

CALIFORNIA COASTAL COMMISSION

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July 17, 2014

Mike Wulkan, Hearing Officer
County of San Luis Obispo
Department of Planning and Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040

Subject: Pending New Development in Cambria; Phil and Julie Fox DRC2012-00091

Dear Mr. Wulkan,

We understand that the San Luis Obispo County is reviewing Phil and Julie Fox's coastal development permit application for a proposed single-family residence within the community of Cambria. As you are well aware, the community of Cambria is currently experiencing exceptional challenges regarding its water supply. On January 30, 2014, the Cambria Community Services District (CCSD) Board of Directors declared a Stage 3 Water Shortage Condition Emergency, and has implemented mandatory water measures and restrictions.¹ In adopting the Stage 3 resolution, the Board found that the community's "available water supply may be insufficient to meet demand," based on the water levels of the San Simeon and Santa Rosa Creeks aquifers.² According to the CCSD, the lack of "rainfall this year has been too little to fully replenish [the Creeks'] upstream sources, which were already under stress from two previous years," and the rainfall in the first quarter of 2014, "did not reach levels to ensure the aquifers will have adequate water throughout the remainder of the dry season."³ Indeed, the CCSD has estimated that Cambria could run out of water by mid-October.⁴

In light of this reality, it cannot be reasonably concluded that any new development requiring water in Cambria, including the so-called "pipeline projects," is consistent with the County's certified-Local Coastal Program (LCP) policies prohibiting the issuance of a coastal development permit for new development unless there is adequate water capacity available to serve the proposed development.⁵ In general, the County and the Commission have allowed "pipeline projects" so long as they verified water demand offsets to ensure no additional water withdrawals from the Creeks. The County has defined "pipeline projects" as development that had water commitments as of the CCSD Board of Directors' Water Code 350 emergency declaration on November 15, 2001, and that the County had accepted an application for processing. Here, it is unclear whether the proposed project meets that definition because it did

¹ CCSD Board of Directors, Resolution No. 04-2014, January 30, 2014

² Id.

³ 'Cambria's Emergency Water Supply Project: Questions and Answers';

⁴ CCSD Press Release, 2/12/14 ("prospect of Cambria running out of water within the next three to six months...")

⁵ Coastal Zone Land Use Ordinance (CZLUO) § 23.04.40; Coastal Plan Policies Public Works Policy 1

not have an application accepted by the County at the time of the deadline, rather it acquired the water credits via transfer. Nonetheless, it cannot reasonably be concluded that Cambria's water supply currently has adequate capacity available to serve the proposed development, regardless of its "pipeline" status.

Offsetting "pipeline projects" may have been approved when Cambria's water was scarce, but never have been approved during such dire conditions, in which, as the CCSD has put it, "the community stands a real chance of literally running out of water, forcing Cambrians to shut businesses and possibly even leave homes."⁶ Moreover, as provided in the LCP's background text, "one consequence of building regulations and retrofit programs that require low water-use plumbing fixtures is that a community's ability to respond to a drought becomes somewhat diminished. This is certainly true in Cambria, where more efficient water use and significant number of additional dwelling combine to raise concerns about the community's ability to respond adequately to droughts."⁷ Indeed, despite the community's significant conservation efforts, the CCSD, in explaining the need for an emergency water project, has stated that "Cambrians can cut back only so far before reductions in water use lead to health hazards and force businesses to shut down."⁸ Optimistically, Cambria will acquire a new water supply that is LCP-consistent to avoid such drastic consequences, but substantial uncertainty persists regarding whether such an adequate supply can be obtained in time, if at all. If not, the CCSD has stated "it will have to truck water in."⁹ In short, offsetting demand will not change the fact that Cambria's water is in severely critical condition.

In addition, numerous studies now available indicate significant adverse impacts to the Santa Rosa and San Simeon Creek watersheds, including its sensitive riparian habitat, as well as protecting the groundwater aquifers from such realistic threats as subsidence and seawater intrusion. Cambrians are already feeling the impacts of the current water shortage, and have made significant sacrifices to conform that "the enhanced water conservation use restrictions are necessary and appropriate in order to protect the health, safety, and welfare of the community."¹⁰ With such critical consequences looming in the nearby future, all reasonable measures to protect the community's health and the significant coastal resources must be taken. Until this critical situation is alleviated, it cannot reasonably be said that Cambria has adequate water to serve the development as required by the LCP. If you have any questions about this letter with regards our comments, please contact me at (831) 427 4864 or adrian.kamada@coastal.ca.gov.

Respectfully,



Adrian Kamada

⁶ See ft. nt. 3.

⁷ North Coast Area Plan (NCAP) at p. 3-14.

⁸ See ft. nt. 3

⁹ Id.

¹⁰ See ft nt. 1 at p. 2.

Coastal Program Analyst, Central Coast District.