CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 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 Sara Wan and Mark Stone

Mailing Address: 45 Fremont Street, Suite 2000

City: San Francisco, CA Zip Code: 94105-2219 Phone: (415) 904-5200

SECTION II. Decision Being Appealed

RECEIVED
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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

1. Name of local/port government:

San Luis Obispo County

2. Brief description of development being appealed:

Construction and operation of a community-wide sewer system.

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

Los Osos - Communitywide

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

☐ Approval; no special conditions

☒ Approval with special conditions:

☐ Denial

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-SLO-09-055

DATE FILED: October 19, 2009

DISTRICT: Central Coast

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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: September 29, 2009

7. Local government's file number (if any): DRC2008-00103

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:

San Luis Obispo County Dept. of Public Works
County Government Center, Room 207
San Luis Obispo, CA 93408

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) Nancy Orton, Permit Chief
San Luis Obispo County Planning and Building Dept.
976 Osos St., Room 300, San Luis Obispo, CA 93408

(2) Surfrider Foundation - San Luis Bay Chapter
P.O. Box 13222
San Luis Obispo, CA 93406

(3) Sierra Club - Santa Lucia Chapter
P.O. Box 15755
San Luis Obispo, CA 93406

(4) Citizens for Affordable and Safe Environment
P.O. Box 6931
Los Osos, CA 93412

(5) J.H. Edwards Company
P.O. Box 6070
Los Osos, CA 93412

(6) Julie Tacker
P.O. Box 6070
Los Osos, CA 93412

(7) Don Beardon
1411 7th Street
Los Osos, CA 93402-1617

(8) Barry and Vivian Branin
P.O. Box 540
Morro Bay, CA 93442

(9) Steven Paige
1554 Ninth St.
Los Osos, CA 93402

(10) Chuck Cesena
591 Ramona Ave.
Los Osos, CA 93402

(11) Keith Weimer
1101 14th St.
Los Osos, CA 93402

(12) Richard Nyznyk
674 County Square Dr. 208C
Ventura, CA 93003

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SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit **decisions are** limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- 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.)
- This 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.

See Attached

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: _____
Appellant or Agent

Date: October 19, 2009

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

Signed: _____

Date: _____

SECTION V. Certification

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

Signature of Appellant(s) or Authorized Agent

Date: October 19, 2009

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: _____

Reasons for Appeal: San Luis Obispo County Coastal Development Permit DRC2008-00103 (Los Osos Wastewater Project)

San Luis Obispo County approved a coastal development permit (CDP) to allow the construction and operation of a community-wide wastewater system in Los Osos. The County approved project raises Local Coastal Program (LCP) conformance issues as follows:

The LCP requires the protection of groundwater basins, including maintaining groundwater levels and surface flows to ensure the quality of coastal waters, wetlands, and streams. Special Condition #97 of the County approved project allows for the possible export of treated effluent outside of the Los Osos Groundwater Basin (subsection e). In addition, Special Condition #97 makes the disposal of treated effluent subject to an unknown outcome of legal adjudication. Given the possible export of treated effluent outside of the Los Osos Groundwater Basin and the uncertainty surrounding the outcome of legal adjudication, the long-term integrity of the Los Osos Groundwater Basin and the biological productivity of aquatic habitats may be significantly adversely impacted. Thus, the approved project raises conformance issues with the coastal watershed provisions of the LCP (e.g., LUP Coastal Watersheds Policies 1, 2, and 5).