

**JOINT MEETING
CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT
WASTEWATER TREATMENT PLANT
(UNDER JOINT POWERS AGREEMENT)**

Cayucos Sanitary District Board of Directors:

Robert Enns, President
Harold Fones, Vice-President
Shirley Lyon, Director
Michael Foster, Director
Dan Chivens, Director

City of Morro Bay City Council:

William Yates, Mayor
Noah Smukler, Vice-Mayor
Carla Borchard, Councilmember
Nancy Johnson, Councilmember
George Leage, Councilmember

AGENDA

MEETING DATE:

6:00 p.m., Thursday, February 10, 2011

MEETING PLACE:

Cayucos Veterans Hall
10 Cayucos Drive
Cayucos CA 93430

HOSTED BY:

Cayucos Sanitary District

CALL TO ORDER AND ROLL CALL

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the governing bodies on Morro Bay-Cayucos Wastewater Treatment Plant (WWTP) business matters may do so at this time. By the conditions of the Brown Act, the governing bodies may not discuss issues not on the agenda, but may set items for future agendas. When recognized by the Chair, please come forward to the podium and state your name and address for the record. Comments should be limited to three minutes. All remarks shall be addressed to the governing bodies, as a whole, and not to any individual member thereof. This governing body requests that you refrain from making slanderous, profane, or personal remarks. Please refrain from public displays or outburst such as unsolicited applause, comments, or cheering. Any disruptive activity that substantially interferes with the ability of this governing body to carry out its meeting will not be permitted and offenders will be requested to leave the meeting. Your participation in JPA meetings is welcome and your courtesy will be appreciated.

A. CONSENT CALENDAR

1. Minutes of January 13, 2011 JPA Meeting – Recommend approve.
2. WWTP Operations Report through December, 2010 – Recommend receive and file

B. OLD BUSINESS

1. Status Report on Upgrade Project as of February 2, 2011– Recommend receive and provide direction to staff

C. NEW BUSINESS

1. Discussion and Consideration to Hire an Advocacy Consultant to Assist with California Coastal Commission Appeal
2. Discussion and Consideration to Request Proposals from MWH and Carollo Engineers for Strategies to Achieve Full Secondary Treatment at the WWTP
3. Discussion and Consideration of Waiving the California Coastal Commission “49 Day” Hearing Requirement Due to the Appeal of the Local Coastal Permit for the WWTP

ADJOURNMENT - (Next meeting will be hosted by the City of Morro Bay)

Copies of staff reports and other public documentation relating to each item of business for this meeting are available for inspection at Morro Bay City Hall at 595 Harbor Street and the Cayucos Sanitary District at 200 Ash Ave. A copy of this packet is available from the City of Morro Bay for copying at Mills Copy Center and from the Cayucos Sanitary District for a copy and duplication charge. Any person having questions regarding any agenda items may contact Bruce Keogh, Wastewater Division Manager (City of Morro Bay) at 772-6261 or Bill Callahan, District Manager (Cayucos Sanitary District) at 995-3290. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Services' Administrative Technician at (805) 772-6261, or the Cayucos Sanitary District at (805) 995-3290. Notification 24 hours prior to the meeting will enable the City and District to make reasonable arrangements to ensure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the Morro Bay/Cayucos Wastewater Treatment Plant Joint Powers Authority after distribution of the agenda packet are available for public inspection at; Public Services Office at 955 Shasta Avenue, Morro Bay, CA 93442; Morro Bay Library at 625 Harbor Street, Morro Bay, Ca 93442; Mills/ASAP Reprographics at 495 Morro Bay Boulevard, Morro Bay, CA 93442 during normal business hours.

AGENDA ITEM: _____ A-1 _____

DATE: _____ February 10, 2011 _____

ACTION: _____

**JOINT MEETING
CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT
WASTEWATER TREATMENT PLANT
(UNDER JOINT POWERS AGREEMENT)**

MINUTES

**CAYUCOS SANITARY DISTRICT
BOARD OF DIRECTORS:**

Robert Enns, President
R.H. Bud McHale, Vice-President
Harold Fones, Director
Michael Foster, Director
Shirley Lyon, Director

**CITY OF MORRO BAY CITY COUNCIL
MEMBERS:**

William Yates, Mayor
Noah Smukler, Vice-Mayor
Carla Borchard, Councilmember
George Leage, Councilmember
Nancy Johnson, Councilmember

MEETING DATE:

3:00 p.m., Thursday, January 13, 2011

HOSTED BY:

City of Morro Bay

MEETING PLACE:

Multi-Purpose Room
Community Center
1001 Kennedy Way
Morro Bay, CA 93442

CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order at 3:09 p.m. and asked that the record show all Council members are present. Hal Fones stated he is President Pro-tem for this meeting due to the absence of President Enns and Vice-President McHale and stated all other members of the Cayucos Board are present.

Morro Bay Staff members present were Rob Livick, Andrea Lueker, Rob Schultz, Dylan Wade, and Cindy Jacinth. Also present was JPA WWTP Project Manager Dennis Delzeit

Cayucos Staff members present were Bill Callahan and District Counsel Tim Carmel.

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the governing bodies on Morro Bay-Cayucos Wastewater Treatment Plant (WWTP) business matters may do so at this time. By the conditions of the Brown Act, the governing bodies may not discuss issues not on the agenda, but may set items for future agendas. When recognized by the Chair, please come forward to the podium and state your name and address for the record. Comments should be limited to three minutes.

Mayor Yates opened Public Comment and hearing no comment, Mayor Yates closed Public Comment.

A. CONSENT CALENDAR

1 Minutes of November 18, 2010 JPA Meeting – Recommend approve.

Foster asked for clarification on page 2 of 5 regarding the discussion of the Draft Environmental Impact Report (DEIR) and stated he has no recollection of comments made regarding consultant cost changes.

Livick clarified this was discussed at the meeting and stated the scope was based on the direction of the Board and if there was a change in scope, that would not be included.

Mayor Yates opened Public Comment for A1:

- Richard Margetson, resident of Cayucos, asked that page 3 of the minutes be corrected to reflect his residency is Cayucos, not Morro Bay. Mr. Margetson also asked when the formal decision for changing public comment policy will be made. Mayor Yates responded the public comment policy is to remain consistent with Cayucos which will be to have public comment on each item.
- Alex Beatty, resident of Morro Bay, noted the meeting is in violation of the Americans with Disability Act due to the lack of assistive listening devices available. Mr. Beatty explained that at the last City Council meeting many persons were there in support of the Planning Commission and urged the Board to ask the City staff to stop “digging” and questioned why the Cayucos Sanitary District gave up their decision-making role in the process.

Mayor Yates closed Public Comment.

Mayor Yates asked City Attorney Rob Schultz to clarify if a formal decision is necessary to approve Public Comment period. Schultz responded his understanding is that it was agreed at the last meeting to have Public Comment period after each item as Cayucos does and no formal action is necessary.

MORRO BAY MOTION: Borchard made a motion to approve Consent Calendar Item A1 as corrected. Smukler seconded and the motion passed unanimously (5-0).

CAYUCOS MOTION: Lyon made a motion to approve Consent Calendar Item A1 as corrected. Foster seconded and the motion passed unanimously (3-0).

B. OLD BUSINESS

1 Status Report on Upgrade Project as of December 31, 2010 – Recommend receive and provide direction to staff.

Dennis Delzeit gave a status report discussing the milestone schedule of activities for the upgrade project noting that the City Council certified the EIR and approved the Conditional Use Permit and Coastal Development Permit. Delzeit commented that the WWTP Upgrade project will likely receive an appeal to the Coastal Commission which would delay the project and clarified the fine schedule for delays in the project.

Smukler asked Delzeit to clarify the geotechnical report and also the timeline with regards to the Coastal Commission and the Regional Water Quality Control Board.

Delzeit clarified the work yet to be done regarding the geotechnical work from Fugro. Livick clarified the timeline steps and appeals process for the Coastal Commission.

Mayor Yates opened Public Comment for this item and hearing no comment, Yates closed Public Comment.

Discussion continued between Councilmember Smukler, Livick and Schultz regarding the hearing schedule and the 49 day appeal period.

MORRO BAY MOTION: Borchard made a motion to approve the Status Report. Smukler seconded and the motion passed unanimously (5-0).

CAYUCOS MOTION: Lyon made a motion to approve the Status Report. Foster seconded and the motion passed unanimously (3-0).

C. NEW BUSINESS

1 Schedule Next Joint Meeting and Agenda Items

Board members determined the next JPA meeting will be 6:00 p.m. on February 10th, 2011 in Cayucos.

ADJOURNMENT

Mayor Yates adjourned the meeting at 3:35 p.m.

Minutes Recorded by:

Cindy Jacinth, Morro Bay Public Services Dept.

Agenda No. _____

Date: February 10, 2011

STAFF REPORT

**MORRO BAY-CAYUCOS J.P.A.
WASTEWATER TREATMENT PLANT**

to: Honorable Mayor and City Council, City of Morro Bay
Honorable President and Board of Directors, Cayucos Sanitary District

from: Bruce Keogh, Wastewater Division Manager

date: February 3, 2011

subject: WWTP Operations Report through December, 2010

recommendation:

This Department recommends this report be received and filed.

fiscal impact:

None

summary:

Attached, find copies of the Morro Bay-Cayucos Wastewater Treatment Plant monthly reports, from October 2010 to December 2010 and the WWTP flow summary, through December 2010. This information updates the item, from the November 18, 2010 meeting.

The City of Morro Bay-Cayucos Wastewater Treatment Plant

MONTHLY OPERATIONS SUMMARY **OCTOBER 2010**

Flow for the month of October averaged 1.037 Million Gallons per Day (MGD). Removal of suspended solids ranged from 91.8 % to 96.2 % for the month, with an average removal of 94.6 % for the month. BOD removal ranged from 88.1 % to 91.8 % for the month, with an average removal of 90.0 % for the month. Rainfall for the month was 0.54 inches. For the month of October, the plant was in compliance with the discharge and receiving-water limitations specified in the NPDES discharge permit. Other than normal operations and maintenance, the following items are noteworthy:

City and District staff continued to work with staff from MWH on the design process for the plant upgrade project and ESA for the environmental review and permitting process. On September 20, the draft Environmental Impact Report (dEIR) for the upgrade project was released for review and public comment. The comment period for the dEIR closes on November 4, 2010, and all written comments should be sent to Mr. Rob Livick the Public Services Director for the City of Morro Bay. The City and District held public meetings on October 4, 14, and 28 to receive public comments regarding the scope, content, and analysis provided in the dEIR.

On October 28, City and District staff, and staff from ESA met with representatives of the Northern Chumash Tribal Counsel to discuss cultural resource issues associated with the proposed upgrade project.

On October 7, PERC Water notified the City and District that they will no longer continue their efforts on the wastewater upgrade project. In an email to the City and District they stated, "Based on our recent receipt and review of the MBCSD's existing contract, the lack of cooperation of City staff and the current draft EIR does not contemplate the PERC Water solution, at the direction of our attorneys we will no longer continue our efforts on the wastewater project and will not be presenting our draft CDR on October 14, 2010."

On October 6, Mr. Ralph Pettifer of Ponton Industries Inc., calibrated the influent flow meter located in the metering manhole on the thirty-inch influent trunk line at the plant. Mr. Pettifer provided plant staff with a Certificate of Calibration. To calibrate the meter, staff plugged the thirty-inch influent trunk line upstream of the twenty-seven inch Palmer-Bowlus flume to calibrate the meter to a zero flow set point. Mr. Pettifer also confirmed the programming set up and verified calibration of the Toshiba electromagnetic flow meters for the primary sludge pumping line to the digesters and the Return Activated Sludge pumping line to the solids contact channel. Mr. Pettifer also confirmed the programming set up and verified calibration of the Thermo DCT6088 Transit Time Ultrasonic Flow meter used to calculate flow to the secondary clarifier.

On October 11, Carson Porter Diving installed new spar buoys and associated ground tackle used to mark the diffuser end of the ocean outfall. Staff from Carson Porter Diving had removed the existing spar boys and ground tackle during their annual inspection of the outfall on September 20.

On October 27, staff from the plant and Case-Cotter installed new biofilter distributor arms on biofilter #1. Staff shut down the biofilter at 1000 hours and completed the installation and had flow returned to the biofilter by 1200 hours. While the biofilter was off-line, plant staff kept the biofilter medium moist in an attempt to minimize damage to the zooglear mass on the rocks within the biofilter.

On October 28, staff discovered and made preparations for removing one of the two sump pumps located in the lower headworks pump room. The pump will be sent to Perry's Motors for inspection and repair.

On October 31, staff discovered that the variable frequency drive (VFD) for main influent pump #3 had kicked out due to an overload of the # 3 pump motor. They also discovered that influent pumps #2 and #3 had unacceptable levels of vibrations and both pumps were shut down. In addition, they discovered that the grinder unit on the muffin monster and the composite effluent sampler were not operational. Staff called out staff from Harbor Electric, Alpha Electric, and Perry's Motors to assist in solving the noted problems. They determined that the incoming power from PG&E had inconsistent voltage, generally low voltage but with spikes of 500 volts. The inconsistent power could cause the problems noted with the multiple pieces of equipment. They were able to get influent pumps #2 and #3 and the grinder unit back on-line and operational. Staff is working with the manufacturer of the composite sampler to correct the issues associated with the sampler. In the interim, staff placed a spare sampler on-line for collecting twenty-four hour composite effluent samples. Plant staff has contacted PG&E to notify them of the problem and to work with them to solve any incoming power issues.

On October 20, staff from Perrys Motors installed a new motor on biofilter pump M4502.

On October 13, staff installed a new motor, motor stand, sheaves, and belts on the digester sludge recirculation pump for digester #3.

On October 7, staff installed earthquake straps on the for the ferrous chloride and sodium bisulfite chemical storage tanks.

On October 14, staff received a new screening unit for the Muffin Monster located in the main influent channel. Staff is making preparations for the installation of the new screening unit.

On October 1, staff performed repairs to the discharge piping for the grit pumps located at the aerated grit chamber.

On October 23, plant staff was notified by the City of Morro Bay's collections crew that there was a leak in the supply piping to the chemical dosing pump used to pump ferrous chloride at Lift Station #2. Approximately 400 gallons of ferrous drained into the lift station as a result of the leak. No operational issues were noted as a result of the leak.

On October 31, staff was on-site when a scheduled power outage occurred at 1015 hours; the power was restored at 1430 hours. PG&E had scheduled and provided advance notice to plant staff of the outage to perform repairs and maintenance on the power lines on Atascadero Road. During the outage the emergency auxiliary generator provided power to the plant.

On October 28, staff was on-site when a power outage occurred at 1030 hours; the power was restored at 1100 hours. During the outage the emergency auxiliary generator provided power to the plant, no operational issues were noted with either the transfer of power to and from the auxiliary generator or with other plant processes.

On October 6, at 0633 hours, staff responded to a high chlorine residual alarm at the plant. Staff made minor adjustments to the dosing pumps and calibrated the chlorine residual analyzers. They performed a detailed inspection and no other problems were noted. Staff noted that the change in the alarm set point for the chlorine residual alarm was effective in prompting a quick response time.

The following reports were submitted to the appropriate agencies:

- The Discharge Monitoring Forms (DMR) for September 2010

The following reports were submitted to the CIWQS electronic reporting system:

- The September 2010 Monthly Monitoring Data
- The Offshore and Monitoring Program Quarterly Report Water Column Sampling August 2010 Survey.

Staff continued the composting process on compost batch #33 and #34. The composting process is expected to take twelve weeks to complete.

On October 12, Mr. Bruce Keogh and Mr. Dave Bierman attended a Confined Space Entry class sponsored by the California Joint Powers Insurance Authority.

On October 10, staff from the City of San Luis Obispo toured the plant and the composting project.

On October 13 and 14, approximately 150 (the entire freshmen class) students from the Integrated Science Class from Morro Bay High School toured the plant. In addition to touring the plant, the students were provided public outreach on *toxoplasma gondii*, best management practices for the proper disposal of cat litter including not flushing cat litter, information on the proper disposal of pharmaceuticals and unused medications, information on the household hazardous waste facility at the plant, collection system dos

and don'ts for the care and well being of the collection system, and an update on the biosolids composting project.

On October 24, Morro Bay City Council member Noah Smuckler and six concerned citizens toured the plant.

During the month of October, two small groups of concerned citizens toured the plant. Their interest appeared to be sparked by the wastewater treatment upgrade project.

The National Estuary Program Volunteer Monitoring Program continued analysis of bacterial samples collected from throughout the watershed in the laboratory at the plant. The volunteers are using space provided in the lab by plant staff.

The permanent household hazardous waste collection facility (PHHWCF) at the plant continued to be well used by the public. Between twenty and fifty participants are using the facility each Saturday.

Bruce Keogh
Wastewater Division Manager
Lab/C/Bruce/Monthlys/October 2010

The City of Morro Bay-Cayucos Wastewater Treatment Plant

MONTHLY OPERATIONS SUMMARY **NOVEMBER 2010**

Flow for the month of November averaged 1.050 Million Gallons per Day (MGD). Removal of suspended solids ranged from 94.2 % to 95.0 % for the month, with an average removal of 94.6 % for the month. BOD removal ranged from 87.1 % to 94.5 % for the month, with an average removal of 90.7 % for the month. Rainfall for the month was 1.86 inches. For the month of November, the plant was in compliance with the discharge and receiving-water limitations specified in the NPDES discharge permit. Other than normal operations and maintenance, the following items are noteworthy:

City and District staff continued to work with staff from MWH on the design process for the plant upgrade project and ESA for the environmental review and permitting process.

On September 20, the draft Environmental Impact Report (dEIR) for the upgrade project was released for review and public comment. The comment period for the dEIR closed on November 4, 2010, and all written comments were submitted to Mr. Rob Livick the Public Services Director for the City of Morro Bay. The City and District held public meetings on October 4, 14, and 28 to receive public comments regarding the scope, content, and analysis provided in the dEIR.

On November 29, staff plugged the thirty-inch influent trunk line so that staff from EDA Surveyors could accurately measure the invert of the thirty inch trunk line with no flow in the pipeline. The surveying is a component of the design process for the plant upgrade.

During the month of November, staff continued to work with various contractors and staff at PG&E to determine the cause of the power incident on October 31 that had resulted in operational issues for the main influent pumps. The steps they took included:

- Staff filed a claim with PG&E for reimbursement of the costs associated with the contractors that were called out during the October 31 incident, as well as reimbursement for any equipment that may have been damaged during the incident.
- Staff from Harbor Electric installed a data logger on the in-coming power supply to the VFD's for the main influent pumps. The data logger monitors both voltage and current draw and will assist in determining if influent power to the VFDs is within range.
- Staff from Alpha Electric installed input line reactors on all three of the VFDs used to control the main influent pumps. The line reactors are designed to protect the VFDs in the event there is a power surge.
- The level control device in the main influent channel was changed from an ultrasonic level controller to an existing bubbler system. The switch was made after it was discovered the response time of the ultrasonic level controller was not fast enough and that it resulted in the VFDs starting and stopping the influent pump motors too often. The bubbler level control system provides a faster response time on the level of the influent channel thus causing the pumps to have a smoother response curve resulting in fewer starts and stops on the pump motors.
- Staff from Alpha Electric also made modifications to the programming for the VFD's in an attempt to fine tune the VFD's response to the control signal from the level controller.

On November 29, staff discovered that primary collector drive #1 was not operational. Staff from Harbor Electric discovered and replaced a burned wire in the local remote switch. The drive is operational and performing as designed.

On October 28, staff discovered and made preparations for removing one of the two sump pumps located in the lower headworks pump room. The pump will be sent to Perry's Motors for inspection and repair.

On November 23, staff installed a new compressor head on instrument air compressor #2.

On November 3, staff drained and inspected primary clarifier #2 for inspection and maintenance. Staff began refilling the clarifier on November 5, at 0800 hours and the clarifier was flowing and operational at 1000 hours. While the clarifier was drained and off-line, plant staff inspected the tanks and the components in the clarifiers, no problems were noted. Staff did remove approximately two yards of rags from the clarifier.

On November 18, staff trained on the headworks emergency bypass pumping procedure. The training included installing the trailer mounted hydraulic pump in the influent channel, and running flex hose to connect the hydraulic pump to bypass piping that feeds the grit chamber. During the exercise, all wastewater entering the plant was pumped through the bypass pump, to simulate a situation where there is a total loss of electrical power within the plant.

On November 5, staff from San Luis County Environmental Health contacted plant staff stating that a concerned citizen had reported a spill from the treatment plant to Morro Creek on November 3. Plant staff notified staff at EHS that the plant had been and continues to run at a high level of operational efficiency and that no spill had occurred at the plant, and that no wastewater was discharged to Morro Creek. The Morro Bay Collections Division also was contacted and they confirmed that no spills had occurred from the Morro Bay collection system.

On November 12, staff from Titan Safety performed the quarterly calibration of the gas monitors located in the headworks.

On November 2, staff from Harbor Electric installed new explosion proof light fixtures in the headworks area. The new lights replaced existing light fixtures that were badly corroded and no longer cost effective to repair.

On November 2, staff from San Luis Powerhouse performed the quarterly maintenance and inspection on the emergency auxiliary generator. No problems were noted during the inspection.

On November 17, Ms. Dora Drexler of the Air Pollution Control District (APCD) toured the plant as part of the annual APCD permit inspection process.

On November 7, at 2030 hours, staff responded to a high water level alarm in the primary clarifiers. Staff opened the blending valve and the situation was corrected. They performed a detailed inspection of the plant and no other problems were noted. The alarm was received during a rain event that resulted in slightly elevated flows to the plant.

On November 27, at 0630 hours, staff responded to a low chlorine residual alarm at the plant. Staff discovered that chlorine analyzer #1 was low on the potassium iodide buffer solution required to buffer the sample for accurate analysis. They also discovered that the small metal chemical siphon tube in the buffering solution container was bent and needed to be replaced.

They refilled the chemical containers and performed a detailed inspection and no other problems were noted. Staff noted that the change in the alarm set point for the chlorine residual alarm was effective in prompting a quick response time.

The twenty-four hour flow total reported for November 5 of 0.662 million gallons, appears to be unusually low. Staff believes that it was due to the fact that the flow total was recorded several hours earlier than usual. When averaged over a three day period from November 4 to November 6, the resulting average flow is 0.98 million gallons which is consistent with historical twenty-four hour flow average flow totals.

The following reports were submitted to the appropriate agencies:

- The Discharge Monitoring Forms (DMR) for October 2010

The following reports were submitted to the CIWQS electronic reporting system:

- The October 2010 Monthly Monitoring Data

Staff continued the composting process on compost batch #34. The composting process is expected to take twelve weeks to complete.

On November 17, Mr. Paul Saldana from the California Integrated Waste Management Board – Permitting and Enforcement Division toured the composting operation at the plant as part of their regularly scheduled quarterly inspection.

On November 10, Mr. Bruce Keogh, Mr. Les Girvin, Mr. John Gunderlock, Mr. Steve Aschenbrenner, Mr. Steve Sibley, Mr. Dave Williams, Mr. George Helms, and Mr. Dave Bierman attended a Lock Out/Tag Out/ Basic Electrical Safety class sponsored by the California Joint Powers Insurance Authority.

The National Estuary Program Volunteer Monitoring Program continued analysis of bacterial samples collected from throughout the watershed in the laboratory at the plant. The volunteers are using space provided in the lab by plant staff.

The permanent household hazardous waste collection facility (PHHWCF) at the plant continued to be well used by the public. Between twenty and fifty participants are using the facility each Saturday.

Bruce Keogh
Wastewater Division Manager
Lab/C/Bruce/Monthlys/November 2010

The City of Morro Bay-Cayucos Wastewater Treatment Plant

MONTHLY OPERATIONS SUMMARY

DECEMBER 2010

Flow for the month of December averaged 1.432 Million Gallons per Day (MGD). Removal of suspended solids ranged from 85.4 % to 94.7 % for the month, with an average removal of 89.0 % for the month. BOD removal ranged from 73.2 % to 83.8 % for the month, with an average removal of 80.0 % for the month. Rainfall for the month was 9.08 inches. For the month of December, the plant was in compliance with the discharge and receiving-water limitations specified in the NPDES discharge permit. Other than normal operations and maintenance, the following items are noteworthy:

City and District staff continued to work with staff from MWH on the design process for the plant upgrade project and ESA for the environmental review and permitting process.

At the December 20, 2010 City of Morro Bay Planning Commission Meeting, the Planning Commission voted to recommend that the Morro Bay City Council deny the Conditional Use Permit (CUP) and the Coastal Development Permit (CDP) and that the Environmental Impact Report (EIR) not be certified. The City Council is scheduled to consider the Planning Commission's recommendations at their January 11, 2011 meeting.

During the month of December, MWH provided technical support to ESA in response to DEIR comment letters; and worked on completion of the surveying, geotechnical report and conceptual floor plan layouts.

On December 7, staff from the City of Morro Bay and the Cayucos Sanitary District met with staff from the Regional Water Quality Control Board to provide an update on the status of the wwtp upgrade project. The discussion included an update on the permitting process for the project, including the potential ramifications to the WWTP Upgrade Conversion Schedule of an appeal of the Coastal Development Permit (CDP) to the California Coastal Commission.

During the month of December, staff continued to work with various contractors and staff at PG&E to determine the cause of the power incident on October 31 that had resulted in operational issues for the main influent pumps. The steps they took included:

- Staff received notice from PG&E that their claim was denied for reimbursement of the costs associated with the contractors that were called out during the October 31 incident, as well as reimbursement for any equipment that may have been damaged during the incident. Staff has contacted PG&E staff for further clarification as to why the claim was denied.
- Staff from Harbor Electric continued to monitor the data logger on the in-coming power supply to the VFD's for the main influent pumps. The data logger monitors both voltage and current draw and will assist in determining if influent power to the VFDs is within range.

On December 3 and 5, 171.4 wet tons (or 130.3 dry metric tons) of biosolids were hauled to McCarthy Farms, Inc., San Joaquin Compost Center in Lost Hills California. The biosolids will be composted and after composting will be used for soil amendment. Plant staff provided a copy of the Residual Biosolids Chemical Analysis conducted in October and Title 22 Certification for Non-hazardous Material prior to hauling.

On December 28, staff from Kones Crane performed the quarterly inspection of the three cranes at the plant. Based on the results of the inspection, staff from Kones will make arrangements to replace the cable, cable guides, and a new pendant chord for the control box.

On December 1, staff discovered and replaced a faulty motor on the bar screen located at the influent channel.

On December 1, staff from Harbor Electric installed new contactors and switches in the Muffin Monster Control Box.

On December 27, staff from North County Backflow Services tested and performed annual inspection and maintenance on the various backflow preventors located throughout the plant. Based on the results of the inspection, they will need to perform repairs on the main four inch backflow for the plant.

On December 22, staff purchased and calibrated a new Industrial Scientific Model M40 hand held atmospheric gas monitor for use during confined space entries.

On December 17, in anticipation of a large rain event forecast for the central coast area, plant staff reviewed and discussed the High Flow/ Flood Response Plan for the plant. Preparations for the storm event included: discussion of high flow operational procedures and strategies; testing and verification of the plant's alarm systems; staff placed the trailer mounted submersible hydraulic pump in a readily accessible area for bypass pumping if required; and ensured that adequate sand was stockpiled for construction of temporary berms in the event the creek floods.

On December 3, at 0620 hours staff from Video Inspection Specialists videoed the first three hundred and fifty (350) feet of the outfall. The inspection started at the air relief structure and proceeded westward across Atascadero Beach until the video camera was no longer able to proceed due to the water level within the pipe. Plant staff stopped flow to the outfall during this time period, so the camera would have maximum visibility during the inspection. Plant staff drained primary clarifier #2 on December 1, and began refilling the clarifier when the video camera was prepared to enter the outfall pipe. All flow into the plant was directed to the clarifier resulting in no discharge to the outfall during the inspection. Staff is currently in the process of reviewing the video and determining the next steps in performing an internal inspection of the outfall.

On December 1, staff drained and inspected primary clarifier #2 for inspection and maintenance. Staff began refilling the clarifier on November 3, at 0620 hours and the clarifier was flowing and operational at 0830 hours. While the clarifier was drained and off-line, plant staff inspected the tanks and the components in the clarifiers, no problems were noted.

On December 3, plant staff adjusted the tie rods used to support the distributor arms on biofilter #2. Per the manufacturer's recommendation, they also replaced the upper breather tubes to reduce a slight pumping motion they had noted with the distributor arms.

On December 5, at 1930 hours, staff responded to a high water level alarm in the primary clarifiers. Staff opened the blending valve and the situation was corrected. They performed a detailed inspection of the plant and no other problems were noted. The alarm was received during a rain event that resulted in slightly elevated flows to the plant.

On December 25, at 1520 hours, staff responded to a high low alarm at the plant. Staff discovered that there appeared to have been a brief power outage, and that the auxiliary emergency generator had run for approximately 0.3 hours. In addition, the VFD for main influent pump #3 had kicked out for unknown reasons. Staff reset the VFD, performed a detailed inspection of the plant and no other problems were noted.

On December 29, at 0130 hours, staff responded to a low chlorine residual alarm at the plant. Staff believes the slightly depressed chlorine residual was due to high flow rates corresponding to a storm event. They adjusted the hypochlorite dosing pumps and performed a detailed inspection and no other problems were noted. Staff noted that the change in the alarm set point for the chlorine residual alarm was effective in prompting a quick response time.

On December 23, plant staff installed a new pilot ignition device and associated parts for the pilot light on the waste gas burner. Per the permit with the Air Pollution Control District (APCD), staff notified staff at APCD of the work performed.

The following reports were submitted to the appropriate agencies:

- The Discharge Monitoring Forms (DMR) for November 2010

The following reports were submitted to the CIWQS electronic reporting system:

- The November 2010 Monthly Monitoring Data

The twenty-four hour flow totals reported for seven dates in December were based on the twenty-four hour flow total recorded on the effluent flow meter that was adjusted downward by 25 % (historically the effluent flow meter over totalized the flow by about 25%) as recommended in the Recommendations Section of the 2002 Annual Report (page 5-8). The errant flow totals recorded on December 18, 19, 20, 22, 25, 28, and 29 were due to the influent flume surcharging during periods of heavy rainfall.

On December 18, the influent flow meter recorded a twenty-four hour flow total of 4.998 million gallons. The effluent meter recorded a twenty-four hour flow total of 4.353 million gallons. The twenty-four hour flow total for December 18, was calculated as: $4.353 \text{ MG} * .75 = 3.265$ million gallons.

On December 19, the influent flow meter recorded a twenty-four hour flow total of 4.392 million gallons. The effluent meter recorded a twenty-four hour flow total of 3.715 million gallons. The twenty-four hour flow total for December 19, was calculated as: $3.715 \text{ MG} * .75 = 2.786$ million gallons.

On December 20, the influent flow meter recorded a twenty-four hour flow total of 2.670 million gallons. The effluent meter recorded a twenty-four hour flow total of 2.685 million gallons. The twenty-four hour flow total for December 20, was calculated as: $2.685 \text{ MG} * .75 = 2.014$ million gallons.

On December 22, the influent flow meter recorded a twenty-four hour flow total of 3.259 million gallons. The effluent meter recorded a twenty-four hour flow total of 2.496 million gallons. The twenty-four hour flow total for December 22, was calculated as: $2.496 \text{ MG} * .75 = 1.872$ million gallons.

On December 25, the influent flow meter recorded a twenty-four hour flow total of 2.669 million gallons. The effluent meter recorded a twenty-four hour flow total of 2.617 million gallons. The twenty-four hour flow total for December 25, was calculated as: $2.617 \text{ MG} * .75 = 1.963$ million gallons.

On December 28, the influent flow meter recorded a twenty-four hour flow total of 2.823 million gallons. The effluent meter recorded a twenty-four hour flow total of 2.800

million gallons. The twenty-four hour flow total for December 28, was calculated as: 2.800 MG * .75 = 2.100 million gallons.

On December 29, the influent flow meter recorded a twenty-four hour flow total of 2.541 million gallons. The effluent meter recorded a twenty-four hour flow total of 2.590 million gallons. The twenty-four hour flow total for December 29, was calculated as: 2.590 MG * .75 = 1.943 million gallons.

Staff continued the composting process on compost batch #34. The composting process is expected to take twelve weeks to complete.

Mr. John Gunderlock received notice from the State Water Resources Control Board that he had successfully passed his Grade IV Wastewater Operators Exam.

On December 10, Mr. Dave Williams, Mr. George Helms, and Mr. Dave Bierman attended a First Responder Class for Power Line and Gas Line Emergencies sponsored by PG&E.

The National Estuary Program Volunteer Monitoring Program continued analysis of bacterial samples collected from throughout the watershed in the laboratory at the plant. The volunteers are using space provided in the lab by plant staff.

The permanent household hazardous waste collection facility (PHHWCF) at the plant continued to be well used by the public. Between twenty and fifty participants are using the facility each Saturday.

Bruce Keogh
 Wastewater Division Manager
 Lab/C/Bruce/Monthlys/December 2010

2008	Total Flow	Daily Flow	Total Flow	Daily Flow	%	Total Flow	Daily Flow	%	# of days	Dates
	38.69		11.59			27.10				
JAN	7	1.248	2	0.374	30.0%	5	0.874	70.0%	31	Jan 1 - Jan 31, 2008
	35.27					25.45				
FEB	6	1.216	9.823	0.339	27.8%	3	0.878	72.2%	29	Feb 1 - Feb 29, 2008
	34.42					25.64				
MAR	4	1.110	8.782	0.283	25.5%	2	0.827	74.5%	31	Mar 1 - Mar 31, 2008

APR	31.86 5	1.062	7.988	0.266	25.1%	23.87 7	0.796	74.9%	30	Apr 1 - Apr 30, 2008
MAY	32.93 0	1.062	7.715	0.257	23.4%	25.21 5	0.813	76.6%	30	May 1 - May 30, 2008
JUNE	33.04 8	1.102	8.311	0.268	25.1%	24.73 7	0.825	74.9%	31	May 31 - June 30, 2008
JULY	37.63 6	1.214	10.16 6	0.328	27.0%	27.47 0	0.886	73.0%	31	July 1 - July 31, 2008
AUG	37.08 9	1.196	9.155	0.295	24.7%	27.93 4	0.901	75.3%	31	Aug 1 - Aug 31, 2008
SEPT	31.88 4	1.063	6.837	0.228	21.4%	25.04 7	0.835	78.6%	30	Sep 1 - Sep 30, 2008
OCT	30.62 5	0.988	6.470	0.216	21.1%	24.15 5	0.779	78.9%	30	Oct 1 - Oct 30, 2008
NOV	29.27 7	0.976	7.333	0.237	25.0%	21.94 4	0.731	75.0%	31	Oct 31 - Nov 30, 2008
DEC	29.98 8	0.967	7.179	0.232	23.9%	22.80 9	0.736	76.1%	31	Dec 1 - Dec 31, 2008
ANNUAL AVERAGES	33.56 2	1.100	8.446	0.277	25.0%	25.11 6	0.823	75.0%		
2009	Total Flow	Daily Flow	Total Flow	Daily Flow	%	Total Flow	Daily Flow	%	# of days	Dates
JAN	30.46 8	0.983	7.585	0.237	24.9%	22.88 3	0.738	75.1%	32	Jan 1 - Feb 1, 2009
FEB	33.47 9	1.196	8.968	0.332	26.8%	24.51 1	0.875	73.2%	27	Feb 2 - Feb 28, 2009
MAR	33.97 5	1.096	7.973	0.257	23.5%	26.00 2	0.839	76.5%	31	Mar 1 - March 31, 2009
APR	33.84 1	1.128	7.341	0.245	21.7%	26.50 0	0.883	78.3%	30	April 1 - April 30, 2009
MAY	33.55 8	1.083	7.495	0.242	22.3%	26.06 3	0.841	77.7%	31	May 1 - May 31, 2009
JUNE	32.98 0	1.099	7.849	0.262	23.8%	25.13 1	0.838	76.2%	30	June 1-30, 2009
JULY	39.57 8	1.277	10.03 4	0.324	25.4%	29.54 4	0.953	74.6%	31	July 1 - July 31, 2009
AUG	35.66 4	1.150	8.843	0.285	24.8%	26.82 1	0.865	75.2%	31	Aug 1 - Aug 31, 2009
SEPT	30.36 7	1.012	7.219	0.241	23.8%	23.14 8	0.772	76.2%	30	Sept 1 - Sept 30, 2009
OCT	31.33 8	1.011	7.873	0.254	25.1%	23.46 5	0.757	74.9%	31	Oct 1 - Oct 31, 2009
NOV	30.23 7	1.008	7.181	0.239	23.7%	23.05 6	0.769	76.3%	30	Nov 1 - Nov 30, 2009
DEC	33.26 1	1.073	8.260	0.266	24.8%	25.00 1	0.806	75.2%	31	Dec 1 - Dec 31, 2009
ANNUAL AVERAGES	33.22 9	1.093	8.052	0.265	24.2%	25.17 7	0.828	75.8%		
2010	Total Flow	Daily Flow	Total Flow	Daily Flow	%	Total Flow	Daily Flow	%	# of days	Dates
JAN	42.05 3	1.357	11.05 8	0.357	26.3%	30.99 5	1.000	73.7%	31	Jan 1-Jan 31, 2010
FEB	35.43 2	1.265	9.845	0.352	27.8%	25.58 7	0.914	72.2%	28	Feb 1-Feb 28, 2010

MAR	36.20 4 1.168	9.396 0.303 26.0%	26.80 8 0.865 74.0%	31	March 1 - 31, 2010
APR	34.48 1 1.149	8.560 0.285 24.8%	25.92 1 0.864 75.2%	30	April 1 - April 30, 2010
MAY	34.14 1 1.101	8.059 0.260 23.6%	26.08 2 0.841 76.4%	31	May 1 - 31, 2010
JUNE	33.55 0 1.118	8.109 0.270 24.2%	25.44 1 0.848 75.8%	30	June 1-30, 2010
JULY	39.62 6 1.278	10.69 5 0.345 27.0%	28.93 1 0.933 73.0%	31	July 1-31, 2010
AUG	37.91 9 1.223	8.993 0.290 23.7%	28.92 6 0.933 76.3%	31	August 1-31, 2010
SEPT	31.98 4 1.066	7.510 0.250 23.5%	24.47 4 0.816 76.5%	30	September 1-30, 2010
OCT	32.14 4 1.037	7.490 0.242 23.3%	24.65 4 0.795 76.7%	31	October 1-31, 2010
NOV	31.51 2 1.050	7.885 0.263 25.0%	23.62 7 0.788 75.0%	30	November 1-30, 2010
DEC	44.37 8 1.432	14.06 1 0.454 31.7%	30.31 7 0.978 68.3%	31	December 1-31, 2010
ANNUAL AVERAGES	36.11 9 1.187	9.305 0.306 25.6%	26.81 4 0.881 74.4%		

MEMORANDUM

To: Honorable Mayor and City Council, City of Morro Bay
Honorable President and Board of Directors, Cayucos Sanitary District

From: Dennis Delzeit, P.E., Project Manager

Date: February 10, 2011

Subject: Status Report on Upgrade Project as of February 2, 2011

Recommendation:

By motion, receive this report and provide staff with comments and direction as deemed appropriate by the City Council and the District Board.

Overview:

The following is a condensed overview of progress that has occurred since the January 13, 2011 JPA meeting:

At the January 11, 2010 City Council meeting, the City Council approved the Conditional Use Permit (CUP) and the Coastal Development Permit (CDP) and certified the Environmental Impact Report (EIR).

The deadline for filing appeals of the City Council's approval of the CDP to the Coastal Commission was January 31, 2011. A Coastal Commission staff member met with the MBCSD on February 1, 2011 and stated that there were approximately seven appeals filed and copies of the appeals would be furnished to the MBCSD. However, as of the deadline for submitting this staff report, the appeals had not been received. It is anticipated that the appeals will be made available to the JPA prior to the February 10th JPA meeting.

Due to the potential impact of the appeals and the time urgency, MBCSD staff and the project manager took the initiative to seek proposals from experienced lobbyists to assist in the appeal process. Agenda item C.1. provides a full staff report on this issue. Also, requests for proposals were issued to MWH and Carollo to explore an alternative method to achieve full secondary treatment as required by the Settlement Agreement and the discharge permit. Agenda item C.2. provides a full staff report on this issue.

Fiscal Impact:

Project costs are being held to a minimum pending the outcome of the Coastal Commission appeals. MWH's design remains suspended.

Discussion:

Major Milestone Schedule¹

- Council certified the EIR and approval of the Conditional Use Permit and Coastal Development Permit January 11, 2011
- Deadline for Coastal Commission Appeals January 31, 2011
- Submit SRF loan application to the State Board ² February 11, 2011
- Issuance of SRF Financing Agreement May 11, 2011
- Submit first SRF disbursement request to State Board May 11, 2011
- Completion of the Design October 5, 2011
- Advertise for Construction Bids November 17, 2011
- Receive Construction Bids January 11, 2012
- Award Construction Contract, after receiving State Revolving Fund Loan Approval March 1, 2012
- Start Construction March 8, 2012
- Completion of Construction February, 2014
- Achieve full compliance with federal secondary treatment Requirements March 31, 2014

Design:

Final design of the project will resume after completion of the Coastal Commission Appeal Process.

MWH Contract Fee Status³:

- Contract Amount: \$2,700,000.00
- Addendum #1, updated flows and loadings: \$ 9,000.00
- Addendum #2, advanced treatment options: \$ 9,600.00
- Addendum #3, new cost estimate \$ 18,700.00
- Revised MWH Contract Amount: \$2,737,300.00
- Amount Billed to Date: \$ 366,763.80
- Amount Remaining: \$2,370,536.20
- Most Recent Billing Amount (11/23/10) \$ 68,601.47
- Percent of Contract Billed: 13%

Environmental:

The Environmental Process is previously described in this report.

ESA Contract Fee Status⁴:

- Contract Amount: \$377,320.00
- Amount Billed to Date: \$361,254.42
- Amount Remaining: \$ 16,065.58

¹ This schedule is a condensed version of a detailed project schedule that contains 51 work tasks. As described in the November 30, 2010 memo to the JPA, the SRF schedule will be revised when the Coastal Commission issues are concluded.

² The SRF loan process is on hold as described on page 4 of this memo under the heading "State Revolving Fund Loan".

³ No new MWH invoices have been processed since last month's project status report.

⁴ No new ESA invoices have been processed since last month's project status report.

STAFF REPORT

MORRO BAY-CAYUCOS J.P.A. WASTEWATER TREATMENT PLANT

To: Honorable Mayor and City Council, City of Morro Bay
Honorable President and Board of Directors, Cayucos Sanitary District

From: Dennis Delzeit, P.E., Project Manager

Date: February 10, 2011

Subject: Discussion and consideration to hire an advocacy consultant to assist with California Coastal Commission appeals.

Recommendation: Receive and provide direction to staff.

Fiscal Impact:

The fiscal impact has not been determined at this time. Costs and potential benefits are difficult to determine with precision. Further information will be provided at the meeting as information is received and analyzed.

Background and Discussion:

The deadline for appeals to the California Coastal Commission ended on January 31, 2011. At the deadline for the submittal of this staff report, Coastal Commission staff informed the MBCSD that a total of approximately seven appeals were submitted to the Coastal Commission. As of February 2, 2011, the exact number of appeals have not been confirmed nor has the MBCSD received copies of the appeals. It is anticipated that they will be received and distributed to the JPA prior to the February 10, 2011 meeting.

An outline of the Coastal Commission appeal process is included in the staff report for agenda item C-3.

Advocacy consultants, known as lobbyists, are sometimes contracted to assist jurisdictions through the appeal process. It is anticipated that a lobbyist will facilitate communication with the Coastal Commission staff and Board members through strategy development, assistance in preparation of effective oral and written communications, and coordination with technical consultants in an effort to provide a favorable outcome of the Coastal Commission Board's decision on the appeals.

If a lobbyist is to be employed, selection and approval is desirable as soon as possible in order to begin receiving benefits at an early stage in the process.

MBCSD staff and the project manager solicited proposals from two consultants with extensive experience in advocacy and consulting services with the Coastal Commission. The MBCSD staff and project manager are currently in the process of evaluating those proposals. An update will be provided at the February 10, 2011 JPA meeting.

Options:

A careful analysis will be made of the estimated costs and the potential benefits of the use of a lobbyist.

There are several options that may be considered upon receiving further information from staff and the project manager:

1. Approve the selection of a lobbyist and authorize the MBCSD to enter into a contract.
2. Direct that the services of a lobbyist be dropped from further consideration.
3. Defer consideration pending further analysis by staff and the project manager.
4. Provide direction as deemed appropriate by the JPA.

Attachments:

Copies of the appeals are not available as of the deadline for printing this staff report. It is anticipated that the appeals will be received and distributed to the JPA prior to the February 10, 2011 meeting.

STAFF REPORT

MORRO BAY-CAYUCOS J.P.A. WASTEWATER TREATMENT PLANT

To: Honorable Mayor and City Council, City of Morro Bay
Honorable President and Board of Directors, Cayucos Sanitary District

From: Dennis Delzeit, P.E., Project Manager

Date: February 10, 2011

Subject: Discussion and consideration to request proposals from MWH and Carollo Engineers for alternative strategies to achieve full secondary treatment at the WWTP

Recommendation: Receive and provide direction to staff.

Fiscal Impact:

The fiscal impact has not been determined at this time. MBCSD staff and the project manager are in the process of analyzing the proposals. Further information will be provided at the meeting as information is received and analyzed.

Background and Discussion:

The City and District have determined that the preferred upgrade project will include full secondary treatment along with tertiary filtration suitable for restricted reuse. Also, the 1999 Comprehensive Recycled Water Study establishes a future program for additional treatment and construction of water reuse distribution infrastructure. This plan will have long term benefits to the community and is affordable to the rate payers.

The emphasis of the appeals to the California Coastal Commission is to locate a wastewater treatment facility to another location and abandon the existing site, which would require construction of a large sewage pumping facility at the existing site. The cost to locate a new treatment facility to another site would be significant. From information contained in the 2007 Cannon Associates study, it is anticipated that constructing a new facility on another site would be at least double the cost of the currently selected project (\$34.3 million). Cost considerations, permitting restrictions, environmental impacts, site acquisition and other regulatory issues could become fatal flaws in locating the plant at another site.

The Coastal Commission appeal process may become a lengthy and expensive process and the outcome cannot be assured. In addition, the City and District are under a strict eight year time schedule to meet full secondary treatment requirements, by March 2014. If necessary, the MBCSD could meet the "full secondary" discharge requirements as outlined in the Settlement Agreement and discharge permit time schedule through an

alternative design. Staff and the project manager have asked MWH and Carollo Engineers to submit a proposal to define this alternative in terms of a rough conceptual design that would include a process description, preliminary site plan, cost estimates and similar relevant information.

If it is determined by the JPA that the cost and other issues related to the appeal process are not justifiable to the rate payers, then a less desirable but affordable full secondary treatment process alternative could be pursued.

The MBCSD staff and project manager are in the process of evaluating proposals that have been received for conceptual design engineering services from MWH and Carollo. An update will be provided at the February 10, 2011 JPA meeting.

Options:

There are several options that may be considered upon receiving further information from staff and the project manager:

1. Approve the selection of MWH or Carollo and authorize the MBCSD to enter into a contract.
2. Direct that consideration of this alternative be dropped from further consideration.
3. Defer consideration pending further analysis by staff and the project manager.
4. Provide direction as deemed appropriate by the JPA.

Attachments:

None

STAFF REPORT

MORRO BAY-CAYUCOS J.P.A. WASTEWATER TREATMENT PLANT

To: Honorable Mayor and City Council, City of Morro Bay
Honorable President and Board of Directors, Cayucos Sanitary District

From: Rob Livick, PE/PLS – Public Services Director/City Engineer

Date: February 3, 2011

Subject: Discussion and Consideration of Waiving the California Coastal Commission (CCC) “49 Day” Hearing Requirement Due to the Appeal of the Local Coastal Permit for the WWTP.

Recommendation

Receive and provide direction to staff to file with the California Coastal Commission a waiver of the requirement to hear the appeal at a *de novo* hearing within 49-days.

Fiscal Impact

There is little or no fiscal impact of waiving or not waiving the 49-day hearing requirement.

Background and Discussion

On January 11, 2011 the Morro Bay City Council approved the Conditional Use Permit and the Coastal Development Permit (UPO-307 & CPO-339) along with certifying the Environmental Impact Report for the Morro Bay-Cayucos Sanitary District WWTP upgrade project. Once approved locally a project in the Coastal appeals jurisdiction may be appealed to the CCC within 10 working days of the CCC’s receipt of the notice of the local action.

The deadline for appeals to the CCC ended on January 31, 2011. On February 3, 2011, a Commission Notification of Appeal (A-3-MRB-11-001) was received at the Morro Bay Public Services Office and is included as Attachment 1. The project was appealed pursuant to Sections 30603 and 30625 of the California Public Resource Code by the following parties:

- Linda Stedjee
- Sierra Club, Santa Lucia Chapter
- Alex Beattie
- Barry & Vivian Branin
- Lee U. Johnson
- Surfrider Foundation, San Luis Obispo Chapter
- Betty Winholtz
- Anne Reeves
- Rodger Ewing
- California Coastal Commissioner Mary Shallenberger
- California Coastal Commissioner Mark Stone
- Michael Lucas
- Steve Hennigh
- Morro Bay Farmers & Ranchers Ag Coalition, Attn: Mr and Mrs Robert Staller

Issues contained in the appeals from Commissioners Stone and Shallenberger include the following issues as a basis of the appeal:

- Coastal Hazards
- Public Access and Recreation,
- Public Works
- Visual Resources
- Archaeological Resources
- Evaluation of Alternatives, including alternative sites

Details of the other appeals are not known at this time, although based upon comments heard at the public hearings, staff believes the issues raised by the other appellants to be similar in nature to those contained in the Coastal Commissioner's appeals.

An outline of the Coastal Commission appeal process is included Attachment 2.

It is the opinion of the MBCSD staff that more time could be used to help clarify appeal issues with the CCC staff and perhaps result in a finding of no substantial issues by the Commission. In order to facilitate this, the Council and Board need to authorize waiving of the requirement that the appeal be heard by the CCC within 49-days of the appeal.

If the 49-day requirement is not waived the Commission must begin the public hearing on the appeal within 49 days of the appeal, and determine whether it raises a "substantial issue" relative to conformance with the Local Coastal Plan or with Coastal Act public access policies. A decision on this question will depend on the facts and nature of issues raised in the appeal. Relevant facts include the significance of resources potentially impacted, the extent of potential impacts, and whether and to what degree the local decision conflicts with LCP requirements or with Coastal Act public access requirements.

Staff has communicated the option of waiving the 49-day requirement with Roger Briggs, Executive Officer of the Regional Water Quality Control Board, who reacted favorably to the idea.

Options

1. Waive the requirement of the CCC to hear the appeal within 49-days; and direct MBCSD staff to work with the CCC staff to clarify the appeal issues, and schedule the *de novo* CCC appeal public hearing once the appeal issues have been thoroughly vetted.
2. Do not waive the 49-day requirement. The CCC will hold a "substantial issue" public hearing in Santa Cruz during their March 9-11, 2011 meeting.

Attachments

1. Commission Notification of Appeal A-3-MRB-11-001
2. The Coastal Commission Appeal Process FAQ (<http://www.coastal.ca.gov/cdp/appeals-faq.pdf>)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

**COMMISSION NOTIFICATION OF APPEAL****RECEIVED**

DATE: February 1, 2011

TO: Rob Livick, Public Services Director/City Engineer
City of Morro Bay, Planning Department
955 Shasta Avenue
Morro Bay, CA 93442-1900

FEB 03 2011
City of Morro bay
Public Services Department

FROM: Dan Carl, District Manager

RE: Commission Appeal No. A-3-MRB-11-001

Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to Public Resources Code Section 30623.

Local Permit #: CPO-339 & UPO-307
Applicant(s): City of Morro Bay; Cayucos Sanitary District
Description: Construct a replacement Morro Bay-Cayucos Wastewater Treatment Plant (and demolish the existing plant) and associated development
Location: 160 Atascadero Road, Morro Bay (San Luis Obispo County) (APN(s) 066-331-32, 066-331-33, 066-331-34)
Local Decision: Approved w/ Conditions
Appellant(s): Linda Stedjee; Sierra Club, Santa Lucia Chapter; Alex Beattie; Barry & Vivian Branin; Lee U. Johnson; Surfrider Foundation San Luis Obispo Chapter; Betty Winholtz; Anne Reeves; Roger Ewing; California Coastal Commission, Attn: Commissioner Mary Shallenberger; Commissioner Mark Stone; Michael Lucas; Steve Hennigh; Morro Bay Farmers & Ranchers Ag Coalition, Attn: Mr. & Mrs. Robert Staller

Date Appeal Filed: 1/31/2011

The Commission appeal number assigned to this appeal is A-3-MRB-11-001. The Commission hearing date has not yet been established for this appeal. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the City of Morro Bay's consideration of this coastal development permit must be delivered to the Central Coast District office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

A Commission staff report and notice of the hearing will be forwarded to you prior to the hearing. If you have any questions, please contact Madeline Cavalieri at the Central Coast District office.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov



COMMISSION NOTIFICATION OF APPEAL

DATE: February 1, 2011

TO: Rob Livick, Public Services Director/City Engineer
City of Morro Bay, Planning Department
955 Shasta Avenue
Morro Bay, CA 93442-1900

FROM: Dan Carl, District Manager

RE: Commission Appeal No. A-3-MRB-11-001

cc: City of Morro Bay; Cayucos Sanitary District
Appellants
Interested Parties

CALIFORNIA COASTAL COMMISSION

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

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: California Coastal Commission, Commissioners Mary Shallenberger and Mark Stone

Mailing Address: 725 Front Street, Suite 3000

City: San Francisco, CA

Zip Code: 94105

Phone: (415) 904-5200

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Morro Bay

2. Brief description of development being appealed:

Construct a replacement Morro Bay-Cayucos Wastewater Treatment Plant (and demolish the existing plant) and associated development.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

160 Atascadero Road, Morro Bay (San Luis Obispo County) APN's: 066-331-032, -033 and -034

4. Description of decision being appealed (check one.):

- Approval; no special conditions
 Approval with special conditions:
 Denial

RECEIVED

JAN 31 2011

CALIFORNIA
 COASTAL COMMISSION
 CENTRAL COAST AREA

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-MRB-11-001

DATE FILED: January 31, 2011

DISTRICT: Central

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: January 11, 2011

7. Local government's file number (if any): CDP-339 and UPO-307

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

City of Morro Bay
595 Harbor Avenue
Morro Bay, CA 93443

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Linda Stedjee, 2848 Birch Avenue, Morro Bay, CA 93442
Sierra Club, Santa Lucia Chapter, P.O. box 15755, San Luis Obispo, CA 9340
Alex Beattie, 564 Acacia Street, Morro Bay, CA 93442
Barry & Vivian Branin, P. O. Box 540, Morro Bay, CA 93442

- (2) Lee U. Johnson, 117 Mindora Street, Morro Bay, CA 93422
Surfrider Foundation San Luis Obispo Chapter, P.O. Box 1322, San Luis Obispo, CA 93406
Betty Winholtz, 405 Acacia, Morro Bay, CA 93442
Anne Reeves, 198 Main Street, Morro Bay, Ca 93442

- (3) Roger Ewing, P.O. Box 1323, Morro Bay, CA 93443
Michael Lucas, 2637 Koa Avenue, Morro Bay, CA 93442

(4)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: Mary K Schallenberger
Appellant or Agent

Date: 1/28/11

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Mark W. Stone
Signature of Appellant(s) or Authorized Agent

Date: 1/28/11

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

Attachment A: Appeal Reasons

The City of Morro Bay approved a coastal development permit for the demolition and reconstruction of a new Morro Bay-Cayucos Wastewater Treatment Plant (WWTP) on the existing WWTP site at 160 Atascadero Road in the City of Morro Bay. The approved project includes the demolition of the existing WWTP and the construction of new pump stations, oxidation ditches, clarifiers and other treatment facilities, in addition to the construction of new buildings and roads and the installation of fencing and landscaping. The new WWTP would provide secondary treatment for all effluent discharged through its existing ocean outfall and some tertiary filtration capacity for a peak-season dry weather flow of 1.5 mgd. The project approval is inconsistent with the City's Local Coastal Program (LCP) policies related to coastal hazard avoidance, public viewshed protection, maximizing and optimizing public access and recreational opportunities, protection of archaeological resources, and sustainable public infrastructure requirements.

First, the project site is located in a 100-year flood plain and a tsunami inundation zone directly adjacent to an eroding shoreline where the sea level is rising and in an area subject to seismic hazards. The certified LCP requires new development to be sited and designed to avoid such hazards and LCP Policy 9.03 prohibits all development, including construction, excavation and grading, in the 100-year floodplain. In conflict with these requirements, the approved WWTP would locate new, major public works infrastructure in a highly hazardous area.

Second, the LCP requires the scenic and visual qualities of the coast to be protected and requires development to be sited and designed to protect views to and along the ocean and other coastal areas. The project involves constructing a new WWTP immediately adjacent to multiple significant public recreational access and public viewshed areas at and along the coast. The WWTP site is located on Atascadero Road, which is shown in LCP Figure 30 as a street providing scenic views. Views from the dunes looking inland across the site include mountain ridgelines, and views from the road looking towards the coast across the site include Morro Rock. The site is also visible from Highway One, the major north-south access corridor through this section of coastline. The approved development would obstruct and degrade these important public views and does not incorporate adequate landscaping and other measures to adequately screen the new development. Therefore, the project appears to be inconsistent with the LCP policies protecting visual resources.

Third, the project site is directly adjacent to the beach, beach and shoreline access areas, and a visitor-serving recreational vehicle (RV) park. The public access and recreation policies of the LCP and the Coastal Act require public recreational access opportunities to be maximized and oceanfront land to be protected for recreational use. The project would reduce the availability of scarce oceanfront land for potential public recreational purposes, and it could cause adverse impacts to existing public recreational access opportunities due to both construction activities and operation of the new WWTP (e.g., through additional truck traffic and objectionable odors). Therefore, it is not clear that the City-approved project is consistent with the public access and recreation policies of the LCP and the Coastal Act.

Fourth, the project site is located in close proximity to numerous documented archaeological sites and is located within a burial ground of the Salinan Tribe. The LCP requires that such significant archaeological and historic resources be preserved to the greatest extent possible, and requires all available measures, including tax relief and purchase of development rights, in order to avoid development on significant archaeological sites. Therefore, a new WWTP that requires significant ground disturbance and excavation at this location appears to be inconsistent with the LCP in this respect.

Finally, the project includes a plan for only a small amount of wastewater reclamation. The tertiary treated wastewater produced at the new plant would meet Title 22 standards for disinfected secondary-23 recycled water and could therefore be used for industrial use on-site and for limited off-site purposes such as soil compaction, concrete mixing and dust control. This water could only be used off-site if it is transported using trucks that would utilize the new truck filling station. In addition to these limited uses, the project includes a plan for the future production of .4 mgd of disinfected tertiary recycled water, the highest standard of recycled water, which could be put to a wide range of uses, including agricultural irrigation, groundwater replenishment and residential landscaping. However, as approved, the only way to transport this .4 mgd of higher quality water off-site would be using trucks. No additional infrastructure is included as part of the project and the project does not include any provisions or planning to accommodate future infrastructure that could be used to transport the water, except for through the use of trucks.

The LCP requires the City to pursue water reclamation as part of this WWTP project. Specifically, LCP Policy 3.08(5) says: "Even with delivery of State Water, use of reclaimed water is the City's second highest priority and remains a productive source of potential conservation for both large and small scale projects, respectively, and as a result, should be pursued when funded by a potential user, required as part of a wastewater plant upgrade or permit condition, or when it is shown as cost effective for City use..." Furthermore, maximum reuse of reclaimed water (both levels of disinfected tertiary treated recycled water) would help the City meet its water supply needs and ensure water supply is available for priority uses as required by the LCP, especially if/when State Water is restricted or unavailable. Such reclaimed water could be used for many purposes, including agricultural irrigation inside and/or outside of the district's service area, injection wells to maintain and enhance the water quality and biological resources associated with the Chorro and Morro groundwater basins (including as required by LCP Policy 11.17), and for residential and municipal landscaping, among other uses. In fact, LCP Policy 11.17 states: "the biological productivity of the City's environmentally sensitive habitat areas shall be maintained and, where feasible, restored through maintenance and enhancement of the quantity and quality of Morro and Chorro groundwater basins..." A more comprehensive water reclamation program could help the City carry out this policy by reducing the quantity of water pumped from these basins due to reduced demand, and by potentially allowing for injection wells that would recharge groundwater. More recycled water used in this way correspondingly reduces the need for ocean discharge, promoting other Coastal Act and LCP priorities related to the shoreline area and the area offshore. Therefore, the LCP requires that the new WWTP provide for a meaningful reclaimed water component because the LCP requires: (1) water reclamation to be a part of the WWTP upgrade; (2) water supply to be protected for priority uses; and (3) the quantity of water in the Morro and Chorro groundwater

basins to be enhanced where feasible. As approved, the WWTP does not adequately account for such requirements, and therefore, the approval appears inconsistent with the LCP regarding ensuring sustainable public utilities and infrastructure.

In summary, the approved project appears to be inconsistent with numerous policies of the City's LCP, including policies related to coastal hazards, public access and recreation, public works, and visual and archaeological resources. The City-approved WWTP raises significant LCP conformance questions, including whether a WWTP can be sited at this location at all consistent with the LCP, and it does not appear that the City's approval has adequately addressed the LCP in this respect, including in terms of evaluation of alternatives (including alternative sites) that could avoid LCP inconsistencies and more holistically address Coastal Act and LCP objectives and requirements for such major public utility infrastructure.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4963
HEARING IMPAIRED: (415) 804-5200



A-3-MRB-11-001
Morro Bay - Cayucos
WWTP

Memorandum

To: Persons whose City or County Development Permits Have Been Appealed to the Coastal Commission.

From: Coastal Commission

Re: Notice Concerning Important Disclosure Requirements

On January 1, 1993, a new California law required that all persons who apply to the Coastal Commission for a coastal development permit must provide to the Commission "the names and addresses of all persons who, for compensation, will be communicating with the Commission or Commission Staff on their behalf". (Public Resources Code section 30319.) On January 1, 1994, the law also required that applicants disclose the same information with respect to persons who will communicate, for compensation, on behalf of their business partners. The law also applies to persons whose permits have been appealed to the Coastal Commission. The law provides that failure to comply with the disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment. Additionally, a violation may lead to denial of the permit.

In order to implement this requirement, you are required to do two things. The first is that you must fill in the enclosed form and submit it to the appropriate Coastal Commission area office as soon as possible. Please list all representatives who will communicate on your behalf or on the behalf of your business partners for compensation with the Commission or the staff. This could include a wide variety of people such as lawyers, architects, biologists, engineers, etc.

Second, if you determine after you have submitted the enclosed form that one or more people will communicating on your behalf or on behalf of your business partners for compensation who were not listed on the completed form, you must provide a list in writing of those people and their addresses to the Coastal Commission area office. The list must be received before the communication occurs.

List of Persons Who Will Communicate on Behalf of Persons Whose Permits Have Been Appealed To the Coastal Commission

Name of Person Whose Permit Has Been Appealed:
Project and Location:

Commission Appeal No.

Persons who will Communicate for Compensation on Behalf of Applicant or Applicant's Business Partners with Commission or Staff:

Names

Addresses

(over)

Signature of Permit Applicant

Date

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
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Frequently Asked Questions: The Coastal Commission Permit Appeal Process¹

Why Is There An Appeals Process?

The California Coastal Act protects California's coast through state and local government implementation of policies that safeguard state interests in coastal resources, including the provision of maximum public access and recreational opportunities to and along the shoreline. Although state and local interests often coincide, the Coastal Act appeal process is an important mechanism to assure that *statewide* interests in coastal resources are protected and appropriately balanced with competing local interests.

What Kinds Of Projects Are Appealable?

Any locally-approved development project between the first public road and the sea; within 300 feet of a beach, mean high tide or bluff edge; within 100 feet of a wetland or stream; or on tidelands, submerged lands, or public trust lands; is appealable to the Commission. The approval or denial of a major public works project or energy facility, regardless of its location, is also appealable. In counties only, the approval of any project that is not the principal-permitted use under the certified Local Coastal Program (LCP) zoning code is appealable to the Commission. If you have questions about whether a project may be appealable, call your local planning department or Coastal Commission office.

Who Can File An Appeal Of A Project?

Any applicant or person who participates in the local permitting process for a project, or who otherwise communicates their concerns to the local government, may file an appeal. Also, an appellant must have exhausted all *local* appeals unless the local government charges a fee to appeal, restricts the class of people who can file appeals, or failed to follow the hearing and notice requirements for issuing a coastal development permit. Any two Coastal Commissioners may also appeal projects to the Commission.

What Are Valid Grounds for Appealing a Project?

The grounds for appealing a project are limited to whether the project conforms to the requirements of the LCP or the public access policies of the Coastal Act. Issues that are not addressed by the LCP are not valid appeal grounds.

¹ The information in this document applies only to appeals pursuant to Coastal Act Section 30603.

How Can Applicants Avoid An Appeal to the Commission?

The best way to avoid an appeal is to work closely with your local government, neighbors and interested citizen groups, *as early as possible*, to address the requirements of the LCP that may apply to your project. This may include providing biological and other technical information that identifies sensitive resources and potential development impacts; avoiding or providing a buffer from sensitive resources such as wetlands, environmentally sensitive habitat areas (ESHA), and riparian areas; and following specific design rules to address shoreline erosion and other hazards, water quality, drainage, scenic views and community character concerns. Sometimes public access or recreational opportunities in the project area will need to be addressed. Coastal Commission staff is also generally available to answer questions you may have concerning interpretation and application of the LCP in your situation. Due to severe budget and staffing constraints, it is not always possible for Commission staff to provide comments on a project to the local government. Don't assume that the absence of staff comments means there are no issues. When in doubt, call Commission staff for your area, or request that your local planner coordinate directly with staff, to identify potential issues that may result in an appeal of your project if not addressed.

What Happens If Your Project Is Appealed?

The first step in the appeal process begins when the Commission receives the notice of final local action (the local decision) on your project (see flowchart). Receipt of this notice starts a ten "working day" appeal period (approximately two weeks) during which your project may be appealed. If appealed, the Commission must begin the public hearing on the appeal within 49 days of the appeal, and determine whether it raises a "substantial issue" relative to conformance with the LCP or with Coastal Act public access policies. A decision on this question will depend on the facts and nature of issues raised in the appeal. Relevant facts include the significance of resources potentially impacted, the extent of potential impacts, and whether and to what degree the local decision conflicts with LCP requirements or with Coastal Act public access requirements.

If more time could help clarify appeal issues, result in more relevant information being available, or allow for a more convenient location for the hearing, applicants can *waive* the 49-day hearing requirement. Sometimes applicants can make project changes that result in the withdrawal of the appeal if the changes are incorporated into the local permit approval. A 49-day waiver may also avoid the need for the appeal hearing to extend over two or more meetings by allowing the Commission to evaluate whether the appeal raises a "substantial issue" and, if so, conduct a *de novo* review of the project at the same meeting (see below). If the Commission finds that an appeal does not raise a substantial issue, the local decision becomes final.

What Happens If The Commission Finds "Substantial Issue"?

If the Commission finds that your project raises a substantial issue, the Commission takes jurisdiction over the coastal permit. This means you will need to work with Commission staff to address all the issues raised in the appeal, and potentially other issues related to LCP compliance. It is important to understand while the "substantial issue" phase of an appeal hearing is limited to issues raised by the appeal, at the *de novo* hearing phase all issues relating to conformance with LCP, and Coastal Act public access and recreation policies are appropriate for consideration. New studies may be required to address unresolved issues. In some cases changes in project

design or location, or additional mitigation measures may be needed to address LCP or Coastal Act requirements. After staff has evaluated the issues, your project will be scheduled for the *de novo* phase of the public hearing. A staff recommendation is prepared that you will usually be able to review approximately 10-20 days before the hearing. You have a right to one postponement if you feel more time is needed to respond to staff's recommendation. The majority of projects appealed to the Commission are approved, but often with revised conditions to address coastal resource constraints and impacts.

How Long Does the Appeal Process Take?

The time required to process a Commission appeal depends in part on the complexity and significance of the issues raised. The average time for appeals that do not raise a substantial issue is 2 to 3 months. For appeals that raise a "substantial issue" it takes approximately 6-8 months on average to reach a final decision. It may take longer to resolve more complicated appeals. The Commission does its best to process appeals as quickly as possible, generally in the order they are received. Information needs, complexity of issues, extent of public interest, and staff workload due to budget constraints are all factors affecting the timing of the appeal process.

How Should You Communicate Your Concerns To The Commission?

The best way to have your concerns and information reflected in a staff recommendation is to work with Commission staff. You also will have an opportunity to address the Commission in a public hearing. It is important to note that the Coastal Act presumes that an appeal raises a substantial issue. Accordingly, when staff recommends that an appeal raises a substantial issue, unless three or more commissioners want to hear a discussion on substantial issue, public testimony is deferred to the *de novo* phase of the hearing when you will be able to address the Commission and will usually be given 15 minutes to do so. Thus, you may not be able to address the Commission at the Substantial Issue phase of the hearing, though written comments submitted in advance will be distributed to Commissioners. If the Commission wants to hear a discussion on the substantial issue question, the appellant and the applicant will each be given three minutes to present their case, following the staff presentation of the issues. You may also contact individual commissioners outside the public hearing process (an "*ex parte*" communication). Commissioners must report such *ex parte* communications in detail and in writing before the hearing or orally at the hearing on the item.

What Happens After the Commission Approves a Project?

Once the Commission approves a coastal development permit, there may be special conditions that need to be addressed before the permit can be "issued" or before construction can begin. Sometimes it will be necessary to prepare and record legal documents on your property that reflect the requirements of the coastal permit, such as protections for habitat or open space areas. Other times revised project plans will be required that reflect changes in project design approved by the Commission. The time required to receive authorization to proceed with construction will depend on how quickly the special conditions can be addressed. As with the processing of appeals, Commission staff does its best to review "condition compliance" materials submitted by applicants as soon as possible and generally in the order received. However, limited staff resources have prevented expeditious review of permit condition compliance.

CALIFORNIA COASTAL COMMISSION (CCC) APPEALS PROCESS

