Adjusted Wastewater Influent (- State Flow) *	3,757,902	3,410,095	2,084,624	2,263,137	2,035,569	2,008,272	2,675,674	2,492,452	1,942,728	1,840,359	1,577,793	1,670,528	27,759,133
Water Produced (month cycle)	1,602,216	1,806,869	1,773,957	1,960,209	2,111,454	2,153,118	2,598,851	2,392,456	2,060,913	1,943,827	1,706,552	1,744,635	23,855,056
Sewer Influent/Water Produced Ratio	2.90	2.34	1.38	1.36	1.14	1.12	1.25	1.24	1.10	1.10	1.08	1.13	N/A
Adjusted Sewer/Water Ratio	2.50	1.89	1.18	1.16	0.96	0.93	1.03	1.04	0.94	0.95	0.92	0.92	N/A
Average Depth of Both Wells	8.1	8.0	10.0	10.0	9.9	9.7	10.1	10.4	10.5	11.0	11.8	11.8	N/A
Change in Average Depth to Water from 2016	-2.0	-2.6	0.0	-0.6	-0.7	-1.0	-1.0	-1.5	-2.4	-2.6	-0.9	+1.2	N/A
Average Chloride mg/L at the Wells	66	65	46	36	53	69	60	51	40	37	36	35	N/A
State Wastewater Treated	928,393	815,510	370,186	411,221	372,852	391,734	573,303	484,130	372,254	326,909	275,070	302,067	5,623,629
State % of Total WW Flow	20%	19%	15%	15%	16%	16%	18%	16%	16%	15%	15%	15%	N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0	0	0	0	0
Biosolids Removal (Gallons)	9,600	4,800	4,800	9,600	9,600	9,600	0	9,600	4,800	4,800	0	4,800	72,000
WW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0	0	N/A
RW Permit Limitation Exceeded	0	0	0	0	0	0	0	0	0	0	0	0	N/A
Constituent Exceeded	None	None	None	None	None	None	None	None	None	None	None	None	N/A
Sample Limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sample Result	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**San Simeon Community Services District**

**Superintendent's Report**

**November 2018**

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Well Average Depth 2014	14.7	13.4	10.7	10.6	10.5	11.4	12.7	14.0	12.8	13.0	13.7	10.5
Well Average Depth 2015	10.2	10.4	10.7	10.5	10.1	10.6	11.1	12.0	12.9	13.6	13.7	11.4
Well Average Depth 2016	10.0	10.6	10.0	10.6	10.6	10.7	11.1	11.9	12.9	13.6	12.7	10.6
Well Average Depth 2017	8.1	8.0	10.0	10.0	9.9	9.7	10.1	10.4	10.5	11.0	11.8	11.8
Well Average Depth 2018	10.8	10.3	9.7	10.3	10.4	10.1	10.4	11.0	11.9	12.4	12.8	11.8



**3. A. iv DISTRICT FINANCIALS**  
**Cortney Murguia**  
**November 30, 2018**



# SAN SIMEON COMMUNITY SERVICES DISTRICT



## 3.A.iv FINANCIAL SUMMARY

### Billing November 30, 2018

October Billing Revenue	\$ 81,478.57
November Billing Revenue	\$76,876.69
Past Due (31 to 60 days)	\$ 736.42
Past Due (60 days)	\$ 331.75

---

### ENDING BANK BALANCES

November 30, 2018

#### RABOBANK SUMMARY:

Well Rehab Project/USDA Checking Account \$ 109.00

#### PACIFIC PREMIER BANK:

Money Market Account Closing Balance October 31, 2018 \$ 893,452.58

Interest for November 2018 \$ 1,310.35

Money Market Account Closing Balance November 30, 2018 \$ 894,762.93

Reserve Fund (250,000.00)

Wait-list Deposits (69,750.00)

Customer Deposits (9,500.00)

Available Funds \$ 565,512.93

General Checking Account November 30, 2018 \$ 93,870.82

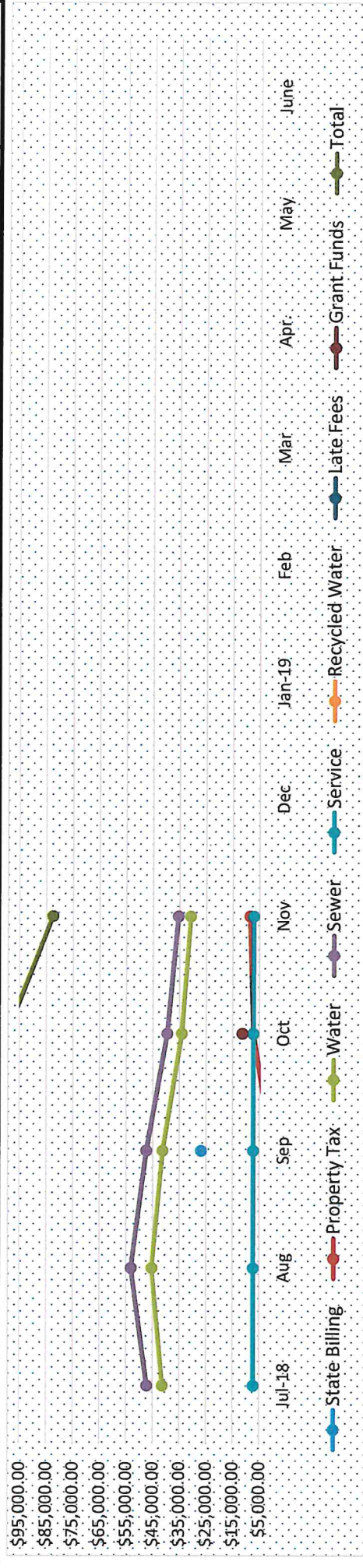
LAIF Closing Balance November 30, 2018 \$ 536.39

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**Balance Sheet**  
**As of November 30, 2018**

	Nov 30, 18
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
1010 · Petty cash	150.00
1015 · Pacific Prem - General Checking	93,870.82
1017 · Pacific Premier-Money Market	894,762.93
1022 · USDA checking	164.00
1040 · Cash in county treasury	108.33
1050 · LAIF - non-restricted cash	536.39
Total Checking/Savings	989,592.47
Other Current Assets	
1200 · Accounts receivable	81,716.80
1300 · Prepaid expenses	4,945.13
Total Other Current Assets	86,661.93
Total Current Assets	1,076,254.40
Fixed Assets	
1400 · Fixed assets	
1420 · Building and structures	395,874.73
1500 · Equipment	316,747.53
1540 · Major Water Projects	190,843.72
1560 · Pipe bridge	28,075.58
1580 · Sewer plant	1,488,555.08
1600 · Water system	550,390.00
1620 · WWTP expansion	299,565.92
1630 · Tertiary Project	262,932.67
1640 · Wellhead Rehab Project	450,827.53
1650 · Walkway access projects	21,511.00
1660 · RO Unit	931,966.97
1670 · Reservoir	90,992.17
1680 · Generator	29,101.14
Total 1400 · Fixed assets	5,057,384.04
1690 · Accumulated depreciation	(2,381,430.17)
Total Fixed Assets	2,675,953.87
<b>TOTAL ASSETS</b>	<b>3,752,208.27</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2100 · Payroll liabilities	122.40
2500 · Customer security deposits	9,350.00
2510 · Connect hookup wait list	69,750.00
2520 · USDA Loan	396,550.00
Total Other Current Liabilities	475,772.40
Total Current Liabilities	475,772.40
Total Liabilities	475,772.40
Equity	
3200 · Fund balance	3,238,681.99
3900 · Suspense	(14,991.88)
Net Income	52,745.76
Total Equity	3,276,435.87
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>3,752,208.27</b>

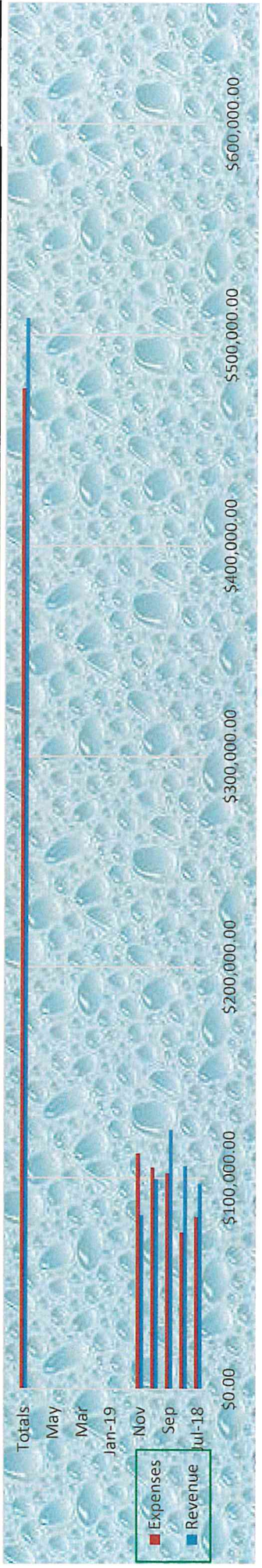
DISTRICT REVENUE FY 2018/2019

	Jul-18	Aug	Sep	Oct	Nov	Dec	Jan-19	Feb	Mar	Apr.	May	June	Totals
State Billing			\$26,723.91										\$26,723.91
Property Tax	\$1,288.59	\$0.00	\$169.19	\$7,205.82	\$8,542.19								\$17,205.79
Water	\$41,336.59	\$45,279.14	\$41,178.74	\$34,050.67	\$30,760.16								\$192,605.30
Sewer	\$47,258.33	\$53,156.35	\$47,379.43	\$39,628.31	\$35,491.84								\$222,914.26
Service	\$7,111.73	\$7,113.60	\$7,113.60	\$7,113.60	\$7,079.40								\$35,531.93
Recycled Water													\$0.00
Late Fees	\$461.43	\$201.49	\$290.08	\$168.71	\$600.53								\$1,722.24
Grant Funds				\$11,367.00									\$11,367.00
<b>Total</b>	<b>\$97,456.67</b>	<b>\$105,750.58</b>	<b>\$122,854.95</b>	<b>\$99,534.11</b>	<b>\$82,474.12</b>								<b>\$508,070.43</b>
Water Sold Cu Ft	334631	367360	332914	275609	243491								1554005
Water Sold Acre ft	7.68	8.43	7.64	6.33	5.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35.68



REVENUE VS EXPENSES

	Jul-18	Aug	Sep	Oct	Nov	Dec	Jan-19	Feb	Mar	Apr.	May	June	Totals
Revenue	\$97,456.67	\$105,750.58	\$122,854.95	\$99,534.11	\$82,474.12								\$508,070.43
Expenses	\$81,495.91	\$74,250.58	\$102,279.81	\$104,990.12	\$111,554.79								\$474,571.21
<b>Balance</b>	<b>\$15,960.76</b>	<b>\$31,500.00</b>	<b>\$20,575.14</b>	<b>(\$5,456.01)</b>	<b>(\$29,080.67)</b>								<b>\$33,499.22</b>



**SAN SIMEON COMMUNITY SERVICES  
HISTORICAL FISCAL REVIEW**

**FY 2015 / 2016**

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$7,200.02			\$8,584.90			\$11,992.94			\$10,529.30	\$38,307.16
Property Tax	\$1,299.10	\$78.29	\$89.78	\$6,473.88	\$5,162.73	\$31,035.95	\$732.82	\$3,907.74	\$4,380.61	\$20,311.05	\$670.65	\$812.49	\$74,955.09
Water	\$32,179.33	\$35,048.63	\$31,023.24	\$30,062.47	\$23,260.87	\$19,903.42	\$28,833.61	\$24,410.65	\$22,300.83	\$24,943.58	\$27,395.80	\$29,375.50	\$328,737.93
Sewer	\$38,340.31	\$41,800.72	\$36,517.90	\$35,482.63	\$27,568.63	\$23,716.44	\$33,983.50	\$28,929.28	\$26,405.46	\$29,496.09	\$31,742.13	\$34,065.24	\$388,048.33
Service	\$6,052.80	\$6,081.90	\$6,111.00	\$6,111.00	\$6,111.00	\$6,111.00	\$6,169.20	\$6,111.00	\$6,140.10	\$6,140.10	\$6,111.00	\$6,111.00	\$73,361.10
Recycled Water			\$1,359.75			\$854.07							\$2,213.82
Late Fees	\$118.83	\$71.20	\$72.27	\$239.83	\$386.63	\$99.38	\$153.29	\$138.82	\$86.36	\$485.53	\$657.24	\$418.39	\$2,927.77
<b>Total Revenue</b>	<b>\$77,990.37</b>	<b>\$83,080.74</b>	<b>\$82,373.96</b>	<b>\$78,369.81</b>	<b>\$62,489.86</b>	<b>\$90,305.16</b>	<b>\$69,872.42</b>	<b>\$63,497.49</b>	<b>\$71,306.30</b>	<b>\$81,376.35</b>	<b>\$66,576.82</b>	<b>\$81,311.92</b>	<b>\$908,551.20</b>
<b>Total Expense</b>	<b>\$56,735.48</b>	<b>\$80,703.14</b>	<b>\$82,573.67</b>	<b>\$62,460.00</b>	<b>\$90,307.21</b>	<b>\$78,261.91</b>	<b>\$62,999.58</b>	<b>\$69,646.10</b>	<b>\$68,440.42</b>	<b>\$78,744.51</b>	<b>\$62,608.05</b>	<b>\$60,034.80</b>	<b>\$833,514.87</b>
Water Sold Cu Ft	311247	338869	297896	288860	223460	191579	276707	234583	213757	239168	260907	278,453	3,155,486
Water Sold Acre ft	7.15	7.78	6.84	6.63	5.13	4.40	6.35	5.39	4.91	5.49	5.99	6.39	72.44

**FY 2016/2017**

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$12,485.00			\$13,996.07			\$29,440.40			\$23,960.29	\$79,881.76
Property Tax	\$1,161.69		\$1,184.42	\$6,789.01	\$6,970.82	\$28,878.98	\$2,456.74	\$2,966.66	\$2,421.97	\$23,540.38	\$415.92	\$1,111.78	\$77,898.37
Water	\$36,292.1	\$36,746.52	\$31,241.74	\$29,953.03	\$22,549.49	\$19,445.8	\$25,600.5	\$22,112.36	\$19,816.90	\$27,563.35	\$27,763.55	\$31,331.40	\$330,416.71
Sewer	\$41,862.8	\$43,190.60	\$36,386.89	\$35,106.74	\$25,574.57	\$21,817.9	\$29,037.7	\$24,590.36	\$22,440.87	\$31,022.32	\$31,228.75	\$34,851.59	\$377,111.12
Service	\$6,559.5	\$6,472.20	\$6,472.20	\$6,472.20	\$6,626.30	\$6,533.8	\$6,503.0	\$6,503.02	\$6,503.02	\$6,503.02	\$6,564.66	\$6,626.30	\$78,339.28
Recycled Water						\$216.4							\$216.35
Late Fees	\$485.7	\$97.52	\$595.71	\$316.72	\$353.70	\$1,587.7	\$366.8	\$1,387.73	\$735.52	\$202.87	\$187.94	\$804.03	\$7,121.95
<b>Total Revenue</b>	<b>\$86,361.78</b>	<b>\$86,506.84</b>	<b>\$88,365.96</b>	<b>\$78,637.70</b>	<b>\$62,074.88</b>	<b>\$92,476.61</b>	<b>\$63,964.81</b>	<b>\$57,560.13</b>	<b>\$81,358.68</b>	<b>\$88,831.94</b>	<b>\$66,160.82</b>	<b>\$98,685.39</b>	<b>\$950,985.54</b>
<b>Total Expense</b>	<b>\$127,105.89</b>	<b>\$72,035.48</b>	<b>\$114,268.09</b>	<b>\$71,273.31</b>	<b>\$75,340.87</b>	<b>\$66,017.87</b>	<b>\$71,441.43</b>	<b>\$72,822.48</b>	<b>\$152,049.21</b>	<b>\$62,994.78</b>	<b>\$77,525.44</b>	<b>\$71,657.28</b>	<b>\$1,034,532.13</b>
Water Sold Cu Ft	324654	324654	281207	269907	203338	175391	232048	200704	179990	249876	249279	282352	2,973,400
Water Sold Acre ft	7.45	7.45	6.46	6.20	4.67	4.03	5.33	4.61	4.13	5.74	5.72	6.48	68.26

**FY 2017/2018**

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal Total
State Billing			\$24,606.31			\$21,914.14			\$21,542.66			\$23,690.87	\$91,753.98
Property Tax	\$1,282.43		\$121.78	\$3,983.38	\$11,222.22	\$31,099.09	\$7,506.90	\$2,750.02	\$640.94	\$22,168.20	\$1,686.05	\$771.97	\$83,232.98
Water	\$34,880.43	\$36,192.33	\$31,137.52	\$27,999.25	\$26,930.07	\$19,762.53	\$22,551.64	\$25,457.70	\$16,741.07	\$28,408.76	\$27,795.23	\$36,075.95	\$333,932.48
Sewer	\$38,495.46	\$39,770.86	\$33,836.96	\$30,919.58	\$29,421.68	\$21,164.32	\$25,021.12	\$28,652.26	\$19,108.33	\$32,900.73	\$31,492.38	\$40,773.70	\$371,557.38
Service	\$6,820.12	\$6,950.95	\$6,821.63	\$6,659.98	\$6,886.29	\$6,886.29	\$6,789.30	\$6,853.96	\$6,724.64	\$6,724.64	\$6,724.64	\$6,724.64	\$81,567.08
Recycled Water													\$0.00
Late Fees	\$628.24	\$379.06	\$292.61	\$241.85	\$221.14	\$159.01	\$113.69	\$197.92	\$487.09	\$284.43	\$202.63	\$179.47	\$3,387.14
<b>Total Revenue</b>	<b>\$82,106.68</b>	<b>\$83,293.20</b>	<b>\$96,816.81</b>	<b>\$69,804.04</b>	<b>\$74,681.40</b>	<b>\$100,985.38</b>	<b>\$61,982.65</b>	<b>\$63,911.86</b>	<b>\$65,244.73</b>	<b>\$90,486.76</b>	<b>\$67,900.93</b>	<b>\$108,216.60</b>	<b>\$965,431.04</b>
<b>Total Expense</b>	<b>\$94,660.34</b>	<b>\$87,503.06</b>	<b>\$104,489.98</b>	<b>\$71,763.52</b>	<b>\$62,490.35</b>	<b>\$85,613.60</b>	<b>\$88,196.48</b>	<b>\$73,251.65</b>	<b>\$109,510.66</b>	<b>\$70,856.21</b>	<b>\$80,363.24</b>	<b>\$80,743.66</b>	<b>\$1,009,442.75</b>
Water Sold Cu Ft	299369	310960	266284	241692	232942	169355	194345	217741	144425	244412	237414	308832	2,867,771
Water Sold Acre	6.87	7.14	6.11	5.55	5.35	3.89	4.46	5.00	3.32	5.61	5.45	7.09	65.84

## **4. CONSENT AGENDA**

- A. Review & Approval of Minutes for the Regular Meeting  
– November 14, 2018**

**MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**Wednesday, December 14, 2018**  
**6:00 pm**

**CAVALIER BANQUET ROOM**  
**250 San Simeon Avenue**  
**San Simeon, CA 93452**

**1. REGULAR SESSION @ 6:02 PM**

- |  |                                       |
|--|---------------------------------------|
| <b>A.</b> (Acting) Chairperson McGuire – present | General Manager, Charles Grace        |
| Director Russell – present                       | District Counsel, Natalie Frye Laacke |
| Director Kellas – present                        |                                       |
| Director Stanert – present                       |                                       |

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

Supervisor Bruce Gibson was present. He commented that he had been working with District staff and consultants on the Coastal Development Permit (CDP) resubmittal application. He suggested the importance of working with Coastal Commission staff on the resubmittal application.

**3. SPECIAL PRESENTATIONS AND REPORTS:**

**A. STAFF REPORTS:**

**i. Sheriff's Report – Report for November.**

Commander Odom provided the report for the community from November 1 – 30, 2018. There were fifty-one (51) calls for service and six generated reports. He also emphasized the importance of keeping vehicles locked.

**ii. General Manager's Report –**

Charlie Grace provided a summary of November activities.

Jeff Oliveira from Oliveira Environmental Consulting (OEC) was present. There were no questions regarding his progress report.

**iii. Superintendent's Report –**

Jerry Copeland provided a summary of November activities.

**iv. District Financial Summary –**

Cortney Murguia provided a summary of the District Financials for November.

**v. District Counsel's Report –**

Natalie Frye Laacke provided a summary of November activities.

**B. BOARD OF DIRECTORS AND COMMITTEE REPORTS: None**

**C. SPECIAL PRESENTATION: None**

**D. PUBLIC COMMENTS ON SPECIAL PRESENTATIONS AND REPORTS:**

None

**4. CONSENT AGENDA ITEMS:**

**Public Comment - None**

**A.** Review and approval of Minutes for the Regular Meeting on November 14, 2018.

**B.** Review and approval of Disbursements Journal.

A motion was made to approve items 4A – 4B with the changes recommended by Chairperson McGuire.

Motion by: Director Russell

2<sup>nd</sup>: Director Kellas

All in: 4/0

**5. BUSINESS ITEMS:**

**Public Comment – None**

**A. Consideration of Review of Draft District Audit 2017-2018 presented by Travis Hole from Moss, Levy & Hartzheim, LLP.**

Travis Hole presented the audit.

Director Russell commented that the list of the Board of Directors needed to be updated to reflect who the Directors were as of June 30, 2018.

Travis Hole commended the Board and staff for the hiring of Kathy Fry as the bookkeeper.

A motion was made to approve the Draft audit.

Motion by: Director Russell

2<sup>nd</sup>: Director Kellas

All in: 4/0

**B. Consideration of candidates to replace the Board of Director Vacancy created by the Resignation of Daniel Williams and Board Appointment of the new Director.**

Chairperson McGuire introduced the item.

Hunter Smith introduced himself and explained why he had applied for the position.

Eileen Goodman introduced herself explained why she had applied for the position.

Leroy Price introduced himself and explained why he had applied for the position.

Chairperson McGuire asked for public comment.

There was no public comment on this item.

A motion was made to appoint Eileen Goodman to fill the Board vacancy.

Motion by: Director Kellas

2<sup>nd</sup>: Director Russell

A motion was made to appoint Hunter Smith to fill the Board vacancy.

Motion by: Chairperson McGuire

2<sup>nd</sup>: Director Stanert

Natalie Frye Laacke suggested that the Board may wish to further discuss this matter. She also explained the timeline for the appointment process.

Chairperson McGuire explained why she had nominated Hunter Smith. Stating that she was impressed with his resume, his previous experience, and that she thought his age demographic needed representation.

Director Russell withdrew his second for the motion to appoint Eileen Goodman.

A motion was made to appoint Hunter Smith to fill the Board vacancy.

Motion by: Chairperson McGuire

2<sup>nd</sup>: Director Stanert

All in: 3/1

Abstained: Director Kellas

**C. Discussion regarding the revised Coastal Development Permit (CDP) application for the rip rap at the Waste Water Treatment Plant (WWTP).**

Chairperson McGuire introduced the item.

Jeff Oliveira reviewed the proposed conditions and provided information about the changes in the proposed items for mitigation.

Director Russell commented about moving the location of the plant and dropping the construction of the pipe bridge as mitigation. He also inquired about working with the Cambria CSD and that language being part of the special conditions.

Director Kellas suggested building a “splash wall” behind the existing riprap instead of adding to the existing riprap. The wall would be located inside of the existing property lines at the WWTP. She also proposed the idea of a wetlands project.

Charles Grace remarked about page 5 item 4 of the special conditions and the mitigation requirements.

Chairperson McGuire stated that it would be almost impossible to add to the existing riprap based on the location.



Jeff Oliveira agreed with Chairperson McGuire calling the exercise onerous. He provided information regarding various scenarios that he had worked on and explained possible issues that the District might come across in trying to add to the riprap.

Charlie Grace commented about the Coastal Hazard Response Plan and the idea of a wetlands project being evaluated as part of this plan.

Director Stanert remarked about the potential trauma in having to access the beach and that building a splash wall would be the least invasive to the beach. She also suggested the possibility of installing a French drain. She also proposed the creation of a staging area at the WWTP.

Chairperson McGuire asked if the other Board members had any further suggestions or comments.

Director Stanert asked about a seawall being on the table and asked why the District was spending time on a mitigation idea that had proven negative effects on the environment.

Jeff Oliveira replied that the Coastal Commission required all possible scenarios to be discussed as part of the process.

Director Kellas also remarked about the dates on page 4 being updated and she requested that the donation requirement listed on page 11 be changed to Pacific Wildlife Care.

Natalie Frye Laacke responded that the date would actually be based on five years from when the special conditions are approved.

There was no public comment on this item.

There was no action taken regarding this item.

**6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS – None**

**7. ADJOURNMENT @ 7:09 PM**

## **4. CONSENT AGENDA**

**B. Consideration of approval of Disbursements Journal**

# SAN SIMEON COMMUNITY SERVICES DISTRICT Disbursements Journal

December 2018

Type	Date	Num	Name	Memo	Paid Amount
Liability Check	12/27/2018	Elec Pymt	United States Treasury	Payroll tax payment for paychecks dated 12/1/2018.	-48.96
Check	12/26/2018	Elec Pymt	CalPERS Fiscal Services Division	Unfunded Accrued Liability only - prepaid for January 2019. Cust. ID # 7226734344.	-1,132.64
Check	12/26/2018	Elec Pymt	CalPERS Fiscal Services Division	Retiree Health monthly premium for January 2019.	-347.56
Paycheck	12/01/2018	1687	DAN WILLIAMS	Board Service November 2 through December 1, 2018	-92.35
Paycheck	12/01/2018	1688	GWEN KELLAS	Board Service November 2 through December 1, 2018	-92.35
Paycheck	12/01/2018	1689	JOHN K RUSSELL	Board Service November 2 through December 1, 2018	-92.35
Paycheck	12/01/2018	1690	JULIA A GREENAN	Board Service November 2 through December 1, 2018	-92.35
Paycheck	12/01/2018	1691	MARY M MCGUIRE	Board Service November 2 through December 1, 2018	-92.35
Bill Pmt -Check	12/12/2018	1692	David Martin	Customer security deposit refund acct #420. Dated 12/1/2018.	-50.00
Bill Pmt -Check	12/12/2018	1693	Adamski Moroski Madden Cumberland & Green	Legal services on rip-rap project through 10/31/2018. Inv #45656 dated 11/20/2018.	-7,059.71
Bill Pmt -Check	12/12/2018	1694	Adamski Moroski Madden Cumberland & Green	General Legal Services through 10/31/2018. Inv 45657 dated 11/20/2018.	-2,099.80
Bill Pmt -Check	12/12/2018	1695	Adamski Moroski Madden Cumberland & Green	Legal services on policy manual updates through 10/31/2018. Inv 45658 dated 11/20/18.	-322.50
Bill Pmt -Check	12/12/2018	1696	CDTFA - CA Dpt Tax & Fee Admin	Annual Water Rights Fee for Acct WR-STF-94-006560. Inv #28591361 dated 11/15/18.	-218.66
Bill Pmt -Check	12/12/2018	1697	County of SLO - Environmental Health	Annual fee 11/19 - 12/31/2019 Hazmat Disclosure Fee and Surcharge. Facility ID FA0012591 dated 11/5/2018.	-429.00
Bill Pmt -Check	12/12/2018	1698	County of SLO - Environmental Health	Annual fee 11/19 - 12/31/2019 Hazmat Disclosure Fee and Surcharge. Facility ID FA001537 dated 11/5/2018.	-429.00
Bill Pmt -Check	12/12/2018	1699	Kathleen Fry Bookkeeping Services	Bookkeeping Services November 2018. Inv 2018-11 dated 11/30/2018.	-1,200.00
Bill Pmt -Check	12/12/2018	1700	Moss, Levy & Hartzheim, LLP	Audit to Date for FYE 6/30/2018. Inv 16565 dated 10/31/2018.	-3,000.00
Bill Pmt -Check	12/12/2018	1701	Nossaman LLP	Legal services re: Rip Rap matter through 10/31/2018. Inv 488284 dated 11/7/2018.	-6,000.00
Bill Pmt -Check	12/12/2018	1702	Phoenix Civil Engineering, Inc	Prof Svcs on Reservoir Project through 11/28/18. Inv 18-613 dated 11/29/2018.	-27,236.36
Bill Pmt -Check	12/12/2018	1703	Schneider Electric	Three year SCADA service & support renewal through 11/30/2021. Inv 41693655 dated 11/20/18.	-1,467.18
Bill Pmt -Check	12/12/2018	1704	SWRCB-State Water Res Ctrl Bd	Annual Permit Fee 7/1/18 to 6/30/19, Facility ID 3SSO10322 dated 11/27/18.	-2,286.00
Bill Pmt -Check	12/12/2018	1705	SWRCB-State Water Res Ctrl Bd	Annual Permit Fee 7/1/18 to 6/30/19, Facility ID 340011001 dated 11/27/18.	-4,073.00
Bill Pmt -Check	12/12/2018	1706	Tuckfield & Associates	Capacity Charge Study Nov 1 - Nov 30 Inv 511 dated 11/30/18.	-1,800.00
Bill Pmt -Check	12/12/2018	1707	Grace Environmental	Operations Management and Maintenance Fees December 2018. Inv #1248 dated 12/1/18.	-51,892.67
					<b>-111,554.79</b>

**5. A. BUSINESS ITEMS**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **Item 5.A. Consideration of Review of Draft District Audit 2017-2018 presented by Travis Hole from Moss, Levy & Hartzheim, LLP.**

Attached is the Draft copy of the 2017-2018 Fiscal Year Audit for review, questions and comment.

Enc; Draft Audit for 2017/2018 Fiscal Year



Moss, Levy & Hartzheim LLP  
Certified Public Accountants

December 5, 2018

To the Board of Directors  
San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452

Attached is a draft copy of your audit for your review. After reviewing and upon your approval, please sign and fax back this letter to our office as soon as possible. We will not finalize the audit until we receive your response, a signed and dated Management Representation Letter (to be prepared by you), a written response from your attorney to the legal representation letter or a letter from you stating that no legal counsel was retained.

Sincerely,

MOSS, LEVY & HARTZHEIM LLP

*Moss, Levy & Hartzheim LLP*

RESPONSE:

I have reviewed the draft copy of the audit for San Simeon Community Services District and give my approval.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**SAN SIMEON COMMUNITY SERVICES DISTRICT**

**FINANCIAL STATEMENTS**

June 30, 2018

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
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**June 30, 2018**

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**INTRODUCTORY SECTION**

**SAN SIMEON COMMUNITY SERVICES DISTRICT  
ORGANIZATION  
June 30, 2018**

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**Board of Directors**

<u>Name</u>	<u>Office</u>	<u>Term Expires</u>
Daniel Williams	Chairperson	2020
Alan Fields	Vice-Chairperson	2020
John Russell	Director	2018
Mary Margaret McGuire	Director	2020
Ken Patel	Director	2018

**FINANCIAL SECTION**



Moss, Levy & Hartzheim LLP

Certified Public Accountants

## INDEPENDENT AUDITORS' REPORT

To the Board of Directors  
San Simeon Community Services District  
San Simeon, CA

### Report on the Financial Statements

We have audited the accompanying basic financial statements of San Simeon Community Services District (District) as of and for the fiscal year ended June 30, 2018, and the related notes to the basic financial statements, as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the San Simeon Community Services District, as of June 30, 2018, and the changes in financial position and cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

### Other Matters

#### *Required Supplementary Information*

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial

statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

*Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the District's basic financial statements. The introductory section and the schedules of revenues, expenses, and changes in net position by function on pages 15 and 16 are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The schedules of revenues, expenses, and changes in net position by function is the responsibility of management and were derived from and related directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basis financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedules of revenues, expenses, and changes in net position by function are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated December XX, 2018, on our consideration of the San Simeon Community Services District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

**Report on Summarized Comparative Information**

We have previously audited the District's basic financial statements as of and for the fiscal year ended June 30, 2017, and our report dated January 24, 2018, expressed an unmodified opinion on those audited financial statements. In our opinion, the summarized comparative information presented herein as of and for the fiscal year ended June 30, 2017, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Santa Maria, California  
December XX, 2018

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**STATEMENT OF NET POSITION-PROPRIETARY FUND**  
June 30, 2018  
with Comparative Totals for June 30, 2017

	2018	2017
<b>ASSETS</b>		
Current Assets:		
Petty cash	\$ 150	\$ 150
Cash and investments	922,809	595,607
Restricted cash and investments	14	35
Accounts receivable	107,242	115,216
Prepaid expenses	9,726	47
Total current assets	<u>1,039,941</u>	<u>711,055</u>
Capital Assets:		
Non-depreciable:		
Construction in progress		62,208
Depreciable:		
Sewer plant	2,086,929	2,086,929
Water plant	2,198,617	2,091,540
Building	395,874	395,874
Equipment	316,748	316,748
Land improvements	21,511	
Less: Accumulated depreciation	<u>(2,346,085)</u>	<u>(2,226,265)</u>
Net capital assets	<u>2,673,594</u>	<u>2,727,034</u>
Total assets	<u>3,713,535</u>	<u>3,438,089</u>
<b>LIABILITIES</b>		
Current Liabilities:		
Accounts payable	31,009	17,987
Customer deposits	55,250	55,708
Long-Term Liabilities		
Current portion of loan payable	<u>7,902</u>	<u>7,690</u>
Total current liabilities	<u>94,161</u>	<u>81,385</u>
Long-Term Liabilities		
Loan payable	<u>453,530</u>	<u>461,480</u>
Total long-term liabilities	<u>453,530</u>	<u>461,480</u>
Total Liabilities	<u>547,691</u>	<u>542,865</u>
<b>NET POSITION</b>		
Net investment in capital assets	2,212,162	2,257,864
Restricted for:		
Capital projects	14	35
Unrestricted	<u>953,668</u>	<u>637,325</u>
Total net position	<u>\$ 3,165,844</u>	<u>\$ 2,895,224</u>

See accompanying notes to basic financial statements.

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION -PROPRIETARY FUND**  
For the Fiscal Year Ended June 30, 2018  
With Comparative Totals for the Fiscal Year Ended June 30, 2017

	2018	2017
<b>Operating Revenues:</b>		
Services-waste	\$ 374,154	\$ 383,792
Services-water	333,668	335,481
Effluent water		1,014
State of CA-Hearst Castle	91,754	80,549
Services-other	81,567	77,949
Late fees and adjustments	6,318	6,628
	<u>887,461</u>	<u>885,413</u>
<b>Total operating revenues</b>		
<b>Operating Expenses:</b>		
Accounting	9,125	8,815
Bank fees	265	184
Bookkeeping	14,669	14,400
Directors' fees	5,200	5,700
Payroll Expenses	398	440
Dues and subscriptions	6,601	5,546
Election expense		1,007
Road maintenance	10,365	21,963
Riprap engineering	67,237	14,806
Insurance-health	15,758	12,003
Insurance-liability	10,642	7,449
LAFCO budget allocation	6,241	3,015
Legal fees	25,596	22,736
Licenses and permits	15,793	13,914
Miscellaneous	1,871	162
Depreciation	119,820	116,476
Office expenses	276	799
Operations management	652,976	619,220
Professional fees	49,870	38,685
SS Ave project		4,570
Pico project		3,456
Emergency stand by	10,000	10,000
Repairs	36,032	10,019
Utilities	4,912	
Website	1,550	15,920
	<u>1,065,197</u>	<u>951,285</u>
<b>Total operating expenses</b>		
<b>Net operating gain (loss)</b>	<u>(177,736)</u>	<u>(65,872)</u>
<b>Non-Operating Revenues (Expenses):</b>		
Property taxes	83,231	78,839
Interest expense	(12,952)	(13,207)
Interest income	2,908	1,947
	<u>73,187</u>	<u>67,579</u>
<b>Total non-operating revenues (expenses)</b>		
<b>Capital Contributions</b>		
Grant income	375,169	100,552
	<u>375,169</u>	<u>100,552</u>
<b>Total capital contributions</b>		
<b>Changes in net position</b>	270,620	102,259
<b>Net position - beginning of fiscal year</b>	<u>2,895,224</u>	<u>2,792,965</u>
<b>Net position - end of fiscal year</b>	<u>\$ 3,165,844</u>	<u>\$ 2,895,224</u>

See accompanying notes to basic financial statements.

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**STATEMENT OF CASH FLOWS - PROPRIETARY FUND**  
For the Fiscal Year Ended June 30, 2018  
With Comparative Totals for the Fiscal Year Ended June 30, 2017

	<u>2018</u>	<u>2017</u>
<b>Cash Flows From Operating Activities:</b>		
Receipts from customers and users	\$ 894,977	\$ 853,974
Payments to suppliers	(920,678)	(970,419)
Payments to employees	(21,356)	(18,143)
Net cash provided (used) by operating activities	<u>(47,057)</u>	<u>(134,588)</u>
<b>Cash Flows from Capital and Related Financing Activities:</b>		
Purchase of capital assets	(66,380)	(90,865)
Grants	375,169	100,552
Interest payments	(12,952)	(13,207)
Principal loan payments	(7,738)	(7,483)
Net cash provided (used) by capital and related financing activities	<u>288,099</u>	<u>(11,003)</u>
<b>Cash Flows from Noncapital Financing Activities:</b>		
Property taxes	83,231	78,839
Net cash provided (used) by noncapital and related financing activities	<u>83,231</u>	<u>78,839</u>
<b>Cash Flows from Investing Activities:</b>		
Investment income	2,908	1,947
Net cash provided (used) by investing activities	<u>2,908</u>	<u>1,947</u>
Net increase (decrease) in cash and cash equivalents	327,181	(64,805)
Cash and cash equivalents, beginning of fiscal year	595,792	660,597
Cash and cash equivalents, end of fiscal year	<u>\$ 922,973</u>	<u>\$ 595,792</u>
<b>Reconciliation to Statement of Net Position</b>		
Petty cash	\$ 150	\$ 150
Cash and investments	922,809	595,607
Restricted cash and investments	14	35
	<u>\$ 922,973</u>	<u>\$ 595,792</u>
<b>Reconciliation of Operating (Loss) to Net Cash Provided (Used) by Operating Activities:</b>		
Operating loss	\$ (177,736)	\$ (65,872)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation	119,820	116,476
Change in Operating Assets and Liabilities:		
(Increase) decrease in accounts receivable	7,974	(31,539)
(Increase) decrease in prepaid expenses	(9,679)	
Increase (decrease) in accounts payable	13,022	(153,753)
Increase (decrease) in customer deposits	(458)	100
Net cash provided (used) by operating activities	<u>\$ (47,057)</u>	<u>\$ (134,588)</u>

See accompanying notes to basic financial statements.



**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
June 30, 2018

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**NOTE 1 – NATURE OF DISTRICT**

San Simeon Community Services District (the “District”) is a political subdivision of the State of California and operates under a council form of government. The District administers the following community services as provided by its charter: water, sanitation, streets, lighting and general and administrative services.

The District is a Community Services District as defined under State Code Section: 61000. A Community Services District is a public agency (State Code Section: 12463.1) which is a State instrumentality (State Code Section: 23706). State instrumentalities are exempt from federal and state income taxes.

There are no component units included in this report which meet the criteria of the Governmental Accounting Standards Board (GASB) Statement No. 14, *The Financial Reporting Entity*, as amended by GASB Statements No. 39, No. 61, and No. 80.

**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

- A. Accounting Policies - The accounting policies of the District conform with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA).
- B. Basis of Accounting - The District is organized as an Enterprise Fund and follows the accrual method of accounting, whereby revenues are recorded as earned, and expenses are recorded when incurred.
- C. Budget - Although a budget is adopted annually, it is used primarily as a guideline for the Board in regulating expenditures. There is no legal requirement to stay within the adopted budget in the payment or classification of expenditures.
- D. Cash and Cash Equivalents – Cash and cash equivalents consist of cash on hand and in banks and short-term, highly liquid investments with a maturity of three months or less, which include money market funds, cash management pools in County Treasury and the state Local Agency Investment Fund (LAIF). Cash held in the county and state pooled funds is carried at cost, which approximates fair value. Interest earned is deposited quarterly into the participant’s fund. Any investment losses are proportionately shared by all funds in the pool. The County is authorized to deposit cash and invest excess funds by California Government Code Section 53648 et seq. The funds maintained by the County are either secured by federal depository insurance or are collateralized.
- E. Property, Plant and Equipment – Capital assets purchased by the District are recorded at cost. Contributed or donated capital assets are recorded at fair value when acquired.
- F. Depreciation – Capital assets purchased by the District are depreciated over their estimated useful lives (ranging from 5-50 years) under the straight-line method of depreciation.
- G. Receivables - The District did not experience any significant bad debt losses; accordingly, no provision has been made for doubtful accounts, and accounts receivable is shown at full value.
- H. Encumbrances - Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of resources are recorded to reserve that portion of the applicable appropriation, is not utilized by the District.
- I. Customer Deposits - Customer deposits are recorded as a liability of the District. The District requires an advance deposit of \$50 for new customers.
- J. Net Position - GASB Statement No. 63 requires that the difference between assets added to the deferred outflows of resources and liabilities added to the deferred inflows of resources be reported as net position. Net position is classified as either net investment in capital assets, restricted, or unrestricted.

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**June 30, 2018**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

- J. Net Position (Continued) - Net investment in capital assets consist of capital assets, net of accumulated depreciation, and reduced by the outstanding principal of related debt. Restricted net position is the net position that has external constraints placed on them by creditors, grantors, contributors, laws, or regulations of other governments, or through constitutional provisions or enabling legislation. Unrestricted net position consists of net position that does not meet the definition of net investment in capital assets or restricted net position.
- K. Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America, as prescribed by the GASB and the AICPA, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.
- L. Comparative Data/Total Only - Comparative total data for the prior fiscal year has been presented in certain accompanying financial statements in order to provide an understanding of the changes in the District's financial position, operations, and cash flows. Also, certain prior fiscal amounts have been reclassified to conform to the current fiscal year financial statements presentation.

M. Future Accounting Pronouncements

GASB Statements listed below will be implemented in future financial statements:

Statement No. 83	"Certain Asset Retirement Obligations"	The provisions of this statement are effective for fiscal years beginning after June 15, 2018.
Statement No. 84	"Fiduciary Activities"	The provisions of this statement are effective for fiscal years beginning after December 15, 2018.
Statement No. 87	"Leases"	The provisions of this statement are effective for fiscal years beginning after December 15, 2019.
Statement No. 88	"Certain Disclosures Related to Debt, Including Direct Borrowings and Direct Placements"	The provisions of this statement are effective for fiscal years beginning after June 15, 2018.
Statement No. 89	"Accounting for Interest Cost Incurred Before the End of a Construction Period"	The provisions of this statement are effective for fiscal years beginning after December 15, 2019.
Statement No. 90	"Majority Equity Interests-an Amendment of GASB Statements No. 14 and No. 61"	The provisions of this statement are effective for fiscal years beginning after December 15, 2018.

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
 June 30, 2018

**NOTE 3 - CASH AND INVESTMENTS**

Investments are carried at fair value. On June 30, 2018, the District had the following cash and temporary investments on hand:

Deposits:	
Cash on hand	\$ 150
Cash in banks	922,184
	<u>922,334</u>
Pooled Investment Funds:	
Cash and investments in San Luis Obispo County Treasurer	
County Treasurer	108
State of California Local Agency Investment Fund (LAIF)	531
	<u>639</u>
Total Cash and Investments	<u>\$ 922,973</u>

Cash and investments are presented on the accompanying basic financial statements, as follows:

Petty cash	\$ 150
Cash and investments	922,809
Restricted cash and investments	<u>14</u>
Total cash and investments	<u>\$ 922,973</u>

The District categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The District had investments in the San Luis Obispo County Investment Pool and the Local Agency Investment Fund (LAIF), however, these external pools are not measured under Level 1, 2, or 3.

Restricted cash

Restricted cash consists of funds that are set aside for well refurbishment as well as appurtenant equipment and structure.

Investments Authorized by the District's Investment Policy

The table on the following page identifies the investment types that are authorized for the District by the California Government Code. The table also identifies certain provisions of the California Government Code that address interest rate risk, credit risk, and concentration of credit risk.

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment in One Issuer</u>
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
Federal Agency Securities	N/A	None	None
Banker's Acceptances	180 days	40%	None
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase and Reverse Repurchase Agreements	92 days	20% of base value	None
Medium-Term Notes	5 years	20%	None
Mutual Funds	N/A	20%	None
Money Market Mutual Funds	N/A	None	None
Mortgage Pass-Through Securities	5 years	20%	None

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
 June 30, 2018

**NOTE 3 - CASH AND INVESTMENTS (Continued)**

Investments Authorized by the District's Investment Policy (Continued)

County Pooled Investment Fund	N/A	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None
State Registered Warrants, Notes or Bonds	N/A	None	None
Notes and Bonds for other Local California Agencies	5 years	None	None

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the District manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

Information about the sensitivity of the fair values of the District's investments to market interest rate fluctuations is provided by the following table that shows the distribution of the District's investments by maturity:

<u>Investment Type</u>	<u>Carrying Amount</u>	<u>Remaining Maturity (in Months)</u>			
		<u>12 Months or Less</u>	<u>13-24 Months</u>	<u>25-60 Months</u>	<u>More than 60 Months</u>
San Luis Obispo County					
Treasury	\$ 108	\$ 108	\$ -	\$ -	\$ -
LAIF	531	531			
Total	<u>\$ 639</u>	<u>\$ 639</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of rating by a nationally recognized statistical rating organization. Presented below, is the minimum rating required by (where applicable) the California Government Code and the actual rating as of fiscal year end for each investment type.

<u>Investment Type</u>	<u>Carrying Amount</u>	<u>Minimum Legal Rating</u>	<u>Exempt From Disclosure</u>	<u>Rating as of Fiscal Year End</u>		
				<u>AAA</u>	<u>Aa</u>	<u>Not Rated</u>
San Luis Obispo County						
Treasury	\$ 108	N/A	\$ -	\$ -	\$ -	\$ 108
LAIF	531	N/A				531
Total	<u>\$ 639</u>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 639</u>

Concentration of Credit Risk

The investment policy of the District contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. There are no investments in any one issuer that represent 5% or more of total District's investments.

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**June 30, 2018**

**NOTE 3 - CASH AND INVESTMENTS (Continued)**

be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The fair value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure the District's deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

None of the District's deposits with financial institutions in excess of federal depository insurance limits were held in uncollateralized accounts.

The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

Investment in State Investment Pool

The District is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the District's investment in this pool is reported in the accompanying basic financial statements at the amounts based upon the District's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

**NOTE 4 - SCHEDULE OF CAPITAL ASSETS**

A schedule of changes in capital assets and depreciation for the fiscal years ended June 30, 2018, and June 30, 2017, are shown below:

	Balance July 1, 2017	Additions	Deletions	Transfers	Balance June 30, 2018
<b>Non-depreciable capital assets:</b>					
Construction in progress	\$ 62,208	\$ -	\$ -	\$ (62,208)	\$ -
Total non-depreciable capital assets	<u>\$ 62,208</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (62,208)</u>	<u>\$ -</u>
<b>Depreciable capital assets:</b>					
Sewer plant	\$ 2,086,929	\$ -	\$ -	\$ -	\$ 2,086,929
Water plant	2,091,540	66,380		40,697	2,198,617
Building	395,874				395,874
Land improvements				21,511	21,511
Equipment	316,748				316,748
	<u>4,891,091</u>	<u>66,380</u>		<u>62,208</u>	<u>5,019,679</u>
Accumulated depreciation	2,226,265	119,820			2,346,085
Total depreciable capital assets	<u>\$ 2,664,826</u>	<u>\$ (53,440)</u>	<u>\$ -</u>	<u>\$ 62,208</u>	<u>\$ 2,673,594</u>
Net capital assets	<u>\$ 2,727,034</u>	<u>\$ (53,440)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,673,594</u>

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
 June 30, 2018

**NOTE 4 - SCHEDULE OF CAPITAL ASSETS (Continued)**

	Balance July 1, 2016	Additions	Deletions	Transfers	Balance June 30, 2017
Non-depreciable capital assets:					
Construction in progress	\$ 922,452	\$ 71,627	\$ -	\$ (931,871)	\$ 62,208
Total non-depreciable capital assets	<u>\$ 922,452</u>	<u>\$ 71,627</u>	<u>\$ -</u>	<u>\$ (931,871)</u>	<u>\$ 62,208</u>
Depreciable capital assets:					
Sewer plant	\$ 2,086,929	\$ -	\$ -	\$ -	\$ 2,086,929
Water plant	1,140,431	19,238		931,871	2,091,540
Building	395,874				395,874
Equipment	316,748				316,748
	<u>3,939,982</u>	<u>19,238</u>		<u>931,871</u>	<u>4,891,091</u>
Accumulated depreciation	2,109,789	116,476			2,226,265
Total depreciable capital assets	<u>\$ 1,830,193</u>	<u>\$ (97,238)</u>	<u>\$ -</u>	<u>\$ 931,871</u>	<u>\$ 2,664,826</u>
Net capital assets	<u>\$ 2,752,645</u>	<u>\$ (25,611)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,727,034</u>

Depreciation expense for the fiscal years ended June 30, 2018 and 2017 was \$119,820 and \$116,476, respectively. Additions to construction in progress for the year ended June 30, 2018 consisted of expenses related to the RO unit and the Pico Slope Project.

**NOTE 5 – CUSTOMER DEPOSITS**

The liability for customer deposits consists of the following as of June 30, 2018 and 2017:

	2018	2017
Hook-Up deposits	\$ 45,750	\$ 45,750
Customer meter deposits	9,500	9,958
	<u>\$ 55,250</u>	<u>\$ 55,708</u>

The hook-up deposits are from customers on a waiting list to connect into the system. Each deposit represents total hook-up fees owed by the customer based on the fee schedule in place at the time of the payment. Additional fees may be required from the customer, based on the current fee schedule, when the utility connection is completed.

Customer meter deposits consist of a \$50 refundable deposit required for each metered customer before any service can be provided by the District.

**NOTE 6 – LOAN PAYABLE**

On July 11, 2011, the District applied for a \$500,000 loan from the United States Department of Agriculture. The loan was approved, and the District began to draw on the loan during the 13/14 fiscal year. The District is required to make semi-yearly payments of \$10,345. Future minimum payments are as follows on the next page:

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**June 30, 2018**

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**NOTE 6 – LOAN PAYABLE (Continued)**

Fiscal year Ended June 30,	Principal	Interest	Total
2019	\$ 7,902	\$ 12,788	\$ 20,690
2020	8,121	12,569	20,690
2021	8,347	12,343	20,690
2022	8,577	12,113	20,690
2023	8,815	11,875	20,690
2024-2028	47,856	55,594	103,450
2029-2033	54,859	48,591	103,450
2034-2038	62,886	40,564	103,450
2039-2043	72,088	31,362	103,450
2044-2048	82,636	20,814	103,450
2049-2053	99,345	4,105	103,450
<b>Total</b>	<b>\$ 461,432</b>	<b>\$ 262,718</b>	<b>\$ 724,150</b>

**NOTE 7 – LONG TERM DEBT – SCHEDULE OF CHANGES**

A schedule of changes in long-term debt for the fiscal year ended June 30, 2018, is shown below:

	Balance July 1, 2017	Additions	Deletions	Balance June 30, 2017	Due within one year
Loan payable	\$ 469,170	\$ -	\$ 7,738	\$ 461,432	\$ 7,902
<b>Totals</b>	<b>\$ 469,170</b>	<b>\$ -</b>	<b>\$ 7,738</b>	<b>\$ 461,432</b>	<b>\$ 7,902</b>

**NOTE 8 – JOINT POWERS AUTHORITY**

The District is a member of the Special District Risk Management Authority (S.D.R.M.A.), an intergovernmental risk sharing joint powers authority, created pursuant to California Government Code Sections 6500 et. Seq. In becoming a member of the S.D.R.M.A., the District elected to participate in the risk financing program(s) listed below for the program period July 1, 2017 through June 30, 2018.

General and Auto Liability, Public Officials' and Employees' Errors, and Employment Practices Liability and Employee Benefits Liability: Special District Risk Management Authority, coverage number LCA SDRMA 201112. This covers \$2,500,000 per occurrence, subject to policy deductibles.

Employee Dishonesty Coverage: Special District Risk Management Authority, coverage number EDC SDRMA 201112. This policy includes a \$400,000 Public Employee Dishonesty Blanket Coverage.

Property Loss: Special District Risk Management Authority, coverage number PPC SDRMA 201112. This policy covers the replacement cost for property on file, \$1,000,000,000 per occurrence, subject to policy deductibles.

Boiler and Machinery: Special District Risk Management Authority, coverage number BMC SDRMA 201112. This covers \$100,000,000 per occurrence, subject to policy deductibles.

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
June 30, 2018

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**NOTE 8 – JOINT POWERS AUTHORITY (Continued)**

The District also participated in the elective comprehension/collision coverage on selected vehicles, subject to policy deductibles.

Personal Liability Coverage for Board Members: This policy covers \$500,000 per occurrence, coverage number LCA SDRMA 201112, annual segregate per each selected/appointed official, subject to policy deductibles.

Members are subject to dividends and/or assessments, in accordance with Second Amended Joint Powers Agreement and amendments thereto, on file with the District. No such dividends have been declared, nor have any assessments been levied.

**NOTE 9 – RELATED PARTY TRANSACTION**

The District has an agreement with Grace Environmental Services to oversee the daily operations of the District. San Simeon Community Services District paid \$573,994 for their services during the 17/18 fiscal year.

**NOTE 10 – CONTINGENCIES**

According to the District's staff and attorney, no contingent liabilities are outstanding and no lawsuits are pending of any real financial consequence.



**SUPPLEMENTARY INFORMATION**

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**SCHEDULE OF REVENUES AND EXPENSES BY FUNCTION**  
For the Fiscal Year Ended June 30, 2018

	Sanitation Fund	Water Fund	General	Total
<b>Operating Revenues:</b>				
Utility sales	\$ 374,154	\$ 333,668	\$ 6,318	\$ 714,140
Service charges			81,567	81,567
State of CA-Dept of Parks and Recreation	91,754			91,754
<b>Total operating revenues</b>	<b>465,908</b>	<b>333,668</b>	<b>87,885</b>	<b>887,461</b>
<b>Operating Expenses:</b>				
Accounting	3,042	3,042	3,041	9,125
Bank fees		20	245	265
Bookkeeping	4,890	4,890	4,889	14,669
Directors' fees	1,801	1,801	1,598	5,200
Payroll expenses	135	135	128	398
Dues and subscriptions	1,528	2,023	3,050	6,601
Road maintenance			10,365	10,365
Riprap engineering	67,237			67,237
Insurance-Health			15,758	15,758
Insurance-Liability	5,957	3,729	956	10,642
LAFCO budget allocation	810	810	4,621	6,241
Legal fees	7,758	9,450	8,388	25,596
Licenses and permits	13,261	2,532		15,793
Miscellaenous			1,871	1,871
Depreciation	57,514	37,144	25,162	119,820
Office expenses			276	276
Operations management	423,476	199,665	29,835	652,976
Professional fees	10,722	33,544	5,604	49,870
Emergency water stand-by			10,000	10,000
Repairs	6,908	29,124		36,032
Utilities	4,912			4,912
Website			1,550	1,550
<b>Total operating expenses</b>	<b>609,951</b>	<b>327,909</b>	<b>127,337</b>	<b>1,065,197</b>
<b>Net operating gain (loss)</b>	<b>(144,043)</b>	<b>5,759</b>	<b>(39,452)</b>	<b>(177,736)</b>
<b>Non-Operating Revenues (Expenses):</b>				
Property taxes			83,231	83,231
Interest expense			(12,952)	(12,952)
Interest income			2,908	2,908
<b>Total non-operating revenues (expenses)</b>			<b>73,187</b>	<b>73,187</b>
<b>Capital Contributions</b>				
Grant income			375,169	375,169
<b>Total capital contributions</b>			<b>375,169</b>	<b>375,169</b>
<b>Change in net position</b>	<b>\$ (144,043)</b>	<b>\$ 5,759</b>	<b>\$ 408,904</b>	<b>\$ 270,620</b>

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**SCHEDULE OF REVENUES AND EXPENSES BY FUNCTION**  
For the Fiscal Year Ended June 30, 2017

	Sanitation Fund	Water Fund	General	Total
<b>Operating Revenues:</b>				
Utility sales	\$ 383,792	\$ 336,495	\$ -	\$ 720,287
Service charges			84,577	84,577
State of CA-Dept. of Parks and Recreation	80,549			80,549
	<u>464,341</u>	<u>336,495</u>	<u>84,577</u>	<u>885,413</u>
<b>Operating Expenses:</b>				
Accounting	2,938	2,938	2,939	8,815
Bank fees			184	184
Bookkeeping	4,800	4,800	4,800	14,400
Directors' fees	2,052	2,052	1,596	5,700
Payroll expenses	145	145	150	440
Dues and subscriptions	545	1,481	3,520	5,546
Election expense			1,007	1,007
Road maintenance			21,963	21,963
Riprap engineering	14,806			14,806
Insurance-Health			12,003	12,003
Insurance-Liability	4,469	2,235	745	7,449
LAFCO budget allocation			3,015	3,015
Legal fees	7,426	7,426	7,884	22,736
Licenses and permits	12,945	969		13,914
Miscellaneous			162	162
Depreciation	50,896	51,185	14,395	116,476
Office expenses			799	799
Operations management	381,794	198,814	38,612	619,220
Professional fees	23,462	8,145	7,078	38,685
Emergency water stand-by		10,000		10,000
SS Ave project			4,570	4,570
Pico project			3,456	3,456
Repairs			10,019	10,019
Website			15,920	15,920
	<u>506,278</u>	<u>290,190</u>	<u>154,817</u>	<u>951,285</u>
Total operating expenses	<u>506,278</u>	<u>290,190</u>	<u>154,817</u>	<u>951,285</u>
Net operating gain (loss)	<u>(41,937)</u>	<u>46,305</u>	<u>(70,240)</u>	<u>(65,872)</u>
<b>Non-Operating Revenues (Expenses):</b>				
Property taxes			78,839	78,839
Interest expense			(13,207)	(13,207)
Interest income			1,947	1,947
			<u>67,579</u>	<u>67,579</u>
Total non-operating revenues (expenses)			<u>67,579</u>	<u>67,579</u>
<b>Capital Contributions</b>				
Grant income			100,552	100,552
			<u>100,552</u>	<u>100,552</u>
Total capital contributions			<u>100,552</u>	<u>100,552</u>
Change in net position	<u>\$ (41,937)</u>	<u>\$ 46,305</u>	<u>\$ 97,891</u>	<u>\$ 102,259</u>

**5.B. BUSINESS ITEMS**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **Item 5.B. Consideration of candidates to replace the Board of Director Vacancy created by the Resignation of Daniel Williams and Board Appointment of the new Director.**

Per the County Clerk Recorders office, Staff posted the appointment request for applications in three places (District Office, Chamber Office, and Post Office) on November 15<sup>th</sup>, 2018. Additionally, notices were mailed to all rate payers with a San Simeon mailing address, and the residents of the Mobile Home Park.

We received one application, which was emailed to members of the Board on Tuesday December 4, 2018. Staff recommends the appointment of a candidate to the Board. Once the appointment has been made, the appointee will be sworn in at the January 9, 2019 Board meeting.

Enc; Application Packets

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SAN SIMEON COMMUNITY SERVICES DISTRICT



RECEIVED

NOV 26 2018

BY: CAM via email

APPLICATION FOR VACANT BOARD OF DIRECTOR SEAT

Name: Hunter Chastain Smith

Phone # [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

**Please list experience you have that would benefit your serving on the SSCSD Board.**

I have an extensive amount of experience working in government, as well as various leadership roles. First and foremost, I am the head coach of the diving team at Cal Poly, San Luis Obispo. As a college coach, my responsibilities are to inspire athletes from various backgrounds to work together to achieve a common goal. It is also my job to effectively communicate with each athlete and be a source of consistency and wisdom as they transition into adulthood.

In terms of practical government experience, during the summer of 2013 I was fortunate enough to work as a staffer for Senator Alex Padilla (who is now the Secretary of State of California). As a staffer, it was my job to talk to constituents, meet with special interest groups, manage social media outreach, as well writing and editing memos, speeches, and press releases. I even began crafting my own piece of legislation.

During graduate school at Cal Poly, I worked as a student assistant for the Architecture Department. Part of my job was knowing all the minute details of the program and answering questions from parents and students about topics like: admissions, scholarships, opportunities to study abroad, and class schedules. I have attached my resume that includes other relevant experiences I have had in the past that would make me a huge benefit to the SSCSD Board of Directors.

**Why do you want to be to be a Director on the SSCSD Board?**

Being a Director on the SSCSD Board will give me the chance to meet the citizens of San Simeon and make their lives better. Working as a public servant has always been one of the most rewarding experiences in my life. I love being able to serve others and committing to an idea that is greater than myself, and I believe that being a Director on the SSCSD Board will give me that opportunity. My experience would make me an excellent public servant for this amazing community and it would be a privilege to be a part of the process that makes this town such a wonderful place to live.

\_\_\_\_\_ I am a registered voter residing in the above named jurisdiction. If appointed, I will qualify and accept the above stated office and serve to the best of my ability.

\_\_\_\_\_ I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Election Code § 18203.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

see attached  
Signature of candidate


\_\_\_\_\_  
Date

Courtney Murguie  
Application received by

12/4/18  
Date



 I am a registered voter residing in the above named jurisdiction. If appointed, I will qualify and accept the above stated office and serve to the best of my ability.

 I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Election Code § 16203.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
Signature of candidate

11/26/18  
Date

Application received by \_\_\_\_\_  
Date \_\_\_\_\_

HUNTER CHASTAIN SMITH

November 28, 2018

Hunter Smith  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Greetings,

I am extremely interested in working as a Director on the San Simeon Community Services District Board. As a former college athlete, and public servant for the state of California, I feel confident that my background will make me a desirable candidate for this position.

At the University of Alabama, I received a B.A. for Communications while minoring in Creative Writing. In addition to balancing school, I was also a student-athlete for the springboard diving team. College athletics taught me how to work alongside all different kinds of people from different parts of the country, socio-economic backgrounds, and even the world in order to make our team successful. Additionally, I learned how to effectively manage my time and became a disciplined and organized student. The lessons I have learned from athletics have helped me flawlessly transition into a professional working atmosphere.

During the summer of 2013, I interned for Senator Alex Padilla—who is now the California Secretary of State. Senator Padilla decided to utilize my communications skillset and had me work directly under his communications director. As the deputy director of communications, I helped manage Senator Padilla's social media outreach and even contributed to writing and editing his speeches. When I wasn't doing a research project or helping the communications director, I took calls from constituents and sat in meetings with numerous special interest groups. Hearing the diverse range of perspectives really helped me become an attentive and patient listener and broadened my compassion for humanity.

My passion is writing, and I have excellent writing skills that make my points and ideas clear to a reader in a concise manner. Additionally, I recently completed my M.A. in English literature, where I routinely helped those around me understand the vast and numerous perspectives that are present in literature. Identity, culture, influence and representation are areas in life that I am concerned with and attentive to.

I would love to work in an environment that exposes me to a diverse range of clientele so that I can continue to broaden my respect and understanding for the central coast community. If you have any questions for me, please feel free to contact me so I can tell you how my ideas would benefit your organization. I can be reached at [REDACTED] or [REDACTED].

Thank you for your consideration, and I hope to hear from you soon.

Sincerely,

Hunter Smith, November 28, 2018

# Hunter Smith



## Education

M.A. English, December 2017  
California Polytechnic State University, San Luis Obispo, CA  
B.A. Communication and Information Sciences, May 2015  
The University of Alabama, Tuscaloosa, AL  
Major: Broadcast Communications and Rhetoric  
Minor: Creative Writing

## Major Experiences

### Graduate Assistant for the Cal Poly Men & Masculinity Program (2017-2018)

- Manage social media outreach and all facets of communications with the students, faculty, administrators, and community.
- Organize and direct numerous philanthropic events to raise awareness for domestic and gender-based violence.
- Tasked with building a positive and healthy culture of masculinity at Cal Poly.

### Diving Coach at Cal Poly (2015-Present)

- Help mold and develop young athletes into mature adults.
- Assist in all areas of recruiting young athletes.
- Update the facility equipment to make the program more competitive.

### D-1 Athlete for the University of Alabama (2011-2015)

- Dedicated 4 years to proudly representing my university as a springboard diver.
- Competed against the high caliber athletes.
- Participated in community service in Tuscaloosa as a part of an athlete outreach program.

### Deputy Director of Communications for Alex Padilla - Now Secretary of State (Summer 2013)

- Wrote and edited speeches, Facebook posts, and press releases.
- Helped talk to reporters for press outreach.
- Represented Senator Alex Padilla in meetings with special interest groups.
- Read, analyzed ("Cliff-Noted"), and wrote memos for upcoming floor legislation.
- Began writing legislation for a medical bill that addressed the dangers of liposuction.

### Circus Performer at the California State Fair High Dive Show (Summer 2009)

- Entertained patrons of the state fair with acrobatics and death defying stunts.

## Leadership Opportunities & Accolades

Dean's List  
President's List  
All-SEC Varsity Letterman  
Varsity dive team captain for the University of Alabama (2013-2015)  
Certified – Lifeguard, CPR, AED, First-Aid  
Certified – USA Diving

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SAN SIMEON COMMUNITY SERVICES DISTRICT



APPLICATION FOR VACANT BOARD OF DIRECTOR SEAT

Name: EILEEN GOODMAN

Phone # [REDACTED]

Address [REDACTED]

Email [REDACTED]

Please list experience you have that would benefit your serving on the SSCSD Board.

I BELIEVE MY 25 YEARS EXPERIENCE AS A COMMERCIAL REAL ESTATE LAWYER WILL BENEFIT THE SSCSD BOARD. THE LAST 20 YEARS OF MY PRACTICE WAS IN-HOUSE WITH A GLOBAL REAL ESTATE FIRM. AMONG OTHER THINGS, I WAS RESPONSIBLE FOR NEGOTIATING THE FIRM'S DOMESTIC AND INTERNATIONAL PROPERTY AND FACILITY MANAGEMENT CONTRACTS. THIS REQUIRED ME TO FAMILIARIZE MYSELF WITH EACH PROPERTY'S OR FACILITY'S OPERATION. I BELIEVE MY FAMILIARITY WITH OPERATION OF GREEN BUILDINGS LENDS ITSELF TO THE SSCSD'S MISSION. I HAVE ALSO SERVED FOR MANY YEARS ON THE BOARD OF MY HOA IN LOS ANGELES, SO I UNDERSTAND THE IMPORTANCE OF WORKING WITH OTHERS IN A COMMUNITY TOWARD A SHARED GOAL.

Why do you want to be a Director on the SSCSD Board?

I BOUGHT MY CONDO IN SAN SIMEON IN 2002 WITH THE IDEA THAT WHEN I RETIRED I WOULD MOVE HERE FROM LOS ANGELES. I FULLY RETIRED IN APRIL OF THIS YEAR AND I WILL BE LIVING HERE FULL TIME NO LATER THAN FEBRUARY 1, 2019. AS A FULL TIME RESIDENT, I WOULD LIKE TO GET INVOLVED IN THE COMMUNITY IN WHICH I LIVE. BEING RETIRED WILL AFFORD ME THE ABILITY TO SPEND THE TIME NECESSARY TO BECOME AN ACTIVE DIRECTOR.

RECEIVED

DEC 04 2018 @ 2:12 P of 2

BY MAM

X

I am a registered voter residing in the above named jurisdiction. If appointed, I will qualify and accept the above stated office and serve to the best of my ability.

X

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Election Code § 18203.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

*Kevin Goodman*  
Signature of candidate

12/04/18  
Date

\_\_\_\_\_  
Application received by

\_\_\_\_\_  
Date

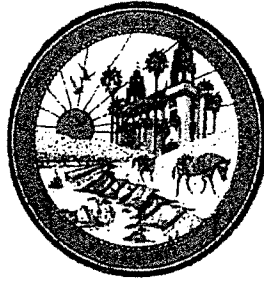
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SAN SIMEON COMMUNITY SERVICES DISTRICT

RECEIVED

DEC 04 2018 @ 4:30

BY: CAM



APPLICATION FOR VACANT BOARD OF DIRECTOR SEAT

Name: Leroy Price

Phone # [REDACTED]

Address: [REDACTED]

Email [REDACTED]

**Please list experience you have that would benefit your serving on the SSCSD Board.**

I have lived in San Simeon for 35 years and worked at the waste water treatment plant for 17 years.

More recently, I served for over 6 years as a Director on the San Simeon CSD Board.

I have attended and actively participated in Board meetings for years and continue to do so.

I have an in-depth knowledge of the workings of the District and the decisions that have been made over the years.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Why do you want to be a Director on the SSCSD Board?**

Because I care about what takes place in my community and want to protect and improve our community for the future. I don't think you will find another candidate with more knowledge and history of our community than I have. With this level of experience and knowledge, I am able to offer suggestions for improvements and am able to aid the Board in reaching informed decisions.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Yes

I am a registered voter residing in the above named jurisdiction. If appointed, I will qualify and accept the above stated office and serve to the best of my ability.

Yes

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Election Code § 18203.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Levy Pina  
Signature of candidate

12-4-20  
Date

Catney Murzquia  
Application received by

12-4-2018  
Date

**5.C. BUSINESS ITEMS**



## **BUSINESS ACTION ITEM STAFF REPORT**

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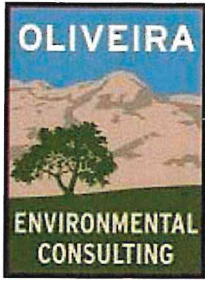
### **Item 5.C. Discussion regarding the revised Coastal Development Permit (CDP) application for the rip rap at the Waste Water Treatment Plant (WWTP).**

Attached are the After the Fact Coastal Development Permit Application Re-Submittal and Draft Special Conditions. Staff is requesting approval

Enc; Application packet  
Cover Letter  
Draft Special Conditions

Resubmittal Cover Letter for the Coastal  
Development Permit (CDP) Application

# DRAFT



3155 Rose Avenue  
San Luis Obispo, CA 93401  
805.234.7393; jeffo@olive-env.com  
www.olive-env.com

December 4, 2018

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

**Subject: Project Resubmittal - San Simeon Community Services District Unpermitted Rip Rap Violation Project Coastal Development Permit Application Submittal (Violation File # V-3-01-028).**

Project Manager:

On behalf of the project applicant, the San Simeon Community Services District, I am pleased to submit the following project overview and attached "After the Fact" Coastal Development Permit (CDP) application in response to the California Coastal Commission (CCC) Notice of Violation (Violation File # V-3-01-028) dated January 26, 2015. The project CDP application represents a resubmittal of the original application filed in December of 2015 based on the results of the project hearing at the Coastal Commission Hearing in October of 2018.

This letter is intended to supplement the information contained in the original (2015) application submittal package for the required project Coastal Development Permit (CDP) and to provide Coastal Commission staff with a brief summary of the project background, project details, and the introduction of project mitigation in response to Coastal Commission staff direction.

## Project Location and Existing Conditions

The subject property consists of the bluffs and beach area fronting the San Simeon Community Services District (SSCSD) Wastewater treatment Plant (WWTP) located at 9245 Balboa Avenue, on the bluff west of Balboa Avenue in the community of San Simeon, along the north coast of San Luis Obispo County, APN(s) 013-031-028 and -041, adjacent to the Arroyo Del Padre Juan Creek (please refer to the following figures, "Project Vicinity and Site Location" and "SSCSD Wastewater Treatment Plan Overview", for a detailed depiction of the project location and site details). The bluff area is located where Arroyo Del Padre Juan Creek meets the beach and, as a result, forms a cornered bluff bank with part of the bluff facing the Pacific Ocean and part running perpendicular to the shoreline facing the channel of the creek. The bluff bank is currently occupied by approximately 200 linear feet of engineered rock rip rap.

Please refer to the project technical reports and documents contained in the file for the original (2015) CDP application for project site photos, project location details and site plans for additional site details and a depiction of the existing facility.

## Project Description and Permitting

Project site plans, prepared in 2008 for the previous CDP submittal, have been included in the project file as part of the 2015 CDP application submittal..

At this time, the SSCSD is requesting an after-the-fact CDP for:

- The 1983 emergency placement of additional rip-rap from the north side of the WWTP along the base of the bluff face and terminating at the base of the bluff in front of the adjacent property approximately 50 feet down coast;
- The 1995 repair and maintenance of the original pipe support structure and rip- rap within the Arroyo Del Padre Juan Creek; and
- 1984 Ocean Outfall Replacement.

1983 Rip Rap Installation. Beginning in 1981, the SSCSD had been in communication with the RWQCB and the Coastal Commission with respect to emergency erosion conditions threatening the existing WWTP. The 1983 emergency rip-rap replacement was performed under the direction of the RWQCB to prevent a potential sewer spill and to protect the facility from a structural collapse after significant storm events. The bluff edge was within a few feet of the plant and had been eroding over time and was in eminent danger and the emergency project was required to prevent future failure. Additionally, storm events exposed the containment wall and waves were overtopping the wall. The approximately four feet diameter rip-rap was placed from the mouth of the Arroyo del Padre Juan and along the beach frontage. The landward area of the rip-rap rock was backfilled with coarse sand and gravel up to a level slightly below the top of the containment wall. Vegetation was planted in the area between the wall and rip-rap to stabilize the installation and has since matured and grown down the face of the rip-rap as intended.

Without any shoreline protection devices, the WWTP site would be in danger of further erosion primarily due to direct wave strikes, inundation, scouring and flooding from the ocean and adjacent creek because of the location on the bluff edge.

The WWTP was originally built in 1963, prior to the Coastal Act and has received Commission approval for additions and upgrades as recently as 1985. As such, the facility would be considered an "existing structure" under the Coastal Act Section 30235. Furthermore as an "existing structure", it can be found consistent with the LCP and Coast Act.

In addition to the proposed project other feasible and potentially less environmentally damaging alternatives have been considered. As defined in the Coast Act Section 30108, feasibility means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and social and technology. With that in mind, the following options are presented for Commission review.

1995 Pipe Bridge Abutment Maintenance and Repair. During the heavy storm events in 1995, the support structure spanning the Arroyo Del Padre Juan Creek bearing the existing waterline/sewer line suffered extensive flood damage. The southerly concrete footing and the northerly stream bank were undermined by the flooding and were in need of emergency repair. The SSCSD applied and received exemptions, permits and concurrence from the County of San Luis Obispo, California Department of Fish and Wildlife and Army Corps of Engineers respectively to 1) remove brush and debris, 2) repair guy support, 3) ditch cleaning and shaping, and 4) repair 260 cubic yards of rock slope protection. This project was declared an emergency and received a Categorical Exemption pursuant to CEQA.

Because the SSCSD worked with the County under their Coastal Act jurisdiction, the SSCSD was under the impression that the necessary jurisdictional permits for the emergency maintenance and repair had been sufficiently addressed. However, this item is included in the project description for an after-the-fact permit at the request of the Commission staff.

1984 Ocean Outfall Replacement. To the best of the SSCSD's knowledge, the original ocean outfall installation consisted of an 8-inch pipe extending approximately 840 feet into the ocean from the WWTP for the purpose of conveying treated effluent to the ocean. As with the WWTP, the original outfall facility was built prior to the Coastal Act and is considered to be a vested project. The expansion of the ocean outfall line in 1971 was performed as part of a treatment plant expansion that occurred prior to the Coastal Act.

As documented by the State Lands Commission, the SSCSD was granted a General Permit in 1971 to authorize the outfall facility for a 49-year period ending December 13, 2013 (predating the Coastal Act). The SSCSD recently renewed the State Land Commission lease on September 1, 2015 (PRC 5208.9), for the continued use of an 840-foot long, 8-inch pipe.

## Project Alternatives

The following discussion is based on previously prepared technical studies and the Alternatives Analysis (2006) prepared for the original CDP application submittal and have been included in the files for the 2015 application.

In addition to the rip rap project discussed above, and at the request of CCC staff upon submittal of the 2005 CDP application, other feasible and potentially less environmentally damaging alternatives to the current rip rap construction have been considered as part of previous analysis contained in the attached project binder. As defined in the Coast Act Section 30108, feasibility is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and social and technology." Based on this definition and the technical reports prepared for this project (Boyle Engineering, 2008), the following discussion provides an overview of potential project alternatives.

No Project. The WWTP plant pre-dates the Coastal Act and is a required element for the community in order to process the wastewater from San Simeon. Shoreline protection of this facility is required due to the location of the plant in proximity to the bluff edge. Since

abandonment of the armament is not viable and will fail to protect the existing facility, the "no project" alternative is not considered feasible.

Relocation of the WWTP. The relocation and reconstruction of the existing facility at an inland site to avoid the need for bluff protection has been considered in previous discussions with the CCC.

While the County's LCP supports relocation of the facility in the future as one of its policies, there are several facts that make this option infeasible at this time. Those include the following:

- The SSCSD does not own any vacant parcels within the service area suitable for a new facility;
- There are no other parcels within the service area zoned for a public industrial facility;
- A major LCP amendment to rezone a property would be required;
- New parcel acquisition would be necessary; and
- An expenditure of millions of dollars of public funds for facility construction and related costs would be borne by a small rural community consisting of approximately 200 rate payers.

Based upon this information, the relocation/reconstruction of the facility would be a significant physical and financial undertaking and not a feasible alternative to protect the existing WWTP.

Partial Relocation of Threatened Structures. Partial relocation of the facility and removal of the existing rip rap is not feasible due to the fact that the existing property parcel does not have sufficient area to relocate the threatened structures. There is currently an area approximately 40 feet by 60 feet in the south eastern corner of the facility parcel that is used for vehicle parking and turnaround space however this is not large enough to fit all the relocated structures necessary to avoid the erosion threat and remove the rip rap in its entirety.

Augmentation of Existing Containment Walls. Alternatives such as drainage and landscaping measures can be considered in some circumstances to increase bluff stability and slow the erosion process. However in the case of the WWTP, the erodible bluff materials are subjected to intense ocean waves, scouring and flooding from the adjacent creek which makes this stand-alone alternative infeasible.

Rip Rap Versus a Vertical Seawall. Shoreline armoring is a well-documented construction enterprise with multiple designs for variable functions. Rip-rap or revetments are typically installed to reinforce a portion of a beach profile and prevent shoreline erosion whereby the objective of a seawall is to protect land and structures from flooding and overtopping. In this case, the main objective of the rip-rap is to prevent further erosion of the bluff rather than the lesser impacts of overtopping and flooding.

An alternative project that has been considered through previous project technical reports would be the removal and replacement of the existing rip-rap with a vertical seawall that could potentially reduce or minimize impacts. The following is a discussion regarding the installation, construction and mitigation measures necessary for this alternative project.



- **Seawall Construction Methods.** A vertical seawall construction would use a caisson system in conjunction with the wall material to support the lateral load of the site. This type of foundation system must also work in tandem with the soils to support the facility.

Caisson foundations are created by auguring a deep hole in the ground, and then filling it with concrete. Steel reinforcement is sometimes utilized for a portion of the length of the caisson. Caissons are drilled either to bedrock (granite), hardpan, or deep into the underlying soil strata if a geotechnical engineer finds the soil suitable to carry the building load. In this case the beach sands consist of soil that is not suitable and therefore the caissons must be anchored into the granite. In addition, the diameter of the pile and the depth of the pile are highly specific to the ground conditions, loading conditions, and nature of the project.

- **Seawall Design and Placement.** In consideration of the placement of a vertical seawall, a new wall would need to be constructed on the ocean side of the facility due to the site constraints and the inability to relocate the existing structures. By removing the existing rip rap and installing a vertical wall to lessen the area of disturbance along the beach and Arroyo Del Padre Juan Creek, there are several issues that arise. The following is a discussion of the construction and environmental issues related to the construction of a seawall versus the existing rip rap placement.
  - 1) A new vertical sea wall must be designed with the underlying soil or foundation that is capable of supporting the weight of the structure, the loading and would be expected to withstand severe environmental conditions. The following is a discussion comparing and contrasting design elements between seawalls and rip rap construction, including overall design feasibility.
  - 2) Impermeable vertical walls will reflect the wave energy whereas permeable, sloped rock mounded structures can absorb substantial wave energy. The permeability of the existing rip-rap reduces the flow velocity (run-up) of breaking waves and rush down because the water can dissipate through the rocks versus a solid wall that creates a greater downward pressure since the wave action is deflected back on to the beach area. The down-rush from a wave breaking on a solid surface (vertical wall) produces the largest destabilizing forces. This will lead to erosion in the beach area and potentially threaten the foundation system of a vertical seawall. Examples of this construction are found in the U.S. Army Corps of Engineers, Engineering and Design - Coastal Engineering Manual, Manual No. 1110-2-1100.
  - 3) Since focused wave energy from a vertical seawall will cause more scouring damage, a secondary impact is created. Impermeable solid structures accelerate the tidal action which then increases the turbidity (i.e., amount of suspended particles) in the water. The increased turbidity could potentially have a negative impact on the water column and marine organisms.
  - 4) In addition, active shorelines may be vulnerable to flanking damage caused by wave activity wrapping around the wall. A vertical seawall that extends only to the

WWTP property line will be highly susceptible to flanking and further bluff erosion that has the potential to lead to progressive damage and further threatening of the WWTP facility. Ideally the shore protection should extend past the active erosion area, which is already accomplished by the existing rip rap.

- 5) Seismic activity is also common around the San Simeon area. Liquefaction and differential settlement impacts are potentially far greater on a vertical seawall structure than rip-rap. The rock or rubble-mound systems have been proven to withstand earthquake activities due to the flexibility of the structure versus a massive solid structure that is less likely to survive liquefaction caused by seismic events.
- 6) Seawalls are additionally susceptible to several other potential failures when compared to a rock sloped structure. These failure types are sliding, overturning, settlement, slip, scouring and rotational failures. Examples of these types of failures are documented in the U.S. Army Corps of Engineers, Engineering and Design - Coastal Engineering Manual, Manual No. 1110-2- 1100.
- 7) Erosion of the beach in front of a seawall would likely be heightened due to the increased wave reflection from a seawall. The result causes additional danger of wall instability with the effects of toe scouring. During significant winter storm events, the wave action has the potential to undermine large portions of the wall along the ocean frontage potentially exposing the wall to one of the types of failures discussed above. Because of this vulnerability, projects with seawalls are usually augmented with rip-rap or other suitable shoreline protection systems to prevent the erosion.
- 8) The area of disturbance associated with a seawall is discussed in the Earth Systems report dated March 27, 2008 (included in the attached project binder). Based on this analysis, it should be mentioned that in addition to the design feasibility discussed above, the area of site disturbance and construction impacts would likely increase with the recommended addition of rip-rap to the vertical seawall for design protection purposes.
- 9) With respect to coastal resources, it should also be mentioned that a vertical seawall design would require the structure to be approximately 25 feet in height, creating additional project environmental impacts. This height is necessary in order to address sea wave run-up and overtopping issues. The Earth Systems report referenced above provides an analysis on wave run-up and conclusions for the wall height.

## Impacts Related to Seawall Alternative Construction and Site Access

The following discussion was included in the 2015 CDP application submittal, and is reproduced below for the benefit of Coastal Commission staff. The following consists of further analysis of the Seawall Alternative and is based on previously prepared technical reporting associated with the

original project CDP application submittal, including the Alternatives Analysis prepared in 2006, and provides an assessment of impacts related to the previously identified Seawall Project Alternative.

With respect to the existing WWTP site, the location of the existing rock rip rap is such that both land-based and water-based access and construction techniques have severe limitations and associated environmental impacts. The following is a summary of the alternatives available, access requirements and impacts for the removal of the existing rip-rap and construction of a new seawall as provided in previous reports prepared for this project.

- *Land-side access through the WWTP site:* The existing rip-rap would first need to be removed before construction on a new wall could begin. Due to the size of most of the rocks, a large crane would be necessary to pick up and place the rock on a truck to transport off-site. However, the WWTP has limited access through the property due to the location of the existing structures. This limitation would preclude a crane capable of doing the work access to the site within a reasonable distance to safely operate and/or reach the entire rip-rap area. As such, this alternative is considered infeasible.
- *Land-side access along the Arroyo Del Padre Juan:* The Arroyo Del Padre Juan Creek flows between the WWTP and the Cavalier Inn. Currently there is a narrow pedestrian coastal access trail that leads from the street end to the beach. This approach was additionally considered, however, there are several limitations.

The coastal trail is approximately four feet in width with a steep embankment to the north and a steep embankment and creek to the south. In order to use this access route, an approximate 10 foot wide roadway would need to be constructed from the street end to the beach. Construction of a road in this area would encroach into the Arroyo Del Padre Juan Creek riparian habitat. This alternative would require additional permitting from the California Department of Fish and Wildlife and potentially US ACOE/RWQCB permitting for working within the Arroyo Del Padre Juan Creek.

- *Water-side access from the ocean:* This alternative was briefly considered however the water depth required for bringing in barges and severe ocean conditions make this access point impractical.
- *Land-side access from the beach:* There are two points in which access can be gained to the beach. One is located off Pico Avenue and the other is on the State Park property south of the community. The use of both access points would be similar in scope but, the Pico Avenue access point was chosen for consideration since it is a paved public street to the entry point as opposed to the unpaved area to the south. The following is an evaluation of this alternative.
  - A 10 foot wide temporary access haul road would need to be constructed to gain adequate and functional access to the WWTP site. The main entry point for the temporary road off Pico Avenue would need to be on the northwest side due to the elevation difference from the street grade to the beach and the limited area from

the tideline to the bluff toe (slope is too steep to design a road in the location of the existing stair access to the beach). The haul road would extend down on to the beach approximately 110 feet at which point the road would curve back to the southeast and run approximately 630 feet to the WWTP site. At the site a temporary access turn-around and work area has been included in the design.

- In preparing a preliminary construction site plan for the temporary haul road there were a number of factors that were considered in the design. First, the haul road must be constructed as close to the bluff toe as feasible to avoid rock outcroppings, sensitive bluff areas and to provide sufficient distance from the surf zone.
- A temporary culvert and slope protection will be necessary at the Arroyo Del Padre Juan Creek crossing. This work within the Arroyo Del Padre Juan Creek will require additional permitting from the California Department of Fish and Wildlife and potentially other agencies due to the sensitive nature of working within the creek area
- There are three private land owners that will need to provide temporary access easements for the construction of the haul road. It is not known at this time whether the other land owners will cooperate for the easements and if they do, what financial obligations the SSCSD will need to work out with the owners.
- The construction time to remove the existing rip-rap, construct a new seawall and restore the construction areas is estimated to take one year. However, storm water infiltration of the site, storm damage to the structure and/or road, greater than normal creek flow in the Arroyo Del Padre Juan (creek needs to be relatively dry during construction) could result in delays and could potentially result in a longer construction period.
- Over the construction period, the haul road would need protection from exposure to high waves during the winter months. The road design incorporates a temporary K-rail system on the ocean side to protect the road from wave run-up. Furthermore, the K-rail system will need to be in place around the WWTP site to protect the equipment and the structure as it is constructed.
- An unintended consequence resulting from the construction period will be the impact to tourism in the area due to the beach and trail closure. In the summer months it is anticipated that there will be a narrow strip of beach that the public will be able to access at the lower tides. During the winter months and high tides the beach will be for the most part, inaccessible to the public.
- Finally, the haul road and other site work areas will need to be restored once the construction is complete. The temporary materials from the road will be removed and transported to an approved site to receive any contaminated soils. Once the area has been prepared, the beach sand must be replaced with a "like" quality of beach material. This necessitates the addition of a barrow area to use after

construction to replace and restore the impacted areas.

- *Construction impacts:* In addition to the beach impacts, there are other construction impacts to both the community and visitors. This type of construction including the rock rip-rap removal will create dust/air quality impacts, construction traffic and construction noise, as well as water turbidity and marine organism impacts and a disruption to the local activities.
- *Post construction impacts:* Once a vertical seawall is finished, the new wall will be approximately 25 feet high. This will be a large structure located on the beach and along the Arroyo Del Padre Juan Creek with the potential to result in visual impacts.
- *Estimated cost:* Based on preliminary estimates of probable cost for this alternative it was determined that the cost would be over 3-million dollars, however it is important to note that the cost estimate is dated at this point and subject to increase. This construction cost would be borne by approximately 200 sewer accounts along with any future maintenance, repairs or re-construction and therefore becomes financially infeasible for a community services district of this size to complete a project of this magnitude.

## Project Mitigation

As part of the original 2015 CDP application submittal the SSCSD and CCC staff, in order to improve coastal access in the project area, agreed to review two coastal access improvement projects in order to address concerns regarding rip rap project impacts. Specifically, it was determined that SSCSD resources would be best applied to public coastal access improvements to address the rip rap violation. The SSCSD will work with CCC staff on future project implementation.

The mitigation language proposed to address coastal access impacts has been included in the revised Special Conditions that have been edited based on the October 2018 project staff report. The revised Special Condition language is included in this CDP application resubmittal.

## Project Information and Document History

As discussed above, this project and the subsequent CCC Notice of Violation has a long history that includes previous attempts to address the NOV and a significant amount of technical reporting to meet the CCC information needs and to address agency information requests to allow for the issuance of the requested after the fact CDP. Included with this letter you will find the current project application resubmittal. The project file from the 2015 CDP submittal contains the full volume of information and technical reports prepared for the project, including documents prepared in 2006 and 2008 to supplement the previous 2005 after-the-fact CDP submittal, and includes permit application materials spanning the history of the project.

Thank you for the opportunity to provide a brief overview of the details of the SSCSD Unpermitted Rip Rap Violation Project and the associated CDP “after the fact” application resubmittal. If you have any questions about the details of this project, or the details of the CUP application, please contact either myself or the applicant, Charlie Grace, SSCSD General Manager (graceenvironmental@gmail.com, 805-927-4778).

Sincerely,



**Jeff Oliveira, Principal Environmental Planner**  
Oliveira Environmental Consulting LLC

Coastal Development Permit (CDP)  
Application Packet 2018

# DRAFT

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060-4508  
 VOICE AND TDD (831) 427-4863  
 FAX (831) 427-4877



### PERMIT APPLICATION INSTRUCTIONS

A completed application includes the APPLICATION FOR COASTAL DEVELOPMENT PERMIT, the appendices to the application, and **Required Attachments**.

- Please answer all questions. If a question is not applicable to your project, indicate "N.A."
- Refer to pages 7–8 of the APPLICATION for a list of **Required Attachments**.
- Incomplete applications will not be accepted for filing.
- All exhibits must be legible.

The following checklist is provided for the convenience of applicants in gathering necessary application materials; it is not a complete statement of filing requirements.

	Page	Item
<input checked="" type="checkbox"/> Proof of applicant's interest in the property. ....	7	1
<input checked="" type="checkbox"/> Assessor's parcel map(s) showing the proposed development site and all adjacent properties within 100 feet of the property boundary. ....	7	2
<input checked="" type="checkbox"/> <b>Stamped</b> envelopes ( <i>no postage meter please</i> ) addressed to neighboring property owners and occupants and other interested parties <b>and</b> a list of the same. ....	7, 8	4, 5
<input checked="" type="checkbox"/> Vicinity map. ....	8	6
<input checked="" type="checkbox"/> Two sets of project plan(s), site plan(s), and applicable other plans. (Please note the size which plans are required to be submitted.).....	8	7, 11
<input checked="" type="checkbox"/> Copy of any environmental documents (DRAFT AND FINAL EIRs, EISs, NEGATIVE DECLARATION) if prepared for the project and any comments and responses. ....	8	9
<input checked="" type="checkbox"/> Verification of all other permits, permissions or approvals applied for or granted by public agencies. ....	8	10
<input checked="" type="checkbox"/> Copy of geology or soils report (if necessary). ....	8	11
<input checked="" type="checkbox"/> Local approval of the project. ....	Appendix B	
<input checked="" type="checkbox"/> Has the Notice of Pending Permit been posted in a conspicuous place? .....	Appendix D	
<input checked="" type="checkbox"/> Filing fee. ....	Appendix E	

Have you and the agent (if appropriate) signed the application at the appropriate lines on pages 9, 10, and 13?



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APPLICATION FOR COASTAL DEVELOPMENT PERMIT

## SECTION I. APPLICANT

1. Name, mailing address, and telephone number of all applicants.

San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452 805-927-4778  
*(Area code/daytime phone number)*

**Note: All applicants for the development must complete Appendix A, the declaration of campaign contributions.**

2. Name, mailing address and telephone number of applicant's representatives, if any. Please include all representatives who will communicate on behalf of the applicant or the applicant's business partners, for compensation, with the Commission or the staff. (It is the applicant's responsibility to update this list, as appropriate, including after the application is accepted for filing. Failure to provide this information prior to communication with the Commission or staff may result in denial of the permit or criminal penalties.)

Jeff Oliveira, Principal, Oliveira Environmental Consulting, LLC. 3155 Rose Ave., SLO, CA 93401. 805-234-7393.  
  
*(Area code/daytime phone number)*

## SECTION II. PROPOSED DEVELOPMENT

Please answer all questions. Where questions do not apply to your project (for instance, project height for a land division), indicate **Not Applicable** or **N.A.**

1. **Project Location.** Include street address, city, and/or county. If there is no street address, include other description such as nearest cross streets.

Please refer to attached cover letter and project discussion for project location details.  
\_\_\_\_\_ *street*

\_\_\_\_\_ *city*

Assessor's Parcel Number(s) (obtainable from tax bill or County Assessor):  
013-031-028, -041

<p><i>FOR OFFICE USE ONLY</i></p>  <hr/> <p style="text-align: center;">APPLICATION NUMBER</p>	<p>RECEIVED _____</p> <p>FILED _____</p> <p>FEE _____</p> <p>DATE PAID _____</p>
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2. Describe the proposed development in detail. Include secondary improvements such as grading, septic tanks, water wells, roads, driveways, outbuildings, fences, etc. (Attach additional sheets as necessary.)

Please refer to the attached Project Details for a detailed project description.

a. If multi-family residential, state:

Number of units			Number of bedrooms per unit (both existing and proposed)	Type of ownership proposed
Existing units	Proposed new units	Net number of units on completion of project		
NA				<input type="checkbox"/> rental <input type="checkbox"/> condominium <input type="checkbox"/> stock cooperative <input type="checkbox"/> time share <input type="checkbox"/> other _____

b. If land division or lot line adjustment, indicate:

Number of lots			Size of lots to be created (indicate <i>net</i> or <i>gross</i> acreage)	
Existing Lots	Proposed new lots	Net number of lots on completion of project	Existing	Proposed
NA				

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3. Estimated cost of development (not including cost of land) \$0
4. Project height: Maximum height of structure (ft.) Existing structure = approximately 10 feet
- above existing (natural) grade .....
  - above finished grade .....
  - as measured from centerline of frontage road .....
5. Total number of floors in structure, including  
subterranean floors, lofts, and mezzanines..... 0
6. Gross floor area excluding parking (sq.ft.) ..... 0
- Gross floor area including covered parking and  
accessory buildings (sq.ft.) ..... 0
7. Lot area (within property lines) (sq.ft. or acre) ..... 0

<i>Lot coverage</i>	<i>Existing (sq.ft. or acre)</i>	<i>New proposed (sq.ft. or acre)</i>	<i>Total (sq.ft. or acre)</i>
Building			
Paved area			
Landscaped area			
Unimproved area			
<i>Grand Total (should equal lot area as shown in #7 above)</i>			NA

8. Is any grading proposed? .....  Yes  No

<i>If yes, complete the following.</i>			
a) Amount of cut	cu. yds.	d) Maximum height of cut slope	ft.
b) Amount of fill	cu. yds.	e) Maximum height of fill slope	ft.
c) Amount of <b>import or export</b> (circle which)	cu. yds.	f) Location of borrow or disposal site	

Grading, drainage, and erosion control plans must be included with this application, if applicable. In certain areas, an engineering geology report must also be included. See page 7, items # 7 and 11.

Please list any geologic or other technical reports of which you are aware that apply to this property:  
Please refer to the attached Project Binder for project technical data.

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9. Parking:

<i>Number of parking spaces (indicate whether standard or compact)</i>		
Existing Spaces	Proposed new spaces	Net number of spaces on completion of project
NA		

Is any existing parking being removed?.....  Yes  No

If yes, how many spaces? \_\_\_\_\_ size \_\_\_\_\_

Is tandem parking existing and/or proposed? .....  Yes  No

If yes, how many tandem sets? \_\_\_\_\_ size \_\_\_\_\_

10 Are utility extensions for the following needed to serve the project? (Please check yes or no)

a) water      b) gas      c) sewer      d) electric      e) telephone

Yes       Yes       Yes       Yes       Yes  
 No       No       No       No       No

Will electric or telephone extensions be above-ground? .....  Yes  No

11. Does project include removal of trees or other vegetation? .....  Yes  No

If yes, indicate **number, type** and **size** of trees \_\_\_\_\_

\_\_\_\_\_ or **type** and **area** of other vegetation \_\_\_\_\_

### SECTION III. ADDITIONAL INFORMATION

The relationship of the development to the applicable items below must be explained fully. Attach additional sheets if necessary.

1. Present use of property.

a. Are there existing structures on the property? .....  Yes  No

<i>If yes, describe</i>
Site consists of existing SSCSD Wastewater Treatment Plant and rip rap bluff protection.
_____
_____
_____

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b. Will any existing structures be demolished? .....  Yes  No

Will any existing structures be removed? .....  Yes  No

*If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.*

NA. Requesting an "after the fact" CDP.

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2. Is the proposed development to be governed by any Development Agreement? .....  Yes  No

3. Has any application for development on this site including any subdivision been submitted previously to the California Coastal Zone Conservation Commission or the Coastal Commission? .....  Yes  No

If yes, state previous application number(s) 3-05-019

4. a. Is the development between the first public road and the sea (including lagoons, bays, and other bodies of water connected to the sea) .....  Yes  No

b. If yes, is public access to the shoreline and along the coast currently available on the site or near the site? .....  Yes  No

*If yes, indicate the location and nature of the access, including the distance from the project site, if applicable.*

Site consists of an existing coastal access trail north of Arroyo Del Padre Juan Creek.

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c. Will the project have an effect on public access to and along the shoreline, either directly or indirectly (e.g., removing parking used for access to the beach)? .....  Yes  No

*If yes, describe the effect*

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# DRAFT

5. Does the development involve diking, filling, draining, dredging or placing structures in open coastal waters, wetlands, estuaries, or lakes? (Please check yes or no)

a) diking      b) filling      c) dredging      d) placement of structures

- Yes       Yes       Yes       Yes  
 No       No       No       No

Amount of material to be **dredged** or **filled** (indicate which) "After the Fact" CDP, no cu. yds  
construction proposed. \_\_\_\_\_

Location of dredged material disposal site NA

Has a U.S. Army Corps of Engineers' permit been applied for? .....  Yes  No

6. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? .....  Yes  No

For projects on State-owned lands, additional information may be required as set forth in Section IV, paragraph 10.

7. Will the development protect existing lower-cost visitor and recreational facilities? .....  Yes  No

Will the development provide public or private recreational opportunities? ..  Yes  No

<i>If yes, explain.</i>

8. Will the proposed development convert land currently or previously used for agriculture to another use? .....  Yes  No

If yes, how many acres will be converted? \_\_\_\_\_

9. Is the proposed development in or near:

- a. Sensitive habitat areas (Biological survey may be required) .....  Yes  No  
b. Areas of state or federally listed rare, threatened, or endangered species .....  Yes  No  
c. 100-year floodplain (Hydrologic mapping may be required) .....  Yes  No  
d. Park or recreation area .....  Yes  No

10. Is the proposed development visible from:

- a. State Highway 1 or other scenic route .....  Yes  No

# DRAFT

- b. Park, beach, or recreation area .....  Yes  No
- c. Harbor area .....  Yes  No
11. Does the site contain any: (If yes to any of the following, please explain on an attached sheet.)
- a. Historic resources .....  Yes  No
- b. Archaeological resources .....  Yes  No
- c. Paleontological resources .....  Yes  No
12. Where a stream or spring is to be diverted, provide the following information:
- Estimated streamflow or spring yield (gpm) NA
- If well is to be used, existing yield (gpm) \_\_\_\_\_
- If water source is on adjacent property, attach Division of Water Rights approval and property owner's approval.

## SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

- Proof of the applicant's legal interest in the property.** A copy of any of the following will be acceptable: current tax bill, recorded deed, lease, easement, or current policy of title insurance. Preliminary title reports will not be accepted for this purpose. Documentation reflecting intent to purchase such as a signed Offer to Purchase along with a receipt of deposit or signed final escrow document is also acceptable, but in such a case, issuance of the permit may be contingent on submission of evidence satisfactory to the Executive Director that the sale has been completed.  
  
The identity of all persons or entities which have an ownership interest in the property superior to that of the applicant must be provided.
- Assessor's parcel map(s)** showing the page number, the applicant's property, and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available from the County Assessor.)
- Copies of required **local approvals** for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B. Appendix B must be completed and signed by the local government in whose jurisdiction the project site is located.
- Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same.** The envelopes must be plain (i.e., no return address), and regular business size (9 1/2" x 4 1/8"). Include first class postage on each one. **Metered postage is not acceptable.** Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances.)

# DRAFT

5. **Stamped, addressed envelopes (no metered postage, please) and a list of names and addresses of all other parties known to the applicant to be interested in the proposed development** (such as persons expressing interest at a local government hearing, etc.).
6. **A vicinity or location map** (copy of Thomas Bros. or other road map or USGS quad map) with the project site clearly marked.
7. Copy(s) of plans drawn to scale, including (as applicable):
  - site plans
  - floor plans
  - building elevations
  - grading, drainage, and erosion control plans
  - landscape plans
  - septic system plans

Trees to be removed must be marked on the site plan. In addition, a reduced site plan, 8 1/2" x 11" in size, must be submitted. Reduced copies of complete project plans will be required for large projects. NOTE: See Instruction page for number of sets of plans required.

8. Where septic systems are proposed, evidence of County approval or Regional Water Quality Control Board approval. Where water wells are proposed, evidence of County review and approval.
9. A copy of any **Draft or Final Negative Declaration, Environmental Impact Report (EIR) or Environmental Impact Statement (EIS)** prepared for the project. If available, comments of all reviewing agencies and responses to comments must be included.
10. **Verification of all other permits, permissions or approvals** applied for or granted by public agencies such as:
  - Department of Fish and Game
  - State Lands Commission
  - Army Corps of Engineers
  - U.S. Coast Guard

For projects such as seawalls located on or near state tidelands or public trust lands, the Coastal Commission must have a written determination from the State Lands Commission whether the project would encroach onto such lands and, if so, whether the State Lands Commission has approved such encroachment.

11. For development on a bluff face, bluff top, or in any area of high geologic risk, a comprehensive, site-specific **geology and soils report** (including maps) prepared in accordance with the Coastal Commission's Interpretive Guidelines. Copies of the guidelines are available from the District Office.

## SECTION V. NOTICE TO APPLICANTS

Under certain circumstances, additional material may be required prior to issuance of a coastal development permit. For example, where offers of access or open space dedication are required,



# DRAFT

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

## SECTION I. APPLICANT

1. Name, mailing address, and telephone number of all applicants.

Charlie Grace, General Manager, San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452 805-927-4778  
*(Area code/daytime phone number)*

**Note: All applicants for the development must complete Appendix A, the declaration of campaign contributions.**

2. Name, mailing address and telephone number of applicant's representatives, if any. Please include all representatives who will communicate on behalf of the applicant or the applicant's business partners, for compensation, with the Commission or the staff. (It is the applicant's responsibility to update this list, as appropriate, including after the application is accepted for filing. Failure to provide this information prior to communication with the Commission or staff may result in denial of the permit or criminal penalties.)

Jeff Oliveira, Principal, Oliveira Environmental Consulting, LLC. 3155 Rose Ave., SLO, CA 93401. 805-234-7393.  
  
*(Area code/daytime phone number)*

## SECTION II. PROPOSED DEVELOPMENT

Please answer all questions. Where questions do not apply to your project (for instance, project height for a land division), indicate **Not Applicable** or **N.A.**

1. **Project Location.** Include street address, city, and/or county. If there is no street address, include other description such as nearest cross streets.

Please refer to attached cover letter and project discussion for project location details.

number street  
city county

Assessor's Parcel Number(s) (obtainable from tax bill or County Assessor):  
013-031-028, -041

<i>FOR OFFICE USE ONLY</i>	RECEIVED _____
	FILED _____
	FEE _____
APPLICATION NUMBER _____	DATE PAID _____

# DRAFT

preliminary title reports, land surveys, legal descriptions, subordination agreements, and other outside agreements will be required prior to issuance of the permit.

In addition, the Commission may adopt or amend regulations affecting the issuance of coastal development permits. If you would like notice of such proposals during the pendency of this application, if such proposals are reasonably related to this application, indicate that desire.....

Yes  No

## SECTION VI. COMMUNICATION WITH COMMISSIONERS

Decisions of the Coastal Commission must be made on the basis of information in the public record available to all commissioners and the public. Permit applicants and interested parties and their representatives may contact individual commissioners to discuss permit matters outside the public hearing (an "ex parte" communication). However, the commissioner must provide a complete description of the communication either in writing prior to the hearing or at the public hearing, to assure that such communication does not jeopardize the fairness of the hearing or potentially result in invalidation of the Commission's decision by a court. Any written material sent to a commissioner should also be sent to the commission's office in San Francisco and the appropriate district office for inclusion in the public record and distribution to other commissioners.

## SECTION VII. CERTIFICATION

1. I hereby certify that I, or my authorized representative, have completed and posted or will post the **Notice of Pending Permit** stock card in a conspicuous place on the property within three days of submitting the application to the Commission office.
2. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attached appendices and exhibits is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Commission.
3. I hereby authorize representatives of the California Coastal Commission to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 A.M. and 5:00 P.M.

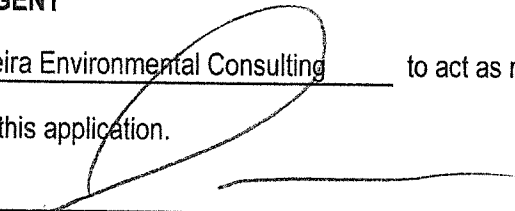


Signature of Authorized Agent(s) or if no agent, signature of Applicant

**NOTE: IF SIGNED ABOVE BY AGENT, APPLICANT MUST SIGN BELOW.**

## SECTION VIII. AUTHORIZATION OF AGENT

I hereby authorize Jeff Oliveira, Oliveira Environmental Consulting to act as my representative and to bind me in all matters concerning this application.



Signature of Applicant(s)

(Only the applicant(s) may sign here to authorize an agent)

# DRAFT

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

APPENDIX A

DECLARATION OF CAMPAIGN CONTRIBUTIONS

Government Code Section 84308 prohibits any Commissioner from voting on a project if he or she has received campaign contributions in excess of \$250 within the past year from project proponents or opponents, their agents, employees or family, or any person with a financial interest in the project.

In the event of such contributions, a Commissioner must disqualify himself or herself from voting on the project.

Each applicant must declare below whether any such contributions have been made to any of the listed **Commissioners** or **Alternates** (see last page).

CHECK ONE

The applicants, their agents, employees, family and/or any person with a financial interest in the project **have not contributed** over \$250 to any Commissioner(s) or Alternate(s) within the past year.

The applicants, their agents, employees, family, and/or any person with a financial interest in the project **have contributed** over \$250 to the Commissioner(s) or Alternate(s) listed below within the past year.

Commissioner or Alternate \_\_\_\_\_

Commissioner or Alternate \_\_\_\_\_

Commissioner or Alternate \_\_\_\_\_

\_\_\_\_\_  
*Signature of Applicant or Authorized Agent*

\_\_\_\_\_  
*Date*

Please type or print your name Charlie Grace, General Manager, SSCSD.

# DRAFT

## APPENDIX B

### LOCAL AGENCY REVIEW FORM

#### SECTION A (TO BE COMPLETED BY APPLICANT)

Applicant San Simeon Community Services District, Charlie Grace, General Manager.

Project Description Please refer to the attached project description for the placement of rip rap only as described.

Location Please refer to attached cover letter and project discussion for project location details.

Assessor's Parcel Number -1

#### SECTION B (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation Public Facilities / Residential Multi Family du/ac

General or Community Plan Designation Public Facilities / Residential Multi Family du/ac

#### Local Discretionary Approvals

Proposed development meets all zoning requirements and needs no local permits other than building permits.

Proposed development needs local discretionary approvals noted below.

Needed Received

<input type="checkbox"/>	<input type="checkbox"/>	Design/Architectural review
<input type="checkbox"/>	<input type="checkbox"/>	Variance for _____
<input type="checkbox"/>	<input type="checkbox"/>	Rezone from _____
<input type="checkbox"/>	<input type="checkbox"/>	Tentative Subdivision/Parcel Map No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Grading/Land Development Permit No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Planned Residential/Commercial Development Approval
<input type="checkbox"/>	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	<input type="checkbox"/>	Condominium Conversion Permit
<input type="checkbox"/>	<input type="checkbox"/>	Conditional, Special, or Major Use Permit No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Other _____

#### CEQA Status

Categorically Exempt Class \_\_\_\_\_ Item \_\_\_\_\_

Negative Declaration Granted (Date) \_\_\_\_\_

Environmental Impact Report Required, Final Report Certified (Date) \_\_\_\_\_

Other Not a project under CEQA

Prepared for the City/County of San Luis Obispo by Steven McMasters

Date 5/26/16 Title Supervising Planner

# DRAFT

Application No. \_\_\_\_\_

## APPENDIX C

LIST OF PROPERTY OWNERS AND OCCUPANTS WITHIN 100 FEET AND THEIR ADDRESSES  
(MAKE ADDITIONAL COPIES OF THIS SHEET AS NECESSARY)

Cavalier Investments 250 San Simeon Ave, Ste 4C San Simeon, CA 93452	Cavalier Acres 250 San Simeon Ave., Ste. 4C San Simeon, CA 93452	V&H Holdings, Cavalier Corp. 250 San Simeon Ave., Ste. 4C San Simeon, CA 93452
Thomas and Judith Baz San Simeon Shores, Unit 1 9231 Balboa Avenue San Simeon, CA 93452	Richard and Pat Alvarez 4750 South Englehart Reedley, CA 93654	Sandra Kownacki 9231 Balboa Avenue San Simeon, CA 93452
Diane Novak San Simeon Shores, Unit 5 9231 Balboa Avenue San Simeon, CA 93452		

# DRAFT

APPENDIX  
(Permit Application)

## DECLARATION OF POSTING

Prior to or at the time the application is submitted for filing, the applicant must post, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development, notice that an application for the proposed development has been submitted to the Commission. Such notice shall contain a general description of the nature of the proposed development. The Commission furnishes the applicant with a standardized form to be used for such posting. If the applicant fails to post the completed notice form and sign the Declaration of Posting, the Executive Director of the Commission shall refuse to file the application. 14 Cal. Code Regs. Section 13054(d).

Please sign and date this Declaration of Posting form when the site is posted; it serves as proof of posting. It should be returned to our office with the application.

Pursuant to the requirements of California Administrative Code Section 13054(b), I hereby certify that on, \_\_\_\_\_ I or my authorized representative posted the **Notice**  
(date of posting)

**of Pending Permit** for application to obtain a coastal development permit for the development of  
\_\_\_\_\_ **1983 emergency placement of additional rip rap along bluff face, 1995 repair and**  
\_\_\_\_\_ **maintenance of pipe support structure and rip rap within Arroyo Del Padre Juan Creek.**  
\_\_\_\_\_

(description of development)

Located at APN 013-031-028, -041  
\_\_\_\_\_

(address of development or assessor's parcel number)

The public notice was posted at APN 013-031-028, -041  
\_\_\_\_\_

(a conspicuous place, easily seen by the public and as close as possible to the site of the proposed development)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

NOTE: Your application cannot be processed until this **Declaration of Posting** is signed and returned to this office.

*FOR OFFICE USE ONLY*

PERMIT NUMBER ..... \_\_\_\_\_

RECEIVED ..... \_\_\_\_\_

DECLARATION COMPLETE ..... \_\_\_\_\_

# DRAFT

APPENDIX E

## FILING FEE SCHEDULE

(EFFECTIVE JULY 1, 2015)

### **FEES WILL BE ADJUSTED EACH YEAR ON JULY 1, ACCORDING TO THE CALIFORNIA CONSUMER PRICE INDEX**

- Pursuant to Government Code section 6103, public entities are exempt from the fees set forth in this schedule.
- Permits shall not be issued without full payment for all applicable fees. If overpayment of a fee occurs, a refund will be issued. Fees are assessed at the time of application, based on the project as proposed initially. If the size or scope of a proposed development is amended during the application review process, the fee may be changed. If a permit application is withdrawn, a refund will be due only if no significant staff review time has been expended (e.g., the staff report has not yet been prepared). Denial of a permit application by the Commission is not grounds for a refund.
- If different types of development are included on one site under one application, the fee is based on the sum of each fee that would apply if each development were applied for separately, not to exceed \$110,800 for residential development and \$277,000 for all other types of development.
- Fees for after-the-fact (ATF) permit applications shall be five times the regular permit application fee unless the Executive Director reduces the fee to no less than two times the regular permit application fee. The Executive Director may reduce the fee if it is determined that either: (1) the ATF application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit,) or (2) the owner did not undertake the development for which the owner is seeking the ATF permit.
- In addition to the above fees, the Commission may require the applicant to reimburse it for any additional reasonable expenses incurred in its consideration of the permit application, including the costs of providing public notice.
- The Executive Director shall waive the application fee where requested by resolution of the Commission. Fees for green buildings or affordable housing projects may be reduced, pursuant to Section 13055(h) of the Commission's regulations.

**SEE SECTION 13055 OF THE COMMISSION'S REGULATIONS  
(CALIFORNIA CODE OF REGULATIONS, TITLE 14)  
FOR FULL TEXT OF THE REQUIREMENTS**

# DRAFT

## I. RESIDENTIAL DEVELOPMENT<sup>1</sup>

De minimis waiver .....  \$ 554

Administrative permit .....  \$ 2,770<sup>2</sup>

### A. Detached residential development

Regular calendar for up to 4 detached, single-family dwelling(s)<sup>3,4</sup>

1,500 square feet or less .....  \$ 3,324/ea

1,501 to 5,000 square feet .....  \$ 4,986/ea

5,001 to 10,000 square feet .....  \$ 6,648/ea

10,001 or more square feet .....  \$ 8,310/ea

Regular calendar for more than 4 detached, single-family dwellings<sup>3,4</sup>

1,500 square feet or less .....  \$ 16,620 or \$1,108/ea<sup>5</sup>  
whichever is greater

1,501 to 5,000 square feet .....  \$ 24,930 or \$1,662/ea<sup>5</sup>  
whichever is greater

5,001 to 10,000 square feet .....  \$ 33,240 or \$2,216/ea<sup>5</sup>  
whichever is greater

10,001 or more square feet .....  \$ 41,550 or \$2,770/ea<sup>5</sup>  
whichever is greater

### B. Attached residential development

2-4 units .....  \$ 8,310

More than 4 units .....  \$ 11,080 or \$831/ea<sup>6</sup>  
whichever is greater

### C. Additions or improvements

If **not** a waiver or an amendment to a previous coastal development permit, the fee is assessed according to the schedule in A. above (i.e., based on the calendar and/or size of the addition, plus the grading fee, if applicable).

If handled as an amendment to a previous coastal development permit, see Amendments (in Section III.F).

<sup>1</sup> Additional fee for grading applies. (See Section III.A of this fee schedule.)

<sup>2</sup> Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

<sup>3</sup> "Square footage" includes gross internal floor space of main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings).

<sup>4</sup> For developments that include residences of different sizes, the fee shall be based upon the average square footage of all the residences.

<sup>5</sup> Not to exceed \$110,800.

<sup>6</sup> Not to exceed \$55,400.



**II. OFFICE, COMMERCIAL, CONVENTION, INDUSTRIAL (INCLUDING ENERGY FACILITIES), AND OTHER DEVELOPMENT NOT OTHERWISE IDENTIFIED IN THIS SECTION<sup>7,8,9</sup>**

**A. Based on Gross Square Footage**

1,000 square feet (gross) or less .....	<input type="checkbox"/>	\$ 5,540
1,001 to 10,000 square feet (gross) .....	<input type="checkbox"/>	\$ 11,080
10,001 to 25,000 square feet (gross) .....	<input type="checkbox"/>	\$ 16,620
25,001 to 50,000 square feet (gross) .....	<input type="checkbox"/>	\$ 22,160
50,001 to 100,000 square feet (gross) .....	<input type="checkbox"/>	\$ 33,240
100,001 or more square feet (gross) .....	<input type="checkbox"/>	\$ 55,400

**B. Based on Development Cost<sup>10</sup>**

Development cost up to and including \$100,000 .....	<input type="checkbox"/>	\$ 3,324
\$100,001 to \$500,000 .....	<input type="checkbox"/>	\$ 6,648
\$500,001 to \$2,000,000 .....	<input type="checkbox"/>	\$ 11,080
\$2,000,001 to \$5,000,000 .....	<input type="checkbox"/>	\$ 22,160
\$5,000,001 to \$10,000,000 .....	<input type="checkbox"/>	\$ 27,700
\$10,000,001 to \$25,000,000 .....	<input type="checkbox"/>	\$ 33,240
\$25,000,001 to \$50,000,000 .....	<input type="checkbox"/>	\$ 55,400
\$50,000,001 to \$100,000,000 .....	<input type="checkbox"/>	\$ 110,800
\$100,000,001 or more .....	<input type="checkbox"/>	\$ 277,000

**III. OTHER FEES**

**A. Grading<sup>11</sup>**

50 cubic yards or less .....	<input type="checkbox"/>	\$ 0
51 to 100 cubic yards .....	<input type="checkbox"/>	\$ 554
101 to 1,000 cubic yards .....	<input type="checkbox"/>	\$ 1,108
1,001 to 10,000 cubic yards .....	<input type="checkbox"/>	\$ 2,216
10,001 to 100,000 cubic yards .....	<input type="checkbox"/>	\$ 3,324
100,001 to 200,000 cubic yards .....	<input type="checkbox"/>	\$ 5,540
200,001 or more cubic yards .....	<input type="checkbox"/>	\$ 11,080

<sup>7</sup> The fee shall be based on either the gross square footage or the development cost, whichever is greater.

<sup>8</sup> Additional fee for grading applies. (See section III.A of this schedule).

<sup>9</sup> Pursuant to section 13055(a)(5) of the Commission's regulations, this category includes all development not otherwise identified in this section, such as seawalls, docks and water wells.

<sup>10</sup> Development cost includes all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission's jurisdiction.

<sup>11</sup> The fee for grading is based on the cubic yards of cut, plus the cubic yards of fill.

# DRAFT

- B. Lot line adjustment<sup>12</sup>  \$ 3,324
- C. Subdivision<sup>13</sup>
  - Up to 4 new lots  \$ 3,324/ea
  - More than 4 new lots  \$ 13,296 plus \$1,108 for each lot above 4
- D. Administrative permit  \$ 2,770<sup>14</sup>
- E. Emergency permit  \$ 1,108<sup>15</sup>
- F. Amendment
  - Immaterial amendment  \$ 1,108
  - Material amendment  \$ \_\_\_\_\_ [50% of fee applicable to underlying permit if it were submitted today] (calculate fee)
- G. Temporary event which requires a permit pursuant to Public Resources Code section 30610(i)
  - If scheduled on administrative calendar  \$ 1,108
  - If not scheduled on administrative calendar  \$ 2,770
- H. Extension<sup>16</sup> and Reconsideration
  - Single-family residence  \$ 554
  - All other development  \$ 1,108
- I. Request for continuance
  - 1st request  No charge
  - Each subsequent request (where Commission approves the continuance)  \$ 1,108
- J. De minimis or other waivers  \$ 554
- K. Federal Consistency Certification<sup>17</sup>  
[The fee is assessed according to sections I, II, and III, above]  \$ \_\_\_\_\_
- L. Appeal of a denial of a permit by a local government<sup>18</sup>  
[The fee is assessed according to sections I, II, and III, above]  \$ \_\_\_\_\_
- M. Written Permit Exemption  \$ 277
- N. Written Boundary Determination  \$ 277

<sup>12</sup> A lot line adjustment is between adjoining parcels where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created.

<sup>13</sup> The fee is charged for each parcel created in addition to the parcels that originally existed.

<sup>14</sup> Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

<sup>15</sup> The emergency application fee is credited toward the follow-up permit application fee.

<sup>16</sup> If permit extension is objected to by the Commission and the application is set for a new hearing, then a new application fee is required, based on type of development and/or applicable calendar.

<sup>17</sup> Fees for federal consistency items will be assessed now that the Commission has received approval from NOAA to amend the California Coastal Management Program.

<sup>18</sup> Pursuant to Public Resources Code section 30602 or 30603(a)(5).

# DRAFT

O. Coastal Zone Boundary Adjustment .....  \$ 5,540

<b>TOTAL SUBMITTED</b>	<b>\$ 0</b>
------------------------	-------------

### TO BE COMPLETED BY STAFF

<i>SUBMITTED FEE VERIFIED BY:</i>	<i>DATE:</i>	
<i>IS SUBMITTED AMOUNT CORRECT?</i>		
<input type="checkbox"/> Yes. Applicant has correctly characterized the development, and payment is appropriate.	<input type="checkbox"/> Applicant did not fill out form, thus staff has marked the form to compute the fee, and applicant has paid fee.	<input type="checkbox"/> No. Why? _____ _____
<i>REFUND OR ADDITIONAL FEE REQUIRED? (STATE REASON)</i>		
<input type="checkbox"/> Refund amount ( _____ )		
<input type="checkbox"/> Additional fee amount ( _____ )		
<b>REMINDER: RECORD FEE PAYMENT IN PERMIT LOG</b>		
<i>FINAL FEE VERIFIED BY: (TO BE COMPLETED AFTER COMMISSION ACTION)</i>	<i>DATE:</i>	

# DRAFT NOTICE OF

# PENDING PERMIT

A PERMIT APPLICATION FOR DEVELOPMENT ON THIS SITE IS PENDING BEFORE THE CALIFORNIA COASTAL COMMISSION.

PROPOSED DEVELOPMENT: Request for "after the fact" permit for historic placement of rip rap protection and pipebridge maintenance at the San Simeon CSD Wastewater Treatment Plant.

LOCATION: Existing San Simeon Wastewater Treatment Plant. 9245 Balboa Avenue, San Simeon, CA.

APPLICANT: San Simeon Community Services District

APPLICATION NUMBER: \_\_\_\_\_

DATE NOTICE POSTED: \_\_\_\_\_

FOR FURTHER INFORMATION, PLEASE PHONE OR WRITE THE OFFICE LISTED BELOW BETWEEN 8 A.M. AND 5 P.M., WEEKDAYS.



Print on Yellow Stock Card

CALIFORNIA COASTAL COMMISSION  
CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060-4508  
(831) 427.4863

## Special Conditions (Proposed)

## SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

### 1. Approved Project.

- a. **ATF Development.** This CDP authorizes after-the-fact development consisting of: 1) the placement of an approximately 666-cubic-yard riprap revetment on the beach and fronting the bluffs immediately adjacent to the San Simeon Community Services District's (District's) wastewater treatment plant (WWTP) in 1983 (as described and shown on the plan sheet titled *Site Map* dated June 2016 and dated received in the Coastal Commission's Central Coast District Office on December 23, 2015); 2) the placement of an up to 450-cubic-yard in riprap revetments along both sides of Arroyo del Padre Juan Creek and improvements to a pipe support structure crossing the creek, both in 1995 (as shown on a plan sheet from John Wallace & Associates dated received in the Central Coast District Office on December 23, 2015); 3) replacement of the entire pipe support structure with a new structure in 1999; 4) replacement of 600 feet of outfall pipe in 1984 and replacement of a 100-foot section of outfall pipe between 2010 and 2013; and 5) miscellaneous upgrades and related development over many years (as described in **Exhibits 4 and 15**).
- b. **New Development.** This CDP also authorizes (1) additional riprap, (2) native habitat restoration, and (3) restoration of the former WWTP site and it's dedication for permanent public recreational use and coastal access. ~~construction of a free-span public access pedestrian/bicycle bridge~~ as described in more detail in **Special Condition 4** below.
- c. **Maintenance.** This CDP also authorizes maintenance of the revetment, maintenance of the former WWTP site and, ~~the native habitat restoration, and a pedestrian access bridge and associated development~~ (see also **Special Conditions 4 and 5**)
- d. **Other Minor Measures.** This CDP also authorizes limited additional measures necessary to address coastal hazards (including as exacerbated by sea level rise) in order ensure the continuous operation of the WWTP to protect water quality and public health, upon determination by the Executive Director that the limited additional measures fall within the scope of authorized development pursuant to this CDP and do not require a CDP amendment. Any such measures shall be the minimum necessary to abate the identified problem.

- e. **Interim Authorization.** By acceptance of this CDP, the Permittee acknowledges and agrees that this approval is an interim authorization (i.e., for 20 years, subject to extensions, as specified in **Special Condition 2**) for the Approved Project as specified in subsections (a) through (d) above, to allow for the continued operation and function of the District's WWTP over this timeframe to protect against erosion and potential water quality and public health impacts, while simultaneously allowing the Permittee time to plan and consider inland alternatives for future wastewater treatment functions, such as WWTP relocation away from existing and future coastal hazards at this low-lying shoreline location. ~~The public access bridge is not subject to the 20-year authorization timeframe, and is instead authorized and required permanently.~~

## 2. Duration of Authorization.

- a. The Approved Project identified in **Special Condition 1** is authorized for 20 years from the date of approval, subject to the extensions detailed below (i.e., through October xxx, 2038, the expiration date of this CDP), ~~other than the public access bridge that is authorized and required permanently.~~ By acceptance of this CDP, the Permittee acknowledges and agrees that such development authorized pursuant to this CDP is only permitted for the next 20 years, subject to the extensions detailed below, to provide the Permittee appropriate time to secure funding and to plan, develop, consider, and implement a project designed to relocate WWTP functions to an inland site (or sites if functions are broken up into one or more facility locations) that minimizes coastal hazard threats. (see also **Special Conditions 3 and 4**).
- b. The Permittee also acknowledges and agrees that, as mitigation, it shall remove the Approved Project in its entirety and restore the affected bluff and creek areas to their pre-development condition or better, ~~and repurpose the WWTP property for public access and/or recreational opportunities (e.g., a coastal park or similar), within two years of removal of the Approved Project, or expiration of this CDP, whichever comes first.~~ Prior to initiating removal of the WWTP and resultant restoration ~~and/or repurposing~~ activities, the Permittee shall submit a plan for same to the Coastal Commission for its review and approval. The plan shall include the permanent dedication of the former WWTP property for public recreational use and pedestrian access to the beach from the former WWTP property. (See Special Condition 4.)
- c. The expiration date of this CDP may ~~only~~ be altered/extended by the Commission, either by (1) via the Executive Director's check-in process

identified below or ~~(2) via~~ a CDP amendment request by the Permittee. ~~In the case of the latter,~~

- i. **CDP Amendment - T**he Commission shall only consider a **CDP expiration extension such a request** if the Permittee submits a complete CDP amendment request (i.e., including all necessary information identified by the Executive Director as required for filing purposes) to the Commission prior to the expiration date of this CDP (i.e., before October xxx, 2038). Any CDP amendment request that includes retention of the approved development and WWTP in its current location may not be accepted for filing nor approved without a showing of significant and diligent action taken in furtherance of the requirements of the approved Coastal Hazards Response Plan (see **Special Condition 3**), and may not just rely on an expectation of long-term operation of the WWTP at the present location.
  
- ii. **Executive Director Check-in Process**
  1. The Permittee shall ~~be subject to every five year~~ check-ins with the Executive Director every five years on the status of its CDP compliance efforts. ~~On the anniversary date of the CDP, in 2023, 2028, and 2033, (and in no event later than October xxx, 2023, October xxx, 2028, and October xxx, 2033, respectively) the~~ Executive Director shall evaluate the Permittee's progress on meeting the terms and conditions of this CDP. At those times, the Permittee shall submit to the Executive Director documentation specified in the CDP that the Permittee or the Executive Director deems necessary or appropriate to evaluate and demonstrate compliance in this regard. The Executive Director shall provide the Permittee with a written evaluation regarding its progress and compliance with the CDP. The evaluation shall identify the areas where the Permittee is and is not making sufficient progress with respect to the terms and conditions of this CDP.- Within 60 calendar days of receipt of the written evaluation from the Executive Director, the Permittee shall provide the Executive Director a written response addressing the areas of concern and include a plan of action on how it will ensure compliance with the terms and conditions of the CDP.



2. At the 2033 check-in, if the Executive Director determines that the Permittee has been, in good faith, diligently working towards the relocation of the WWTP, but will be unable to complete such relocation by the 2038 deadline, the duration of authorization of this CDP shall be extended by the Executive Director for five (5) additional years, with the option for two (2) additional, five (5) year periods. At the beginning of the fifth year of each extension period, the Executive Director and the Permittee shall conduct the check-in process described above and the Executive Director shall only grant an additional extension if, in the Executive Director's determination, the Permittee has been, in good faith, diligently working towards the relocation of the WWTP. The Permittee's inability to relocate the WWTP for financial reasons, after good faith attempts to secure grants and other funding to pay the relocation costs, shall constitute grounds for extension of the CDP by the Executive Director.

~~\_\_\_\_\_ shall request a determination from the Executive Director about whether significant and diligent progress has been made on meeting the terms and conditions of this CDP. At those times, the Permittee shall submit to the Executive Director documentation specified in the CDP that the Permittee or the Executive Director deems necessary or appropriate to evaluate and demonstrate compliance in this regard. If the Executive Director is satisfied with the progress made towards such compliance at these five-year check-ins, then the Executive Director shall notify the Permittee of this determination, and the authorization will continue. If the Executive Director reasonably concludes that the Permittee is not making significant and diligent progress with respect to the terms and conditions of this CDP, then the Executive Director shall notify the Permittee of this determination, and the matter will be brought to the Commission for consideration and potential action, which may include but not be limited to changes to the CDP authorization duration~~

3. **Coastal Hazards Response Plan.** WITHIN ~~THREE-FIVE~~ YEARS OF THE DATE OF THE APPROVAL OF THIS CDP (i.e., no later than October xxx, 2021), the Permittee shall submit two copies of a Coastal Hazards Response Plan to the Executive Director for review and approval. The Response Plan shall be developed in coordination with appropriate staff and agencies at San Luis Obispo County, the Regional Water Quality Control Board, and any other relevant agencies with authority over the development of a new or relocated WWTP and/or associated wastewater functions. The Response Plan shall build upon the work completed to date as described in the document titled *Alternatives Analysis for Relocation of the San Simeon Community Services District Wastewater Treatment Plant* (dated April 18, 2008 and dated received in the Coastal Commission's Central Coast District Office on December 23, 2015) and the document

titled *San Simeon Community Services District Estimated WWTP Life Expectancy Analysis* (dated August 18, 2016 and dated received in the Central Coast District Office on August 29, 2016). The Response Plan shall provide a clear long-term plan for providing necessary wastewater treatment functions at an inland location or locations that are not subject to the significant coastal hazards threatening the existing WWTP. The Response Plan shall, at a minimum, identify a preferred inland site or sites for District wastewater treatment functions, including evaluating alternative wastewater treatment options in-lieu of building a new inland WWTP (including the construction of an inland package plant or plants, the possibility of combining services with other nearby existing WWTPs, and similar alternatives), and shall provide details regarding the mechanisms, costs, funding options, and timing for potential relocation and for full restoration of the existing WWTP site. Expected costs to purchase land for a relocated plant, to decommission the existing plant and to restore ~~and repurpose~~ the site, to upgrade any relocated wastewater treatment functions to include water recycling (including addressing the potential for joint satellite facilities and/or collaborations with nearby communities and wastewater service providers for water recycling) must be included. The Response Plan shall provide a detailed evaluation of whether the use of the WWTP outfall can be eliminated and the outfall removed as part of moving wastewater functions to a more inland location. Any costs associated with new and/or upgraded outfall pipelines, pumps, and/or lift stations deemed necessary (including rerouting of sewer pipes to a relocated plant, etc.) shall also be included. The Response Plan shall include a timeline of potential major relocation events, including expected timeframes for land acquisition, planning, permitting, design, construction and eventual operation of a relocated plant or alternative wastewater treatment solutions that avoid the significant coastal hazards that threaten the existing WWTP. Extension to the ~~five~~three-year deadline for submittal of the Coastal Hazards Response Plan may be granted by the Executive Director for good cause.

4. **Mitigation Plan.** WITHIN ONE YEAR OF THE DATE OF THE APPROVAL OF THIS CDP, PRIOR TO ISSUANCE OF THIS CDP (and in no case later than one year from approval of this CDP (i.e., no later than October xxx, 2019), the Permittee shall submit two copies of a Mitigation Plan to the Executive Director for review and approval. The Mitigation Plan shall clearly provide for the following:

- a. **Additional Riprap.** The placement of additional riprap along the exposed fill areas located between the top of the existing riprap revetment and the existing WWTP perimeter wall to an elevation of approximately 22.5 to 23.0 feet, as shown on **Exhibit 4**. The Plan shall provide for this additional riprap to be installed as soon as possible but in no case later than the beginning of the 2019-2020 winter storm season (i.e., by xxx 2019) and shall describe all aspects of the riprap construction methodology (e.g., rock to be used (which may include rock

that has migrated seaward from the existing revetment); minor changes to the existing revetment if required to account for the placement of the additional rock; machinery to be used; construction staging areas; time and duration of construction; construction access (e.g., from the area of the WWTP itself or from the beach); etc.). Extension to the riprap installation deadline may be granted by the Executive Director for good cause.

- b. Non-Native Plant Removal and Restoration.** 1) The removal of all invasive ice plant and *Myoporum* and other non-native species in the portions of Arroyo del Padre Juan Creek that are in the vicinity of the buried riprap (i.e., in the creek, along the creek bank, and in the creek floodplain, as roughly shown in yellow and green in **Exhibit 9**); and 2) restoration of this area through the planting of appropriate native vegetation designed to increase the biological productivity and native species richness of the creek environment. The Permittee shall provide plans and photos of the project area for where the removal and restoration shall occur, and a timeline for when this work shall occur. Other requisite plan elements include a description of the methods of non-native plant removal and restoration planting, identification of an appropriate reference site and sampling scheme for derivation of the restoration plant palette, as well as a description of the source of plant materials to be used in the restoration, and a list of specific, measurable performance criteria to be achieved. Regular monitoring and provisions for remedial action to occur over the continued life of the Approved Project (such as replanting as necessary based on a failure to achieve performance criteria) shall be identified to ensure restoration success, as well as a timeline for reporting monitoring findings to the Executive Director. The Plan shall provide for this restoration being completed according to the provisions of the approved Mitigation Plan within two years of the approval of this CDP (i.e., by October xxx, 2020). Extension to the restoration deadline may be granted by the Executive Director for good cause.

- c. Public Access – Dedication of the former WWTP Site.** The Permittee shall remove the Approved Project in its entirety and; restore the affected bluff and creek areas to their pre-development condition or better; within three years of removal of the Approved Project. Prior to initiating removal of the WWTP and resultant restoration activities, the Permittee shall submit a plan for same to the Coastal Commission for its review and approval. The plan shall include the permanent dedication of the former WWTP property for public recreational use and pedestrian access to the beach from the former WWTP property. ~~**Pedestrian/Bicycle Bridge.** A free span bridge shall be installed to provide continuous 24-hour pedestrian and bicycle access from the end of Balboa Avenue~~

~~to the existing public access trail near the end of San Simeon Avenue. The bridge shall be a minimum of 10 feet wide, shall utilize a consistent and uniform design that seamlessly integrates into and blends with the surrounding environment as much as possible, and shall integrate all necessary utility crossings below the bridge deck. The bridge shall be sited and designed to be safe from erosion and flood threat for a 100-year storm. No bridge abutments or support piles shall be located within the creek or on the creek banks. All railings shall be minimized and only provided when necessary to protect public safety, and shall be sited and designed in a manner that does not negatively obstruct public coastal views. The Plan shall provide for construction of the bridge and installation all related signage according to the provisions of the approved Mitigation Plan within five years of approval of this CDP (i.e. by October xxx, 2023). The free span bridge may be in conformity with the District's previously planned conceptual bridge designs as shown in Exhibit 11 but it does not have to be, as long as it is in conformity with the parameters in this condition. Extension to the bridge installation deadline may be granted by the Executive Director for good cause. The Plan shall also provide for the following:~~

**i. Signage.** Public access informational and directional signage shall be installed at appropriate locations [at the former WWTP site](#). The signs shall be designed so as to provide clear information without impacting public views and site character. At a minimum, at least one public access sign shall be located ~~at either end of the bridge and~~ near the ends of San Simeon and Balboa Avenues. Sign details showing the location, materials, design, and text of all public access signs shall be provided. Signs shall include the California Coastal Trail and California Coastal Commission emblems and recognition of the Coastal Commission's role in providing public access at this location.

~~**ii. Repair and Maintenance.** The bridge and all related signs and improvements shall be repaired and maintained in their approved state to provide continued function and public utility in perpetuity. The Plan shall clearly provide for this requirement, including a schedule for ongoing inspection, and provisions for repair and maintenance as needed, subject to Executive Director approval.~~

~~**a. License Agreement or Easement.** The Permittee shall provide written evidence that one of the following options has been implemented prior to issuance of the CDP:~~

~~**b. Option 1: License Agreement.** The Permittee shall provide written evidence that the Permittee and Cavalier Acres, Inc. (i.e., the owner of the property where the pedestrian/bicycle bridge will at least be partially constructed) have entered into an agreement with the Executive Director in the form of an irrevocable license that provides for the construction, maintenance, and general public access and use of the pedestrian/bicycle bridge over Arroyo del Juan Padre Creek and the installation of associated public access signage (as described in **Special Conditions 4(c), 4(c)(1) and 4(c)(2)**) pursuant to the terms and conditions of this CDP. The irrevocable license shall be at least ten feet wide (and at least wide enough to accommodate all of the required bridge and related access features) and shall extend from the end of San Simeon Drive on the upcoast side of the creek to the end of Balboa Avenue on the downcoast side of the creek, including the area of the pedestrian/bicycle bridge over Arroyo del Juan Padre Creek and related public access signage (as described in **Special Conditions 4(c), 4(c)(1) and 4(c)(2)**). The license agreement shall provide that the public has a right of access to and across the bridge from the end of San Simeon Drive on the upcoast side of the creek, and from the end of Balboa Avenue on the downcoast side of the creek. The license agreement shall include an acknowledgement that the Permittee shall repair and maintain the approved bridge and all related signs and improvements in their approved state to provide continued function and public utility in perpetuity (as described in **Special Condition 4(c)(2)**). No development, as defined in Section 30106 of the Coastal Act, shall occur within the license area except for a public access trail, bridge, sign and related development, and habitat restoration in accordance with **Special Condition 4b**. The recorded document shall include a legal description and corresponding graphic depiction of the legal parcels within which the license is located, and a metes and bounds legal description and a corresponding graphic depiction, drawn to scale, of the perimeter of the license area prepared by a licensed surveyor based on an on-site inspection of the license area. The license agreement shall be drafted to run with the land, binding any successor owner of the Cavalier Acres, Inc. property; must be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed; must include a provision requiring Cavalier Acres, Inc. to disclose the existence of the agreement to any prospective successor; must be acceptable to the Executive Director in form and content; must provide the Commission a right to enforce the license agreement; and must have the Permittee's and Cavalier Acres, Inc. representative's signatures notarized.~~

~~**e. Option 2: Easement.** The Permittee shall provide written evidence that Cavalier Acres, Inc. has executed and recorded a document in a form and content acceptable to the Executive Director, dedicating to the San Simeon Community Services District a public access easement for public access and recreational uses in perpetuity. The easement shall be at least ten feet wide (and at least wide enough to accommodate all of the required bridge and related access features) and shall extend from the end of San Simeon Drive on the upcoast side of the creek to the end of Balboa Avenue on the downcoast side of the creek, including the area of the pedestrian/bicycle bridge over Arroyo del Juan Padre Creek and related public access signage (as described in **Special Conditions 4(c), 4(c)(1) and 4(c)(2)**). The purpose of the easement shall be to provide general public access across the bridge and between the two street ends. No development, as defined in Section 30106 of the Coastal Act, shall occur within the easement area except for a public access~~

~~trail, bridge, sign and related development, and habitat restoration in accordance with **Special Condition 4b**. The recorded document shall include a legal description and corresponding graphic depiction of the legal parcels within which the easement is located, and a metes and bounds legal description and a corresponding graphic depiction, drawn to scale, of the perimeter of the easement area prepared by a licensed surveyor based on an on-site inspection of the easement area. The easement shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed. The document shall provide that the easement shall not be used or construed to allow anyone to interfere with any rights of public access acquired through use which may exist on the property. The easement shall run with the land in favor of the People of the State of California, binding successors and assigns of the Permittee and Cavalier Acres, Inc. in perpetuity.~~

- d. The Permittee shall undertake development, mitigation or restoration in accordance with this condition and the approved Mitigation Plan. All requirements above and all requirements of the approved Mitigation Plan shall be enforceable components of this CDP. Minor adjustments to the above requirements, as well as to the Executive Director-approved Plan, which do not require a CDP amendment or new CDP (as determined by the Executive Director) may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.

5. **Riprap Revetment, Monitoring, Repair and Maintenance.** The Permittee shall ensure that the condition and performance of the approved riprap revetment fronting the WWTP is regularly monitored, including that the revetment and all related components, including the pipe support structure and abutments, must be regularly monitored by a licensed civil engineer with experience in coastal structures and processes. Such monitoring evaluation shall at a minimum address whether any significant weathering or damage has occurred that would adversely impact future performance, and identify any structural damage requiring repair to maintain the approved as-built project in its approved and/or required state for the duration of the authorization. A monitoring report prepared by a licensed civil engineer with experience in coastal structures and processes, and covering the above-described evaluations, shall be submitted to the Executive Director for review and approval every five years from the date of approval (i.e., by October xxx, 2023, October xxx, 2028, and October xxx, 2033, respectively; and additional five-year terms should the expiration date of this CDP be extended by the Commission). The monitoring report shall provide for evaluation of the condition and performance of the revetment, and shall recommend any necessary maintenance, repair, changes or modifications. This CDP authorizes revetment repair and maintenance as described in this special condition. The Permittee acknowledges and agrees to: (a) maintain the approved revetment and all related development, including the pipe support structure and abutments, in a structurally

sound manner and in their approved states; (b) retrieve and restack any portion of the permitted revetment or related improvements that might otherwise substantially impair beach access and recreation; and (c) annually or more often inspect the revetment and related development for signs of failure and/or displaced riprap. Any such maintenance-oriented development associated with the approved riprap revetment and related development shall be subject to the following:

- a. Repair and Maintenance.** “Repair” and “Maintenance,” as it is understood in this special condition, means development that would otherwise require a CDP whose purpose is to repair and/or maintain the overall permitted riprap revetment, and related development, in its approved configuration, including retrieval of any riprap that may be displaced from the approved configuration.
- b. Other Agency Approvals.** The Permittee acknowledges that this repair and maintenance condition does not obviate the need to obtain authorizations from other agencies for any future maintenance and/or repair episodes.
- c. Repair and Maintenance Notification.** At least 30 days prior to commencing any repair and/or maintenance event, the Permittee shall notify, in writing, planning staff of the Coastal Commission’s Central Coast District Office. The notification shall include: a detailed description of the repair and/or maintenance event proposed; any plans, engineering and/or geology reports describing the event; a construction plan that complies with all aspects of the approved construction plan (see **Special Condition 8**); identification of a construction manager and his/her contact information (i.e., email, phone numbers, etc.) as described below (see **Special Condition 8(e)**); other agency authorizations; and any other supporting documentation (as necessary) describing the repair and/or maintenance event. The repair and/or maintenance event shall not commence until and unless the Permittee has been informed by planning staff of the Coastal Commission’s Central Coast District Office that the repair and/or maintenance event complies with this CDP. If the Permittee has not been given a verbal response or sent a written response within 30 days of the notification being received in the Central Coast District Office, the repair and/or maintenance event shall be authorized as if planning staff affirmatively indicated that the event complies with this CDP. The notification shall clearly indicate that the repair and/or maintenance event is proposed pursuant to this CDP, and that the lack of a response to the notification within 30 days constitutes approval of it as specified in the CDP. Absence of such description in the notification shall negate the automatic approval provisions of this condition.

- d. **Emergency.** In the event of an emergency requiring immediate maintenance, the notification of such an emergency episode shall be made as soon as possible, and shall (in addition to the foregoing information) clearly describe the nature of the emergency. Nothing in this condition shall serve to waive any Permittee rights that may exist in cases of emergency pursuant to Coastal Act Section 30611, Coastal Act Section 30624, and Subchapter 4 of Chapter 5 of Title 14, Division 5.5, of the California Code of Regulations (Permits for Approval of Emergency Work).
  - e. **Non-compliance Proviso.** If the Permittee is not in compliance with any of the conditions of this CDP, or is in violation of the permitting requirements of the Coastal Act otherwise related to the WWTP site, at the time that a repair and/or maintenance event is proposed, then the repair and/or maintenance event that might otherwise be allowed by the terms of this future repair and maintenance condition may not be allowed by this condition, subject to determination by the Executive Director. Any proposed repair and/or maintenance event that planning staff of the Coastal Commission's Central Coast District Office does not determine to be in compliance with this CDP shall require a CDP amendment or a new CDP.
  - f. **Duration and Scope of Covered Revetment Repair and Maintenance.** Future revetment repair and maintenance under this CDP is allowed subject to the above terms throughout the duration of the authorization (see **Special Condition 2**). The Permittee shall maintain the approved revetment and other related development in their approved state during the period of authorization.
6. **Ocean Outfall Substrate Mitigation Fee.** WITHIN SIX MONTHS OF THE DATE OF THE APPROVAL OF THIS CDP (i.e., no later than April xxx, 2019), the Permittee shall compensate for ocean substrate habitat impacts through payment of a \$3,141.43 mitigation fee to the [Regents of the University of California on behalf of the UC Davis Wildlife Health Center](#). The mitigation fee shall be used by the SeaDoc Society, a marine ecosystem health program of the UC Davis Wildlife Health Center, to remove lost fishing gear offshore of the central coast of California as part of its "California Lost Fishing Gear Recovery Project" in accordance with the terms and conditions of a Memorandum of Agreement (Agreement) (see draft of Agreement in **Exhibit 16**) between the California Coastal Commission and the Regents of the University of California on behalf of the Wildlife Health Center. If the Executive Director determines that the UC Davis Wildlife Health Center is not carrying out the ocean substrate impact mitigation project in accordance with the terms and conditions of the Agreement, the Executive Director shall require



~~transfer of any mitigation fee funds remaining at the time of such determination to an alternative entity to implement an alternative ocean substrate mitigation project acceptable to the Executive Director.~~

7. **Outfall Integrity Assessment Plan.** WITHIN SIX MONTHS OF THE DATE OF THE APPROVAL OF THIS CDP (i.e., no later than April xxx, 2019), the Permittee shall submit two copies of the outfall integrity assessment required by the California State Plans Commission an Outfall Integrity Assessment Plan to the Executive Director for review and approval. The Assessment Plan shall include a procedure for undertaking a complete inspection of the existing outfall line from the WWTP connection point to the line's termination point in the ocean to assess whether the outfall is leaking or is in danger of leaking or any type of failure. The Permittee shall undertake the outfall line assessment consistent with the approved Assessment Plan. If the assessment shows that the outfall line is leaking, or that the diffusers are not functioning as designed, or that portions of the outfall are at risk of failing, the Permittee shall submit a complete CDP amendment request within 30 days to address the compromised condition of the outfall line.
  
8. **Construction Plan.** PRIOR TO ANY CONSTRUCTION ASSOCIATED WITH THE APPROVED MITIGATION PLAN ~~DESCRIBED IN SPECIAL CONDITION 4(e)~~ **ABOVE**, the Permittee shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:
  - a. **Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities and/or staging are to take place shall be minimized to the fullest extent feasible in order to have the least impact on public access, beach and creek habitat, and ocean resources, including by using inland areas for staging and storing construction equipment and materials as feasible.
  
  - b. **Construction Methods.** The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from public recreational use and habitat areas (including using unobtrusive fencing or equivalent measures to delineate construction areas), and including verification that equipment operation and equipment and material storage will not significantly degrade public views during construction to the maximum extent feasible.

- c. Construction BMPs.** The Construction Plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including at a minimum the following: (1) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to the ocean; (2) equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bluff edge, and all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; (3) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including covering exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and (4) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day.
- d. Construction Site Documents.** The Construction Plan shall provide that copies of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- e. Construction Manager.** The Construction Plan shall provide that a construction manager be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that the construction manager's contact information (i.e., address, phone numbers, email, etc.) including, at a minimum, a telephone number and email that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas (while minimizing public view impacts), along with indication that the construction manager should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction manager shall record the name and contact information (i.e., address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. All complaints

and inquiries shall be documented, including any actions taken by the construction manager in response, and shall be provided to the Executive Director at least monthly during all construction.

9. **Assumption of Risk, Waiver of Liability, and Indemnity Agreement.** By acceptance of this CDP, the Permittee acknowledges and agrees on behalf of itself and all successors and assigns:
- a. **Coastal Hazards.** That the site is subject to ~~extreme~~ coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunami, coastal flooding, landslides, bluff and geologic instability, and the interaction of same;
  - b. **Assume Risks.** To assume the risks to the Permittee and the property that is the subject of this CDP of injury and damage from such hazards in connection with this permitted development;
  - ~~c. **30235 Waiver.** To waive any rights that the Permittee may have under Coastal Act Section 30235, the San Luis Obispo County LCP, or other applicable laws, to shoreline armoring beyond what is recognized in this CDP to protect the existing WWTP and development authorized by this CDP for the limited duration of 20 years;~~
  - d. **Waive Liability.** To unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards;
  - e. **Indemnification.** To indemnify and hold harmless the Coastal Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and,
  - f. **Property Owner Responsible.** That any adverse effects to property caused by the Approved Project shall be fully the responsibility of the property owner.
10. **Future Development.** Any and all future proposed development at and/or directly related to the WWTP site and/or this CDP shall be processed through a CDP amendment, ~~by the Coastal Commission subject to the Coastal Act~~ if required under the Coastal Act and the applicable Local Coastal Program.
11. **Liability for Costs and Attorneys' Fees.** The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and/or (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission and/or its officers, employees, agents, successors and assigns challenging the approval or issuance of this CDP, the interpretation and/or enforcement of the CDP conditions, or any other matter related to this CDP. The Permittee shall reimburse the Coastal Commission within 60 days of

being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission and/or its officers, employees, agents, successors and assigns.