

Minutes of the May 28 Meeting of the MidCoast Community Council
2003

Vice Chair Kathryn Slater-Carter called the meeting to order at 7:45 pm. Directors present were Vargas, Perkovic, Kozak, Lohman and Wilson. Chair Emerson was absent.

Public Comment

Kathryn announced that Montara Sanitary District is close to a settlement with CalAmerican Water Company to purchase the system. A portion of the bond money will be used for the purchase and this charge will be reflected in future property tax bills. This amount is not yet known.

Board of Supervisors Report

Deborah Hirst, Legislative Advocate for Supervisor Rich Gordon, announced that the County budget has been released. At present there is a \$70 million shortfall. If the Vehicle License Fee is reauthorized, that figure will drop to \$30 million. Cuts are being contemplated in programs at the Sheriff's Honor Camp, UC Extension and Elkus Ranch. Budget hearings will be held during the last week of June. The budget has been posted on the County website. There is a summer intern in the office named Preston Burns. On June 10 at 10:45 am there will be a celebration for the grand opening of the Canyon Oaks Center, a teen residential mental health facility. It is located in Redwood City. Call 363-4569 for more information. Neil Cullen sent plans for the steel and wooden bridge which will replace the existing structure over Medio Creek on Mirada Road.

Committee Reports

Treasure's Report: Nothing to report.

Parks and Recreation Committee: The next meeting will be held on June 9 at 7:30 pm at the 3-0 Café.

Planning and Zoning: There was no quorum and therefore no meeting on May 21. The next meeting is scheduled for June 4 at 7:30 pm at the 3-0 Café. Chuck had a meeting with County staff regarding the tree permitting process. Planner Jim Eggemeyer has drafted a letter for all decision letters stating that the project had been reviewed by a member of the MCC and that the recommendations listed as those of the MCC. Staff agreement or disagreement is then stated.

Regarding a proposed subdivision and proposal for three houses near the radar station on the Pillar Point bluffs, there will probably be a pre application review at the El Granada School on a date not yet certain. The square footage of the three houses collectively will exceed 10,000 square feet.

Coastside Design Review: There will be a project review meeting on June 5 at 2:00 pm at the Sheriff's Substation in Moss Beach. Karen and Chuck will meet with Neil Cullen

regarding ongoing Public Works issues. At the Planning Commission, the Callan/Hayes lot swap issues was postponed for two weeks.

Consent Agenda

Chuck moved to accept the Consent Agenda, Karen seconded and the motion passed with 4 yes votes and 2 abstentions. April Vargas recused herself on the MROSD issue and Paul Perkovic had missed two meetings and declined to vote to approve those minutes.

Regular Agenda

8a. Undergrounding Public Utilities – See correspondence in the Public Record for details. Jim Elliot of El Granada is concerned that a power pole replacement at the corner of Highway 1 and Coronado Ave. in El Granada is actually an upgrade and just a replacement. If so, the LCP requires that the lines be undergrounded, which PG&E has not done. County Counsel sent an email to the MCC stating that they will be meeting with the utility company to decide at which point a replacement becomes an upgrade or improvement.

Mr. Elliot contended that replacement poles are being installed that are two times the mass of those that have been removed. There is money in an account to cover the cost of undergrounding utilities. These funds are administered by the Board of Supervisors. Some of this money has been spent on Middlefield Road and El Camino Real. Jim Eggemeyer of County Planning has been directed by County Counsel to write a letter of PG&E asking about future pole replacement plans and if they believe that they are exempt from the permitting process, since the project in question had not been permitted by the County.

Mr. Elliot talked to SBC Communications and was told that they own the utility poles jointly with PG&E through a Joint Pole Commission. Each pole has a tag indicating when it was installed. All poles he checked along Highway had dates after 1982, when the LCP was certified. What are the repair/replacement guidelines? If they are not clear or effective, we need new regulations.

Ric stated that rather than referring this issue to the Council's Public Works Committee, the Council should write a letter now regarding this issue. Paul stated that utility projects must apply for Coastal Development Permits. He had a quote of approximately \$50 per foot to underground utilities at his residence.

Mr. Elliot stated that if some of the pole installations are illegal, the County could condemn them. Fiber optic cable that was installed was illegal because no permits were issued. Paul continued that visual impacts are an important community consideration and we need a Highway 1 Master Plan, including utility installations, parallel trail and coastal access improvements, to keep apprised of upcoming projects.

As Public Works Committee Chair, Karen requested copies of all documents. Mr. Elliot suggested forming an underground utilities district that would include the entire Caltrans Right of Way on Highway 1. Leonard Woren brought an illustration from the Montara, Moss Beach, El Granada Community Plan which illustrates that undergrounding of utilities is the preferred procedure. He suggests that all property in the Coastside Design Review District should be included in the undergrounding requirement, not just Highway 1.

On a related topic, Paul reported that at a recent Peninsula Policy Partnership forum, a list of draft transportation projects was released which included several for the coast. These were suggested as potential projects to be funded by the reauthorization of the Measure A 1/2 cent sales tax. He suggested that this money should also be used to fund the safety improvements, trail projects and undergrounding mentioned above. **Paul moved that he and Chuck will write a letter to Environmental Services Agency Director Marcia Raines with copies to Mr. Elliot, Supervisor Gordon, Deputy County Counsel Ms. Soosaipillai and the Public Works Committee citing relevant LCP policies and the graphic presented by Leonard Woren from the Community Plan and a photograph submitted by Leonard. Clarification will be sought regarding when the CDP requirement comes into force on utilities projects. Paul will write a more general letter regarding the need for a Master Plan for Highway 1. Chuck seconded the motion and it passed unanimously.**

8b. MidCoast Local Coastal Program Update Review – Regarding progress on the design Review Criteria, Karen reported that no one from the group who submitted an alternative set of guidelines attended the most recent meeting. It was a long meeting and many issues were discussed. The Committee will review drawings before the County incorporates them in any draft documents.

The Data working group met on May 22. Members present were Ann Carey, Helen Carey, Dennis Doherty, Sandy Emerson, Chuck Kozak, Paul Perkovic, Kathryn Slater-Carter, April Vargas, Karen Wilson, Leonard Woren, and General Manager Ed Schmidt and Superintendent Ed Lambing from CCWD. More data needs to be collected and members took assignments to follow up on. George asked for supplemental data within one week if at all possible. Future water capacity was a key point of discussion. Kathryn pointed out that capacity is determined by future build-out numbers; future build-out numbers are not determined by available capacity, according to the LCP.

The issue of second units was also discussed and it will be placed on the June 11 MCC agenda or discussed at the June 4 P and Z meeting. According to new legislation, the approval of second units will be ministerial only, not requiring a public hearing. There is concern that a proliferation of second units will overburden sewer capacity and all other resources.

There was more discussion on water capacity. Regarding surface water diversions on Montara Creek, the supply is unreliable, the treatment facility cannot keep up with the inflow of water at some times during the year and during summer months, the creek is

low. Up to 20% of the annual capacity of Cal Am comes from Montara Creek. There is concern that water may not be available if Rancho Corral de Tierra becomes part of the GGNRA. Kathryn researched this and because the water rights on the creek are pre-1914, State laws take precedent and the capacity will still be available.

Ric and Chuck asked for more flexibility in the MCC response to the Update Tasks. Considerations could be included that are not necessarily spelled out in the tasks but are relevant to the LCP. **We will draft an introductory section to the MCC report that is consistent with our Task recommendations and comments upon the workshop process. It was not decided who specifically will draft this part of the document.**

There was discussion on Task 9, dealing with the Airport Overlay. Paul suggested that we request that the Board of Supervisors direct the Airport Manager and staff to proceed now with a determination of where the boundaries of the AO Zone might be after completion of the Airport Master Plan as administered by the Airport Land Use Committee of the City/County Association of Governments. Using the most current airport layout plan, Dave Carbone of the County could provide a diagram of the latest safety zones using state standards from 2002 which are currently being used in the San Carlos Airport study. We can ask for assistance from C/CAG to determine what the revised safety zones will look like and how they will impact the location of the AO Zone.

Council members were asked to prepare their Task write-ups and email them to colleagues before the next meeting. Questions can then be submitted and hopefully answered prior to discussion at the meeting. Paul agreed to resend his work on Tasks 10,11 and 12.

Ric asked that the CCWD pipeline replacement issue be placed on the June 11 agenda. He gave some background: no Environmental Impact Statement was done on the project. The project may be growth inducing and it demonstrates a piecemeal approach to infrastructural improvements, violating the policies of the LCP. A proposed solution that was discussed with Coastal Commission staff is to remove the development issue from the project by allowing the 16" replacement pipe for fire safety but limiting its use to serve accelerated growth. The number of allowable connections could be tied to the 20 year growth rate, allowing only the number required to reach the 20 year approved build-out numbers. There are approximately 1400 residential connections and 480 priority connections remaining in Phase I. When these have been exhausted, a new CDP would have to be processed. A CDP could be required for each additional pump added to the water system.

One weak point of this proposal is the fact that residential wells have not been factored into the final number. Several ideas were discussed: including the number of wells as a part of the final number and prohibiting additional wells after the final number has been reached (some legal problems may arise from this approach), conditioning Coastal Commission approval of the pipeline replacement to a prohibition of new private wells within the unincorporated area, requiring CCWD to do a Groundwater Basin

Management Plan that must be adopted before the pipeline could be approved. The discussion of this item will continue with possible action on June 11.

Future Agenda Items

June 11

1. CCWD Pipeline Project Ric
2. Second Units Paul
3. LCP Update Chuck

Adjournment

The meeting was adjourned at 11:00 pm

Respectfully submitted by Secretary April Vargas