

# Board of Directors San Simeon Community Services District



## REGULAR BOARD MEETING PACKET July 12, 2022 Meeting Start Time 5:00 pm

Virtual Board Meeting via Zoom Webinar

Prepared by:



**GRACE**  
ENVIRONMENTAL SERVICES

**AGENDA**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**Tuesday, July 12, 2022**  
**5:00 pm**

Pursuant to San Simeon CSD Resolution 22-449 and in compliance with AB 361 this meeting shall occur as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**Join Zoom for Regular Board Session:**

<https://us02web.zoom.us/j/87307810050>

**Or One tap mobile:**

**US: +16699009128, 87307810050#**

**Or Telephone:**

**Dial (for higher quality, dial a number based on your current location):**

**US: +1 669 900 9128**

The following commands can be entered via DTMF tones using your **phone's** dial pad while in a **Zoom meeting**: \*6 - Toggle mute/unmute. \*9 - **Raise hand**.

**Webinar ID: 873 0781 0050**

**NOTE:** On the day of the meeting, the virtual meeting room will be open 30 minutes prior to the meeting start time. If you wish to submit public comment in the written format you can email Cortney Murguia at [admin@sansimeoncsd.org](mailto:admin@sansimeoncsd.org). Members of the public can also contact the District office at (805) 927-4778 or (805) 400-7399 with any questions or concerns related to this agenda or accessing the meeting.

**1. REGULAR SESSION:**

A. Roll Call

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

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

**3. SPECIAL PRESENTATIONS AND REPORTS:**

**A. STAFF REPORTS:**

- i. **Sheriff's Report** – Report for June.
- ii. **CHP Report** – Report for June.

- iii. **Superintendent's Report** – Summary of June Activities.
- iv. **General Manager's Report** – Summary of June Activities.
- v. **District Financial Summary** – Summary of June Financials.
- vi. **District Counsel's Report** – Summary of June Activities.
- vii. **Board Member Report** – Summary of June Activities.

**B. AD-HOC & STANDING COMMITTEE REPORTS:**

- i. **Status Update** – Parking/Camping on District Streets.
- ii. **Status Update** – District Insurance Policy Update.

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

**4. CONSENT AGENDA ITEMS:**

**Public Comment** – This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #4 Consent Agenda Items. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) minutes.

- A. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON JUNE 14, 2022.**
- B. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JUNE 9, 2022.**
- C. REVIEW OF APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON JUNE 29, 2022.**
- D. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**
- E. ADOPTION OF RESOLUTION 22-452 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**
- F. ADOPTION OF RESOLUTION 22-453 REQUESTING CONSOLIDATION OF THEIR BIENNIAL ELECTION WITH THE NOVEMBER 8, 2022 CONSOLIDATED ELECTION.**
- G. ADOPTION OF RESOLUTION 22-454 ADOPTING THE SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT AND AUTHORIZING DISTRICT PARTICIPATION IN THE SAN LUIS OBISPO COUNTY INTEGRATED WASTE MANAGEMENT AUTHORITY (IWMA).**

**5. PUBLIC HEARING:**

**Public Comment** – This public comment period provides an opportunity for members of the public to address the Board on matters discussed during Agenda Item #5 – Public Hearing items. If a member of the public wishes to speak at this time, Public Comment is limited to three (3) Minutes.

- A. INTRODUCTION OF ORDINANCE NO. 124 OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT AMENDING AND MODIFYING THE MORATORIUM OF THE ISSUANCE OF WATER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT.**
- B. PUBLIC OUTREACH AND DISCUSSION REGARDING THE COASTAL HAZARD RESPONSE PLAN (CHRP)/ LOCAL COASTAL PLAN (LCP) PERTAINING TO THE RELOCATION OF THE WASTE WATER TREATMENT PLANT.**

**6. BUSINESS ACTION ITEMS:**

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

- A. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO GRANT WRITING SERVICES FOR THE PERIOD OF THREE YEARS.**
- B. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO ENVIRONMENTAL PLANNING SERVICES FOR THE PERIOD OF THREE YEARS.**
- C. DISCUSSION, CONSIDERATION OF PROPOSALS FROM CANON AND ASHLEY & VANCE ENGINEERING, LLC FOR DESIGN AND SPECIFICATIONS, PROJECT MANAGEMENT, PERMITTING, BID PHASE SERVICES, AND CONSTRUCTION MANAGEMENT OF THE COMMUNITY WATER AND SEWER PIPE BRIDGE REPLACEMENT NOT TO EXCEED THE AMOUNT OF \$ 258,000.00.**

**7. CLOSED SESSION:**

The Board will adjourn to Closed Session to address the following item:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9. One (1) Potential Case - Cavalier Inn, Inc., et al.
- B. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS**  
Pursuant to Government Code §54956.8: Conference with Real Property Negotiators. Property: (APN: 013.091.027 East end of Pico Avenue); Agency negotiators: District Board of Directors, Charles Grace, and Jeff Minnery. Negotiating Parties: Director de la Rosa, Charles Grace, Jeff Minnery for the District; Ron Hurlbert for the subject property

**MEMBERS OF THE PUBLIC: Please Join Us for the Remainder of the Meeting –**

**Part Two is Here:**

<https://us02web.zoom.us/j/89334961643?pwd=NWx2V3lKaUdTTmI2RmVVaGpBYk5hQT09>

**Meeting ID: 893 3496 1643**

**Passcode: 972125**

**\*\*\*\*RECONVENE TO OPEN SESSION\*\*\*\***

## Report on Closed Session

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

**9. ADJOURNMENT** –

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

### **3.A.iii. Special Presentations and Reports: Superintendent Reports**



## SUPERINTENDENT'S REPORT

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### Item 3.A.ii

#### 1. Wastewater Treatment Plant

- Sampling, testing, and reporting at the Wastewater Treatment Plant was performed as required by the Regional Water Quality Control Board (RWQCB).
- The monthly report was submitted to the State Water Resources Control Board (SWRCB).
- Repaired clarifier two launder trough
- Repaired reactor three air line
- There was one Coliform Exceedance in June, it is unclear if this was from possible sampling error or lab error.

#### 2. Water Treatment and Distribution System

- Sampling, testing, and reporting was performed as required by the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW).
- The monthly report was submitted to the SWRCB, DDW.
- Monthly water meter reading was performed.

#### 3. District and Equipment Maintenance

- Installed additional no parking signs along Avonne Avenue
- Removed one sign from Jasper way
- Responded to service line break on Avonne Avenue and facilitated repair
- Staff continues with the scheduled preventive maintenance for the equipment at the facilities.
- Removed abandoned dryer from sidewalk at Pen Way and Avonne Ave.

San Simeon Community Services District

Superintendent's Report

June 2022

**MONTHLY DATA REPORT**

Date	Day	Wastewater Influent Daily Flow	Wastewater Effluent Daily Flow	Well 1 Total Daily Produced	Well 2 Total Daily Produced	Total Daily Water Produced	R.O. Daily Influent Flow	R.O. Daily Effluent Flow	R.O. Daily Brine Flow	Distribution Chloride	Chloride Wells		Recycled Water Distributed	Water Level Well 1	Water Level Well 2	Rainfall in Inches	State Flows (Daily Amount Averaged from State numbers)
											1	2					
06/01/22	Wednesday	48,686	50,600	1,197	75,249	76,446	0	0	0	-	-	-	0	9.7	9.4	0.00	7,871
06/02/22	Thursday	45,888	60,140	108,535	0	108,535	0	0	0	-	-	-	0	9.8	9.6	0.00	7,871
06/03/22	Friday	64,188	69,010	76,969	0	76,969	0	0	0	-	-	-	0	9.8	9.6	0.00	7,871
06/04/22	Saturday	58,837	66,350	44,356	0	44,356	0	0	0	-	-	-	0	9.8	9.7	0.00	7,871
06/05/22	Sunday	72,631	80,750	70,836	0	70,836	0	0	0	<30	-	-	0	9.9	9.8	0.00	7,871
06/06/22	Monday	53,756	59,530	89,162	0	89,162	0	0	0	-	-	-	0	9.9	9.8	0.00	7,871
06/07/22	Tuesday	67,382	76,110	107,263	0	107,263	0	0	0	-	-	-	0	9.9	9.7	0.00	7,871
06/08/22	Wednesday	66,932	65,570	105,842	0	105,842	0	0	0	-	-	-	0	9.9	9.8	0.00	7,871
06/09/22	Thursday	65,121	75,880	85,870	0	85,870	0	0	0	-	-	-	0	10.0	9.8	0.00	7,871
06/10/22	Friday	67,350	72,420	0	12,940	12,940	0	0	0	<30	<30	-	0	10.0	9.9	0.00	7,871
06/11/22	Saturday	85,779	91,900	41,664	69,788	111,452	0	0	0	-	-	-	0	-	-	0.00	7,871
06/12/22	Sunday	82,844	90,320	59,765	0	59,765	0	0	0	-	-	-	0	-	-	0.00	7,871
06/13/22	Monday	72,500	76,080	97,988	374	98,362	0	0	0	-	-	-	0	10.0	9.8	0.00	7,871
06/14/22	Tuesday	54,943	69,460	116,239	0	116,239	0	0	0	-	-	-	0	10.0	9.9	0.00	7,871
06/15/22	Wednesday	72,582	75,340	97,913	0	97,913	0	0	0	-	-	-	0	10.1	10.0	0.00	7,871
06/16/22	Thursday	63,451	69,040	75,698	0	75,698	0	0	0	-	-	-	0	10.1	9.8	0.00	7,871
06/17/22	Friday	65,031	73,200	45,852	0	45,852	0	0	0	-	-	-	0	10.1	10.0	0.00	7,871
06/18/22	Saturday	79,165	85,160	49,368	0	49,368	0	0	0	-	-	-	0	10.1	10.0	0.00	7,871
06/19/22	Sunday	70,203	78,490	110,704	0	110,704	0	0	0	<30	<30	-	0	10.1	10.0	0.00	7,871
06/20/22	Monday	74,342	76,410	70,462	0	70,462	0	0	0	-	-	-	0	10.2	9.9	0.00	7,871
06/21/22	Tuesday	67,774	71,520	132,471	0	132,471	0	0	0	-	-	-	0	10.2	10.1	0.00	7,871
06/22/22	Wednesday	59,767	60,410	43,160	0	43,160	0	0	0	-	-	-	0	10.2	10.1	0.00	7,871
06/23/22	Thursday	64,391	72,830	55,801	1,571	57,372	0	0	0	-	-	-	0	10.2	10.1	0.00	7,871
06/24/22	Friday	63,318	61,600	57,746	0	57,746	0	0	0	-	-	-	0	10.2	10.1	0.00	7,871
06/25/22	Saturday	81,778	88,520	62,159	0	62,159	0	0	0	-	-	-	0	10.2	10.0	0.00	7,871
06/26/22	Sunday	68,455	74,240	132,920	0	132,920	0	0	0	-	-	-	0	10.2	10.0	0.00	7,871
06/27/22	Monday	59,380	60,510	77,568	0	77,568	0	0	0	-	-	-	0	10.2	10.1	0.00	7,871
06/28/22	Tuesday	80,422	81,910	75,398	4,937	80,335	0	0	0	<30	<30	<30	0	10.2	10.0	0.00	7,871
06/29/22	Wednesday	84,156	80,620	131,050	0	131,050	0	0	0	-	-	-	0	10.4	10.2	0.00	7,871
06/30/22	Thursday	55,172	58,440	1,646	0	1,646	0	0	0	-	-	-	0	10.4	10.1	0.00	7,871
<b>TOTALS</b>		<b>2,016,224</b>	<b>2,172,360</b>	<b>2,225,599</b>	<b>164,859</b>	<b>2,390,458</b>	<b>0</b>	<b>0</b>	<b>0</b>				<b>0</b>			<b>0.00</b>	<b>236,140</b>
Average		67,207	72,412	74,187	5,495	79,682	0	0	0	30	30	30	0	10.1	9.9	0.00	7,871
Minimum		45,888	50,600	0	0	1,646	0	0	0	30	30	30	0	9.7	9.4	0.00	7,871
Maximum		85,779	91,900	132,920	75,249	132,920	0	0	0	30	30	30	0	10.2	10.2	0.00	7,871



**DATA SUMMARY SHEET**

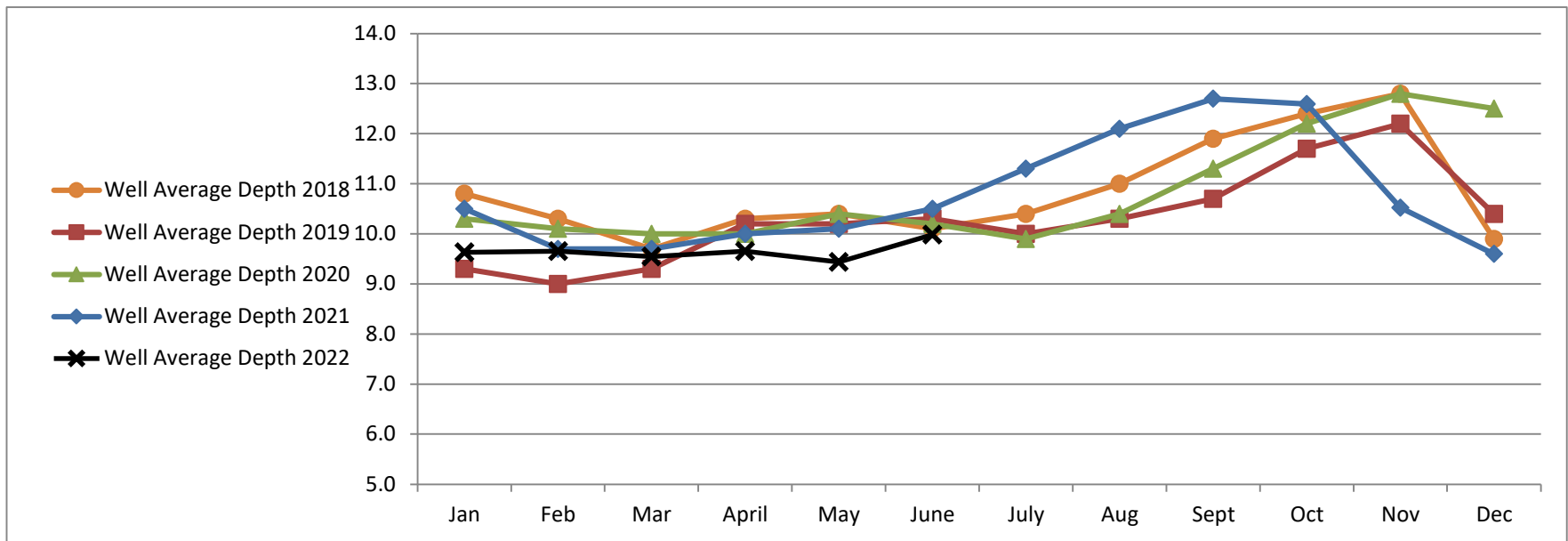
<b>2022</b>													
	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Total for 2022
Wastewater Influent	1,571,222	1,389,949	1,589,863	1,719,101	1,798,328	2,016,224							10,084,687
Wastewater Final Effluent (Month Cycle)	1,649,170	1,498,768	1,725,410	1,871,010	1,996,900	2,172,360							10,913,618
Adjusted Wastewater Influent (- State Flow)	1,522,839	1,356,607	1,549,685	1,690,058	1,608,515	1,780,084							9,507,788
Water Produced (month cycle)	1,683,299	1,654,800	1,924,903	2,059,394	2,175,259	2,390,458							11,888,114
Sewer Influent/Water Produced Ratio	0.93	0.84	0.83	0.84	0.83	0.84							N/A
Adusted Sewer/Water Produced Ratio	0.91	0.82	0.81	0.82	0.74	0.74							N/A
Well 1 Water Production	798,864	892,663	1,308,402	1,210,189	1,818,687	2,225,599							8,254,404
Well 2 Water Production	884,435	762,137	616,502	849,204	356,572	164,859							3,633,709
Total Well Production	1,683,299	1,654,800	1,924,903	2,059,394	2,175,259	2,390,458							11,888,114
Water Well 1 Avg Depth to Water	9.8	9.8	9.7	9.8	9.6	10.1							N/A
Water Well 2 Avg Depth to Water	9.4	9.5	9.4	9.5	9.3	9.9							N/A
Average Depth to Water of Both Wells	9.6	9.7	9.5	9.7	9.4	10.0							N/A
Change in Average Depth to Water from 2020	-0.9	0.0	-0.2	-0.3	-0.7	-0.5							N/A
Average Chloride mg/L at the Wells	<30	36	35	32	<30	<30							N/A
State Wastewater Treated	48,383	33,342	40,178	29,043	189,813	236,140							576,899
State % of Total WW Flow	3%	2%	3%	3%	11%	12%							N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0							0
Biosolids Removal (Gallons)	0	4,500	4,500	0	4,500	9,000							22,500
<b>WW Permit Limitation Exceeded</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>							<b>0</b>
<b>RW Permit Limitation Exceeded</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>							<b>0</b>
<b>Constituent Exceeded</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>							<b>N/A</b>
<b>Sample Limit</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>							<b>N/A</b>
<b>Sample Result</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>							<b>N/A</b>
<b>2021</b>													
	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total for 2021
Wastewater Influent	2,399,103	1,705,622	1,820,175	1,763,875	1,619,717	1,901,547	2,158,434	1,943,680	1,675,426	1,703,610	1,507,913	2,546,220	22,745,322
Wastewater Final Effluent (Month Cycle)	2,546,130	1,747,000	1,874,290	1,827,000	1,826,280	2,057,550	2,281,620	1,997,150	1,837,180	1,801,220	1,613,060	2,699,710	24,108,190
Adjusted Wastewater Influent(- State Flow) *	2,148,485	1,645,420	1,765,245	1,705,967	1,552,211	1,825,611	2,078,540	1,854,274	1,603,573	1,644,544	1,471,062	2,368,128	21,663,060
Water Produced (month cycle)	1,851,150	1,682,402	1,907,250	2,114,147	2,080,786	2,385,297	2,699,083	2,171,145	2,100,384	1,955,870	1,743,588	1,887,877	24,578,981
Sewer Influent/Water Produced Ratio	1.30	1.05	0.95	0.83	0.78	0.80	0.88	0.92	0.80	0.87	0.87	1.35	N/A
Adusted Sewer/Water Ratio	1.16	0.95	0.93	0.81	0.75	0.77	0.85	0.90	0.78	0.84	0.84	1.25	N/A
Average Depth of Both Wells	10.5	9.7	9.7	10.0	10.1	10.5	9.9	10.4	11.3	12.7	10.6	9.7	N/A
Change in Average Depth to Water from 2020	-0.2	0.4	0.3	0.0	0.3	-0.3	0.0	0.0	0.0	-0.5	2.2	2.8	N/A
Average Chloride mg/L at the Wells	352	169	77	41	31	30	-	-	-	<30	41	37	N/A
State Wastewater Treated	250,618	60,202	125,914	57,908	67,506	75,936	79,894	89,406	71,853	59,066	36,851	178,092	1,153,246
State % of Total WW Flow	10%	4%	7%	3%	4%	4%	4%	5%	4%	3%	2%	7%	N/A
Recycled Water Sold (Gallons)	0	0	0	0	0	0	0	0	0	0	0	0	0
Biosolids Removal (Gallons)	0	4,500	0	4,500	9,000	4,500	9,000	0	4,500	22,500	0	0	58,500
<b>WW Permit Limitation Exceeded</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>RW Permit Limitation Exceeded</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>Constituent Exceeded</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>N/A</b>
<b>Sample Limit</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Sample Result</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

**San Simeon Community Services District**

**Superintendent's Report**

**June 2022**

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Well Average Depth 2018</b>	10.8	10.3	9.7	10.3	10.4	10.1	10.4	11.0	11.9	12.4	12.8	9.9
<b>Well Average Depth 2019</b>	9.3	9.0	9.3	10.2	10.2	10.3	10.0	10.3	10.7	11.7	12.2	10.4
<b>Well Average Depth 2020</b>	10.3	10.1	10.0	10.0	10.4	10.2	9.9	10.4	11.3	12.2	12.8	12.5
<b>Well Average Depth 2021</b>	10.5	9.7	9.7	10.0	10.1	10.5	11.3	12.1	12.7	12.6	10.5	9.6
<b>Well Average Depth 2022</b>	9.6	9.7	9.5	9.7	9.4	10.0						



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**3.A.iv Special Presentations and Reports:  
General Manager's Report  
Charlie Grace**



## GENERAL MANAGER'S REPORT

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### Item 3.A.iv.

**GES Staff Activity** – Report on staff activities for the month of June 2022. Regular activities performed by staff include:

Processing of utility payments, customer service duties, answering phone calls, mailing of the regular monthly utility bills. Prepared and distributed agenda packets for two Special Board meetings and a Regular Board meeting.

GES Staff also attended to the following items:

- Responded to seven (7) written public records requests.

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### Update on District Grants:

**LCP Grant** – Submitted invoices for reimbursement.

**Prop 1 Grant** – No update from last month.

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### Update on District Projects and RFP's:

**Update on the Instream Flow Management Plan** – In progress; field pumping tests complete. Anticipated completion date is November of 2022.

**Update on the Rate Study** – In progress.

**Update on the Hearst Encroachment Agreement** – In progress; the Wildlife Conservation Board is reviewing.

**Update on the Water Tank Project Update** – Discussed timing of easement with the property owner. Priority is the Reverse Osmosis Hearst Encroachment Agreement completion mentioned above.

**Update on Repair of Pico Avenue Beach Access (Bottom of Stairs)** – A request to review repair suggestions was sent to the Coastal Commission. project size. Coastal Commission and County share jurisdiction. Coastal Commission is requesting a Coastal Development Permit (CDP) application. Oliveira Consulting will re-engage with the County.

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**Update on Steps for lifting Moratorium (presented at the October 2020 Board meeting).**

**Steps for Removal of Water Service Moratorium**

1. ~~Compile water usage data for the existing users to determine water quantity availability and determine Aquifer Safe Sustainable Water Yield (Completed 3/2022).~~
2. ~~Present Analysis of water availability compared to waitlist demand (Completed 3/2022).~~
3. ~~Address water quality issues install Reverse Osmosis System (Completed).~~
4. ~~Contact persons on the water waitlist regarding continues plans to develop (removing this item from the task list unless otherwise directed by the Board).~~
5. Development of Instream Flow Management Plan (IFMP) and Program to Accommodate Affordable Housing (North Coast Plan) (In progress – estimated completion 12/2022).
6. Conduct an Environmental review and analysis California Environmental Quality Act (CEQA). (UWMP and IFMP may satisfy CEQA) (UWMP is complete).
7. ~~Conduct a Source Capacity Planning Study required by the State Water Resources Control Board, Division of Drinking Water. (Found not to be a requirement)~~
8. ~~Review and (potentially) modify the District's Ordinance 117 regarding water conservation. (No modification is necessary)~~
9. Develop process for reviewing and processing requests for will-serve letters (in progress anticipated that a draft will serve letter was presented at the June Board meeting).
10. Administrative Process to Repeal District Ordinance 102 – Water Connection Moratorium (in progress, anticipated a that a draft Ordinance is being presented at this July meeting).
11. ~~Implement system of periodic review of water availability (currently described in Resolution 20-426, 4a).~~

### **3.A.v. Special Presentations and Reports: District Financial Summary**

# SAN SIMEON COMMUNITY SERVICES DISTRICT



## 3.A.iv FINANCIAL SUMMARY

### Billing June 30, 2022

May Billing Revenue	\$	83,261.84
June Billing Revenue	\$	99,142.32
Past Due (60+ days)	\$	5,023.70

### ENDING BANK BALANCES

June 30, 2022

#### PACIFIC PREMIER BANK:

Money Market Account Closing Balance May 31, 2022	\$	1,090,197.01
Interest for June	\$	26.88
Money Market Account Closing Balance June 30, 2022	\$	1,090,223.89

Reserve Fund	(250,000.00)
Wait-list Deposits	(94,148.60)
Customer Deposits	(8,550.00)
<b>Available Funds</b>	<b>\$ 737,525.29</b>

**General Checking Account June 30, 2022** \$ 59,483.64

\*LAIF Closing Balance June 30, 2022 \$ 562.06

Interest Money Market Account 2019	\$	22,529.11
Interest Money Market Account 2020	\$	12,206.44
Interest Money Market Account 2021	\$	1,104.91
Interest Money Market Account 2022	\$	172.51

\* Staff is continuing to finalize the LAIF Transfer

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**Balance Sheet**  
As of June 30, 2022

	Jun 30, 22
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1010 · Petty cash	150.00
1015 · Pac Prem Ckg-6603	58,794.40
1017 · Money Market PPBI	
1017a · Pacific Premier-Money Market	1,085,223.89
1017b · USDA short lived asset fund	5,000.00
<b>Total 1017 · Money Market PPBI</b>	1,090,223.89
1050 · LAIF - non-restricted cash	561.74
<b>Total Checking/Savings</b>	1,149,730.03
<b>Other Current Assets</b>	
1200 · Accounts receivable	112,490.49
<b>Total Other Current Assets</b>	112,490.49
<b>Total Current Assets</b>	1,262,220.52
<b>Fixed Assets</b>	
<b>1400 · Fixed assets</b>	
1420 · Building and structures	279,580.67
1500 · Equipment	12,689.93
1560 · Pipe bridge	29,497.00
1580 · Sewer plant	869,352.16
1590 · Sewer plant equipment	12,468.83
1600 · Water system	235,615.43
1620 · WWTP expansion	299,565.92
1630 · Tertiary Project	568,063.00
1640 · Wellhead Rehab Project	448,253.95
1650 · Walkway access projects	26,791.00
1660 · RO Unit	948,021.38
1680 · Generator	18,291.00
<b>Total 1400 · Fixed assets</b>	3,748,190.27
1450 · Construction in Progress	
1670 · Reservoir / Water Tanks	287,693.56
<b>Total 1450 · Construction in Progress</b>	287,693.56
1690 · Accumulated depreciation	(1,631,371.18)
<b>Total Fixed Assets</b>	2,404,512.65
<b>TOTAL ASSETS</b>	<b>3,666,733.17</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
2000 · Accounts payable	42,549.74
<b>Total Accounts Payable</b>	42,549.74
<b>Other Current Liabilities</b>	
2500 · Customer security deposits	8,450.00
2510 · Connect hookup wait list	94,148.60
<b>Total Other Current Liabilities</b>	102,598.60
<b>Total Current Liabilities</b>	145,148.34
<b>Long Term Liabilities</b>	
2520 · USDA Loan Principal Bal	434,352.98



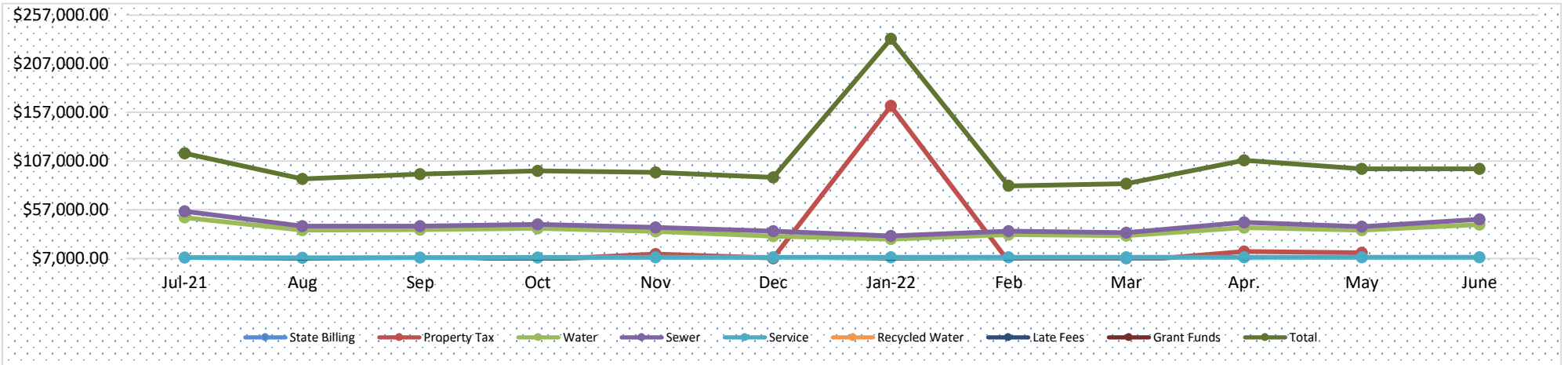
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**Balance Sheet**  
As of June 30, 2022

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	Jun 30, 22
Total Long Term Liabilities	434,352.98
Total Liabilities	579,501.32
<b>Equity</b>	
3201 · Net Investment in Capital Asset	2,061,612.00
3204 · Board Assigned for Water CIP	155,505.10
3205 · Board Assigned for WW CIP	155,784.69
3206 · Board Assigned for General CIP	43,295.03
3207 · BOD committed for Oper Reserves	250,000.00
3209 · Waitlist and Security Deposits	88,798.60
3211 · Restricted for USDA loan	20,690.00
3220 · Unrestricted-Undesignatd Equity	438,643.78
3900 · Suspense	57.00
Net Income	(127,154.35)
Total Equity	3,087,231.85
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>3,666,733.17</b>

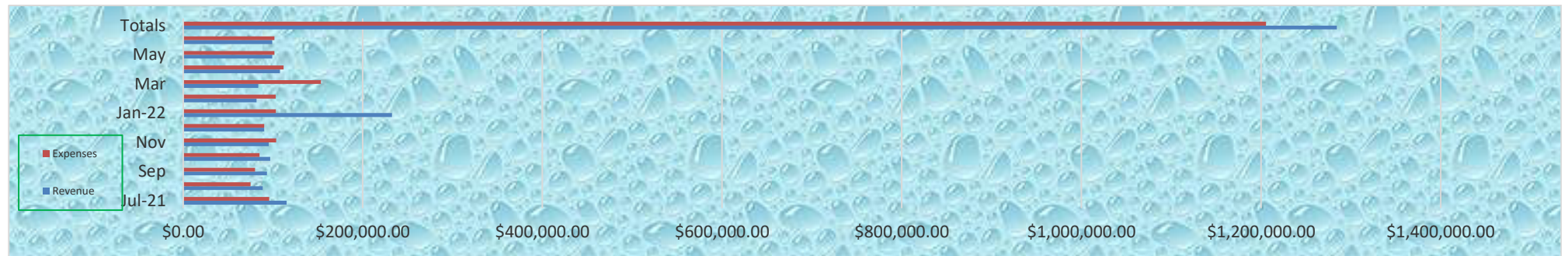
### DISTRICT REVENUE FY 2021/2022

	Jul-21	Aug	Sep	Oct	Nov	Dec	Jan-22	Feb	Mar	Apr.	May	June	Totals
State Billing			\$6,340.85			\$7,273.93			\$7,273.93				\$20,888.71
Property Tax	\$115.78	\$1,381.14	\$10.01	\$5,809.34	\$11,583.42	\$7,622.03	\$163,743.57	\$4,095.69	\$4,104.27	\$14,321.21	\$12,933.74		\$225,720.20
Water	\$49,269.78	\$36,018.10	\$36,656.78	\$37,820.36	\$34,769.42	\$30,061.95	\$27,060.11	\$31,533.31	\$30,350.63	\$38,738.36	\$36,177.32	\$41,905.35	\$430,361.47
Sewer	\$55,516.22	\$40,331.83	\$40,336.81	\$42,047.97	\$38,874.20	\$35,068.70	\$30,298.87	\$35,079.28	\$33,573.78	\$44,078.35	\$39,679.66	\$47,223.70	\$482,109.37
Service	\$7,910.24	\$7,834.18	\$7,977.48	\$8,080.85	\$8,272.49	\$8,272.49	\$8,272.49	\$8,232.71	\$8,272.49	\$8,232.71	\$8,312.27	\$8,232.71	\$97,903.11
Recycled Water													\$0.00
Late Fees	\$2,349.85	\$3,168.75	\$2,222.38	\$3,159.93	\$1,854.16	\$1,966.24	\$3,291.71	\$2,803.97	\$211.71	\$2,566.37	\$1,996.72	\$1,813.47	\$27,405.26
Grant Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$115,161.87	\$88,734.00	\$93,544.31	\$96,918.45	\$95,353.69	\$90,265.34	\$232,666.75	\$81,744.96	\$83,786.81	\$107,937.00	\$99,099.71	\$99,175.23	\$1,284,388.12
Water Sold Cu Ft	357524	261467	253458	262346	241618	210787	189269	219034	211521	270041	249738	291510	3018313
Water Sold Acre ft	8.21	6.00	5.82	6.02	5.55	4.84	4.35	5.03	4.86	6.20	5.73	6.69	69.29



### REVENUE VS EXPENSES

	Jul-21	Aug	Sep	Oct	Nov	Dec	Jan-22	Feb	Mar	Apr.	May	June	Totals
Revenue	\$115,161.87	\$88,734.00	\$93,544.31	\$96,918.45	\$95,353.69	\$90,265.34	\$232,666.75	\$81,744.96	\$83,786.81	\$107,937.00	\$99,099.71	\$99,175.23	\$1,284,388.12
Expenses	\$95,803.89	\$75,209.49	\$80,233.53	\$84,995.77	\$103,695.19	\$90,282.75	\$103,403.23	\$102,972.34	\$153,478.50	\$111,977.33	\$101,809.55	\$101,809.55	\$1,205,671.12
Balance	\$19,357.98	\$13,524.51	\$13,310.78	\$11,922.68	(\$8,341.50)	(\$17.41)	\$129,263.52	(\$21,227.38)	(\$69,691.69)	(\$4,040.33)	(\$2,709.84)	(\$2,634.32)	\$78,717.00





### **3.B. AD-Hoc & Standing Committee Reports:**



## **AD-HOC & STANDING COMMITTEE REPORTS**

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List of Committee Members:

**Parking on District Streets Committee Members:**

Director Donahue

**Coastal Hazards Response Plan (CHRP) Committee Members:**

Director de la Rosa and Chairperson Kellas

**District Insurance Policy Committee Members:**

Director Donahue and Vice-Chairperson Giacoletti

**Budget Committee Members:**

Director Daniel de la Rosa, Michael Hanchett, Miguel Sandoval, Luz Hernandez

**Water Committee Members:**

Michael Hanchett, Director Daniel de la Rosa, Chuck Grash, Albert Barretto

**4.A. Consent Agenda Items:  
Review and Approval of Minutes for the Regular Meeting on  
June 14, 2022.**

**MEETING MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS REGULAR BOARD MEETING**  
**Tuesday, June 14, 2022**  
**5:00 pm**

Pursuant to San Simeon CSD Resolution 22-448 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**1. REGULAR SESSION @ 5:02 PM**

- A. Chairperson Kellas – Present
- Vice-Chairperson Giacoletti – Present
- Director de la Rosa – Not Present – Joined later in the meeting.
- Director Donahue – Present

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

Public Comment –

(1:35) Sherry Brajich commented on the WWTP relocation site analysis. She asked the Board to consider relocation sites outside the District boundary.

(5:20) Julie Tacker commented on the Special meeting agenda and the Dan Heimel matter being excluded from the June 14, 2022 meeting agenda. She also mentioned Ordinance 102 and the correspondence from Mr. Marcum.

(8:35) Henry Krzciuk commented on a complaint that he had filed about staffing changes to the GES contract stating that this was a violation of the GES contract.

(13:05) It was acknowledged that Director de la Rosa had joined the meeting.

(13:17) Director Donahue asked that the number of items on meeting agendas be more balanced. Vice-Chairperson Giacoletti asked that one of the new No parking signs on Jasper Way be relocated because it was blocking one of the residents viewshed.

**3. SPECIAL PRESENTATIONS AND REPORTS: (16:10)**

**A. STAFF REPORTS:**

- i. **Sheriff's Report** – None.
- ii. **CHP Report** – None.
- iii. **Superintendent's Report** – Charlie Grace provided a summary of May activities.
- iv. **General Manager's Report** – (18:45) Charlie Grace provided a summary of May activities. Jeff Oliveira provided an update on the Coastal Hazard Response Plan (CHRP).
- v. **District Financial Summary** – Charlie Grace provided a summary of May's financials.
- vi. **District Counsel's Report** – (31:00) Jeff Minnery provided a summary of May's activities.
- vii. **Board Member Report** – None.

**B. AD-HOC & STANDING COMMITTEE REPORTS: (31:50)**

- i. **Status Update** – Director Donahue provided a summary of the no camping Ordinance in the District Boundary stating that he was working with Supervisor Gibson's office on this matter.

- ii. **Status Update** – (35:10) Chairperson Kellas stated that this report was provided earlier in the meeting by Jeff Oliveira (OEC).
- iii. **Status Update** – None.
- iv. **Status Update** – None.

Public Comment –  
(36:00) Henry Krzciuk commented.

(39:30) Chairperson Kellas, Jeff Oliveira (OEC) and Charlie Grace provided additional information about the CHRP, the Dudek contract, the CHRP grant, and the website additions.

(45:30) Julie Tacker commented.  
(48:50) Sherry Brajich commented.

#### **4. CONSENT AGENDA ITEMS: (51:00)**

Chairperson Kellas pulled item G from the consent agenda and she requested that Item I be moved to the Business Action Items. Director Donahue asked to pull Item H and move it to the Business Action Items.

- A. ADOPTION OF RESOLUTION 22-449 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**
- B. REVIEW AND APPROVAL OF MINUTES FOR THE REGULAR MEETING ON MAY 10, 2022.**
- C. REVIEW AND APPROVAL OF MINUTES FOR THE SPECIAL MEETING ON MAY 26, 2022.**
- D. REVIEW AND APPROVAL OF DISBURSEMENTS JOURNAL.**
- E. ADOPTION OF RESOLUTION 22-450 APPROVING THE PROPOSITION 4 APPROPRIATION LIMIT FOR THE FISCAL YEAR 2022-2023.**
- F. APPROVAL OF A TRANSFER OF FUNDS FROM THE MONEY MARKET ACCOUNT TO THE LOCAL AGENCY INVESTMENT FUND (LAIF) ACCOUNT IN THE AMOUNT OF \$900,000.00.**
- G. APPROVAL OF JEFF OLIVEIRA TO BE A VOTING MEMBER OF THE WATER RESOURCES ADVISORY COMMITTEE (WRAC) ON BEHALF OF THE SAN SIMEON CSD.**
- H. APPROVAL FOR STAFF TO WORK WITH THE LOCAL AREA FORMATION COMMISSION (LAFCO) ON MATTERS RELATED TO THE HORSE TROUGH CONSUMPTION.**
- I. APPROVAL FOR STAFF TO DRAFT A WATER WILL SERVE LETTER AND BEGIN REVISIONS TO DISTRICT ORDINANCE NO. 102.**

(54:18) Vice-Chairperson Giacoletti commented on the costs associated with the Disbursements journal. Cortney Murguia responded to her questions about the Cooperative Strategies invoice and the CalPERS costs. The Vice-Chairperson commented that she regretted signing the settlement check for Robert Hather.

Public Comment –  
(57:18) Henry Krzciuk commented.  
(1:02:45) Julie Tacker commented.



(1:07:30) Charlie Grace spoke about Item G and OEC.

(1:09:01) A motion was made to approve Consent Agenda Items A-F.

Motion: Chairperson Kellas  
2nd: Director Donahue  
Vote: 4/0

Roll Call: Kellas: Yes      Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

**5. PUBLIC HEARING:**

**A. CONSIDERATION OF ADOPTION OF RESOLUTION 22-451 APPROVING THE FISCAL YEAR BUDGET FOR 2022/2023. (1:09:42)**

Chairperson Kellas introduced the item.

Public Comment –

(1:10:29) Henry Krzciuk commented.

(1:14:50) Julie Tacker commented.

(1:18:25) Vice-Chairperson Giacoletti commented on the budget. She complimented Mike Hanchett on the budget. She inquired about the costs paid to GES. Michael Hanchett (Budget Committee member) provided additional information to the Board related to the legal costs, the consumer price index (CPI) calculations, and the estimated revenue for the State flow rates. There was discussion about the need to review the Capital project lists. Director Donahue also commented about the legal invoices and professional fees. There was additional conversation about the amount of the rate increase, the overall increase amount, and the Prop. 218 process.

(1:39:40) A motion was made to approve adoption of Resolution 22-451 approving the budget for FY 2022/2023.

Motion: Chairperson Kellas  
2nd: Director de la Rosa  
Vote: 3/1  
No's: Giacoletti

Roll Call: Kellas: Yes      Giacoletti: No      de la Rosa: Yes      Donahue: Yes

**6. BUSINESS ACTION ITEMS: (1:40:35)**

**A. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO GRANT WRITING SERVICES FOR THE PERIOD OF THREE YEARS.**

**B. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO ENVIRONMENTAL PLANNING SERVICES FOR THE PERIOD OF THREE YEARS.**

Chairperson Kellas asked to move these items to the July meeting agenda.

Public Comment on BAI Items 6A and 6B –

(1:43:00) Julie Tacker commented.

(1:47:00) Henry Krzciuk commented.

(1:53:03) Crystahl from Padre and Associates commented.

There was additional conversation between Director Donahue, Chairperson Kellas, and Jeff Oliveira, Charlie Grace about the various RFP's and the public comments.

**C. DISCUSSION, CONSIDERATION, DIRECTION TO STAFF REGARDING THE DISTRICTS EXISTING LIABILITY INSURANCE POLICY WITH SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) RENEWAL. (2:00:08)**

Chairperson Kellas introduced this item. Director Donahue asked if the Chairperson wanted to form an ad-hoc committee to review this matter. There was further conversation about contacting an insurance broker to assist with this matter.

Public Comment –

(2:03:29) Henry Krzciuk commented.

(2:04:55) Julie Tacker commented.

(2:08:10) Michael Cruz commented.

(2:10:35) Chairperson Kellas motion was made to ask District Counsel and Staff to work to find an insurance policy that better represents the needs of the District.

(2:10:52) Charlie Grace clarified that the extent that GES staff would work on this matter would be to provide insurance information to Adamski. Vice-Chairperson Giacoletti commented that she agreed with Michael Cruz's comments. There was further discussion between the Chairperson and Vice-Chairperson. Director Donahue also commented that he agreed with Michael Cruz. Director Donahue went on to further state that he and Vice-Chairperson Giacoletti could form an Ad-Hoc committee to research this matter.

(2:16:57) Chairperson Kellas withdrew her motion.

(2:17:30) Director Donahue made a motion that the District continue with the current insurance policy for another month.

Motion: Director Donahue  
2nd: Vice-Chairperson Giacoletti

Director de la Rosa spoke stating that he did not understand the motion. There was further discussion about the current SDRMA invoice for the District.

(2:19:25) Director Donahue and Jeff Minnery further discussed his original motion clarifying that the motion was to continue with the current insurance policy while Director Donahue and Vice-Chairperson Giacoletti continue researching additional insurance companies.

(2:22:53) Director de la Rosa asked for clarification of the motion. There was further discussion about the insurance policy and coverage requirements and the need for legal error and omissions verbiage in the policy. There was discussion about modifying the motion to include a timeline.

(2:33:00) The motion was repeated to have Director Donahue and Vice-Chairperson Giacoletti form an Ad-Hoc committee to review the insurance policy and come up with a better insurance policy with a local broker and bring it back to the Board.

Motion: Director Donahue  
2nd: Vice-Chairperson Giacoletti  
Vote: 3/1  
No's: de la Rosa

Roll Call: Kellas: Yes      Giacoletti: Yes      de la Rosa: No      Donahue: Yes

**D. DISCUSSION, CONSIDERATION, AND APPROVAL OF THE RECOVERED ORGANIC WASTE PRODUCT PROCUREMENT POLICY. (2:34:13)**

Chairperson Kellas introduced the item.

Public Comment –  
(2:38:04) Julie Tacker commented.

(2:43:15) A motion was made to approve Option # 1 listed in the staff report.

Motion: Vice-Chairperson Giacoletti  
2nd: Chairperson Kellas  
Vote: 4/0

Roll Call: Kellas: Yes      Giacoletti: Yes      de la Rosa: Yes      Donahue: Yes

**E. DIRECTION REGARDING A REQUEST FOR PROPOSAL RELATED TO SERVICES FOR OPERATIONS, MAINTENANCE AND GENERAL MANAGER SERVICES. (2:43:41)**

Chairperson Kellas started to introduce this item. Cortney Murguia asked that the pulled Consent Agenda Items be heard ahead of BAI Item 6E.

**PULLED CONSENT AGENDA ITEMS: (2:44:34)**

**4.H. APPROVAL FOR STAFF TO WORK WITH THE LOCAL AREA FORMATION COMMISSION (LAFCO) ON MATTERS RELATED TO THE HORSE TROUGH CONSUMPTION.**

Chairperson Kellas Introduced the item.

Public Comment –  
(2:46:53) Henry Krzciuk commented.  
(2:49:25) Julie Tacker commented.

(2:52:14) Vice-Chairperson Giacoletti commented on the overall usage being 5 units for 2022. Director Donahue stated that he agreed with Vice-Chairperson Giacoletti comments.

(2:54:47) Michael Hanchett commented.

(2:55:50) Director Donahue responded to Michael Hanchett's comments and thanked him for his generous offer. Director de la Rosa agreed to chip in with Michael Hanchett's offer.

(2:57:00) Michael Hanchett commented.

(2:57:55) There was discussion about why LAFCO needed to be involved in this matter and the need to resolve this item.

(2:59:18) A motion was made to have staff work with LAFCO on the matters related to the horse trough consumption to say they can be handled in a grandfathered manner.

Motion: Chairperson Kellas  
2nd: Vice-Chairperson Giacoletti  
Vote: 4/0

**4. I. APPROVAL FOR STAFF TO DRAFT A WATER WILL SERVE LETTER AND BEGIN REVISIONS TO DISTRICT ORDINANCE NO. 102. (2:59:58)**

Chairperson Kellas introduced the item. There was further discussion between Vice-Chairperson Giacoletti and Jeffrey Minnery about this item.

Public Comment –

(3:03:35) Henry Krzciuk commented.

(3:05:50) Julie Tacker commented.

(3:09:20) Director Donahue commented that he agreed with Julie Tacker. Vice-Chairperson Giacoletti reminded the Board that the moratorium still needed to be removed.

(3:10:40) Sherry Brajich commented.

(3:12:19) A motion was made for Staff to issue a conditional will serve based on the instream conclusion to all on the waitlist to be mailed out no later than this Thursday.

(3:12:38) Jeff Minnery commented that the motion was concerning to him because the District was still operating under an existing moratorium, so the issuance of will serve letters would be problematic. He suggested that perhaps providing direction to staff to bring back these matters at the next meeting would be more appropriate. There was further discussion about the need to remove the hardship language from Ordinance 102. Jeff Minnery suggested that the District may not need hardship exemption hearings if the District established by a new ordinance that created a process to issue will-serve letters. He further stated that the direction was to bring this matter back in July. There was further discussion between the Directors and legal counsel related to how to handle hardship requests.

(3:18:00) Michael Cruz commented.

(3:18:40) Jeff Minnery stated that applications under the prior Ordinance 102 would still be valid while the new Ordinance was being adopted. He further stated that the Board could reach a consensus to direct staff to bring back a draft will serve letter and a revised Ordinance 102. There was further discussion between the Board and District Counsel related to the moratorium and issuance of conditional will serve letters.

(3:21:50) A motion was made that the Board intended to modify Ordinance 102 with the aim of removing the ambiguous hardship clause.

The motion was restated by Giacoletti: The intention is to modify Ordinance 102 to remove the ambiguity of the hardship clause.

There was further discussion among the Board members about the hardship clause.

(3:31:10) Director de la Rosa and Vice-Chairperson restated the motion as approval for staff to draft a water will serve letter and begin revisions to District Ordinance No. 102.

Motion: Vice-Chairperson Giacoletti

2nd: Director Donahue

Vote: 3/1

No's: Kellas

Roll Call: Kellas: No

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**Continuance of BAI Item 6E:**

**DIRECTION REGARDING A REQUEST FOR PROPOSAL RELATED TO SERVICES FOR OPERATIONS, MAINTENANCE AND GENERAL MANAGER SERVICES. (3:33:58)**

Charlie grace recused himself stating that he had a conflict because he had a business interest.

Chairperson Kellas introduced the item.

(3:35:40) Director Donahue commented that the Chris Rizzo should do the RFP not Adamski and not Jeff Oliveira with OEC.

Public Comment –

(3:37:30) Henry Krzciuk commented.

(3:42:05) Julie Tacker commented.

(3:45:38) Michael Hanchett commented.

(3:49:00) There was additional conversation about the RFP process among the Board members. Director Donahue clarified that he wanted three RFPs: one for GM services, one for operations, and one for combined services.

(4:00:10) Cortney Murguia clarified that GES would not be participating in the creation of the RFP process.

(4:00:50) There was further conversation about Chris Rizzo writing the RFP and what this would entail. Chairperson Kellas stated that she needed clarification from the Board members on who would provide the necessary information to the contractor who was going to write the RFP.

(4:06:22) A motion was made to have OEC write the RFP.

Motion: Director de la Rosa

2nd: Chairperson Kellas

Vote: 2/2

Abstain: Giacioletti

Roll Call: Kellas: Yes

Giacioletti: Abstain

de la Rosa: Yes

Donahue: No

(4:07:15) The motion failed. There was additional conversation about the need to resolve this matter at the current Board meeting.

(4:09:00) Michael Cruz commented. There was additional conversation between the Board members and Mr. Cruz.

(4:13:40) A motion was made that Counsel Minnery submit the last contract information to the Rural Water Corporation (Chris Rizzo) so he could create an RFP.

Motion: Chairperson Kellas

2nd: Director Donahue

Vote: 3/1

Roll Call: Kellas: Yes

Giacioletti: Yes

de la Rosa: No

Donahue: Yes

**7. CLOSED SESSION: (4:14:36)**

Public Comment –

(4:15:40) Henry Krzciuk commented.

(4:17:37) Julie Tacker commented.

(4:19:10) Michael Hanchett commented.

**A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section §54956.9 – Ron Hurlbert

**Report on Closed Session:** Kellas, de la Rosa, and Giacoletti returned from closed session. There was no reportable action.

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

**9. ADJOURNMENT @ 9:58 PM**

**4.B. Consent Agenda Items:  
Review and Approval of Minutes for the Special  
Meeting on June 9, 2022**

**MEETING MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS SPECIAL BOARD MEETING**  
**June 9, 2022**  
**5:30 pm**

Pursuant to San Simeon CSD Resolution 22-448 and incompliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**1. OPEN SESSION @ 5:30 PM -**

- A. Chairperson Kellas – Present
- Vice-Chairperson Giacoletti – Present
- Director de la Rosa – Present
- Director Donahue - Present

**2. BUSINESS ACTION ITEMS:**

**A. DISCUSSION REGARDING THE WILL SERVE PROCESS, POTENTIAL FUTURE HARDSHIP APPLICATIONS, MANAGEMENT OF THE WAITLIST, AND UPDATE ON ORDINANCE 102.**

Public Comment –  
(1:35) Julie Tacker commented.

(4:07) Charlie Grace provided back ground information on this item. Vice-Chairperson Giacoletti and Chairperson Kellas discussed requests for hardship and Ordinance 102.

(11:45) Director de la Rosa discussed the need to hire an engineer to manage the items related to management of the waitlist. There was further conversation between Charlie Grace and Chairperson Kellas about hiring a consultant to manage the will serve process. There was further conversation about the hardship provision in Ordinance 102 and the history behind this provision.

(34:40) Director Donahue made a motion to eliminate the hardship provision from 102 unless in the case of a catastrophic fire.

(35:00) Jeff Minnery clarified that there would be no motions voted on.

Public Comment –  
(35:50) Julie Tacker commented.

(40:40) Charlie Grace commented on the RFP process for hiring an Engineer stating that staff was following the existing purchasing policy.

(41:45) Henry Krzciuk commented.

(48:00) Charlie Grace discussed the capacity fee study.



(49:09) Chairperson Kellas made a motion to draft Ordinance 103 to amend 102 and to notify the waitlist that all on the waitlist will get an intent to serve conditional to the instream flow management process [That is a direction to staff and District Counsel].

Motion: Chairperson Kellas  
2<sup>nd</sup>: de la Rosa  
All in: 4/0

Kellas: Yes

Giacoletti: Yes

de la Rosa: Yes

Donahue: Yes

**3. ADJOURNMENT @ 6:21 PM**

DRAFT

**4.C. Consent Agenda Items:  
Review and Approval of Minutes for the Special  
Meeting on June 29, 2022.**

**MEETING MINUTES**  
**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS SPECIAL BOARD MEETING**  
**Wednesday June 29, 2022**  
**6:00 pm**

Pursuant to San Simeon CSD Resolution 22-449 and in compliance with AB 361 this meeting occurred as a virtual teleconference using the Zoom app.

**Internet Meeting Location – Via ZOOM**

**1. OPEN SESSION: @ 6:00 PM**

- A. Chairperson Kellas – Present
- Vice-Chairperson Giacoletti - Present
- Director de la Rosa - Present
- Director Donahue - Present

**2. CLOSED SESSION:**

**A. CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS**

Pursuant to Government Code §54956.8: Conference with Real Property Negotiators. Property: (APN: 013.091.027 East end of Pico Avenue); Agency negotiators: District Board of Directors, Charles Grace, and Jeff Minnery. Negotiating Parties: Director de la Rosa, Charles Grace, Jeff Minnery for the District; Ron Hurlbert for the subject property. Under negotiation: price and terms of payment of purchase of subject property.

Chairperson Kellas introduced the item.

Public Comment –  
(2:20) Henry Krzciuk commented.  
(3:30) Julie Tacker commented.

**\*\*\*\*RECONVENE TO OPEN SESSION\*\*\*\***

**(8:05)**

**Report on Closed Session:**

There was no reportable action.

**3. BUSINESS ACTION ITEMS:**

- A. DISCUSSION, REVIEW, AND APPROVAL OF THE REAL PROPERTY AGREEMENT FOR THE LEASE WITH OPTION TO PURCHASE OF THE PROPERTY IDENTIFIED AS APN 013.091.027 AND COMMONLY KNOWN AS THE EAST END OF PICO AVENUE. (8:46)**

Chairperson Kellas stated that she believed it was premature to have the item on the agenda at this time.

Public Comment –  
(11:40) Julie Tacker commented.

**4. ADJOURNMENT @ 7:16 PM**

DRAFT

**4.D. Consent Agenda Items:  
Review and Approval of Disbursements Journal**

**SAN SIMEON COMMUNITY SERVICES DISTRICT**  
**Disbursements Journal**  
**July 2022**

Type	Date	Num	Name	Memo	Paid Amount
<b>Payments issued in June, 2022 after BOD meeting</b>					
Bill Pmt -Check	06/20/2022	2477	PG&E	Electricity Bills dated 05/31/2022 for: Wells, RO System, WWTP, District Office. Paid by SSCSD 06.20.22.	-5,733.36
Bill Pmt -Check	06/27/2022	2478	PG&E	Electricity Street Lights Acct 9697-2. Paid by SSCSD. Bill dated 6/14/22.	-689.24
<i>Total additional June Disbursements</i>					<b><u>-6,422.60</u></b>
<b>July Disbursements</b>					
Paycheck	07/12/2022	2445	GWEN KELLAS	Board Service June 2 through July 1, 2022.	-277.05
Paycheck	07/12/2022	2446	MARY P GIACOLETTI	Board Service June 2 through July 1, 2022.	-277.05
Bill Pmt -Check	07/12/2022	2447	Adamski Moroski Madden Cumberland & Green	General legal services through 05/31/22. Inv 58012 dated 06/24/22.	-13,976.09
Bill Pmt -Check	07/12/2022	2448	Adamski Moroski Madden Cumberland & Green	Legal fees re: Hather litigation through 5/31/22. Inv 58013 dated 6/24/22.	-1,008.50
Bill Pmt -Check	07/12/2022	2449	Dudek	CHRP expense (Coastal Hazard Response Plan). Contract services through 04.29.22. See grant from CCC/SLO Co 19-02_SLO_A1. Inv 2022-03173 dated 5/13/22.	-4,927.50
Bill Pmt -Check	07/12/2022	2450	Dudek	CHRP expense (Coastal Hazard Response Plan). Contract services through 05.27.22. See grant from CCC/SLO Co 19-02_SLO_A1. Inv 2022-04741 dated 6/20/22.	-4,255.95
Bill Pmt -Check	07/12/2022	2451	Griswold Industries	Well 1 and 2 Cla Val service and repair. Invoice 845932 dated 5/31/22.	-4,890.26
Bill Pmt -Check	07/12/2022	2452	Kathleen Fry Bookkeeping Services	Bookkeeping services June 2022. Inv CSD-2022-06 dated 06/30/22.	-1,500.00
Bill Pmt -Check	07/12/2022	2453	Kathleen Fry Bookkeeping Services	Additional bookkeeping services: Rate and Cost Study, Capitalization and Reserve Policy, budget mtg April. Svc Period Apr 1 - Jun 30, 2022. Invoice dated 6/30/22.	-1,293.75
Bill Pmt -Check	07/12/2022	2454	Lori Mather Video Services	Video services for Reg BOD Mtg 07.12.22, Spcl mtgs 06.09.22 and 06.29.22. Invoice #7/1/22.	-900.00
Bill Pmt -Check	07/12/2022	2455	McClatchy Company LLC	Public notice of Availability of Budget for FY 2022-2023. Tribune ad date 5/24/22. Inv 120077 dated 5/31/22.	-115.02
Bill Pmt -Check	07/12/2022	2456	New Times	Public notice re: budget for FY 2022-2023. Ad date 6/9/22. Inv 341233 dated 6/9/22.	-106.00
Bill Pmt -Check	07/12/2022	2457	SDRMA	Liability Insurance Policy: Property & Equipment, General Liability, and Auto Liability for 2022-2023.	-11,768.56
Bill Pmt -Check	07/12/2022	2458	Simply Clear Marketing & Media	Monthly Website Service and Mgt fee service period 07.21.22 - 08.20.22 Inv 43611 dated 6/15/22.	-450.00
Bill Pmt -Check	07/12/2022	2459	Stillwater Sciences	Pico Creek instream flow management plan 5/2/22 - 5/29/22. Inv 9840005 dated 06/08/22.	-12,197.69
Bill Pmt -Check	07/12/2022	2460	Grace Environmental Services (GES)	Operations Management, Electrical and Maintenance Fees for July 2022	-56,231.95
Liability Check	07/25/2022	Elec Pymt	United States Treasury (US Treasury)	Payroll tax payment for paychecks issued current month.	-91.80
Check	07/25/2022	Elec Pymt	CalPERS Fiscal Svcs Div	Retiree Health monthly premium.	-383.85
Check	07/25/2022	Elec Pymt	CalPers Fiscal Svcs Divn	Monthly Unfunded Accrued Liability payment. Cust. ID # 7226734344.	-1,349.42
<b>Total July Disbursements</b>					<b><u>-128,845.64</u></b>

**4.E. Consent Agenda Items:  
Adoption of Resolution 22-452 to Continue  
Virtual Meetings Pursuant to the Provisions of  
AB 361**



## **CONSENT AGENDA ITEM STAFF REPORT**

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### **ITEM 4.E. ADOPTION OF RESOLUTION 22-452 TO CONTINUE VIRTUAL MEETINGS PURSUANT TO THE PROVISIONS OF AB 361.**

#### Summary:

At a Special Meeting on September 30, 2021, the Board approved District Resolution 21-433 to continue virtual meetings of the Board of Directors and District committees pursuant to AB 361. AB 361 requires periodic review of the determination for a legislative body to continue to meet via teleconference, and if a state of emergency remains active, then no later than 30 days after meeting via teleconference, the body must make a subsequent finding that it “has reconsidered the circumstances of the state of emergency” and determined that in-person meetings continue to pose a risk to public health. During the June 14, 2022 Regular meeting, the Board approved Resolution 22-449 which extended the “state of emergency” for an additional 30 days. Resolution 22-452 extends the “state of emergency” for an additional 30 days to allow continued virtual meetings.

#### Possible Options:

- 1) The Board may direct the meetings be held in person.
- 2) The Board may direct that the meetings remain being held via teleconference.

Enc: Resolution 22-452



**RESOLUTION NO. 22-452**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ISSUED ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT FOR THE PERIOD OF JULY 12, 2022, TO AUGUST 11, 2022, PURSUANT TO BROWN ACT PROVISIONS**

**Recitals**

WHEREAS, the San Simeon Community Services District ("District") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 21-433 on September 30, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19, and strong recommendations by the California Department of Public Health that all persons, regardless of vaccination status, continue to undertake social distancing measures including wearing masks while in indoor public settings; and

WHEREAS, the Board of Directors does hereby find that the rise in SARS-CoV-2 Delta and Omicron variants have caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of the District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Board of Directors will ensure that the public has access to meetings and the opportunity to participate in meetings in the interest of transparency and as required by AB 361.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the San Simeon Community Services District, as follows:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
4. Remote Teleconference Meetings. The General Manager and Staff of the District are hereby authorized and directed to take all actions necessary to carry out the

intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

- 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) August 11, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**ADOPTED** by the Board of Directors of the San Simeon Community Services District on July 12, 2022, by the following roll call votes:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
President, Board of Directors of the  
San Simeon Community Services District

**ATTEST:**

\_\_\_\_\_  
Charles Grace, General Manager of the  
San Simeon Community Services District

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeffrey A. Minnery, District Counsel

**4.F. Consent Agenda Items:  
ADOPTION OF RESOLUTION 22-453 REQUESTING  
CONSOLIDATION OF THEIR BIENNIAL ELECTION  
WITH THE NOVEMBER 8, 2022 CONSOLIDATED  
ELECTION.**



## **CONSENT AGENDA ITEM STAFF REPORT**

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### **ITEM 4.F. ADOPTION OF RESOLUTION 22-453 REQUESTING CONSOLIDATION OF THEIR BIENNIAL ELECTION WITH THE NOVEMBER 8, 2022 CONSOLIDATED ELECTION.**

#### Summary:

Every two years the District Board votes to approve a Resolution asking the County to consolidate our Board member election with the November consolidated election. This is done because it allows the District the ability to minimize election costs.

#### Recommendation:

Staff recommends that the Board adopt Resolution 22-453.

Enc: Resolution 22-453

**RESOLUTION NO. 22-453**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON  
COMMUNITY SERVICES DISTRICT REQUESTING CONSOLIDATION OF THEIR  
BIENNIAL ELECTION WITH THE NOVEMBER 8, 2022,  
CONSOLIDATED GENERAL ELECTION**

**Recitals**

WHEREAS, the San Simeon Community Services District (“District”) has called an election to be conducted on November 8, 2022, for this District pursuant to the Uniform District Election Law commencing with Elections Code section 10500; and

WHEREAS, pursuant to Elections Code section 10555, said election may be consolidated with any other election pursuant to Part 3 (commencing with Section 10400); and

WHEREAS, the Board of Directors requests the San Luis Obispo County Board of Supervisors consolidate the District’s General Election with the Statewide General Election or any other election which may be held on the same day.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the San Simeon Community Services District, as follows: The Board of Supervisors of San Luis Obispo County is hereby requested to consolidate the General District Election of this District to be held on November 8, 2022, with all other elections held on the same date. This request is made pursuant to Elections Codes sections 10555 and 10400, et seq. The District agrees to reimburse, upon presentation of a bill, the County of San Luis Obispo in full for services performed relating to this election.

**ADOPTED** by the Board of Directors of the San Simeon Community Services District on July 12, 2022, by the following roll call votes:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
President, Board of Directors of the  
San Simeon Community Services District

**ATTEST:**

\_\_\_\_\_  
Charles Grace, General Manager of the  
San Simeon Community Services District

**APPROVED AS TO FORM:**

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Jeffrey A. Minnery, District Counsel

DRAFT

**4.G. Consent Agenda Items:  
Adoption of Resolution 22-454 Requesting  
Consolidation of their Biennial Election with the  
November 8, 2022 Consolidated Election.**





## CONSENT AGENDA ITEM STAFF REPORT

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### **ITEM 4.G. ADOPTION OF RESOLUTION 22-454 ADOPTING THE SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT AND AUTHORIZING DISTRICT PARTICIPATION IN THE SAN LUIS OBISPO COUNTY INTEGRATED WASTE MANAGEMENT AUTHORITY (IWMA).**

#### Summary:

The IWMA was formed in 1994 for the purpose of facilitating the development of programs, services and projects to meet the solid waste diversion requirements of the California Integrated Waste Management Act. The regional approach was determined to be the most cost-effective way to meet State's waste reduction goals. Over the years, the IWMA has assisted participating agencies in meeting subsequent solid waste legislative requirements by developing programs and services and by managing the mandated reporting to the State. On November 9, 2021, the Board authorized the Chairperson to execute a Memorandum of Understanding/Joint Powers Agreement between the District and the Integrated Waste Management Authority (IWMA) to facilitate the District's participation in the IWMA.

In November 2021, the County of San Luis Obispo withdrew from the IWMA. Following the withdrawal of the County from the IWMA, the IWMA amended the Joint Powers Agreement (JPA) to reflect the remaining participating agencies. With the necessary reorganization of the agency in 2021, the remaining participating agencies drafted the attached Second Amended and Restated Joint Powers Agreement recognizing that a single regional agency remained advantageous to advise, plan for, and implement solutions to common solid waste management and waste diversion efforts. The participating agencies also wanted to avoid a series of amendments to the Agreement over time due to future state-mandated legislation and programs, and as such, the parties desire to authorize the IWMA Board to enact policies, resolutions, and ordinances as are necessary to ensure and oversee compliance with any and all future state-mandated programs related to solid waste, recycling, waste diversion, and any other purpose of the Authority as provided in the amended Agreement.

All Participating Agencies of the IWMA are encouraged to execute the Second Amended and Restated JPA or otherwise pursue means by which to achieve their waste diversion goals and to comply with the Integrated Waste Management Act,

Assembly Bill 341, Assembly Bill 1826, Senate Bill 1383, and all current and future state-mandated laws, rules and regulations.

Recommendation:

It is recommended that the Board vote to approve Resolution 22-454.

Enc: Resolution 22-454  
Copy of the Agreement

**RESOLUTION NO. 22-454**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON  
COMMUNITY SERVICES DISTRICT ADOPTING THE SECOND AMENDED AND  
RESTATED JOINT POWERS AGREEMENT TO ESTABLISH AN INTEGRATED  
WASTE MANAGEMENT AUTHORITY FOR THE CITIES OF SAN LUIS OBISPO  
COUNTY, CALIFORNIA**

**Recitals**

**WHEREAS**, on May 10, 1994, an agreement was executed by and between the incorporated cities of San Luis Obispo County (“Cities”) and the County of San Luis Obispo forming a joint powers authority pursuant to the provisions of the Joint Exercise of Powers Act (Government Code sections 6500 et seq.), for the purpose of facilitating the development of waste diversion programs and projects that provide economies of scale without interfering with individual agencies’ exercise of power within their own jurisdiction (hereinafter referred to as the “JPA Agreement”); and

**WHEREAS**, pursuant to the JPA Agreement, the power to perform the responsibilities of the joint powers authority was vested in the San Luis Obispo County Integrated Waste Management Authority Board of Directors (“IWMA Board”); and

**WHEREAS**, in or around 2001, a Memorandum of Agreement (“MOA”) was executed by and between the Cities, the County of San Luis Obispo, and certain special districts within San Luis Obispo County that possessed solid waste authority (“Authorized Districts”), amending the JPA Agreement to include the Authorized Districts for representation on the IWMA Board (also known as the First Amendment to the JPA Agreement); and

**WHEREAS**, in or around April 13, 2022, the IWMA Board considered and approved amendments to the JPA Agreement (“Second Amended and Restated JPA”), including those reflecting the withdrawal of San Luis Obispo County from the IWMA, and directed IWMA staff to circulate it to Participating Agencies for approval (a true and correct copy of the Second Amended and Restated JPA is attached hereto as Exhibit A); and

**WHEREAS**, the Second Amended and Restated JPA shall amend the JPA Agreement and shall be considered a Memorandum of Understanding between the Cities and the Authorized Districts to enable and allow one (1) representative of the Authorized Districts to participate in the governance of the IWMA as a member agency pursuant to Section 40977 of the Public Resource Code to represent the interests of all Authorized Districts; and

**WHEREAS**, all Authorized Districts are encouraged to execute the Second Amended and Restated JPA prior to October 15, 2022, or otherwise pursue means by which to achieve their waste diversion goals and to comply with the Integrated Waste Management Act, Assembly Bill 341, Assembly Bill 1826, Senate Bill 1383, and all current and future state-mandated laws, rules and regulations; and

**WHEREAS**, the Board of Directors of the San Simeon Community Services District desires to acknowledge, accept, and agree to be bound by the terms and conditions of the Second Amended and Restated JPA.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors of the San Simeon Community Services District, that the San Simeon Community Services District acknowledges, accepts, and agrees to be bound by the terms and conditions of the Second Amended and Restated JPA.

**ADOPTED** by the Board of Directors of the San Simeon Community Services District on July 12, 2022, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
President, Board of Directors of the  
San Simeon Community Services District

**ATTEST:**

\_\_\_\_\_  
Charles Grace, General Manager of the  
San Simeon Community Services District

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeffrey A. Minnery, District Counsel

EXHIBIT "A"

**SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT TO  
ESTABLISH AN INTEGRATED WASTE MANAGEMENT AUTHORITY FOR THE  
CITIES OF SAN LUIS OBISPO COUNTY, CALIFORNIA**

## Final Version of the 2<sup>nd</sup> Amendment

**JOINT POWERS AGREEMENT**

**TO ESTABLISH AN**

**INTEGRATED WASTE MANAGEMENT AUTHORITY**

**FOR THE CITIES OF**

**SAN LUIS OBISPO COUNTY, CALIFORNIA**

**SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT  
TO ESTABLISH AN  
INTEGRATED WASTE MANAGEMENT AUTHORITY  
FOR THE CITIES OF SAN LUIS OBISPO COUNTY, CALIFORNIA**

THIS SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2022, by and between the incorporated cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo, all being municipal corporations of the State of California and located within the boundaries of the County of San Luis Obispo California, hereinafter called “Cities.”

**WHEREAS**, on May 10, 1994, an agreement was executed by and between the Cities and the County of San Luis Obispo (“County”) forming a joint powers authority pursuant to the provisions of the Joint Exercise of Powers Act (Government Code section 6500 et seq., for the purpose of facilitating the development of waste diversion programs and projects that provide economies of scale without interfering with individual agencies’ exercise of power within their own jurisdiction (hereinafter referred to as the “Original JPA Agreement”); and

**WHEREAS**, pursuant to the Original JPA Agreement, the member agencies created and established a public entity identified as the San Luis Obispo County Integrated Waste Management Authority (“IWMA”); and

**WHEREAS**, in or around 2001, a Memorandum of Agreement (“MOA”) was executed by and between the Cities, the County, and certain special districts within the County (“Authorized Districts”) amending the Original JPA Agreement to include the Authorized Districts for representation on the IWMA Board; and

**WHEREAS**, on or about November 15, 2021, the County withdrew from the IWMA; and the Cities and Authorized Districts determined that a single regional agency remained advantageous to advise, plan for, and implement solutions to common solid waste and a waste diversion efforts; and

**WHEREAS**, the IWMA was originally formed to meet the requirements of the California Integrated Waste Management Act (California Public Resources



Code section 40000 et seq.) and all regulations adopted under that legislation require, among other things, that certain public agencies in California make adequate provision for solid waste management within their jurisdictions; and

**WHEREAS**, since the IWMA’s formation, Assembly Bill 341 (Chesbro, 2011) (Recycling of Commercial Solid Waste (“MCR”)) was signed into law and established requirements for jurisdictions to implement a commercial solid waste recycling program designed to divert commercial solid waste; and

**WHEREAS**, since the IWMA’s formation, Assembly Bill 1826 (Chesbro, 2014) (Recycling of Commercial Organic Waste (“MORE”)) was signed into law and established the requirement for jurisdictions to implement an organic waste recycling program to divert organic waste generated by businesses; and

**WHEREAS**, since the IWMA’s formation, Senate Bill 1383 (Lara, 2016) was signed into law requiring jurisdictions to implement organic waste diversion programs that include providing organic waste collection services to businesses and residences, edible food recovery goals, public education and outreach, contamination monitoring and sampling activities, recordkeeping and reporting, organic materials and edible food recovery, infrastructure capacity planning, procurement of recovered organic waste products, and enforcement; and

**WHEREAS**, the Cities and Authorized Districts continue to believe that by combining their separate powers they can achieve their waste diversion goals and satisfy the requirements of the Integrated Waste Management Act and other legislation more effectively than if they exercise those powers separately; and

**WHEREAS**, the Cities affirm, that pursuant to this Second Amended and Restated Joint Powers Agreement, the IWMA remains a regional agency in accordance with Public Resources Code section 40970 et seq.; and

**WHEREAS**, pursuant to Section 40977, the Cities shall include one (1) Authorized District to be included as a member in the IWMA regional agency for the purpose of representation on the IWMA Board of Directors; and

**WHEREAS**, the Authorized District “member” may change from time to time; the current elected or appointed Authorized District representative shall represent the collective interests of all Authorized Districts; and

**WHEREAS**, this Second Amended and Restated Joint Powers Agreement shall be considered a Memorandum of Understanding between the Cities and the

Authorized Districts to enable and allow one (1) representative of the Authorized Districts to participate in the governance of the IWMA as a member agency pursuant to Section 40977 of the Public Resource Code to represent the interests of all Authorized Districts; and

**WHEREAS**, the Cities and the Authorized Districts (together “Participating Agencies”) desire to establish and confer upon a separate legal entity the powers necessary to enable them to achieve their waste diversion goals and to comply with the Integrated Waste Management Act, Assembly Bill 341, Assembly Bill 1826, Senate Bill 1383, and all current and future state-mandated laws, rules and regulations to the extent allowed by law and by the terms and conditions of this Second Amendment; and

**WHEREAS**, the Participating Agencies desire to avoid a series of amendments to the Agreement over time due to future state-mandated legislation and programs, and as such, the parties desire to authorize the IWMA Board to enact policies, resolutions, and ordinances as are necessary to ensure and oversee compliance with any and all future state-mandated programs related to solid waste, recycling, waste diversion, and any other purpose of the Authority as provided in this Agreement.

**NOW, THEREFORE, IT IS AGREED AS FOLLOWS:**

**SECTION 1. Definitions.**

To the extent that any of the following definitions conflict with any definition set forth in the California Integrated Waste Management Act, (Pub. Resources Code, § 40000 et seq.), and the Regulations promulgated thereunder, said Act and/or Regulations shall take priority. The terms defined in this Section that begin in this Agreement with quotation marks have the following meanings:

1.1 “Act” means the California Integrated Waste Management Act of 1989 (Pub. Resources Code, § 40000 et seq.) and all regulations adopted under

that legislation, as that legislation and those regulations may be amended from time to time.

1.2 “Agreement” means this Second Amended and Restated Joint Exercise of Powers Agreement, as it may be amended from time to time.

1.3 “Authority” means the San Luis Obispo County Integrated Waste Management Authority, a joint exercise of powers agency created by the Members pursuant to this Agreement.

1.4 “Authorized Districts” means certain special districts with solid waste authority participating in the IWMA through this Second Amended and Restated Joint Powers Agreement, including but not limited to the Avila Beach Community Services District, California Valley Community Services District, Cambria Community Services District, Cayucos Sanitary District, Ground Squirrel Hollow Community Services District, Heritage Ranch Community Services District, Los Osos Community Services District, Nipomo Community Services District, Oceano Community Services District, San Miguel Community Services District, San Simeon Community Services District, and Templeton Community Services District, or other qualified agencies that may later determine to become a Participating Agency by execution of this Agreement.

1.5 “Authorized District Representative” means the representative, or alternate, elected or appointed by the Authorized Districts to represent the Authorized Districts’ interests as a member of the IWMA regional agency pursuant to Section 40977 of the Public Resources Code.

1.6 “Board” means the Board of Directors of the Authority.

1.7 “CalRecycle” means the California Department of Resources Recycling and Recovery.

1.8 “City” means any Participating Agency that is a city, and “Cities” means all of the Participating Agencies that are Cities.

1.9 “Composting Facility” means a facility at which composting is conducted and which produces a product meeting the definition of compost in Public Resources Code (PRC) section 40116. (“Compost” means the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility. “Compost” includes vegetable, yard and wood wastes which are not hazardous waste, and biosolids where combined with other organic materials in a mixture that consists largely of decayed organic matter, and is used for fertilizing and conditioning land.)

1.10 “Executive Director” means the person hired and appointed by the Board as the Authority's chief administrative officer to administer the affairs of the Authority and to implement the policies of the Board.

1.11 “Fiscal Year” means the period commencing on each July 1 and ending on the following June 30.

1.12 “HHW” means household hazardous waste as described in the household hazardous waste element as required by the Act (Pub. Resources Code, § 40000 et seq.), as that element may be amended from time to time. .

1.13 “HHWE” means the Household Hazardous Waste Element as required by the Act (Pub. Resources Code, § 40000 et seq.) as that element may be amended from time to time.

1.14 “IWMA” means the Authority as defined herein.

1.15 “IWMA Region” means the jurisdictional territory and boundaries of all Participating Agencies.

1.16 “Joint Facilities” means a materials recovery facility, composting or HHW Facility, or other facility developed for the purpose of complying with requirements established by state legislation or the regulations of CalRecycle, or combination thereof, which is owned by some or all of the Participating Agencies directly, or by the Authority, or by a private entity, or a public agency, for the benefit of some or all of the Participating Agencies.

1.17 “Members” means the Cities who are members of this regional agency, formed pursuant to Public Resources Code section 40970 et seq, and the one (1) Authorized District Representative pursuant to Public Resources Code section 40977. “MRF” means a “materials recovery facility” which means a permitted solid waste facility where solid wastes or recyclable materials are sorted or separated, by hand or by use of machinery, for the purposes of recycling or composting. (Title 14, Ch. 9, Art. 3, Section 18720, “Definitions.”) “MRF” also means a transfer station which is designed to, and, as a condition of its permit, shall recover for reuse or recycling at least 15 percent of the total volume of material received by the facility. (Pub. Resources Code, § 50000(a)(4).)

1.18 “Participating Agency” or “Participating Agencies” means and shall include the Cities and the Authorized Districts who are signatories to this Agreement, delegating powers to the Authority pursuant to this Agreement, and participating in the governance of the IWMA.

1.19 “NDFE” means a Nondisposal Facility Element as required by the Act (Pub. Resources Code, § 40000 et seq.), as that element may be amended from time to time.

1.20 “Revenue Bonds” means revenue bonds, notes, certificates of participation and any other instruments and evidences of indebtedness issued by

the Authority from time to time pursuant to the law or any other applicable law in order to finance the MRF, any Joint Facilities or any Sole Use Facilities.

1.21 “Sole Use Facilities” means an integrated resource recovery facility, performing one or more of the functions of a MRF, composting or HHW Facility which is located within the boundary of the Authority and is owned by one Participating Agency or a private entity, but in all events is operated for the benefit of the residents and/or constituents of the IWMA Region.

1.22 “Solid Waste Landfill” shall have the meaning set forth in Section 40195.1 of the Public Resources Code, as that section may be amended from time to time.

1.23 “SRRE” means a Source Reduction And Recycling Element as required by the Act (Pub. Resources Code, § 40000 et seq.), as that element may be amended from time to time.

**SECTION 2. Purpose.**

Government Code section 6500 et seq. provides that two or more public agencies by agreement may jointly exercise any power common to the contracting parties. Public Resources Code section 40977 authorizes a district to be included as a member of a regional agency. Public Resources Code section 40976 authorizes a city or county to enter into a memorandum of understanding with another city, county, or district for the purpose of preparing and implementing source reduction and recycling elements or a countywide integrated waste management plan. It is the intent of the Participating Agencies to utilize these statutory authorizations in this Agreement.

The Participating Agencies enter this Agreement with the intent to operate the Authority in compliance with the requirements of the Act and other state legislation, with a minimum level of staff, addressing those operations and programs that can be most cost-effectively handled at the regional level by maximizing local resources, private sector participation, and contract services provision. The duties and responsibilities of each Participating Agency are described in the applicable adopted plans. The Authority is formed with the purpose and intent of facilitating the development of programs and projects related to waste diversion for the benefits of the residents and/or constituents of the IWMA Region that provide economies of scale without interfering with individual agencies' exercise of power within their own jurisdiction.

**SECTION 3. Creation of Authority.**

3.1 The Cities hereby re-create and re-establish an authority and public entity to continue to be known as the “San Luis Obispo County Integrated Waste Management Authority,” (hereinafter referred to as the “Authority” or “IWMA”) it being understood that the Board shall be entitled to change the Authority's name from time to time. The Authority shall be a public entity separate from each of the Cities and the Authorized Districts.

3.2 The Authority shall constitute and remain as a regional agency pursuant to Public Resources Code section 40970 et seq. The regional agency shall include one (1) Authorized District Representative as a member pursuant to Public Resources Code section 40977. Said regional agency, and not the Participating Agencies of the regional agency, shall be responsible for compliance with the waste diversion requirements set forth in Public Resources Code, Article 1 of

Chapter 6 (commencing with Section 41780). In the event that the regional agency fails to comply with said waste diversion requirements, it is expressly understood and agreed that Section 14 of this Agreement shall provide for indemnification for the benefit of the regional agency and its Participating Agencies as specifically set forth therein.

3.3 The assets, rights, debts, liabilities, and obligations of the Authority shall not constitute assets, rights, debts, liabilities, or obligations of any of the Participating Agencies. However, nothing in this Agreement shall prevent any Participating Agency from separately contracting for, or assuming responsibility for, specific debts, liabilities, or obligations of the Authority, provided that both the Board and that Participating Agency approve such contract or assumption in writing.

3.4 This Second Amended and Restated Joint Powers Agreement shall take effect upon its adoption by each of the Cities. The Authorized Districts, and each of them, may elect to participate in the IWMA by execution of this agreement wherein they shall be bound by its terms and conditions. All prior agreements, including the MOA, shall be extinguished upon the execution of this Agreement by the Cities.

**SECTION 4. Inclusion of the Authorized Districts.**

4.1 This Second Amended and Restated Joint Powers Agreement shall be considered a Memorandum of Understanding between the Cities and the Authorized Districts to allow one (1) representatives of the Authorized Districts to participate in the governance of the IWMA pursuant to Section 40977 of the Public Resources Code. Participation of the Authorized Districts is limited to special



districts within San Luis Obispo County that possess solid waste authority. The Authorized District Representative shall have all the governing rights and powers granted to an IWMA City Member. This Second Amended and Restated Joint Powers Agreement shall supersede, replace, and supplant the Memorandum of Agreement executed by and between the Cities, the County, and the Authorized Districts in or around 2001.

4.2 Authorized Districts, collectively, shall appoint or elect one representative and one alternate to represent the Authorized Districts on the IWMA Board of Directors. Authorized District Representative shall be limited to elected or appointed officials of an Authorized District. Said representatives shall represent the collective interests of all Authorized Districts. The selected Authorized District Representative shall serve a defined term, if so determined by the Authorized Districts, or so long as they hold an elected or appointed office with their Participating Agency, or until they resign or are removed prior to the end of their term. The Authorized District Representative alternate shall be entitled to vote on IWMA matters only in the absence of the Authorized District Representative.

4.3 The Authorized Districts, as Participating Agencies, shall have no individual powers and/or authority other than through the Authorized District Representative.

**SECTION 5. Term.**

The Authority is and remains effective as of the date of this Agreement. It shall continue until dissolved in accordance with Section 15 of this Agreement. However, in no event shall the Authority be dissolved if its dissolution would

conflict with or violate the terms or conditions of any Revenue Bonds or related documentation including, without limitation, indentures, resolutions, and letter of credit agreements.

**SECTION 6. Powers.**

6.1 The Authority is empowered to acquire, construct, finance, refinance, operate, regulate and maintain a Solid Waste Landfill, transfer station, MRF, composting, HHW, or Joint Facilities and Sole Use Facilities subject, however, to the conditions and restrictions contained in this Agreement. The Authority shall also have the power to plan, study and recommend proper solid waste management consistent with the Act and other legislation and, to the extent permitted by the Act and this Agreement, implement plans approved by the IWMA and the programs specified in the state approved and locally adopted SRREs, the HHWE, the NDFE, and the Countywide or Regional Siting Element for all or any portion of the area included within the IWMA Region. Notwithstanding any other provisions of this Agreement, the Authority shall not acquire, regulate, set fees for, or operate any solid waste landfills, recycling, or composting facilities owned or operated by Participating Agencies without the express written consent of such Participating Agency.

6.2 To the full extent permitted by applicable law, the Authority is authorized, in its own name, to do all acts necessary or convenient for the exercise of such powers that each Member could exercise separately including, without limitation, any and all of the following:

- (a) to make and enter into contracts;
- (b) to apply for and accept grants, advances and contributions;

- (c) to contract for the services of engineers, attorneys, accountants, planners, consultants, fiscal agents and other persons and entities;
- (d) to make plans and conduct studies;
- (e) to acquire, improve, hold, lease and dispose of real and personal property of all types;
- (f) to sue and be sued in its own name;
- (g) to incur and discharge debts, liabilities and obligations;
- (h) to establish rates, tolls, tipping fees, other fees, rentals and other charges in connection with the Authority's facilities identified in Paragraph 6.1 herein, as well as any and all services and programs provided and/or implemented by the Authority;
- (i) to hire agents and employees;
- (j) to exercise the power of eminent domain for the acquisition of real and personal property;
- (k) to issue Revenue Bonds, grant or bond anticipation notes, or other governmental financing instruments, in accordance with all applicable laws for the purpose of raising funds to finance or refinance the acquisition, construction, improvement, renovation, repair, operation, regulation or maintenance of the facilities identified in Paragraph 6.1 herein or as otherwise deemed necessary or beneficial to the Authority;

- (l) to sell or lease the facilities identified in Paragraph 6.1 herein;
- (m) to loan the proceeds of Revenue Bonds to any person or entity to finance or refinance the acquisition, construction, improvement, renovation or repair of the facilities identified in Paragraph 6.1 herein;
- (n) to provide that the holders of Revenue Bonds, whether directly or through a representative such as an indenture trustee, be third party beneficiaries of any of the obligations of any Member to the Authority and to covenant with the holders of any Revenue Bonds on behalf of any such Member to perform such obligations and comply with any agreements that Member may have with the Authority;
- (o) to prepare and implement plans and programs as deemed necessary and/or beneficial to the Authority in carrying out the purposes of this Agreement;
- (p) to provide public education, outreach, and marketing activities in support of diversion and edible food recovery programs;
- (q) to enter into memorandums of understanding with other regional agencies, cities, counties, and special districts;
- (r) to adopt, as authorized by California law, ordinances as are necessary to ensure and oversee compliance with any and all current and future state-mandated legislation and

programs related to solid waste, recycling, and waste diversion;

- (s) to act as the delegate, on behalf of the Participating Agencies, for the responsibilities of compliance, monitoring, reporting, and education of all state-mandated legislation, including, but not limited to the Integrated Waste Management Act, Assembly Bill 341, Assembly Bill 1826, and Senate Bill 1383.

6.3 Such powers shall be exercised subject only to the limitations set forth in this Agreement, applicable law, and such restrictions upon the manner of exercising such powers as are imposed by law in the exercise of similar powers. The Authority hereby designates the City of San Luis Obispo as the Member required to be designated by Section 6509 of the California Government Code. Should the Participating Agencies desire to designate an alternative agency for the purposes of Section 6509, such new designation may be changed by resolution of the Participating Agencies without need for an amendment to this Agreement.

6.4 This Agreement shall not limit the ability of the Participating Agencies to plan, administer, implement, and otherwise conduct waste management and other related local programs as deemed appropriate by the agency and consistent with the purpose and intent of this Agreement.

#### **SECTION 7. Expressed Limitation of Powers.**

The Authority's power to adopt, impose, implement, and/or comply with regulations and ordinances is expressly limited to state-mandated legislation and

regulations related to solid waste, recycling, organic waste, and waste diversion. The Authority shall establish a budget policy requiring Board consideration of the minimum work required to comply with state mandates and regulations in the most demonstrably cost-effective way possible. Said policy shall not preclude other requirements such as Board consideration of the equitable distribution of services throughout the IWMA Region and program enhancements that are funded by grant revenues and/or reimbursements from Participating Agencies. Additionally, the IWMA shall establish a purchasing policy with a similar provision when preparing scopes of work for consultants and independent contractors who are engaged in implementing the Authority's projects and programs. Notwithstanding the foregoing, all existing IWMA ordinances, rules, and regulations, whether or not mandated by the state, shall remain in full force and effect and not subject to this limitation of power unless otherwise determined by the Board.

**SECTION 8. Boundaries.**

The boundaries of the Authority shall be the boundaries of the Cities and the Authorized Districts identified herein as the IWMA Region. In the event a Participating Agency withdraws from the Authority, the boundaries shall be modified to exclude the area of the withdrawing agency. In the event a qualified city or district joins the Authority, the boundaries shall be modified to include the area of the joining Participating Agency. Section 8 shall not prevent the Authority's use and/or operation of facilities outside of its boundaries within the County of San Luis Obispo.

## **SECTION 9. Organization.**

9.1 The Board. The Authority shall be governed by the Board, which shall exercise or oversee the exercise of all powers and authority on behalf of the Authority.

### 9.2 Participating Agencies.

- (a) Cities. City membership in the Authority shall be voluntary, but only the cities incorporated in the County of San Luis Obispo presently or in the future, are declared eligible for membership in the Authority as a regional agency. City representatives to the Authority shall consist of one (1) member from the governing body of each incorporated City within the boundaries of the County of San Luis Obispo which is a party to this Agreement. The Cities may elect to have an alternate member(s) in addition to any official member, but said alternate shall be an elected or appointed official and shall be able to vote only in the absence of the official representative.
- (b) Authorized Districts. The Authorized Districts shall be collectively represented on the Board by one (1) representative and one (1) alternate elected or appointed by and among themselves. The Authorized District Representative shall have all rights, power, and authority granted to a City representative. The Authorized District alternate shall be elected or

appointed officials and entitled to vote only in the absence of the official Authorized District Representative.

- (c) Representatives of the shall be appointed to serve on the Board in accordance with procedures established by each of the governing bodies of their respective agencies, except that the Authorized District Representative and alternate shall be elected or appointed pursuant to Section 4. Representatives shall serve so long as they hold office with their member agency, until they shall resign or are removed by a majority vote of their member agency, or pursuant to a set term established by their member agency. Vacancies among representatives or alternates shall be filled in the same manner as the first appointment.
- (d) Designation of the official representative or alternate(s), or changes thereto, shall be transmitted in writing to the Executive Director of the Authority by the appointing agency.
- (e) In addition to the incorporated Cities and Authorized Districts presently a party to this Agreement, any other city or qualified special district which may desire to participate in the activities of the Authority may do so by executing this Agreement without prior



approval or ratification of the named parties to this Agreement and shall thereafter be governed by all the terms and provisions of this Agreement as of the date of execution.

- (f) Membership and/or participation of any Participating Agency shall be contingent upon the execution of this Second Amended and Restated Joint Powers Agreement, as same may be further amended from time to time, with no requirement to execute the Original JPA or any prior amendments thereto.

9.3 Principal Office. The principal office of the Authority shall be located at 870 Osos Street, San Luis Obispo, CA 93401. The Board may change that principal office upon giving at least 15 days' notice to each Participating Agency and to CalRecycle.

9.4 Officers.

- (a) The officers of the Board shall consist of a President and Vice President elected for a term of one year by a majority vote of the Board.
- (b) Both the President and Vice President of the Board shall be elected at the last meeting preceding July of each year.
- (c) The officers shall serve until their successors are elected.
- (d) The duties of the officers shall be as follows:
  - 1) President

- a) Shall preside over all meetings of the Board.
  - b) Shall appoint all ad hoc committees subject to ratification by the Board.
  - c) Shall be an ex-officio member of all committees.
  - d) Shall execute all contracts and legal documents on behalf of the Authority except those that have been delegated to the Executive Director through purchasing policies or other actions of the Board of Directors.
- 2) Vice President
- a) Shall serve as President pro-tem in the absence of the President.
  - b) Shall give whatever aid necessary to the President.
  - c) Shall be an ex-officio member of all committees.
  - d) In the event of a vacancy occurring in the office of either the President or Vice President upon said officer's death, resignation, removal or his/her ceasing to be an official representative of a member agency, such vacancy will be .

filled by majority vote of the Board, the officer elected to serve for the balance of the unexpired term.

9.5 Executive Director. The Board shall employ or contract for the services of a general manager (the “Executive Director”) who shall be the chief administrative officer of the Authority. The Authority shall select a qualified Executive Director using professional personnel standards and an open competitive process. The Executive Director shall plan, organize and direct the administration and operations of the Authority, either directly or by means of delegation to IWMA staff, shall advise the Board on policy matters, shall recommend an administrative structure to the Board, shall hire and discharge administrative staff, shall develop and recommend budgets, shall reply to communications on behalf of the Authority, shall approve payments of amounts duly authorized by the Board, shall implement Board policy, shall carry out such other duties that may be assigned to the Executive Director by the Board from time to time, and shall attend meetings of the Board and committees as directed.

9.6 Committees.

- (a) Committees, subcommittees, and advisory committees may be established as the Board may deem appropriate.
- (b) Membership on “ad-hoc” policy committees shall be at the discretion of the President, subject to ratification by the Board, and consisting of less than a quorum of the Board. Nothing herein shall be construed to limit membership on these aforesaid

committees to officials of the member agencies. The President may appoint any individual deemed qualified to serve on a committee.

- (c) Standing Committees shall include an Executive Committee and other committees as established by the Board. The composition and bylaws of the standing committees shall be established by the Board by resolution. All Standing Committee meetings shall be held subject to the provisions of the Ralph M. Brown Act (Sections 54950 et seq. of the California Government Code) and other applicable laws of the State of California.

**SECTION 10. Meetings of the Board.**

10.1 Notice of Meetings. All meetings of the Board shall be held subject to the provisions of the Ralph M. Brown Act (Sections 54950 et seq. of the California Government Code) and other applicable laws of the State of California.

10.2 Regular Meetings. The Board shall hold at least four regular meetings each year. The date upon which, and the hour and place at which, each regular meeting shall be fixed by resolution of the Board.

10.3 Special Meetings. Special meetings of the Board may be called in accordance with the provisions of the California Government Code.

10.4 Notice of Meetings. All meetings of the Board shall be held subject to the provisions of the Ralph M. Brown Act (Sections 54950 et seq. of the California Government Code) and other applicable laws of the State of California.

10.5 Minutes. The Executive Director shall cause minutes of all meetings of the Board and any standing committees of the Board to be kept and shall, after each meeting and approval of the Board, cause a copy of the minutes to be forwarded to each Participating Agency.

10.6 Quorum and Voting. For purposes of conducting business, there shall be present a quorum consisting of a majority of the Board. Each director shall have one vote. No action shall be effective without the affirmative votes of a majority of those present. The Board shall adopt such procedures as are consistent with this Agreement and applicable law and are necessary or helpful in conducting the business of the Authority in an orderly manner.

10.7 Budget. The Cities and the County have entered into a *Memorandum of Agreement among the County of San Luis Obispo and the Cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo for the Establishment and Payment of Landfill Tipping Fee Surcharges To Support The San Luis Obispo Integrated Waste Management Authority* (the “MOA”). Pursuant to the MOA, those members of the Authority having jurisdiction over such matters have agreed to establish tipping fee surcharges (the “Tipping Fee Surcharges”) which shall be paid into a Solid Waste Authority—Trust Fund (as defined in the MOA) for the purposes therein.

- (a) A line item and program budget for the Authority's operations shall be adopted by the Board for the ensuing Fiscal Year prior to June 30 of each year. All costs incurred by the Authority shall be set forth in the budget and shall be paid out of the solid waste

fund derived from tipping fee surcharges and other sources as approved by the Board.

The line item and program budget shall be submitted in draft form to all Participating Agencies for review and comment prior to adoption.

The line item and program budget shall include sufficient detail to constitute an operating guideline, the anticipated sources of funds, and the anticipated expenditures to be made for the operations of the Authority and the administration, maintenance and operating costs of the facilities identified in Paragraph 6.1 herein. Any budget for Sole Use Facilities shall be maintained separately. Approval of the line item and program budget by the Board shall constitute authority for the Executive Director to expend funds for the purposes outlined in the approved budget, subject to the availability of funds.

- (b) A budget for the acquisition, construction, or operation of facilities, or for contracting for the acquisition, construction, or operation of facilities, identified in Paragraph 6.1 herein shall be adopted by the Board before the Authority commits any acquisition or construction funds or contracts. It may be amended if and when determined by the

Board. Approval of the budget(s) for the facilities identified in Paragraph 6.1 herein shall constitute authority for the Executive Director (or any trustee or other fiduciary appointed by the Authority) to receive state or federal grant funds and proceeds of Revenue Bonds and to expend funds for the acquisition, construction, or operation of the facilities identified in Paragraph 6.1 herein.

- (c) A budget(s) governing the acquisition, construction, or operation of Sole Use Facilities may be adopted by the affected Participating Agency or Agencies. When such budgets are adopted by affected parties, appropriate accounts shall be established by the Authority and designated as such participant or participant's fund. Disbursement of such funds by the Authority shall be made only upon receipt of written authorization from the designated finance officer of the affected Participating Agency or Agencies. Receipts and disbursements for the acquisition or construction of Sole Use Facilities may also be made directly by the affected Participating Agency or Agencies, in which case such budgets shall not be a part of the budget of the Authority.

10.8 Rules of Procedure. The Board shall from time to time, establish written rules and procedures for the conduct of their meetings.

**SECTION 11. Joint Operating Fund and Contributions.**

The Authority shall have the power to establish a joint operating fund. The fund shall be used to pay all administrative, operating, and other expenses incurred by the Authority. Funding shall be on an enterprise basis or as determined by the Board. All monies in the joint operating fund shall be paid out by the Auditor-Controller / Treasurer for the purposes for which the fund was created upon authorization by the President of the Board and approval by the Executive Director of demands for payment, or as otherwise authorized by resolution of the Board filed with the Auditor-Controller / Treasurer. No Participating Agency shall be obligated to make any contributions of funds to the Authority for facilities to be established in accordance with Section 6.1 or pay any other amounts on behalf of the Authority, other than as required by this Section 11, without that Participating Agency's consent evidenced by a written instrument signed by a duly authorized representative of that Participating Agency. The Authority shall contract with an independent certified professional accountant to conduct annual fiscal audits as required by applicable statute or legislation and report the results of such audit to the Board.

11.1 Auditor-Controller / Treasurer. The Auditor-Controller / Treasurer of San Luis Obispo County shall be the Auditor-Controller / Treasurer of the Authority. The Auditor-Controller / Treasurer shall preform all responsibilities and obligations as provided in Government Code section 6505.5. To the extent a conflict exists between this Section 11 and the Government Code, the Government Code shall control.



11.2 Notwithstanding Sections 11.1 above, designation of the Auditor-Controller / Treasurer may be changed from time to time by resolution of the Board without necessitating amendment to this Agreement.

**SECTION 12. Records and Accounts.**

This Section and Section 11 are intended to ensure strict accountability of all funds of the Authority and to provide accurate reporting of receipts and disbursements of such funds. The Authority shall maintain accurate and correct books of account, showing in detail the costs and expenses of any service or acquisition and construction and the maintenance, operation, regulation and administration of any service or Joint Facilities or Sole Use Facilities, and all financial transactions of the Participating Agencies relating to any service or Joint Facilities or Sole Use Facilities. Books and records shall be established and maintained in accordance with generally accepted accounting principles promulgated by the California State Controller's Office and the Governmental Accounting Standards Board. The books of account shall correctly show any receipts and any costs, expenses, or charges to be paid by all or any of the Participating Agencies. The books of account shall be open to inspection at all times by a representative or agent of any of the Participating Agencies. In addition, if required by any resolution authorizing the issuance of Revenue Bonds, the Authority shall maintain appropriate books, records, accounts and files relating to each project as required by such resolution which shall be open to inspection by holders of Revenue Bonds if and to the extent, and in the manner, provided in the resolution.

### **SECTION 13. Rates and Fees.**

The Authority shall be funded by a combination of rates, fees, and other funding mechanisms as allowed by applicable authority. Use of revenue from rates and fees shall not be restricted based upon the funding mechanism. The Authority shall establish and regulate rates and/or tipping fees at facilities within the County of San Luis Obispo, such as landfills or other collection sites, for (1) the operation, acquisition, construction, repair, and maintenance of new and existing facilities; (2) the implementation of state legislation and regulations; (3) the operation of programs, education, outreach, monitoring and enforcement efforts; and (4) the preparation, adoption, and implementation a regional management plan.

The Authority may impose fees in amounts sufficient for (1) the implementation of state legislation and supporting programs; (2) education outreach, monitoring, reporting and compliance efforts; (3) the preparation, adoption, and implementation of a regional management plan; and (4) any other purposes as provided for by this Agreement. Revenue generation may include fees imposed on “Haulers” (defined as companies with an agreement with a governmental entity for the collection of solid waste, recyclables, or green waste in San Luis Obispo County), assessments, or any other funding mechanism as allowed by applicable authority. Rates and fees shall be set or modified by resolution only.

Prior to the Authority increasing rates or fees, or imposing new rates or fees, the Authority shall provide the Participating Agencies with all necessary facts, data, information and analyses related to justification and/or explanation of the proposed rates and fees that meet all applicable legal requirements to support their adoption. The Authority shall coordinate with the Participating Agency

managers in this regard to ensure the facts, data, information and analyses provided by the Authority is adequate to enable the Participating Agencies to implement the Authority's proposed rates and fees through the Proposition 218 process, if deemed applicable to a Participating Agency by that Agency; however, determinations regarding the application of Proposition 218 to any proposed increased rate or fee shall be made solely by each Participating Agency with no Authority representations of any kind.

The Authority shall establish a rate and/or fee setting policy which shall govern the obligations of the Authority to its Participating Agencies in the implementation of any new or increased rates or fees.

**SECTION 14. Failure to Meet Waste Stream Requirements.**

The Authority shall be entitled to cause the waste streams of each Participating Agency to be monitored, pursuant to procedures approved by the Board, in order to determine whether state waste diversion requirements are being met. If the waste stream diversion of any Participating Agency fails to meet any such requirements, including but not limited to taking all actions necessary to comply with state mandates, that Participating Agency shall be solely responsible for any and all resulting liabilities, damages, fines, criminal and civil sanctions, and costs and expenses. That Participating Agency shall also indemnify and hold the Authority and the other Participating Agencies harmless from and against any and all liabilities, damages, fines, sanctions, costs and expenses that are incurred as a result of the violation or a claimed violation including, without limitation, all fees and costs of legal counsel. If two or more Participating Agencies are responsible

for a failure to meet any such requirements or are claimed to have violated any such requirements, the Participating Agencies responsible for the violations or which are the subject of such claims shall be responsible to, and shall indemnify, the Authority and the other Participating Agencies in proportion to their relative responsibility for the violations or claimed violations. Upon notification of any such violation or claim, the Participating Agency or Agencies shall take such prompt, corrective action as is necessary to meet the requirements. Nothing in this Section shall preclude one or more Participating Agencies or the Authority from imposing or establishing additional incentives to meet waste diversion requirements.

**SECTION 15. Withdrawal and Dissolution.**

15.1 The parties to this Agreement pledge full cooperation and agree to assign representatives to serve as official appointed representatives of the Authority or any committee or subcommittee thereof who shall act for and on behalf of their Participating Agency in any or all matters which shall come before the Authority, subject to any necessary approval of their acts by the governing bodies of the Participating Agencies.

15.2 Any party to this Agreement may withdraw from the Authority, upon providing six (6) months' prior written notice, and terminate its participation in this Agreement by resolution of its governing body. The withdrawal of the Participating Agency shall have no effect on the continuance of this Agreement among the remaining Participating Agencies, and the Agreement shall remain in full force and effect with respect to the remaining Participating Agencies. No

withdrawal shall become effective until six (6) months after receipt of the written notice by the Authority.

15.3 A Participating Agency which has withdrawn from the Authority shall not be liable for the payment of further contributions falling due beyond the date of withdrawal and shall have no right to reimbursement of any monies previously paid to the Authority. The Authority may authorize a reimbursement if in its judgment such reimbursement is fair and equitable and can be done without jeopardy to the operation of the Authority. If any Participating Agency fails to pay a required contribution, as determined by the Board, that Participating Agency shall be provided with a sixty (60) day written notice and an opportunity to cure. If the Board determines that the Participating Agency has failed to cure or negotiate a cure within sixty (60) days following delivery of the written notice shall be deemed a voluntary withdrawal from the Authority.

15.4 The Authority may be dissolved at any time and this Agreement terminated by a joint agreement duly-approved and executed by a majority of the Members which are parties hereto. Said termination agreement shall provide for the orderly payment of all outstanding debts and obligations and for the return of any surplus funds of the Authority in proportion to the contributions made by the Participating Agencies. In the event the Authority is dissolved, the individual Participating Agencies shall be responsible for complying with the requirements of the Act as included in the approved SRREs, HHWE, NDFE, Countywide or Regional Siting Element and Integrated Waste Management Plan in addition to compliance with all waste management related legislation.

**SECTION 16. Amendments Including Termination.**

This Agreement may only be amended or terminated by a written instrument executed by a majority of the Members and meeting the requirements imposed by the terms or conditions of all Revenue Bonds and related documentation including, without limitation, indentures, resolutions, and letter of credit agreements. Notwithstanding the foregoing, no amendment or termination shall require any Participating Agency to contribute any funds to the Authority or become directly or contingently liable for any debts, liabilities or obligations of the Authority without the consent of that agency evidenced in a written instrument signed by a duly authorized representative of that Participating Agency.

**SECTION 17. Filing with the Secretary of State.**

The Secretary shall file all required notices with the Secretary of State in accordance with California Government Code sections 6503.5 and 53051

**SECTION 18. Notices.**

All notices which any Participating Agency of the Authority may wish to give in connection with this Agreement shall be in writing and shall be served by personal delivery, by electronic mail, or by US mail addressed to the Participating Agency, or Participating Agencies, or the Authority at its principal office, or to such other address as the Authority or Participating Agency or Participating Agencies may designate from time to time by written notice given in the manner specified in this Section. Service of notice pursuant to this Section shall be deemed complete on the day of service by personal delivery (but 24 hours after such delivery in the case

of notices of special meetings of the Board), two days after mailing if deposited in the United States mail, or in 24 hours if provided by electronic mail.

**SECTION 19. Successors and Assigns.**

This Agreement shall be binding upon and shall inure to the benefit of the permitted successors and assigns of the Participating Agencies. However, no Participating Agency shall assign any of its rights under this Agreement except to a duly formed public entity organized and existing under the laws of the State of California approved by a majority of the voting Directors who do not represent the assigning Participating Agency. No assignment shall be effective unless and until the Authority, the Participating Agencies, and the proposed assignee comply with all then applicable requirements of law relating to changes in the composition of entities such as the Authority if and when they have Revenue Bonds outstanding and with the terms and conditions of all Revenue Bonds and related documentation including, without limitation, indentures, resolutions and letter of credit agreements.

**SECTION 20. Severability.**

Should any part, term, sentence, or provision of this Agreement be decided by a final judgment of a court or arbitrator to be illegal or in conflict with any law of the State of California or otherwise be unenforceable or ineffectual, the validity of its remaining parts, terms, sentences, and provisions shall not be affected and the Participating Agencies represent that they would have adopted this Agreement even without the ineffectual or non-valid provision(s).

**SECTION 21. Section Headings.**

All section headings contained in this Agreement are for convenience and reference. They are not intended to define or limit the scope of any provision of this Agreement.

**SECTION 22. Effective Date.**

This Agreement shall take effect upon its execution by all Members, pursuant to resolutions of such governing bodies authorizing such execution and shall remain in full force and effect until dissolved pursuant to the provisions herein. This Agreement may be executed in counterparts which together shall constitute a single agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first hereinabove written.



**PARTICIPATING AGENCIES**

<b>CITIES</b>	<b>AUTHORIZED DISTRICTS</b>
Arroyo Grande	Avila Beach CSD
Atascadero	California Valley CSD
El Paso de Robles	Cambria CSD
Grover Beach	Cayucos Sanitary District
Morro Bay	Ground Squirrel Hollow CSD
Pismo Beach	Heritage Ranch CSD
San Luis Obispo	Los Osos CSD
	Nipomo CSD
	Oceano CSD
	San Miguel CSD
	San Simeon CSD
	Templeton CSD

## **5.A. Public Hearing Item**



## **PUBLIC HEARING ITEM STAFF REPORT**

---

### **ITEM 5.A. INTRODUCTION OF ORDINANCE NO. 124 OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT AMENDING AND MODIFYING THE MORATORIUM OF THE ISSUANCE OF WATER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT.**

#### **SUMMARY:**

The District provides water to its customers from the Pico Creek Valley Groundwater Basin, which has not been adjudicated. The District has a water license (License 12272, Permit 12465) issued from the State Water Board and has a right to the maximum production of 140 acre-feet per year (“AFY”) from Pico Creek underflow. There currently exists a moratorium on the issuance of new water connections within the District originally established by Ordinance No. 61 and extended by Ordinance No. 63, Ordinance No. 66 and Ordinance No. 102.

The District's moratorium on new water connections was implemented due primarily to water quality problems - which were, at least in part, the result of seawater intrusion leading to high chloride concentrations in the water pumped from the Pico Creek Groundwater Basin. After the District's moratorium on new water connections was implemented, the District also established a wait list for property owners that wanted to place a deposit with the District for a new water connection, despite the moratorium being in place.

The “Waiting List” was defined and referenced in the District's Ordinance Nos. 74, 101, 108 and 115, among others. Ordinance 115 required the District to adopt the Waiting List by Board resolution. The Board adopted Resolution 14-369 on or about November 12, 2014, which established the “Waiting List”. On or about October 14, 2020, the District adopted Resolution 20-426, which repealed and superseded Resolution 14-369. Resolution 20-426 included an updated Waiting List and allowed District Staff to amend the Waiting List from time to time.

On or about March 7, 2022, the District staff updated the Waiting List in accordance with Resolution 20-426 (the “Current Waiting List”). Since the moratorium was implemented, the District has taken steps to address its water quality and quantity issues,

including, but not limited to, installing a reverse osmosis water filtration system that is used to treat brackish and mineral heavy water pumped from the groundwater basin.

In or around March of 2022, the District retained Akel Engineering Group, Inc. to perform a Water Supply Assessment (the "Akel Assessment") which found, among other things that the groundwater supply for the proposed future developments within the area of the District is expected to meet certain future demands. Specifically, the Akel Assessment determined that during a normal year, the supply of water is projected to exceed demand in 2025 by 37.4 AFY. The Water Supply Assessment also found that the groundwater level was consistent from 2016 to 2020 based on historical metered depths and was not significantly affected by the District's water production - which is historically at 80 AFY. The District's available supply of water and the impact of the District's current water production on District water resources was not fully known or understood until the completion of the Akel Assessment.

The District's Ordinance No. 66, which implemented the moratorium on new water connections on a permanent basis, made the finding that "until the time when such [water] supply is available, it is necessary to continue the existing moratorium." The District concludes that the water quality and quantity issues resulting in the need for the implementation of the current moratorium restrictions on water connections, no longer exists as is currently provided by ordinance. The District finds and determines that, in reliance on the data provided in the Akel Assessment, the District has a sufficient water supply for certain proposed developments on its Waiting List as it existed on the date of the Akel Assessment.

The District also concludes that it can allow for a limited number of additional water connections without a threat to the health, safety and well-being of the people and businesses of San Simeon. Therefore, the water quality and quantity problems necessitating a total moratorium on the issuance of new water connections have been partially alleviated, prompting the Board to amend the water connection moratorium to allow for the issuance of a limited number of new water connections.

If the proposed Ordinance No. 124 is approved by the Board, the District shall allow an additional 37.4 acre-feet of water connections or services on or to properties located within the boundaries of the District to serve those property owners identified on the District's Current Waiting List. In addition, Ordinance No. 61, Ordinance No. 63, Ordinance No. 66, and Ordinance No. 102 will be replaced and repealed in their entirety. The District will also need to develop policies and procedures concurrently with the final adoption of Ordinance No. 124, to regulate and manage the Current Waiting List, any future waiting list, and take any other action reasonable and/or necessary in the management of District water resources.

Ordinance No. 124 is not intended to modify the duties, rights and obligations of the District, or property owners within the District boundaries, with respect to the District's Water Conservation Plan, as it may be amended from time to time.

Recommendation:

It is recommended the Board (1) Introduce ORDINANCE NO. 124, AN ORDINANCE AMENDING AND MODIFYING THE MORATORIUM OF THE ISSUANCE OF WATER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT; (2) waive the first reading of the Ordinance following a reading of the title in full; and (3) set a public hearing on August 9, 2022, to consider the adoption of Ordinance No. 124.

Enc: Ordinance 124

## ORDINANCE NO. 124

### AN ORDINANCE OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT AMENDING AND MODIFYING THE MORATORIUM OF THE ISSUANCE OF WATER CONNECTIONS WITHIN THE BOUNDARIES OF THE DISTRICT

**BE IT ORDAINED** by the Board of Directors of the San Simeon Community Services District (“District”) as follows:

#### **SECTION I. FINDINGS.**

The Board of Directors of the District does hereby find, determine, and declare as follows:

A. The District provides water to its customers from the Pico Creek Valley Groundwater Basin, which has not been adjudicated. The District has a water license (License 12272, Permit 12465) issued from the State Water Board and has a right to the maximum production of 140 acre-feet per year (“AFY”) from Pico Creek underflow;

B. There currently exists a moratorium on the issuance of new water connections within the District originally established by Ordinance No. 61 and extended by Ordinance No. 63, Ordinance No. 66 and Ordinance No. 102;

C. The District's moratorium on new water connections was implemented due primarily to water quality problems - which were, at least in part, the result of seawater intrusion leading to high chloride concentrations in the water pumped from the Pico Creek Groundwater Basin;

D. After the District's moratorium on new water connections was implemented, the District also established a wait list for property owners that wanted to place a deposit with the District for a new water connection, despite the moratorium being in place;

E. The “Waiting List” was defined and referenced in the District's Ordinance 74, 101, 108 and 115, among others. Ordinance 115 required the District to adopt the Waiting List by Board resolution. The Board adopted Resolution 14-369 on or about November 12, 2014, which established the “Waiting List”;

F. On or about October 14, 2020, the District adopted Resolution 20-426, which repealed and superseded Resolution 14-369. Resolution 20-426 included an updated Waiting List and allowed District Staff to amend the Waiting List from time to time;

G. On or about March 7, 2022, the District staff updated the Waiting List in accordance with Resolution 20-426, which is attached hereto as Exhibit A and incorporated herein by this reference (the “Current Waiting List”);

H. Since the moratorium was implemented, the District has taken steps to address its water quality and quantity issues, including, but not limited to, installing a reverse osmosis water filtration system that is used to treat brackish and mineral heavy water pumped from the groundwater basin;

I. In or around March of 2022, the District retained Akel Engineering Group, Inc. to perform a Water Supply Assessment (the Akel Assessment,") which found, among other things that the groundwater supply for the proposed future developments within the area of the District is expected to meet certain future demands. Specifically, the Akel Assessment determined that 112 AFY of water is available for water supply and water demand is 74.63 AcFt based on the 2022 water supply assessment such that water supply exceeds water demand by 37.4 AFY.

J. The Water Supply Assessment also found that the groundwater level was consistent from 2016 to 2020 based on historical metered depths and was not significantly affected by the District's water production - which is historically at 80 AFY. The District's available supply of water and the impact of the District's current water production on District water resources was not fully known or understood until the completion of the Water Supply Assessment;

K. The District's Ordinance No. 66, which implemented the moratorium on new water connections on a permanent basis made the following finding, that "until the time when such [water] supply is available, it is necessary to continue the existing moratorium";

L. The District concludes that the water quality and quantity issues resulting in the need for the implementation of the current moratorium restrictions on water connections, no longer exists as is currently provided by ordinance. The District hereby finds and determines that, in reliance on the data provided in t the Water Supplement Assessment, the District has a sufficient water supply for certain proposed developments on its waitlist as it existed on the date of the Water Supply Assessment;

M. The District also concludes that it can allow for a limited number of additional water connections without a threat to the health, safety and well-being of the people and businesses of San Simeon;

N. Therefore, the water quality and quantity problems necessitating a total moratorium on the issuance of new water connections have been partially alleviated, prompting the Board to amend the water connection moratorium to allow for the issuance of a limited number of new water connections;

O. District Ordinance No. 61, Ordinance No. 63, Ordinance No. 66 and Ordinance No. 102 and hereby replaced and repealed in their entirety;

P. The District shall implement policies and procedures concurrently with the effective date of this Ordinance, which may be amended from time to time, to regulate and manage the Current Waiting List, any future waiting list, and any other policy deemed reasonable and/or necessary in the management of District water resources.

**SECTION II. AMENDMENT TO MORATORIUM ON WATER CONNECTION.**

A. Except as otherwise provided in this Ordinance, the District shall allow an additional 37.4 acre-feet of water connections or services on or to properties located within the boundaries of the District to serve those property owners identified on the District's Current Waiting List. This amount of additional acre-feet has been established by the Water Assessment Study and is deemed accurate and reliable for purposes of adopting this Ordinance and managing water resources.

B. District Staff is directed to implement policies and procedures concurrently with the effective date of this Ordinance, which may be amended from time to time, to regulate and manage the Current Waiting List and water supply availability for other rate-payers of the District.

C. District Staff is directed to implement policies and procedures deemed necessary and/or appropriate for the management of District water resources.

D. This Ordinance is not intended to modify the duties, rights and obligations of the District, or property owners within the District boundaries, with respect to the District's Water Conservation Plan, as it may be amended from time to time.

E. This Ordinance is not intended to modify the duties, rights and obligations of the District, or property owners within the District boundaries, with respect to the District's water, sewer and service allocation transfer requirements (and related rules and regulations) as discussed in District Ordinance 115 and/or other District policies.

**SECTION III. DURATION OF ORDINANCE.**

The provisions of this Ordinance shall remain in effect until terminated/ revoked by future ordinance or other Board action.

**SECTION IV. NO TAKING OF PROPERTY INTENDED**

Nothing in this chapter shall be interpreted to affect an unconstitutional taking of property of any person. If the Board determines, based on specific evidence in the administrative record, that the application of one or more of the provisions of this chapter to a proposed project would effect an unconstitutional taking of private property, the Board shall disregard such provision or provisions to the extent necessary to avoid such unconstitutional taking.

**SECTION V. CONSTITUTIONALITY.**



If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of the remaining portions of this Ordinance. The Board of Directors of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION VI. NOTICE OF EXEMPTION.**

This ordinance is exempt from the California Environmental Quality Act (CEQA) under 14 CCR § 15268. The Board directs staff to file a Notice of Exemption with the San Luis Obispo County Clerk's office.

**SECTION VII. EFFECTIVE DATE OF ORDINANCE.**

The Ordinance shall be in full force and effect in thirty (30) days from passage. Within fifteen (15) days of passage, this Ordinance shall be published at least once in a newspaper of general circulation in the County of San Luis Obispo, together with the names of the members of the Board of the Directors of the District voting for an against the Ordinance.

**INTRODUCED** at a regular meeting of the Board of Directors of the San Simeon Community Services District held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

**AND ADOPTED** at a regular meeting of the Board of Directors of the San Simeon Community Services District held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, and on the following roll call vote, to wit:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
President, Board of Directors

ATTEST:

\_\_\_\_\_  
Secretary, Board of Directors

APPROVED AS TO FORM:

\_\_\_\_\_  
District Counsel

Exhibit A

Current Waiting List

(attached as separate spreadsheet)

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**Waiting List, Will-Serve and Other Questions After Moratorium Modified**  
**(Discussion for development of potential District policies and procedures)**

- How will those on the waiting list be notified that they may apply for a will-serve letter?
- What must a property owner provide to the District to be issued a will-serve letter?
- Will all property owners on the Waiting List be allowed to apply for a will-serve letter immediately upon modification of the water moratorium, or does the person at the top of the list get to apply first? If so, how long does that person have to apply?
- Does every person interested in a will serve need to get on the waiting list as a procedural step to consideration? (i.e – you can't get a will serve unless you get on the list first).
- What happens when a property owner is issued a will-serve letter, but does not use all of the EDUs they have "reserved" on the waiting list? Do they lose those EDUs, or can they use them on a different project?
- How long is a will-serve letter effective? If a property owner's project takes too long to come to fruition, can they extend the effectiveness of their will-serve letter?
- Will the District allow people to be added to the Waiting List after the moratorium is modified?
- How will the District handle the 37+AFY already on the Waiting List, when the Akel Assessment implies there is not that much water available to be allocated?
- Since the moratorium is modified, do the people on the waiting list, technically become "Non-Active Service Commitments?" (Ordinance 115)
- Does Ordinance 115 need to be amended now that those on the Waiting List will be able to apply for will-serve letters?

## **5.B. Public Hearing Item**



## **PUBLIC HEARING ITEM STAFF REPORT**

---

### **ITEM 5.B. PUBLIC OUTREACH AND DISCUSSION REGARDING THE COASTAL HAZARD RESPONSE PLAN (CHRP)/ LOCAL COASTAL PLAN (LCP) PERTAINING TO THE RELOCATION OF THE WASTE WATER TREATMENT PLANT.**

In accordance with the requirements of the Local Coastal Program Amendment Grant awarded to the San Simeon CSD (District, SSCSD) for the preparation of the Coastal Hazards Response Plan (CHRP), and implementation of the special conditions required through the District's Coastal Development Permit 3-19-0020, the San Simeon CSD is committed to keeping the public and stakeholders updated on the progress of the CHRP and providing opportunities to ask questions and provide input on the CHRP throughout the preparation of the report.

In addition to the updates and public comment opportunities provided at the monthly SSCSD Board of Directors meetings, the SSCSD has created a project web page to provide additional opportunities for receiving project updates and for providing project input. The project web page can be accessed from the Board of Director's website located at the following link: <https://sansimeoncsd.org/projects/>

With respect to CHRP update for July 2022, it is important to note that the project web page includes a copy of the Draft CHRP Outline provided by the project consulting team (Dudek). The Draft CHRP Outline provides a format for preparation of the CHRP report and details on the nature of the proposed analysis. This draft Outline was provided to the public for comment and to the primary stakeholder jurisdictional agencies including the Coastal Commission and the Regional Water Quality Control Board (RWQCB) for review to ensure that the proposed CHRP methodology meets their requirements.

As a result of the agency review, comments were received from both the Coastal Commission and the RWQCB and are available for review of the project web page. The Coastal Commission response is in the form of a comment letter that has been reviewed by the District and the project consulting team. Their comments were focused on recommendations for the scope of the CHRP and project outreach and coordination. The District and the consulting team will continue to coordinate with the Coastal Commission to address their comments and to ensure their comments are addressed. The comments provided by the RWQCB have been embedded into a copy

of the Draft CHRP Outline provided on the District's web page and will be incorporated into the Draft CHRP report as well. The District will continue to update the public and stakeholders on the progress of the agency coordination as the consulting team prepares the draft report.

In order to provide the public and stakeholders with a progress report on the CHRP research and analysis to-date, the project consulting team, Dudek, has provided a brief memo outlining the wastewater treatment plant alternative site analysis and alternative treatment technology research. The memo is included in this month's Board Packet and will be uploaded to the project web page as well. As shown, the memo provides a brief discussion of the alternative sites and associated wastewater treatment technologies that could be utilized. These details will be analyzed as part of the CHRP; however, the District is providing this progress update to ensure that the public and stakeholders have the opportunity to comment, ask questions and provide input.

Please feel free to contact the SSCSD at [admin@sansimeoncsd.org](mailto:admin@sansimeoncsd.org) with any questions and or project input. Thank you.

Enc: CHRP outline  
Response from CCC  
Response from RWQCB  
Memo from Mike Metts (Dudek)

Public Hearing Item 5B:  
DRAFT CHRP Outline



**DRAFT**

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# Coastal Hazard Response Plan

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**MARCH 2022**

*Prepared for:*

**SAN SIMEON COMMUNITY SERVICE DISTRICT**  
111 Pico Avenue  
San Simeon, CA 93452

*Prepared by:*

**DUDEK**

621 Chapala Street  
Santa Barbara, California 93001  
*Contact: John Davis IV*



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John Davis IV  
Project Manager/  
Senior Coastal Ecologist

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Mike Metts, PE  
Principal, Chief Engineer

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**APPENDIX(CES)**

A      Insert Title

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# Acronyms and Abbreviations

Acronym/Abbreviation	Definition
CCC	California Coastal Commission
SSCSD	San Simeon Community Services District
RWQCB	Regional Water Quality Control Board
CDP	Coastal Development Permit
LCP	Local Coastal Program
WWTP	Wastewater Treatment Plant

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# 1 Introduction

Body Text.

Figure 1. Project Location

Figure 2. Project Site

## 1.1 Background

Body Text.

### 1.2.3 History of San Simeon Wastewater Treatment Plant

The San Simeon wastewater treatment plant (WWTP) was built on the blufftop beachfront near Arroyo del Padre Juan Creek (Creek) in the 1960s. Throughout its operation, the WWTP and larger site have been subject to various coastal hazards that resulted in the District undertaking repair, maintenance, upgrade, and adaptation activities, including the construction of a riprap revetment along the northern and western bluff face in 1983, replacement of the outfall pipeline in 1984, placement of riprap along the banks of the Creek in 1995, and replacement of the pipe support structure over the Creek in 1999, among others. This section will provide context for those subsequent by describing the history of the WWTP, including its routine operation, effects from coastal hazards, and past adaptation and upgrade projects.

### 1.2.4 Conditions of CDP No. 3-19-0020

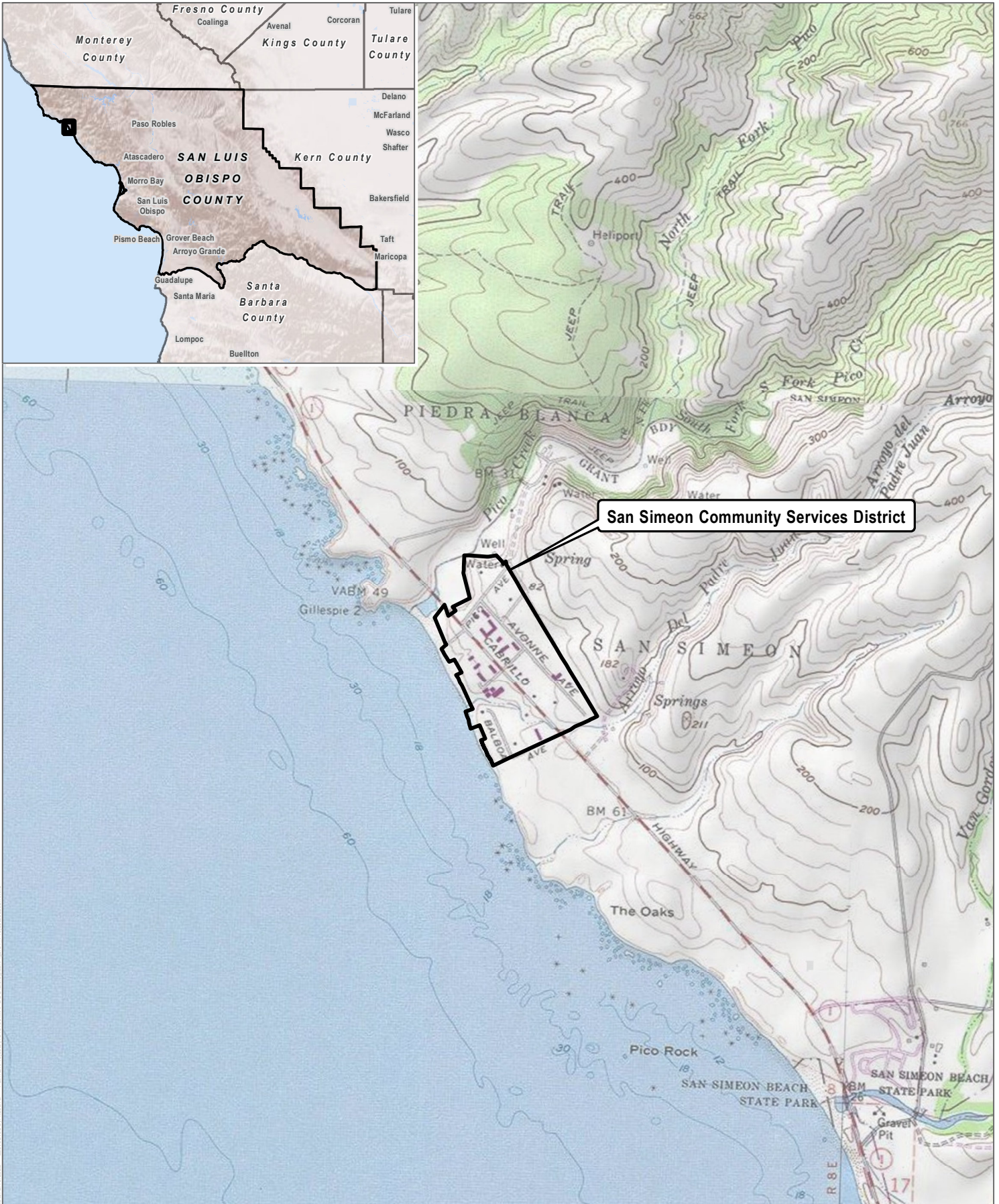
Several of the projects undertaken at the WWTP since its original construction have occurred within the permitting jurisdiction of the California Coastal Commission (CCC), and the District has previously obtained two Coastal Development Permits (CDPs) for construction of a flow-balancing tank in 1979 and installation of additional aeration and clarifier tanks in 1985 (CDP Nos. 199-09 and 4-85-180). However, much of the riprap installation and work near the Creek was undertaken without first obtaining a permit. As a result, CCC issued CDP No. 3-19-0020 in 2019 to authorize this development after the fact and specify conditions for the WWTP's continued operation and eventual relocation. One special condition of the CDP required the development of this very Coastal Hazards Response Plan (CHRP). This section will review the findings and conditions of CDP No. 3-19-0020 as they relate to this CHRP, and provide a framework for the way that this document fulfills those conditions.

## 1.3 Purpose

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San Simeon Community Services District

SOURCE: USGS Topological Survey, 7.5-Minute Series

FIGURE 1

Project Location

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San Simeon Community Services District

SOURCE: ESRI World Imagery

FIGURE 2

San Simeon Community Service District

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## 2.0 Regulatory Setting

San Simeon is located in San Luis Obispo County within the County's North Coast Planning Area; and within the Coastal Zone. This section outlines the federal, state, and local regulations pertinent to the resources located in the Project site. Some of the resources that could be affected by the Project are regulated by resource agencies, which often overlap in jurisdiction. This section identifies and provides a brief discussion of the various laws, regulations, and plan relevant for the Project. This section is not exhaustive and other statutes, regulations, and/or policies not listed below may be applicable.

### 2.1 Federal

#### 2.1.1 Federal Endangered Species Act

The federal Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 et seq.), as amended, is administered by the United States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration National Marine Fisheries Service. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. The ESA defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under the provisions of Section 9(a)(1)(B) of the ESA (16 U.S.C. 1531 et seq.), it is unlawful to "take" any listed species. Take is defined in Section 3(19) of the ESA as, "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." A Final Rule published in the Federal Register on November 8, 1999 (50 CFR 60727-60731), further defines "harm" as any act that kills or injures fish or wildlife, and emphasizes that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns (e.g., nesting or reproduction) of fish or wildlife. Further, the USFWS, through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification that result in injury to or death of species, which therefore are defined as forms of take. These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species.

In a case where a property owner seeks permission from a federal agency for an action that could affect a federally listed plant or wildlife species, the property owner and agency are required to consult with USFWS. Take prohibitions in Section 9 of the ESA (16 U.S.C. 1531 et seq.) do not expressly encompass all plants. Property owners may take listed plant species without violating the take prohibition if:

- The proposed development is private and does not require federal authorization or permit.
- There are no special federal regulations under Section 4(d) that prohibit take of the plant species.
- There are no state laws prohibiting take of the plant species.

Section 9(a)(2) of the ESA (16 U.S.C. 1531 et seq.) addresses the protections afforded to listed plants. Unlike the CESA, the ESA provides protection to invertebrate species by listing them as threatened or endangered.

## 2.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50, Section 10.13 of the Code of Federal Regulations. The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country and is enforced in the United States by the U.S. Fish and Wildlife Service. Hunting of specific migratory game birds is permitted under the regulations listed in Title 50, Section 20 of the Code of Federal Regulations. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors). On December 22, 2017, the Department of Interior issued a legal opinion (M-Opinion 37050) that interpreted the above prohibitions as only applying to direct and purposeful actions of which the intent is to kill, take, or harm migratory birds; their eggs; or their active nests. Incidental take of birds, eggs, or nests that are not the purpose of such an action, even if there are direct and foreseeable results, was not prohibited. On January 7, 2021, the USFWS published a final rule (the January 7th rule) that codified the previous administration's interpretation, which after further review was determined to be inconsistent with the majority of relevant court decisions and readings of the MBTA's text, purpose, and history. On May 7, 2021, the USFWS published a proposed rule to revoke the January 7th rule, which would result in a return to implementing the statute as prohibiting incidental take. On July 19, 2021, the USFWS announced the availability of two revised economic analysis documents for public review that evaluate the potential for the proposed rule to impact small entities, including businesses, governmental jurisdictions, and other organizations. The public review period on these documents ended on August 19, 2021. A final rule revoking the January 7th rule was published on October 4, 2021 and went into effect on December 3, 2021. In their summary of the October 4, 2021 final rule, the USFWS explained that "the immediate effect of this final rule is to return to implementing the MBTA as prohibiting incidental take and applying enforcement discretion, consistent with judicial precedent and longstanding agency practice prior to 2017" (86 FR 54642).

## 2.1.3 Clean Water Act – Section 404

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Under Section 404 of the CWA, the U.S. Army Corps of Engineers (ACOE) has the authority to regulate activities that could discharge fill or dredge material or otherwise adversely modify wetlands or other waters of the United States. The ACOE implements the federal policy embodied in Executive Order 11990, which, when implemented, is intended to result in no net loss of wetland values or function.

## 2.1.4 Clean Water Act – Section 401

The State Water Resources Control Board has authority over wetlands through Section 401 of the CWA, as well as the Porter-Cologne Act, California Code of Regulations Section 3831(k), and California Wetlands Conservation Policy. The CWA requires that an applicant for a Section 404 permit (to discharge dredge or fill material into waters of the United States) first obtain certification from the appropriate state agency stating that the fill is consistent with the state's water quality standards and criteria. In California, the authority to either grant certification or waive the requirement for permits is delegated by the State Water Resources Control Board to the nine regional boards. The Central Coast RWQCB, discussed below, has authority for Section 401 compliance in the project area. A request for certification is submitted to the regional board at the same time that an application is filed with the ACOE.



## 2.2 State

### 2.2.1 California Environmental Quality Act

CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain criteria. These criteria have been generally modeled after the definition in FESA and Chapter 1.5 of the California Fish and Game Code that addresses rare or endangered plants and animals. Appendix G of the CEQA Guidelines requires a lead agency to determine whether or not a project would “have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.” CEQA Guidelines Section 15065 requires that a lead agency find an impact to be significant if a project would “substantially reduce the number or restrict the range of an endangered, rare, or threatened species.”

### 2.2.2 California Coastal Act

Under the California Coastal Act (CCA), the CCC regulates impacts to wetlands in the “coastal zone” and requires a coastal development permit for almost all development within this zone. From three miles seaward the coastal zone generally extends approximately 1,000 yards inland. In less developed areas, it can extend up to 5 miles inland from the mean high tide line, but can also be considerably less than 1,000 yards inland in developed areas.

The CCA also protects designated sensitive coastal areas by providing additional review and approvals for proposed actions in these areas. Section 30121 of the CCA defines wetlands as “...lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, swamps, mudflats, and fens...” The CCA allows disking, filling, or dredging of wetlands for certain uses, such as restoration. The CCA also directs each city or county within the coastal zone to prepare a Local Coastal Program (LCP) for Coastal Commission Certification (CCC 2019).

### 2.2.3 State of California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) administers the California Endangered Species Act (CESA) (Fish and Game Code 2081), which prohibits the “take” of plant and animal species designated by the Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86 (Fish and Game Code), take is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 (Fish and Game Code) stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

CESA (Section 2062) (Fish and Game Code) defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA (Section 2067) (Fish and Game Code) defines a

threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the Commission as rare on or before January 1, 1985, is a threatened species.” Candidate species are defined (CESA, Section 2068; Fish and Game Code) as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.” CESA does not list invertebrate species.

CESA Sections 2080 through 2085 (Fish and Game Code) address the taking of threatened, endangered, or candidate species by stating, “No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the Native Plant Protection Act (Fish and Game Code, Sections 1900–1913), or the California Desert Native Plants Act (Food and Agricultural Code, Section 80001).”

## 2.2.4 California Fish and Game Code

The potential take of state listed Threatened, Endangered or Rare plant and animal species is regulated by the CDFW and includes Species of Special Concern, Fully Protected Species and Other State Code Provisions. The “Species of Special Concern” list includes species whose breeding populations in California may face extirpation (CDFW 2020a). Although these species have no legal status under the CESA, the CDFW recommends considering these species during analysis of proposed Project impacts to protect declining populations, and to avoid the need to list them as threatened or endangered in the future. These species may “be considered rare or endangered [under CEQA] if the species can be shown to meet the criteria.”

Additionally, the California Fish and Game Code (CFGC) contains lists of vertebrate species designated as “Fully Protected” (California Fish & Game Code 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], and 5515 [fish]. According to Sections 3511 and 4700 of the CFGC, which regulate birds and mammals, respectively, a “Fully Protected” species may not be taken or possessed without a permit from the Fish and Game Commission. Incidental take is not authorized under CFGC Section 2081 for species designated as Fully Protected, except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Pursuant to Section 3503.5 of the CFGC, it is unlawful to take, possess, or destroy any birds of prey; or to take, possess, or destroy any nest or eggs of such birds. Active nests of all other birds (except introduced species such as rock pigeons, Eurasian collared-doves, house sparrows, and European starlings) are similarly protected under CFGC Sections 3503 and 3513. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by the CDFW. This statute does not provide for the issuance of an incidental take permit.

In accordance with Section 1602 of the CFGC (Lake and Streambed Alteration), the CDFW regulates activities that “will substantially divert, obstruct, or substantially change the natural flow or bed, channel or bank, of any river, stream, or lake designated by the Department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit.” The CDFW takes jurisdiction to the top of bank of the stream, or the

limit of the adjacent riparian vegetation, referred to in this report as “streambed and associated riparian habitats.” Lake and Streambed Alteration Agreement applications to the CDFW must include a draft California Environmental Quality Act (CEQA) document for the application to be deemed complete by CDFW. A complete certified or adopted CEQA document must be received before the CDFW can issue a Lake and Streambed Alteration Agreement.

## 2.2.5 Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act provides that “All discharges of waste into the waters of the State are privileges, not rights.” Waters of the state are defined in Section 13050(e) of the Porter–Cologne Water Quality Control Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” All dischargers are subject to regulation under the Porter–Cologne Water Quality Control Act, including both point and nonpoint source dischargers. The Central Coast RWQCB is the appointed authority for Section 401 compliance in the Project area.

## 2.2.6 State Water Resources Control Board

In California, the State Water Resources Control Board and the RWQCBs are responsible for implementing the Clean Water Act. Discharges into waters of the state are regulated under Section 401. The “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State” (Procedures), issued by the State Water Resources Control Board in April 2020, states that “all waters of the United States are also ‘waters of the state.’” The Procedures also provided clarification on the definition of a wetland, which include areas that under normal circumstances: (1) have continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anerobic conditions in the upper substrate; and (3) the vegetation is dominated by hydrophytes or the area lacks vegetation. This modified three-parameter definition is similar to the federal definition in that it identifies three wetland characteristics that determine the presence of a wetland: wetland hydrology, hydric soils, and hydrophytic vegetation. However, unlike the federal definition, the Procedures’ wetland definition allows for the presence of hydric substrates as a criterion for wetland identification (not just wetland soils) and wetland hydrology for an area devoid of vegetation (less than 5% cover) to be considered a wetland.

The State Water Resources Control Board has authority over wetlands through Section 401 of the CWA, as well as the Porter–Cologne Act, California Code of Regulations Section 3831(k), and California Wetlands Conservation Policy. The CWA requires that an applicant for a Section 404 permit (to discharge dredge or fill material into waters of the United States) first obtain certification from the appropriate state agency stating that the fill is consistent with the state’s water quality standards and criteria. In California, the authority to either grant certification or waive the requirement for permits is delegated by the State Water Resources Control Board to the nine regional boards. The Central Coast RWQCB has authority for Section 401 compliance in the project area. A request for certification is submitted to the regional board at the same time that an application is filed with the ACOE.

## 2.2.7 Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) was adopted in 1972 to protect the coastal environment from growing pressures associated with residential, recreational, commercial, and industrial development. This act, administered by the National Oceanic and Atmospheric Association (NOAA), outlines the management of the nation’s coastal resources, and includes the Great Lakes. The CZMA encompasses three

national programs, the National Coastal Zone Management Program, the National Estuarine Research Reserve System, and the Coastal and Estuarine Land Conservation Program. The Federal Consistency Unit of the California Coastal Commission (CCC) implements the federal CZMA as it applies to federal activities, development projects, permits and licenses, and support to state and local governments. The CZMA encourages states to develop coastal management programs and implement federal consistency procedures. Upon certification of the state coastal management program all federal agency activities affecting the coastal zone must be consistent with the policies and requirements detailed in the states program. A review process is undertaken to indicate whether project activities will be performed in a manner consistent with enforceable policies of approve management programs and called a consistency determination for federal agency activities and development projects; and a consistency certification for federal permits and licenses, and/or federal support (i.e. funding) to state and local agencies.

California’s coastal zone is defined as extending seaward to the state’s outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five (5) miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards.

The Project is located entirely within the coastal zone. As further discussed below, the County of San Luis Obispo has a certified Local Coastal Program authorized under the California Coastal Act.

## 2.3 County of San Luis Obispo

In addition to the federal and state regulations identified above, the following local laws, ordinances, regulations, and standards apply to the environmental review of potential impacts to regulated resources as a result of the Project.

### 2.3.1. North Coast Planning Area

The North Coast Area Plan (County 2018) was adopted by the County Board of Supervisors in 1980 and certified by the CCC in 1988; and most recently revised in 2018. The NC Area Plan describes County land use policies, including regulations which are also adopted as part of the Land Use Ordinances and Local Coastal Program. Relevant general goals for planning in San Simeon Acres are provided below. In addition, Planning Area Standards are provided below. Planning Area Standards specific development standards to address special issues and conditions relevant to the community. Standards are mandatory requirements for development. These are described in Chapter 7 of the County North Coast Area Plan (County 2018).

### Relevant General Goals

**1. Environment.** Maintain and protect a living environment that is safe, healthful and pleasant for all residents by:

- A. Assuring the protection of coastal resources such as wetlands, coastal streams, forests, marine habitats, and wildlife, including threatened and endangered species.
- B. Conserving nonrenewable resources and replenishing renewable resources.

- C. Balancing the capacity for growth allowed by the Plan with the sustained availability of resources.
- D. Avoid or mitigate to the maximum extent feasible, any adverse impacts from development using the best available methods.
- E. Preserving and protecting the air quality by seeking to attain and maintain State and federal ambient air quality standards by determining, and mitigating where feasible, potential adverse air quality impacts of new residential, commercial, and recreational development.
- F. Preserving and protecting water quality by avoiding and mitigating, potential adverse water quality impacts of new residential, commercial, and recreational development, among other ways through the implementation of low impact site designs that protect natural drainage courses, maximize opportunities for on-site percolation or detention and reuse of stormwater, and treat and filter runoff as necessary to remove sediments and contaminants.
- G. Supporting the efforts of the Monterey Bay National Marine Sanctuary, or future local marine sanctuaries.
- H. Protecting cultural, archaeological, and paleontological resources.
- I. Avoiding new development in hazardous areas and, where feasible, removing development threatened by hazards

**6. Residential Land Uses.** Preserve and enhance the quality of residential areas by:

- A. Locating urban residential uses within Cambria Urban or San Simeon Village Reserve Lines in areas near employment.
- B. Protecting residential areas from incompatible land uses and protecting the residential character of single-family areas.
- C. Preserving desirable neighborhood characteristics such as compatible uses, open views, yard areas, sense of scale, landscaping, pedestrian ways, and other amenities.
- D. Requiring major developments and long range plans to create a balance between available jobs and housing by locating housing in areas that reduce the need for commuting

**9. Commercial and Industrial Land Uses.** Designate commercial and/or industrial areas that are compatible with overall land use by:

- A. Designating visitor-serving and community-serving commercial areas that are located near existing similar development and their users.
- B. Designating commercial and/or light industrial areas compatible with overall land uses that are convenient to users, and are realistically related to market demand and the needs of the community.

- C. Creating and preserving desirable neighborhood business characteristics, such as compatible uses, safe employment areas, sense of scale, attractive landscaping, pedestrian ways, and other amenities.

**13. Open Space.** Preserve urban open space as an irreplaceable resource for future generations by:

- A. Encouraging cooperation among governmental agencies, landowners, and nonprofit organizations in the preservation of open space.
- B. Recognizing the value of open space and passive recreation as both a coastal resource, and an economic asset contributing to the desirability of the area as a place to live, an agricultural production area, wildlife habitat, and a visitor destination area.
- C. Encouraging better access to the coast through the acquisition and development of coastal accessways, trails, and neighborhood parks, in areas that do not impact agriculture or coastal resources.

**18. Public Access to the Shoreline.** Provide for public access, consistent with the need to protect natural resource areas from overuse, by:

- A. Maximizing public access to and along the coast through the following:
  - 1. Developing all feasible vertical and lateral pedestrian access easements to and along the shoreline, consistent with other public access goals of this plan.
  - 2. Developing a Coastal Trail through the length of the Planning Area.
  - 3. Developing all other feasible pedestrian circulation systems in the coastal zone, consistent with other public access goals of this plan.
  - 4. Providing a bike path system for the Planning Area.
  - 5. Providing conspicuous signage for all public access easements.
- B. Preventing interference with the public's right of access to the sea, whether acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- C. Requiring new development between the nearest public roadway and the shoreline and along the coast to provide public access consistent with sound resource management and consistent with public safety, military security needs, and the protection of fragile coastal resources.
- D. Carefully balancing the public's right of access to the sea with constitutionally protected private property rights.

### 2.3.1.1 Planning Area Standards

The following section provides relevant planning area standards for San Simeon Acres Village. For additional standards see County (2018), Chapter 7 “Planning Area Standards.” See Chapter 7 for additional standards related to communitywide shoreline development, shoreline access, new development building designs, buildings size, commercial or mixed use or residential standards, lot creation, and landscaping.

#### Combining Designations

1. Arroyo del Padre Juan. Arroyo del Padre Juan Creek, including associated riparian habitat areas and beach lagoon, shall be protected, enhanced, and where feasible, restored. All new development shall be setback a minimum of 100 feet from the upland edge of riparian vegetation. Setbacks of less than 100 feet are allowed only in accordance with Section 23.07.174d.2 of the CZLUO. Removal of riparian vegetation on the banks of the creek is prohibited.

#### Communitywide

1. **Marine Habitat Protection - Projects with Point-Source Discharges.**

The richness, sensitivity, and unspoiled character of the marine habitats in San Simeon Acres demand particularly rigorous measures to protect, maintain, enhance, and restore these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows: **Exceptions:**

- A. **San Simeon Acres Community Services District.** Discharges by the San Simeon Acres Community Services District (SSCSD) that have been properly permitted, when permits are required, by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA) and Monterey Bay National Marine Sanctuary (MBNMS).
- B. **Stormwater Outfalls.** Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater on-site, or direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances, stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above. Consolidation of existing outfalls shall be pursued where feasible.
- C. **Passthrough Discharges.** Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:
  - (1) Discharge is in compliance with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish & Game (CDFG) laws and regulations.
  - (2) The discharge point is located south of San Simeon Point.

- (3) The discharge method will not result in a eutrophic concentration of nutrients, and will not result in adverse impacts to wild abalone populations or other native marine organisms.

**D. Seawater Passthrough Devices.** Seawater passthrough discharges for public aquaria, and for scientific research facilities that are consistent with LCP requirements, and provided that:

- (1) Discharge is consistent with CCC, MBNMS, EPA, CDFG, SLC and RWQCB laws and regulations.
- (2) The discharge method will not result in adverse impacts to kelp beds or other native marine organisms.

**E. Water Quality Enhancement.** Discharges to streams, for the purpose of hydrologic replenishment and/or stream water quality enhancement that are consistent with LCP requirements, and provided that:

- (1) Discharge is consistent with NMFS, U.S. Fish & Wildlife Service (USFWS), EPA, RWQCB, and CDFG Regulations.
- (2) The discharged waters will be of appropriate temperature and quality so as not to disrupt the steelhead run, nor the in-stream habitat for any other sensitive species including, but not limited to, the red-legged frog and tidewater goby nor will impact adjacent agriculture.

**2. Service Capacity.**

The San Simeon Acres Community Services District (SSCSD) shall maintain and reserve available water and sewage treatment capacity for the following priority uses:

- A. Visitor Serving Uses.** A minimum of 50 percent of available water and sewer capacity.
- B. Affordable Housing - Program Required.** Of the remaining capacity, the SSCSD shall reserve sufficient water and sewer capacity to serve affordable housing. Prior to issuance of any further water allocation letters, the District shall propose to the County a program to accommodate a limited number for affordable housing units each year. The exact number shall be determined based on unmet housing needs and availability of water.
- C. Water Use.** Within three years of adoption of this Plan, an instream flow management plan for Pico Creek shall be completed by the SSCSD and approved by the County. The plan shall identify a specific amount of new development, withdrawals for which will not adversely affect riparian and wetland habitat or agricultural activities. If three years after the adoption of this Plan the study has not yet been approved by the County, no further development or land division which relies on water from Pico Creek shall be approved.

**7. Traffic Mitigation - Highway One.**

Proposed development shall be reviewed to identify any potential adverse impacts to coastal resources, including any potential impacts to levels of service on Highway One. Inadequate road capacity may be grounds for denial unless mitigation measures are incorporated to ensure that adequate levels of service can be provided. An increase in traffic that detracts from the rural, scenic



nature of Highway One shall not be permitted. The acceptable level of service (LOS) for Highway One is LOS D within the San Simeon Acres Village Reserve Line.

**8. Design Considerations.**

Measures to increase scenic quality from Highway One shall be encouraged through the design review process. Appropriate measures could include installation of sidewalks, street furniture, street trees, and decorative street lights. Figures 7-25 and 7-26 illustrate how these considerations may be implemented.

**11. Compatibility with Existing Structures.**

All development shall be located and designed to minimize the impacts of noise, light, glare, privacy loss, and odors on adjacent areas. Traditional building styles of early coastal buildings shall be encouraged. Roof lines and building exteriors shall be compatible with buildings in the surrounding area.

**16. Site Review.**

Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource shall require a biologic assessment report prepared in accordance with Coastal Zone Land Use Ordinance Section 23.07.170.

## 2.3.2 County of San Luis Obispo - Local Coastal Program

The County General Plan and Zoning Ordinance incorporates policies from a Local Coastal Program (LCP) to those areas within the Coastal Zone. The County of San Luis Obispo LCP is made up of the Coastal Zone Land Use Element and the Coastal Zone Land Use Ordinance. The Coastal Zone Land Use Element itself is made up of six distinct documents: the Coastal Zone Framework for Planning, the Coastal Plan Policies, and four Coastal Zone Area Plans (Estero, North Coast, San Luis Bay, and South County).

Pursuant to its certified LCP, the County of San Luis Obispo requires approval of one of three permit types (Plot Plan, Minor Use Permit, or Development Plan) for any proposed development within the coastal zone that does not qualify as repair/maintenance or minor remodel of an existing structure, a fence, installation of irrigation lines, utility connections for existing service facilities, timeshare conversions of existing residences, crop production and grazing, or minor changes of use. The exact permit type depends on the floor area of the proposed development: less than 10,000 square feet qualifies for a Plot Plan; 10,000–39,999 square feet qualifies for a Minor Use Permit; and 40,000 square feet or more qualifies for a Development Plan.

## 2.3.3 Coastal Zone Land Use Ordinance – Title 23 of the San Luis Obispo County Code

The Coastal Zone Land Use Ordinance of the San Luis Obispo County Code (Title 23) apply to all land use and development activities within the unincorporated areas of San Luis Obispo County within the coastal zone. The purpose of Title 23 is to protect and promote public health, safety and welfare, and to specifically:

- a. To implement the San Luis Obispo County General Plan and the San Luis Obispo County Local Coastal Program, and to guide and manage the future growth of the county in accordance with those plans; and

- b. To regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county; and
- c. To minimize adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development; and
- d. To protect and enhance the significant natural, historic, archeological and scenic resources within the county as identified by the county general plan.
- e. To assist the public in identifying and understanding regulations affecting the development and use of land.

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## 3 Coastal Hazards Analysis

Current and future coastal hazards along the coast of San Simeon will be evaluated to inform alternative site selection and analysis. The objective of this analysis is to identify potential hazard zones and proximity to the WWTP alternative sites.

### 3.1 Overview of Coastal Hazards

The coastline of San Simeon is exposed to a variety of hazards including shoreline erosion, bluff erosion, coastal flooding, and tsunamis. This section will provide a general overview of each hazard evaluated in this analysis.

#### 3.1.1 Shoreline Erosion

Discuss factors influencing shoreline change and erosion such as sediment supply, seasonal wave climate and long-term changes associated with SLR.

#### 3.1.2 Bluff Erosion

Discuss factors influencing bluff erosion and reference any site-specific analyses (if available).

#### 3.1.3 Flooding

Discuss factors influencing coastal flooding such as coincident wave & high water level events.

### 3.2 Sea level Rise Projections

Discuss tsunami hazards, referencing ASCE 7-16 standards for tsunami loads & effects, applicable to critical infrastructure.

#### 3.2.1 Overview of SLR Projections (OPC, CCC 2018 Guidelines)

This section will provide an overview of SLR projections based on latest guidance documents along with updated projections recently released by NOAA (2022).

#### 3.2.2 Timing & Probability of Selected SLR Scenarios

Sea level rise (SLR) projections along the west coast of California are provided in the 2018 State of California Sea Level Rise Guidance document (OPC 2018). The California Coastal Commission Sea Level Rise Policy Guidance, also updated in 2018, refers to these as the “best available science” on SLR projections in California.

### 3.2.2.1 Evaluation of 3.3 feet, 4.9 feet, and 6.6 feet based on 50 year lifespan of relocated facility and risk profile

This section will discuss timing & probability of selected SLR scenarios. The analysis will evaluate 3.3 feet, 4.9 feet and 6.6 feet based on available hazard data. There is an extremely low probability ~0.5% that SLR will exceed 6.6 feet before 2100. A range of probabilistic SLR projections for the Port San Luis tide station are provided below. This figure also includes the H++ scenario, referenced in the State Guidance documents for consideration on critical infrastructure projects.

## 3.3 CoSMoS Future Coastal Hazards

This section will present hazards maps for each SLR scenario and illustrate their proximity to alternative sites considered for WWTP relocation.

### 3.3.1 Hazards Maps for SLR Scenario and Alternative Sites

Body Text

### 3.3.2 Potential Vulnerabilities/Hazards at Alternative Sites

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## 3.4 Conclusion

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## 4 Alternative Analysis

Dudek will conduct the alternatives analysis for the proposed WWTP relocation using a rough screening analysis of up to four alternative sites, excluding the existing plant site, and a fine screening analysis of up to two preferred plant sites, excluding the existing project site.

### **ROUGH SCREENING ANALYSIS (up to 4 sites)**

The rough screening analysis identifies feasible and appropriate project alternatives to be carried forward into the fine screening analysis. Site alternatives for the rough screening analysis are preliminarily identified based on the alternatives identified in the Alternative Analysis for Relocation of the San Simeon Community Services District Wastewater Treatment Facility (Rincon 2008), which identified two potential plant relocation sites. The two sites, Site A and Site D, identified by Rincon (2008) are supplemented by one additional sites, Site A, defined in conversation with SSCSD Board, staff and constituent(s). The plant site alternatives include:

1. Site A
2. Site D
3. Site E
4. [Constituent] Defined Site

Rough screening is based on whether the alternative sites meet the overall project objectives and established evaluation criteria. Evaluation criteria is based on a combination of environmental, policy, and engineering factors/requirements. Each alternative is then assessed according to the established evaluation criteria (identified below) and ranked based on SSCSD-defined weighting factors, as determined in coordination with SSCSD and CCC staff. The evaluation criteria assessment is based on visual assessment of each site, as well as review and analysis of existing available information applicable to each criterion.

### ***Criteria for Rough Screening Analysis of Identified Alternatives***

- I. Environmental constraints/preliminary LCP consistency analysis:
  - Coastal hazards
  - Public access and recreation
  - Visual resources
  - Cultural resources
  - Biological/marine resources (sensitive upland habitat, water quality, wetlands, marine habitat)
  - Agricultural resources
  - Land use compatibility.

2. Logistics: Can the plant relocation be implemented in the required timeframe considering legal and institutional requirements
  - Proximity to existing wastewater collection/conveyance facilities
  - Site suitability – ability to accommodate growth
  - Site availability – landowner rights
  - Legal restrictions
  - Regulatory restrictions
  - Recycled water initiatives.
3. Economic factors:
  - Economic feasibility.

Appendix A includes the summary report and evaluation matrix addressing each alternative site, clearly documenting the results of the rough screening analysis. The two top-ranked site alternatives, excluding the existing site, are moved forward into the fine screening analysis.

#### ***Rough Screening Public Outreach***

The rough screening analysis includes the following opportunities for public input and team/CCC staff collaboration:

- Public workshop presentation (1) – held at SSCSD Board Meeting
- CCC staff meeting (1)

The public workshop during the rough screening analysis phase facilitates public input on feasible relocation sites and presents the rough screening approach and evaluation criteria. A formal PowerPoint presentation discusses the approach and methodology, leading to a public comment period with SSCSD Board and staff members, and the Dudek team. The public workshop is held in the evening at City Hall, and is attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

The meeting with the CCC discusses the rough screening analysis and preliminary findings, held at the local CCC office and attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

#### **FINE SCREENING ANALYSIS (2 Sites)**

The fine screening analysis is based on site alternatives, excluding the existing site, that meet additional, focused evaluation criteria, including the two top-ranked sites determined to meet the project objectives while minimizing environmental impacts and engineering constraints.

The fine screening analysis is conducted at a level of detail sufficient to demonstrate the proposed project's consistency with CC directives and policies, while ensuring project goals and objectives are achieved. As such, the fine screening analysis is conducted concurrently with the technical analyses included in this project. Each alternative site is then be ranked based on SSCSD-defined weighting factors as determined in coordination with SSCSD and CCC staff.

**Criteria for Fine Screening of Remaining Alternatives**

1. Fine screening effort are intended to avoid/minimize environmental impacts/LCP consistency analysis, considering the following:
  - Coastal hazards (Coastal Hazards Technical Study)
    - Risk of flooding – 100-year storm event
    - Tsunamis
    - Shoreline erosion – sea level rise
  - Public access, recreation, and visitor-serving uses
    - Traffic/parking
    - Objectionable odors
    - Opportunities to enhance recreation/visitor-serving resources
  - Visual resources
    - Public viewsheds
    - Significant landforms
    - Compatible design
  - Sustainable use of public resources
    - Maximize water reclamation
    - Maximize treated wastewater disposal options
  - Cultural resources
    - Recorded archaeological and historical sites
  - Environmentally sensitive habitat areas (ESHA)
    - Water quality/groundwater basin recharge opportunities
    - Marine habitat/ocean outfall.
  
2. Project Implementation is also critical to the success of the overall project, and considers the following criteria:
  - Maximize proposed project’s ability to meet objectives
    - Compliance with the secondary treatment standards
  - Minimize project delays
    - Additional infrastructure requirements – wastewater collection/conveyance system (facilities/pipelines)
    - Acquisition of land
    - Regulatory permits and approvals
    - Public controversy.
  
3. Economic factors are also a critical factor is the analysis, with the goal of minimizing overall cost, including the following considerations:
  - Capital cost (planning, design, property acquisition, construction, mitigation)
  - Operational cost.

***Fine Screening Public Outreach***

The fine screening analysis includes the following opportunities for additional public input and SSCSD/CCC staff collaboration:

- Public workshop presentation (1)
- CCC staff meeting (1)

The public workshop for the fine screening analysis phase provides comparison of alternatives at an equal level of detail for the two feasible alternatives, evaluated pursuant to the criteria described above. Supporting materials, including a formal PowerPoint presentation discussing the approach, methodology, and findings, are in Appendix B for review. The public workshop is held in the evening at SSCSD offices, and will be attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

The meeting with CCC staff discusses the preliminary conclusions of the fine screening analysis, and is held at the local CCC office and is attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

**Figure 3. Alternatives**

**4.1 Alternative A**

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**4.1.1 Regulatory and Environmental Analysis**

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**4.1.2 Wastewater Engineering Analysis**

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**4.1.3 Conclusion**

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**4.2 Alternative D**

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**4.2.1 Regulatory and Environmental Analysis**

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## 4.2.2 Wastewater Engineering Analysis

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## 4.2.3 Conclusion

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## 4.3 Alternative E

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### 4.3.1 Regulatory and Environmental Analysis

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### 4.3.2 Wastewater Engineering Analysis

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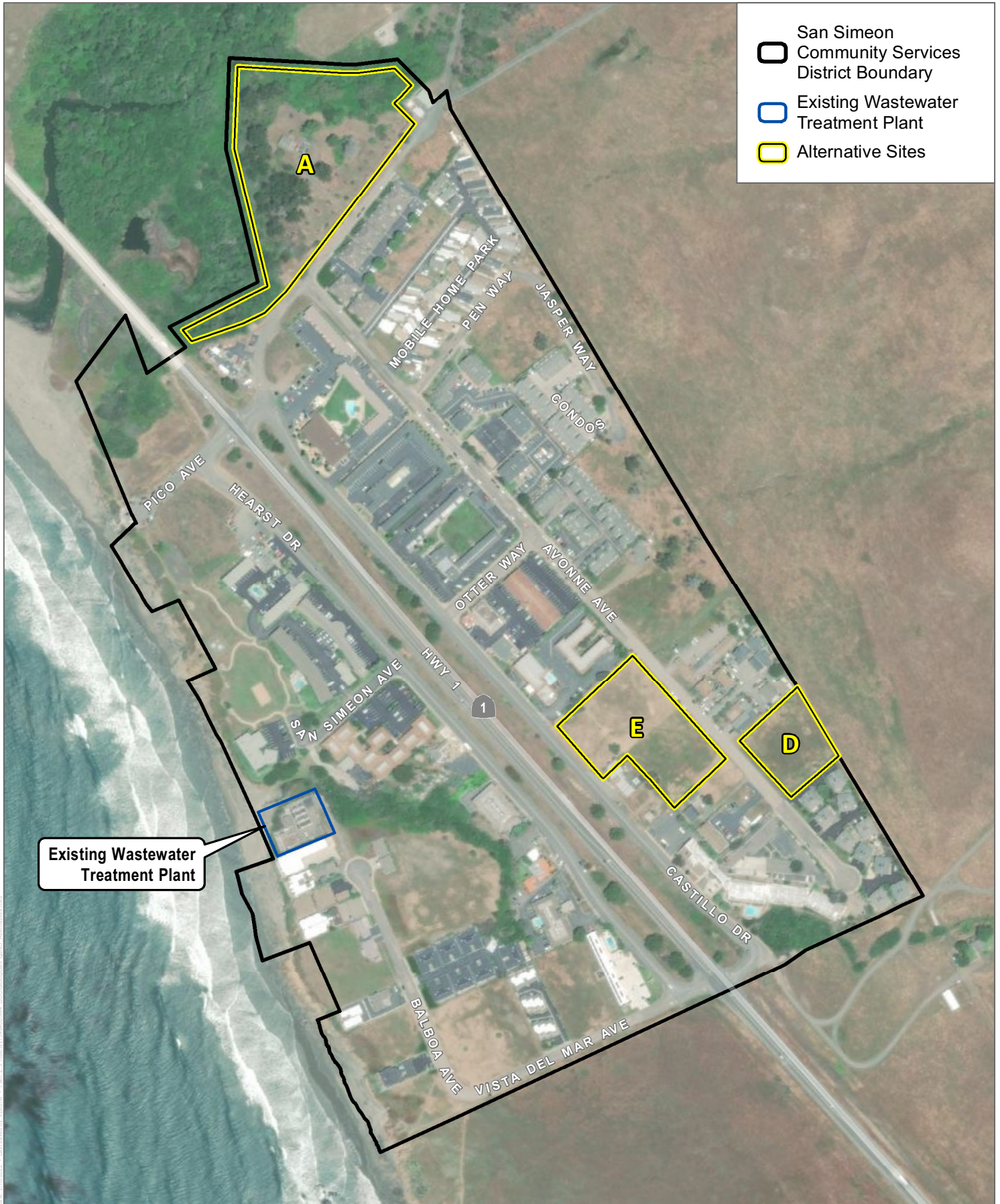
### 4.3.3 Conclusion

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## 4.4 Preferred Alternative

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**FIGURE 3**

**Alternative Sites for the Wastewater Treatment Plant**

San Simeon Community Service District Wastewater Treatment Plant Alternative Analysis

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## 5. Relocation Site

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### 5.1 Permitting (and Potential LCP Amendment)

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### 5.2 Cost and Funding

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### 5.3 Timeline of Major Relocation Events

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### 5.4 Conclusion

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## 6. Agency Coordination

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### 6.2 California Coastal Commission

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### 6.3 Regional Water Quality Control Board

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### 6.4 California Department of Fish and Wildlife

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### 6.5 California State Parks

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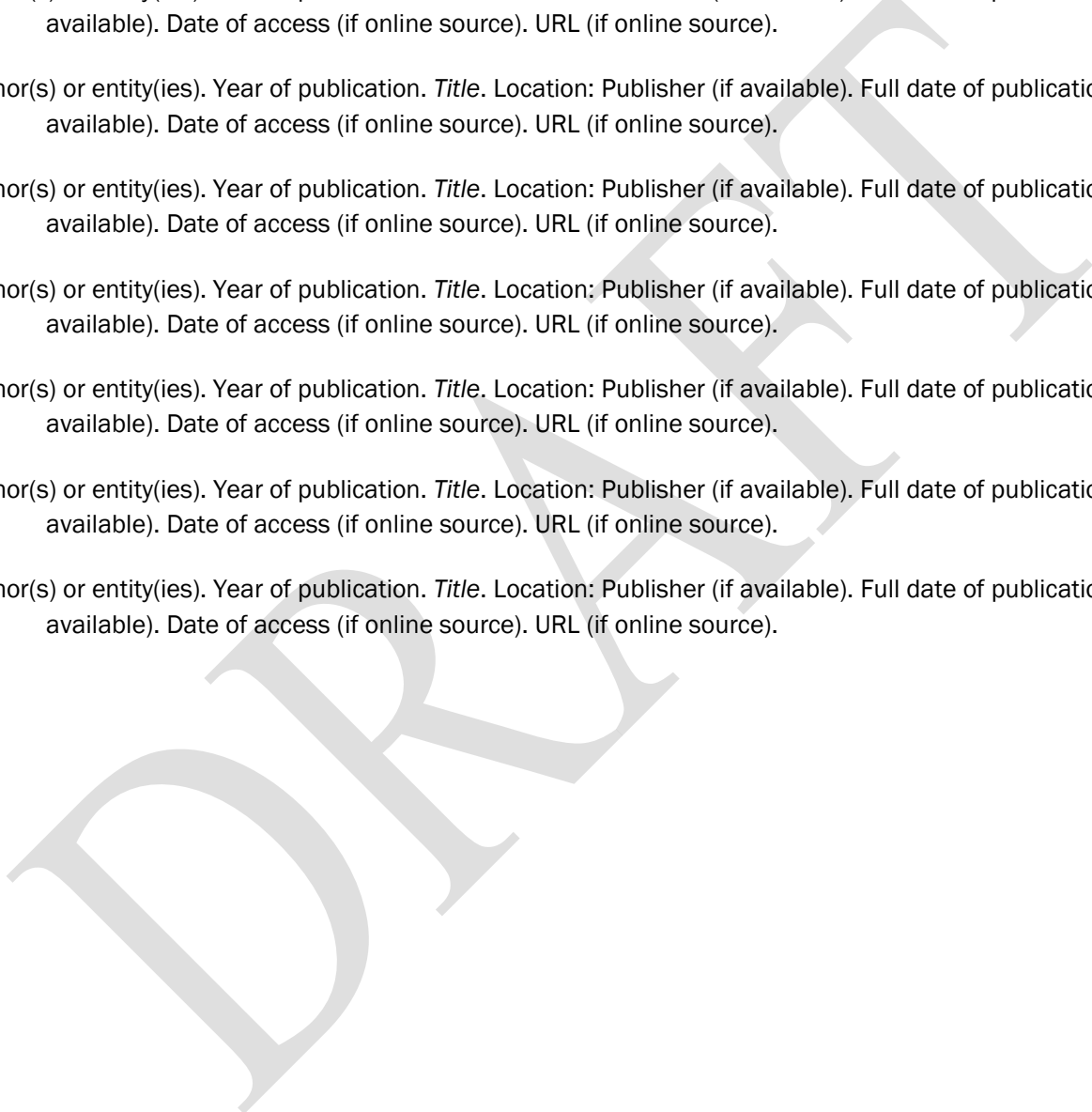
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**Appendix A**  
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Public Hearing Item 5B:

June 7, 2022 Correspondence from the California Coastal  
Commission

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV



**June 7, 2022**

John Davis  
Dudek  
621 Chapala Street  
Santa Barbara, CA 93101

**Subject: San Simeon Community Services District Draft Coastal Hazards Response Plan**

Dear Mr. Davis:

Thank you for submitting the draft Coastal Hazards Response Plan (CHRP) on behalf of the San Simeon Community Services District (SSCSD) for our review. As you know, the CHRP is a coastal development permit (CDP) requirement from 2019, and a critical piece of the puzzle as SSCSD evaluates how best to accommodate wastewater services for the community while transitioning away from their existing wastewater treatment plant (WWTP) at the shoreline edge. We greatly appreciate your efforts to coordinate early-on in the CHRP drafting process, and we hope that these comments prove useful as SSCSD develops a final CHRP to be submitted for the CDP-required Executive Director review and approval. Please consider the following.

The existing San Simeon WWTP represents critical public infrastructure that is located in an area known to be at risk from coastal hazards, including ever-increasing sea level rise, at a low-lying elevation fronting the beach and Pacific Ocean at the mouth of Arroyo del Padre Juan Creek. In 2019 the Coastal Commission approved a temporary after-the-fact CDP to recognize a number of unpermitted developments at the current SSCSD WWTP site. Special Condition 3 of that CDP requires SSCSD to develop a CHRP that is intended to act as the blueprint for inland relocation of SSCSD wastewater functions and removal/restoration of the existing WWTP site by 2029. Also in 2019, the Commission awarded a grant (LCP-19-02) for \$130,000 to San Luis Obispo County to assist in that effort, including to help conduct stakeholder outreach and to draft the CHRP itself, and for the County to potentially amend its local coastal program (LCP) to facilitate future relocation of WWTP functions pursuant to the final CHRP.

As you know, coastal hazards as they affect the WWTP site present significant risks to public safety and water quality within the community, and necessitate inland relocation of wastewater treatment functions. This situation is fairly representative of the types of coastal hazard and sea level rise challenges facing similarly situated low-lying critical infrastructure along California's dynamic shoreline area, and the CHRP represents the vehicle to respond to those challenges in San Simeon in a pro-active manner. It is also an opportunity to leverage and apply potential benefits from upgraded wastewater function to other community needs, such as water security. In fact, relocation of WWTP

## SSCSD Draft Coastal Hazards Response Plan

functions presents an exciting opportunity to explore options for applying complementary sustainable water re-use practices in a relocated facility or facilities, such as through implementing tertiary water recycling and groundwater injection. It also presents an opportunity for partnerships with State Parks, the County, and the Cambria CSD where efficiencies may be gained and/or other constraints (such as water supply in Cambria) alleviated. In other words, the CHRP should be envisioned not only as a vehicle to prevent damage to and disruption of critical public wastewater services, but also for its potential to provide complementary benefits, including the ways in which it might be able to facilitate actions toward long-term sustainable water resource management in this part of northern San Luis Obispo County.

Thus, the intent of the CHRP is to provide the San Simeon community, County decision makers, stakeholder and agencies, other interested parties, and the Coastal Commission with the type of detailed information necessary on each of the steps that will be necessary to transition wastewater services in the way described above, including to provide for public participation, outreach and engagement with potential partners, and measures to allow adaptation along the way. Due to the complexities involved, and the 2029 ultimate deadline, we believe that it probably makes the most sense for the CHRP to be made up of a series of components that can tackle individual issues and needs in sequence, where subsequent components can build on what came before. In such a scenario, we would envision such components being submitted to the Commission over the course of the next two years, with the overall package (and the final CHRP) all submitted by July 11, 2024 (i.e., to meet CDP extended deadlines).<sup>1</sup> The idea is that alternatives can be identified (e.g., WWTP in a different location, dispersed wastewater functions at a series of different locations, partnerships with nearby communities/entities, etc.) and evaluated, including through establishing clear evaluation criteria and a process to incorporate input from others into the alternative selection process. Below, we walk through how such a process might be envisioned, where instead of one final CHRP being submitted in the short term for Executive Director review and approval, and series of CHRP sub-components are submitted for such review and approval in sequence, each building on the prior sub-components, until ultimately a complete and final CHRP can be approved

### *Stakeholder List*

The grant agreement requires SSCSD to develop a list of key stakeholders<sup>2</sup> with which it will coordinate on CHRP development and implementation, including eventual relocation of WWTP functions. The CDP further requires that the CHRP be developed in coordination with appropriate staff and agencies at San Luis Obispo County, the Regional Water Quality Control Board (RWQCB), and any other relevant agencies with a say in proposed relocated wastewater functions. We would expect that a stakeholder list would be able to be submitted in short order, and certainly by August 2022.

---

<sup>1</sup> The final CHRP is actually required to be submitted by July 11, 2022, but, and consistent with the direction in this letter, the Executive Director is willing to extend that deadline up to July 11, 2024.

<sup>2</sup> Stakeholders are required to include local, regional, state, and federal agencies, as well as landowners and other interested parties.

## **SSCSD Draft Coastal Hazards Response Plan**

### *Outreach Plan*

The grant agreement requires SSCSD to coordinate and communicate with both identified stakeholders and other interested parties. In addition, the grant agreement requires SSCSD to facilitate up to eight stakeholder meetings with relevant agencies with authority over the WWTP and/or relocated wastewater functions, as well as with any landowners of potential relocation sites and technical specialists, to discuss and identify the type of potential project alternatives described above.

In its current form, the draft CHRP already identifies 3 relocation site alternatives. However, such a CHRP structure firmly puts the cart ahead of the horse in this process. In addition to the problem that such selection presupposes the alternative to be pursued is a new WWTP in a new location, which may or may not be the outcome of the CHRP process, it does not appear that these sites were selected based on any stakeholder/public input. While overlapping, the CHRP needs to accommodate for both outreach and alternatives identification, where both necessarily inform each other. For example, before any alternatives or alternative sites are selected, we recommend gathering input from the San Simeon community, San Luis Obispo County staff and electeds, State Parks, RWQCB, Cambria CSD, Hearst Ranch, and other stakeholders regarding potential alternatives and options, including in terms of potential partnerships. Such discussions need to form the basis of identifying potential alternatives for addressing wastewater functions in a different way and out of harm's way that will be further evaluated moving forward. We also recommend reaching out to both the City of Morro Bay and the Cayucos Sanitary district to discuss their WWTP relocation processes and lessons learned from those efforts, particularly as it relates to community water security. In addition, we recommend meaningfully engaging with low-income and environmental justice communities who are likely to be impacted by relocation of WWTP functions. Further, in the draft plan only one public workshop presentation is required during the "rough screening" and "fine screening" phases, and we strongly believe that public outreach and solicitation of public input need to be greatly expanded, and expect it will be necessary to bolster the CHRP significantly in this respect. We would expect that an outreach plan would be able to be submitted by October 2022.

### *Alternatives Identification*

The draft CHRP lists a set of criteria for identifying alternative sites (on pages 15 and 16), where these criteria include environmental constraints and LCP consistency (i.e., coastal hazards, public access and recreation, visual resources, cultural resources, biological/marine resources, agricultural resources, land use compatibility, etc.); logistics (i.e., proximity to existing wastewater collection/conveyance facilities, site suitability, site availability, landowner rights, legal restrictions, regulatory restrictions, recycled water initiatives, etc.); and economic factors (i.e., economic feasibility, etc.). While appropriate for site selection, the CHRP seems to misunderstand the requirement that alternatives be developed to address wastewater function in a different way, which alternatives may include a singular and more inland WWTP, but also may include any number of other options (e.g., partnerships and combined systems, dispersed systems, etc.) that also need to be explored. Thus, the alternatives identification piece needs to be expanded to account for a more robust identification of alternatives, and not so much a focus on alternative sites. The latter is important, yes, but potential site needs will be

## SSCSD Draft Coastal Hazards Response Plan

dictated by the type of alternative ultimately pursued. In addition, and as alluded to above, we believe it is very important for the SSCSD to consider community water security, and alternatives and permutations that can accommodate tertiary treatment, water recycling and beneficial reuse. In addition, and as required by both the CDP and the grant agreement, removal of the ocean outfall must be considered in all cases as well.

In many ways the success of the overall relocation project will be dictated by the nature of alternative identification and analysis, and this is the crux of the question to be answered by this overall process. While we expect the actual evaluation of potential alternatives to take some time, we also believe it is reasonable to expect that the SSCSD can use the process identified above, including effective outreach, to identify potential alternatives to be further evaluated by February 2023.

### *Alternatives Analysis*

The key step in the overall success of this process will be an evaluation of the potential alternatives as a means of identifying a preferred outcome. Critically, alternatives identified will need to be analyzed across the same evaluation criteria and to similar levels of detail. The analysis must evaluate the coastal resource implications of each potential alternative and also provide details regarding the mechanisms, costs, and funding options for such an alternative to be realized.<sup>3</sup> In all cases, expected costs and methods to decommission the existing WWTP and to restore and dedicate the site, as required by Special Condition 10 of the CDP, also need to be provided. Finally, the grant agreement requires the CHRP to include coastal hazards evaluation for all alternatives, where such analysis must be based on best available science,<sup>4</sup> and must address all potential impacts, including related to groundwater,<sup>5</sup> increased erosion,<sup>6</sup> and

---

<sup>3</sup> Where any costs associated with new and/or upgraded outfall pipelines, pumps, and/or lift stations deemed necessary (including rerouting of sewer pipes to a relocated facilities, etc.) also need to be included for each alternative.

<sup>4</sup> The Commission currently considers the State of California Sea-Level Rise Guidance (OPC 2018) (and the related Rising Seas in California: An Update on Sea-Level Rise Science report) to be the best available science on sea level rise in California. Both the 2018 OPC guidance and the Commission's 2021 critical infrastructure guidance ("Critical Infrastructure at Risk: Sea Level Rise Planning Guidance for California's Coastal Zone") recommend evaluating the extreme risk aversion (also called H++) scenario for critical infrastructure projects such as this. Another important factor to consider is that the dynamic and corrosive nature of coastal environments can cause infrastructure failure before nationwide lifespan averages, and this too must be accounted for in the CHRP.

<sup>5</sup> Sea level rise can cause groundwater tables to rise, which may damage wastewater facilities and increase the inflow and infiltration of fresh and saline water into wastewater pipes. The draft CHRP does not consider groundwater hazards, however, the CoSMos Our Coast, Our Future hazard map shows groundwater tables emergent, very shallow, or shallow at or adjacent to Alternative Site A with as little as approximately 3 feet of sea level rise. The CHRP must consider potential groundwater hazard issues, including related to sea level rise, for all alternatives.

<sup>6</sup> The draft CHRP indicates that the CHRP will consider both shoreline and bluff erosion, but does not indicate whether the CHRP will consider long-term erosion and related hazard changes associated with sea level rise; the CHRP must consider these changes as well.



## SSCSD Draft Coastal Hazards Response Plan

flooding.<sup>7</sup> We believe it is reasonable to expect such analysis to take six months, and thus to be complete by August 2023.

### *Selection of Preferred Alternative*

Once alternatives have been evaluated, including through additional public and stakeholder outreach to garner input, SSCSD will need to identify a preferred alternative. The fine screening approach identified in the draft CHRP could be applied at this stage, but ultimately this selection exercise is an evaluation of relative costs and benefits of the alternatives considered, and identification of the alternative that ideally leads to the least coastal resource impacts and the most community benefits at the least cost. Of course, there may be trade-offs in such a consideration, but this can also be conceptualized as a search for the least environmentally damaging feasible alternative, and then further fleshing out project parameters (including mechanisms, costs, funding options, etc.) and timing (including expected timeframes for any necessary land acquisition, planning, permitting, design, construction, etc.). This should be able to be accomplished by the end of 2023.

### *Final CHRP*

After all of those steps are complete, then a final CHRP can be reviewed and approved by the Executive Director, and subsequently implemented to ensure project completion no later than the CDP's deadline for same, namely July 11, 2029. We believe that the above schedule is reasonable, but we would expect that there may be some variation in the dates, including in response to unforeseen issues along the way, and thus suggest that the final CHRP (i.e., a compilation of each of the subcomponents described above) be submitted no later than July 11, 2024. That timing provides for some scheduling and adaptation flexibility along the way, and also aligns with the required CDP compliance check-in date (i.e., also July 11, 2024, pursuant to Special Condition 2 of the CDP). Such a schedule would also require the Executive Director to extend the deadline for CHRP submittal from July 11, 2022 to July 11, 2024, which is allowed by the CDP for good cause, and we are willing to do that in this case provided we reach agreement on a path forward, including in terms of both substance (including as described herein) and timeline. On the former, and to be clear, all aspects of CHRP development, including all subcomponents, are required to be consistent with the terms and conditions of the CDP, and that should provide the overall touchstone in all cases as this process proceeds.

So, after you've had a chance to review this, including with your client, let's set up a time to discuss any questions you have and/or issues you may see, and walk through next steps towards a final CHRP. No matter what, we thank you again for the opportunity for us to provide draft CHRP input, and hope that these suggestions make sense and provide a good roadmap to reaching the required conclusions. We look forward to continued collaboration to ensure compliance with the CDP, and to eventually result in the successful relocation of wastewater treatment functions out of

---

<sup>7</sup> The draft CHRP does not state what types of flooding hazards the analysis will consider. The CHRP should consider flooding impacts from both inundation and storm events, all as effected by sea level rise over time, and including 100-year storms over the design life of wastewater infrastructure components.

## **SSCSD Draft Coastal Hazards Response Plan**

harm's way. Please feel free to contact me by email at [Esme.Wahl@coastal.ca.gov](mailto:Esme.Wahl@coastal.ca.gov) or by phone at (831) 427-4864 at any time.

Sincerely,

*Esme Wahl*

Esme Wahl  
Coastal Planner  
Central Coast District  
California Coastal Commission

Public Hearing Item 5B:

Draft CHRP Outline with comments from C Webster and  
LLeMoine

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# Coastal Hazard Response Plan

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**MARCH 2022**

*Prepared for:*

**SAN SIMEON COMMUNITY SERVICE DISTRICT**

111 Pico Avenue  
San Simeon, CA 93452

*Prepared by:*

**DUDEK**

621 Chapala Street  
Santa Barbara, California 93001  
*Contact: John Davis IV*



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John Davis IV  
Project Manager/  
Senior Coastal Ecologist

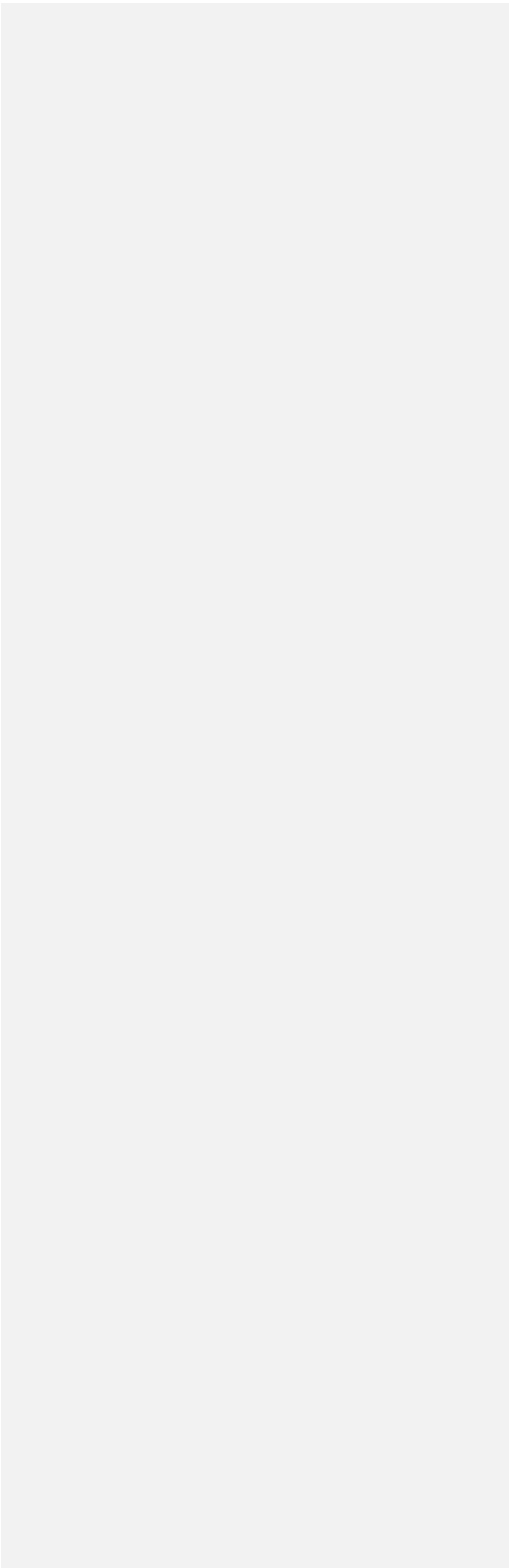
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Mike Metts, PE  
Principal, Chief Engineer

DUDEK.COM

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**APPENDIX(CES)**

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## Acronyms and Abbreviations

Acronym/Abbreviation	Definition
CCC	California Coastal Commission
SSCSD	San Simeon Community Services District
RWQCB	Regional Water Quality Control Board
CDP	Coastal Development Permit
LCP	Local Coastal Program
WWTP	Wastewater Treatment Plant

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# 1 Introduction

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Figure 1. Project Location

Figure 2. Project Site

## 1.1 Background

Body Text.

### 1.2.3 History of San Simeon Wastewater Treatment Plant

The San Simeon wastewater treatment plant (WWTP) was built on the blufftop beachfront near Arroyo del Padre Juan Creek (Creek) in the 1960s. Throughout its operation, the WWTP and larger site have been subject to various coastal hazards that resulted in the District undertaking repair, maintenance, upgrade, and adaptation activities, including the construction of a riprap revetment along the northern and western bluff face in 1983, replacement of the outfall pipeline in 1984, placement of riprap along the banks of the Creek in 1995, and replacement of the pipe support structure over the Creek in 1999, among others. This section will provide context for those subsequent by describing the history of the WWTP, including its routine operation, effects from coastal hazards, and past adaptation and upgrade projects.

### 1.2.4 Conditions of CDP No. 3-19-0020

Several of the projects undertaken at the WWTP since its original construction have occurred within the permitting jurisdiction of the California Coastal Commission (CCC), and the District has previously obtained two Coastal Development Permits (CDPs) for construction of a flow-balancing tank in 1979 and installation of additional aeration and clarifier tanks in 1985 (CDP Nos. 199-09 and 4-85-180). However, much of the riprap installation and work near the Creek was undertaken without first obtaining a permit. As a result, CCC issued CDP No. 3-19-0020 in 2019 to authorize this development after the fact and specify conditions for the WWTP's continued operation and eventual relocation. One special condition of the CDP required the development of this very Coastal Hazards Response Plan (CHRP). This section will review the findings and conditions of CDP No. 3-19-0020 as they relate to this CHRP, and provide a framework for the way that this document fulfills those conditions.

## 1.3 Purpose

Body Text.

**Commented [WC1]:** Should also include a description of the treatment process and technologies used

**Commented [WC2]:** Specifically, CDP No. 13-19-0020 "requires new development (which the redeveloped WWTP qualifies as in this ATF application) to minimize risks to life and property in areas of high flood hazard and to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs." -> this substantiates that hard armoring would not be a viable option for the new WWTP

**Commented [WC3R2]:** The CDP relies on guidance from the California Adaptation Planning Guide, California Climate Action Plan and 2015 CCC SLR Guidance for Critical Infrastructure

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Figure 1. Project Location

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Figure 2. SSCSD Boundary

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## 2.0 Regulatory Setting

San Simeon is located in San Luis Obispo County within the County's North Coast Planning Area and within the Coastal Zone. This section outlines the federal, state, and local regulations pertinent to the resources located in the Project site. Some of the resources that could be affected by the Project are regulated by resource agencies, which often overlap in jurisdiction. This section identifies and provides a brief discussion of the various laws, regulations, and plan relevant for the Project. This section is not exhaustive and other statutes, regulations, and/or policies not listed below may be applicable.

### 2.1 Federal

#### 2.1.1 Federal Endangered Species Act

The federal Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 et seq.), as amended, is administered by the United States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration National Marine Fisheries Service. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. The ESA defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under the provisions of Section 9(a)(1)(B) of the ESA (16 U.S.C. 1531 et seq.), it is unlawful to "take" any listed species. Take is defined in Section 3(19) of the ESA as, "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." A Final Rule published in the Federal Register on November 8, 1999 (50 CFR 60727-60731), further defines "harm" as any act that kills or injures fish or wildlife, and emphasizes that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns (e.g., nesting or reproduction) of fish or wildlife. Further, the USFWS, through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification that result in injury to or death of species, which therefore are defined as forms of take. These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species.

In a case where a property owner seeks permission from a federal agency for an action that could affect a federally listed plant or wildlife species, the property owner and agency are required to consult with USFWS. Take prohibitions in Section 9 of the ESA (16 U.S.C. 1531 et seq.) do not expressly encompass all plants. Property owners may take listed plant species without violating the take prohibition if:

- The proposed development is private and does not require federal authorization or permit.
- There are no special federal regulations under Section 4(d) that prohibit take of the plant species.
- There are no state laws prohibiting take of the plant species.

Section 9(a)(2) of the ESA (16 U.S.C. 1531 et seq.) addresses the protections afforded to listed plants. Unlike the CESA, the ESA provides protection to invertebrate species by listing them as threatened or endangered.

## 2.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50, Section 10.13 of the Code of Federal Regulations. The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country and is enforced in the United States by the U.S. Fish and Wildlife Service. Hunting of specific migratory game birds is permitted under the regulations listed in Title 50, Section 20 of the Code of Federal Regulations. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors). On December 22, 2017, the Department of Interior issued a legal opinion (M-Opinion 37050) that interpreted the above prohibitions as only applying to direct and purposeful actions of which the intent is to kill, take, or harm migratory birds; their eggs; or their active nests. Incidental take of birds, eggs, or nests that are not the purpose of such an action, even if there are direct and foreseeable results, was not prohibited. On January 7, 2021, the USFWS published a final rule (the January 7th rule) that codified the previous administration's interpretation, which after further review was determined to be inconsistent with the majority of relevant court decisions and readings of the MBTA's text, purpose, and history. On May 7, 2021, the USFWS published a proposed rule to revoke the January 7th rule, which would result in a return to implementing the statute as prohibiting incidental take. On July 19, 2021, the USFWS announced the availability of two revised economic analysis documents for public review that evaluate the potential for the proposed rule to impact small entities, including businesses, governmental jurisdictions, and other organizations. The public review period on these documents ended on August 19, 2021. A final rule revoking the January 7th rule was published on October 4, 2021 and went into effect on December 3, 2021. In their summary of the October 4, 2021 final rule, the USFWS explained that "the immediate effect of this final rule is to return to implementing the MBTA as prohibiting incidental take and applying enforcement discretion, consistent with judicial precedent and longstanding agency practice prior to 2017" (86 FR 54642).

## 2.1.3 Clean Water Act – Section 404

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Under Section 404 of the CWA, the U.S. Army Corps of Engineers (ACOE) has the authority to regulate activities that could discharge fill or dredge material or otherwise adversely modify wetlands or other waters of the United States. The ACOE implements the federal policy embodied in Executive Order 11990, which, when implemented, is intended to result in no net loss of wetland values or function.

## 2.1.4 Clean Water Act – Section 401

The State Water Resources Control Board has authority over wetlands through Section 401 of the CWA, as well as the Porter-Cologne Act, California Code of Regulations Section 3831(k), and California Wetlands Conservation Policy. The CWA requires that an applicant for a Section 404 permit (to discharge dredge or fill material into waters of the United States) first obtain certification from the appropriate state agency stating that the fill is consistent with the state's water quality standards and criteria. In California, the authority to either grant certification or waive the requirement for permits is delegated by the State Water Resources Control Board to the nine regional boards. The Central Coast RWQCB, discussed below, has authority for Section 401 compliance in the project area. A request for certification is submitted to the regional board at the same time that an application is filed with the ACOE.

## 2.2 State

### 2.2.1 California Environmental Quality Act

CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain criteria. These criteria have been generally modeled after the definition in FESA and Chapter 1.5 of the California Fish and Game Code that addresses rare or endangered plants and animals. Appendix G of the CEQA Guidelines requires a lead agency to determine whether or not a project would “have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.” CEQA Guidelines Section 15065 requires that a lead agency find an impact to be significant if a project would “substantially reduce the number or restrict the range of an endangered, rare, or threatened species.”

### 2.2.2 California Coastal Act

Under the California Coastal Act (CCA), the CCC regulates impacts to wetlands in the “coastal zone” and requires a coastal development permit for almost all development within this zone. From three miles seaward the coastal zone generally extends approximately 1,000 yards inland. In less developed areas, it can extend up to 5 miles inland from the mean high tide line, but can also be considerably less than 1,000 yards inland in developed areas.

The CCA also protects designated sensitive coastal areas by providing additional review and approvals for proposed actions in these areas. Section 30121 of the CCA defines wetlands as “...lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, swamps, mudflats, and fens...” The CCA allows diking, filling, or dredging of wetlands for certain uses, such as restoration. The CCA also directs each city or county within the coastal zone to prepare a Local Coastal Program (LCP) for Coastal Commission Certification (CCC 2019).

### 2.2.3 State of California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) administers the California Endangered Species Act (CESA) (Fish and Game Code 2081), which prohibits the “take” of plant and animal species designated by the Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86 (Fish and Game Code), take is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 (Fish and Game Code) stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

CESA (Section 2062) (Fish and Game Code) defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA (Section 2067) (Fish and Game Code) defines a

threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the Commission as rare on or before January 1, 1985, is a threatened species.” Candidate species are defined (CESA, Section 2068; Fish and Game Code) as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.” CESA does not list invertebrate species.

CESA Sections 2080 through 2085 (Fish and Game Code) address the taking of threatened, endangered, or candidate species by stating, “No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the Native Plant Protection Act (Fish and Game Code, Sections 1900–1913), or the California Desert Native Plants Act (Food and Agricultural Code, Section 80001).”

## 2.2.4 California Fish and Game Code

The potential take of state listed Threatened, Endangered or Rare plant and animal species is regulated by the CDFW and includes Species of Special Concern, Fully Protected Species and Other State Code Provisions. The “Species of Special Concern” list includes species whose breeding populations in California may face extirpation (CDFW 2020a). Although these species have no legal status under the CESA, the CDFW recommends considering these species during analysis of proposed Project impacts to protect declining populations, and to avoid the need to list them as threatened or endangered in the future. These species may “be considered rare or endangered [under CEQA] if the species can be shown to meet the criteria.”

Additionally, the California Fish and Game Code (CFGC) contains lists of vertebrate species designated as “Fully Protected” (California Fish & Game Code 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], and 5515 [fish]). According to Sections 3511 and 4700 of the CFGC, which regulate birds and mammals, respectively, a “Fully Protected” species may not be taken or possessed without a permit from the Fish and Game Commission. Incidental take is not authorized under CFGC Section 2081 for species designated as Fully Protected, except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Pursuant to Section 3503.5 of the CFGC, it is unlawful to take, possess, or destroy any birds of prey; or to take, possess, or destroy any nest or eggs of such birds. Active nests of all other birds (except introduced species such as rock pigeons, Eurasian collared-doves, house sparrows, and European starlings) are similarly protected under CFGC Sections 3503 and 3513. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by the CDFW. This statute does not provide for the issuance of an incidental take permit.

In accordance with Section 1602 of the CFGC (Lake and Streambed Alteration), the CDFW regulates activities that “will substantially divert, obstruct, or substantially change the natural flow or bed, channel or bank, of any river, stream, or lake designated by the Department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit.” The CDFW takes jurisdiction to the top of bank of the stream, or the

limit of the adjacent riparian vegetation, referred to in this report as “streambed and associated riparian habitats.” Lake and Streambed Alteration Agreement applications to the CDFW must include a draft California Environmental Quality Act (CEQA) document for the application to be deemed complete by CDFW. A complete certified or adopted CEQA document must be received before the CDFW can issue a Lake and Streambed Alteration Agreement.

### 2.2.5 Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act provides that “All discharges of waste into the waters of the State are privileges, not rights.” Waters of the state are defined in Section 13050(e) of the Porter–Cologne Water Quality Control Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” All dischargers are subject to regulation under the Porter–Cologne Water Quality Control Act, including both point and nonpoint source dischargers. The Central Coast RWQCB is the appointed authority for Section 401 compliance in the Project area.

### 2.2.6 State Water Resources Control Board

In California, the State Water Resources Control Board and the RWQCBs are responsible for implementing requirements of the Clean Water Act and Porter Cologne Water Quality Act. Discharges into waters of the state are regulated under Section 401. The “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State” (Procedures), issued by the State Water Resources Control Board in April 2020, states that “all waters of the United States are also ‘waters of the state.’” The Procedures also provided clarification on the definition of a wetland, which include areas that under normal circumstances: (1) have continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the vegetation is dominated by hydrophytes or the area lacks vegetation. This modified three-parameter definition is similar to the federal definition in that it identifies three wetland characteristics that determine the presence of a wetland: wetland hydrology, hydric soils, and hydrophytic vegetation. However, unlike the federal definition, the Procedures’ wetland definition allows for the presence of hydric substrates as a criterion for wetland identification (not just wetland soils) and wetland hydrology for an area devoid of vegetation (less than 5% cover) to be considered a wetland.

The State Water Resources Control Board has authority over wetlands through Section 401 of the CWA, as well as the Porter–Cologne Act, California Code of Regulations Section 3831(k), and California Wetlands Conservation Policy. The CWA requires that an applicant for a Section 404 permit (to discharge dredge or fill material into waters of the United States) first obtain certification from the appropriate state agency stating that the fill is consistent with the state’s water quality standards and criteria. In California, the authority to either grant certification or waive the requirement for permits is delegated by the State Water Resources Control Board to the nine regional boards. The Central Coast RWQCB has authority for Section 401 compliance in the project area. A request for certification is submitted to the regional board at the same time that an application is filed with the ACOE.

### 2.2.7 Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) was adopted in 1972 to protect the coastal environment from growing pressures associated with residential, recreational, commercial, and industrial development. This act, administered by the National Oceanic and Atmospheric Association (NOAA), outlines the

**Commented [LL4]:** The SWB/RWQCB’s authority regarding 401 is addressed here, but I recommend adding a paragraph discussing NPDES permitting authority and how it is relevant to this report.

This may also need to be part of the CWA or Porter Cologne section (or both). The other headings in the section are regulations, but his one is an agency that implements regulations.

management of the nation's coastal resources, and includes the Great Lakes. The CZMA encompasses three national programs, the National Coastal Zone Management Program, the National Estuarine Research Reserve System, and the Coastal and Estuarine Land Conservation Program. The Federal Consistency Unit of the California Coastal Commission (CCC) implements the federal CZMA as it applies to federal activities, development projects, permits and licenses, and support to state and local governments. The CZMA encourages states to develop coastal management programs and implement federal consistency procedures. Upon certification of the state coastal management program all federal agency activities affecting the coastal zone must be consistent with the policies and requirements detailed in the states program. A review process is undertaken to indicate whether project activities will be performed in a manner consistent with enforceable policies of approve management programs and called a consistency determination for federal agency activities and development projects; and a consistency certification for federal permits and licenses, and/or federal support (i.e. funding) to state and local agencies.

California's coastal zone is defined as extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five (5) miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards.

The Project is located entirely within the coastal zone. As further discussed below, the County of San Luis Obispo has a certified Local Coastal Program authorized under the California Coastal Act.

## 2.3 County of San Luis Obispo

In addition to the federal and state regulations identified above, the following local laws, ordinances, regulations, and standards apply to the environmental review of potential impacts to regulated resources as a result of the Project.

### 2.3.1. North Coast Planning Area

The North Coast Area Plan (County 2018) was adopted by the County Board of Supervisors in 1980 and certified by the CCC in 1988; and most recently revised in 2018. The NC Area Plan describes County land use policies, including regulations which are also adopted as part of the Land Use Ordinances and Local Coastal Program. Relevant general goals for planning in San Simeon Acres are provided below. In addition, Planning Area Standards are provided below. Planning Area Standards specific development standards to address special issues and conditions relevant to the community. Standards are mandatory requirements for development. These are described in Chapter 7 of the County North Coast Area Plan (County 2018).

#### Relevant General Goals

**1. Environment.** Maintain and protect a living environment that is safe, healthful, and pleasant for all residents by:

- A. Assuring the protection of coastal resources such as wetlands, coastal streams, forests, marine habitats, and wildlife, including threatened and endangered species.
- B. Conserving nonrenewable resources and replenishing renewable resources.

**Commented [WC5]:** I would like to know how closely aligned Dudek's plan is trying to be with these goals

**Commented [WC6]:** According to these goals, new plant should have an adequate clean energy supply and plans to recycled as much influent as possible to augment region's fresh water supply

- C. Balancing the capacity for growth allowed by the Plan with the sustained availability of resources.
- D. Avoid or mitigate to the maximum extent feasible, any adverse impacts from development using the best available methods.
- E. Preserving and protecting the air quality by seeking to attain and maintain State and federal ambient air quality standards by determining, and mitigating where feasible, potential adverse air quality impacts of new residential, commercial, and recreational development.
- F. Preserving and protecting water quality by avoiding and mitigating, potential adverse water quality impacts of new residential, commercial, and recreational development, among other ways through the implementation of low impact site designs that protect natural drainage courses, maximize opportunities for on-site percolation or detention and reuse of stormwater, and treat and filter runoff as necessary to remove sediments and contaminants.
- G. Supporting the efforts of the Monterey Bay National Marine Sanctuary, or future local marine sanctuaries.
- H. Protecting cultural, archaeological, and paleontological resources.
- I. Avoiding new development in hazardous areas and, where feasible, removing development threatened by hazards

**Commented [WC7]:** Directly linked to wetland treatment system and/or green infrastructure

**6. Residential Land Uses.** Preserve and enhance the quality of residential areas by:

- A. Locating urban residential uses within Cambria Urban or San Simeon Village Reserve Lines in areas near employment.
- B. Protecting residential areas from incompatible land uses and protecting the residential character of single-family areas.
- C. Preserving desirable neighborhood characteristics such as compatible uses, open views, yard areas, sense of scale, landscaping, pedestrian ways, and other amenities.
- D. Requiring major developments and long range plans to create a balance between available jobs and housing by locating housing in areas that reduce the need for commuting

**9. Commercial and Industrial Land Uses.** Designate commercial and/or industrial areas that are compatible with overall land use by:

- A. Designating visitor-serving and community-serving commercial areas that are located near existing similar development and their users.
- B. Designating commercial and/or light industrial areas compatible with overall land uses that are convenient to users, and are realistically related to market demand and the needs of the community.



- C. Creating and preserving desirable neighborhood business characteristics, such as compatible uses, safe employment areas, sense of scale, attractive landscaping, pedestrian ways, and other amenities.

**13. Open Space.** Preserve urban open space as an irreplaceable resource for future generations by:

- A. Encouraging cooperation among governmental agencies, landowners, and nonprofit organizations in the preservation of open space.
- B. Recognizing the value of open space and passive recreation as both a coastal resource, and an economic asset contributing to the desirability of the area as a place to live, an agricultural production area, wildlife habitat, and a visitor destination area.
- C. Encouraging better access to the coast through the acquisition and development of coastal accessways, trails, and neighborhood parks, in areas that do not impact agriculture or coastal resources.

Commented [WC8]:

**18. Public Access to the Shoreline.** Provide for public access, consistent with the need to protect natural resource areas from overuse, by:

- A. Maximizing public access to and along the coast through the following:
  - 1. Developing all feasible vertical and lateral pedestrian access easements to and along the shoreline, consistent with other public access goals of this plan.
  - 2. Developing a Coastal Trail through the length of the Planning Area.
  - 3. Developing all other feasible pedestrian circulation systems in the coastal zone, consistent with other public access goals of this plan.
  - 4. Providing a bike path system for the Planning Area.
  - 5. Providing conspicuous signage for all public access easements.
- B. Preventing interference with the public's right of access to the sea, whether acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- C. Requiring new development between the nearest public roadway and the shoreline and along the coast to provide public access consistent with sound resource management and consistent with public safety, military security needs, and the protection of fragile coastal resources.
- D. Carefully balancing the public's right of access to the sea with constitutionally protected private property rights.

### 2.3.1.1 Planning Area Standards

The following section provides relevant planning area standards for San Simeon Acres Village. For additional standards see County (2018), Chapter 7 “Planning Area Standards.” See Chapter 7 for additional standards related to communitywide shoreline development, shoreline access, new development building designs, buildings size, commercial or mixed use or residential standards, lot creation, and landscaping.

#### Combining Designations

1. Arroyo del Padre Juan. Arroyo del Padre Juan Creek, including associated riparian habitat areas and beach lagoon, shall be protected, enhanced, and where feasible, restored. All new development shall be setback a minimum of 100 feet from the upland edge of riparian vegetation. Setbacks of less than 100 feet are allowed only in accordance with Section 23.07.174d.2 of the CZLUO. Removal of riparian vegetation on the banks of the creek is prohibited.

**Commented [WC9]:** Does this 100ft provide 100-year flood protection?

#### Communitywide

##### 1. Marine Habitat Protection - Projects with Point-Source Discharges.

The richness, sensitivity, and unspoiled character of the marine habitats in San Simeon Acres demand particularly rigorous measures to protect, maintain, enhance, and restore these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows: **Exceptions:**

- A. **San Simeon Acres Community Services District.** Discharges by the San Simeon Acres Community Services District (SSCSD) that have been properly permitted, when permits are required, by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA) and Monterey Bay National Marine Sanctuary (MBNMS).
- B. **Stormwater Outfalls.** Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater ~~on-site, or on-site or~~ direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances, stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above. Consolidation of existing outfalls shall be pursued where feasible.
- C. **Passthrough Discharges.** Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:
  - (1) Discharge is in compliance with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish & Game (CDFG) laws and regulations.
  - (2) The discharge point is located south of San Simeon Point.

- (3) The discharge method will not result in a eutrophic concentration of nutrients, and will not result in adverse impacts to wild abalone populations or other native marine organisms.

**D. Seawater Passthrough Devices.** Seawater passthrough discharges for public aquaria, and for scientific research facilities that are consistent with LCP requirements, and provided that:

- (1) Discharge is consistent with CCC, MBNMS, EPA, CDFG, SLC and RWQCB laws and regulations.
- (2) The discharge method will not result in adverse impacts to kelp beds or other native marine organisms.

**E. Water Quality Enhancement.** Discharges to streams, for the purpose of hydrologic replenishment and/or stream water quality enhancement that are consistent with LCP requirements, and provided that:

- (1) Discharge is consistent with NMFS, U.S. Fish & Wildlife Service (USFWS), EPA, RWQCB, and CDFG Regulations.
- (2) The discharged waters will be of appropriate temperature and quality so as not to disrupt the steelhead run, nor the in-stream habitat for any other sensitive species including, but not limited to, the red-legged frog and tidewater goby nor will impact adjacent agriculture.

**2. Service Capacity.**

The San Simeon Acres Community Services District (SSCSD) shall maintain and reserve available water and sewage treatment capacity for the following priority uses:

- A. Visitor Serving Uses.** A minimum of 50 percent of available water and sewer capacity.
- B. Affordable Housing - Program Required.** Of the remaining capacity, the SSCSD shall reserve sufficient water and sewer capacity to serve affordable housing. Prior to issuance of any further water allocation letters, the District shall propose to the County a program to accommodate a limited number for affordable housing units each year. The exact number shall be determined based on unmet housing needs and availability of water.
- C. Water Use.** Within three years of adoption of this Plan, an instream flow management plan for Pico Creek shall be completed by the SSCSD and approved by the County. The plan shall identify a specific amount of new development, withdrawals for which will not adversely affect riparian and wetland habitat or agricultural activities. If three years after the adoption of this Plan the study has not yet been approved by the County, no further development or land division which relies on water from Pico Creek shall be approved.

**7. Traffic Mitigation - Highway One.**

Proposed development shall be reviewed to identify any potential adverse impacts to coastal resources, including any potential impacts to levels of service on Highway One. Inadequate road capacity may be grounds for denial unless mitigation measures are incorporated to ensure that adequate levels of service can be provided. An increase in traffic that detracts from the rural, scenic

nature of Highway One shall not be permitted. The acceptable level of service (LOS) for Highway One is LOS D within the San Simeon Acres Village Reserve Line.

**8. Design Considerations.**

Measures to increase scenic quality from Highway One shall be encouraged through the design review process. Appropriate measures could include installation of sidewalks, street furniture, street trees, and decorative street lights. Figures 7-25 and 7-26 illustrate how these considerations may be implemented.

**11. Compatibility with Existing Structures.**

All development shall be located and designed to minimize the impacts of noise, light, glare, privacy loss, and odors on adjacent areas. Traditional building styles of early coastal buildings shall be encouraged. Roof lines and building exteriors shall be compatible with buildings in the surrounding area.

**16. Site Review.**

Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource shall require a biologic assessment report prepared in accordance with Coastal Zone Land Use Ordinance Section 23.07.170.

### 2.3.2 County of San Luis Obispo - Local Coastal Program

The County General Plan and Zoning Ordinance incorporates policies from a Local Coastal Program (LCP) to those areas within the Coastal Zone. The County of San Luis Obispo LCP is made up of the Coastal Zone Land Use Element and the Coastal Zone Land Use Ordinance. The Coastal Zone Land Use Element itself is made up of six distinct documents: the Coastal Zone Framework for Planning, the Coastal Plan Policies, and four Coastal Zone Area Plans (Estero, North Coast, San Luis Bay, and South County).

Pursuant to its certified LCP, the County of San Luis Obispo requires approval of one of three permit types (Plot Plan, Minor Use Permit, or Development Plan) for any proposed development within the coastal zone that does not qualify as repair/maintenance or minor remodel of an existing structure, a fence, installation of irrigation lines, utility connections for existing service facilities, timeshare conversions of existing residences, crop production and grazing, or minor changes of use. The exact permit type depends on the floor area of the proposed development: less than 10,000 square feet qualifies for a Plot Plan; 10,000–39,999 square feet qualifies for a Minor Use Permit; and 40,000 square feet or more qualifies for a Development Plan.

### 2.3.3 Coastal Zone Land Use Ordinance – Title 23 of the San Luis Obispo County Code

The Coastal Zone Land Use Ordinance of the San Luis Obispo County Code (Title 23) apply to all land use and development activities within the unincorporated areas of San Luis Obispo County within the coastal zone. The purpose of Title 23 is to protect and promote public health, safety and welfare, and to specifically:

- a. To implement the San Luis Obispo County General Plan and the San Luis Obispo County Local Coastal Program, and to guide and manage the future growth of the county in accordance with those plans; and

- b. To regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county; and
- c. To minimize adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development; and
- d. To protect and enhance the significant natural, historic, archeological and scenic resources within the county as identified by the county general plan.
- e. To assist the public in identifying and understanding regulations affecting the development and use of land.

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## 3 Coastal Hazards Analysis

Current and future coastal hazards along the coast of San Simeon will be evaluated to inform alternative site selection and analysis. The objective of this analysis is to identify potential hazard zones and proximity to the WWTP alternative sites.

### 3.1 Overview of Coastal Hazards

The coastline of San Simeon is exposed to a variety of hazards including shoreline erosion, bluff erosion, coastal flooding, and tsunamis. This section will provide a general overview of each hazard evaluated in this analysis.

#### 3.1.1 Shoreline Erosion

Discuss factors influencing shoreline change and erosion such as sediment supply, seasonal wave climate and long-term changes associated with SLR.

#### 3.1.2 Bluff Erosion

Discuss factors influencing bluff erosion and reference any site-specific analyses (if available).

#### 3.1.3 Flooding

Discuss factors influencing coastal flooding such as coincident wave & high water level events.

### 3.2 Sea level Rise Projections

Discuss tsunami hazards, referencing ASCE 7-16 standards for tsunami loads & effects, applicable to critical infrastructure.

#### 3.2.1 Overview of SLR Projections (OPC, CCC 2018 Guidelines)

This section will provide an overview of SLR projections based on latest guidance documents along with updated projections recently released by NOAA (2022).

#### 3.2.2 Timing & Probability of Selected SLR Scenarios

Sea level rise (SLR) projections along the west coast of California are provided in the 2018 State of California Sea Level Rise Guidance document (OPC 2018). The California Coastal Commission Sea Level Rise Policy Guidance, also updated in 2018, refers to these as the "best available science" on SLR projections in California.

**Commented [WC10]:** Should also include groundwater rise and "flooding" should be differentiated between tidal inundation/high water level events and storm surges

**Commented [WC11]:** Should include how each of these hazards could impact wastewater treatment infrastructure operations. For example, SLR will put increased pressure on outfalls. What additional adaptations may be needed aside from relocation?

**Commented [LL12]:** Also identify parts of the collection system that are vulnerable to coastal hazards.

### 3.2.2.1 Evaluation of 3.3 feet, 4.9 feet, and 6.6 feet based on 50-year lifespan of relocated facility and risk profile

This section will discuss timing & probability of selected SLR scenarios. The analysis will evaluate 3.3 feet, 4.9 feet and 6.6 feet based on available hazard data. There is an extremely low probability ~0.5% that SLR will exceed 6.6 feet before 2100. A range of probabilistic SLR projections for the Port San Luis tide station are provided below. This figure also includes the H++ scenario, referenced in the State Guidance documents for consideration on critical infrastructure projects.

## 3.3 CoSMoS Future Coastal Hazards

This section will present hazards maps for each SLR scenario and illustrate their proximity to alternative sites considered for WWTP relocation.

### 3.3.1 Hazards Maps for SLR Scenario and Alternative Sites

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### 3.3.2 Potential Vulnerabilities/Hazards at Alternative Sites

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## 3.4 Conclusion

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**Commented [WC13]:** This is the average lifespan of a grey-infrastructure WWTF... but would it be prudent to consider more than 50 years in the planning? This plant was built in the 60s and would theoretically stay in its current location for longer (possibly indefinitely, with renovations), absent of serious coastal hazards. If a location exists within current planning parameters, I believe it would be wise to consider the planning for 80-100 years, or longer.

**Commented [WC14R13]:** Further supporting this argument, the CCC recommends planning to 2100 (78 years from now) for critical infrastructure

**Commented [WC15]:** H++ scenario for RCP8.5 predicts 10.2ft of SLR by 2100

**Commented [WC16R15]:** Latest worst case scenario projections from NOAA are 7ft of SLR by 2100 [<https://aambpublicoceanservice.blob.core.windows.net/oceanserviceprod/hazards/sealevelrise/2.0-Future-Mean-Sea-Level.pdf>]

**Commented [LL17]:** Should this be "at" Alternative Sites?

## 4 Alternative Analysis

Dudek will conduct the alternatives analysis for the proposed WWTP relocation using a rough screening analysis of up to four alternative sites, excluding the existing plant site, and a fine screening analysis of up to two preferred plant sites, excluding the existing project site.

### ROUGH SCREENING ANALYSIS (up to 4 sites)

The rough screening analysis identifies feasible and appropriate project alternatives to be carried forward into the fine screening analysis. Site alternatives for the rough screening analysis are preliminarily identified based on the alternatives identified in the Alternative Analysis for Relocation of the San Simeon Community Services District Wastewater Treatment Facility (Rincon 2008), which identified two potential plant relocation sites. The two sites, Site A and Site D, identified by Rincon (2008) are supplemented by one additional sites, Site A, defined in conversation with SSCSD Board, staff and constituent(s). The plant site alternatives include:

1. Site A
2. Site D
3. Site E
4. [Constituent] Defined Site

Rough screening is based on whether the alternative sites meet the overall project objectives and established evaluation criteria. Evaluation criteria is based on a combination of environmental, policy, and engineering factors/requirements. Each alternative is then assessed according to the established evaluation criteria (identified below) and ranked based on SSCSD-defined weighting factors, as determined in coordination with SSCSD and CCC staff. The evaluation criteria assessment is based on visual assessment of each site, as well as review and analysis of existing available information applicable to each criterion.

### Criteria for Rough Screening Analysis of Identified Alternatives

- I. Environmental constraints/preliminary LCP consistency analysis:
  - Coastal hazards
  - Public access and recreation
  - Visual resources
  - Cultural resources
  - Biological/marine resources (sensitive upland habitat, water quality, wetlands, marine habitat)
  - Agricultural resources
  - Land use compatibility.

**Commented [WC18]:** Will the "optional" analysis of a treatment facilities located inside Cal State Park be conducted?

"At the request of SSCSD, Dudek can include an alternative location and design for the relocated WWTP within California State Parks property. The proposed design calls for the creation of wetlands to naturally pretreat wastewater and provide wildlife habitat and potential fishing opportunities before entering secondary and tertiary treatments at the WWTP facility. At the very least, this task would require coordination with State Parks as well as engineering and environmental analysis of the site, once selected, and transfer of WWTP to the site including lift station(s) and piping as well as discharge connection and location." - Dudek Proposal

**Commented [LL19]:** The CDP directs SSCSDS to include in their analysis expected costs to provide for water recycling, including addressing the potential for joint satellite facilities and/or collaborations with nearby communities for water recycling (page 46). How is this requirement going to be incorporated within the alternative identified?

**Commented [LL20]:** Can you provide a rough timeline for rolling out these analysis and corresponding outreach events?



2. Logistics: Can the plant relocation be implemented in the required timeframe considering legal and institutional requirements

- Proximity to existing wastewater collection/conveyance facilities
- Site suitability – ability to accommodate growth
- Site availability – landowner rights
- Legal restrictions
- Regulatory restrictions
- Recycled water initiatives.

3. Economic factors:

- Economic feasibility.

Appendix A includes the summary report and evaluation matrix addressing each alternative site, clearly documenting the results of the rough screening analysis. The two top-ranked site alternatives, excluding the existing site, are moved forward into the fine screening analysis.

#### **Rough Screening Public Outreach**

The rough screening analysis includes the following opportunities for public input and team/CCC staff collaboration:

- Public workshop presentation (1) – held at SSCSD Board Meeting
- CCC staff meeting (1)

The public workshop during the rough screening analysis phase facilitates public input on feasible relocation sites and presents the rough screening approach and evaluation criteria. A formal PowerPoint presentation discusses the approach and methodology, leading to a public comment period with SSCSD Board and staff members, and the Dudek team. The public workshop is held in the evening at City Hall, and is attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

The meeting with the CCC discusses the rough screening analysis and preliminary findings, held at the local CCC office and attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

#### **FINE SCREENING ANALYSIS (2 Sites)**

The fine screening analysis is based on site alternatives, excluding the existing site, that meet additional, focused evaluation criteria, including the two top-ranked sites determined to meet the project objectives while minimizing environmental impacts and engineering constraints.

The fine screening analysis is conducted at a level of detail sufficient to demonstrate the proposed project's consistency with CC directives and policies, while ensuring project goals and objectives are achieved. As such, the fine screening analysis is conducted concurrently with the technical analyses included in this project. Each alternative site is then be ranked based on SSCSD-defined weighting factors as determined in coordination with SSCSD and CCC staff.

**Commented [WC21]:** Could the timeframe be modified to accommodate a managed retreat option?

**Criteria for Fine Screening of Remaining Alternatives**

1. Fine screening effort are intended to avoid/minimize environmental impacts/LCP consistency analysis, considering the following:
  - Coastal hazards (Coastal Hazards Technical Study)
    - Risk of flooding – 100-year storm event
    - Tsunamis
    - Shoreline erosion – sea level rise
  - Public access, recreation, and visitor-serving uses
    - Traffic/parking
    - Objectionable odors
    - Opportunities to enhance recreation/visitor-serving resources
  - Visual resources
    - Public viewsheds
    - Significant landforms
    - Compatible design
  - Sustainable use of public resources
    - Maximize water reclamation
    - Maximize treated wastewater disposal options
  - Cultural resources
    - Recorded archaeological and historical sites
  - Environmentally sensitive habitat areas (ESHA)
    - Water quality/groundwater basin recharge opportunities
    - Marine habitat/ocean outfall.
2. Project Implementation is also critical to the success of the overall project, and considers the following criteria:
  - Maximize proposed project's ability to meet objectives
    - Compliance with the secondary treatment standards
  - Minimize project delays
    - Additional infrastructure requirements – wastewater collection/conveyance system (facilities/pipelines)
    - Acquisition of land
    - Regulatory permits and approvals
    - Public controversy.
3. Economic factors are also a critical factor is the analysis, with the goal of minimizing overall cost, including the following considerations:
  - Capital cost (planning, design, property acquisition, construction, mitigation)
  - Operational cost.

***Fine Screening Public Outreach***

The fine screening analysis includes the following opportunities for additional public input and SSCSD/CCC staff collaboration:

- Public workshop presentation (1)
- CCC staff meeting (1)

The public workshop for the fine screening analysis phase provides comparison of alternatives at an equal level of detail for the two feasible alternatives, evaluated pursuant to the criteria described above. Supporting materials, including a formal PowerPoint presentation discussing the approach, methodology, and findings, are in Appendix B for review. The public workshop is held in the evening at SSCSD offices, and will be attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

The meeting with CCC staff discusses the preliminary conclusions of the fine screening analysis, and is held at the local CCC office and is attended by the Dudek project manager, engineering task leader, and additional key staff, as necessary.

**Figure 3. Alternatives**

**4.1 Alternative A**

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**4.1.1 Regulatory and Environmental Analysis**

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**4.1.2 Wastewater Engineering Analysis**

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**4.1.3 Conclusion**

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**4.2 Alternative D**

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**4.2.1 Regulatory and Environmental Analysis**

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#### 4.2.2 Wastewater Engineering Analysis

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#### 4.2.3 Conclusion

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### 4.3 Alternative E

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#### 4.3.1 Regulatory and Environmental Analysis

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#### 4.3.2 Wastewater Engineering Analysis

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#### 4.3.3 Conclusion

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### 4.4 Preferred Alternative

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Figure 3. Alternatives

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## 5. Relocation Site

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### 5.1 Permitting (and Potential LCP Amendment)

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### 5.2 Cost and Funding

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### 5.3 Timeline of Major Relocation Events

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### 5.4 Conclusion

**Commented [WC22]:** Include grant funding?

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## 6. Agency Coordination

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### 6.1 County of San Luis Obispo

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### 6.2 California Coastal Commission

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### 6.3 Regional Water Quality Control Board

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### 6.4 California Department of Fish and Wildlife

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### 6.5 California State Parks

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## 7 References

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**Appendix A**  
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Public Hearing Item 5B: Memo from Mike Metts

## MEMORANDUM

**To:** San Simeon Community Services District  
**From:** D. Michel Metts, PE  
**Subject:** Wastewater Treatment Plant Options  
**Date:** June 3, 2022

The San Simeon Community Services District (SSCSD) and Dudek met to discuss potential alternative sites for relocation of its existing wastewater treatment plant, as required by the California Coastal Commission (CCC). During the meeting, several alternative plant sites were discussed. One of the proposed sites is encumbered by an existing Conservation Easement, which renders that site unusable with respect to relocating the wastewater treatment plant. The remaining three alternative sites include: Site A located adjacent to the SSCSD Office on Pico Avenue, Site B located on Avonne Avenue, and Site C located on Avonne Avenue. Figure 1 illustrates the location of the three alternative sites.

*Figure 1. Alternative Plant Sites*



Based on the site reviews, all three sites can accommodate the relocated wastewater treatment plant. The existing plant has a capacity of 200,000 gallons per day (gpd), and it is not anticipated that an increase in the plant capacity will be required. Therefore, as the SSCSD will be required to appropriate the land for the new plant site, it is fiscally responsible to use the least land required. Therefore, Site A was determined to be the most appropriate site assuming that the proposed plant can be accommodated on that site. The following discussion evaluates the land



requirements of the proposed relocated wastewater treatment plant, which is dependent on the treatment process selection. Based on our discussions, two specific treatment processes are most appropriate for the SSCSD community, including:

- Activated Sludge Treatment Process – This process is similar to the SSCSD’s existing plant. However, newer technologies are available to minimize the site requirement. This process is relatively simple to operate and maintain, with lower overall operating costs.
- Membrane Bioreactor (MBR) Process – This process is newer, allowing enhanced treatment on a much smaller footprint. The MBR process is more complicated to operate and maintain, with a higher annual operating cost. The main advantage of this process is the reduced footprint and increased treatment quality (particularly useful where recycled water is being produced).

The SSCSD inquired as to the possibility of a wetland treatment process, whereby natural treatment options could be used to pre-treat the wastewater. This type of pre-treatment alternative requires a significantly increased footprint for the proposed site and does not eliminate other downstream processes to produce recycled water. Therefore, this alternative was not found to be viable because of the lack of available land.

# 1 Activated Sludge Treatment Process

## 1.1 Schematic Site Layout

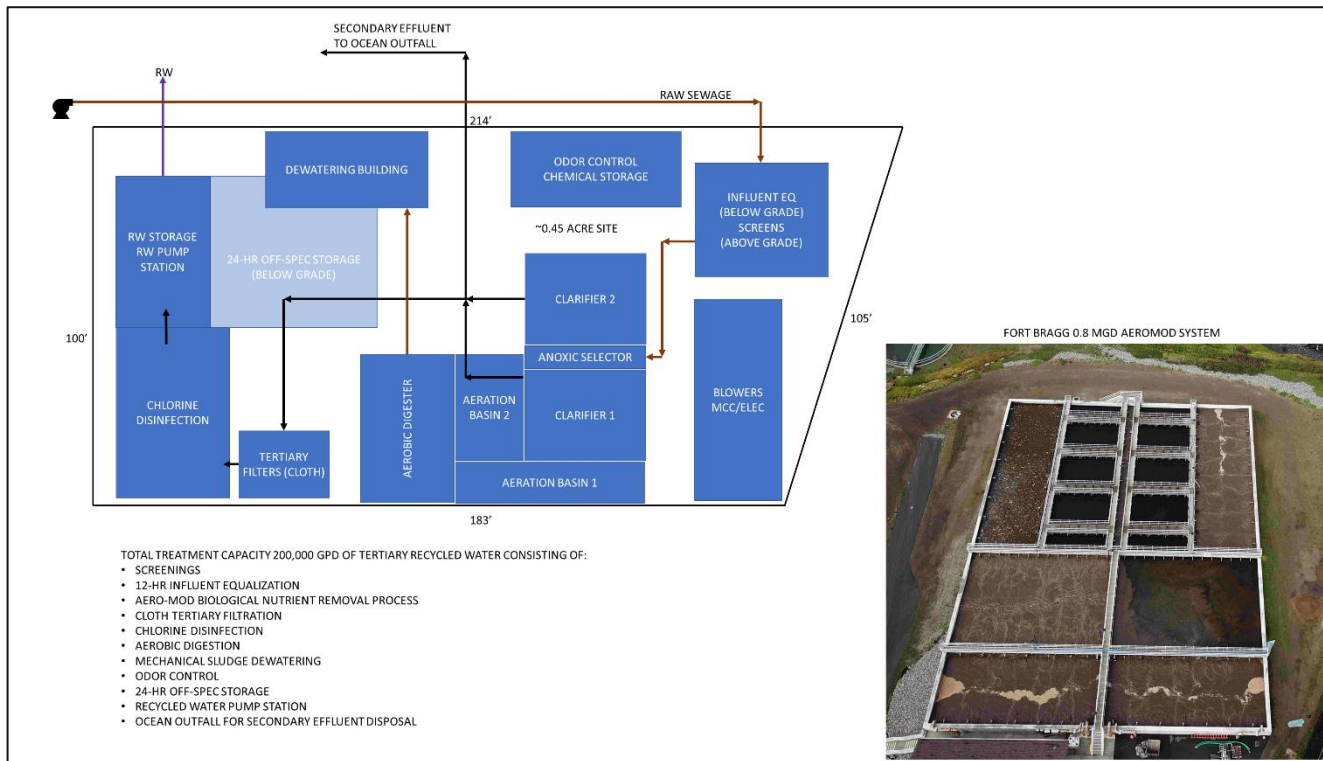
Figure 2 illustrates the components and potential layout of a plant using the activated sludge treatment process. For the purposes of this evaluation, we have assumed the AeroMod treatment plant configuration, as this equipment uses common wall modular construction to decrease land requirements. It is noted that this is a schematic representation of the potential plant layout, with the exact layout prepared during the design process.

As shown on Figure 2, the layout includes the anticipated process equipment required for treatment of SSCSD wastewater, as well as production of Title 22 quality recycled water. Referring to the figure, the upper left of the schematic identifies the need for the collected wastewater to be pumped from the existing plant site to the new plant site. The reason for requiring this pump station is that the existing wastewater collection system conveys the wastewater by gravity to the existing plant site. As wastewater enters the existing plant site at the furthest point away from the ocean, this pump station would be protected from potential sea rise inundation. The force main from the pump station would be aligned within existing streets to reach the new plant site.

Under this treatment option, wastewater would be tributary to the Influent Equalization (EQ) Tank. As shown on the figure, the wastewater would be screened prior to entering the EQ Tank to reduce operation and maintenance cost. From the EQ Tank, the wastewater is tributary to an Anoxic Selector Tank. This tank is part of the biological treatment process to promote sludge settling and better effluent quality.

From the Anoxic Selector Tank, the wastewater flows into the two Aeration Basins (1 & 2), then into the Clarifiers (1 & 2). The aeration basins are sequentially aerated, creating aerobic zones and anoxic zones thereby promoting nitrification and denitrification. The biomass is settled in the Clarifiers, and some of the biomass is returned to the Anoxic Selector Tank and some are wasted to allow control of the biomass population. The Blowers provide the air and mixing to the process.

Figure 2. Activated Sludge Treatment Process Schematic



Effluent from the Clarifiers meets secondary wastewater treatment standards and can be discharged to the SSCSD outfall if subsequent recycled water production is not desired. As such, a secondary effluent pipeline will be necessary to convey the effluent from the new plant site to the existing ocean outfall. Maintaining the ocean outfall is critical, as the SSCSD does not have other failsafe discharge options. Even where Title 22 quality recycled water is produced, there continues to be the possibility during specific times of the year that disposal of secondary effluent will be required.

## 1.2 Recycled Water Production

Secondary effluent, which is not conveyed to the ocean outfall, is available for recycled water production. Secondary effluent would be conveyed to a filtration process to remove particulate matter, followed by the disinfection process (shown as chlorine disinfection in Figure 2). There are a variety of filtration and disinfection equipment that can be used to meet Title 22 standards, which would be selected during the design process.

The recycled water exiting the disinfection process would be conveyed to a recycled water pump station, where it is then pumped to recycled water storage and the recycled water distribution system for customer use.

Secondary effluent (Figure 2) that fails to meet Title 22 specifications would be conveyed to a 24-hour Off-Specification Storage Tank. In this event, the water in the tank would be diverted back to the start of the treatment process once the cause of the treatment failure is identified and resolved.

## 1.3 Activated Sludge Plant Site Size

Based on the 200,000 gpd capacity of the relocated plant, it is estimated that a site between 0.45 and 0.50 acres would be required. The majority of the tankage shown in Figure 2 would be at or just above existing grade (as shown in the inset picture of Figure 2). The Blower/Electrical Building, Screen Room, Odor Control/Chemical Building, Dewatering Building, and Recycled Water Pump Station would be above grade facilities to provide of ease of operation and maintenance.

## 2 Membrane Bioreactor Treatment Process

### 2.1 Schematic Site Layout

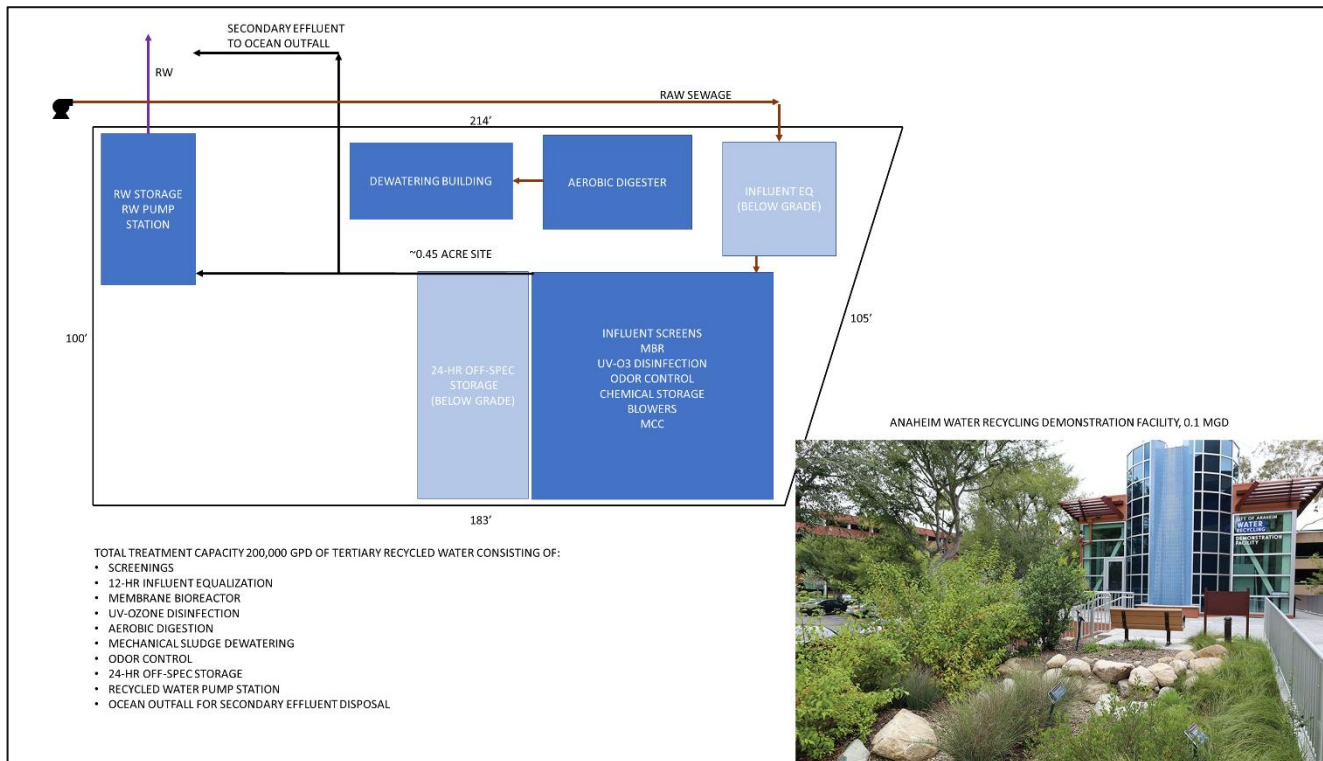
Figure 3 illustrates the components and potential layout of a plant using a membrane bioreactor (MBR) treatment process. For the purposes of this evaluation, we have not identified a specific manufacturer, as the equipment is available from multiple sources with similar configurations. It is noted that this is a schematic representation of the potential plant layout, with the exact layout prepared during the design process.

As shown on Figure 3, the layout includes the anticipated process equipment required for treatment of SSCSD wastewater, as well as production of Title 22 recycled water. Like Section 1, the upper left of the schematic identifies the need for the collected wastewater to be pumped from the existing plant site to the new plant site. The reason for requiring this pump station is that the existing wastewater collection system conveys the wastewater by gravity to the existing plant site. As wastewater enters the existing plant site at the furthest point away from the ocean, this pump station would be protected from potential sea rise inundation. The force main from the pump station would be aligned within existing streets to reach the new plant site.

Under this treatment option, wastewater would be tributary to the Influent Equalization (EQ) Tank. As shown on the figure, the wastewater would be screened following the EQ Tank, prior to being conveyed to the MBR process. As shown on Figure 3, the high-quality effluent from the MBR process allows for ultraviolet (UV) disinfection. There is no additional tertiary filtration process, as the MBR provides the necessary filtration. Odor control, chemical storage, blowers, and electrical facilities continue to be required for this option. However, as shown on the figure, considerably less space is required for this treatment option.

Similar to the activated sludge treatment process, effluent from the MBR treatment process meets secondary wastewater treatment standards and can be discharged to the SSCSD outfall if subsequent recycled water production is not desired. As such, a secondary effluent pipeline will be necessary to convey the effluent from the new plant site to the existing ocean outfall. Maintaining the ocean outfall is critical, as the SSCSD does not have other failsafe discharge options. Even where Title 22 quality recycled water is produced, there continues to be the possibility during specific times of the year that disposal of secondary effluent will be required.

Figure 3. Membrane Bioreactor Treatment Process Schematic



## 2.2 Recycle Water Production

Secondary effluent, which is not conveyed to the ocean outfall, is available for recycled water production. Effluent from the MBR treatment process (Figure 3) would still require a 24-hour Off-Spec Storage Tank. The purpose of this tank is to capture any recycled water that failed to meet Title 22 standards. In this event, the water in the tank would be diverted back to the start of the treatment process once the cause of the treatment failure is identified and resolved.

The recycled water exiting the MBR treatment and disinfection process is conveyed to a recycled water pump station, where it is then pumped to recycled water storage and the recycled water distribution system for customer use.

## 2.3 MBR Plant Site Size

Based on the 200,000 gpd capacity of the relocated plant, it is estimated that a site between 0.35 and 0.40 acres would be required. Most of the tankage shown in Figure 3 can be constructed at or below existing grade (as shown in the inset picture of Figure 3). However, below grade construction is significantly more expensive. As such, it is anticipated that the majority of the MBR treatment option would be above grade, single story buildings or covered tankage. Based on the similar site requirements, a site of approximately 0.50 acres is anticipated.

### 3 Summary

Based on the available treatment plant sites and treatment options, both treatment plant options could be constructed on Site A (Figure 1), with the MBR treatment process alternative requiring less area. Considering the SSCSD's desire for increased recycled water production and use, the MBR treatment options provides a superior treatment quality, resulting in more consistently meeting Title 22 standards. The MBR process is therefore the preferred treatment option of the project.

With respect to the alternative project sites, Sites B and C are significantly larger than necessary based on the preliminary analyses performed. Furthermore, these sites are more visible from the highway and are surrounded by more potential sensitive receptors than Site A. The proximity of Site A to the existing SSCSD office is also preferable. The proximity of Site A to planned recycled water storage is beneficial and minimizes recycled water pipeline length to reach the storage location.

Considering the CCC's requirement for relocation of the existing treatment plant, it is projected that the SSCSD will realize the lowest cost and greatest benefit by constructing an MBR type plant at Site A. Considering the size of Sites B and C, these sites will also accommodate the proposed plant, with additional pipeline construction cost.

## **6.A. Business Action Item**



## **BUSINESS ACTION ITEM STAFF REPORT**

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### **ITEM 6.A. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO GRANT WRITING SERVICES FOR THE PERIOD OF THREE YEARS.**

#### Summary

This item was originally on the June 12, 2022 meeting agenda and was tabled by the Board Chairperson. Both Chairperson Kellas and Director Donahue have suggested the importance of the District obtaining an on-call grant writer to help the District obtain funding related to various capital improvement projects such as the pipe-bridge. On April 4, 2022 GES Staff mailed a request for proposal related to grant writing services to twenty-seven (27) companies.

The District received two responsive proposals from the following firms:

- 1) Littleberry Press / GrantSelect
- 2) The CrisCom Company

The purchasing states the following:

#### **E. Professional Consultant Services**

##### **1. Definition and Restrictions**

Professional consultant services are of a technical nature and, due to the type of services to be provided, do not readily fall within the "low bid" competitive bidding process. California Government Code Section 4525 *et. seq.* requires that selection of professional consultants in the categories of architects, landscape architects, engineers, surveyors, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable. Professional service agreements shall not be split into smaller units, nor shall contract amendments be used, for the purpose of circumvention of the expenditure limits of this Policy.

As used in this Policy, "professional consultant service agreement" shall mean and include all professional services provided by the same consultant that are provided as part of or related to the same project or program for which the consultant is being retained. Consultants who are retained to provide services on an ongoing basis, such as geotechnical peer reviews of District projects, shall be retained by means of an annual service agreement unless an agreement providing for renewal or extension of services has been approved.

- a. For selection of architects, landscape architects, engineers, surveyors, and environmental consultants, the following procedures shall apply unless the services needed from such consultants are of a technical nature or involve professional judgment.

Cost is not to be included in the Request for Proposal (RFP). Only after a firm is selected, is compensation negotiated. The scope of work is the basis for negotiations for payment. If the parties cannot agree on fair compensation, negotiations may be formally terminated with the firm considered most qualified and may be commenced with the second highest-rated firm. Such procedure may be repeated until an agreement is reached with a qualified firm.

Alternatively, a fee or cost estimate can be requested at the time of the RFP by requiring it to be provided in a separate, sealed envelope. The fee estimate will only be opened after selecting the successful consulting firm.

- b. For consultants who do not fall under the qualifications-based selection method described above, or where the services needed from the vendors listed above are of a technical nature and involve professional judgment, cost can be included in the RFQ/RFP and used in ranking the consultants for selection. Examples of such consultants include, but are not limited to: training, safety, recruitment, personnel services, economic analysis, city and regional planning, property appraisals/analysis, property acquisition, title insurance, facilitators, legal services, financial services, and data processing.

#### Recommendation:

It is recommended that the Board selects one responsive grant service provider and authorize staff to enter into an agreement to provide services for the period of 3 years (August 1, 2022 – June 30, 2025).

Enc: Proposal – Littleberry Press / GrantSelect  
Proposal – The CrisCom Company



Proposal

# Grant Writing Services for the San Simeon Community

A Proposal to Support the San Simeon Community in the  
Management of the Overall Grant Process

June 2022

by Littleberry Press, West Lafayette, Indiana

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## Grant Writing Services

Name of Respondent Firm:	<b>Littleberry Press LLC</b>
Principal Place of Business:	<b>1048 B Sagamore Parkway West, #48 West Lafayette, Indiana 47906</b>
Mailing Address:	<b>Same as above</b>
Primary Consultant/Contact:	Name/Title: <b>Louis S. Schafer, Lead Grant Consultant</b> Telephone: <b>(765) 237-3390 x1001</b> Email Address: <a href="mailto:lou.schafer@littleberrypress.com">lou.schafer@littleberrypress.com</a>
Secondary Consultant/Contact:	Name/Title: <b>Anita Schafer, Lead Grant Consultant</b> Telephone: <b>(765) 237-3390 x1000</b> Email Address: <a href="mailto:anita.schafer@littleberrypress.com">anita.schafer@littleberrypress.com</a>
Federal Tax Identification Number:	<b>82-2019317</b>
Type of Business Entity (check one):	<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Joint Venture <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Individual. <input type="checkbox"/> Other _____
If other than a Sole Proprietorship:	<input checked="" type="checkbox"/> Offeror is a Compliant Non-California business incorporated or organized under the laws of the State of Indiana and enabled to do business in the State of California.  Date of incorporation/organization: <u>July 1, 2017</u>  All state(s) where authorized to transact business: <u>All U.S. states and its territories</u>  Names of all Offeror's parent, affiliate, and subsidiary organizations: <u>none</u>

The undersigned certifies that the information provided above is to the best of his/her knowledge true and correct, has carefully read and understands the terms and conditions specified herein and hereby submits the following proposal to perform the work specified herein, all in accordance with the true intent and meaning thereof, and further that the offeror/respondent shall comply with all terms, conditions, and requirements of the RFP.

The undersigned further understands and agrees that by submitting this offer: he/she is declaring his/her offer/response is not in violation of California Revised Statutes, concerning prohibited State contracts; he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion; and the firm, Littleberry Press, is committed to performing all services identified and will abide by the terms of the RFP, including all attachments.

Louis S. Schafer  
Authorized (Original in ink) Signature

Louis S. Schafer  
Name (printed)

Lead Grant Consultant  
Title

June 1, 2022  
Date

## Qualifications

### **Brief Description / Overview:**

Littleberry Press LLC, formerly known as Schoolhouse Partners LLC, is an independent grant writing firm and book publisher committed to encouraging critical thinking and promoting constructive discourse within financial, social, cultural, political, and economic arenas affecting funding of community programs in the United States. Currently, we not only offer grant development/writing services, but we also offer grant writing training seminars and publish a series of grant funding directories for a broad range of communities, educators, and nonprofits. Though we remain a small, tightly aligned firm with fewer than a dozen employees, we are dedicated to our mission of “discovering and securing funding for all types of projects and programs, and to provide a platform to empower municipalities, pre-K through 12<sup>th</sup> grade educators, colleges and universities, community nonprofit organizations, and researchers all over the globe.”

For the past eighteen years, our strength has remained in grants development, working primarily with small to medium sized municipalities, as well as pre-K through 12<sup>th</sup> grade public and private schools, universities, and community nonprofits supporting those communities. At the local level, we have worked with mayors, township leaders, board members, stakeholders, department head (police, fire, tourism, parks, and recreation programs, etc.), school administrators, classroom teachers, and local community members. In doing so, it has always been the responsibility of our grants development team to ensure that project management occurs collaboratively, effectively, and efficiently so that each of our clients can fulfill their missions of public service to their respective communities.

Littleberry Press understands that the San Simeon Community Service District is a small unincorporated community located within San Luis Obispo County along California’s central coastal highway, about 36 miles west of Paso Robles and nearly equidistant from San Francisco and Los Angeles. Most recently, like most other smaller-sized California communities, local financial shortfalls in San Simeon’s economy have been further complicated by a drastic rise in inflation and the prolonged COVID-19 pandemic. With its population increasing by 42.4% during the last decade, growing from 462 in 2010 to 658 in the 2020 census, financial stress continues. Considered a “disadvantages” area, its average individual income is \$36,779 annually, with the average male earning \$59,688 and the average female earning just \$19,347. At the same time, though the national average family size is 3.13 individuals, San Simeon residents have an average family size of 3.21 and an average household size of 1.98 persons. With an overall poverty rate hovering around 4.4 percent, the community leaders and planners have found it necessary to wrestle with inadequate tax revenues while simultaneously attempting to ensure the health, safety, and well-being of all its citizens.

Meanwhile, San Simeon officials have begun weighing in on innovative options and creative solutions to support needed programs for its diverse population - including departmental staff training, community needs assessments, and program implementation – to assure continued community satisfaction and well-being. Yet, as stated earlier, pandemic challenges have exacerbated the funding concerns facing departments, education, and community services. Because of financial stress and shortages, towns of all sizes in all locations of California – including San Simeon - have continually struggled to balance needs against budget: a lessening of support programs; the ever-present needs assessment gap; inequity issues across the community; recruiting and retention of qualified (much less, excellent) community employees; and limited connectivity or access to adequate funding resources.

With all of this in mind, it is understood that the community of San Simeon must seek out and secure funding that goes beyond conventional tax-based sources. Our grants locator database, known as GrantSelect, is wholly owned and operated by Littleberry Press. It contains more than 30,000 funding opportunities for community-wide programs. These sources include federal and state agencies, corporate funders, private and public foundations, family trusts, and associations that will help to fill the community's current funding shortfalls needed to promote programs and expand services. In essence, the database will offer funding solutions for community and economic development, road and transportation needs, energy efficiency, environmental programs, criminal justice, technology, infrastructure maintenance and implementation, parks and recreation, and future community planning.

**Primary Responsibility for the San Simeon Contract:**

For this proposal, Littleberry Press will assign two on-call (up to full-time) Lead Grant Development Managers to oversee a gap analysis/needs assessment of current programs, funding research, and resulting grant writing projects (see attachment 1: Organizational Flow Chart). We will also utilize one on-call (part-time) Grant Development Specialist and three (3) Grant Writing Research Interns. Each of these individuals will collaborate with city departments to assess current funding priority areas and identify new priority areas for funding, as well as utilize all community resources that are made available.

The first of these Lead Grant Development Managers, Louis S. Schafer has been writing grants since 1981. Our second Lead Grant Development Manager, Anita Schafer has been involved with grant writing and funding follow-up services since 2004. Their joint focus has been on grant resources for communities, pre-K through 12<sup>th</sup> grade educators, and community nonprofits. Simultaneously, they have also been involved with the construction and maintenance of our extensive grants resource database since 2006 and have been publishing 12 to 15 grants directories for grant seekers of all types since 2007. Our current grant writing clients include four (5) municipalities, seven (7) public school districts, and more than two dozen community nonprofits.

As stated in the Commitment section of this RFP response, if chosen, Littleberry Press will identify specific grant opportunities to pursue that are aligned with both current and future funding priority areas of the community of San Simeon. It is understood that all assigned projects will be diverse, and vary in all aspects, based on need, current conditions, purpose, goals, and the availability of complementing opportunities. We realize that all such programs will be directly aligned with community outcomes and goals. In offering our expertise in grant development, we will provide all aspects of on-call grant writing services needed as determined by San Simeon officials.

**Assigned Administration: Experience, Staffing, and Structure:**

**Louis S. Schafer, Lead Grant Development Manager** (see Attachment 2 Resume), has a good deal of experience as a grant writer/developer/manager, beginning in 1981 with the Clare Public School District in Clare, Michigan. From there he went on to become an elementary school principal at Hillcrest Elementary in Alma, Michigan, followed by a district-wide grant writer with the Alma community in Alma, Michigan. Beginning in August of 1991, he pursued and secured funding for a variety of projects, including an innovative after-school mentoring program for elementary students known as Helping One Student to Succeed (HOSTS), an anti-bullying Safe Schools program, and funding aimed at changing the punitive school district environment to one of William Glasser's Choice Theory in which students have input in acquiring responsible behavioral choices. In 2003, after more than a decade of success in Alma, he relocated with Anita to the small, rural community of La Junta, an economically depressed region in southwestern Colorado, where he collaborated with staff as a curriculum director and grant writer for the highly at-risk East Otero School District. In 2004, Anita and Lou began working as independent grant writers for a variety of municipalities and school districts throughout the U.S., with Anita getting her first solo opportunity writing a successful \$20,000 program grant in support of an outdoor science lab in Wiley, Colorado. Together, they wrote and submitted a successful federal multi-year ***Kids in Safe Schools (KISS)*** anti-bullying grant for Las Animas Schools that was funded at \$704,800. Lou's primary role for this contract will be the responsibility of researching, developing, and writing inquiries, letters, and full proposals requesting funds in support of the community of San Simeon programs and services. He will also be responsible for tracking and monitoring proposals, interfacing with community personnel and resources, and tracking deadlines and requirements. Finally, he will submit monthly reports on progress of all hours worked and writing status.

**Anita M. Schafer, Lead Grant Development Manager** (see Attachment 3 Resume), also boasts a vast amount of experience as a grant writer/developer/manager, beginning with her application in support of an aforementioned elementary school science lab and a co-written funded \$704,800 U.S. Department of Education Safe Schools grant on behalf of a nearby school district. For the past 18 years, she has been responsible for the overall operation and organization of Littleberry Press, with a main function of selecting and training both grant writers and editors in support of gathering current and new grant sources, as well as grant book production. Her expertise in the

grant development process has, during the majority of that time, been utilized in both on-site and virtual grant writing training sessions for municipal and educational personnel all across the country. Most recently, she spearheaded a remote two-week grant writing training for 40 participants throughout the State of Wyoming, which included township supervisors, county clerks, classroom teachers, and other municipal personnel. This training led to an application submission by each participant for a variety of funding projects, including parks and recreation, municipal infrastructure projects, and community staff trainings. Anita's primary role for this contract will also be the responsibility of researching, developing, and writing inquiries, letters, and full proposals requesting funds in support of the community of San Simeon departments and services. She will also be responsible for planning and coordinating on-site and remote meetings with community staff members, upkeep of the calendar of events, and assisting in the management of collaboration with community staff.

**Joylynn Carter, Grant Development Specialist** (see Attachment 4 Resume), is a grant researcher/writer with years of experience as a city police officer. Her primary responsibility for this contract will be to conduct careful research of grant possibilities and alignment of grant funding opportunities with the community of San Simeon programs and mission. She will also spend time gathering descriptions, requirements, deadlines, amounts needed, geographic parameters, and past award samples. These details will then be uploaded into a list to be shared with community of San Simeon personnel. With her lengthy 20+ years of experience as a Chicago Police Officer, she brings much expertise into the arena of emergency services, safety, and protection of community assets. She possesses the unique ability to employ the principles of procedural justice to increase public awareness, trust, and confidence in local law enforcement, emergency agencies, and departments – and will help get work done on pressing legal issues. She brings to the table legal and safety legitimacy by way of understanding how to earn trust and confidence within community residents. She understands that the community can continue to build public confidence by:

- treating people with dignity and respect,
- making decisions fairly, based on facts, not illegitimate factors such as race or socio-economic history,
- giving people “voice,” a chance to tell their side of any vital story,
- implementing programs that are both culturally sensitive and inclusive, and
- acting in a way that encourages community members to believe that they will be treated with goodwill now and in the future.

**Support Intern Personnel:** Littleberry Press will also utilize up to two of its current interns to conduct research and background information, both in aligning possible funding prospects and gathering data that supports needs statements with the narrative of each grant being written. These interns are paid at a base salary rate of \$20 per hour and are available for a maximum of 15 hours per intern per week. For this contract, each will work a maximum of four (4) hours per grant.

### **Subcontracting:**

Littleberry Press will not subcontract any services offered within this proposal, and all services will be provided solely by its grant writing/development managers and its grant development support staff.

### **Taxable Transaction:**

Littleberry Press fully understands that the work to be performed under this solicitation is a business activity that may be taxable under the guidance of California Board of Equalization, which determines what is considered sales tax nexus in the State of California. An out-of-state business is “engaged in business” in California if it’s a member of a group in California that helps the out-of-state business establish or maintain a California market for product sales. Though Littleberry Press is not a tax-exempt organization, we further understand that, generally, services provided in California, such as grant writing, are not taxable.

### **Pending Litigation:**

Littleberry Press, nor any of its subsidiaries, have any pending litigation to which it is a party. Further, the firm has no outstanding legal judgements.

## **Project Methodology / Approach**

### **Motivation:**

Driven by a single question: "How do we help communities find and secure grants?" Littleberry Press embarked on pursuing its primary vision of assisting grant seekers to apply for funding to support any and every worthwhile program. For communities such as San Simeon, it is our mission to discover and secure funding opportunities for all types of projects and programs, and to provide a platform to empower administrators, departments, and community organizations to optimize the services for all of its permanent residents and visitors. The entire process is founded upon the a few simple principles:

- Collaborate with San Simeon officials to identify ongoing program and department needs
- Utilize a tried-and-true dependable method of identifying appropriate funding with our grants database
- Align those funding agency missions and goals with the San Simeon mission and goals
- Determine from funding agency guidelines an approximate number of hours and overall cost to develop submission(s)
- Receive a “go-ahead” from community officials



## **GrantSelect Defined:**

In simplest terms, GrantSelect is an online database of about 30,000 funding opportunities, such as grants (for programs, projects, planning, start-up, endowments, technical assistance, facilities, and equipment, etc.), awards, and fellowships. These funding opportunities range from operating grants to community and economic development, infrastructure, arts programs, biomedical and health care support, parks and recreation support, community services programs, children and youth programs, K-12 education funding, staff training, and overall program evaluation and improvement.

Each record includes:

- Contact information
- Sponsor name and address
- Subject terms for related searches
- Type of sponsor (Federal agency, foundation, research institute, etc.)

Each record also includes (where available):

- URLs to more information on the funding opportunity
- Deadline date(s)
- Restrictions on who may apply (including geographic restrictions)
- Lists of previous awards
- Amount(s) of grant or award
- Catalog of Federal Domestic Assistance (CFDA) number
- Populations encouraged to apply (e.g., women, minorities, disabled)
- RFA and PA numbers for NIH grants
- Program numbers for NSF grants

Sponsoring organizations include federal government agencies (including NIH, NSF, Centers for Disease Control, and many others), state government agencies, foundations and other nonprofit organizations, corporations and corporate foundations, educational institutions, and universities. Because of its broad range of funding opportunities, GrantSelect is able to service the entire community of San Simeon. Our goal is to enable the community and its organizations to find the funding opportunities needed to fuel economic growth and initiatives.

Town/City/County Managers or Commissioners, City Council, Aldermen, Law Enforcement Personnel and other First Responders, Chambers of Commerce, and Department heads use GrantSelect support to find funding for infrastructure, technology, parks and lands, playgrounds, trailway systems, housing, neighborhood beautification, community development, economic development, community health programs, infrastructure, sewage and solid waste management, brownfield management, flood control, records management, policing, emergency programs, after-school youth programs, youth mentoring, civic responsibility programs, service-learning programs, and more.

## **Service Distinctions:**

Littleberry Press is unique from all other offerors in that we provide:

- (1) Extensive concept-to-submission grant writing/development services via a collaborative, teamwork approach with each of our clients. This includes:
  - Assessment of programming by gathering information collaboratively
  - Strategy development
  - Utilizing our grants database and other sources to locate funding
  - Aligning program missions with funding source missions
  - Monitoring and communicating the status of grant development collaboratively throughout the entire process
  - Providing periodic written reports
  - Ensuring that all requirements are met in a timely fashion
  
- (2) Dynamic grant seeking access via our company-owned and operated grants database, which currently has more than 30,000 up-to-date funding opportunities from a variety of sources, including:
  - federal and state government agencies,
  - corporate giving programs,
  - public and private foundations,
  - family trusts,
  - associations, and
  - educational agencies
  
- (3) Skilled grant writing training (if requested) as a means for leadership, administrators, and other stakeholders to implement and sustain programs in the long term
  
- (4) Oversight and review of grant application created and written by staff
  
- (5) An Email Alert service to keep all staff participants apprised of upcoming funding opportunities, which are delivered directly to participants' email in-boxes

Littleberry Press fully understands that the community of San Simeon's overall goals, vision, objectives, and areas of highest need are centered around creating an environment of highest quality for each and every resident. Indeed, this is strongly aligned with our belief that, given enough time and support, every person can not only survive, but persevere and thrive. Furthermore, we believe, as the leadership of San Simeon does, that our shared primary goal should be to help individuals reach toward excellent standards of living, adequate and reliable services, social and emotional stability, a caring character, strong problem-solving skills, and the motivation to be lifelong community contributors.

## **Service Details:**

Littleberry Press conducts its grant development process by adhering to an established set of steps and procedures as we move from start to completion. Steps include:

- meeting with project stakeholders to jointly create and review a task checklist of what is wanted and needed to complete the application (DUNS, SAMS, board member, primary contact, biographies of key project personnel, letters of support, etc.); who is responsible will be assigned for each task; this checklist will be shared via an online tool so that everyone involved can stay abreast of progress
- discussion of key questions, including what your project is and what is your primary need, who will it impact, how does it align with the community's mission/vision, is this a new project/program or a continuation of an existing project/program, what is the timeline, how can we measure success, and what is the general overall cost of the project/program
- write a brief overview/history of the of the program asking for funding, and develop a Case of Support for the project/program
- begin discussion of the narrative and detailed budget process, determining how specifically every piece of that budget is priced out and revisited as the project begins to take shape
- introduce the grants database and discuss how to locate possible funders, aligning the community's mission with the funder's mission/areas of interest
- find an adequate number of possible funders to meet all budgetary demands
- organize all deadlines (if applicable) of all chosen funding organizations
- contact each funding organization and inquiry as to whether the community's project fits their current guidelines and areas of interest
- draft the initial proposal narrative, including an introduction of the grantee's program overview, problem/need statement, overall project goals/expected outcomes, and long-term sustainability
- develop methods and activities that will enable evaluators to reach outcomes
- create and evaluation rubric that exhibits Indicators of Success (data collection, percent of involvement, before and after changes, community perception changes, etc.) and how we will be able to measure/prove that success
- assign responsibility for implementation of each activity and outcome
- develop an overall timetable of project/program implementation
- design a PR program that will inform interested community residents and stakeholders about the project/program
- finalize both the budget detail (totals all line items of spending) and budget narrative (outlines precisely how the funding will be spent)
- ensure that the narrative proposal aligns tightly with all budget aspects
- gather any necessary attachments/addendums (support/collaboration/ commitment letters, proof of nonprofit status, list of board members with contact information, community-wide annual operating budget, annual audit, professional biographies of those involved with program implementation, DUNS and SAMS information (if required), and any other requested items)
- complete a cover letter and/or title page
- write an abstract/summarization of the entire proposal, including total amount being requested
- pull together an accurate table of contents, with proposal sections and page numbers

- secure all necessary signatures and approvals required for submission of the application
- carefully review the initial checklist to ensure completeness
- conduct a peer review assessment by two to three readers to get feedback on all of the above
- submit required number of copies of the entire proposal package to the funding organization
- conduct follow-up after the funder's board members have evaluated the project
- evaluate success measures as the project implementation progresses

**Assumptions:**

Littleberry Press understands that grant writing assumptions are what we believe to be true. In a contracted relationship with the community of San Simeon, these beliefs include anticipated occurrences and circumstances that are expected during the contractual duration. We make such assumptions based on our prior experience as grant development specialists. Our assumptions about such a contractual arrangement with the community of San Simeon include:

1. Our grants database – known as GrantSelect – will be the primary source of locating and aligning suitable upcoming grant funding opportunities at no additional charge to the community of San Simeon.
2. We currently have adequate personnel (both on-site and remotely) to complete grant development services on a large scale for the community of San Simeon.
3. With any increase in demand for skilled grant writing services, an adequate grant writing workforce can be secured and trained via internship and regular employment to handle whatever workload is necessary.
4. All relevant stakeholders in the community of San Simeon can and will attend regularly scheduled meetings, either in person or remotely.
5. All stakeholders in the community of San Simeon will be willing to collaborate closely with our staff, either in person or remotely.
6. With this collaboration, we will be able to develop tightly aligned proposal budget details and narratives that are tightly aligned these each proposal, thus justifying cost with request.
7. We will be able to communicate continually with community personnel and stakeholders as projects progress
8. We will be able to secure appropriate signatures of approval and compliance prior to submission of all grant applications.
9. Community officials will adhere to all promised made to funding agencies.

**Constraints:**

Littleberry Press fully understands the existence of project constraints to mean limitations or restrictions that may impact the grant development process. Such limitations and/or restrictions will be managed in all instances by Anita Schafer and Louis Schafer, the two dedicated project managers for this RFP, and may include the following grant writing project constraints:

1. **Cost Constraint:** at the start of each grant writing project, it is expected that the community of San Simeon will specify all expectations of the project. This will, indeed, come with a project cost constraint for all services rendered. For example, it may be stated that Littleberry Press will be compensated no less and no more than a specified range for its time in the development of a specific proposal. From that point forward, that range will remain that project's cost constraint.
2. **Scope Constraint:** the grant writing project scope reflects what needs to be completed within a specific approved project timeline. For example, if the collaborated decision is for a specific project to result in an increased community satisfaction rating of 10% over current rates of satisfaction, development of an acceptable evaluation tool to measure this increase is essential and must be coordinated by both community administration, stakeholders, and grant writers. Hence, if the scope is "an increase to senior citizens by a minimum of 10% of all senior citizen programming," this is an example of project scope constraint that will not allow a promise of a 20% increase by the grant writer.
3. **Quality Flexibility Constraint:** it is understood that all community departmental and services quality comes with a cost. Whenever there exists strictly outlined requirements in a specific grant writing narrative, this will impact the cost constraint directly. For example, if the project is the implementation of an after-school mentoring program using community volunteers as one-on-one reading mentors, the community might expect such a program to be offered to 10% to 20% of its current 5<sup>th</sup> grade students at a particular budgetary cost. Opening such a program to greater numbers of anticipated students or additional grade levels will likely incur an increased cost in materials and management of the increased number of volunteers. And, if greater community and student participant numbers lead to increased costs, we must be prepared to locate and secure increased financial support in order to maintain quality of programming and expected results.
4. **Satisfaction Constraint:** in all grant writing project cases, customer (residents, community serve organizations, and visitors) satisfaction is a key factor for program/project sustainability. Though all community of San Simeon departments and service providers conduct their business for individual residents and the community at large, the leadership will remain our primary customer for grant seeking services. We must first and foremost always satisfy that primary customer, making this is a critical constraint.
5. **Risk Constraint:** risk can be either positive or negative in any proposal or project. Littleberry Press will work with each community of San Simeon department or service provider to enhance the opportunities for positive risks and reduce the possibility of negative risks. For example, if there is any risk of losing a project participant or team member, either within our staff or the community's personnel, the project should specify a "hand-over" process for activities for which that team member has been responsible. If he/she should leave the project prior to completion, such responsibilities can be assumed by a new or replacement team member, thus reducing the risk of failure to reach designated outcomes.

6. **Resource Constraint:** some grant development project managers falsely believe that only project team members are considered project resources. However, technology tools, equipment, and other materials to be used in grant development projects are also resources. Thus, if a particular piece of equipment is made unavailable to project managers because of other use commitments, such resources automatically become project constraints and must be replaced when lost or displaced to other projects.
7. **Time Constraint:** when beginning any grant development project, there will be deadlines proposed by the project managers that are defined by the grant application itself. These may include required Letters of Interest and Application deadlines, or the implementation of a Needs Survey and Gap Analysis. Without question, these are time constraints that must be adhered to by both grant writers and collaborative community administrators and stakeholders.

### **Sustainability:**

As grant funding is depleted, Littleberry Press will support the community's efforts to sustain a given funded/implemented project (goals, principles, and efforts to achieve desired outcomes) in the following ways:

- meeting with stakeholders to develop a Calendar of Sustainability Readiness, so that they might “stay on top of” this inevitability
- discuss with stakeholders the possibility that grant-funded programs/projects may be considered sustainable even if they don't look exactly like the program that has been running
- re-assess specific activities that can and should be continued, how many employees/volunteers are needed for sustainability, and how large the continuing program should be
- base all sustainability efforts on the following considerations: data of success; change in needs of the original target audience; a list of what activities can be taken for sustainability; how to manage ongoing implementation; develop a list of current and potential partners; and locating and encouraging potential interest groups that have already benefitted from the program/project
- consider the following strategies for sustainability: fees for service; additional grant funding; community supporters; and state and federal dollars
- providing grant writing training to those who will need to search for and secure additional future funding organizations
- provide access to GrantSelect, our grants database, to accommodate future searches for possible funding organizations

## Experience

### **Our Commitment:**

Littleberry Press is extremely well-qualified to meet the grant writing services that the San Simeon needs and deserves. If selected, we will continuously identify specific grant opportunities to pursue that are aligned with the future of San Simeon's commitment and vision to help the community grow and thrive. It is understood that all assigned grant development projects will be diverse, and vary in all aspects, based on needs, current conditions, purpose, goals, and the availability of complementing opportunities. We realize that all such programs will be directly aligned with your mission of "protecting, building, and nurturing the entire community...while enhancing lives of all of its residents."

In offering our expertise in grant development, we will provide on-call, collaborative grant writing for all departments and services, including (but not limited to) Communication and Media Relations, Community Development, Community Education, Economic Development, Engineering, Emergency Management, Environment and Conservation, Fire Prevention Services, Information Technology, Library Services, Parks and Recreation, Police and Public Safety, Public Works, and Risk Management.

We fully expect to perform a variety of tasks related to grant opportunities, including (but not limited to): assessing needs and goals; conducting research to identify potential funding opportunities; offering an email alerts service for community officials to remain aware of upcoming grant opportunities; providing access to our grants database (if requested) to all administrators to conduct searches into possible funding opportunities; writing and submitting required/suggested pre-applications and/or Letters of Interest (LOIs); implementing an online calendar of grant opportunities to be shared throughout the entire community; coordinating a team approach with community stakeholders; implementing a shared on-line checklist of grant development steps to be taken and who is responsible for each step's completion; developing, drafting and finalizing all assigned applications; suggesting measurable means for evaluating success; developing budgets that are aligned with each proposal's narrative; adhering to schedules and deadlines for all applications; assisting with submitting required attachments and documentation; and monitoring the status of awards or rejections. Meanwhile, overall grant implementation and administration will remain the complete responsibility of the community of San Simeon.

### **Current and Past Projects:**

Littleberry Press offers the following three (3) most recent client references for whom we have successfully provided grant service included in the size and scope of this RFP:

<b>Client #1: <u>Town of Londonderry</u></b>	
Address:	268B Mammoth Road Londonderry, NH 03053
Primary Contact:	Justin W. Campo, Project Director
Client's Contact Info:	Phone: (603) 432-1102      Email: jcampo@londonderrynh.org
Project Duration:	Beginning: June 1, 2020 Ending: Ongoing
Description of project/services rendered:	<p>The Town of Londonderry, New Hampshire, began with Littleberry Press grant writing services by hiring us to write and submit a Coronavirus Emergency Supplemental Funding (CESF) award application to offset unbudgeted operating expenses due to the COVID-19 pandemic. The primary use of this funding was used to help defray the continuing unanticipated overtime salary, as well as equipment costs incurred in preventing, preparing for, and responding to this unexpected pandemic. Like most mid-sized New Hampshire communities, Londonderry has faced its share of extremely difficult budgetary decisions while battling the pandemic. In its community these included: overtime for police, fire, and emergency response personnel; COVID-19 testing and treatment for police, fire, and emergency response employees and their families; higher incidence of outbreak in economically challenged and low-income school district areas; and greater suspicion and mistrust of local, state, and federal government COVID-19 recommendations. As a result, forging an effective collaborative community response required the community to rely heavily on trusted local partners to perform essential tasks, such as: offering community education to inform the public on "best practices"; diagnosing and treating the coronavirus in a timely and optimal fashion; and distributing supplies to all citizens at-risk, including schools. Each of its planned activities in dealing with this pandemic were – and continue to be – based on the recommendation of the Center for Disease Control (CDC), the New Hampshire Department of Health and Human Services (DHHS), and the Londonderry Health Division. Funding in the amount of <b>\$89,112.18</b> was requested and awarded for a portion of police department and fire department staff COVID-19 overtime. Since that successful application award, we have continued to develop and submit proposals, primarily for public safety, fire, and EMT services. Most recently, we submitted a grant application in support of a <b>\$40,000</b> Endpoint Detection and Response (EDR) Cybersecurity system.</p>
Dollar Amount of Contract:	\$70/per hour
Success Rate:	100%



<b>Client #2: <u>State of Hawaii Department of Education (DOE)</u></b>	
Address:	1390 Miller Street Honolulu, HI 96813
Name of Client's Primary Contact:	Lorene Gokan, Procurement and Contracts Branch 940275 Mokuola Street, #200, Waipahu, HI 96797
Client's Contact Info:	Phone: (808) 675-0130      Email: lorene.gokan@k12.hi.us
Project Duration:	Beginning: January 15, 2021 Ending Ongoing
Description of project/services rendered:	<p>Littleberry Press began with the State of Hawaii Department of Education by submitting our response to an RFP for grant writing and support services on December 11, 2020. We were selected from a list of more than 50 responders. Since then, we have identified specific grant opportunities that are aligned with the goals of Hawaii education. It has always been understood that all assigned projects are unique to individual schools, and vary in all aspects, based on educational needs, current learning conditions, purpose, goals, and the availability of complementing opportunities. We also realize that all programs are expected to be directly aligned with student outcomes and achievement goals. In offering our expertise in grant development, we have provided all aspects of on-call grant writing services. This includes performance of a variety of tasks, such as: assessing needs and goals; conducting research to identify potential funding opportunities; offering an email updates for teachers and administrators to remain aware of upcoming opportunities; writing and submitting required/suggested pre-applications and/or Letters of Interest (LOIs); implementation of an online calendar of grant opportunities which is shared throughout the State school system; coordinating a team approach with school stakeholders; implementing a shared on-line checklist of grant development steps to be taken and who is responsible for each step's completion; developing, drafting and finalizing all assigned applications; suggesting measurable means for evaluating success; developing budgets that are aligned with each proposal's narrative; adhering to schedules and deadlines for all applications; assisting with submitting required attachments and documentation; and monitoring the status of awards or rejections.</p>
Dollar Amount of Contract:	\$65/per hour
Success Rate:	100%

<b>Client #3: <u>Trevecca Nazarene University</u></b>	
Address:	333 Murfreesboro Pike Nashville, TN 37210
Name of Client's Primary Contact:	Janice Lovell, Engagement Officer
Client's Contact Info:	Phone: (615) 248-1563      Email: jellovell@trevecca.edu
Project Duration:	Beginning: January 10, 2022 Ending: Ongoing
Description of project/services rendered:	<p>In collaboration with Persevere Now, a national non-profit organization whose mission is to empower justice-involved men and women and individuals at risk for justice involvement to succeed as productive members of society, Trevecca Nazarene University is committed to a partnership with Persevere Now with mutual interest to support the <b>Innovation and Opportunity Collaborative of Middle Tennessee</b> and beyond (2022-2025). Activities include, but are not limited to, project success through initiating collaborations, evaluation, sharing lessons learned, research, personnel management, human development, counseling or related human social services, and action committee participation. Littleberry Press has been contracted by Trevecca Nazarene University to collaborate on this grant project by conducting a needs assessment and gap analysis of approximately 50 proposal partners who will contribute regional services for the program clients. Without question, each of these collaborative partners was selected for a particular reason and, together, they balance Trevecca Nazarene's program aimed at improving the lives of justice-involved and at risk of being justice-involved individuals and their families in Middle Tennessee. Jointly, this collaborative intends to serve hundreds of families over a three- to five-year period, providing a web of coordinated services and support. As evidenced in Persevere's proposal abstract, the State's middle division is the region possessing the highest rate of incarceration within the United States (37,208 in Nashville alone). Our primary role in this project was to report details various gaps between "what is" and "what should be" within the collaborative partner support programs that can significantly impact the target population.</p>
Dollar Amount of Contract:	\$15,000
Success Rate:	Unknown currently

## References

(See project descriptions in Current & Past Projects section above)

Reference	Address	Telephone	Email
Justin W. Campo, Project Director	268B Mammoth Road Londonderry, NH 03053	(603) 432-1102	jcampo@londonderrynh.org
Lorene Gokan, Procurement & Contracts Branch	1390 Miller Street Honolulu, HI 96813	(808) 675-0130	lorene.gokan@k12.hi.us
Janice Lovell, Engagement Officer	333 Murfreesboro Pike Nashville, TN 37210	(615) 248-1563	jelovell@trevecca.edu

## Costs / Budgets

### Overview:

The RFP proposal budget below is intended to guide San Simeon evaluators in a step-by-step alignment with what we typically do as grant writers throughout the project phases and is meant to be changed and adapted (within limits, of course) to what happens during the grant writing process itself.

### State and Federal Grants (per project):

Phase / Task	Est. Hours to Complete (Senior Staff)	Est. Hours to Complete (Support Staff)	Senior Staff Hourly Rate	Support Staff Hourly Rate	Totals (hrs. x hourly rate)
Assessment	2-3		\$65	---	\$130 - \$195
Research (Senior Staff)	7-8		\$65	---	\$455 - \$520
Research (Support Staff)		7-8		\$20	\$140 - \$160
Initial Contact	1-2		\$65	---	\$65 - \$130
Pre-Proposal Letters (if required)	2-3		\$65	---	\$130 - \$195
Applications: Letter Proposal, including budget development	5-10		\$65	---	\$325 - \$650
Applications: Proposal for federal and state sources, including budget development	40-50		\$65	---	\$2600 - \$3250
Reports and Applications, per project	2-3		\$65	---	\$130 - \$195
<b>Totals:</b> Proposals sent to federal and state sources, including budget development	<b>59 - 79</b>		<b>\$65</b>	<b>\$20</b>	<b>\$3975 - \$5295</b>

**Foundation and Other Non-Government Grants (per project):**

<b>Phase / Task</b>	<b>Est. Hours to Complete (Senior Staff)</b>	<b>Est. Hours to Complete (Support Staff)</b>	<b>Senior Staff Hourly Rate</b>	<b>Support Staff Hourly Rate</b>	<b>Totals (hrs. x hourly rate)</b>
Assessment	2-3		\$65	---	\$130 - \$195
Research (Senior Staff)	7-8		\$65	---	\$455 - \$520
Research (Support Staff)		7-8		\$20	\$140 - \$160
Initial Contact	1-2		\$65	---	\$65 - \$130
Pre-Proposal Letters (if required)	2-3		\$65	---	\$130 - \$195
Applications: Letter Proposal, including budget development	5-10		\$65	---	\$325 - \$650
Applications: Proposal for foundations, and other non-government sources, including budget development	30-35		\$65	---	\$1950 - \$2275
Reports and Applications, per project	2-3		\$65	---	\$130 - \$195
<b>Totals:</b> Proposals sent to federal and state sources, including budget development	<b>49 - 64</b>		<b>\$65</b>	<b>\$20</b>	<b>\$3325 - \$4320</b>

**Insurances:**

If selected, Littleberry Press will ensure / acquire the following insurance policies:

- General Liability
- Automobile Liability
- Workers Compensation & Employers Liability
- Professional Liability and Errors and Omissions



# SAN SIMEON

Community Services District

Gwen Kellas, Chairperson  
Board of Directors

Charles Grace, General Manager  
Cortney Murguia, Office Manager  
Jerry Copeland, Plant Operator

Departments / City Services

Building Department	Community Development	Enterprise System	Community Development
Engineering	Economic Development	Emergency Management	Fire Department
Parks & Recreation	Library Services	Police Department	Utilities
Senior Citizen Programs	Cultural Programs	Public Schools	Historic Preservation
			Tourism

*Littleberry*  
PRESS

Grant Database Team

*Main Office*  
Lou Schafer, Grant Consultant  
Anita Schafer, Grant Consultant

Grant Researchers  
Grant Writers  
Budget Narratives and Details  
Submission & Follow-Up  
Municipal Collaborators  
Team Collaborators  
Database Managers  
Book Writing/Editing  
Book Art Design  
Manage Intern Pool  
Gap Analysis

Grant Development Team

*Remote Office*  
Joylynn Carter, Grant Support

Grant Writing Support  
Grant Researcher.

*Intern Pool*  
Purdue University Intern (1)  
Indiana University Intern (1)

Post-Award Team

*Remote Evaluator (if required)*  
Andrew Shepherd-Smith

Policy & Procedure Compliance  
Review of Reporting Compliance  
Mock Audits  
*Conduct*

1. Research Misconduct
2. Conflicts of Interest
3. Intellectual Property
4. Grant Fraud
5. Research lifecycle
6. Contract Language
7. Budget Compliance
8. Data Use/Misuse
9. Other Issues Required

# Louis S. Schafer

curriculum director / grant writer / school administrator

Resourceful, creative educator with 30+ years' experience in this capacity. Personal strengths: student-centered approach; curriculum development; inclusive leadership; assessment alignment; mastery teaching and learning; grant writing; budget building; program evaluation; recordkeeping; and ongoing communication with parents, educators, and the community.

*mobile* 765.421.1026  
*office* 765-237-3390  
*email* louschafer@gmail.com  
*address* 2529 Yeoman Lane  
W. Lafayette, IN 47906

## Philosophy

The single greatest power in the world today is the power to change...  
The most recklessly irresponsible thing we could do in the future would be to go on exactly as we have... - Karl W. Deutsch, 1977

## Competencies

- Extensive breadth of curriculum development / alignment
- Impeccable writing, editing, and time budgeting skillset
- Finely tuned grants development & management experience
- Highly collaborative work ethic involving all staff and parents
- Unparalleled assessment and evaluation of educational programs

## Experiences

### Remote Editor / Media Analyst

Mar 2019 – May 2020

TechMIS LLC, Dade City, Florida

- Compiled and prepared daily media briefings for federal departments, including Department of State and Housing and Urban Development
- Analyzed open-source and proprietary news pieces
- Real-time capturing of news from print, broadcast and social media
- Practiced with information technology and multimedia software
- Coordinated with team members to ensure daily product delivery

### Grants and Fundraising Director

Jan 2018 – Mar 2019

Hawaii Literacy, Honolulu, Hawaii

- Planned, prepared, and submitted competitive grant proposals
- Researched, identified, and cultivated new funding source prospects
- Built and developed funding budgets tightly aligned with proposals
- Participated as a team player in planning ongoing fundraising activities

### Co-Director / Owner / Operator

May 2005 – Present

GrantSelect / Littleberry Press, West Lafayette, Indiana

- Research, identify, and develop grant materials for a select few non-profit organizations and educational programs across the country
- Maintain an active, fluid service-product (GrantSelect) by researching, editing, and managing a 30,000-strong searchable grants database
- Edit and publish an annual series of grants directories via a co-owned and co-operated publishing firm (Littleberry Press)

## Education

**Specialist:** Educational Admin.  
Major: Leadership / Curriculum  
Central Michigan University 1996

**Master's:** Educational Leadership  
Major: Grant Writing / Curriculum  
Central Michigan University 1994

**Bachelors:** Education / Writing  
Major: Intensive Social Studies  
University of Toledo 1977

## Publications

### Funding Sources for K-12

Education (2006 – present)

### Funding Sources for Children &

Youth (2006 – present)

### Directory of Research Grants

(2006 – present)

### Directory of Grants in the

Humanities (2006 – present)

### Directory of Biomedical & Health

Care Grants (2006 – present)

### Funding for Comm & Economic

Development (2006 – present)

### Directory of Grants for Arts &

Culture (2006 – present)

### Operating Grants for Non-Profits

(2006 – present)

## Experiences (cont.)

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### Curriculum and Assessment Director

Aug 2003 – May 2005

[East Otero School District](#), La Junta, Colorado

- Collaborated with administrators and teachers to develop and align curriculum, meeting all state standards and benchmarks
- Wrote and submitted letters of intent, proposals, budget details, and follow-up materials for private foundations and government agencies

### Elementary School Principal, Curriculum Director, Grant Writer

Aug 1991 – Jul 2003

[Alma Public Schools](#), Alma, Michigan

- Implemented Mastery Teaching and Mastery Learning training for all elementary staff members
- Trained district-wide staff in William Glasser's choice theory, creating a non-coercive student atmosphere
- Ensured alignment of all coursework from 12<sup>th</sup> grade on down to pre-kindergarten levels

### Alternative and Adult Education Assistant Director/Classroom Teacher

Aug 1981 – Jul 1991

[Clare Public Schools](#), Clare, Michigan

- Assisted in the improvement and implementation of high school completion coursework for more than 300 non-traditional students

### High School Teacher and Basketball Coach

Aug 1978 – Jul 1981

[Piqua City Schools](#), Piqua, Ohio

- Taught high school Social Studies to 10<sup>th</sup> through 12<sup>th</sup> grades, including American History, World History, Geography, Economics, Sociology, and Psychology

## Memberships

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- |   |                |
|---|----------------|
| • American Grant Writers' Association                         | 2015 – Present |
| • National Grants Management Association                      | 2018 – Present |
| • National Council of Nonprofits                              | 2017 – 2019    |
| • National School Foundation Association                      | 2001 – 2009    |
| • National Association of Workforce Development Professionals | 2003 – 2011    |
| • National Staff Development Council                          | 1991 – 2016    |
| • Writer's Guild of America                                   | 1981 – 2012    |

## Personal Writing Projects

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Freelance writer and author, published in 200+ online and hard-print magazines, newspapers, and periodicals

Book Titles:	<i>Confederate Underwater Warfare</i>	1984 (still in print)
	<i>Best of Gravestone Humor</i>	1996 (still in print)
	<i>American Submariners, vol. I</i>	2018 (still in print)
	<i>Tombstones of Your Ancestors</i>	2019 (still in print)

## References

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Available upon request.

# ANITA SCHAFER

technical writer / editor / publisher

office: (765) 237-3390 ext. 1000  
mobile: (808) 638-4620  
email: anita.schafer@littleberrypress.com  
profile: linkedin.com/in/anitaschafer  
skype: abschafer\_3

## CORE COMPETENCIES

Prospect Research	Database Management
Proposal Development	Project Prioritization
Budget Management	Fundraising
Submission Calendaring	Program Development

## EXPERIENCE

### Grant Writer / Editor

[Littleberry Press](#) - September 2004 to present

- Develop and write grant proposals to foundations and other grant-making organizations, persuasively communicating clients' missions and programs to potential funders
- Assemble and submit grant requests, including letters, proposals, budgets and presentations
- Create and manage budgets for client programs and projects
- Maintain calendar to ensure timely submission of letters of inquiry, proposals and reports
- Strategize and research new funding prospects to support clients' programs and projects
- Prioritize projects to keep multiple projects moving in a timely manner, meet deadlines and manage supplemental material required for proposals.
- Serve as liaison to all funding agencies or organizations, developing collaborative relationships with grant funding representatives

### Remote Editor

[TechMIS](#) - December 2018 - May 2020

- Compile and prepare daily media briefings for Presidential Cabinet-level customers and their corresponding departments (Department of State, Department of Homeland Security)
- Read and analyze open-source and proprietary news pieces; real-time capture of relevant news from print, broadcast and social media
- Coordinate with multiple teams and team members to ensure timely delivery by established and modified deadlines
- Train new editors and media monitors; develop training guides and style guides to support onboarding and ongoing operations

### Founder / Executive Director

[Tria Gladius Fencing Foundation](#) - September 2012 - Present

- Coordinate with school officials to administer a quality after-school sports program for high school students at Harrison High School (West Lafayette, IN)
- Guide and mentor student officers, club members
- Provide individual and group fencing instruction, explaining and demonstrating the basic use of various equipment, principles, techniques and methods of fencing

## EDUCATION

### Master of Science in Education in Learning Design & Technology

Purdue University  
*Expected graduation: 2022*

### Bachelor of Arts, Professional Writing

Purdue University, August 2017  
Minor: Computer & Information Technology

## HONORS AND AWARDS

Alpha Sigma Lambda Inductee, April 2016

Best Visual Design--Purdue Writing Showcase, April 2016

Indiana POWER Caucus Award, February 2016

People's Choice Award--Purdue Writing Showcase, April 2015

William H. and Ruth E. Crouse Scholarship for Technical Writing, May 2015

Max and Elsie Goken Scholarship Award, May 2015

## PUBLICATIONS

### GrantSelect.com

(web; grants database; 2006 - present)

### Funding Sources for K-12 Education

(print; annual; 2006 - present)

### Funding Sources for Children and Youth Programs

(print; annual; 2006 - present)

### Directory of Research Grants

(print; annual; 2006 - present)

### Directory of Grants in the Humanities

(print; annual; 2006 - present)

### Operating Grants for Nonprofit Organizations

(print; annual; 2006 - present)

### Directory of Biomedical and Health Care Grants

(print; annual; 2006 - present)

### Funding Sources for Community and Economic Development

(print; annual; 2006 - present)





# JOYLYNN CARTER

jscartj79@gmail.com | 847-749-7313 | Chicago, IL 60656

## Summary

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Dedicated employee known for reliability, pursuing employment options where good work ethic and positive attitude will make a difference.

## Skills

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- Human relations
- Conflict resolution tactics
- Exceptional problem solver
- Calm under pressure

## Experience

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City Of Chicago Police Department |  
Chicago, IL  
**Police Officer**  
10/2001 - Current

- Gathered preliminary investigation information as first responder to crime scenes.
- Assessed crime scenes upon arrival and secured areas.
- Made arrests for violations of criminal laws and conducted background investigations.
- Mediated domestic-related disturbances and protected victims from harm.
- Responded to and investigated security and burglar alarms.
- Investigated criminal and traffic offenses.

U.S. Department of Veterans Affairs |  
Chicago, IL  
**Veterans Service Representative**  
09/2000 - 10/2001

- Interviewed veterans and dependents to determine eligibility for federal benefits.
- Assisted veterans in preparing forms, documents and applications for benefits.
- Reviewed claim folders for completeness and conformity to guidelines prior to submission for eligibility determination.

## Education and Training

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DePaul University | Chicago, IL  
**Bachelor of Arts in English Language And Literature**  
06/1997



by Littleberry Press, West Lafayette, Indiana

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CELEBRATING 25 YEARS OF SERVING OUR CLIENTS AND COMMUNITIES



[www.TheCrisComCompany.com](http://www.TheCrisComCompany.com)



## THE CRISCOM COMPANY

REQUEST FOR PROPOSAL FOR GRANT WRITING  
AND GRANT WRITING RELATED SERVICES



SAN SIMEON COMMUNITY SERVICES DISTRICT

RFP Released: April 3, 2022

RFP Due Date: June 2, 2022 at 2:00pm

Courtney Murguia  
Office Manager  
San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452

June 2, 2022

Ms. Cortney Murguia  
Office Manager  
San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452



Dear. Ms. Murguia:

The CrisCom Company is pleased to provide the San Simeon Community Services District with the following response to the "Request for Proposal for Grant Writing and Grant Writing Related Services."

Over the past 25 years, CrisCom has partnered with clients to assist them in positioning and developing impactful programs to better their communities. If awarded, we also acknowledge the complete responsibility for the entire contract.

Please do not hesitate to reach out if you require any clarification on the information contained in this response. I look forward to hearing from you soon.

Sincerely,

Charles H. Jelloian  
President & Chief Executive Officer  
(818) 378-1576 cell  
chuck@thecriscomcomapny.com



9550 TOPANGA CANYON BLVD., CHATSWORTH, CA 91311  
1099-A OTIS AVE., CORCORAN, CA 93212  
www.TheCrisComCompany.com

## **COST - SCOPE OF SERVICES - METHODOLOGY**

The CrisCom Company is proposing a monthly retainer to provide the San Simeon Community Services District with grant writing and grant writing related services. The fee for this service will be \$2,000 per month. This will encompass the following scope of services detailed below.

In providing grant writing services, The CrisCom Company will engage elected officials, key stakeholders and administrating agencies to develop advantageous relationships for the District. CrisCom will work in conjunction with District staff to identify and pursue viable grant opportunities. Additionally, CrisCom will work hand-in-hand with District staff to develop a strategic approach to providing for the District's needs through comprehensive advocacy and outreach efforts.

An in-depth approach and comprehensive strategic planning provides our clients with the proper footing to be successful in the pursuit of grants and other funding opportunities. A key element to this approach is incorporating the direction of the client. As such, the District will have direct access to CrisCom's leadership whenever it is needed.

The CrisCom team will meet with the San Simeon Community Services District to compile a list of projects. The team will then work with the District to prioritize the list based on a needs assessment, which will include a comprehensive review of available funding sources for the identified project. This collaborative approach is imperative to creating successful submissions. While CrisCom is continuously monitoring both public sector and private foundation grants, detailing the specific needs of the District will provide for a tailored and targeted approach.

The CrisCom Company will provide in-person quarterly reports to the District or any time the District deems appropriate. The CrisCom team will also make themselves available anytime to the District department heads and staff. We will provide weekly updates via email and telephone on the progress and status of grant applications in process as well. This will include benchmarking certain items during the writing process and keeping the District apprised of any changes or amendments.

As grant writing professionals it is imperative for our firm to have continual and open communication with our clients. Establishing this early on in the engagement is key to developing and implementing successful grant initiatives. Forecasting available opportunities and working with departments well in advance of Notice of Funding Opportunities will ensure ample time to respond to an opportunity thoughtfully and completely and lead to a successful proposal.

The following 10 step approach to grant writing is the core of CrisCom's grant writing service offerings. Putting our client's needs at the forefront of every project is key.

1. Funding needs analysis by meeting with District department heads to review priorities and funding needs

The CrisCom Company staff will meet with District leadership to conduct a series of assessment meetings to prioritize the funding needs. The meetings will be in-depth and analyze programs and projects from available funding sources in which the District is ready to pursue. These meetings will lay the foundation for the grant pursuit process. In conjunction with these meetings, CrisCom will meet with the District's State and Federal representatives. These meetings will set the foundations of support to pursue the aforementioned grants, and will provide information to our representatives on the District's current needs.

2. Facilitation of department decision-making process regarding the feasibility of pursuing potential grant opportunities

The CrisCom Company staff will meet with District department heads as grant opportunities become available. The meetings will include a summary review of grant requirements, including any qualifying factors such as monetary match, reporting requirements and grant oversight. These meetings will serve as strategic planning sessions.

3. Facilitation of partnership meetings on grant submissions

The CrisCom Company will meet on a regular basis with District department heads, both in person and over the telephone as the grant is being developed. Communication with District staff is a key component to a successful grant submission. The CrisCom team will work diligently on ensuring that all lines of communication are open and flowing freely to identify the proper grant response and any cross departmental components to strengthen any submission.

4. Grant research to identify opportunities that strategically align with the District's goals

The CrisCom Company will utilize various grant resources to narrow down and find specific opportunities for the District. This process will be aided by the initial departmental meetings to identify needs and connect them with available funding sources in the budgetary year. CrisCom will also work with the local State and Federal representatives to identify any direct funding opportunities.

5. Development of requested proposals/applications

Each grant opportunity is unique and contains differing requirements. However, through meticulous attention to detail, CrisCom will work with the District to develop top quality responses to identified viable opportunities. This includes outlining clear and concise program goals to achieve the desired outcomes. CrisCom will work with the District to obtain the needed information and provide a comprehensive draft for the District to review. CrisCom will provide this at least a week in advance of the grant due date, as to provide adequate time for a comprehensive review before submittal.

6. Assist in gathering grant-related information  
The CrisCom Company will identify and assist the District in obtaining grant-related information needed for a successful submission. CrisCom's team is astute in garnering information and employing that information into a successful grant. CrisCom will also assist the District in reviewing the data needed for the grant. This includes breaking down the data into smaller pieces of useful information that will bolster the grant response.
7. Estimate of District's commitment if grant is received  
A key component to a grant is the grantee's ability to administer the grant successfully. During the initial review of the grant, prior to any submittal, the CrisCom team will review the grant guidelines and ensure the District and the department heads know the requirements of administering the grant. This will include any and all reporting requirements and the length of those requirements. CrisCom will assist the District in these requirements while on retainer. This will be a major determining factor to be considered during the facilitation of the departmental decision-making process regarding the feasibility of pursuing potential grant opportunities.
8. Grant proposal development, submission, letters of support and other supporting materials  
As discussed previously, The CrisCom Company will provide the District with a draft of the proposed submission at least one week prior to the due date. This will allow for adequate departmental review prior to submitting the grant application. CrisCom will also work with our State and Federal elected officials and strategize with local stakeholders on obtaining letters of support. Ensuring that the grant receives support from a variety of stakeholders speaks volumes with the grant reviewers. CrisCom will always look for ways to set the grant apart from the competition and work to obtain an advantage for the District.
9. Follow up after proposal submission  
The CrisCom Company will utilize its relationships with the granting entity to follow up on any and all proposal submissions. This will be done within the confines of the expressed grant criteria and will not take place in any gray areas. CrisCom will strategically utilize the grant supporters, such as our State and Federal representatives to inquire on the District's behalf, when appropriate. CrisCom will also seek to identify, if not explicitly expressed in the application, the proposed timeline the granting agency is looking to follow. This will allow for the District to manage expectations on funding and implementation.
10. Assist with contract, material development, and/or reporting once a grant is awarded  
The CrisCom Company will stay engaged during all aspects of the successful grant process. It is imperative to shepherd the District through this in order to maintain expectations of a successful implementation. Additionally, CrisCom can and will assist



on any and all reporting where necessary. Some functions of reporting will fall to the department who is awarded the grant, and CrisCom will assist in this process. Furthermore, on an unsuccessful grant proposal, CrisCom will request a debriefing from the granting agency. This will allow our team to comprehensively identify any deficiencies in the application and will bolster the application for the next round of funding.

## MISSION STATEMENT

OUR MISSION IS TO PROVIDE OUR CLIENTS WITH HIGHLY ETHICAL, INNOVATIVE AND DYNAMIC STRATEGIES, WHICH ARE EFFECTIVE IN ACHIEVING THEIR GOALS. THE CRISCOM COMPANY ADHERES TO THE HIGHEST STANDARDS OF ACCURACY AND TRUTH TO THOSE WE REPRESENT AND TO THE PUBLIC.

**EXPERIENCE**

Founded in 1997, CrisCom Public Relations, Inc., (dba The CrisCom Company) is the preeminent leader in the governmental affairs, grant writing, public relations and community development arenas. We take great pride in providing our clients with unparalleled state and federal advocacy and grant writing services. The key to our success is our ability to engage elected officials, key stakeholders and administering agencies to develop advantageous relationships for our clients. Not only do we work in conjunction with our clients to identify and pursue viable grant opportunities, we develop a strategic approach to provide for our clients’ needs through comprehensive advocacy and outreach efforts.

Our in-depth and thoughtful approach to strategic planning provides clients with the proper footing to be successful in the pursuit of appropriations and grants. The cornerstone to this approach is incorporating the needs and direction from our clients. This collaborative effort provides unfettered access to CrisCom’s leadership team.

Our multidisciplinary team will meet with the client to compile a list of projects. We will then work with the organization to prioritize the list based on a needs assessment, which will include a comprehensive review of available funding sources for the identified project. This approach is imperative setting our clients on the path to success. We will also continuously monitor both public sector and private foundation grants, detailing the specific needs of the organization which will provide for a tailored and targeted approach.



- \$7m Kings County Sheriff’s Office
- \$5.7m Corcoran Police Station
- \$4m Selma Police Station
- \$3m Lemoore Public Safety Dispatch
- \$650k Kings County Gang & Narcotics Task Force
- \$400k Sanger School Resource Officer
- \$250k Glendale DOJ COPS Grant
- \$240k Avenal Emergency Ops Center



- \$7m Corcoran Gateway Park
- \$2m Kettleman City Pedestrian Bridge
- \$2m Avenal Community Center
- \$1.2m CFDA Education Grant CLU
- \$312k Upward Bound Higher Ed Grant
- \$292k Clean CA Grant - City of Glendale, CA
- \$164k FEMA AFG - City of Glendale



- \$3m Sanger Water Well Repair
- \$2m Corcoran Water Treatment Facility
- \$1.5m Corcoran Water Well
- \$1.5m Selma Storm Drain Repair
- \$1m Sanger Water Connections
- \$100k Route Management Mile Reduction Grant

## THE TEAM

*Our team of experts boasts over 100 years of public/private sector experience. CrisCom continues to pave the way for our client's success in both the public sector and private sector. We have developed and implemented dynamic solutions for our clients that resulted in their securing of the most contentious contracts in the public sector. Our team's grant writing expertise is second to none, and we have been responsible for tens of millions of dollars in grant funding being secured.*

### Charles H Jelloian | President & Chief Executive Officer



Chuck Jelloian holds extensive experience in the public relations field. Through his tenacity and vociferous advocacy on behalf of our clients, Chuck makes sure the CrisCom team delivers on the projects we undertake.

About Chuck - Chuck is committed to providing all clients with highly effective programs that focus on governmental affairs, business and project development, strategic planning, corporate communications, public relations, and marketing.

Chuck has worked diligently to establish The CrisCom Company as one of the nation's premiere governmental affairs and business development firms. Before founding CrisCom, he served as the Executive Director of the non-partisan Ronald Reagan Presidential Foundation and was responsible for the planning and development of the historic Ronald Reagan Presidential Library and Center for Public Affairs, located in Simi Valley, California. He hosted numerous national and international dignitaries, including British Prime Minister Lady Margaret Thatcher and Polish President Lech Walesa. Since then, Chuck has had the privilege of working with several other national figures.

Chuck was appointed by Los Angeles Mayor Richard Riordan to serve on the Board of Transportation Commissioners. As Commission President, Chuck presided over the \$200 million department and its 1600 full-time employees. Los Angeles City Councilman Greig Smith appointed Chuck to the Design Review Board, which reviews all proposed applications for buildings and structures in the Chatsworth, California area.

Chuck, widely recognized for his leadership skills, continues to play an important role in many political, social and philanthropic activities throughout California and the nation.

Jason D. Siegen | Executive Vice President & Chief Operating Officer



Jason Siegen is a proven leader in the governmental and public affairs arena with over 20 years' experience throughout California and the nation, implementing successful lobbying and public relations campaigns for municipal, corporate, and non-profit clients.

About Jason - Jason has been a member of the CrisCom team since 1998. He serves as CrisCom's Chief Operating Officer and Executive Vice President. Jason is responsible for the day-to-day operations, including overseeing and managing CrisCom's Account Managers and Representatives. He has been a lobbyist at both the state and federal levels of government for over 20 years. Throughout this time, Jason has been at the forefront of all of CrisCom's legislative and appropriations wins for its clients. Jason's extensive experience in governmental and public affairs makes him a valued strategist and problem solver on which our clients rely. Jason holds a degree in Political Science from California State University, Northridge.

Carole E. Sarian | President of Public Affairs



Carole Sarian's enthusiasm, vision, and strong relationships in the public and private sector continue to benefit CrisCom's clients nationwide.

About Carole - Carole has been with CrisCom since day one and brings over 30 years of public affairs executive experience. She is responsible for the planning and producing of numerous high-profile events, galas, conferences, networking events, non-profit fundraisers and celebrations. Carole leads CrisCom's national philanthropic endeavors and has received several awards and commendations from some of the country's most prestigious volunteer and non-profit organizations.

Carole sits on the Hollywood Chamber of Commerce's Community Foundation Board of Directors, and Co-Chairs the annual "Heroes of Hollywood" fundraising event. This prestigious board is responsible for administering tens of thousands of dollars in grants annually to local non-profits in the greater Hollywood area. Previously, Carole served on the Executive Committee of the Board of Directors for the Hollywood Chamber of Commerce, which is responsible for the operation and maintenance of the world famous "Hollywood Walk of Fame."

Renee Missakian | Grants Manager - Community Development Coordinator



Renee Missakian's attention to detail and background as a paralegal helps ensure that our clients' projects are delivered timely and professionally. From community outreach to grant writing, Renee continues to deliver on our clients' needs.

About Renee - Renee has 25 years' experience in the legal field and over 15 years' experience working with nonprofit organizations. Her experience includes organizing fundraisers, community outreach events and public relations campaigns. For the past several years, Renee has spearheaded The CrisCom Company's grant writing initiatives for our clients, specializing in both public and private sector grants.

John Basmajian | Grant Coordinator - Accounts Representative



John Basmajian joined The CrisCom Company in 2019 as an Account Representative. His demeanor, energy and exuberance he brings to each project is palpable.

About John - John graduated from California Lutheran University with a Bachelor of Science in Business Administration, where he was an honored recipient of the Dean's List award four times, as well as the President's List award. He served as student body president, and sat on the university's Board of Regents. Prior to joining CrisCom he served as an intern for an industrial services company where he led a marketing campaign that resulted in fifteen percent revenue growth. He also worked with a real estate investment firm providing administrative assistance.

Emily Engelsgaard | Grant Coordinator - Accounts Representative



Emily joined The CrisCom Company in 2021 and currently serves as an Account Representative and Grant Coordinator. Her tenacity and willingness to tackle any obstacle help achieve our client's goals.

About Emily - Emily holds a Master's degree in American History and is a graduate of California Polytechnic State University, San Luis Obispo. Emily has extensive experience in customer service and as a legal assistant. Her background continues to be a beneficial asset to the team.

**REFERENCES**

<p><b>The Honorable Richard Valle</b>          Supervisor – County of Kings, CA          1400 W. Lacey Blvd.          Hanford, CA 93230          richard.valle@co.kings.ca.us          (559) 362-4664</p>	<p>The CrisCom Company has been instrumental in securing over \$25 million in funding for the County of Kings and its local communities. This includes Prop. 68 grants as well as direct funding allocations through the State budget process.</p> <p>Effective date of contract:          07/01/2020 – current</p>
<p><b>Mr. Roubik Golanian</b>          City Manager – City of Glendale, CA          613 E. Broadway          Glendale, CA 91206          rgolanian@glendaleca.gov          (818) 548-4844</p>	<p>The CrisCom Company has identified and written several successful grant applications for the City of Glendale, including grants that focus on parks, sanitation and public safety focused grants.</p> <p>Effective date of contract:          02/01/2019 – current</p>
<p><b>Dr. Kindon Meik</b>          Former City Manager – Corcoran, CA          Current City Manager – Calabasas, CA          100 Civic Center Way          Calabasas, CA 91302          kmeik@cityofcalabasas.com          (559) 333-0310</p>	<p>The CrisCom Company has secured millions of dollars through grant writing and advocacy for the City of Corcoran. This includes funding for a new police station, water well funding and Proposition 68 park funding</p> <p>Effective date of contract:          07/01/2006 – current</p>

**TOTAL PROJECTED COST OF A PROJECT**

The CrisCom Company is proposing a monthly retainer to provide the San Simeon Community Services District with grant writing and grant writing related services.

The fee for this service will be **\$2,000 per month**.

## **6.B. Business Action Item**





## **BUSINESS ACTION ITEM STAFF REPORT**

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### **ITEM 6.B. BOARD DISCUSSION, CONSIDERATION, AND APPROVAL OF PROPOSALS RELATED TO ENVIRONMENTAL PLANNING SERVICES FOR THE PERIOD OF THREE YEARS.**

#### Summary

This item was originally on the June 12, 2022 meeting agenda and was tabled by the Board Chairperson. The District currently employs Jeff Oliveira (Oliveira Environmental Consulting) to perform on-call environmental planning services on behalf of the District. Between the period of July 1, 2021 – May 31, 2022 the District has paid OEC a total of \$25,505.21. The District has an inherent need for uninterrupted continuation of these types of services. Historically, these services have been performed by an outside contractor.

On March 30, 2022 GES Staff mailed a request for proposal related to environmental planning services to thirty-nine (39) companies.

The District received three responsive proposals from the following firms:

- 1) Oliveira Environmental Consulting, Inc.
- 2) Padre Associates, Inc.
- 3) Terra Verde Environmental Consulting, LLC.

The purchasing states the following:

#### **E. Professional Consultant Services**

##### **1. Definition and Restrictions**

Professional consultant services are of a technical nature and, due to the type of services to be provided, do not readily fall within the "low bid" competitive bidding process. California Government Code Section 4525 *et. seq.* requires that selection of professional consultants in the categories of architects, landscape architects, engineers, surveyors, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable. Professional service

agreements shall not be split into smaller units, nor shall contract amendments be used, for the purpose of circumvention of the expenditure limits of this Policy.

As used in this Policy, "professional consultant service agreement" shall mean and include all professional services provided by the same consultant that are provided as part of or related to the same project or program for which the consultant is being retained. Consultants who are retained to provide services on an ongoing basis, such as geotechnical peer reviews of District projects, shall be retained by means of an annual service agreement unless an agreement providing for renewal or extension of services has been approved.

- c. For selection of architects, landscape architects, engineers, surveyors, and environmental consultants, the following procedures shall apply unless the services needed from such consultants are of a technical nature or involve professional judgment.

Cost is not to be included in the Request for Proposal (RFP). Only after a firm is selected, is compensation negotiated. The scope of work is the basis for negotiations for payment. If the parties cannot agree on fair compensation, negotiations may be formally terminated with the firm considered most qualified and may be commenced with the second highest-rated firm. Such procedure may be repeated until an agreement is reached with a qualified firm.

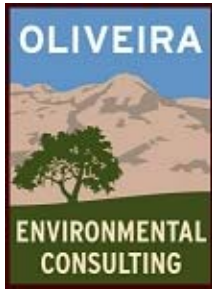
Alternatively, a fee or cost estimate can be requested at the time of the RFP by requiring it to be provided in a separate, sealed envelope. The fee estimate will only be opened after selecting the successful consulting firm.

- d. For consultants who do not fall under the qualifications-based selection method described above, or where the services needed from the vendors listed above are of a technical nature and involve professional judgment, cost can be included in the RFQ/RFP and used in ranking the consultants for selection. Examples of such consultants include, but are not limited to: training, safety, recruitment, personnel services, economic analysis, city and regional planning, property appraisals/analysis, property acquisition, title insurance, facilitators, legal services, financial services, and data processing.

#### Recommendation:

It is recommended that the Board selects one responsive bidder and authorize staff to enter into an agreement to provide services for the period of 3 years (July 12, 2022 – June 30, 2025).

Enc: Proposal – Oliveira Environmental Consulting, Inc.  
Proposal – Padre Associates, Inc.  
Proposal – Terra Verde Environmental Consulting, LLC.



3155 Rose Avenue  
San Luis Obispo, CA 93401  
(805) 234-7393  
jeffo@olive-env.com  
www.olive-env.com

May 23, 2022

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

**Subject: Proposal for Providing Permitting Support, Regulatory and Jurisdictional Agency Coordination, Environmental Services, Project Management and Support on an As-Needed Basis**

Dear Gwen:

Thank you for the opportunity to assist the San Simeon Community Services District (SSCSD) with on-call project permitting support, regulatory and jurisdictional agency coordination, environmental services, project management and general support services for SSCSD projects on an as-needed basis. In response to your request, Oliveira Environmental Consulting LLC (OEC) is pleased to submit this proposal for providing on-call support services for SSCSD projects.

With over 20 years of experience which includes regulatory agency permitting coordination and environmental impact analysis for local agency projects, as well as technical reporting and multi-agency coordination for projects in multiple jurisdictions and coastal communities, including multiple years of service with the SSCSD, we look forward to the opportunity to continue applying our experience by bringing value-added assistance in support of ongoing SSCSD project management efforts. OEC would be pleased to provide further information regarding our qualifications, including professional resumes, upon request.

## **OEC Qualifications**

SSCSD permitting and environmental project management will be managed by Oliveira Environmental Consulting LLC. OEC's Principal-in-Charge is Jeff Oliveira. Jeff will be responsible for quality control and the response to project management needs for the SSCSD and will have the overall responsibility of coordinating projects and executing the day-to-day work effort.

OEC brings extensive experience in environmental impact analysis and jurisdictional agency permitting, project site constraints assessment, natural resource management, urban/rural planning, cultural resource management, multi-discipline team management and jurisdictional agency permit coordination. This includes extensive experience in CEQA compliance, NEPA

determinations and Federal/State grant funding agency coordination, as well as land use planning and agency coordination and a background in archaeological and historic resources, biology, botany, municipal and capital improvement planning, wildlife management, and ecology. This experience also includes the management of complex coastal development projects and coordination with local and California Coastal Commission staff.

As the founder and Principal Environmental Planner for OEC, Jeff Oliveira has over 20 years of professional experience between the private consulting and public agency sectors managing and writing a multitude of environmental impact analysis and land use studies for a wide variety of projects. With extensive experience in the direction and preparation of CEQA determinations, Jeff has the ability to utilize extensive public outreach, multidisciplinary technical expertise and interagency coordination to guide projects through a complex permitting process, including multi-year CEQA compliance projects.

As a private consultant and as a former Environmental Resource Specialist for the San Luis Obispo Planning and Building Department, Jeff has direct experience working closely with local agency staff on multifaceted permitting projects and environmental determinations.

In addition, Jeff has direct experience working for the San Simeon CSD. Jeff managed the complicated after-the-fact Coastal Development Permit application and review process for the SSCSD Wastewater Treatment Plant. This experience also includes the environmental review for the District's water reservoir expansion project, and management of the emergency permit process and follow-up land use permit for the Pico Avenue Bluff Erosion Repair project while securing fee waivers to ensure that the SSCSD was not required to pay for the necessary permits.

As a coordinator and panelist for the semi-annual AEP CEQA Workshop series for over 13 years and as a guest lecturer for the Cal Poly State University Department of Environmental Management and Protection, Jeff has a demonstrated commitment to monitoring the evolution of environmental legislation, training and environmental education.

As the former manager of the County's Cultural Resources program and Chairman of the City of San Luis Obispo Cultural Heritage Committee, Jeff has demonstrated strong leadership in the role of cultural resource conservation, land use planning, and a commitment to archaeological, Native American and historic resource management. Jeff's County experience also includes the implementation and management of the County's SB 18 program and associated Native American consultation management, as well as performing the final review of all CEQA determinations for major grading projects.

## **Organization and Subcontractors**

Although Oliveira Environmental Consulting LLC proposes to work independently, OEC is in a position to assemble a multi-disciplinary team of highly qualified professionals who are accomplished experts in a variety of planning and environmental issues as any particular project might demand. OEC has excellent working relationships with many consulting firms in the region. We believe this capability provides OEC with the flexibility needed to meet any need depending on the project. Although the majority of projects are not likely to require the use of

subcontractors, we feel that if the need should arise for project-specific assistance, we could apply additional assistance on an as-needed basis.

Jeff Oliveira will be the principal manager of any contracts initiated on behalf of OEC. SSCSD staff would continue to work directly with Jeff, ensuring the highest quality management and experience is applied to a given project.

## Scope of Services

In accordance with your request, Oliveira Environmental Consulting LLC is pleased to assist SSCSD staff with the management of project permitting and regulatory coordination, environmental services, project management and staff support services for various projects on an as-needed basis.

The tasks below are intended to provide the initial steps necessary for meeting project requirement tasks associated with SSCSD projects (including but not limited to projects such as the SSCSD Wastewater Treatment Facility Riprap Notice of Violation). The following is an example of the on-call services likely requested based on our experience working with the SSCSD over the years. However, it should be noted that additional tasks in accordance with OEC expertise will be available for SSCSD staff assistance as well.

- Review of existing documents prepared for a given project and research necessary to address information needs (including, but not limited to company project permit applications, staff reports, project maps, digital and GIS files, exemplary projects, applicable agency regulations, etc.);
- Coordination and communication between other agencies, consultants and organizations involved in any given project to ensure timely completion of project milestones, information requests, facilitating and coordinating project approvals through multiple agencies, ongoing efforts before and after submittal of the permit application packages. This task includes the time for continued support and coordination with project team members and the agencies to address questions and requests for clarifications and additional information. This task is also intended to cover meetings with the project team. Project management includes client and project team communications, meetings, and contract administration.
- Project permitting management (includes coordination and communication with the local lead agencies to determine any needs for environmental determinations and land use permits, assistance with any permit applications needed, and the review of applicable ordinances, General Plans, policies and codes for project consistency and permit needs);
- Project management duties. This includes attendance at meetings and hearings to support the project permitting process, communication with SSCSD staff, response to comments and questions as applicable, site visits to assess any environmental constraints, establishing timetables for milestone completion, coordination of multi-disciplinary subcontractor teams to ensure completion of technical reports, etc.;

- Grant Application and Implementation Support. This task includes continuing to support SSCSD staff with various grant funding applications, information requests from funding agencies, communications, environmental report preparation as required, application coordination, and coordination of condition compliance requirements for approved projects;
- Additional Tasks. This includes the creation of original technical reports needed for local lead agency and regulatory agency permitting, synthesis of existing studies and reports into succinct documents to meet agency permit application needs, preparation of environmental constraints analysis to assist PXP staff and regulatory agencies with project planning and efficient environmental review.

## Pricing and Invoicing

Oliveira Environmental Consulting LLC understands that some projects would involve preparation of specific proposals on a project-by-project basis, the costs and scope of such projects would be verified through the SSCSD prior to project initiation. However, certain SSCSD tasks (especially time-sensitive tasks) would benefit from our ability to start assisting staff right away. As such, the purpose of this proposal is to provide the SSCSD with the ability to engage OEC services quickly, on a time and materials basis as stipulated herein.

Under this agreement, work orders would typically be invoiced on a time and materials basis and/or deliverables with a not-to-exceed agreement and submitted on a monthly basis as needed. OEC's Fee Schedule is as follows: Principal Environmental Planner \$120/hour; Senior Project Manager \$100/hour; Assistant Project Manager \$90/hour, GIS Specialist and Administrative Staff \$80/hour. However, it is important to know that this rate is flexible based on the needs of the SSCSD and can be lowered to meet the demands of a given project or budget (especially long-term projects with extended time frames). Any use of subcontractors or reimbursable expenses would be billed at a cost plus 15%.

Document production costs are estimated in advance of production on a per unit basis. Vehicle mileage will be reimbursable consistent with the Federal rate allowable by the IRS in the current year. OEC invites any comments on this proposal and will make changes as requested.

Thank you for considering Oliveira Environmental Consulting LLC for your staff support needs. If you have any questions about this scope of services, please feel free to contact me anytime at 805-234-7393 (jeffo@olive-env.com).

Sincerely,



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

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**ON-CALL PLANNING, PERMITTING, AND  
ENVIRONMENTAL SERVICES**

**STATEMENT OF QUALIFICATIONS**

**Project No. 2202-1401**

**Prepared for:**

San Simeon Community Services District  
111 Pico Avenue  
San Simeon, California 93452

**Prepared by:**

Padre Associates, Inc.  
369 Pacific Street  
San Luis Obispo, California 93401

**JUNE 2022**





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ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS

June 2, 2022

Project No. 2202-1401

San Simeon Community Services District

111 Pico Avenue

San Simeon, California 93452

Attention: Charles Grace, General Manager

Subject: Statement of Qualifications to Provide On-Call Planning, Permitting, and Environmental Services for the San Simeon Community Services District

Dear Mr. Grace:

Padre Associates, Inc. (Padre) is pleased to submit this Statement of Qualifications (SOQ) in response to the Request for Proposals (RFP) for On-Call Planning, Permitting and Environmental Services for the San Simeon Community Services District (District) issued on March 30, 2022. This SOQ has been prepared in accordance with the requirements listed in the RFP. There is no pending litigation against Padre and no history of bankruptcy or insolvency proceedings. There are no conflicts of interest between the District and Padre staff and if necessary, all subcontractors will be approved by the District prior to starting work. If awarded an on-call contract, it is Padre's intention to adhere to the provisions described in the RFP.

Below is Padre's contact information for this SOQ:

Padre Associates, Inc.

369 Pacific Street

San Luis Obispo, California 93401

Crystahl Taylor, Senior Project Manager

[ctaylor@padreinc.com](mailto:ctaylor@padreinc.com)

(805) 786-2650, ext.111

Padre is a multidisciplinary consulting firm assisting clients in the fields of environmental sciences and geoenvironmental services. Padre has a highly qualified team of in-house experts who are experienced with California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) processes, regulatory coordination, analysis and permitting, construction mitigation and monitoring, biological, archaeological, air quality, noise, and other technical analyses required for the District-related projects. Padre also has experience including federally funded projects requiring Federal Highway Administration (FHWA) and California Department of Transportation (Caltrans) involvement and approval. Because of our responsive approach, project management, technical capabilities, experience, and familiarity with the San Simeon area, Padre's team is well suited to assist the District with on-call environmental services.

Our team has the project management, environmental planning, and technical experience necessary to assist the District with their Community Services projects with the following tasks:

- CEQA/NEPA Environmental Documents
- Development Plan Review
- Federal, State, and Regional Regulatory Permitting

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**369 Pacific Street • San Luis Obispo, CA 93401 • (805) 786-2650 • [www.padreinc.com](http://www.padreinc.com)**

- Initial Studies
- Biological and Special-Status Species Surveys/Consultations
- Wetland Delineations
- Biological Assessments and Biological Resource Assessments
- Regulatory Agency Permitting (i.e., Section 404 Section 401, Section 1602, etc.)
- Site Restoration Plans and Revegetation Plans
- Habitat Restoration
- Cultural and Historic Resource Evaluations
- Native American Consultation
- Noise Studies
- Air Pollution Dispersion Modeling and Emission Inventories
- Compliance/Construction Mitigation and Monitoring
- Mitigation Monitoring/ Post-Construction Reporting Programs
- Geologic Hazards Studies
- Asbestos Surveys
- Lead Surveys

Padre's SOQ is valid for 120 days. If you should have any questions regarding Padre's SOQ and/or require additional information for review purposes, please contact Crystahl Taylor at (805) 786-2650, ext. 111.

Sincerely,

Padre Associates, Inc.



Crystahl Taylor  
Senior Project Manager

Enclosure: Statement of Qualifications

## 1.0 INTRODUCTION

**Padre Associates, Inc. (Padre)** is pleased to submit this Statement of Qualifications (SOQ) to the San Simeon Community Services District (District). Padre is a local consulting firm with an office in San Luis Obispo and additional offices in Ventura, Sacramento, and Bakersfield, California. Our firm is comprised of experienced professionals with a dedication to the preparation of quality work products, within budget, and on schedule; and a strong commitment to establishing and maintaining positive client relationships.

Padre has assembled a highly qualified team of in-house experts who are experienced with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes, regulatory analysis, coordination, and permitting, construction mitigation and monitoring, and the biological and archaeological technical analyses required for the District's Capital Improvement projects. Padre has ample experience providing planning, permitting and other environmental services to projects within unincorporated, coastal and mountainous regions. The firm holds contracts in good standing with clients of other cities and counties, positioning Padre as a competitive candidate to provide on-call planning, permitting and environmental services to the District. Because of our responsive approach, project management and technical capabilities, experience, and familiarity with the San Simeon area, we feel that the Padre team is well suited to assist the District with its future project objectives.

We have made every effort to keep this proposal brief, concise, and responsive to the District's Request for Proposals (March 2022). Included below is a brief summary of the salient points of the SOQ:

- Section 2.0 describes Padre's Personnel/Firm including key operating practices and capabilities;
- Section 3.0 summarizes Padre's qualifications and representative project experience;
- Section 4.0 provides the background and experience of Padre's key personnel and Padre's approach to project management and client communication;
- Section 5.0 provides Padre's scope of services relevant to District projects;
- Section 6.0 states the key staff with associated billing rates that would be assigned to work on projects with the District; and
- Section 7.0 provides contact information for recent clients familiar with Padre's environmental work applicable to future District projects.

## 2.0 FIRM OVERVIEW

Padre is a California-certified small business (No. 0025798) multidisciplinary consulting firm with complementary service lines in environmental sciences, geoenvironmental services, and geotechnical/civil engineering. Padre employs 60 staff across our San Luis Obispo, Ventura, Bakersfield, and Sacramento offices, with our headquarters in Ventura, California. Padre was established in 1996 by four senior professionals who are committed to the development of a multi-service, mid-sized consulting firm focused on local and regional projects. Padre's founding Principals and key staff each have more than 33 years of local professional experience, and a minimum of 28 years working together directly.

Padre has Master Service Contracts/On-Call Service Agreements to provide environmental services, including CEQA compliance and special studies, with numerous public agencies (e.g., City of San Luis Obispo, County of San Luis Obispo, Ventura County Public Works Agency, County of Santa Barbara, County of San Benito, etc.). We have had agreements in place with most of these agencies for over 20 years.

Our goal is to provide our clients with high-quality, timely, and cost-effective permitting, planning, and environmental services that exceed our clients' requirements. We value professional relationships with our clients and pride ourselves on their satisfaction. Satisfied clients are our best testament to our commitment to quality. We encourage the District to contact the references identified in Section 7.0 of this SOQ.

### 2.1 TECHNICAL APPROACH

Padre contends that the following points set us apart from our peers:

**Key Staff.** Our staff have a proven track record of successfully completing projects. Staff members are locally-based and have a history of positive working relationships with clients throughout their careers.

**Pool of Resources.** Padre has an extensive pool of qualified professionals offering a wide range of expertise who collaborate internally and are quickly accessible for agile team management and service delivery.

**Providing Customized Services.** As a growing small firm, we have the flexibility to customize our services to match client requirements. Our involvement can range from complete management of a complex, multi-disciplined project, to assisting with limited aspects of a client-led project.

**Strong Relationships with Governmental and Regulatory Agencies.** Padre staff has strong, well-developed working relationships with local, regional, State, and Federal regulatory agencies. Our staff's reputation for quality performance and knowledge of continually changing regulatory requirements enhances our ability to assist in regulatory negotiations on behalf of our clients.

**Complimentary Service Lines and Technical Capabilities.** Padre provides balanced, cost-effective, and unique solutions through a blending of complementary technical service areas and capabilities that are tied together through sound policy, planning, and project management principles.

**Proven Management Approach.** Padre utilizes a proven management approach tailored to the client's needs, ensuring quality and timely response and completion of task requests. Continuous feedback loops are utilized to afford internal training of team members. A single point of contact is maintained with client staff to ensure continuity and consistency of project communications.

**Commitment to our Clients.** Meeting our clients' needs regarding quality, costs and timing, as well as ensuring environmental and regulatory compliance is paramount. Padre manages assessment programs with an "end-point" driven approach, where project completion and client satisfaction are an integral part of our goal to provide clients with total solutions to their projects.

**Involvement of Senior Staff.** Experienced senior staff members are actively involved in daily project work and are readily available to address project related issues. These senior staff members generally have 15 to 25 years of applied experience in their field of specialty.

## 2.2 PROJECT MANAGEMENT

Ms. Crystahl Taylor will manage the District's contract from our San Luis Obispo office, if awarded. Ms. Taylor will work closely with District staff and will involve the appropriate Padre staff for each project assigned. During the project setup, the budget and schedule for each task and the tools required to monitor the progress of the work will be established.

During project execution, the Project Manager assigned to the project is tasked with monitoring and controlling the budget, schedule, conformance to project requirements, and assembling a permanent record (file) of the project. Project monitoring is an interactive part of tracking and is firmly tied to project planning. It takes the outputs of tracking and uses them to determine planned versus actual budget and schedule.

Padre utilizes Deltek AJERA which is an integrated project management and accounting system that ensures accurate and up-to-date, communication and accessible reporting. The following is a partial list of AJERA features that Padre utilizes on a daily basis:

- Project Command Center: single interface for project setup, budgeting, and reporting;
- Customizable project views by user;
- Project reporting: real-time, drill through, work in progress, billed, budgeted, and spent (dollars and hours);
- Project budgeting: top—down, bottom-up, or by distribution;
- Timesheets and expense reports: integrated, electronic approval workflow;
- Invoicing: backup detail, adjustments, invoicing groups, rate tables; and
- Billing review: paperless for internal billing process.

### **3.0 EXPERIENCE SUMMARY**

#### **3.1 GENERAL QUALIFICATIONS AND CAPABILITIES**

Padre's key personnel include Environmental Planners, Biologists, Certified Ecologists, Archaeologists, Registered Civil Engineers, Registered Geologists, Certified Engineering Geologists, Certified Hydrogeologists, a Certified Environmental Manager, Construction Managers, and Qualified Storm Water Pollution Prevention Plan (SWPPP) Developers and Practitioners, who have extensive training and hands-on experience in their fields of specialty. Additionally, Padre holds a State of California Contractors License, General Engineering A (No. 733481).

Padre's staff has the experience and capabilities to assist the District with a variety of planning and environmental services that are typically required after CEQA filings. Additionally, Padre has the resources, knowledge and experience to effectively assist the District with its future project needs including Capital Improvement permitting. Padre's capabilities include, but not limited to:

- CEQA/NEPA Environmental Documents
- Development Plan Review
- Initial Studies
- Biological and Special-Status Species Surveys/Consultations
- Wetland Delineations
- Biological Assessments and Biological Resource Assessments
- Regulatory Agency Permitting (i.e., Section 404 Section 401, Section 1602, etc.)
- Site Restoration Plans and Revegetation Plans
- Habitat Restoration
- Cultural and Historic Resource Evaluations
- Native American Consultation
- Noise Studies
- Air Pollution Dispersion Modeling and Emission Inventories
- Compliance/Construction Mitigation and Monitoring
- Mitigation Monitoring/ Post-Construction Reporting Programs
- Geologic Hazards Studies
- Lead and Asbestos Surveys

#### **3.2 PROJECT EXPERIENCE**

Padre utilizes a multidisciplinary approach to provide a full spectrum of environmental and permitting services for local and regional projects. Below is a general description of our knowledge and experience. A detailed list of representative project experience is included in Appendix B.

### 3.2.1 Permitting Strategy and Permit Acquisition

Environmental permitting can be complex, time consuming, and frustrating. At Padre, we work proactively with our clients to help make the process as smooth and efficient as possible. We identify the necessary permitting requirements for a given project, establish the appropriate agency contacts, and work with our clients to develop application packages that fulfill agency requirements. We continue to provide support through the final stages of discretionary approval and beyond by providing adjunct services such as construction monitoring. Jurisdictional authorities that we routinely work with include:

Agency	Permits
U.S. Army Corps of Engineers (ACOE)	Section 404 Permits of Clean Water Act, 33 U.S.C. 1344 and Executive Order 11990 and 11998; Section 10 of the Rivers and Harbors Act of 1899, and Section 106 of the National Historic Preservation Act (NHPA).
U.S. Fish and Wildlife Service (USFWS)	Consultation under the Endangered Species Act (16 U.S.C. 1531). Such consultation is typically initiated during the Corps 404 permit process.
National Marine Fisheries Services	Consultation under the Endangered Species Act (16 U.S.C. 1531). Such consultation is typically initiated during the Corps 404 permit process
Bureau of Land Management (B.L.M.)	Land management permit processes with Sundry Notices for oilfield related work and Special Use Permits for various land access activities.
Federal Highway Administration (FHWA)	The FHWA reviews and requires NEPA compliance for all projects it funds. Additionally, FHWA may require geo-environmental assessments for projects. Section 106 of the National Historic Preservation Act (NHPA).
California Coastal Commission (CCC)	Approval authority over California's coast pursuant to the California Coastal Act.
California Geologic Energy Management Division (CalGEM)	Construction review permits and general CEQA documentation.
California State Lands Commission	Approval authority over State sovereign lands - navigable and tidal waterways.
California Department of Fish and Wildlife (CDFW)	Section 1602 Stream Alteration Agreement and California Endangered Species Act (Section 2080-2085).
California Regional Water Quality Control Board (RWQCB)	Permit to discharge water and Water Rights Agreements, water quality certification Clean Water Act (Section 401) as authorized by California Water Code. Approval of Technical Work Plans and Remedial Action Plans associated with assessments and remediation of soil and groundwater impacted by hazardous materials.
California Department of Transportation (Caltrans)	Approval authority over State transportation projects - Caltrans has specific requirements for the preparation of environmental documents, including Natural Environment Studies (NES), Preliminary Environmental Assessment Reports (PEARs), and Initial Site Assessments (ISAs).  Caltrans issues encroachment permits for projects encroaching into State highway rights-of-way.
Local Agencies	Conditional-Use Permits



### 3.2.2 Sensitive Species Compliance Services

Padre provides comprehensive sensitive species compliance services. Padre biologists have extensive experience conducting biological resource surveys, studies, and coordinating projects under the Federal and California Endangered Species Acts.



A summary of these capabilities include:

- Habitat-based and protocol-level surveys for Federal and State-listed species
- Preparation of Biological Assessments
- Formal and informal consultation with State and Federal agencies
- Development of impact avoidance and minimization measures
- Development of mitigation plans to compensate for direct take and habitat loss
- In-field monitoring services and training of crew members in proper avoidance procedures during construction

### 3.2.3 Special Status Species Surveys

Padre biologists have recovery permits allowing handling of listed species, including:

- California red-legged frog;
- Listed vernal pool branchiopods (fairy shrimp and tadpole shrimp);
- Snowy plover; and
- Least Bell's vireo among others.



Other special-status species surveys may include:

- Rare plants;
- California tiger salamander;
- Coast horned lizard;
- Two-striped garter snake;
- Blunt-nosed leopard lizard;
- Burrowing owl;
- Kangaroo rats (various species);
- Bats;
- San Joaquin antelope squirrel; and
- San Joaquin kit fox.

### 3.2.4 Nesting Bird Surveys

Regulatory permits and environmental impact reports typically include requirements to avoid bird nests in compliance with the Fish and Game Code and Migratory Bird Treaty Act. Padre biologists conduct pre-activity surveys during the bird breeding season to identify active nests, based on bird behavior and direct sightings of nests. Activities that may affect bird nests may include excavation, construction of structures and maintenance (primarily along channels). Active nests are typically identified, and a no-work buffer area is established around the nest in coordination with resource agencies. The size of the no-work buffer is typically based on the intensity of the work activity and the sensitivity of the species involved. Active nests may be monitored by Padre staff to determine when the young have fledged, and work may resume near the nest.



### 3.2.5 Wetlands/Waters Regulatory Services

Padre staff is thoroughly versed in regulatory processes associated with obtaining permits from the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act of 1899. Padre scientists routinely:

- Conduct jurisdictional delineation's of waters and wetlands regulated by the ACOE;
- Prepare permit application packages (including environmental assessments, functions and values analyses, mitigation plans, revegetation plans, 404[b][1] water quality analyses;
- Coordinate pre-application meetings and field inspections with multiple agencies;
- Prepare Section 401 Water Quality Certification/Waste Discharge Requirement permit applications to the Regional Water Quality Control Board (RWQCB);
- Prepare Section 1602 Lake or Streambed Alteration Agreement applications to the California Department of Fish and Wildlife (CDFW); and
- Represent clients during agency meetings and negotiations.

### 3.2.6 Compliance Mitigation Monitoring and Reporting

Padre environmental specialists have prepared and implemented numerous mitigation monitoring and compliance programs. This process starts with the identification of suitable mitigation measures that are written with concise language and precision to allow effective implementation. Once the environmental impact assessment documentation is completed, the mitigation monitoring plan can be prepared. Such plans include guidance on the criteria for implementation, timing of the action, the responsible monitoring parties, reporting requirements and the agencies requiring this reporting.



During project construction and site restoration, Padre can provide comprehensive compliance monitoring and implementation services.

### **3.2.7 Storm Water Pollution Prevention Plans**

Padre provides SWPPP development and monitoring services for construction activities and industrial sites throughout central California. Effective July 1, 2010, construction activities that will disturb more than one acre of land are required to obtain coverage under the 2009 General Permit for Storm Water Discharges Associated with Construction Activities (No. 2009-0009-DWQ) issued by the State Water Resources Control Board. Padre staff have been certified as Qualified SWPPP Developers (QSD) and Qualified SWPPP Practitioners (QSP) under the 2009 General Permit. Padre routinely prepares SWPPPs for industrial sites. Our field technicians are trained in the field protocols for the collection of storm water samples as required for construction and industrial sites. Padre also offers field monitoring and consulting for the implementation of best management practices in compliance with new SWPPP requirements.

### **3.2.8 Archaeological Services**

Padre's archaeological staff is familiar with all aspects of archaeological investigations and research including Phase I archaeological surveys, site identification and documentation, Phase II subsurface testing and evaluation, Phase III data recovery excavations, archaeological construction monitoring, and Native American consultation. Our senior archaeological staff meets the U.S. Secretary of the Interior's Professional Qualifications Standards for archaeology and is a Registered Professional Archaeologist. Additionally, Padre has a laboratory facility in San Luis Obispo for artifact analysis and works with local curation facilities to conserve the artifacts recovered as a part of our field investigations.



### **3.2.9 Other Focused Specialty Studies**

Padre staff members are experienced at conducting focused specialty environmental studies such as geoenvironmental Phase I Environmental Site Assessments, geotechnical/soils reports, air quality and noise studies. These focused studies are conducted by issue-area specialists and are designed to provide comprehensive data concerning potential environmental consequences and potential mitigation

## 4.0 PERSONNEL

Key Padre team personnel have been selected for inclusion in this SOQ based on their experience managing or working on Projects similar to the District's requested services. Ms. Crystahl Taylor will be the assigned Senior Project Manager to serve as the single point of contact for such services. All Padre key personnel identified below are located in our San Luis Obispo and Ventura offices. However, additional staff members from these offices and our Bakersfield and Sacramento offices are available to provide specialized expertise on an as needed basis.

### 4.1 INDIVIDUAL EXPERIENCE/QUALIFICATIONS

The following section provides an overview of individual Padre key personnel and their areas of expertise as it relates to the services requested in the RFP. Detailed resumes are included as Appendix A.

#### PROJECT MANAGEMENT – CEQA/PERMITTING

**Mr. Simon Poulter.** Mr. Poulter will serve as the Principal-in-Charge and will also provide quality control functions during the proposed contract. Mr. Poulter is one of the four founding Principals of Padre and has been working as an environmental consultant for over 34 years. Prior to establishing Padre, he was the program manager for resources management services at Fugro West for six years. Mr. Poulter currently manages Padre's Environmental Sciences Group. In this role, he is responsible for supervising day to day operations of the group including marketing, contract administration, staffing, quality assurance, cost control, and scheduling of ongoing projects. Mr. Poulter's experience includes the preparation of numerous environmental impact reports (EIA/EIR/EIS), resource assessment studies, and environmental training programs for projects within the western United States, as well as several international projects. Mr. Poulter has extensive experience in the San Luis Obispo County including permitting review of the decommissioning of the Diablo Nuclear Generation Station, regulatory support for ongoing restoration at the Guadalupe Dunes Remediation Site and permitting support for the Cayucos Water Treatment Plant. Mr. Poulter has a B.A. in Marine/Aquatic Biology and Physical Geography and an M.R.P. in Environmental Planning.

**Ms. Crystahl Taylor.** Ms. Taylor joined Padre in 2011 and has over 21 years of professional experience as an environmental specialist and manager of environmental projects involving CEQA and NEPA. Ms. Taylor is the manager of the San Luis Obispo's Environmental Sciences Group and would be the point of contact for the District's service needs. Ms. Taylor specializes in the management and preparation of CEQA and NEPA environmental documents. In addition, Ms. Taylor specializes in regulatory agency permitting involving the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service, and the California Coastal Commission. Ms. Taylor is experienced in conducting environmental impact analyses and has written various sections for CEQA and NEPA environmental documents. She is also experienced with the management and coordination of projects involving Caltrans Local Assistance such as bridge replacement and road realignment projects. Ms. Taylor has managed and/or contributed to over 15 bridge replacement and road realignment projects within Caltrans, District 5. Ms. Taylor holds a B.S. degree in Natural Resources Management from California Polytechnic State University, San Luis Obispo.

## BIOLOGICAL RESOURCES

**Ms. Alyssa Berry.** Ms. Berry joined Padre Associates in 2010 and has over 16 years of experience monitoring threatened and endangered species in California. Ms. Berry has considerable experience in San Luis Obispo County managing biological monitoring services and permit compliance. As a Senior Biologist, Ms. Berry is responsible for managing the San Luis Obispo office biological staff, biological surveying and reporting, permit compliance monitoring, agency communications, biological resource studies, permit applications, sensitive species surveys, habitat restoration, mitigation monitoring, and project management. Ms. Berry has supported infrastructure projects that required biological monitoring and has overseen environmental compliance monitoring for several projects throughout the Central Coast. She gained valuable experience coordinating the biological monitoring efforts at the recent Marsh Street Bridge Replacement Project, which involved nesting bird pre-construction surveys, nesting deterrent deployment, biological monitoring for sensitive wildlife, and comprehensive permit compliance and reporting. In addition, Ms. Berry specializes in habitat restoration project planning and implementation for wetland, oak woodland, and coastal dune habitat types. Ms. Berry holds a B.A. degree in Earth and Environmental Science from Wesleyan University.

**Ms. Michaela Craighead.** Ms. Craighead joined Padre in 2011 and has over ten years of experience as a field biologist and environmental consultant, with a primary focus on aquatic and marine biology. Currently, Ms. Craighead assists with the preparation of permit applications for Federal and State agencies, as well as CEQA and technical environmental documents. In addition, she conducts biological resource surveys and habitat assessments, including protocol-level surveys for protected species. Ms. Craighead's field experience extends to both onshore and offshore construction projects, as well as numerous remediation and restoration sites. She was approved as a Protected Species Officer (PSO) by the National Oceanic and Atmospheric Administration (NOAA) in 2012 and holds a USFWS 10(A)(1)(a) Recovery Permit for Large Branchiopods. Ms. Craighead holds a B.S. degree in Biology with a concentration in Marine Science and Fisheries from California Polytechnic State University, San Luis Obispo.

**Ms. Christina Santala.** Ms. Santala joined Padre in 2007 and has over 25 years of experience in the environmental field. She is currently a Project Biologist specializing in botanical resources and ecological restoration for projects located throughout the California central coast. Ms. Santala has assisted and managed various types of projects related to residential and commercial development, bridge replacement and improvement, utility pipeline and facilities decommissioning, and oil field exploration and development. Her project specific field work includes oak tree inventory surveys, rare plant presence/absence surveys, vegetation type identification and mapping, aquatic resource delineation surveys, qualitative and quantitative botanical monitoring, habitat restoration plan development and implementation, native seed collection, pre-activity nesting bird and special-status species surveys, and special-status species presence/absence surveys. Other project related tasks include report writing, literature and database searches, data analysis, project planning, and submittal of environmental permit applications to Federal, State, and local agencies including ACOE, CDFW, and RWQCB. Ms. Santala earned a B.S. degree in Biological Sciences from California Polytechnic State University San Luis Obispo, and has attended continuing education classes focused on botany, plant taxonomy, vegetation classification and mapping, soil taxonomy, aquatic resources delineation, and special-status aquatic wildlife.

**Ms. Shannon Gonzalez.** Ms. Gonzalez joined Padre in 2013 and is a Project Biologist with eight years of field and environmental reporting experience. Her responsibilities at Padre include conducting various biological resource surveys and construction monitoring, as well as preparing biological resource survey reports, Federal and State level environmental documents, and other support documents for a range of projects within San Luis Obispo, Monterey, Santa Barbara, Fresno, and Kern counties. Her field experience includes comprehensive biological resource surveys, nesting bird surveys, construction monitoring, burrow excavation, wildlife relocation, oiled wildlife response, and surveys for various federally and/or state-protected wildlife species such as California red-legged frog, blunt-nosed leopard lizard, San Joaquin kit fox, burrowing owl, California tiger salamander, and San Joaquin antelope squirrel. Ms. Gonzalez has a B.S. degree in biological sciences with a concentration in ecology from California Polytechnic State University, San Luis Obispo.

### **CULTURAL RESOURCES**

**Ms. Rachael Letter.** Ms. Letter joined Padre in 2014 and has 17 years of experience as an archaeologist and cultural resource management professional, with more than 12 years in California. Ms. Letter serves as senior archaeologist and project manager for prehistoric and historic archaeological investigations. Ms. Letter's responsibilities include day-to-day project management for all phases of archaeological investigation, background research, Native American consultation, preparing technical reports, assisting with the preparation of environmental documents, and coordinating cultural resource monitors. She frequently directs archaeological pedestrian surveys and testing programs in San Luis Obispo, Santa Barbara, Monterey, Kern, Ventura, Fresno, and San Joaquin counties. Recently, Ms. Letter directed extended Phase I testing in support of the Morro Bay Power Plant Battery Energy Storage System Project and coordinated cultural resource monitors for the Buckley Road Extension of the Avila Ranch Development Project in the City. Ms. Letter holds a B.A. degree in Archaeology from the University of Evansville and a M.S. degree in Industrial Archaeology from Michigan Technological University.

**Mr. Christopher Letter.** Mr. Letter joined Padre in 2014 and has 17 years of experience as an archaeologist and cultural resource management professional, with more than 12 years in California. Mr. Letter serves as a staff archaeologist for prehistoric and historic archaeological investigations. Mr. Letter's responsibilities include completing all phases of archaeological survey and testing, assisting with archaeological records searches and archival research, artifact processing and cataloging, and archaeological monitoring. He frequently conducts Phase I pedestrian surveys and monitors construction projects in San Luis Obispo, Santa Barbara, Kern, Fresno, and Ventura counties. Recently, Mr. Letter completed extended Phase I testing in support of the Morro Bay Power Plant Battery Energy Storage System Project. Mr. Letter holds a B.A. degree in Anthropology from Northern Arizona University.

**Mr. Varick "Val" Kirstine.** Mr. Kirstine joined Padre in 2016 and has 17 years of field experience as an archaeologist the Central and Southern Coast regions of California. He serves as staff archaeologist for prehistoric and historic archaeological investigations. Mr. Kirstine's responsibilities include conducting all phases of archaeological survey and testing, site documentation, background research, artifact analysis and processing, archaeological monitoring, and report and site record preparation. He frequently conducts Phase I pedestrian

surveys and monitors construction projects in San Luis Obispo, Santa Barbara, Kern, Fresno, and Ventura counties. Mr. Kirstine has also completed extended Phase I and Phase II excavations at multiple Early American, Rancho and Mission period sites – including Mission Nuestra Senora de la Soledad, Mission San Buenaventura, and Mission San Miguel.

### **GEOENVIRONMENTAL**

**Mr. Jeff Damron.** Mr. Damron is one of the founding Principals of Padre and has worked in the field of civil and geotechnical engineering for over 34 years. His broad range of experience includes geotechnical engineering, geoenvironmental engineering and remediation, and construction monitoring. He is responsible for the firm's geotechnical practice. Mr. Damron has supervised, managed and performed geotechnical projects throughout California including deep foundation design, landslide stabilization, oil/gas processing facilities, commercial developments, school site improvements, roadways, and pipeline projects including horizontal directional drill projects. He supervises all phases of geotechnical investigations including field exploratory and laboratory testing programs, engineering analyses and evaluations, and report preparation. Mr. Damron manages and develops the design and implementation of erosion control systems for Storm Water Pollution Prevention Plans (SWPPP) under the construction and industrial general permits. He is currently the QSD for a large construction project and is managing the preparation of industrial SWPPPs for multiple sites owned by an industrial client.

**Mr. Louis Cappel.** Mr. Cappel has over 20 years of professional experience as an environmental consultant, and is the Principal manager of the San Luis Obispo's Geoenvironmental Group. Mr. Cappel has been involved primarily in projects relating to the assessment and remediation of soil, soil gas, and groundwater in unconsolidated sediment and bedrock environments. His responsibilities have included performing and overseeing field work, the preparation of technical work plans and reports, risk assessment support, interfacing with State and Federal regulatory agencies, review of work performed by other consultants, and litigation support. Mr. Cappel has also conducted numerous Phase I Environmental Site Assessments at sites located throughout California. Mr. Cappel has managed assessment and/or remediation activities related to a wide variety of contaminants, including petroleum hydrocarbon products, chlorinated solvents, PCBs, metals, naturally-occurring asbestos, nitrate, and pesticides. He has participated in environmental activities at oilfields, Superfund sites, industrial facilities, gasoline service stations, refineries, gas plants, petroleum pipelines, military bases, agricultural properties, residential properties, landfills, and sewage treatment facilities. Mr. Cappel has extensive experience performing and supervising field assessment and remedial activities.

**Mr. Brett Sullivan.** Mr. Sullivan has over 18 years of professional experience as an environmental consultant and has been employed by Padre since 2010. He has been involved primarily in geologic and hydrogeologic assessments related to Subtitle D landfill construction and permitting, assessment and remediation of sites contaminated with petroleum hydrocarbons, heavy metals, chlorinated solvents, and PCBs, Phase I and Phase II Environmental Site Assessments (ESAs) and mineral resource assessments. His responsibilities have included project management, developing technical work plans, site conceptual models, corrective action and site closure plans, supervision of field staff, technical and safety training, remedial construction oversight, analytical laboratory data validation, third party technical review, as well as client, contractor, and regulatory agency engagement. Mr. Sullivan has experience

supervising and directing assessment and remedial activities including environmental drilling, rock coring and logging, soil sample collection and classification, monitoring and remediation well construction, contaminated soil excavations, removal and in-place closure of underground storage tanks, statistical analysis of detection and assessment groundwater monitoring data, groundwater treatment system pilot testing and operation, sub-slab vapor mitigation design, naturally occurring asbestos (NOA) surveys and assessments, geographic information systems and mapping, historical aerial photograph analyses, air monitoring.

### **RESOURCE SPECIALISTS**

**Mr. Robert Vander Weele.** Mr. Vander Weele joined Padre in 2010 and has over 24 years of professional experience as an environmental geologist and environmental consultant. His work experience has been focused on environmental site assessment, remediation, impact assessment, and permitting for private and public-sector clients. Mr. Vander Weele's primary area of environmental impact assessment expertise includes air quality monitoring, air emissions modeling, noise modeling, geologic characterization, and hydrogeological modeling. He is also experienced in the preparation of environmental documentation for NEPA and CEQA. Mr. Vander Weele holds a B.S. degree in Hydrogeology from Western Michigan University, Kalamazoo, Michigan and is a registered professional Geologist in the State of California.

**Ms. Natalie Goetz.** Ms. Goetz joined Padre in 2021 and is a Staff Planner responsible for the preparation of environmental documents such as IS/MNDs, contingency plans and biological assessments. She also works to prepare permit applications with ACOE, RWQCB, and CDFW. Ms. Goetz's experience extends to both onshore and offshore construction projects. Prior to joining Padre, Ms. Goetz's experience consisted of both research-based and rehabilitation/mitigation compliance experience in marine environments. Ms. Goetz is a certified PSO through Marine Protected Species Consulting (MPSC). She holds a B.S. degree in Marine Biology with a minor in Sustainability from San Diego State University and a "CEQA Training" Certification from the University of California, San Diego Extension.



## **5.0 SCOPE OF SERVICES**

Padre provides consulting services to a wide array of clients including: local, State and Federal agencies; special districts (e.g., water, sanitation, waste management and schools); industry; and commercial clients. This diverse background gives Padre ample experience to effectively assist the District with future permitting and environmental services. Padre offers a diverse scope of environmental services with an efficiently streamlined approach to organizing deliverables. Padre's proven approach to deliver quality products and services to our clients is a testament to high-yielding client satisfaction. The moment notice of the requested environmental services is received, an internal system of organized steps is followed to ensure the highest quality deliverable is achieved in a timely manner.

Padre has the time, materials and staffing necessary to fulfill all needs requested by the District within the RFP issued on March 30, 2022. With over 25 years of experience assisting various Districts with numerous projects, Padre has a strong understanding of future environmental compliance services the District will likely request for upcoming projects.

The following sections outline the approach that will be implemented for all of the District's future needs as described in section 2.1 and 2.2 of the RFP.

### **5.1 PERMITTING SUPPORT ON DISTRICT CAPITAL IMPROVEMENT PROJECTS**

Padre has extensive permitting experience and would be a great support to the District's Capital Improvement Projects. Padre routinely secures permits from local, State, and Federal agencies including the following:

- Section 404 Nationwide Permit Authorizations from ACOE;
- Section 401 Water Quality Certifications from RWQCB;
- Section 1602 Lake or Streambed Alteration Agreements from CDFW; and
- Coastal Development Permits from CCC.

### **5.2 REGULATORY AND JURISDICTIONAL AGENCY COORDINATION**

Padre's environmental planners and biologists have close working relationships with local, State, and Federal agencies provided above in Section 5.1. We engage with the agencies throughout project development and during formal and informal consultations pursuant to Section 7 of the Federal Endangered Species Act with the U.S Fish and Wildlife Service and National Marine Fisheries Service.

### **5.3 PROJECT SERVICES FOLLOWING CEQA FILINGS**

Padre provides the full suite of CEQA services, from preparation of the Initial Study through Noticing requirements once the environmental document (i.e., Mitigated Negative Declaration, Environmental Impact Report) have been certified. In addition, Padre can help facilitate preparation of the Mitigation Monitoring Program, and implementation of compliance documentation.

#### **5.4 GRANT APPLICATION AND IMPLEMENTATION SUPPORT**

Padre does not have experience with grant application and implementation support. However, we are able to provide assistance to the District during the grant application process.

## 6.0 PROPOSED FEES

Table 6-1 provides the hourly billing rates for each Padre staff included in this SOQ pursuant to Padre’s 2021 Fee Schedule (Appendix C). The billing rates provided would remain for the initial term of the District’s On-Call Contract.

**Table 6-1. Padre Associates, Inc. Personnel/Rate Sheet**

<b>Padre Staff</b>	<b>Title</b>	<b>Classification</b>	<b>Billing Rate (\$/hr)</b>
Lucas Bannan	Senior GIS Specialist	GIS/CAD Professional	\$110
Alyssa Berry	Senior Biologist	Senior Professional II	\$160
Louis Cappel	Principal	Principal Professional	\$180
Michaela Craighead	Project Biologist	Project Professional	\$120
Jeff Damron	Principal	Principal Professional II	\$210
Natalie Goetz	Staff Planner	Staff Professional	\$95
Shannon Gonzalez	Project Biologist	Project Professional	\$120
Val Kirstine	Staff Archaeologist	Staff Professional	\$95
Christopher Letter	Staff Archaeologist	Staff Professional	\$95
Rachael Letter	Senior Archaeologist/ Project Manager	Senior Professional	\$150
Amy Phelan	Senior AutoCAD Specialist	GIS/CAD Professional	\$110
Simon Poulter	Principal	Principal Professional II	\$210
Christina Santala	Project Biologist	Project Professional	\$120
Brett Sullivan	Senior Geologist	Senior Professional	\$150
Crystahl Taylor	Senior Project Manager	Senior Professional II	\$160
Robert Vander Weele	Project Manager	Project Professional	\$120
Subconsultant Markup			15%

## 7.0 REFERENCES

The following references are for agencies that Padre has provided environmental services for or have existing on-call service contracts with. The provided references know Padre's capabilities and qualifications relevant to the District's future needs.

- County of San Luis Obispo  
Planning and Building Department  
Mr. Steve McMasters  
(805) 781-5096  
smcmasters@so.slo.ca.us
- County of San Luis Obispo  
Public Works Department  
Mr. Keith Miller  
(805) 781-5714  
klmiller@co.slo.ca.us
- Calleguas Municipal Water District  
Mr. Fernando Baez  
(805) 579-7156  
fbaez@calleguas.com
- County of San Luis Obispo  
Public Works Department  
Ms. Kate Ballantyne  
(805) 781-2766  
kballantyne@co.slo.ca.us
- City of San Luis Obispo  
Community Development  
Mr. Dan Van Beveren  
(805) 781-7575  
dvanbeve@slocity.org
- Chevron Environmental Management  
Company  
Mr. Christopher J. Penza  
(661) 392-2371  
cpenza@chevron.com

# **APPENDIX A**

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## **PADRE STAFF RESUMES**

# Simon A. Poulter

Principal, Environmental Sciences Group

**EDUCATION:** M.R.P. Environmental Planning, University of Pennsylvania, 1985

B.A. Marine/Aquatic Biology and Physical Geography, Wittenberg University, 1980

**EXPERIENCE:** Mr. Poulter has over 30 years of experience as a project manager and environmental scientist responsible for the preparation of physical, biological, and cultural resource assessments for inland, coastal, and outer continental shelf projects. Mr. Poulter is a founding Principal of Padre Associates, Inc. and currently manages the firm's Environmental Sciences group. In this role, he is responsible for supervising day to day operations of the group, including marketing, contract administration, staffing, quality assurance, cost control, and scheduling of ongoing projects.

Mr. Poulter has extensive experience with the development of permitting strategies, permit acquisition and permit condition compliance for coastal development and decommissioning projects. He manages the larger coastal permitting projects conducted by Padre and oversees all such projects.

Mr. Poulter also directs the preparation of environmental assessment documentation mandated under both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA).

Representative projects Mr. Poulter has actively supervised and participated in include:

**Diablo Canyon Nuclear Power Plant Decommissioning - Permitting Project Management Plan, Avila Beach.** Mr. Poulter served as Padre's Principal-in-Charge for assisting PG&E with the preparation of a Permitting Project Management Plan for the decommissioning of the Diablo Canyon Power Plant. The Permitting Project Management Plan included preparation of a Benchmarking Study, Permitting Conceptual Phasing Report, and a Permitting Strategy Report. Padre also assisted PG&E with the preparation of a comprehensive permitting project schedule and a detailed permitting cost estimate that covered the complete decommissioning of the existing power plant and possible re-use of key site facilities.

**High Energy 3D Offshore Seismic Survey, and Ocean Bottom Seismometer Project, San Luis Obispo County, California.** Mr. Poulter was the project Principal-in-Charge for Environmental Permitting Services for a proposed High Energy 3D Offshore Survey to be conducted offshore of the PG&E Diablo Nuclear Power Generation Station. Project application packages included a Project Description, Biological Assessment, Essential Fish Habitat Assessment, Marine Wildlife Contingency Plan, Section 404 Dredge and Fill Permit, Air Quality Calculation, and Incidental Harassment Authorization. The application packages were sent to jurisdictional agencies including the CSLC, CCC, National Oceanic Atmospheric Administration, National Marine Fisheries Service (NMFS), United States Fish and Wildlife Service (USFWS) and USACOE. Documents prepared by Padre were used by the CSLC in their preparation of an EIR as well as an Incidental

Take Authorization from the NMFS and USFWS. Dates of Service: January 2010 to October 2013.

**Encina Marine Oil Terminal Decommissioning Planning, Carlsbad, California.**

Padre has been providing various forms of project assistance for the proposed decommissioning project. Mr. Poulter is the Principal-in-Charge of Padre's efforts on behalf of the client, Cabrillo Power I LLC. Padre tasks to date have included: preparation of a Project Execution Plan (including numerous supporting plans such as a Marine Wildlife Contingency Plan and Oil Spill Response Plan); coordination with the California State Lands Commission (CSLC) regarding the client's State tidelands lease; assisting the CSLC with the preparation of CEQA compliance documentation for the project; preparation of permit applications (Coastal Development Permit from the California Coastal Commission [CCC], Section 404 Permit from the United States Army Corps of Engineers [USACOE], Section 401 Certification from the Regional Water Quality Control Board [RWQCB] and Right-of-Entry Permit from the California Department of Parks and Recreation); review of contractor bid documentation; and development of mitigation and permit condition tracking documents. Dates of Service: February 2014 to Present.

**ExxonMobil Santa Ynez Unit Offshore Power System Reliability - B (OPSR-B) Phase 2 Project, Santa Barbara County and Offshore, California.**

Padre prepared a Mitigated Negative Declaration on behalf of the CSLC for the project. The project includes the installation and operation of replacement cables and electrical systems from the Las Flores Canyon Processing Facility in Santa Barbara County to Outer Continental Shelf Platforms Harmony and Heritage, and the retrieval of existing out-of-service cables from selected locations within the project area. The CSLC amended the existing State Lease PRC 7163.1, a General Lease - Right-of-Way Use, to allow for project implementation. Dates of Service: April 2013 to October 2016.

**Chevron 4H Platform Decommissioning Project - Shell Mounds Disposition, Offshore California.**

Mr. Poulter has assisted Chevron with the submission of various project application information intended to enable the State Lands Commission and associated responsible agencies to comparatively evaluate the final disposition of the remaining 4H Platform Shell Mounds disposition. These efforts have included extensive biological and geophysical assessment of the remaining mounds as well as a review of a wide range of potential alternatives for both the removal and retention of the mounds. Dates of Service: 1998 to Present.

**PROFESSIONAL  
AFFILIATIONS:**

City of Carpinteria, Former Chairman Planning Commission

Former Chairmen, City of Carpinteria General Plan and Local Coastal Plan Update Committee

National Association of Environmental Professionals - Former Board Member

## Resume

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# Crystahl Taylor

Senior Project Manager

**EDUCATION:** B.S. Natural Resources Management, California Polytechnic State University, San Luis Obispo, 2000. Concentration: Wildlife Biology

**EXPERIENCE:** Ms. Taylor joined Padre Associates in 2011 and has over 21 years of professional experience as an environmental specialist and manager of environmental projects involving the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Ms. Taylor is the manager of the San Luis Obispo's Environmental Sciences Group. Ms. Taylor specializes in the management and preparation of CEQA and NEPA environmental documents. In addition, Ms. Taylor specializes in regulatory agency permitting involving the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and the California Coastal Commission (CCC). She is experienced with the management and coordination of projects involving Caltrans Local Assistance such as bridge replacement and road realignment projects. She is also experienced in permitting and compliance management for coastal and offshore projects involving the California State Lands Commission (CSLC).

Representative projects Ms. Taylor has managed or assisted with include:

**Highway 120 Lodging Hospitality Project, Tuolumne County, California.** Ms. Taylor is currently the Project Manager in support of the Initial Study/Mitigated Negative Declaration for the Highway 120 Lodging Hospitality Project (Project). The Project's development includes 200 guest suite accommodations, lodge, market and bar, pool and pool house, soaking tubs, and an events space located on State Route 120 in the Big Oak Flat area near Groveland, Tuolumne County. Ms. Taylor is also managing the preparation and submittal of the regulatory agency permits required for the Project including a Nationwide Permit from ACOE, a Water Quality Certification from RWQCB, and a Lake or Streambed Alteration Agreement from CDFW.

**Camp Roberts High Water Bridge Project, Camp Roberts, California.** Ms. Taylor is currently the Project Manager in support of the joint NEPA/CEQA environmental document for the Camp Roberts High Water Bridge Project (Project). The Project includes constructing a joint access road and pier foundation repair of the existing High Water Bridge. Padre will prepare the joint environmental document with assistance and review from the California Army National Guard (CA ARNG) environmental staff and the National Guard Bureau (NGB-ILE). Ms. Taylor is also managing the preparation and submittal of the regulatory agency permits required for the Project including a Nationwide Permit from ACOE and a Water Quality Certification from RWQCB.



**City of San Luis Obispo Railroad Safety Trail Project – Taft Street to Pepper Street, San Luis Obispo, California.** Ms. Taylor was the environmental Project Manager for the City of San Luis Obispo Railroad Safety Trail Project. Ms. Taylor managed preparation of the technical studies, as required by Caltrans, for the Project including a Natural Environment Study-Minimal Impact, Section 106 Documentation, Initial Site Assessment, and the Noise Study Report. Ms. Taylor also managed and prepared the Mitigated Negative Declaration for the project.

**Dynegy Morro Bay Power Plant Marine Terminal Decommissioning Project, Morro Bay, California.** Ms. Taylor was the Assistant Project Manager in support of the Morro Bay Power Plant Marine Terminal Decommissioning Project. Ms. Taylor assisted in the revision of the Project Execution Plan for the decommissioning project. She managed the preparation of the Mitigated Negative Declaration for the project in accordance with CEQA on behalf of the CSLC. She also applied for and obtained the CCC Coastal Development Permit, ACOE Nationwide Permit Authorization, RWQCB Water Quality Certification, and the CDFW Operation of Law Letter for pipeline removal.

**East Cat Canyon Oil and Gas Exploration Plan, Santa Barbara County, California.** Ms. Taylor was the Assistant Project Manager in support of an Oil Field Redevelopment Project Plan located in the East Cat Canyon Oil Field, Santa Barbara County, California. Ms. Taylor was the permitting coordinator for various stages of the Project, and coordinated the compilation of permit applications for various resource agencies including the ACOE, RWQCB, CDFW and USFWS. Ms. Taylor also provided assistance through the Environmental Impact Report (EIR) process and assisting in responding to the questions raised by the EIR consultant. In addition, Ms. Taylor assisted with other components of the Project such as agency correspondence, meeting attendance, scheduling, and reporting.

**Chevron San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo, California.** Ms. Taylor was the Assistant Project Manager in support of the remediation and restoration activities at Chevron's San Luis Obispo Tank Farm property. The project's environmental issues included wetlands, endangered species, rare plants, airport compatibility, historical resources, traffic and transportation, hydrology, recreation, land use compatibility, human and ecological risk mitigation, deed restrictions on future uses, and groundwater quality. Ms. Taylor coordinated with the agencies for the proposed remediation and restoration components of the project and received the following agency permits: Nationwide Permit Authorization from the ACOE, Water Quality Certification from the RWQCB, Streambed Alteration Agreement from CDFW, and Section 7 Biological Opinion from the USFWS and NMFS. In addition, Ms. Taylor assisted with other components of the project such as agency correspondence, meeting attendance, scheduling, and reporting.

**PROFESSIONAL AFFILIATIONS:**

Channel Counties Chapter, Association of Environmental Professionals, member  
Channel Counties Chapter, Association of Environmental Professionals, Board of Directors, Student Membership Chair (2011-2012)

# Alyssa Berry

Senior Biologist

**EDUCATION:** B.A. Earth and Environmental Science, Wesleyan University, 2004.

**EXPERIENCE:** Ms. Berry joined Padre Associates, Inc. in 2010 and has more than 16 years of professional experience in the biological resources field. Ms. Berry currently manages Padre's Biological Group in the San Luis Obispo office and is responsible for organizing biological surveys, permit compliance monitoring, biological resource studies, and restoration project management. Ms. Berry has experience preparing Biological Assessments for projects that have the potential to impact species protected by the Federal Endangered Species Act (FESA). Ms. Berry is qualified to survey for and implement project specific mitigation measures for special-status plant and wildlife species that occur throughout San Luis Obispo County. She effectively communicates with dynamic project teams and works collaboratively to achieve permit compliance.

Representative projects Ms. Berry has worked on include:

**East Cat Canyon Redevelopment Project, Santa Barbara County, California.**

Ms. Berry coordinated and participated in comprehensive biological resource surveys and assessments at a former oil field proposed for redevelopment. Ms. Berry analyzed the survey results to prepare a Biological Assessment that was submitted to the United States Fish and Wildlife Service (USFWS) to address potential impacts to California tiger salamander and California red legged frog (CRLF).

**Marsh Street Bridge Replacement Project, San Luis Obispo County, California.**

Ms. Berry managed the environmental compliance and biological monitoring for the project. Key compliance components included nesting birds, steelhead, CRLF, and regulatory permits (Water Quality Certification and CDFW Streambed Alteration Agreement). She coordinated with the project team managers, trained construction personnel on environmental permit conditions, monitored water quality, conducted pre-activity surveys, monitored installation and removal of the dewatering and diversion system, monitored active nests, and implemented nest deterrence measures. She was approved under the Federal Highways Administration's Federal Aid Program (8-8-10-F-58) Programmatic Biological Opinion) to relocated CRLF. She helped to relocate a juvenile steelhead from the project site during dewatering activities, under the authorization of National Marine Fisheries Service (NMFS) Biological Opinion (BRLS-5016(050)).

**Camp Roberts Programmatic Biological Assessment, San Luis Obispo and Monterey County, California.**

Ms. Berry was awarded the contract to update the Programmatic Biological Assessment of the Camp Roberts military installation's activities. Ms. Berry has prepared the administrative draft that addresses the effects of military activities on four species protected under FESA.

**Guadalupe Restoration Project, San Luis Obispo County, California.** Ms. Berry managed a team of six biologists to comply with over 1,200 ecological permit conditions. Ms. Berry worked closely with regulatory representatives from the County of San Luis Obispo, California Department of Fish and Wildlife (CDFW), USFWS, and California Coastal Commission to achieve project compliance with permit conditions. She adhered to a multi-agency approved Wetland Restoration and Mitigation Plan through planting, photopoint monitoring, and vegetation sampling. Ms. Berry has managed the seed collection, propagation, and replacement planting of three California threatened and endangered plants. Ms. Berry was authorized by the project's Biological Opinion, to handle CRLF, conduct quarterly eyeshine surveys, and perform annual egg mass surveys and to relocate tidewater goby during crayfish trapping activities. Ms. Berry implemented a successful migratory bird monitoring program that enabled construction activities to proceed with minimal disruptions during the nesting season.

**Public Works Railroad Safety Trail, City of San Luis Obispo, California.** Ms. Berry conducted a biological survey of the proposed trail alignment and prepared a Natural Environment Study (Minimal Impacts) for the City of San Luis Obispo and the California Department of Transportation. The biological survey included identification of vegetation types, rare plants, and wildlife habitat.

**San Ardo Energy Project, Monterey County, California.** Ms. Berry managed the biological assessment of an area of the San Ardo oil field. Ms. Berry organized and participated in biological resource surveys that included vegetation type mapping, oak tree inventory, protocol San Joaquin kit fox surveys, and protocol CRLF surveys. She prepared a biological resource survey report, mitigation cost analysis, and species-specific protocol survey reports.

**San Luis Obispo Tank Farm Restoration Project (Project), San Luis Obispo County, California.** Ms. Berry managed biological pre-activity surveys and biological monitoring during remediation and restoration at the Project site. These activities included protocol-level CRLF surveys, nesting bird surveys, and nesting deterrent deployment within the Project site.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

- Wetland Delineation Training, Wetland Training Institute, 2016
- Measuring and Monitoring Plant Populations, California Native Plant Society, 2012
- California Tiger Salamander Workshop, 2009
- CRLF Workshop, 2008
- Coursework in zoology and ornithology, Santa Barbara City College, Spring 2006
- Geology Field Course, University of Pennsylvania, Red Lodge, Montana. June 2003
- Comparative Ecology, School of International Training, Ecuador. Spring 2003

**PROFESSIONAL  
AFFILIATIONS:**

- California Native Plant Society, Member
- Central Coast Wildlife Society, Member

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# Michaela Craighead

Project Biologist

**EDUCATION:** B.S. Biology, California Polytechnic State University, San Luis Obispo, 2009.  
Concentration: Marine Science and Fisheries

**EXPERIENCE:** Ms. Craighead joined Padre in 2011 and has ten years of experience as a field biologist and environmental consultant. Ms. Craighead focus has been primarily in aquatic and marine biology. Ms. Craighead has previously conducted mitigation monitoring of protected terrestrial and marine species, but now her primary focus is preparing permit applications for federal and state agencies, and CEQA documents (Initial Studies and Mitigated Negative Declarations [IS/MND]), technical environmental documents, wildlife contingency plans. In addition, Ms. Craighead conducts biological resource surveys and habitat assessments, including protocol-level for protected species. Ms. Craighead field experience extends to both onshore and offshore construction projects, as well as numerous remediation and restoration sites. In addition, Ms. Craighead was approved as a Protected Species Observer by the National Oceanic and Atmospheric Administration (NOAA) in 2012 and holds a U.S. Fish and Wildlife Service (USFWS) 10(A)(1)(a) Recovery Permit for Large Branchiopods.

Representative projects Ms. Craighead has participated in include:

**Dynegy Morro Bay Power Plant Decommissioning, San Luis Obispo County.** Ms. Craighead responsibilities on the project included marine environmental consulting and marine wildlife monitoring services, and preparing the CEQA document (IS/MND) for the offshore decommissioning of power plant pipelines offshore San Luis Obispo County. Ms. Craighead conducted hydroacoustic sampling of noise levels related to dynamic pipe ramming (DPR) operations and consulted with NMFS for the protection of marine mammals during project activities that produced hazardous noise. Hydroacoustic sampling was conducted with a Reson TC hydrophone, a SpectraDAQ-200 for data acquisition, and the SpectraPlus-SC software. In support of onshore decommissioning activities, Ms. Craighead participated in the relocation of native fish species, including tidewater goby, from the Morro Creek lagoon. Under the supervision of a USFWS-permitted biologist, Ms. Craighead captured and relocated thousands of juvenile and adult tidewater gobies. Dates of service: September 2018 to October 2018.

**Marsh Street Bridge Reconstruction Project, City of San Luis Obispo, California.** Ms. Craighead supported the environmental compliance monitoring for the project and conducted pre-construction nesting bird surveys and nesting raptor monitoring. Ms. Craighead was approved by the United States Fish and Wildlife Service (USFWS) to independently survey for and relocate California red-legged frog prior to and during diversion and dewatering activities. Ms. Craighead also installed block nets and conducted passive relocation of steelhead prior to dewatering activities to avoid significant impacts to federally protected fish. In addition, Ms. Craighead was the biological monitor during bridge demolition and conducted water quality monitoring for the project. Dates of service: February through November 2020.

**Port San Luis Avila Pier Rehabilitation Project, Avila Beach, San Luis Obispo County.** Ms. Craighead prepared the federal Biological Assessment and Essential Fish Habitat Assessment to support federal permit applications for the project. In addition, due to the repair and maintenance nature of the project, Ms. Craighead prepared the Notice of CEQA exemption. Dates of Service: February 2017 through Present.

**San Luis Obispo Tank Farm Remediation, Restoration, and Development Project, San Luis Obispo County, California.** In support of the Biological Assessment for the project, Ms. Craighead participated in several protocol-level surveys for both state and federally protected species including, California Red-legged frog (*Rana draytonii*), burrowing owl (*Athene cunicularia hypugaea*), and large vernal pool branchiopods (*Branchinecta* sp., *Streptocephalus woottoni*, *Lepidurus packardi*). In addition, Ms. Craighead managed the Surface Hydrocarbon Inspection and Monitoring Program for two years which consisted of weekly surveys for oiled wildlife, and if found, the rescue and recovery of oiled wildlife under the guidance of the California Department of Fish and Wildlife (CDFW). As the USFWS-approved biologist, Ms. Craighead oversees the construction of vernal pool fairy shrimp (*Branchinecta lynchi*) restoration habitat and conducts wet season monitoring surveys. Dates of service: December 2013 through Present.

**California Resources Petroleum Corporation Grubb Lease Decommissioning, Ventura County, California.** Ms. Craighead completed marine SCUBA biological resources surveys of intake and outfall pipelines proposed for removal. Ms. Craighead documented the type and location of marine plants, macro-epifauna, and fish associated with the habitats within the project area to avoid impacts to these habitats. In addition, Ms. Craighead helped prepare the project's CEQA document (IS/MND) and technical documents to support federal and state permit applications. Dates of service: November 2018 to March 2020.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

USFWS Section 10(A)(1)(a) recovery permit for federally listed branchiopods (fairy shrimp and tadpole shrimp (Permit No. TE-13636B-1)

American Academy of Underwater Sciences Scientific Diver and National Association of Underwater Instructors Master SCUBA Diver, 2015.

eDNA: A Practical Workshop, presented by the Western Section of the Wildlife Society, Genidaqs, and WRA. 2019.

Divers Alert Network CPR/AED and First Aid and Emergency Oxygen Administration for Diving Accidents Certified, 2019.

Standards of Training Certifications and Watchkeeping Certified Personal Survival Techniques, Cal Maritime Academy, 2018.

California Red-Legged Frog Workshop, presented by Trish Tartarian, 2014. Western Burrowing Owl Workshop, presented by Dr. Lynn Trulio, 2014.

Fairy Shrimp of California Identification Course, presented by Mary S. Belk, 2013.

**PROFESSIONAL  
AFFILIATIONS:**

California Central Coast Chapter of the Wildlife Society, member

## Resume

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# Christina Santala

Project Biologist

**EDUCATION:** B.S. Biological Sciences, California Polytechnic State University, San Luis Obispo, 1988.

**EXPERIENCE:** Ms. Santala joined Padre Associates, Inc. in April 2007 and has over 25 years of experience in the environmental field. Ms. Santala specializes in botany and ecological restoration of upland, riparian, and wetland habitats associated with utility pipeline and facilities decommissioning, oil field exploration, development, and remediation, bridge replacement and improvement, residential development, and streambed alteration projects. In addition, Ms. Santala is experienced in conducting aquatic resources delineations and jurisdictional determinations in accordance with the United States Army Corps of Engineers (ACOE) guidelines.

Representative projects Ms. Santala has managed and assisted with include:

**San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo County, California.** Ms. Santala was involved with this soil remediation and habitat restoration project for over ten years and served as lead restoration ecologist for initial restoration activities. Ms. Santala assisted with and managed baseline botanical inventory surveys, rare plant surveys and mapping, vegetation type identification and mapping, rare plant seed collection, planting and seeding, noxious/invasive plant management, temporary irrigation system design, restoration plan development, design, and implementation, and restoration monitoring.

**Cuyama River Tanker Spill Restoration Project, Santa Barbara and San Luis Obispo Counties, California.** Ms. Santala conducted biological baseline surveys and developed and implemented the habitat restoration and mitigation plan. Specific tasks included rare plant and botanical inventory surveys, vegetation classification and mapping, development of mitigation strategies and restoration performance criteria focused on establishment of riparian habitat, vegetation rapid assessment protocol surveys, report writing, and is currently involved with restoration site monitoring and adaptive management.

**Air Park Drive Bridge Replacement Project, San Luis Obispo County, California.** Ms. Santala assisted with the botanical component of this bridge replacement project located in the community of Oceano, San Luis Obispo County, California. Specific tasks included an aquatic resources delineation survey following ACOE guidelines, botanical inventory, vegetation type assessment and mapping, jurisdictional, and associated research and reporting.

**Highway 120 Lodging Project, Tuolumne County, California.** Ms. Santala completed the biological technical reports used for CEQA documentation in support of the environmental permitting for this development project. Specific tasks included biological resources assessment field survey, aquatic resources delineation survey, and oak tree inventory and all associated reporting, and preparation of technical responses during the CEQA review period.

## Resume

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**Various Residential Biological Survey Assessments, San Luis Obispo County, California.** Ms. Santala has completed numerous biological resources assessment surveys for small residential development projects to document the existing biological resources and to determine the for potential special-status plants and wildlife to occur within the subject properties. Specific tasks included desktop review and database research, field surveys, use of Global Positioning System unit for mapping, report writing including preparation of avoidance and minimization and mitigation measures to protect special-status resources.

**U.S. Highway 101 Clark Avenue and Northbound Interchange Improvement Project, Santa Barbara County, California.** Ms. Santala managed and assisted with the environmental permit compliance and onsite biological monitoring for the project, which involved removal and construction of highway interchange ramps. Activities completed included pre-project habitat assessment and special-status wildlife surveys, pre-activity surveys of habitat areas prior to initial ground disturbances, periodic biological monitoring, and associated reporting. Onsite monitoring focused on potentially occurring special-status wildlife species including American badger, silvery legless lizard, coast horned lizard, and nesting birds.

**East Cat Canyon Oil and Gas Exploration Project, Santa Barbara County, California.** Ms. Santala completed numerous field surveys and desktop analyses for this oil and gas exploration project. Specific tasks included wetland delineation and jurisdictional determinations, site-wide botanical inventory, California Native Plant Society (CNPS)/California Department of Fish and Wildlife (CDFW) vegetation rapid assessment protocol surveys, vegetation mapping, rare plant surveys, oak tree inventory, restoration plan and oak tree replacement plan development, and associated reporting and permitting assistance.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

CDFW Plant Voucher Collecting Permit 2081(a)-21-016-V.

Rare Pond Species Survey Techniques Workshop (California red-legged frog, California tiger salamander and southwestern pond turtle), Laguna de Santa Rosa Foundation, 2008.

Flowering Plant Families Workshop, Jepson Herbarium, 2010.

Manual of California Vegetation Second Edition Workshop, California Native Plant Society, 2012.

Soil Morphology and Hydric Soils Workshop, California Native Plant Society, 2015.

Wetland Delineation Workshop, Jepson Herbarium, 2015.

**PROFESSIONAL  
AFFILIATIONS:**

California Native Plant Society, member.

Robert F. Hoover Herbarium, California Polytechnic State University; volunteer.

# Shannon Gonzalez

Project Biologist

**EDUCATION:** B.S. Biological Sciences, California Polytechnic State University, San Luis Obispo, 2013. Concentration: Ecology

**EXPERIENCE:** Ms. Gonzalez joined Padre Associates, Inc. in 2013 and has eight years of experience as a field biologist. She is responsible for conducting biological resource surveys and environmental/construction monitoring, and for the preparation of biological resources reports, environmental permit applications, and support documents for a range of projects within San Luis Obispo, Santa Barbara, Monterey, Kern, and Fresno Counties. Her field experience includes comprehensive biological resource surveys, nesting bird surveys, construction monitoring, burrow excavation, wildlife relocation, oiled wildlife response, and surveys for various federally and/or state-protected wildlife species such as California red-legged frog (CRLF), blunt-nosed leopard lizard (BNLL), San Joaquin kit fox (SJKF), burrowing owl, California tiger salamander (CTS), and San Joaquin antelope squirrel.

Representative projects Ms. Gonzalez has participated in include:

**County of San Luis Obispo Environmental Monitoring for the Oak Shores Development Project (January – July 2021).** Ms. Gonzalez provided compliance monitoring for the Oak Shores project site to ensure that all applicable environmental mitigation measures from the County's conditions of approval were implemented throughout the project duration. She completed the initial site walk with project engineers and contractors prior to start of 2021 work activities to discuss environmental concerns and solutions, and regularly coordinated with project engineers as work progressed at the site.

**Chevron North America Exploration and Production, San Ardo Oil Field Salinas River Vegetation Maintenance Project, Monterey County (2018-2021).** Ms. Gonzalez conducted construction monitoring and annual eagle roosting surveys along the Salinas River in support of regular vegetation maintenance, and completed the associated documentation and reports in accordance with the project's CDFW Streambed Alteration Agreement. Over the past four years, Ms. Gonzalez has identified juvenile and adult bald eagle, red-tail hawk, northern harrier, and osprey during surveys and monitoring at the site.

**Chevron Environmental Management Company, San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo County (2014 – 2018).** Ms. Gonzalez conducted construction monitoring over four years for remediation activities at the project site. In addition, she participated in annual pre-activity surveys which were focused on California red-legged frog (CRLF), burrowing owl, nesting birds, raptors, and special-status plants. Ms. Gonzalez also observed and documented the activity of several nesting birds and numerous raptors during surveys and monitoring at the site, including but not limited to burrowing owl, golden eagle, bald eagle, white-tailed kite, and northern harrier.

**Dynegy; Morro Bay Power Plant Decommissioning Project – San Luis Obispo County (September – November 2018).** Ms. Gonzalez conducted onshore environmental monitoring for power plant pipeline abandonment and removal



activities in Morro Bay, California. Monitoring included continuous communication with work crews to avoid and/or minimize impacts to surrounding sensitive resources including the Pacific Ocean, dune scrub/beach habitat, and Morro Creek. In support of onshore pipeline removal, Ms. Gonzalez assisted with tidewater goby pre-activity surveys and native fish relocation, including tidewater goby, within Morro Creek under the supervision of a USFWS-approved biologist.

**Chevron North America Exploration and Production San Ardo Oil Field Biological Constraints Analysis, Monterey County (2016).** In support of the project biological resources analysis, Ms. Gonzalez participated in USFWS protocol-level surveys for CRLF along a four-mile stretch of the Salinas River within the San Ardo Oil Field. No CRLF were observed during these surveys; however, Ms. Gonzalez observed and/or heard several amphibian and reptile species during this time, including western spadefoot, Sierran treefrog, American bullfrog, and southwestern pond turtle. Ms. Gonzalez handled one western spadefoot toad during CRLF surveys for this project.

**Chevron Environmental Management Company, Chevron North American Exploration and Production, and Seneca Resources Corporation; various projects – Kern, Kings, and Fresno Counties, California (2014 – present).** Ms. Gonzalez has assisted with seven years of protocol-level blunt-nosed leopard lizard (BNLL) surveys for various projects within Kern, Kings, and Fresno Counties and has led surveys as a Level II BNLL surveyor since 2018. During these surveys, Ms. Gonzalez has observed several reptile species including but not limited to BNLL, western side-blotched lizard, California whiptail, San Joaquin coachwhip, northern Pacific rattlesnake, and Pacific gophersnake. Other wildlife observed incidentally but regularly during surveys include San Joaquin kit fox, burrowing owl, and Swainson's hawk.

**AERA Energy, LLC; East Cat Canyon Oil Field Redevelopment Project – Santa Barbara County, California (2014 – 2017).** Ms. Gonzalez participated in California tiger salamander (CTS) upland habitat and aquatic surveys for this project for three years and identified and/or handled several common amphibians and reptiles during that time, including, but not limited to, western spadefoot, western toad, Baja California treefrog, black-bellied slender salamander, western side-blotched lizard, and Skilton's skink.

**TRAINING:** Western Burrowing Owl Workshop, Elkhorn Slough Coastal Training Program, 2014  
California Tiger Salamander Workshop, Elkhorn Slough Coastal Training Program, 2015  
San Luis Obispo (SLO) County Biological Report Guidelines Workshop, County of SLO Planning Department, 2015  
San Joaquin Kit Fox Workshop, California Central Coast Chapter of the Wildlife Society, 2016  
Blunt-Nosed Leopard Lizard Workshop, San Joaquin Valley Chapter of the Wildlife Society, 2018  
Rattlesnake Safety Workshop, Central Coast Snake Services, 2020

**PROFESSIONAL AFFILIATIONS:** California Central Coast Chapter and San Joaquin Valley Chapter of the Wildlife Society, member

# Rachael J. Letter, RPA

Senior Archaeologist/Project Manager

**EDUCATION:** M.S. Industrial Archaeology, Michigan Technological University, 2005.  
B.A. Archaeology, University of Evansville, 2003.

**REGISTRATIONS:** Registered Professional Archaeologist (ID# 989275)

**EXPERIENCE:** Ms. Letter has 16 years of experience as an archaeologist and cultural resource management professional, with more than eleven years in the state of California. She joined Padre Associates, Inc. (Padre) in 2014 and serves as senior archaeologist and project manager for prehistoric and historic archaeological investigations. Ms. Letter’s responsibilities include day-to-day project management for all phases of archaeological survey and testing, completing archaeological records searches and archival research, Native American consultation and coordination, and preparing technical reports and site records. Ms. Letter has directed and conducted archaeological projects in San Luis Obispo, Santa Barbara, Ventura, Monterey, Kern, Los Angeles, Fresno, and San Joaquin counties.

Representative archaeological projects she has managed include:

**Santa Rosa Creek Road Repair and Alignment, Cambria.** Ms. Letter acted as Senior Archaeologist for this Project, which included repairs and a realignment of a portion of Santa Rosa Creek Road that was washed-out during the 2016 rainy season. A records search completed at the Central Coast Information Center, identified one prehistoric habitation site within the southwest corner of the Project site. Ms. Letter directed the Phase I pedestrian survey, which relocated the prehistoric habitation site and significantly expanded the site’s boundaries to the north and east. She then reported the records search and survey results in a technical report to the County and recommended Phase II subsurface testing and evaluation within the portions of the Project that will impact the archaeological site.

**Archaeological Monitoring, Avila Ranch Development Project, City of San Luis Obispo.** Ms. Letter is currently Senior Archaeologist and coordinates archaeological and tribal monitors in support of the Avila Ranch Development Project in the southern part of the City of San Luis Obispo. In compliance with the mitigation measures included in the Project Environmental Impact Report, one Padre archaeologist and one member of the local Chumash tribe monitor all Project-related ground disturbance for the presence of significant cultural materials and features. Prior to ground disturbance, the Padre archaeologist provides cultural resource awareness training for all construction personnel. Once all ground disturbance is complete, Ms. Letter will prepare a cultural resource completion report summarizing all encountered finds. Cultural concerns associated with this project have required frequent communication with the *yak tit’u tit’u* Northern Chumash tribe.

**Extended Phase I Testing, Morro Bay Power Battery Energy Storage System Project, Morro Bay.** At the request of EMC Planning Group, Inc., on behalf of the Morro Bay Power Company, Padre completed extended Phase I archaeological

testing in support of the Morro Bay Power Plant Battery Energy Storage System Project. Ms. Letter acted as Senior Archaeologist and directed geoprobe testing to better determine whether intact subsurface cultural deposits related to previously recorded cultural resources were present within the Project site. Using soil borings and geoarchaeological analysis, Padre identified five areas of cultural sensitivity that indicated the presence of prehistoric habitation and cooking areas. Ms. Letter summarized the results in a technical report and concluded that the five cultural areas have the potential to yield important information about California prehistory. The recommended mitigation measures included Project redesign or data recovery excavations if redesign was not feasible.

**Archaeological Monitoring, Morro Bay Power Plant Marine Terminal Decommissioning Project, Morro Bay.** At the request of Associated Pacific Constructors, Inc., on behalf of Dynegy Morro Bay, LLC, Padre provided cultural resources monitoring in accordance with mitigation measures from the Dynegy Morro Bay Power Plant Marine Terminal Decommissioning Project Mitigated Negative Declaration and the California Coastal Commission Coastal Development Permit. For this project, Ms. Letter acted as Senior Archaeologist, coordinating with Native American tribal representatives and directing cultural resource monitoring. Cultural resource monitoring was conducted under a Cultural Resources Monitoring and Treatment Plan prepared by Padre, which allowed for the identification, evaluation, treatment, and protection of cultural resources that may be affected by ground disturbing activities as specified by the Project MND. Ms. Letter later authored a technical report documenting the results of the cultural resources monitoring for submittal to the client and the county.

**Railroad Safety Trail – Taft to Pepper, City of San Luis Obispo.** On behalf of the City of San Luis Obispo Public Work Department, Ms. Letter acted as Senior Archaeologist for the extension of the Railroad Safety Trail from its current terminus at Taft Street to Pepper Street in the City of San Luis Obispo. Ms. Letter consulted with the Caltrans District 5 archaeologist to define the Project APE and conducted the Phase I pedestrian survey. She also reviewed the records search results and consulted with local Native American tribes about the Project. Once completed, she reported all findings in the ASR and HPSR and assisted the City with AB 52 consultation.

**Bonita School Road Bridge Replacement, Santa Barbara and San Luis Obispo Counties.** Ms. Letter acted as Senior Archaeologist for the replacement of the Bonita School Road bridge that spans between Santa Barbara and San Luis Obispo counties. Ms. Letter completed the records search, which did not identify any cultural resources within the Project site and directed the Phase I pedestrian survey. She consulted with the Caltrans District 5 archaeologist and County engineer to define the Project APE and prepared the necessary ASR and HPSR.

# Varick “Val” Kirstine

Staff Archaeologist

**EDUCATION:** Moorpark College, Cuesta College, Enrolling at Oregon State University, 2022.

**EXPERIENCE:** Mr. Kirstine has 17 years of field experience as an archaeologist in the Central and Southern Coast regions of California. At Padre, Mr. Kirstine works from the San Luis Obispo office as a staff archaeologist for prehistoric and historic archaeological investigations. His responsibilities include conducting all phases of archaeological survey and testing, site documentation, background research, artifact analysis and processing, archaeological monitoring, and report and site record preparation. He frequently conducts Phase I pedestrian surveys and monitors construction projects in San Luis Obispo, Santa Barbara, Kern, Fresno, and Ventura counties. Recently, Mr. Kirstine served as lead archaeological monitor for the Morro Bay Power Plant Marine Terminal Decommissioning Project and the Guadalupe Restoration Project in San Luis Obispo County.

Representative projects Mr. Kirstine has worked on include:

**Morro Bay Power Plant Battery Storage Project, California.** Mr. Kirstine completed archaeological testing in coordination with OEC and local Chumash tribal monitors. He also monitored and directed geoprobe activity as needed, generated soil assessment logs during core extraction, and obtained soil samples for laboratory analysis. Mr. Kirstine later co-authored the report for submittal to the County and client.

**Phase I Archaeological Survey, Jack and Laura Dangermond Preserve, The Nature Conservancy, Santa Barbara County, California.** Mr. Kirstine acted as Staff Archaeologist and assisted in the completion of a large Phase I archaeological survey of multiple locations throughout the preserve. He conducted an intensive pedestrian survey of the Project area that identified several prehistoric resources. Mr. Kirstine documented the resources and later assisted with report and site record preparation.

**RTA Harbor Terrace, LLC, Avila Beach, California.** Mr. Kirstine completed extensive archaeological testing and long-term archaeological monitoring in support of a large commercial development project at a highly sensitive and significant prehistoric site in Avila Beach. This Project required close coordination with Chumash tribal monitors and, later, with a large team of archaeologists from Applied Earthworks, Inc. Primary duties included the excavation of several data recovery units, water-assisted artifact screening, completion of soil profiles, documentation of artifacts, the direction of heavy equipment, and the recovery of human remains.

**Firestone Walker Brewery Solar Photovoltaic System, Paso Robles, California.** Mr. Kirstine served as lead archaeological monitor during construction activity, in collaboration with Salinan tribal monitors. Over the

course of this project, he recorded several prehistoric isolates and later co-authored a report summarizing results of monitoring activities.

**Laguna County Sanitation District Wastewater Reclamation Plant Facilities Master Plan, Santa Barbara County, California.** Mr. Kirstine acted as Staff Archaeologist for improvements of the Laguna County Sanitation District in northern Santa Barbara County. He conducted an intensive pedestrian survey of the Project area that identified four prehistoric sites, including one large habitation site. Mr. Kirstine documented the resources and assisted with report and site record preparation. Mr. Kirstine also served as lead archaeological monitor during subsequent geotechnical testing.

**Venadito Canyon Culvert Repair and Replacement Project, Santa Barbara County, California.** Mr. Kirstine served as Staff Archaeologist and lead archaeological monitor for this project, which required close collaboration with a local Chumash monitor. Over the course of several months of construction monitoring, Mr. Kirstine recorded several new historic sites related to late 19<sup>th</sup> to early 20<sup>th</sup> century ranching and agriculture. He later co-authored the report. Wildfire and subsequent winter storms during the 2016 rainy season severely damaged a culvert bridge crossing on Exxon-managed roadway near La Paloma Ranch. Efforts to replace the damaged crossing and install a new box culvert required extensive archaeological monitoring for all ground-disturbing activities.

**Morro Bay Power Plant Marine Terminal Decommissioning Project, San Luis Obispo County, California.** Mr. Kirstine acted as Staff Archaeologist and as lead archaeological monitor. He provided cultural resource awareness training for construction personnel and monitored ground disturbing activities. As lead archaeological monitor, he managed the day-to-day schedule for the Project, which involved coordination with the yak tit'yu tit'yu yak tilhini Northern Chumash Tribe, the Northern Chumash Tribal Council, and the Xolon Salinan Tribe. Mr. Kirstine recorded several prehistoric isolates and updated records for one previously recorded prehistoric habitation site. Upon completion of field work, Mr. Kirstine co-authored the report.

**Guadalupe Restoration Project, San Luis Obispo County, California.** Mr. Kirstine acted as Staff Archaeologist and lead archaeological monitor for an oil field remediation in southern San Luis Obispo County. He provided cultural resource awareness training for construction personnel, conducted Phase I pedestrian surveys and status checks of known sites, site documentation, and long-term construction monitoring. As lead archaeological monitor, Mr. Kirstine managed the day-to-day schedule for the Project, completed daily monitoring logs, and monthly progress reports. Increased cultural concerns associated with this Project have required frequent communication with the yak tit'yu tit'yu yak tilhini Northern Chumash Tribe.

## PERMITS:

**BLM CRUP CA-18-03, Field Director**

# Jeffrey T. Damron, P.E., G.E.

Principal

**EDUCATION:** B.S. Civil Engineering, California Polytechnic State University, San Luis Obispo, 1984

**REGISTRATIONS:** Professional Geotechnical Engineer, California  
Professional Civil Engineer, California  
Qualified SWPPP Developer/Practitioner (QSD/QSP) No. 01041

**EXPERIENCE:** Mr. Damron is one of the founding partners of Padre Associates, Inc. and has worked in the field of civil and geotechnical engineering for over 34 years. His broad range of experience includes geotechnical engineering, geoenvironmental engineering and remediation, and construction monitoring. He is responsible for the firm's geotechnical practice.

Mr. Damron has supervised, managed and performed geotechnical projects throughout California including deep foundation design, landslide stabilization, oil/gas processing facilities, commercial developments, school site improvements, roadways, and pipeline projects including horizontal directional drill (HDD) projects. He supervises all phases of geotechnical investigations including field exploratory and laboratory testing programs, engineering analyses and evaluations, and report preparation. Mr. Damron manages and develops the design and implementation of erosion control systems for Storm Water Pollution Prevention Plans (SWPPP) under the construction and industrial general permits. He is currently the QSD for a large construction project and is managing the preparation of industrial SWPPPs for multiple sites owned by an industrial client.

From 1988 through 1991, Mr. Damron served as the Project Soils Engineer for the Exxon Santa Ynez Unit Expansion Project's onshore facilities, onshore pipelines, and nearshore pipelines in Santa Barbara County, California. As Project Soils Engineer, he was the onsite engineer responsible for geotechnical engineering, construction monitoring, and coordination of surveying and construction materials testing for the site and facility development portion of this oil processing and storage facility. Construction monitoring activities included observation and testing of reinforced earth walls, tieback walls, soil-cement production and placement, geogrid reinforced engineered fill, drilled pier construction, and reinforced concrete placement inspection/testing.

Representative projects that Mr. Damron has completed include:

**Parking Lot 6, Santa Barbara, California.** Provided geotechnical study services in support of the design of a proposed parking structure to be constructed at the City of Santa Barbara's Parking Lot No. 6. The proposed 6 story structure includes 2 subterranean levels that extend up to 30 feet below existing grade. An extensive geotechnical study included the advancement of CPT soundings and hollow-stem auger drill holes to depths up to 70 feet below existing grade. Padre evaluated bearing capacity and estimated settlement for foundation loads of up to

1,000 kips in developing recommendations for foundation design.

**Estero Bay Telecommunications Project San Luis Obispo County, California.** Evaluated geotechnical conditions along a proposed telecommunications cable alignment and at a proposed consolidated communications center site at the Estero Bay Marine Terminal Facility. Developed subsurface exploration and laboratory program for the proposed cable alignment and communication center to evaluate subsurface geological and geotechnical conditions.

**Ojai Valley Inn, Ojai, California.** For over 15 years has provided geotechnical services for the design and construction of several expansion projects at the Ojai Valley Inn property. Projects have included 1- to 3-story hotel buildings, a large conference/entertainment facility, swimming pools and upgrades/additions to existing buildings. Work has included geotechnical study services to provide recommendations for project design, construction observation/testing and geotechnical consultation to assist in the successful completion of multiple projects.

**Cabrillo Business Center, Goleta, California.** Performed several geotechnical studies for multiple phases of commercial development including two-story office/retail buildings, distribution warehouse, self-storage facilities and infrastructure improvements. Exploration programs have utilized cone penetrometer test soundings and drill holes. Site improvements required surcharge loading of building pads and Geopier foundations. Provided construction observation and testing services during all earthwork activities.

**Pittsburg PIM Pipeline Project, Pittsburg, California.** Provided a design-level geotechnical study for the replacement of an approximate 4,000-foot section of pipeline adjacent to Suisun Bay. Scope of work included exploration of subsurface conditions using Cone Penetration Test (CPT) soundings, rotary mud drilling techniques, and collection of relatively undisturbed soil samples using push Shelby tubes, standard penetration and modified California split-spoon samplers. Drill holes were advanced to depths of 140 to 150 feet below grade. Analyses developed geotechnical recommendations for construction of the pipeline segment using horizontal directional drilling (HDD) techniques including an evaluation of potential frac-out in area of very shallow ground water conditions.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

- Introduction to Professional Practice, Institute for Professional Practice, 1991
- Short-Courses: Clay Liners, Covers for Waste Disposal Facilities, University of Texas, Austin, 1991
- Evaluation and Mitigation of Earthquake-Induced Liquefaction Hazards, University of Southern California, 1991
- Seismic Design of Waterfront Retaining Structures, United States Army Corps of Engineers, 1993

**PROFESSIONAL  
AFFILIATIONS:**

American Society of Civil Engineers, Member

## Resume

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# Louis Cappel, P.G., C.Hg.

Principal Geologist

**EDUCATION:** B.S. Soil Science - Land Resources, California Polytechnic State University, San Luis Obispo, California, 1999

M.A. Industrial and Technical Studies, California Polytechnic State University, San Luis Obispo, California, 2000

Coursework in Hydrology, University of Idaho, Moscow, Idaho, 2003

**REGISTRATIONS:** Professional Geologist, California, No. 8344

Certified Hydrogeologist, California, No. 911

Registered Geologist, Arizona, No. 45425

Certified Professional Soil Scientist (ARCPAC) No. 35519 (Inactive)

**EXPERIENCE:** Mr. Cappel has over 20 years of professional experience as an environmental consultant. He has been involved primarily in projects relating to the assessment and remediation of soil, soil gas, and groundwater in unconsolidated sediment and bedrock environments. His responsibilities have included performing and overseeing field work, the preparation of technical work plans and reports, risk assessment support, interfacing with state and federal regulatory agencies, review of work performed by other consultants, and litigation support. Mr. Cappel has also conducted numerous Phase I Environmental Site Assessments at sites located throughout California.

Mr. Cappel has managed assessment and/or remediation activities related to a wide variety of contaminants, including petroleum hydrocarbon products, chlorinated solvents, PCBs, metals, naturally-occurring asbestos, nitrate, and pesticides. He has participated in environmental activities at oilfields, Superfund sites, industrial facilities, gasoline service stations, refineries, gas plants, petroleum pipelines, military bases, agricultural properties, residential properties, landfills, and sewage treatment facilities. Mr. Cappel has extensive experience performing and supervising field assessment and remedial activities.

Representative projects that Mr. Cappel has completed include:

**Chevron, Multiple Sites, San Joaquin Valley, California.** Managed the assessment and remediation of PCBs in soil and concrete at active and inactive oilfield facilities. All work was performed under the oversight of the U.S. EPA Region 9 using the *PCB Facility Approval Streamlining Toolbox (FAST): Streamlining the Cleanup Approval Process*.

**Chevron, Naval Petroleum Reserve No. 1, Elk Hills Oilfield, Kern County, CA.** Performed technical review of assessment and remediation plans, and implementation reports prepared by the Department of Energy's consultant as part of ongoing oilfield restoration activities. The lead regulatory agencies are DTSC and Central Valley RWQCB.



## Resume

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**Confidential Client.** Managed the assessment and remediation of mercury and petroleum hydrocarbons in soils at a former roadmix facility. A total of approximately 100,000 cubic yards of impacted soils were excavated and disposed of off-site.

**Chevron, Rambler Well Abandonment, Kern River Oilfield, Kern County, CA.** Managed the assessment of soils surrounding a former oil well location. Assisted with the well abandonment and closure reporting with oversight provided by the Central Valley RWQCB and CalGEM.

**Chevron, Surface Impoundment Closure Projects, Coalinga Oilfield, Fresno County, CA.** Managed the soil assessment and soil remediation at former oilfield surface impoundments with regulatory oversight provided by the Central Valley RWQCB.

**Chevron, Santa Maria Valley Sump Projects, Santa Maria Oilfield, Santa Barbara County, CA.** Managed the assessment and remediation of numerous residential, industrial, and agricultural properties affected by historical oilfield activities with regulatory oversight provided by the County of Santa Barbara Environmental Health and Central Coast RWQCB.

**Chevron, Former Avila Terminal, Avila Beach, San Luis Obispo County, CA.** Managed the operations, and compliance monitoring and reporting at Unocal's former 95-acre facility including: Industrial SWPPP implementation and monitoring; groundwater, cliff springs, and intertidal zone monitoring; and dual-phase extraction system operation and monitoring. Regulatory oversight was provided by the Central Coast RWQCB.

**ConocoPhillips, Central Valley and Coastal, CA.** Managed soil and groundwater assessment and remediation activities at numerous bulk fueling terminals, crude oil pipelines, and pump stations located throughout California with regulatory oversight provided by various county health agencies and RWQCBs.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

California Division of Occupational Health and Safety (DOSH) 40-Hour Health and Safety Training and Annual Refresher.

DOSH, Annual Health and Safety Training Refresher Course (annually).

CAL-OSHA Competent Person for Excavations, Trenches, and Earthwork

## Resume

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# Brett D. Sullivan, P.G.

Project Geologist

**EDUCATION:** B.A. Earth Science, Iowa State University, Ames, Iowa, 1997

**QUALIFICATIONS:** California Professional Geologist No. 8746  
California Division of Occupational Safety and Health (DOSH), 40-Hour Health and Safety Training  
DOSH, Annual Health and Safety Training Refresher Course

**EXPERIENCE:** Mr. Sullivan has over 18 years of professional experience as an environmental consultant and has been employed by Padre since 2010. He has been involved primarily in geologic and hydrogeologic assessments related to Subtitle D landfill construction and permitting, assessment and remediation of sites contaminated with petroleum hydrocarbons, heavy metals, chlorinated solvents, and PCBs, Phase I and Phase II Environmental Site Assessments (ESAs) and mineral resource assessments. His responsibilities have included project management, developing technical work plans, site conceptual models, corrective action and site closure plans, supervision of field staff, technical and safety training, remedial construction oversight, analytical laboratory data validation, third party technical review, as well as client, contractor, and regulatory agency engagement. Mr. Sullivan has experience supervising and directing assessment and remedial activities including environmental drilling, rock coring and logging, soil sample collection and classification, monitoring and remediation well construction, contaminated soil excavations, removal and in-place closure of underground storage tanks, statistical analysis of detection and assessment groundwater monitoring data, groundwater treatment system pilot testing and operation, sub-slab vapor mitigation design, naturally occurring asbestos (NOA) surveys and assessments, geographic information systems and mapping, historical aerial photograph analyses, air monitoring.

**San Ardo Oilfield Underground Injection Control Aquifer Exemption Demonstration.** Provided technical support in preparation of the Aquifer Exemption Application Package including study of freshwater hydrologic and hydrogeologic resources and infrastructure of the Salinas River Groundwater Basin and demonstration of their isolation from proposed expansion of Class II injection activities in the San Ardo Oil Field. The Aquifer Exemption application was approved by the State of California Department of Conservation Division of Oil Gas and Geothermal Resources, the State of California Regional Water Quality Control Board and the United States Environmental Protection Agency (US EPA).

**Chevron San Luis Obispo Tank Farm Remediation and Restoration Project.** Field Project Manager. Provided technical guidance and oversight to field staff, client managers, and remedial construction contractors to maintain compliance with Project permits and plans. Managed and tracked project metrics and data and for communication to client managers as well

as local, county, state, and federal regulators. Designed, planned, performed, and supervised numerous assessments of contaminated, borrow, and restoration areas to facilitate development of Project Plans, permits, and restoration construction criteria. Developed technical work plans for supplemental assessments to refine and/or augment the scopes of multi-phase remediation activities to maintain or improve schedule performance in conformance with existing remediation plan constraints, timeline agreements, EIR requirements, and regulatory agency permits. Developed a technical plan for on-site treatment of soils contaminated with hazardous concentrations of heavy metals approved by county and state regulators. Developed technical plans to assess and remediate PCB-containing soil utilizing the streamlined U.S. EPA PCB-FAST program.

**Third Party Technical Reviews – Confidential Industrial Clients, Kern County.** Reviewed historical groundwater monitoring and reporting documents associated with oilfield produced water and landfill facilities for compliance with State Regional Water Board orders. Prepared summary reports and recommendations to assist clients with bringing facilities into compliance as well as technical reports demonstrating facility compliance.

### **Excavation Monitoring**

San Luis Obispo and Santa Barbara Counties. Developed soil and groundwater monitoring plans for civil construction projects involving deep soil excavation and groundwater management activities. Performed soil and groundwater monitoring activities directing segregation, storage, and disposal/treatment of hydrocarbon and lead contaminated soil and groundwater.

### **Naturally Occurring Asbestos (NOA)**

Completed geologic evaluations of sites in San Luis Obispo, Kern, Fresno, and Tulare counties pursuant to the California Air Resources Board NOA Air Toxics Control Measure to facilitate requests for exemptions as well as preparation of grading and dust control plan for county and private clients. Provided NOA hazards training to Padre staff and private clients.

**Phase I & II ESA and Mineral Resource Assessments.** Completed several Phase I ESAs of commercial, industrial, ranch and forested land sites throughout San Luis Obispo county, Fresno County, and the Southern Sierra of eastern Kern County. Completed mineral resource assessments of the eastern Kern County sites regarding the likelihood of future mineral resources development.

**Conoco Phillips & Private Clients – LUFT Compliance.** Project and field manager for soil and groundwater assessment and remediation/closure management of operational and non-operational gasoline stations located in Ventura, Santa Barbara, and San Luis Obispo counties, California.

# Robert Vander Weele P.G.

Project Manager

**EDUCATION:** B.S. Hydrogeology, Western Michigan University, Kalamazoo, Michigan, 1998.

**EXPERIENCE:** Mr. Vander Weele joined Padre Associates, Inc. in 2010 and has over 24 years of professional experience as an environmental geologist and environmental consultant. His work experience has been focused on environmental site assessment, remediation, impact assessment, and permitting for private and public-sector clients. Mr. Vander Weele's primary area of environmental impact assessment expertise includes air quality monitoring, air emissions modeling, noise modeling, geologic characterization, and hydrogeological modeling. He is also experienced in the preparation of environmental documentation under the National Environmental Policy Act and the California Environmental Quality Act. Mr. Vander Weele's responsibilities have also included field management of large-scale remediation and site assessment projects, preparation of remedial action plans, technical work plans, assessment reports and closure reports, evaluation of analytical laboratory data, data analysis, risk assessments and coordination with regulatory personnel. Mr. Vander Weele has experience supervising and directing activities that have included soil/bedrock drilling and logging, soil/bedrock sample collection and classification, monitoring and remediation well installation, contaminated soil excavations, removal and in-place closure of underground storage tanks, hydraulic lifts, and oil-water separators. Mr. Vander Weele has performed SWPPP compliance monitoring and reporting activities for large remediation and industrial projects. He has prepared geologic maps/geologic cross-sections portraying contaminant distribution, collected soil vapor, soil, and groundwater samples, prepared soil boring logs, designed and overseen the installation of groundwater monitoring, vapor extraction, and air sparge/ozone wells, conducted groundwater pump, soil vapor extraction, and air/ozone sparge pilot tests.

Representative projects Mr. Vander Weele has completed include:

**Noise Impact Analysis Update, Los Osos Valley Road / US 101 Interchange Improvements Project, San Luis Obispo, California.** Mr. Vander Weele conducted a noise impact analysis update for the City of San Luis Obispo, which consisted of a noise survey, noise modeling and the production of the final report documenting the results.

**Dynegy Morro Bay Power Plant Marine Terminal Decommissioning Project, Morro Bay, California.** Mr. Vander Weele conducted the air emissions modeling and prepared the air quality and greenhouse gases of the revised Project Execution Plan and Initial Study/Mitigated Negative Declaration (IS/MND) for the decommissioning project. Mr. Vander Weele also conducted a noise survey and prepared the noise section of the IS/MND. During project implementation, provided professional geologic oversight of the onshore pipeline removal activities.

**Chevron San Luis Obispo Tank Farm Remediation and Restoration Project,**

**San Luis Obispo, California.** Mr. Vander Weele conducted air emissions modeling for the Construction Activity Management Plan for the San Luis Obispo Tank Farm Restoration Project. He further conducted quarterly project emission estimates for.

**Chevron Lost Hills Solar Project, Lost Hills, California.** Mr. Vander Weele conducted air emissions modeling for the IS/MND for the proposed Chevron Lost Hills Solar Project.

**Chevron Lost Hills Oil Field Air Monitoring Project, Lost Hills, California.** Mr. Vander Weele conducted and managed air emissions monitoring activities during oil well stimulation treatments at the Chevron Lost Hills Oilfield. He also prepared a final report for submittal to the California Air Resources Control Board discussing the air monitoring program, analytical results, data interpretation, conclusions, and recommendations.

**Construction Activity Management Plan (CAMP), California.** Mr. Vander Weele has prepared numerous CAMPs construction projects throughout San Luis Obispo County.

**Cantil Solar Project, California City, California.** Mr. Vander Weele prepared an Air Quality Impact Assessment for the proposed Cantil Solar Project.

**Bureau of Land Management (BLM) San Joaquin Valley Oil and Gas Ambient Air Monitoring Project, Kern County, California.** Mr. Vander Weele setup and maintained the BLM's Environmental Beta-Attenuation Mass Monitors (E-BAM) in the southern portion of the San Joaquin Valley. He further provided the BLM with data management of the air quality data obtained from the E-BAM units.

**Phase I and Phase II Environmental Site Assessments (ESA) / California, Connecticut, Massachusetts, Michigan, New Jersey, North Carolina, and Washington State.** Mr. Vander Weele conducted numerous Phase I and Phase II ESAs at residential, commercial, and industrial facilities.

## CERTIFICATIONS AND TRAINING:

State of California Registered Professional Geologist No. 8241.

Qualified Storm Water Pollution Prevention Plan Developer and Practitioner (QSD/QSP) Certificate No. G08241

AERMOD Modeling System

Aviation Administration Aviation Environmental Design Tool (AEDT)

California Emissions Estimator Model® (CaleeMod)

Modular Hydrologic Model (MODFLOW)

Small Arms Range Noise Assessment Model (SARNAM)

Federal Highway Administration Traffic Noise Model® 2.5 (TNM 2.5)

SoundPLANessential 5.1

# Natalie Goetz

Staff Planner

**EDUCATION:** B.S. Biology with a Concentration in Marine Science and a Minor in Sustainability, San Diego State University, San Diego, 2019.

**EXPERIENCE:** Ms. Goetz joined Padre Associates in October of 2021 and has over 4 years of professional experience with two universities and an environmental consulting firm as a lab and field technician. She is a certified Protected Species Officer (PSO) through MPSC and has worked on multiple projects involving the U.S Army Corps of Engineers (ACOE) subject to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). She has conducted pre-construction and post-construction biological surveys for a variety of projects in compliance to the mitigation plans specified in the environmental documents. With Padre, Ms. Goetz is currently drafting environmental documents and ensuring environmental compliance for multiple projects across counties from Central to Northern California.

Representative projects Ms. Goetz has worked on include:

**Highway 120 Lodging Hospitality Project, Tuolumne County, California.** Ms. Goetz is currently a Staff Planner in support of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Highway 120 Lodging Hospitality Project (Project). The Project's development includes 200 guest suite accommodations, lodge, market and bar, pool and pool house, soaking tubs, and an events space located on State Route 120 in the Big Oak Flat area near Groveland, Tuolumne County.

**Camp Roberts High Water Bridge Project, Camp Roberts, California.** Ms. Goetz is currently a Staff Planner in support of the joint NEPA/CEQA environmental document for the Camp Roberts High Water Bridge Project (Project). The Project includes constructing a joint access road and pier foundation repair of the existing High Water Bridge. Padre will prepare the joint environmental document with assistance and review from the California Army National Guard (CA ARNG) environmental staff and the National Guard Bureau (NGB-ILE).

**PG&E L123 L-130 Replacement Project, Sacramento and Solano Counties, California.** Ms. Goetz is currently assisting the California State Lands Commission (CSLC) as a Staff Planner for Padre in the preparation of the Draft IS/MND for the decommissioning/replacement of pipeline spanning the Sacramento River across two counties in Northern California. She is working with project management to ensure environmental compliance to CSLC standards. Ms. Goetz is predominantly working on the Hydrology, Hazards and Hazardous Materials, and Geology, Soils, and Paleontological Resources sections of the document, ensuring compliance with the General Plans of both counties.

**Naval Base San Diego Pier 8 Demolition and Reconstruction Project, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz was the PSO during the demolition and reconstruction phases for the modernization of Pier 8 for U.S Navy usage. Her duties were to work alongside Manson construction company, maintaining

continuous monitoring and to provide verbal permission for every pylon that was removed/installed.

**San Diego Bay Maintenance dredging Project, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz was the PSO for the maintenance dredging project throughout San Diego Bay involving ACOE. Her duties were to work alongside dredgers and report any animal sightings and determine level of impact.

**San Diego Bay Habitat Valuation Study, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz assisted in the valuation study of habitat production as it relates to depth in San Diego Bay (SDB) involving the U.S. Navy. Associated with new project construction, this study relates unvegetated bottom productivity with that of eelgrass habitat to determine how future projects will affect the long-established "mitigation bank" pursuant to eelgrass habitat remediation. Ms. Goetz participated in sediment collection from multiple sites in SDB and categorized invertebrates microscopically for data collection.

**CERTIFICATIONS  
AND TRAINING**

"CEQA Training" Certification, University of California San Diego Extension, San Diego, 2021.

**PROFESSIONAL  
AFFILIATIONS:**

California San Diego Chapter, American Planning Association, member #392908

## **APPENDIX B**

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### **REPRESENTATIVE EXPERIENCE**



## REPRESENTATIVE EXPERIENCE

Padre personnel have extensive experience in the management and preparation of a variety of special resource studies, environmental impact analyses, mitigation monitoring reports and supplemental documentation. Our staff members are also experienced in the implementation of mitigation/environmental monitoring programs and providing regulatory analysis and permitting services for public and private clients. Our staff members have worked on commercial, industrial, residential, infrastructure and planning projects that have ranged from the simplistic to the complex and highly controversial. The paragraphs below provide a representative listing of our diverse project experience throughout the region.

### CEQA DOCUMENTS

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#### **Railroad Safety Trail, Taft to Pepper Street Project, San Luis Obispo**

Services: Mitigated Negative Declaration, Natural Environmental Study – Minimal Impact, Initial Site Assessment, Noise Study Report, Archaeological Study  
Client: City of San Luis Obispo, Public Works Department

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Under an on-call contract with the City's Public Works Department, Padre provided archaeological, biological, and planning services for the Railroad Safety Trail Project. The Project includes a new segment of the Railroad Safety Trail from California Boulevard and Taft Street to Phillips Lane and a new pedestrian/bike bridge to Pepper Street. Padre staff prepared a Natural Environment Study with Minimal Impact, Initial Site Assessment, Noise Study Report and an Archaeological Survey Report/Historic Properties Survey Report. Padre's archaeological staff also assisted the City with AB 52 consultation. Upon completion of the technical studies, Padre prepared the Mitigated Negative Declaration for the Project. The Project is currently under construction.



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#### **Morro Bay Power Plant Marine Terminal Decommissioning Project**

Services: Mitigated Negative Declaration, Regulatory Agency Permitting, Biological Studies, and Compliance Monitoring (Onshore and Offshore)  
Client: Dynegy Morro Bay, LLC and California State Lands Commission

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Padre prepared the Mitigated Negative Declaration in coordination with the California State Lands Commission (CSLC) for the Dynegy Morro Bay, LLC Morro Bay Power Plant Marine Terminal Decommissioning Project. Padre also assisted in preparation of the Project Plans including, but not limited to, the Site Restoration Plan, Marine Wildlife Contingency Plan, Cultural Resources Management Plan, Tribal Cultural Resources Management Plan, and Hazardous Materials Management and Contingency Plan. Other Project tasks include preparation of the air quality and greenhouse gas emission calculations, asbestos survey, biological surveys, and nesting bird surveys. Padre also prepared regulatory permit applications



and secured the following permits for the Project: California Coastal Commission Coastal Development Permit, U.S. Army Corps of Engineers Nationwide Permit Authorization, Regional Water Quality Control Board Water Quality Certification, and the California Department of Fish and Wildlife Operation of Law Letter. Padre's staff provided compliance monitoring during construction of offshore and onshore project activities.

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## PERMITTING AND DEVELOPMENT REVIEW

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### **Chevron San Luis Obispo Tank Farm Restoration and Redevelopment Project**

Service: Permitting and Environmental Services

Client: Chevron Environmental Management Company

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Padre provided permitting and environmental services to Chevron Environmental Management Company for the proposed remediation, restoration, and re-development of the former San Luis Obispo Tank Farm Property in San Luis Obispo. This 340-acre property was historically used for the storage of crude oil within the former transportation system on the Central Coast. The property was impacted by the release of petroleum hydrocarbons during a 1926 lightning strike and fire that released over a million barrels of oil to the surrounding area. Padre applied for and obtained permits from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife for the remediation and restoration of the former tank farm, including over 30 acres of wetlands, and the eventual re-development of portions of the site for light industrial and business park uses. Padre prepared site wide wetland surveys, rare plant surveys, and a wetland restoration plan for implementation immediately following site remediation activities. Padre also worked with Garcia and Associates on this project to address on-site historical resources concurrently with site-wide planning. The Project is currently undergoing remediation activities.



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## COMPLIANCE MITIGATION MONITORING AND REPORTING

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### **Marsh Street Bridge Project, San Luis Obispo**

Services: Environmental Compliance Services

Client: Filippin Engineering, Inc.

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As a subconsultant to Filippin Engineering, Padre provided environmental compliance services to the City of San Luis Obispo (City), in support of the Marsh Street Bridge Replacement Project (Project). Padre was responsible for documenting compliance with the Project's environmental permits, including Section 1600 Streambed Alteration Agreement, Section 401 Water Quality Certification, and a Caltrans Programmatic Biological Opinion. Padre's biologists were approved by the United States Fish and Wildlife Service (USFWS) to independently survey for and relocate California red-legged frog prior to and during diversion and dewatering activities. National Marine Fisheries Service (NMFS) authorized Padre biologists to relocate steelhead encountered at the Project, under an emergency take permit. Padre biologists installed block nets



and passively relocated steelhead prior to dewatering activities to avoid significant impacts to federally protected fish. Throughout the Project, Padre was a liaison between the City and regulatory agencies, submitting mandated reports and notifications, requesting variances for nesting bird buffers, and providing schedule updates. Padre monitored for special-status wildlife, including nesting birds, California red-legged frog, and steelhead during Project activities. Padre completed pre-activity surveys, construction monitoring, post-construction surveys, and compliance reporting per the Project's permits and Mitigation Monitoring and Reporting Program, as well as, provided worker environmental awareness training to all Project personnel.

## **BIOLOGICAL RESOURCES**

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### **Spearman Property Aquatic Resources Delineation, Avila Beach, San Luis Obispo County**

Services: Aquatic Resources Delineation

Client: Kristina Spearman

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Padre completed an aquatic resources delineation survey for a residential development project located near Avila Beach, in San Luis Obispo County California. The purpose of the survey was to delineate and make a jurisdictional determination of an aquatic feature within the property. Padre evaluated the potential wetland feature using the three-parameter test (hydrophytic vegetation, hydric soils, and hydrology) in accordance with the *1987 United States Army Corps of Engineers Manual and the Interim Regional Supplement: Arid West Region Version 2.0*. Padre conducted a comprehensive desktop review prior to the field survey to provide historical context and relevant information to assist with the jurisdictional determination. Field survey methods plant identification, digging soil test pits and evaluating for presence of hydric soil indicators, evaluating the site for presence of hydrology indicators, and data was recorded on U.S. Army Corps of Engineers Arid West Wetland Data Forms. Padre prepared a report for the client summarizing the methods used, survey results, jurisdictional determination, and alternatives analysis, with an aquatic resources delineation figure and photos as attachments.



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### **Various Residential and Commercial Development Projects, San Luis Obispo County**

Services: Biological Resource Assessments

Client: Multiple (full list available upon request)

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Padre has conducted biological resources assessment surveys for numerous residential and small commercial projects throughout San Luis Obispo County within coastal and inland wetland, riparian, and upland habitats. The primary focus of the biological resources assessments was to provide the client with a complete and comprehensive summary of the existing biological and ecological conditions and special-status plants and wildlife that have the potential to occur within the project site and region. In addition, Padre provided recommendations to avoid or minimize impacts to biological resources, sensitive habitats, and potentially occurring special-status species. Key issue areas



that Padre has encountered have included aquatic resources, wetland and riparian habitats, environmentally sensitive habitat areas, special-status plants and wildlife (California red-legged frog, western pond turtle, San Joaquin kit fox, American badger, burrowing owl), and oak trees. In addition to field work, Padre completed queries of environmental databases such as the California Department of Fish and Wildlife's California Natural Diversity Database, United States Fish and Wildlife's Critical Habitat Portal and National Wetland Inventory to obtain relevant information regarding biological resources of the project site.

## CULTURAL RESOURCES

### Avila Ranch Development Project, Buckley Road Extension, City of San Luis Obispo

Services: Archaeological Monitoring

Client: Wathen Castanos Homes

Padre currently provides archaeological and tribal monitors in support of the Buckley Road Extension, which is part of the larger Avila Ranch Development Project in the southern part of the City of San Luis Obispo. In compliance with the mitigation measures included in the Project Environmental Impact Report, one Padre archaeologist and one member of the local Chumash tribe monitor all Project-related ground disturbance for the presence of significant cultural materials and features. Prior to ground disturbance, the Padre archaeologist provides cultural resource awareness training for all construction personnel. Padre is also contracted to monitor the remaining phases of the Avila Ranch Development Project in 2022 and beyond. Once all ground disturbance is complete, the senior archaeologist will prepare a cultural resource completion report summarizing all encountered finds. Cultural concerns associated with this project have required frequent communication with the *yak tit'u tit'u* Northern Chumash tribe.



## NOISE STUDIES

### Los Osos Valley Road/U.S. 101 Interchange Improvements Project, San Luis Obispo

Services: Noise Study

Client: City of San Luis Obispo

Padre assisted the City of San Luis obispo in the preparation of a noise study and subsequent noise impact analysis for the interchange improvement project near the Los Osos Valley Road overcrossing in June 2008. This project addressed the congestion and related degradation of the Level of Service (LOS) that is projected for the 2035 scenario in the corresponding area. Padre staff used 38 receptor locations to analyze six project alternatives. The analysis indicated that there would be no substantial noise level increase during operation of the completed project from pre-existing conditions.



# **APPENDIX C**

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## **FEE SCHEDULE**

## 2021 STANDARD FEE SCHEDULE

### **PROFESSIONAL SERVICES**

Principal Professional II .....	\$ 210/hr
Principal Professional .....	\$ 180/hr
Senior Professional II.....	\$ 160/hr
Senior Professional.....	\$ 150/hr
Project Professional II.....	\$ 130/hr
Project Professional.....	\$ 120/hr
Staff Professional II.....	\$ 110/hr
Staff Professional.....	\$ 95/hr
Senior Technician (Non-Prevailing Wage).....	\$ 90/hr
Senior Technician (Prevailing Wage).....	\$ 95/hr
Technician (Non-Prevailing Wage) .....	\$ 80/hr
Technician (Prevailing Wage) .....	\$ 85/hr
Senior GIS/CAD Specialist.....	\$ 110/hr
GIS/CAD Specialist.....	\$ 95/hr
Drafting.....	\$ 75/hr
Word Processing/Technical Editor .....	\$ 80/hr

\*Overtime rates for Technicians and Office Staff is 1.3 x rates shown.

Fees for expert witness preparation, testimony, court appearances, or depositions will be billed at the rate of \$425 per hour.

### **OTHER DIRECT CHARGES**

Subcontracted Services.....	Cost Plus 15%
Outside Reproduction.....	Cost Plus 15%
Travel, Subsistence, and Expenses.....	Cost Plus 15%
Vehicle .....	\$ 80/day
Photoionization Detector .....	\$ 120/day
Nuclear Density Gauge .....	\$ 85/day
Automobile Mileage .....	\$ 0.85/mile

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June 2, 2022

Charles Grace, General Manager  
San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452

**Re: San Simeon Community Services District – Request for Proposal for On-Call Planning, Permitting and Environmental Services**

Dear Mr. Grace,

Terra Verde Environmental Consulting, LLC (Terra Verde) is pleased to submit this Statement of Qualifications for consideration by the San Simeon Community Services District (SSCSD), to be approved for on-call planning, permitting and environmental services for a period of three years. We understand the typical environmental consulting needs of the SSCSD and offer a broad range of services and expertise relevant to the natural resources of the area. This proposal is valid for 120 days.

Terra Verde does not currently have any specific plans to use subcontractors to perform this scope of work, and the vast majority of work performed by Terra Verde is performed by employees. To our knowledge, no conflicts of interest, family, or financial relationships exist between Terra Verde or any of its employees and the SSCSD.

Terra Verde Environmental Consulting is an LLC located in the state of California. Terra Verde does not currently have any litigation pending. Terra Verde also does not have any bankruptcy or insolvency proceedings from any point in the last 10 years.

Should you have any questions related to this proposal, please contact me at [blangle@terraverdeweb.com](mailto:blangle@terraverdeweb.com) or 805-896-5479. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Brooke Langle".

Brooke Langle, Principal  
(805) 592-2855  
[blangle@terraverdeweb.com](mailto:blangle@terraverdeweb.com)  
3765 S Higuera Street, Suite 102  
San Luis Obispo, CA 93401

Electronic Submittal: Electronic copy of proposal submitted via email on 6/2/22  
Hard Copy Submittal: Hard copy hand delivered to SSCSD office on 6/2/22.





**TERRA VERDE ENVIRONMENTAL  
CONSULTING, LLC**

3765 South Higuera Street, Suite 102

San Luis Obispo, California 93401



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## FIRM OVERVIEW

Terra Verde Environmental Consulting, LLC (Terra Verde) is pleased to provide this Statement of Qualifications to the San Simeon Community Services District, highlighting Terra Verde's extensive experience in the environmental consulting industry. Our main office is located in the City of San Luis Obispo and would be the primary point of service for District projects.

Terra Verde is an environmental consulting firm founded in 2007 by Principal Biologist Brooke Langle. Ms. Langle was joined by Principal Biologist Brian Dugas in 2011. Terra Verde consistently provides high quality biological and environmental planning services to our clients as they negotiate the environmental review, permitting, and compliance processes. We have developed our reputation and the trust of our clients by providing a thorough, unbiased, and professional evaluation of every project.

Terra Verde has extensive experience in the public sector, including city and county governments, public works, and special districts. We have worked with several special districts, including Cambria Community Services District and Santa Ynez Community Services District and currently maintain an on-call contract with the Oceano Community Services District. Additionally, Terra Verde has maintained numerous on-call biological services contracts with other government entities including County Public Works Departments, Planning Departments, and General Services Agencies. We have conducted peer review for the City of Morro Bay and San Luis Obispo County, as well as provided biological services to the City of Arroyo Grande, City of Atascadero, and the City of Paso Robles. Terra Verde also holds contracts with large entities such as the California Army National Guard.

Terra Verde is an established environmental consulting firm which is independent of the San Simeon Community Services District.

Terra Verde is a certified woman-owned and LGBT business enterprise by the California Public Utilities Commission (CPUC) (Certificate # 9LS00115), a certified small/micro-business by the State of California (#57155), and a disadvantaged business enterprise by the California Department of Transportation.

## OFFICE LOCATIONS

- Main Office (San Luis Obispo, CA) – 3765 S Higuera St, Suite 102, San Luis Obispo, CA 93401
- Satellite Office (Port Angeles, WA) – 618 S Peabody Street, Unit K, Port Angeles, WA 98362



## EXPERIENCE SUMMARY

### ON-CALL ENVIRONMENTAL AND PERMITTING SUPPORT SERVICES

Terra Verde has assisted a number of clients via on-call contracts for environmental and permitting support services. Our services have included:

- Focused constraints analysis and constructability reviews,
- biological resources assessments and jurisdictional determinations,
- completion of pre-application meetings with regulatory agencies,
- assistance with developing appropriate project specific mitigation measures,
- site restoration planning and implementation
- regular coordination with regulatory and jurisdictional agencies,
- completion of the regulatory agency permitting process,
- assistance with CEQA and NEPA review process,
- support with grant application development and implementation,
- regularly meeting with client representatives and assistance with planning, organizing, and overall project management.

### BOTANY

Terra Verde botanists have conducted numerous botanical surveys for public and private clients, including the annual monitoring of the federally threatened purple amole (*Chlorogalum purpureum* var. *purpureum*) on Camp Roberts and the federally endangered San Luis Obispo fountain thistle (Chorro Creek Bog Thistle) (*Cirsium fontinale* var. *obispoensis*) at Camp San Luis Obispo for the California Army National Guard. Additionally, we implemented the long-term habitat restoration monitoring for Topaz Solar Farm, operated by BHE Renewables, in eastern San Luis Obispo County. Lastly, Terra Verde has conducted numerous general and focused botanical surveys for hundreds of clients.



## WETLAND DELINEATION

Terra Verde's wetland work is led by Mr. Dugas with assistance from our botanists. Mr. Dugas regularly conducts wetland delineations and Waters of the U.S. and State jurisdictional determinations. Additionally, Ms. Langle helped develop and has taught a senior level wetlands course at California Polytechnic State University in San Luis Obispo (Cal Poly). Our staff conducts wetlands field work and generates the needed technical documentation for these resources. We have prepared countless permit applications for potential and actual waters and wetland impacts on behalf of our clients, and have assisted them with developing appropriate avoidance, mitigation, and restoration measures where warranted.

## WILDLIFE BIOLOGY

Our biologists have experience with a variety of wildlife species, including many special-status species that occur along the central coast, such as:

- American badger (*Taxidea taxus*)
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)
- California red-legged frog (*Rana draytonii* [CRLF])
- Western pond turtle (*Actinemys marmorata*)
- Western spadefoot toad (*Spea hammondi*)
- Coast horned lizard (*Phrynosoma blainvillii*)
- California legless lizard (*Anniella pulchra pulchra*)
- Two-striped garter snake (*Thamnophis hammondi*)
- South-central California coast steelhead (*Oncorhynchus mykiss*)
- Northern tidewater goby (*Eucyclogobius newberryi*)
- Western snowy plover (*Charadrius nivosus*)
- Avian species
- Vernal pool species
- Marine mammals



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## CALIFORNIA RED-LEGGED FROG

Terra Verde biologists work with CRLF and regularly receive approval from the United States Fish and Wildlife Service (USFWS) to survey, monitor, handle, and relocate CRLF when necessary. Terra Verde's experience with CRLF began in 1995 prior to the species being listed as threatened under the federal Endangered Species Act. Ms. Langle conducted surveys and research with the United States Geological Survey (USGS) biologists studying this species within San Simeon State Park. This work included surveys, capture, and pit-tagging of CRLF. Since that time, our biologists have had extensive experience with CRLF throughout the species' range, particularly in San Luis Obispo and the surrounding counties.

## AVIAN BIOLOGY

Avian biology has become a key component of Terra Verde's work. We conduct habitat assessments, preconstruction surveys, nest monitoring during construction, and prepare reports. Each spring, our biologists monitor avian nesting activity as required by the Migratory Bird Treaty Act and CDFW code, as well as conduct targeted surveys for special-status bird species such as burrowing owl (*Athene cunicularia*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), Swainson's hawk (*Buteo swainsoni*), southwestern willow flycatcher (*Empidonax traillii extimus*), and least Bell's vireo (*Vireo bellii pusillus*). Additionally, our biologists have conducted surveys and monitoring for the western snowy plover.

## REGULATORY PERMITTING SUPPORT AND AGENCY COORDINATION

Terra Verde works regularly with local, state, and federal agencies and has represented clients during meetings with the agencies to discuss projects until final permit approval and/or authorization to proceed is received. This includes regularly conducting pre-application meetings with agency representatives to discuss overall project objectives, permit application process and requirements, likely permitting path forward, tentative permitting timeline, and mitigation requirements to ensure a successful outcome. We find that this approach, along with early communication with the regulatory agencies, speeds the timing and increases the effectiveness of our work and aids in the ultimate goal of obtaining permits for our clients. As part of this process, our firm has developed, submitted, and obtained numerous permits and authorizations from the United States Army Corps of Engineers (the Corps), United States Fish and Wildlife Service (USFWS), the Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW). We have also submitted numerous biological documents in support of projects requiring Caltrans and the Federal Highway Administration (FHWA) authorization.



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#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Terra Verde has extensive experience in the management and preparation of a variety of special resource studies (primarily biological and botanical), mitigation monitoring programs, and supplemental documentation in support of the CEQA process for our clients. Our staff have worked on commercial, industrial, residential, and infrastructure projects that have ranged from simplistic (minor permits) to complex and controversial (repair projects for community service districts). This includes support of post CEQA filing project implementation including oversight and environmental compliance monitoring.

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#### NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Projects involving federal approvals and/or financing through federal funding require environmental documentation under NEPA. The key to successfully completing these documents is early and effective communication with the federal lead agency and understanding their NEPA implementation guidelines. Terra Verde staff have prepared numerous technical studies and documents in support of the NEPA process and are familiar with the specific environmental documentation and review requirements of several federal agencies including USFWS, the Corps, and the FHWA.

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#### ENDANGERED SPECIES ACT AND THE CALIFORNIA ENDANGERED SPECIES ACT

A majority of the work conducted by Terra Verde is driven by the federal and California Endangered Species Acts. We assist our clients in navigating this complex regulatory process and successfully obtain permits on their behalf. The key to our success is the consistent implementation of the following approach: conducting thorough research and field work to identify potential sensitive species; working closely with our clients via planning and developing the project description to avoid or minimize impacts, as feasible; and, working diligently to develop mitigation measures that are both cost-effective and successful in reducing the level of potential impacts. Our significant experience with the regulatory agencies and their expectations helps us to address and resolve issues prior to CEQA review or permitting. Again, we find that this approach, along with early communication with the regulatory agencies increases efficiency and aids in the ultimate goal of obtaining permits for our clients.

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#### REGULATORY AND JURISDICTIONAL AGENCY COORDINATION

Terra Verde staff routinely assists clients in obtaining permits from federal, state, and local regulatory agencies. The following table includes a list of the agencies we typically work with and the type of permits and/or consultation obtained.



Federal, State, and Local Agencies	Permit Obtained
National Marine Fisheries Service	Biological Opinions (via consultation with the Corps)
U.S. Army Corps of Engineers	Jurisdictional Determinations, Nationwide Permitting Program authorizations
U.S. Fish and Wildlife Service	Biological Opinions (via consultation with Corps)
California Department of Fish and Wildlife	Lake and Streambed Alteration Agreements
Regional Water Quality Control Board	401 Water Quality Certifications/Waivers
County of San Luis Obispo	Minor Use Permits, Conditional Use Permits, Grading Permits, Temporary Events Permits

#### PROJECT MANAGEMENT AND SUPPORT

At Terra Verde, we understand the complexity and often time-sensitive nature of the diversity of projects we may support for our clients and how delays or inefficiencies can impact the project budget and schedule. Our team thoroughly reviews and understands proposed project activities and completes background research, surveys, and reporting per regulatory agency requirements to ensure the project remains in compliance and has complete information for the permitting process. Our staff are dedicated to high quality work, positive communication with project team members, and timely submission of reports and other deliverables. Our staff consistently work to track our projects internally, including budgets, costs, scheduling, and deadlines. Additionally, Terra Verde has assisted large utility clients with a wide variety of project management tasks.

#### GRANT IMPLEMENTATION SUPPORT

Terra Verde has supported with several clients in grant application development and implementation, including attending coordination meetings, completing biological and botanical surveys, assessing waters and wetlands, preparing biological and wetland delineation reports, preparing and submitting agency permit applications, permit tracking and follow up support, and drafting site restoration plans. Most recently, Terra Verde supported Creek Lands Conservation with the grant application development and regulatory agency permitting for the Marre Weir Fish Passage Improvement Project in lower San Luis Obispo Creek. Tasks included a focused biological resources assessment, wetland delineation, site restoration planning/design and implementation of the regulatory agency permit process.



## ENVIRONMENTAL COMPLIANCE INSPECTION

Terra Verde has developed an impeccable reputation in the environmental compliance industry. Our staff have logged thousands of hours providing biological preconstruction surveys, environmental trainings, biological monitoring, and environmental compliance inspections for many clients. Our biologists and botanists understand the importance of high-quality survey and reporting work ahead of construction activities, and provide clear, relevant environmental crew trainings. Our employees are professional and responsive as monitors or inspectors, ensuring to look ahead to avoid environmental impacts or cause unexpected delays. Terra Verde has provided environmental compliance services on numerous County Public Works projects in the Central Coast region including the San Simeon Creek Road Bridge Replacement projects.

## REPRESENTATIVE PROJECT EXPERIENCE

### ENVIRONMENTAL COMPLIANCE AND RESOURCE MANAGEMENT

#### ARROYO GRANDE CREEK WATERWAYS IMPROVEMENT PROJECT, SAN LUIS OBISPO COUNTY

Terra Verde is providing environmental support services to the County of San Luis Obispo for the Arroyo Grande Creek Waterways Improvement Project, located near the City of Arroyo Grande and the community of Oceano, in San Luis Obispo County. The project involves the phased implementation of a maintenance and monitoring program within the Arroyo Grande Creek and Los Berros Creek flood control channels. Terra Verde is providing support and oversight of mitigation installation activities, maintenance of mitigation areas, and annual monitoring and reporting activities. Annual monitoring surveys include a robust analysis of the vegetation composition, wildlife use, habitat value, and recommendations for the implementation of adaptive management strategies to meet diverse project goals.



Terra Verde is coordinating all aspects of this multi-year project to identify and address maintenance needs and coordinate schedules. In addition, Terra Verde provides expertise in protection of relevant sensitive species, including south-central California coast steelhead and CRLF, both federal threatened species, as well as nesting and special-status avian species.

## PERMITTING SUPPORT AND AGENCY COORDINATION

### EMERGENCY WATERLINE REPAIR PROJECT, OCEANO COMMUNITY SERVICES DISTRICT

Terra Verde supported the Oceano Community Services District with permitting assistance and compliance monitoring for an emergency repair of an existing waterline within the Oceano Lagoon. The proposed project alignment intersected the tidally influenced portion of the lagoon and was within the originally retained jurisdiction of the California Coastal Commission. Terra Verde conducted a focused biological constraints analysis of the project alignment and supported the project team with the early design phase to ensure avoidance of sensitive resources. Tasks included completion of a jurisdictional determination, biological assessment, and preparing emergency permit applications for submittal to the California Coastal Commission and California Department of Fish and Wildlife. Terra Verde also supported the district with their internal CEQA exemption



filing. Following agency authorization to proceed, Terra Verde conducted pre-activity surveys, environmental training, and compliance monitoring. Sensitive resources with potential to occur on site included California red-legged frog, western pond turtle, and migratory nesting birds.

### CITY OF SAN LUIS OBISPO SEDIMENT REMOVAL PROJECTS

Terra Verde has supported the City of San Luis Obispo with obtaining appropriate agency permits for several high priority sediment removal projects in San Luis Obispo and Prefumo Creeks. We provided permitting assistance in 2011, 2014, 2017, and 2021, obtaining Corps Section 404 Nationwide Permits, Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification, and a five-year Routine Maintenance Agreement with CDFW for numerous sediment removal projects in San Luis Obispo. We are currently supporting the City by obtaining new agency permits for similar high priority sediment removal projects that are expected to be completed in 2022. This includes performing biological reconnaissance surveys, identifying and mapping jurisdictional boundaries, preparing permit application packages, consulting with agencies, and tracking permits.



MORRO BAY TO CAYUCOS CONNECTOR, SAN LUIS OBISPO COUNTY PARKS



Terra Verde was awarded a contract to prepare NEPA documents and resource agency permits for the Morro Bay to Cayucos Connector Project. The project includes an approximately 2.5-mile-long multi-use (Class I) trail connecting the north end of the City of Morro Bay with the southern end of Cayucos. Biological resources documents, including a Biological Assessment, and cultural resources documents were prepared per

FHWA guidelines. Terra Verde is working closely with the project engineers to develop a site restoration plan and ensure resources are avoided to the extent feasible. In addition to biological resources, cultural and aesthetic resources will be managed and issues such as hazardous materials, bluff retreat, and parking capacity will be addressed. Terra Verde will be supporting the regulatory agency permitting process as part of the next phase. A number of special-status wildlife and plant species occur in the project area, such as CRLF, western snowy plover, red sand-verbena (*Abronia maritima*), and California seablite (*Suaeda californica*), as well as numerous Environmentally Sensitive Habitat Areas along the coast.

BLOSSER BIORETENTION SYSTEM PROJECT, CITY OF SANTA MARIA

Terra Verde was awarded a contract to assist the City of Santa Maria with conducting a biological resources assessment and subsequent permitting assistance in support of the proposed Blosser Bioretention System Project located in the City of Santa Maria, Santa Barbara County California. The proposed project included construction of a bioretention system for the purposes of reducing storm water contamination upstream of the receiving waters of the Santa Maria River. Terra Verde



conducted a comprehensive wildlife and botanical survey of the 5.75-acre project site. We provided jurisdictional determination for the subject storm water conveyance feature, conducted biological surveys, prepared a biological resources assessment report, and prepared permit applications for submittal to the Corps, CDFW, and RWQCB. Sensitive resources with potential to occur on site were CRLF, western pond turtle, monarch butterfly (*Danaus plexippus*), and migratory nesting birds. Deliverables included a complete species inventory and a comprehensive report detailing findings, potential impacts to sensitive resources, and suggested mitigation and avoidance measures.

## GRANT IMPLEMENTATION SUPPORT

### SAN LUIS OBISPO CREEK MARRE WEIR FISH PASSAGE IMPROVEMENT PROJECT, CREEK LANDS CONSERVATION



Terra Verde provided environmental support services to Creek Lands Conservation for the Marre Weir Fish Passage Improvement Project. This project is a grant-funded project to replace the existing weir structure within San Luis Obispo Creek to improve conditions for fish migration, specifically adult steelhead and lamprey. Services included support with grant application development, attending Technical Advisory Committee coordination meetings, completion of biological and botanical surveys and a formal wetlands delineation, development of a site restoration plan, preparation and submittal of agency permit applications, permit tracking and follow up support. Terra Verde is currently supporting Creek Lands Conservation to acquire additional grant funding to complete the permit process as well as project implementation.

## BIOLOGICAL SURVEYS

### MEADOW CREEK LAGOON BIOLOGICAL ASSESSMENT, SAN LUIS OBISPO COUNTY

Terra Verde was awarded a contract from the County of San Luis Obispo Public Works Department to conduct a comprehensive biological resources assessment of the Meadow Creek Lagoon area after a series of flooding events impacted the low-lying properties in surrounding areas. The biological resources assessment data informed the County's development of viable alternatives to improve overall flood control within the system. Biological survey tasks completed on behalf of the County included a seasonally timed botanical survey and floristic inventory, wetland delineation, general wildlife surveys, protocol-level CRLF surveys, fisheries assessments, and completion of a biological resources assessment technical report. Mr. Dugas led the majority of field surveys with support from Ms. Langle. The final technical report included recommended mitigation measures to assist the County with implementation of future flood control improvement projects in the project area.



## BIOLOGICAL COMPLIANCE MONITORING

### AIR PARK DRIVE BRIDGE REPLACEMENT PROJECT, SAN LUIS OBISPO COUNTY



Terra Verde provided biological monitoring and permit compliance reporting for the County of San Luis Obispo during replacement of an old wooden bridge spanning the western portion of the Meadow Creek lagoon on Air Park Drive in Oceano, CA. The project included the temporary installation of upstream and downstream sheet pile cofferdams, a series of bypass overflow pipes, demolition and replacement of the existing bridge, and restoration of the streambanks.

Terra Verde conducted preconstruction surveys, daily construction monitoring, and routine site inspections focused on guiding the County in compliance with the California Department of Fish and Wildlife Streambed Alteration Agreement, Section 401 Water Quality Certification, and U.S. Army Corps of Engineers Nationwide Permit. This included assistance with pre-activity surveys for tidewater goby (seine pulls) led by fisheries biologist Johanna Kisner within the open channel habitat area beneath Air Park Drive Bridge. Daily duties included environmental training for construction personnel, conducting daily pre-activity surveys for CRLF and western pond turtle, documentation of compliance with permits, coordination with the County’s contractor, and close coordination of site conditions with the County Resident Engineer.

Terra Verde monitored all cofferdam removal activities and played a critical role in facilitating final site recontouring as well as oversight of non-native *Arundo donax* removal efforts within the mitigation area. In summary, Terra Verde coordinated between the County and their contractor to achieve overall permit compliance while also allowing construction to continue without interruption.

### PRICE CANYON ROAD WIDENING PROJECT – PHASE II, SAN LUIS OBISPO COUNTY

Terra Verde was awarded the biological monitoring compliance contract with the County Department of Public Works for the Price Canyon Road Widening Project – Phase II. As part of the biological monitoring scope, Terra Verde completed preconstruction surveys for special-status plants and wildlife species. Biologists conducting wildlife surveys received preapproval from the USFWS under a Programmatic Biological Opinion to survey, monitor, and relocate CRLF, as necessary. Special-status botanical species observed during preconstruction surveys included the federally listed Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*) as





well as California Native Plant Society (CNPS) listed plant species Santa Margarita manzanita (*Arctostaphylos pilosula*) and black-flowered figwort (*Scrophularia atrata*).

During initial project implementation, Terra Verde biologists provided guidance for the County's contractor during installation of delineation fencing to ensure all populations of Pismo clarkia were protected from disturbance. Additionally, Terra Verde conducted seed collection for black-flowered figwort, per the approved mitigation plan, ahead of construction disturbance. Terra Verde biological monitors maintained frequent communication with the County Environmental Resource Specialist and Resident Engineer while working collaboratively with the site contractor to ensure construction operations were in compliance with regulatory permitting measures. During the nesting bird season, Terra Verde helped to develop reduced buffer areas as approved by CDFW to facilitate construction progress while protecting sensitive avian resources discovered in the project area. Compliance infractions encountered during construction were resolved in a prompt, professional manner by maintaining lines of communication between all parties of the project team. Terra Verde monitoring duties also included providing environmental trainings for new project personnel, compliance reporting, and providing project completion reporting for all agency permits.

## PERSONNEL

Resumes for key staff are attached to this proposal.

### BROOKE LANGLE, PRINCIPAL BIOLOGIST

*Specialties: Biological Peer Review, Environmental Compliance, Wildlife Biology, Wetlands, CRLF*

In 2007, Ms. Langle created Terra Verde with the goal of returning to her passion: biological field work. Ms. Langle moved to San Luis Obispo in 1990 to attend Cal Poly and began her biological field work as a student, then later as a volunteer on local research projects. These projects included working as an intern for the County of San Luis Obispo's Planning Department and later working with the USGS staff conducting research on CRLF and other sensitive species. Upon graduating from Cal Poly in 1995, Ms. Langle continued her career in field biology as an independent consultant. Over a period of 12 years, she worked for several consulting firms and gained project management, supervision, and marketing skills relating to environmental consulting services until she started Terra Verde. She acted as the national Environmental Compliance Manager for Essex Environmental, later TRC Solutions, and was responsible for the management and quality control of environmental compliance and training services for the company throughout the United States. During the second year of business for Terra Verde, Ms.



Langle secured an on-call contract with the County of San Luis Obispo's Planning Department for conducting biological peer review services. Terra Verde continues to provide peer review services to the County, including assisting the County with developing training for consulting biologists as well as County planners.

Ms. Langle holds a California Scientific Collector's Permit (#5592) and maintains a certificate of completion for 40-hour Hazwoper and 24-hour first responder (operations level) training, including the required annual 8-hour Hazwoper refresher courses. She has extensive experience with CRLF as well as other sensitive species.

#### BRIAN DUGAS, PRINCIPAL BIOLOGIST

*Specialties: Wildlife, Fisheries, CRLF, Wetlands, Permitting*

Mr. Dugas has 25 years of experience in the environmental field as an environmental specialist with emphasis in biological resources impact analysis. During this period, Mr. Dugas performed numerous environmental impact assessments, including baseline biological resources evaluations, biological and regulatory constraints analyses, and sensitive habitat studies for a variety of CEQA and NEPA projects. His experience includes regulatory permitting for abandonment of coastal oil facilities, including several offshore marine terminals and associated onshore pipeline corridors, and implementation of flood control, transportation, and other public works-related improvement projects. Permitting efforts involved close coordination with all applicable regulatory agencies, including formal and informal special-status species consultations with the CDFW and USFWS under the federal and California Endangered Species Act. He has extensive experience with sensitive species, including CRLF and steelhead trout and leads Terra Verde's waters and wetland delineation program. This experience has included numerous field evaluations and preactivity surveys for federally listed species utilizing approved survey protocols.

Mr. Dugas holds a M.S. degree in General Agriculture with emphasis in Fisheries and Wildlife Management and a B.S. degree in Natural Resources Management from Cal Poly. Mr. Dugas is also a Certified Professional in Erosion and Sediment Control (#6727) and holds a California Scientific Collector's Permit (#5592). Further, Mr. Dugas maintains a certificate of completion for 40-hour Hazwoper and 24-hour first responder (operations level) training, including the required annual 8-hour Hazwoper refresher course.



## ROBYN POWERS, SENIOR BIOLOGIST

*Specialties: Rare and endangered wildlife, SJKF, scent-detection dogs, data management and analysis*

Ms. Powers is a broadly trained wildlife ecologist with nearly 20 years of experience, with an emphasis on rare and endangered species surveys and research. She holds a Bachelor of Science in Environmental Science from the University of Denver in Colorado, and a Master of Science in Biology, with an emphasis on Wildlife Behavior and Physiology, from San Francisco State University. Ms. Powers joined Terra Verde in early 2019 as a Senior Biologist, bringing 10 years of consulting experience and 6 years of experience as a Senior Wildlife Biologist and Project Manager.

Much of her work has focused on rare and endangered mammals and herpetofauna, but she has worked in support of projects focused on a variety of taxa. Ms. Powers has led survey and monitoring efforts at renewable energy facilities, on conservation lands managed or proposed for habitat conservation plans, for transportation projects, and for a variety of construction projects in California locales such as the San Joaquin Valley, Central Coast, Bay Area, and the Channel Islands. During her eight years as a project manager, Ms. Powers has worked with multiple local rare and endangered species and has advised on and implemented avoidance and minimization measures for large- and small-scale construction projects in the County. She has extensive experience with and has been approved by USFWS and/or CDFW to survey for, monitor, trap, handle, and/or mark island foxes, SJKF, giant kangaroo rats, and Nelson's antelope squirrels, as well as other local sensitive species. In addition, Ms. Powers managed a scent-detection dog program for six years, led multiple dog-handler teams in pilot studies to detect new species, is a trained detection dog handler, and owns two working dogs trained to detect SJKF scat and bird and bat fatalities. Lastly, Ms. Powers holds a Scientific Collecting Permit (#10093), issued by CDFW.

## SARA SNYDER, WILDLIFE BIOLOGIST

Ms. Snyder joined Terra Verde in 2018, bringing 15 years of experience conducting biological assessments, special-status species surveys, and monitoring for environmental compliance for a variety of projects. In addition to surveying and monitoring for special-status species, Ms. Snyder brings broad avian identification, survey, and behavior experience. As a consultant, Ms. Snyder has numerous hours of experience searching for, identifying, establishing exclusion buffers, and monitoring nests on a variety of projects including for PG&E Wildfire Safety and Inspection Program, during the construction of the California Valley Solar Ranch in California Valley, California and for a number of bridge replacement projects in San Luis Obispo County. In addition, while employed at Arches National Park, Ms. Snyder conducted park-wide breeding raptor and songbird surveys and monitoring which included





identification and documentation of raptor nests, weekly breeding songbird surveys to determine nesting territories, and monitoring a great blue heron rookery.

Ms. Snyder's experience extends to several other relevant taxa. For example, Ms. Snyder has conducted numerous CRLF habitat assessments and protocol-level surveys and has surveyed for and assessed habitat for western pond turtle.

#### PATRICK SCOTT, WILDLIFE BIOLOGIST

Mr. Scott has over 10 years of experience conducting rare and endangered species surveys, biological assessments, and environmental compliance for a wide variety projects. Mr. Scott's duties have included: habitat assessments, protocol-level or as equally intensive surveys, and/or monitoring for American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), steelhead (central and south-central DPS; *Oncorhynchus mykiss*), and CRLF. He has also conducted numerous biological trainings and aided with habitat restoration, monitoring.

Most recently, Mr. Scott has conducted a number of acoustic bat surveys as well as CRLF and pond turtle surveys ahead of project implementation.

#### AMY GOLUB, BOTANIST AND PERMITTING LEAD

*Specialties: Botany, Environmental Compliance, Permitting*

Ms. Golub has a B.S. degree in Environmental Sciences with an emphasis on natural resources management and conservation and a B.A. in geography from San Francisco State University. Ms. Golub has six years of professional experience in the environmental field of botany and restoration including three years of focus on environmental compliance for a wide variety of projects on the Central Coast. Ms. Golub joined Terra Verde in 2015 and responsibilities have included: project management, permitting, biological and botanical resource surveys, vegetation community mapping, oak tree/native tree inventory surveys, rare plant surveys, rare plant mapping and monitoring, jurisdictional determinations, wetland delineations, erosion control implementation and monitoring, preactivity nesting bird surveys, CRLF surveys, native seed collection, and restoration design and implementation. In conjunction with biological fieldwork, office duties performed by Ms. Golub include technical document writing, biological resources assessments, literature and database searches, and data analysis.

Ms. Golub holds a CDFW California Endangered Species Act and Native Plant Protection Act Plant Voucher Collecting Permit (No. 2081(a)-15-073-V). In addition, Ms. Golub holds a 40-hour Hazwoper



certificate and Mine Safety and Health Administration (MSHA) certificate with required 8-hour refresher courses.

## CONTACT

Brooke Langle is both the contact for coordination during the proposal evaluation as well as the individual authorized to negotiate on behalf of Terra Verde.

Brooke Langle, Principal Biologist

3765 S. Higuera Street, Suite 102

San Luis Obispo, California 93401

Phone: 805-896-5479

Fax: 805-543-4609

[blangle@terraverdeweb.com](mailto:blangle@terraverdeweb.com)

## SCOPE OF SERVICES

Terra Verde proposes to assist the San Simeon Community Services District in the following tasks:

- **Task 1** – Regulatory agency permitting support for capital improvement projects:
  - Preliminary review of capital improvement projects to determine potential environmental constraints and regulatory agency permit triggers. This would include a preliminary desktop review of the site followed by a focused biological constraints analysis and jurisdictional determination in support of the project design phase, as needed. Following preliminary review and design, Terra Verde would support the constructability review process to aid in establishment of the overall project permitting and construction schedule.
  - Once the preliminary project design and planning phases are complete, Terra Verde would conduct a focused biological resources assessment in support of the environmental review process (i.e., CEQA/NEPA phase) and regulatory agency permitting process. If necessary, this would include completion of a focused waters and wetland delineation and development of a compensatory mitigation plan to offset any unavoidable project impacts to jurisdictional areas and/or environmentally sensitive habitat areas (ESHA) as defined in the County Coastal Zone Land Use Ordinance.



- Terra Verde would then complete all applicable regulatory agency permit applications for submittal including but not limited to the Corps, RWQCB, and CDFW. This would include any necessary federal consultations with the USFWS and/or NMFS for impacts to listed species per the Endangered Species Act. Further, Terra Verde would support the coastal development permit process for projects with impacts within the originally retained jurisdiction of the California Coastal Commission and/or those involving lease agreements with the California State Lands Commission (i.e., offshore outfall pipeline). Terra Verde would facilitate the permit process on behalf of the San Simeon Community Services District until all final permits are issued and/or authorizations to proceed are granted by all required regulatory agencies.
- **Task 2** – Regular coordination with regulatory and jurisdictional agencies:
  - This would include pre-application meetings with agency representatives to discuss overall project objectives, permit application process, tentative permitting timeline, and mitigation requirements to ensure a successful outcome. Further, Terra Verde would regularly communicate with the agencies on behalf of the San Simeon Community Services District to facilitate the permit process once the permit applications are filed. This approach will expediate the overall timing of the permit process to remain on schedule. Lastly, Terra Verde will provide the appropriate project notifications and reporting to the agencies per the permit conditions during project implementation.
- **Task 3** – Project management and project support:
  - As part of this task, Terra Verde principal Brooke Langle would provide on-call project management support to the San Simeon Community Services District for capital improvement projects. This would include oversight of the permit compliance and reporting program per regulatory agency requirements to ensure the projects remain in compliance and on schedule. As necessary, Terra Verde would be available to assist with other project management tasks at request.
- **Task 4** – Providing environmental services following CEQA filings:
  - Terra Verde would provide post CEQA filing support on behalf of the San Simeon Community Services District including biological preconstruction surveys, environmental trainings, biological monitoring, and environmental compliance inspections and reporting. Further, Terra Verde would provide support and oversight of post project site stabilization activities and/or any required compensatory mitigation plan implementation and site restoration. This would include annual monitoring and reporting to ensure the restoration sites are meeting and/or exceeding performance criteria per permit conditions.



- **Task 5 – Implementation of environmental services and requirements for grants:**
  - Terra Verde will provide support in grant application development and implementation following issuance. This would include but not be limited to the attendance of coordination meetings, biological surveys, waters and wetlands assessments, preparing and submitting agency permit applications, permit tracking and follow up support, site restoration plans, and compliance monitoring and oversight.

Deliverables may include biological resources constraints reports, biological resources assessment reports, waters and wetland delineation reports, site restoration plans, permit applications, agency correspondence, data files, compliance reports and annual monitoring reports. Terra Verde may also provide scope, cost, and timeline proposals for specific projects or tasks as needed.



## PROPOSED FEES

Terra Verde works hard to provide affordable rates for our clients while maintaining sound business principals and continuing to attract high quality employees.

Listed below are Terra Verde Billing Rates for 2022. These rates will remain in place for the duration of the three-year contract, if awarded.

### TERRA VERDE ENVIRONMENTAL CONSULTING 2022 HOURLY BILLING RATES

Principal	\$150.00/hour
Project Manager	\$135.00/hour
Assistant Project Manager	\$115.00/hour
Senior Wildlife Biologist/Botanist II	\$125.00/hour
Senior Wildlife Biologist/Botanist	\$105.00/hour
Mid Wildlife Biologist/Botanist	\$95.00/hour
Wildlife Biologist/Botanist	\$85.00/hour
Resource Specialist	\$75.00/hour
Technician	\$65.00/hour
GIS	\$95.00/hour
Administrative	\$50.00/hour
Mileage (billed at current government rate)	\$0.56/mile
4WD vehicle/day	\$100.00/day*
Digital camera	\$10.00/week*
Laptop computer	\$25.00/week*
Trimble GPS unit	\$100.00/day*
Cellular phone	\$75.00/month*
Ecological Scent-detection Dog	\$250.00/day
Other direct costs	Billed at cost
Subcontractors	Plus 15%
Per diem	Determined by region

\*These items are not billed for all projects



## REFERENCES

1. County of San Luis Obispo Public Works Department  
Keith Miller, Environmental Division Manager  
[klmiller@co.slo.ca.us](mailto:klmiller@co.slo.ca.us)  
Phone: (805) 781- 5714  
  
976 Osos St, Suite 207  
San Luis Obispo, CA 93408
2. City of San Luis Obispo Natural Resources Management Department  
Freddy Otte, Biologist  
[fotte@slocity.org](mailto:fotte@slocity.org)  
Phone: 805-781-7511  
  
990 Palm St.  
San Luis Obispo, CA 93401
3. City of Paso Robles  
Ditas Esperanza, Capital Projects Engineer  
[cipengineering@prcity.com](mailto:cipengineering@prcity.com)  
Phone: 805-237-3861  
  
1000 Spring Street  
Paso Robles, CA 93446



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## **BROOKE LANGLE, PRINCIPAL BIOLOGIST**

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### **EDUCATION**

B.S. Ecology and Systematic Biology – California Polytechnic State University, San Luis Obispo, 1995  
Certificate of Completion, Management Development for Entrepreneurs – UCLA Anderson School of Management, 2012  
Certificate of Completion, Minority Executive Business Program – University of Washington, Foster School of Business, 2019

### **PROFESSIONAL CERTIFICATIONS**

- California Department of Fish and Wildlife Scientific Collector’s Entity Permit #5592
- 40-hour Hazardous Waste Operations and Emergency Response Safety Certification, 2007; 8-hour refreshers annually

### **AREAS OF EXPERTISE**

Ms. Langle has project management and technical experience in the following areas:

- Regulatory permitting
- Biological and botanical surveys, habitat assessment, and monitoring
- Professional peer review
- Constructability assessment
- Habitat restoration
- California red-legged frog (*Rana draytonii*) site assessment, surveys, and monitoring
- Environmental compliance supervision, inspection, and monitoring for small to large-scale construction projects

### **REPRESENTATIVE EXPERIENCE**

Ms. Langle combines a strong background in environmental resource management with over 25 years of experience in conducting biological resources assessments, regulatory permitting, environmental inspection, biological monitoring, and environmental training. She has served as the Environmental Compliance Supervisor (ECS) for numerous projects over the last decade, including a number of large Pacific Gas & Electric Company (PG&E) electric transmission projects. Ms. Langle has managed Terra Verde’s on-call contracts with both the City and County of San Luis Obispo Public Works and Planning Departments. Ms. Langle’s responsibilities include project management and supervision, while retaining a strong involvement in fieldwork as a biologist. Her work experience covers a large portion of diverse areas in the western United States.

### **RELEVANT CURRENT PROJECTS:**

#### **County of San Luis Obispo (County) – On-call Environmental Services Planning and Building Department (June 2008 – Present)**

Terra Verde has been issued successive on-call contracts to provide environmental support services to the Environmental Division of the County Planning and Building Department. Ms. Langle has been the project manager for this contract. Scopes of services include regulatory assistance, including National Environmental Policy Act and/or California Environmental Quality Act compliance, biological and botanical surveys, and compliance monitoring. Additionally, Terra Verde has conducted numerous peer reviews of biological documents and provided assistance in revising the County’s guidelines for biological work. Ms. Langle has also assisted with planning and hosting the annual workshop hosted by the County for the environmental consultants pre-approved for work within San Luis Obispo County.

#### **City of San Luis Obispo – On-call Environmental Services (June 2008 – Present)**

Terra Verde has been issued successive two year on-call contracts to provide environmental and archaeological services for the City of San Luis Obispo. Scope of services include permitting assistance, biological and botanical surveys, compliance monitoring, as well as archaeological services provided by subcontractor Applied EarthWorks. Under this contract, Terra Verde staff conducted a wildlife assessment of Reservoir Canyon Natural Reserve, including habitat mapping, fisheries assessment, California red-legged frog surveys, avian surveys, small mammal trapping, and herpetological studies. Ms. Langle and Principal Biologist Brian Dugas led this effort which included hands-on training for Cal Poly students. Terra Verde has also provided biological assessments of City-managed open spaces including Terrace Hill, Bishop’s Peak, Laguna Lake, Irish Hills, Cerro San Luis, and Miossi Ranch.

#### **Zayo Group – JUS Diversity Fiber Optic Project (June 2018 – Present)**

Terra Verde is assisting Zayo Group with the planning and permitting for various fiber optic projects in and around Los Osos and Morro Bay, California. Ms. Langle is the project manager and lead biologist for overseeing the habitat assessment, biological



resources assessment development, and permitting strategy. Key resources include Morro shoulderband snail (*Helminthoglypta walkeriana*), California red-legged frog, steelhead, and western pond turtle. Ms. Langle is also managing the archaeological subcontractor for this project, Applied EarthWorks. Ms. Langle is the key point of contact for permitting coordination with the County of San Luis Obispo and other regulatory agencies.

**Small Wilderness Area Protection (SWAP) – Elfin Forest Biological Assessment (June 2018 – September 2019)**

Terra Verde was hired to update the biological assessment for the Elfin Forest in Los Osos, California. Ms. Langle was the project manager responsible for oversight of all botanical and biological work, including review of the technical report and recommendations. The project site is critical habitat for Morro shoulderband snail and home to many sensitive plant species.

**PG&E – Environmental Compliance Management Plan Support (December 2016 – Present)**

Ms. Langle is currently supporting PG&E's management team with implementation and consistency of the Environmental Compliance Management Plan on a number of active construction projects. Tasks include reviewing environmental inspector and specialty monitor reports in PG&E's web-based Field Reporting System, providing feedback to PG&E Land Planners and their consultant teams, providing support for compliance level determinations, and training for consistency of reporting.

**PG&E – Diablo Canyon Power Plant On-call Environmental Support (February 2010 – Present)**

Ms. Langle has managed a variety of projects at Diablo Canyon Power Plant including regulatory permitting, habitat restoration, restoration monitoring and reporting, storm water compliance, biological and botanical surveys, and environmental compliance inspections. Due to the highly confidential nature of this work, no further details are provided.

**Various – Private Clients, San Luis Obispo County, CA – Botanical and Biological Resources Assessments (August 2008 – Present)**

As qualified biologists and botanists that have been pre-approved for work within San Luis Obispo County, Terra Verde has been hired to provide biological and/or botanical consulting services to numerous private landowners seeking permits from the County. Projects have ranged from North County to South County, including the eastern portion of San Luis Obispo County. Ms. Langle has been involved in conducting research and field work, as well as technical writing, regulatory permitting, and project management.

**Cannon Associates – On-call Master Services Agreement (August 2007 – Present)**

Terra Verde, led by Ms. Langle, has been retained by Cannon Associates to provide environmental consulting services in support of their projects. Work has included constraints analysis, habitat assessments, and obtaining permits from regulatory agencies.

**PG&E – Diablo Canyon Power Plant Restoration Projects – Avila Beach, CA – Restoration Ecologist (October 2006 – 2012); Security Upgrade Project (March 2011 – 2014); Permitting Support (January 2015 – Present)**

Terra Verde has assisted PG&E with numerous projects at Diablo Canyon Nuclear Power Plant, including permitting assistance, restoration oversight, storm water inspection and reporting, and biological monitoring during construction of facility upgrades at the plant. As part of this contract, Ms. Langle received extensive training and was authorized for access into the Protected Area. Restoration duties included soliciting bids from restoration contractors, oversight during planting and field work, regular monitoring and reporting, and providing remedial recommendations to ensure the success of the restoration projects.

**RELEVANT PAST EXPERIENCE:**

**PG&E – Carrizo to Midway 230 kV Reconductoring Project – San Luis Obispo and Kern Counties, CA – Environmental Compliance Supervisor, Biologist (July 2011 – September 2017)**

Ms. Langle was the project manager/ECS for this 35-mile reconductoring project in San Luis Obispo and Kern Counties. Her duties included overall management of the budget, schedule, and staffing of Terra Verde staff as well as subcontractors. Ms. Langle assisted PG&E in coordination with regulatory agencies and provided weekly and monthly compliance reports. Additionally, she supported PG&E in coordinating with the two solar farm developers to ensure compliance. Ms. Langle oversaw the project's restoration monitoring and reporting until successfully signed off in 2017.





**PG&E – Master Services Agreement (2010 – 2016)**

Ms. Langle managed a master services agreement with PG&E beginning in 2010. Numerous projects were awarded under this contract, including an environmental compliance audit of PG&E's Crane Valley Dam Project; environmental compliance management of the Carrizo to Midway, Atascadero to San Luis Obispo, Shepherd Substation, and Contra Costa to Moraga Electric Projects; Distribution Support Services for project managed work; constructability analysis; and a number of archaeological projects by our subcontractors. Ms. Langle held the position of ECS for the compliance projects listed above.

**PG&E – Contra Costa to Moraga 230kV Reconductoring Project – East Bay Area, CA – Environmental Compliance Supervisor (May 2014 – December 2016); Vaca-Dixon to Lakeville 230kV Reconductoring Project – Yolo and Napa Counties, CA – Project Manager (January 2014 – December 2016)**

Ms. Langle led a constructability review for these projects, including an assessment of mitigation measures, a red-amber-green based constraints matrix, schedule planning based on constraints, and a summary report detailing findings of the review. She also acted as ECS for the Contra Costa to Moraga Project during construction, overseeing a team of environmental inspectors, biologists, and archaeologists.

**PG&E – Shepherd Substation Project – Fresno County, CA – Environmental Compliance Supervisor, Biologist (September 2013 – April 2016)**

Ms. Langle was the project manager/ECS for this new substation, transmission line, and distribution line project in Fresno County. Her duties included overall management of the budget, schedule, and staffing of Terra Verde staff as well as subcontractors. She was heavily involved in daily tracking of project issues and ensuring environmental compliance with all project requirements. Ms. Langle assisted PG&E in coordination with regulatory agencies and provides weekly and monthly compliance reports. She regularly interacted with the California Public Utilities Commission project manager and third-party monitoring team.

**County of San Luis Obispo – On-call Environmental Services Public Works Department (June 2008 – October 2014)**

Terra Verde was issued successive three year on-call contracts to provide environmental support services to the Public Works Department. Ms. Langle has been the project manager for this contract. Services include biological assessments, biological monitoring, California red-legged frog surveys, and oversight of specialty subcontractors for paleontological services and Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) protocol-level surveys.

**PG&E – Atascadero to San Luis Obispo Reconductoring Project – San Luis Obispo County, CA – Project Manager (March 2011 – January 2014)**

Terra Verde provided environmental inspection, biological surveys, and assistant project management on this San Luis Obispo County reconductoring project. Ms. Langle's duties include project management, oversight of Terra Verde staff conducting nesting bird and California red-legged frog surveys, rare plant collection and propagation, reporting, and environmental training.

**County of San Luis Obispo Public Works Department – Meadow Creek Lagoon Biological Assessment – San Luis Obispo, CA – Assistant Project Manager (January 2012 – April 2013)**

Terra Verde competed for and successfully secured the contract to conduct a biological assessment of the Meadow Creek (Oceano) Lagoon. The work provided a baseline for the County in addressing severe flooding issues that occur in this area. Ms. Langle assisted with project management and overall support for this work, including conducting California red-legged frog surveys.

**San Diego Gas & Electric Company – Sunrise Powerlink Project; Burns and McDonnell – Imperial and San Diego County, CA – Project Manager (April 2011 – September 2011)**

Ms. Langle oversaw biological staff during construction of a 117-mile, 500kV electric transmission line from Imperial County to San Diego. Primary duties of Terra Verde staff were avian surveys and monitoring, clearance surveys, and support to the Burns and McDonnell environmental compliance team.

**Padre – Chevron Guadalupe Dunes Restoration Project – Guadalupe Dunes, CA – Botanist, Biologist (August 2007 – August 2011)**

Ms. Langle worked with a team of botanists and biologists during the remediation of a 2,800-acre coastal dune ecosystem. Duties included surveys for rare and sensitive plants; line-transect botanical surveys of restoration sites as well as future disturbance sites; monitoring of construction crews during remediation activities; assisting in identification and collection of native seed; and other restoration activities including seeding, planting, and assisting with the preparation of quarterly environmental monitoring reports. Biological work included numerous eyeshine surveys for California red-legged frog as well as capture and relocation of a number of wildlife species, including California red-legged frog. Ms. Langle played a key role in reviewing and editing the Quarterly



#### Environmental Monitoring Reports.

During her last two years on this project, Ms. Langle played a key role by providing support to the Guadalupe Restoration Project Ecological Coordinator. She regularly helped with negotiations and conflict resolution with the County's third-party On-site Environmental Coordinator. She led the effort in resolving the challenge presented by the U.S. Fish and Wildlife Service suggesting that the El Segundo blue butterfly (*Euphilotes battoides allyni*) may occur on the property and should be addressed by Chevron. Ms. Langle also assisted in research to help guide which entity may assume ownership of the property once the site is finished with remediation.

#### **Sempra Global – Cameron Interstate Pipeline and LNG – Sulphur, LA – Environmental Compliance Supervisor (June 2007 – December 2009)**

Ms. Langle was retained by Sempra Global to act as ECS during the planning and construction of a new 36.5-mile 42-inch natural gas pipeline and associated liquefied natural gas plant in southwestern Louisiana. Duties include preconstruction planning for numerous wetland and waterbody crossings, preparation and presentation of an environmental training program (four-hour supervisor level training and daily crew training), oversight of two environmental inspectors throughout construction, coordination with construction management, contractors, and regulatory agencies to ensure compliance with the Federal Energy Regulatory Commission Certificate and other permits, and resolution of compliance issues.

#### **Federal Energy Regulatory Commission – Environmental Training Seminars – National – Instructor (2005 – 2007)**

Ms. Langle served as a key instructor for the FERC Post-certificate Environmental Compliance Seminar for natural gas industry professionals at locations throughout the U.S. The Post-certificate Environmental Compliance Seminar discussed compliance management techniques reflecting recent regulatory changes and industry advances.

#### **Castaic Lake Water Agency – Sand Canyon Pipeline and Reservoir Project – Santa Clarita, CA – Project Manager (2004 – 2006)**

Ms. Langle oversaw biological monitoring of a 5-mile, 48-inch-diameter water pipeline and 7-million gallon reservoir project. Her duties included scheduling, staffing, and client coordination. She worked with the contractor and construction management personnel to troubleshoot difficult construction techniques combined with challenging regulatory permit requirements. Ms. Langle also coordinated with regulatory agencies regarding potential water quality impacts to the impaired Santa Clara River.

#### **EnCana – Wild Goose Gas Storage Expansion Project – Butte and Colusa Counties, CA – Project Manager, Lead Environmental Inspector (2003 – 2005)**

Ms. Langle oversaw the installation of a new 30-mile natural gas pipeline, constructed primarily in giant garter snake (*Thamnophis gigas*) habitat. She evaluated the extensive dewatering operations and assisted the contractor in troubleshooting dewatering issues. Ms. Langle assisted in coordination with numerous resource agencies to resolve constructability and variance issues, and she participated in the preparation and presentation of supervisor-level and daily crew environmental training programs. She provided project management for postconstruction restoration and reporting. Ms. Langle conducted biological and botanical resource work for a feasibility study, alternatives analysis, Proponent's Environmental Assessment, and permit applications. She coordinated with resource agencies and the third-party monitoring team. She also conducted winter bird, nesting bird, and vegetation surveys for postconstruction monitoring of wetland creation and enhancement sites.

#### **Kinder Morgan Pipeline Company – Sacramento to Concord Replacement Project – CA – Lead Environmental Inspector (2004)**

Ms. Langle provided environmental inspection during installation of 70 miles of a 20-inch products pipeline. She focused on environmental compliance of several spreads and a large workforce with stringent regulatory requirements. Ms. Langle presented supervisor-level and crew training programs. She assisted in biological surveys and monitoring of sensitive species. She also oversaw the installation of erosion and sediment controls, as well as ongoing dewatering activities. Ms. Langle coordinated with California State Lands Commission staff and the third-party agency monitors, as well as specialty monitors, including biologists, paleontologists, archaeologists, and hazardous materials technicians.

#### **Kern River Gas Transmission Company – 2003 Expansion Project – UT/NV – Lead Environmental Inspector (2002 – 2003)**

Ms. Langle oversaw environmental compliance on 150 miles of the project. She supervised several environmental inspectors and resource specialists throughout the project, including a large staff of desert tortoise biologists. She assisted in verification of wetland delineations and noxious weed zones, including oversight of exclusion fencing and flagging. She coordinated with agency, third-party monitor, and construction personnel, particularly to resolve noncompliance issues and to identify and process numerous project



variances. Ms. Langle also conducted supervisor-level and daily crew environmental training programs.

**County of San Luis Obispo – Lopez Dam Seismic Retrofit – San Luis Obispo County, CA – Project Manager (2001 – 2002)**

Ms. Langle oversaw environmental compliance management during a seismic retrofit of an existing earthen dam. Key resources included California red-legged frog, steelhead (*Oncorhynchus mykiss irideus*), western pond turtle (*Actinemys marmorata*), oak tree (*Quercus agrifolia*), coastal scrub protection, and protection of water quality. She relocated sensitive species, primarily California red-legged frog and steelhead, from construction areas. She oversaw preconstruction surveys and flagging of sensitive resources, including coastal oak woodland. Ms. Langle supervised the environmental monitoring program during construction activities. She coordinated with County consultants and contractors regarding schedules, compliance, and conflict resolution.

**Santa Barbara County Public Works Department – On-call Environmental Services – Santa Barbara County, CA – Lead Biologist (2001 – 2002)**

Ms. Langle conducted surveys and environmental monitoring for public works projects. Her tasks included general surveys for sensitive species such as the California red-legged frog, western pond turtle, and southern steelhead; report preparation; mitigation and restoration recommendations; and environmental inspection during construction activities in sensitive areas. She was approved by the U.S. Fish and Wildlife Service to survey, handle, and relocate California red-legged frogs for this project. Ms. Langle also conducted crew environmental training in the field.

**Williams Communications – Fiber Optic Installation Project – Bakersfield to San Luis Obispo, CA – Lead Environmental Inspector (2000 – 2001)**

Ms. Langle managed the environmental inspection on two of four spreads for the installation of approximately 141 miles of underground fiber optic cable. She oversaw up to 11 environmental, cultural, and paleontological specialists and provided project daily crew environmental training and performed surveys for sensitive species, including California red-legged frog and nesting raptors, prior to construction activity. Ms. Langle received field training on the identification and habitat of Kern mallow (*Eremalche parryi* ssp. *kernensis*). She coordinated directly with agency representatives from the California Public Utilities Commission and she problem-solved potential noncompliance issues with construction inspectors, contractors, Native American, cultural, and paleontological monitors. She provided daily and weekly reports, as well as noncompliance, noncompliance resolution reports, and variance requests.

**Essex Environmental for Central Coast Water Authority – Mission Hills and Santa Ynez Extensions and Coastal Branch, Phase II – Kern and San Luis Obispo Counties, CA – Associate Biologist, Environmental Inspector (1999)**

Ms. Langle performed annual revegetation surveys on completed pipeline alignment. She performed plant identification, determined percent cover of desirable species compared to undesirable species, collected data from transects, and managed recommendations to achieve performance criteria.

**Garcia and Associates for Department of Water Resources – California State Water Pipeline Project – Kern and San Luis Obispo Counties, CA – Environmental Monitor (1996 – 1997)**

Ms. Langle inspected for environmental compliance during construction of the California State Water Pipeline. She performed surveys of coastal streams for California red-legged frogs and trained other biological monitors in identification and protection measures for the California red-legged frog. She assisted in rare plant surveys, and monitored riparian areas, prepared documentation of noncompliance issues, and made recommendations for revegetation and erosion control. She also monitored extensive hydrotest water discharges to ensure protecting of water quality and aquatic species.

**Self-employed – Black Lake Golf Course Expansion Project – San Luis Obispo County, CA – Environmental Monitor (1995 – 1997)**

Ms. Langle inspected for environmental compliance during construction and revegetation of an 80-lot subdivision and additional nine holes to an existing golf course. She enforced compliance of mitigation measures per the County requirements. She dealt with in situ mitigation for a federally endangered plant found during construction. Ms. Langle coordinated between the County, developers, engineers, arborists, contractors, and subcontractors. She monitored tree removals and revegetation, and documented compliance and noncompliance items.



**National Biological Service – California red-legged frog surveying – San Simeon, CA – Volunteer Biologist (1995 – 1997)**

Ms. Langle conducted surveys along coastal streams of California for red-legged frogs prior to listing. She performed night eyeshine surveys, radio tracking, and hand-held scanning of previously tagged animals. She inserted microchip or radio tags on first-time captured frogs. She captured, installed PIT tags, and recorded physical characteristics of red-legged frogs.

**Self-employed for California Polytechnic State University – California State Water Pipeline – San Luis Obispo, CA – Biologist, Environmental Inspector (1996)**

Ms. Langle inspected for environmental compliance during pipeline work crossing the university property. She coordinated with other biologists and arborists, state regulatory agencies, and university management to ensure sensitive resources were protected.

**SPECIALIZED TRAINING**

- Wildlife Society San Joaquin Kit Fox Workshop, Carrizo Plain 2014
- Acoustic Bat Monitoring Workshop presented by The Wildlife Society, 2013
- County of San Luis Obispo, Annual training for biologists, 2007 – 2016
- Wildlife Society, Ecology of Bats workshop, Carrizo Plain 2009
- California Native Plant Society – Rare and sensitive plants of San Luis Obispo County, May 2009
- Wildlife Society Conference, Annual
- California Tiger Salamander Workshop presented by The Wildlife Society, 2003
- Identification and ecology of sensitive amphibians and reptiles of the central and southern Sierra Nevada (presented by the Western Section of The Wildlife Society), 2001

**PROFESSIONAL AFFILIATIONS**

- Part-time lecturer, Cal Poly Natural Resources Management Spring 2009 – 2011; 2016 – 2017; 2019-2020
- The Wildlife Society, Central Coast Chapter President 2009 – 2013; Member 1998 – Present
- Land Conservancy Board Member July 2010 – 2018; President of the Board of Trustees 2016 – 2018

**SELECTED PRESENTATIONS**

Langle, B. "Survival of the fittest: the evolution of mitigation measures from the keyboard to the construction site." *Association of Environmental Professionals*, San Francisco, CA. 2003.

Langle, B. "How to evaluate effective mitigation and monitoring conditions." *Association of Environmental Professionals*, Monterey, CA. 2002.

Langle, B. "Review of a successful compliance project." *Wildlife Society Annual Conference*. 2000.



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**BRIAN DUGAS, PRINCIPAL BIOLOGIST**

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**EDUCATION**

M.S. Agriculture, emphasis in Fisheries and Wildlife Management – California Polytechnic State University, San Luis Obispo, 2009  
B.S. Natural Resources Management, California Polytechnic State University, San Luis Obispo, 1993

**PROFESSIONAL CERTIFICATIONS**

- 40-hour Hazardous Waste Operations and Emergency Response certification, 1995; 8-hour refreshers
- Certified Professional in Erosion and Sediment Control #6727
- California Department of Fish and Wildlife (CDFW) Scientific Collector’s Entity Permit #5592

**AREAS OF EXPERTISE**

Mr. Dugas has project management and technical experience in the following areas:

- Biological and botanical surveys, habitat assessments, and monitoring
- Regulatory agency permitting
- California Environmental Quality Act/National Environmental Policy Act (CEQA/NEPA) compliance
- Environmental compliance for small- to large-scale construction projects
- Jurisdictional determinations and wetland assessments
- Habitat restoration
- Fisheries assessments

**REPRESENTATIVE EXPERIENCE**

Mr. Dugas has over 25 years of experience conducting biological assessments, regulatory agency permitting, and environmental compliance for a wide variety projects with emphasis on former oil and gas facility decommissioning and public utility improvement projects. Mr. Dugas’ responsibilities have included: biological resources assessments, wetland delineations, permitting, monitoring, compliance and training; habitat restoration, monitoring, and reporting; land use planning, preliminary site assessment, environmental impact analysis, and development of site-specific mitigation strategies; special-status species site assessments, surveys, and monitoring including fisheries assessments; and environmental inspection and technical document preparation, including mitigated negative declarations and environmental impact reports per CEQA guidelines.

**TERRA VERDE ENVIRONMENTAL CONSULTING CURRENT PROJECTS:**

**City of Pismo Beach –Bello Street Bridge Replacement Project – Pismo Beach, CA – Principal Biologist (May 2020 – Present)**

Terra Verde is currently providing environmental services for the replacement of an existing steel truss bridge with a concrete slab bridge over Pismo Creek located in Pismo Beach, California. Mr. Dugas is the project manager, and his duties include leading pre-activity fisheries surveys for steelhead (*Oncorhynchus mykiss*) and tidewater goby (*Eucyclogobius newberryi*) in coordination with Kisner Restoration and Ecological Consulting, Inc., budget management; ensuring timely compliance reporting; scheduling and managing Terra Verde biologists. As part of his duties, Mr. Dugas is regularly coordinating with the resident engineer (MNS Engineers, Inc.) as well as the contractor foreman to effectively resolve compliance issues.

**Creek Lands Conservation – Lower San Luis Obispo Creek Fish Passage Design and Habitat Improvement Project – San Luis Obispo County, CA – Principal Biologist (2020 – Present)**

Mr. Dugas is currently serving as Principal Biologist for the Lower San Luis Obispo Creek Fish Passage Design and Habitat Improvement Project which involves enhancement of fish migration, specifically adult steelhead and lamprey, by modifying the existing fish passage structure at the Marre Weir. As part of this effort, Mr. Dugas is supporting the Technical Advisory Committee in the current design alternatives analysis and provided oversight of all biological surveys and preparation of a Biological Resources Assessment which will be used to support the regulatory agency permitting process. In addition, Mr. Dugas is leading the development of a focused site restoration plan with emphasis in restoring all wetland and riparian areas to be temporarily disturbed with implementation of the selected fish passage design alternative.

**Pacific Gas & Electric Company (PG&E) – Pecho Berm Removal – San Luis Obispo County, CA – Principal Biologist (2015 – Present)**

Mr. Dugas is currently serving as Principal Biologist for the Pecho Berm Removal Project which involved the removal of a 40-year-old earthen berm from the bed and banks of Pecho Creek within Diablo Canyon Power Plant property. As part of this effort, Mr. Dugas provided oversight of all biological surveys as well as the preparation of an agency-approved site stabilization and riparian habitat

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*Brian Dugas, Principal Biologist*



restoration plan (Restoration Plan). In addition, Mr. Dugas led the permitting support efforts which included close correspondence with regulatory permitting agencies prior to final permit acquisition. In addition, Mr. Dugas provided oversight of all biological monitoring during berm demolition and stream recontouring and implementation of the Restoration Plan. The restoration site is currently on track to meet success criteria by the end of the monitoring period.

**RELEVANT PAST EXPERIENCE:**

**County of San Luis Obispo Public Works – Prefumo Canyon Road Slip Out Repair Project – San Luis Obispo, CA – Principal Biologist (September 2020)**

Mr. Dugas served as principal biologist on behalf of the County of San Luis Obispo during a creek bank repair project along Prefumo Canyon Road. Responsibilities included support of County staff during preconstruction surveys for special status species including CRLF and steelhead, as well as relocation efforts during dewatering and initial construction activities. Duties included working with County staff in identifying suitable CRLF and steelhead relocation areas upstream of the project site and reviewing daily compliance monitoring reports from field staff.

**County of San Luis Obispo Public Works – Estrella Bridge Rehabilitation Project – Paso Robles, CA – Principal Biologist (June 2019 – March 2020)**

Terra Verde provided environmental services for the rehabilitation of a historic truss bridge on River Road over the Estrella River in the community of Whitley Gardens. Mr. Dugas was the project manager and his duties included pre-activity surveys, budget management; ensuring timely compliance reporting; scheduling and managing Terra Verde biologists. Mr. Dugas regularly coordinated with the County of San Luis Obispo project manager, contractor foreman and MNS Engineers, Inc. to resolve compliance issues and ensure a successful project.

**County of San Luis Obispo Public Works – Geneseo Bridge Project – Paso Robles, CA – Principal Biologist (July 2019 – March 2020)**

Terra Verde provided environmental services for the construction of a concrete slab bridge within an existing low water crossing of the west branch of the Huer Huero Creek in the community of Creston. Mr. Dugas was the project manager for this project and his duties included periodic site inspections/surveys; budget management; ensuring timely compliance reporting; scheduling and managing Terra Verde biologists; as well as the project archaeologist team. Mr. Dugas regularly coordinated with the County of San Luis Obispo project manager, contractor foreman, MNS Engineers, Inc. and the cultural monitors to effectively ensure a successful project.

**County of San Luis Obispo Public Works – Oceano Lagoon Bridge Replacement Project – Oceano, CA – Principal Biologist (August 2018 – June 2019)**

Terra Verde provided environmental services for the replacement of an existing timber bridge with a concrete slab bridge over the Oceano Lagoon located in Oceano, California. Mr. Dugas was the project manager for this project and his duties included leading pre-activity fisheries surveys in coordination with Kisner Restoration and Ecological Consulting, Inc., budget management; ensuring timely compliance reporting; scheduling and managing Terra Verde biologists. Mr. Dugas regularly coordinated with the County of San Luis Obispo project manager and resident engineer as well as the contractor foreman to effectively resolve compliance issues. Further, Mr. Dugas supported the County of San Luis Obispo with oversight of giant reed removal efforts within the lagoon as required per the restoration plan.

**PG&E – On-call Support for Distribution and Shared Services – Principal Biologist (2013 – 2018)**

Mr. Dugas has served as Senior Biologist for all on-call support services and technical assessment evaluations, discretionary permitting, and compliance services for the PG&E Distribution and Shared Services Program (including electrical and natural gas facilities) since 2013. The projects have generally been located within PG&E's Central Coast service areas. Specifically, Mr. Dugas provided oversight of desktop-level and field reconnaissance surveys, California Natural Diversity Database searches, field walkdowns with design and construction teams, biological resources surveys, and permitting assessments. Mr. Dugas has continued this role on behalf of Terra Verde per recently issued 2016 contracts to support various environmental consulting firms for environmental services of PG&E's Gas and Electric Distribution project-managed jobs.

**MidAmerican Solar – Topaz Solar Farm – San Luis Obispo County, CA – Principal Biologist (2015 – 2018)**

Terra Verde provided monitoring of the restoration, revegetation, and wildlife use of a 550-megawatt solar photovoltaic power-generating facility located in eastern San Luis Obispo County. Mr. Dugas provided oversight of all field operations including quarterly qualitative and biannual quantitative assessments of vegetation growth as well as additional restoration efforts to meet performance

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*Brian Dugas, Principal Biologist*



criteria within the 4,700-acre project site. Mr. Dugas was responsible for providing quality assurance/quality control of all data analysis, report preparations and submissions, budget tracking, and ensuring adherence to all site safety protocols.

**County of Santa Barbara – Jalama Road Bridge Widening Project – Santa Barbara County, CA – Biologist (May 2016 – February 2017)**

Mr. Dugas was the project manager for this County of Santa Barbara Public Works Department project. He was responsible for scheduling, budget, and staff oversight, including assisting with coordination with regulatory agencies regarding permit amendments. He reviewed the environmental training program, daily reports, and assisted with finalizing the postconstruction report.

**County of San Luis Obispo – Price Canyon Road Widening Project – San Luis Obispo, CA – Project Manager (May 2016 – November 2017)**

Mr. Dugas was the project manager for this County of San Luis Obispo Public Works Department project. His duties included managing the budget; ensuring timely compliance reporting; scheduling and managing Terra Verde biologists and botanists; and coordinating with resource specialists, engineers, and contractors to resolve compliance issues. Mr. Dugas regularly coordinated with the County of San Luis Obispo project manager, resident engineer, and other key staff.

**PG&E – Atascadero to San Luis Obispo 70kV Reconductoring Project – San Luis Obispo County, CA – Environmental Compliance Supervisor (2011 – 2016)**

Mr. Dugas served as Terra Verde’s Environmental Compliance Supervisor in support of a 15.5-mile transmission line reconductoring project. This project was located in San Luis Obispo County, and traverses residential areas, private ranch land, and San Luis Obispo City open space. Tasks included environmental compliance management, environmental inspection, environmental training, regionally-specific terrestrial biology, cultural and paleontological resources monitoring, sensitive plant mitigation, and site restoration. Natural vegetation communities being restored include: oak woodland, oak savannah grassland, coastal sage scrub, and mixed chaparral. Rare plant populations were also restored and were monitored as part of the annual monitoring efforts. All performance criteria were achieved for regulatory agency approval.

**City of San Luis Obispo Public Works Department – Toro and Broad Street Bank Stabilization Projects – San Luis Obispo, CA – Project Manager (2014 – 2015)**

Mr. Dugas managed all permitting support efforts provided to the City of San Luis Obispo for two stream bank stabilization projects located in San Luis Obispo and Old Garden Creeks. Project tasks included performing initial site assessments; identifying and mapping jurisdictional boundaries; plan review; and preparation of U.S. Army Corps of Engineers, Regional Water Quality Control Board (RWQCB), and CDFW permit applications. Mr. Dugas supported City of San Luis Obispo staff throughout the permitting phase until final permit acquisition. This included regular correspondence with agency staff including formal consultation with National Oceanic and Atmospheric Administration Fisheries to address project impacts to southern steelhead (*Oncorhynchus mykiss irideus*) and development of detailed dewatering plans for each project per RWQCB specifications.

**City of San Luis Obispo – Laguna Lake, Terrace Hill, and Bishop Peak Biological Assessments – San Luis Obispo, CA – Project Manager (2014 – 2015)**

Terra Verde conducted focused botanical and wildlife surveys of Laguna Lake, Terrace Hill and Bishop Peak on behalf of the City of San Luis Obispo in support of their open space and conservation plan updates. Mr. Dugas managed all survey and reporting efforts which included completion of thorough floristic inventories, plant community mapping, and general wildlife surveys. All rare plant populations and sensitive wildlife species occurrences were mapped using hand-held GPS units. The Bishop Peak survey included deployment of game camera stations and an acoustical bat detector for several nights. The results of the surveys included comprehensive vascular plant and wildlife lists and detailed plant community and sensitive species occurrence maps.

**PG&E – Jolon Substation Expansion Project – Jolon, CA – Principal Biologist (2014 – 2015)**

Mr. Dugas served as project manager for the completion of a comprehensive biological resources assessment of the PG&E Jolon Substation Expansion project. The scope of work included completion a focused wildlife and spring botanical resources survey in addition to a California tiger salamander (*Ambystoma californiense*) habitat assessment. The combined studies and technical report included a series of recommended avoidance and minimization measures for protection of identified sensitive biological resources.

**PG&E – Carrizo to Midway 230 kV Reconductoring Project – San Luis Obispo and Kern Counties, CA – Principal Biologist (September 2011 – 2014)**

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*Brian Dugas, Principal Biologist*



Mr. Dugas served as Principal Biologist for this 35-mile reconductoring project in San Luis Obispo and Kern Counties. His duties included support of overall environmental compliance monitoring and reporting operations. As part of these efforts, Mr. Dugas conducted wetland assessments, supported biological field surveys, and assisted in project management duties.

**County of San Luis Obispo – Lopez Terminal Reservoir – San Luis Obispo County, CA – Principal Biologist (2012)**

Mr. Dugas led a series of protocol-level California red-legged frog (CRLF; *Rana draytonii*) surveys at the County of San Luis Obispo Lopez Terminal Reservoir. The survey work included numerous eyeshine surveys for CRLF using specialized watercraft and multiple survey teams to cover the entire reservoir and surrounding areas including two isolated ponds, and four settling ponds associated with the adjacent water treatment plant. CRLF were positively identified on the project. Survey results and findings provided County of San Luis Obispo staff the necessary technical information to complete required maintenance activities within the reservoir facility.

**County of San Luis Obispo – Meadow Creek Lagoon Area Project – San Luis Obispo County, CA – Principal Biologist (2011 – 2012)**

Mr. Dugas served as project manager for the completion of a comprehensive biological resources assessment for the County of San Luis Obispo Flood Control and Water Conservation District Meadow Creek (Oceano) Lagoon Area project. The scope of work included a focused fisheries/wildlife and botanical resources survey and wetland delineation. CRLF were positively identified on the project. The studies provided County of San Luis Obispo staff the necessary technical information to develop a series of project alternatives for prevention or reduction of flood water elevations.

**City of Paso Robles – South River Road Bike/Pedestrian Path Project – Paso Robles, CA – Biologist (2012)**

Mr. Dugas served as project manager of the biological monitoring team for the selected contractor, G. Sosa Construction, Inc. during construction of the South River Road Bike Path. Responsibilities included assisting with preconstruction surveys within the Salinas River corridor for special status species, including CRLF, western spadefoot toad (*Spea hammondi*), Monterey dusky-footed wood rat (*Neotoma macrotis luciana*), and nesting birds, and providing oversight for all biological monitoring efforts during construction activities.

**County of San Luis Obispo Planning Department – ConocoPhillips Nipomo Creek Erosion Prevention Project – Nipomo, CA – Lead Mitigation Compliance Monitor (August 2011 – April 2012)**

Terra Verde provided environmental compliance monitoring on behalf of the County of San Luis Obispo Planning Department during construction of a protective concrete block revetment system for permanent protection of subsurface contamination associated with an existing petroleum pipeline. Mr. Dugas' duties included participation in preconstruction special-status species surveys, implementing the environmental training program, inspection and monitoring of dewatering and stream diversion systems, coordination with construction management contractors and regulatory agencies to ensure compliance with project permits, and resolution of non-compliance issues.

**County of San Luis Obispo – San Simeon Bridges Creek Diversion – San Simeon, CA – Lead Biological Monitor (2011)**

While employed at Padre Associates, Inc., Mr. Dugas served as lead biological monitor on behalf of the County of San Luis Obispo during two creek diversions on San Simeon Creek along the northern coast of San Luis Obispo County. Responsibilities included assisting with preconstruction surveys for special status species, including CRLF and steelhead, leading a team of biologists during steelhead relocation during dewatering activities, and biological monitoring during construction activities. More than 80 young-of-the-year and juvenile steelhead were successfully relocated to an approved, off-site location under the direction of Mr. Dugas.

**Chevron Corporation – Guadalupe Dunes Restoration Project – Guadalupe Dunes, CA – Lead Biologist (2009 – 2011)**

While employed at Padre Associates, Inc., Mr. Dugas worked with a team of botanists and biologists during the remediation of a 2,800-acre coastal dune ecosystem. Duties included oversight of annual biological field survey and monitoring efforts including: rare and sensitive plant surveys, line-transect surveys of restoration sites, monitoring of construction crews during remediation activities, seeding and planting, and preparation of quarterly environmental monitoring reports. Biological work included eyeshine surveys for CRLF.

**Chevron Corporation – Estero Marine Terminal Decommissioning Project – San Luis Obispo, CA – Project Manager (2003 – 2011)**

While employed at Padre Associates, Inc., Mr. Dugas served as project manager and led a team of biologist in providing comprehensive permitting and biological consulting services in support of the Estero Marine Terminal Decommissioning Project. Mr. Dugas led numerous field surveys including a comprehensive biological survey, spring botanical surveys, focused CRLF survey, fisheries assessment, and beach and marine biological surveys. Additionally, Mr. Dugas developed the site restoration plan which included revegetation of a portion of Toro Creek as well as adjacent coastal sage scrub and coastal foredune habitat areas. Mr. Dugas provided

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*Brian Dugas, Principal Biologist*





oversight of all technical document preparation including a biological assessment in support of a regulatory agency permit applications.

**Unocal – Cojo Marine Terminal Decommissioning Project – Point Conception, CA – Project Manager, Restoration Ecologist (1998 – 2011)**

While employed at Padre Associates, Inc., Mr. Dugas served as project manager/restoration ecologist and led a team of biologists in providing comprehensive permitting and biological consulting services for the removal of the Cojo Marine Terminal and associated facilities located at Point Conception. The Cojo Marine Terminal and associated pipeline corridors were located within several sensitive habitat areas, which support several sensitive habitat areas and special-status species including CRLF and western pond turtle (*Actinemys marmorata*). Mr. Dugas led numerous field surveys including a comprehensive biological survey, spring botanical survey, herpetological survey, and beach and marine biological surveys. Additionally, Mr. Dugas developed a series of site restoration plans which included revegetation of perennial grassland, coastal sage scrub, and dune scrub habitat areas. Mr. Dugas provided oversight of all restoration efforts and led the required field monitoring events until performance criteria were achieved for regulatory agency approval.

**City of Paso Robles – Paso Robles City Hall Parking Lot Sulfur Springs Remediation Project – Paso Robles, CA – Biologist (2009 – 2010)**

While employed at Padre Associates, Inc., Mr. Dugas served as Senior Biologist for the biological assessment of the City Hall Parking Lot Sulfur Springs Remediation which involved the construction of a leach field percolation system at the City of Paso Robles Water Yard to discharge surfacing spring water to the underflow of the Salinas River. The biological assessment report was utilized in the Mitigated Negative Declaration prepared by the City of Paso Robles in support of the project. Further, Mr. Dugas led a series of preconstruction, biological surveys and worker orientations prior to project implementation.

**City of Paso Robles – Municipal Airport Taxiway Extension Project – Paso Robles, CA – Biologist (2009)**

While employed at Padre Associates, Inc., Mr. Dugas served as project manager and primary point of contact with Mr. Roger Oxborrow for completion of a focused San Joaquin kit fox (*Vulpes macrotis*) and vernal pool fairy shrimp (*Branchinecta lynchi*) habitat assessment in support of the airport expansion project. Responsibilities included correspondence with resource agencies, completion of the field survey/habitat assessment and preparation of the final report.

**Nipomo Community Services District – Wastewater Treatment Plant Upgrade Project – Nipomo, CA – Biologist (2009 – 2010)**

While employed at Padre Associates, Inc., Mr. Dugas led a focused, protocol-level CRLF survey of the proposed wastewater treatment plant expansion area in Nipomo, which included a series of existing treatment ponds and adjacent areas. No CRLF were observed, however, numerous adult and subadult western spadefoot toads were identified during the survey.

**Plains Exploration and Production Company – Produced Water Reclamation Facility Subsequent Environmental Impact Report – San Luis Obispo, CA – Project Manager (2007 – 2009)**

While employed at Padre Associates, Inc., Mr. Dugas served as project manager for the Plains Exploration and Production Company Water Reclamation Facility Subsequent Environmental Impact Report. The primary purpose of the project was to enhance the recovery of oil reserves via treatment and reuse of excess produced water associated with oil extraction operations at their Arroyo Grande Oil Field. This included proposed construction of several pipelines, a tempering pond, and an outfall to Pismo Creek to facilitate disposal of the treated water. Sensitive resources within the project area included Pismo clarkia (*Clarkia speciosa* subsp. *immaculata*), golden eagle (*Aquila chrysaetos*), western pond turtle, coast horned lizard (*Phrynosoma coronatum*), steelhead, maritime chaparral, coast live oak woodland, and jurisdictional wetlands. The Subsequent Environmental Impact Report addressed potential impacts that were anticipated to logically and foreseeably occur from project implementation. Where significant impacts were identified, the Padre team, led by Mr. Dugas, developed project-specific mitigation measures to reduce impacts to less than significant levels. As part of this process, Mr. Dugas worked with regulatory agencies in developing a series of feasible mitigation measures to mitigate both short- and long-term impacts to steelhead and associated habitat features within Pismo Creek.

**Chevron Corporation – Tank Farm Site Remediation Project – San Luis Obispo, CA – Biologist (2008)**

While employed at Padre Associates, Inc., Mr. Dugas led the necessary protocol-level surveys for CRLF at the San Luis Obispo Chevron Tank Farm site. The survey area included a portion of the east branch of San Luis Obispo Creek, Tank Farm Creek, and a series of perennial wetlands that occur throughout the site. Due to the lack of CRLF identification on site, a total of eight surveys were completed (3 days and 5 nights) per the *Revised Guidance on Site Assessments and Field Surveys for the California red-legged frog* (USFWS 2005). Mr. Dugas also performed the associated wetland assessment for this project.

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Brian Dugas, Principal Biologist



**County of San Luis Obispo – San Luis Bay Bridge Replacement Project – San Luis Obispo, CA – Biologist (2007)**

While employed at Padre Associates, Inc., Mr. Dugas led a series of preconstruction special-status species surveys which included protocol-level CRLF surveys of the proposed project area within San Luis Obispo Creek. Additional tasks included conducting a worker orientation on the identification of CRLF, and monitoring of vegetation removal within the drainage.

**Nipomo Community Services District – Waterline Intertie Project – Nipomo, CA – Biologist (2007 – 2009)**

The proposed pipeline corridor for this project included several drainages located in northern Santa Maria, the Santa Maria River, Nipomo Creek, and a series of wetlands located along the Nipomo Mesa. While employed at Padre Associates, Inc., Mr. Dugas led a focused biological resources assessment of the pipeline corridor which included protocol-level CRLF surveys of the entire project area. Numerous adult and sub-adult CRLF were identified, in addition to several other special-status species. Mr. Dugas collaborated with Nipomo Community Services District staff to develop a series of mitigation measure to reduce the potential impacts to CRLF and other special-status species.

**ExxonMobil – Las Flores Canyon Emergency Road Repair Project – Gaviota, CA – Biologist (2005 – 2006)**

While employed at Padre Associates, Inc., Mr. Dugas led focused herpetological surveys of project area and identified CRLF within Las Flores Canyon drainage and Venadito Creek. Coordination with the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service was necessary to develop appropriate avoidance and minimization measures for the project. Additionally, Mr. Dugas conducted pre-activity surveys and performed appropriate worker orientations at the site.

**Shell – Molino Flowline Removal Project at Arroyo Hondo Creek – Gaviota, CA – Project Manager, Restoration Ecologist (2000 – 2003)**

While employed at Padre Associates, Inc., Mr. Dugas served as project manager in providing comprehensive permitting and biological consulting services for the removal of oil and produced water pipelines (flowlines) associated with the Shell Molino Oil & Gas facility located within the Arroyo Hondo Ranch on the southern Santa Barbara County coast. The flowline corridor was located within the sensitive habitat area of Arroyo Hondo Creek, which supports a wide variety of special-status species including southern steelhead, tidewater goby (*Eucyclogobius newberryi*), and CRLF. Mr. Dugas assisted in development of alternative methodologies for flowline removal which aided in streamlining the overall permit process. Mr. Dugas prepared a detailed project description, and a site-specific restoration plan with emphasis on enhancement of available habitat for southern steelhead and other sensitive species. In addition, Mr. Dugas provided oversight of all biological monitoring during construction and implementation of site restoration plans.

**Santa Barbara County Flood Control District – West Canyon Drainage Improvement Project – Santa Maria, CA – Biologist (June 2003)**

While employed at Padre Associates, Inc., Mr. Dugas conducted focused, protocol-level CRLF surveys of the West Main Street drainage in Santa Maria, California. Numerous adult CRLF were identified during the survey.

**Chevron Corporation – Estero Hill Plant Sag Line Removal Project – Morro Bay, CA – Biologist (May 2003)**

While employed at Padre Associates, Inc., Mr. Dugas conducted wildlife surveys within the project area with specific emphasis on the presence of CRLF and/or existing suitable habitat within an intersecting drainage. Several adult CRLF were identified during the survey.

**City of Thousand Oaks – Phase 2 Sewer Interceptor Reconstruction Project – Thousand Oaks, CA – Biologist (May 2000)**

While employed at Padre Associates, Inc., Mr. Dugas worked with a team of biologists during focused preconstruction surveys for CRLF along a two-mile segment of Arroyo Conejo Creek located within the City of Thousand Oaks, California. Mr. Dugas participated as a biological monitor, which involved fish rescue and relocation of special-status reptiles during construction activities.

**Unocal – Guadalupe Beach A2A Emergency Excavation and Remediation Project – Guadalupe, CA – Biologist (1998)**

While employed at Padre Associates, Inc., Mr. Dugas participated in the monitoring (day/night) of the access routes and excavation areas throughout the project. During this period, Mr. Dugas conducted surveys with a team of biologists and observed as well as participated in numerous CRLF relocations. Using established handling protocols, all frogs observed were captured and relocated to a pre-determined suitable habitat area located outside the zone of disturbance. Mr. Dugas also accompanied U.S. Fish and Wildlife Service and California Department of Fish and Game biologists during several nighttime surveys of the wetland habitats within the project area. Mr. Dugas was involved in daily monitoring of the project site for biologically sensitive species, such as CRLF and western snowy plover (*Charadrius alexandrinus nivosus*).

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Brian Dugas, Principal Biologist



**MASTER'S THESIS**

Spatial, Seasonal, and Size Dependent Variation in the Diet of Sacramento Pikeminnow in the Main Stem of Chorro Creek, Central Coast California

**SPECIALIZED TRAINING**

- San Joaquin Kit Fox Workshop, California Central Coast Chapter of the Wildlife Society, October 2017
- TriCounty Fish Team, Snorkel Survey Training, May 2015
- Salmonid Restoration Federation Conference, March 2015
- Wetland Training Institute, Field Indicators of Hydric Soils, (8-hours), 2013
- Guadalupe Restoration Project – Site-specific California red-legged frog training, Jeff Alvarez, 2010
- California Tiger Salamander Workshop, Elkhorn Slough Research Reserve, 2009
- Wetland Training Institute, Wetland Delineator Certification Program (40 hours), 2006
- San Joaquin Kit Fox Habitat Evaluation Workshop, San Luis Obispo County, 2006

**PROFESSIONAL AFFILIATIONS**

- California Society for Ecological Restoration (SERCAL), Present
- Western Section of the Wildlife Society (TWS), Present
- Salmonid Restoration Federation (SRF), Present

**SELECTED PRESENTATIONS**

Dugas, B. "Avila Beach Community Services District, Marine Outfall Repair Project, Environmental Permitting Compliance." *American Public Works Association, Central Coast Chapter*, San Luis Obispo, CA. 2004.

Dugas, B. "Sacramento Pikeminnow Gut Content Analysis Project, Chorro Creek Watershed, San Luis Obispo, CA." *State of the Bay Conference*, City of Morro Bay. 2006.



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**ROBYN M. POWERS, SENIOR WILDLIFE BIOLOGIST**

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**EDUCATION**

M.S. Biology, emphasis in Wildlife Behavior and Physiology – San Francisco State University, California, 2009  
B.S. Environmental Science, University of Denver, Colorado 2000

**PROFESSIONAL CERTIFICATIONS**

- California Department of Fish and Wildlife Scientific Collecting Permit #10093
- OSHA 10-hour Outreach Training Program—Construction, 2016

**AREAS OF EXPERTISE**

Ms. Powers has project management and technical experience in the following areas:

- Protocol surveys for rare and endangered wildlife
- Surveys for wildlife using ecological scent-detection dogs
- Environmental compliance for large- and small-scale construction projects
- Pre-construction surveys, construction monitoring, and operational phase environmental compliance for large- and small-scale solar and wind sites
- Mammal ecology and population monitoring
- Large, meso, and small mammal trapping, handling, and radiotelemetry

**REPRESENTATIVE EXPERIENCE**

Ms. Powers is a broadly trained wildlife ecologist with more than 20 years of professional experience, with an emphasis on rare and endangered species surveys and research. She has valuable experience working with a variety of species, ranging from reptiles to large carnivores and from invasive to endangered species. Since 2013, Ms. Powers has served as a project manager and senior biologist for a variety of consulting projects on public, private, and military lands. For example, she has led survey and monitoring efforts at renewable energy facilities, for habitat conservation plans, for transportation projects, and for a variety of construction projects in California locales such as the San Joaquin Valley, Central Coast, Bay Area, and Channel Islands. Ms. Powers also managed a scent-detection dog program, is a trained detection dog handler, and owns two working dogs trained to detect San Joaquin kit fox scat and bird and bat fatalities.

**TERRA VERDE PROJECT EXAMPLES:**

**Tetra Tech / U. S. Navy – San Nicolas Island Fox Annual Demographic Grid-Trapping – San Nicolas Island, CA – Project Manager, Lead Biologist (Fall 2016 – Present)**

The San Nicolas Island fox (*Urocyon littoralis dickeyi*) population has been monitored annually since 2000. Ms. Powers participated in trapping efforts in 2003 and 2004, conducted a behavioral ecology study for her Master’s thesis from 2005 to 2006, and returned to the island in 2016 as the lead for the demographic trapping program. Ms. Powers manages all aspects of the project, such as Navy coordination; scheduling and planning; supply procurement and delivery to the island; training of staff; safety protocol development and implementation; data management, quality control, and analysis; troubleshooting challenges and advising on solutions; and preparation of annual reports and all other deliverables. She is the field lead for trapping and handling island foxes, which includes hiking and hauling traps over steep terrain; assessing the health and condition of each captured fox; collecting blood and other biological samples; fitting radio collars to selected foxes; vaccinating selected foxes for rabies virus and canine distemper virus; maintaining detailed records of fox captures; and presenting data in a detailed annual report.

**Private Developers – Biological Resources Assessments – San Luis Obispo County, CA – Project Manager, Biologist (2019 – Present)**

Ms. Powers manages projects for and/or surveys properties in San Luis Obispo County proposed for development to create Biological Resources Assessments that satisfy County requirements for recordation of baseline biological resources. This involves consulting various biological databases managed by environmental resource agencies, scientific literature reviews, assessment of habitats in and around the proposed project sites, assessment of suitability for sensitive species, waters and wetland delineations, plant and wildlife inventories, and recommendations to avoid and minimize damage to special-status species and habitats. A consolidated report in the County-approved format is prepared and used to inform the environmental permitting process. When oak trees or other sensitive species or habitats are found on site, Ms. Powers prepares a mitigation plan for approval by the County so the owner may compensate for impacts to sensitive resources. Ms. Powers has managed these projects for a diversity of clients, such as owners of vineyards and

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*Robyn Powers, Senior Biologist*



wineries, residential developers, and cannabis farms in all areas of the County.

**Wallace Group – Oak Shores Construction Compliance and Mitigation Implementation – Lake Nacimiento, CA – Project Manager (2019 – 2021)**

Ms. Powers managed several projects related to the residential development, Oak Shores II, on the north shore of Lake Nacimiento. She assisted Wallace Group by interpreting historical permits regarding sensitive resource avoidance, minimization, and mitigation measures for construction and coordinating with resource agencies. Terra Verde assisted with preconstruction surveys for sensitive resources within the development footprints as well as biological monitoring support for installation of a new force main. The mitigation plan for the project included the protection of an open space oak woodland area, oak tree plantings, and construction of a recreational trail. Terra Verde biologists surveyed the proposed trail route, made suggestions for improvements to avoid resources, mapped resources, and documented the number, location, species, and size of each native tree that may be impacted by trail development. Ms. Powers coordinated closely with the client and resource agencies, prepared biologists for surveys, managed, wrote, and/or reviewed several reports, and worked with the team to problem solve.

**MNS (City of Pismo Beach) – Bello Street Bridge Rehabilitation – Pismo Beach, CA – Biologist, Compliance Monitor (2020)**

Terra Verde is providing environmental consulting services to support the replacement of the Bello Street Bridge which crosses Pismo Creek in Pismo Beach, California. Project permits required preconstruction surveys for California red-legged frog (*Rana draytonii*), southwestern pond turtle (*Actinemys pallida*), tidewater goby (*Eucyclogobius newberryi*), steelhead trout (*Oncorhynchus mykiss*), roosting bats, and nesting birds, as well as weekly compliance inspections for measures to protect these species and jurisdictional waters. In addition to inspecting the bridge and surroundings for sign of roosting bats, Ms. Powers conducted several sunset and sunrise bat emergence surveys to ensure that no bats were roosting within the old bridge before demolition. She prepared a detailed report documenting the methods and results of the bat surveys.

**Cannon – Santa Ynez Community Services District – Santa Ynez, CA – Project Manager (Summer 2020)**

Terra Verde conducted biological and botanical surveys in advance of a sewer line extension project. Ms. Powers coordinated with the client and private property owners, prepared biologists for the field, ensured safety precautions were followed, and reviewed the biological report.

**Private Developer – Pre-construction Surveys and Monitoring – San Luis Obispo County, CA – Project Manager, Biologist (2019)**

Ms. Powers conducted surveys for special-status species on several properties proposed for cannabis development in California Valley, where rare and endangered species such as San Joaquin kit foxes, giant kangaroo rats (*Dipodomys ingens*), and San Joaquin antelope squirrels (*Ammospermophilus nelsoni*) frequent. Sensitive resources were mapped and discussed with the developer. Terra Verde coordinated extensively with the client and the County of San Luis Obispo to plan best practices for protection of sensitive species during construction activities. Ms. Powers monitored removal of hazardous materials so burrows and dens were avoided and left intact.

**Aspen Environmental Group – Wildfire Risk Reduction, Reliability, and Asset Protection – Trinity County, CA – Project Manager (Spring/Summer 2020)**

Terra Verde biologists assisted Aspen with surveys of powerline corridors on U.S. Forest Service lands to inventory wildlife and plants in advance of vegetation management activities. A large field crew traversed various habitats over several weeks and identified and mapped habitat types, potential for sensitive species, and wildlife and plants observed. Ms. Powers managed the Terra Verde field team, which involved logistical considerations, equipment and schedule management, and coordination with the client.

**County of San Luis Obispo Public Works – Estrella River Bridge Replacement Project – San Luis Obispo County, CA – Project Manager, Biologist (2019 – 2020)**

Terra Verde provided environmental monitoring services for the replacement of a concrete slab bridge over the Estrella River. Ms. Powers conducted focused preconstruction surveys for San Joaquin kit foxes, American badgers (*Taxidea taxus*), and nesting birds. She also provided construction monitoring services, which included pre-activity surveys for special-status species, including California red-legged frogs. Ms. Powers prepared preconstruction reports, monitoring reports, and the completion report and coordinated with the County, project engineers, and the construction contractor.

**Private Landowner – Conservation Land Assessment – Shandon, CA – Biologist (2019)**

Terra Verde is assisting a private landowner with the process of developing a conservation bank for special-status species in the region. In addition to conducting a San Joaquin kit fox assessment of the property, Ms. Powers assisted with surveys to determine the presence

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Robyn Powers, Senior Biologist



of special-status amphibians, such as California red-legged frog, California tiger salamander, and western spadefoot. Amphibian surveys included an assessment of suitable habitat on site as well as daytime observations and identification of larvae in several ponds and the use of dipnets and seines in ponds with suitable habitat for California tiger salamander, under the supervision of federal recovery permit holders with Storrer Environmental Services, LLC.

**City of San Luis Obispo – Baseline Wildlife Surveys for Miozzi Ranch Open Space – San Luis Obispo, CA – Biologist (2019)**

Terra Verde biologists performed baseline botanical and wildlife surveys at the 266-acre Miozzi Ranch Open Space, which was recently acquired by the City of San Luis Obispo. To inventory species of mammals using the site, Ms. Powers set remote sensor cameras along wildlife trails and near water features and set a bat detector near a water source most likely to be used by bats. She analyzed camera data and bat calls recorded by the detector to develop a list of species detected. Ms. Powers prepared a report of methods and results for submission to the City.

**PROJECT EXAMPLES PRIOR TO TERRA VERDE:**

**SunPower/NRG Energy/Clearway Energy– California Valley Solar Ranch – San Luis Obispo County, CA – Project Manager, Biologist (January 2017 – February 2019); San Joaquin Kit Fox Compliance, Monitoring, and Research Lead (2012 – 2019)**

During construction of the California Valley Solar Ranch (CVSR), a 250-megawatt photovoltaic solar plant north of Carrizo Plain National Monument, Ms. Powers performed, coordinated, and supervised the monitoring of San Joaquin kit foxes and their den resources. She advised on and supervised the implementation of all avoidance and minimization measures required by federal, state, and county permits. As a designated biologist, she also surveyed for and monitored other special-status species, such as San Joaquin antelope squirrels, giant kangaroo rats, burrowing owls (*Athene cunicularia*), and American badgers. During the operational phase of CVSR, in addition to continuing special-status survey monitoring, Ms. Powers led a telemetry study to compare the reproduction, survival, and habitat selection of San Joaquin kit foxes inhabiting lands in and around the solar site with kit foxes in an area unaffected by solar development. From 2017 to 2019, Ms. Powers managed the CVSR project, overseeing permit compliance, surveys, and reporting for the site as well as mammal tasks for the Habitat Mitigation and Monitoring Plan. Ms. Powers presented related work at The Western Section of the Wildlife Society, The California Central Coast Chapter of the Wildlife Society, and the San Joaquin Valley Natural Communities Conference.

**Altamont Wind Resource Area – Avian and Bat Protection Plan Implementation – Alameda County, CA – Detection Dog Program Manager, Biologist (2016 – 2019)**

Ms. Powers managed a team of ecological scent-detection dogs and handlers to survey for fatalities in support of the avian and bat protection plan for a large-scale wind project in the Altamont Wind Resource Area. She was responsible for scheduling, staff oversight, and detection dog-handler team quality assurance. She also performed avian and bat fatality surveys as a detection dog handler.

**Contra Costa Water District – Los Vaqueros Watershed Habitat Management – Concord, CA – San Joaquin Kit Fox Surveys Manager (2017 – 2019)**

On 25,000 acres of the Los Vaqueros Reservoir watershed and associated conservation lands in Contra Costa County, California, Ms. Powers managed the monitoring efforts for San Joaquin kit foxes. She identified opportunities for efficiencies and focused monitoring in areas with the most suitable habitat and that were most likely to be used by kit foxes based on their ecology and behavior. Tasks also included field staff management and remote-sensor camera photo review for species identification.

**Caltrans – Cherry Avenue Truck Climbing Lanes – Kern County, CA – Project Manager (2016 – 2017)**

Along 3 miles of rural highway slated to be widened to accommodate an extension of truck climbing lanes, Ms. Powers managed small mammal trapping surveys targeting the endangered giant kangaroo rat and threatened San Joaquin antelope squirrel. She also managed efforts to survey the project route for sign of the special-status San Joaquin kit fox and burrowing owl, which included remote camera monitoring of potential dens or burrows in the project impact area to confirm vacancy. All surveys were performed and documented in accordance with the project's biological opinion, incidental take permit, lake or streambed alteration agreement, and multiple species relocation and mitigation plans. In addition to her project management responsibilities, Ms. Powers provided kit fox expertise to the project team.

**California Department of Fish and Wildlife – Giant Garter Snake Surveys using Detection Dogs – San Joaquin Valley, CA – Project Manager, Detection Dog Program Manager (2016)**

The visually elusive giant garter snake occurs at low densities in much of the San Joaquin Valley, which results in low detection probability and poor understanding of occupancy patterns throughout much of its range. Ms. Powers led detection dog teams as a

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*Robyn Powers, Senior Biologist*



component of a large study to examine the distribution, abundance, and demography of the species and field test new sampling techniques to facilitate species management and conservation. The detection dogs surveyed for giant garter snakes in their aquatic environment and detections were confirmed using environmental DNA. Ms. Powers worked closely with species expert Eric C. Hansen and with agency personnel to develop survey techniques and brainstorm best practices. She managed the teams' schedule and all logistics and supported the teams in the field. This spearheaded a study, that Ms. Powers managed, to refine the survey technique for more widespread use.

**Private Developer – San Joaquin Kit Fox Surveys – Tulare County, CA – Project Manager, Detection Dog Program Manager (2016)**

Ms. Powers managed a San Joaquin kit fox survey effort, which was completed with ecological scent-detection dogs, on 36,377 acres of rangeland in unincorporated Tulare County, CA. She was responsible for ensuring the readiness of the survey teams, strategizing the most efficient and effective survey approach, preparing teams for the field, ensuring team safety, and completing a detailed survey report.

**U.S. Fish and Wildlife Service – Pilot Study for the Use of Detection Dogs to Survey for California Tiger Salamanders – San Luis Obispo, CA – Detection Dog Program Manager (2015 – 2016)**

To address challenges to current protocol surveys for California tiger salamanders (*Ambystoma californiense*), the U.S. Fish and Wildlife Service funded a study to test the use of ecological scent-detection dogs for surveys of the species. Ms. Powers coordinated closely with agency personnel and species experts to inform the design of the study and identify desired outcomes. She led the team of handlers and dogs, coordinated with the lead trainer, and addressed challenges with creative troubleshooting. Her duties also included overseeing the care of captive salamanders used for the study, as well as the capture and care of nontarget amphibian species. After completion of the study, she prepared a detailed report; presented the findings to the U. S. Fish and Wildlife Service, Dr. Brad Shaffer's

**Solar Project in Southern Monterey County – Cholame, CA – Biologist (2013)**

Ms. Powers conducted San Joaquin kit fox scat surveys, using detection dogs, to establish a baseline understanding of kit fox use of the project site, adjacent land, and potential mitigation land.

**MASTER'S THESIS**

Powers, R. M. 2009. Social behavior measured by home range overlap in island foxes (*Urocyon littoralis dickeyi*). Thesis. San Francisco State University, California.

**SCIENTIFIC COMMUNITY INVOLVEMENT**

- California Central Coast Chapter of the Wildlife Society. San Joaquin Kit Fox Workshop Instructor: 2013–2015 and 2017–2018.
- Student Chapter of the Wildlife Society. Field Trip to Carrizo Plain Instructor/Guest Speaker: 2016.

**PROFESSIONAL MEMBERSHIPS**

- The Wildlife Society
- The Western Section of the Wildlife Society
- The Central Coast Chapter of the Wildlife Society
- The San Joaquin Chapter of the Wildlife Society

**PUBLICATIONS**

Powers, R. M., B. L. Cypher, K. Ralls, J. A. Randall, and E. C. Kelly. 2021. Ecological variation among island foxes relative to reproductive events. California Fish and Wildlife Journal Special CESA Issue:400-415.

Powers, R. M. 2018. Detection dogs as ambassadors and field assistants to protect imperiled reptiles and amphibians. Chapter 2 in N. Richards, editor, Using Detection Dogs to Monitor Aquatic Ecosystem Health and Protect Aquatic Resources. Palgrave Macmillan, Cham, Switzerland.

Clark, H. O., R. M. Powers, K. L. Uschyk, and R. K. Burton. 2015. Observations of antagonistic and nonantagonistic interactions between the San Joaquin kit fox (*Vulpes macrotis mutica*) and the American badger (*Taxidea taxus*). The Southwestern Naturalist 60(1):106–110.



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**SARA SNYDER, WILDLIFE BIOLOGIST**

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**EDUCATION**

M.S. Biology, California Polytechnic State University, San Luis Obispo, 2014  
B.S. Marine Biology, University of California Santa Cruz, Santa Cruz, 2005

**PROFESSIONAL CERTIFICATIONS**

- U.S. Fish and Wildlife Service Vernal Pool Fairy Shrimp T & E Recovery Permit # TE32232D-0
- California Department of Fish and Wildlife Scientific Specific Use Collecting Permit # S-182750007-19101-001
- California Department of Fish and Game Plant Voucher Collecting Permit No. 2081(a)-21-046-V

**AREAS OF EXPERTISE**

Ms. Snyder has technical expertise in the following areas:

- California red-legged frog (*Rana draytonii*; CRLF) site assessment, surveys, and monitoring
- Vernal pool habitat assessment and special-status vernal pool wildlife surveys
- Biological and botanical surveys, habitat assessment, and monitoring
- Special-status species surveys, identification, and monitoring
- Special-status and general avian surveys, identification, and monitoring
- Habitat restoration and monitoring
- Technical document preparation, including biological assessments, natural environmental studies, and monitoring reports
- GIS mapping and analysis
- Environmental and construction compliance monitoring
- Jurisdictional delineations and wetland assessment

**REPRESENTATIVE EXPERIENCE:**

Ms. Snyder has over 15 years of experience conducting biological assessment, special-status species surveys, and environmental compliance for a wide variety of projects with an emphasis on oil and gas, wind and solar energy generation and water banking. Ms. Snyder's responsibilities have included: biological resources assessments, permitting, compliance monitoring and training, and special-status species site assessments, surveys, and monitoring.

**RELEVANT CURRENT PROJECTS:**

**County of San Luis Obispo – Arroyo Grande Creek Waterway Management Project – San Luis Obispo County, CA – Project Manager, Biologist (April 2020 – Present)**

Terra Verde is providing environmental consulting services to the County of San Luis Obispo Public Works Department for the first phase of the Arroyo Grande Creek Waterway Management Program. The project site includes the lower 2.75 miles of Arroyo Grande Creek and adjacent Los Berros Creek diversion channel, which a channelized system known to support California red-legged frog (CRLF; *Rana draytonii*), steelhead (*Oncorhynchus mykiss*), and other special-status species. Ms. Snyder manages all aspects of the project, such as coordination with the County and other project consultants; scheduling and planning; adaptive management recommendations and implementation; conducting special-status species, nesting bird, and water quality surveys in support of management activities and wildlife inventory surveys to track wildlife use within restoration areas; and preparation of annual reports for project permits and other deliverables.

**Diablo Canyon Power Plant Decommissioning Project - San Luis Obispo County – Biologist, GIS Specialist (March 2020 – Present)**

Terra Verde was retained by Pacific Gas & Electric to provide environmental consulting services in support of decommissioning the Diablo Canyon Power Plant. The project site consisted of the Diablo Canyon Power Plant, the Pismo Beach Materials Handling Facility, and two railyard sites in Santa Barbara County. In support of the Decommissioning Project Ms. Snyder has completed scientific literature reviews including consulting various biological databases managed by environmental resource agencies and past technical studies completed for the facilities, conducted on site surveys to assess and map habitats, assess suitability for sensitive species, delineate waters and wetlands, complete plant and wildlife inventories, and provide recommendations to avoid and minimize damage to special-status species and habitats during project implementation. In addition, Ms. Snyder has conduct protocol-level California red-legged frog surveys, GIS mapping, and technical document preparation.

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*Sara Snyder, Wildlife Biologist*





**MNS Engineers, Inc – Bello Street Bridge Project – Pismo Beach, CA – Biologist (May 2020 – Present)**

Terra Verde is providing environmental services to support the replacement of the Bello Street Bridge in Pismo Beach, California. Ms. Snyder assisted with preconstruction surveys for nesting birds and California red-legged frogs and provided biological monitoring and inspections during construction.

**County of San Luis Obispo – Arroyo Grande Creek Waterway Management Project – San Luis Obispo County, CA – Biologist (April 2020 – Present)**

Terra Verde is providing environmental consulting services to the County of San Luis Obispo Public Works Department for the first phase of the Arroyo Grande Creek Waterway Management Program. The program includes management of up to 11 sediment management zones including restoration monitoring and invasive species management. Ms. Snyder completes pre-activity special-status species surveys in support of management activities and wildlife inventory surveys to track wildlife use within restoration areas.

**Pacific Gas & Electric – Wildfire Safety and Inspection Program – San Luis Obispo County, CA (April 2019 – Present)**

As a subcontractor, Terra Verde is providing ongoing support for the PG&E Wildfire Safety and Inspection Program (WSIP). Ms. Snyder has conducted special-status species and nesting bird surveys and monitoring for various project sites throughout Monterey, San Luis Obispo, and Santa Barbara County.

**RELEVANT PAST EXPERIENCE:**

**Justin Vineyards and Winery – Vineyard Biological Assessment – San Luis Obispo County, CA – Wildlife Biologist (November 2019 – July 2020)**

Terra Verde provided environmental services to support the expansion of Justin Vineyards in northwestern San Luis Obispo County, California at two locations. Ms. Snyder completed a habitat assessment and an assessment and mapping of hydrological resources of the sites. Ms. Snyder also led the technical document preparation and GIS analysis for the projects.

**Aspen Environmental Group – Trinity Public Utilities District – Wildfire Risk Reduction, Reliability, and Asset Protection Project – Trinity County, CA – Biologist (June 2020)**

As a subcontractor to Aspen Environmental Group, Terra Verde conducted biological surveys in support of a Wildlife Risk Reduction Project for the Trinity Public Utilities District. Ms. Snyder assisted in biological surveys throughout rural areas of Trinity County. Specifically, surveys focused on the identification of rare plants and wildlife, as well as mapping habitat communities within multiple survey zones. The surveys covered a 250-foot corridor along approximately 500 miles of electrical transmission lines. Ms. Snyder identified foothill yellow-legged frog (*Rana boylei*; California Species of Special Concern) during these surveys.

**County of San Luis Obispo Public Works – Estrella Bridge Replacement Project – Paso Robles, CA – Biologist (June 2019 – Present)**

Terra Verde is providing environmental services for the replacement of an existing concrete slab bridge over the Estrella River. Ms. Snyder is responsible for completing nesting bird and special-status species surveys, environmental crew trainings, biological monitoring, and inspections throughout construction, as well as schedule coordination with contractor foreman and engineers.

**County of San Luis Obispo Public Works – Geneseo Bridge Project – Paso Robles, CA – Biologist (July 2019 – Present)**

Terra Verde is providing environmental services for the construction of a concrete slab bridge within an existing low water crossing of the west branch of the Huer Huero Creek. Ms. Snyder is responsible for completing nesting bird surveys, biological monitoring, and inspections throughout construction, as well as schedule coordination with contractor foreman and engineers.

**City of San Luis Obispo – Miossi Ranch Biological Resources Assessment – San Luis Obispo, CA – Biologist (2019)**

Terra Verde completed a biological resources assessment for the City of San Luis Obispo at its newly-acquired open space property. To support the City in adding Miossi Ranch to the existing network of publicly accessible open space lands, Terra Verde completed an inventory and assessment of biological resources present on the property. Surveys included a botanical inventory, wildlife surveys, vegetation community classification and mapping, a habitat assessment, and an evaluation of management considerations. Ms. Snyder conducted three surveys on the approximately 335-acre property, which included a botanical inventory, mapping of noxious and special-status species populations, habitat assessment, vegetation community mapping and general wildlife surveys.

**Insignia – Southern California Gas Company Line 85 Replacement Project – Kern County, CA – Biologist (2018 – 2019)**

Terra Verde supported Insignia and Southern California Gas Company in the development of a biological resource assessment for the replacement of an approximately thirteen-mile section of pipeline. Ms. Snyder completed a habitat and special-status species assessment including assisting with botanical surveys and mapping. Sensitive species assessed included San Joaquin kit fox, Nelson's

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*Sara Snyder, Wildlife Biologist*



antelope squirrel, Le Conte's thrasher, American badger, blunt-nosed leopard lizard, Swainson's hawk, giant kangaroo rat, and short-nosed kangaroo rat.

**Morro Bay National Estuary Program – Chorro Creek Floodplain Enhancement Project – San Luis Obispo, CA – Biologist (2019)**

Terra Verde provided a habitat assessment for California red-legged frog, pre-construction nesting bid survey and construction monitoring for the Morro Bay National Estuary Program in support of the Chorro Creek Floodplain Enhancement Project. Ms. Snyder completed a California red-legged frog site assessment and a night survey according to the USFWS 2005 Guidance.

**Larkin Group – Vandenberg Dunes Golf Course – Lompoc, CA – Lead Field Biologist (2017 – 2018)**

While employed at AECOM, Ms. Snyder led site wide surveys to assess potential for occurrence and identify habitat for sensitive species. Species included: California red-legged frog, California tiger salamander, El Segundo blue butterfly (sea cliff buckwheat), spadefoot toad, San Diego woodrat, vernal pool fairy shrimp, monarch butterfly, and breeding birds. Ms. Snyder verified vegetation mapping for the project site provided by Vandenberg AFB and assisted with wetland delineations for the entire project site following the U.S. Army Corp of Engineers (USACE) Wetland Delineation Manual and Arid West Supplement.

**Windset Farms – California red-legged frog Habitat Assessment – Santa Maria, CA – Wildlife Biologist (2017 – 2018)**

While employed at AECOM, Ms. Snyder conducted a California red-legged frog Habitat Assessment for the proposed greenhouse expansion of Windset Farms facility in Santa Maria, CA. Ms. Snyder also assisted with protocol level surveys of the water features on the property.

**United Launch Alliance – Harbor Dredging – Lompoc, CA – Marine Mammal Monitor (2016 – 2017)**

While employed at AECOM, Ms. Snyder provided marine mammal monitoring of harbor seals, California sea lions and sea otters during harbor dredging and barge loading and unloading activities on Vandenberg Air Force Base.

**Freeport-McMoRan Oil and Gas – Pt. Pedernales Pipeline Changeover – Lompoc, CA – Wildlife Biologist (2016 – 2017)**

While employed at AECOM, Ms. Snyder conducted protocol surveys for California red-legged frogs in support of permitting for the Pt. Pedernales Pipeline Changeover project through Vandenberg Air Force Base. Ms. Snyder also assisted with the compliance monitoring during the construction phase of the project.

**SPECIALIZED TRAINING**

- Riparian Bird Workshop, The Wildlife Society, Central Coast Chapter, June 2018, and June 2019 (participated and helped host; heard 6 least Bell's vireos and 7 willow flycatchers)
- Declining Aquatic and Semi-Aquatic Herps of the Central Coast, The Wildlife Society, Central Coast Chapter, April 2016, 2017, 2018, and 2019 (participated and helped host)
- Vernal Pool Branchiopods: A Workshop for Future Permit Holders, The Wildlife Society, Western Section, February 2018
- Wetland Delineation Workshop, Jepson Herbarium, May 2017
- San Luis Obispo County Qualified Biologist Workshop, October 2015 and 2016
- Marine Mammal Workshop, The Wildlife Society, San Francisco Bay Area Chapter, September 2016
- Blunt-nosed Leopard Lizard Workshop, The Wildlife Society, San Joaquin Chapter, May 2016
- Rare Pond Species Survey Methods Workshop - CRLF, CTS and western pond turtle handling and identification, The Wildlife Project, March 2016
- Terrestrial Ecology of California Tiger Salamander Workshop, The Wildlife Project, March 2016
- Western Pond Turtle Workshop: Ecology and Conservation, The Wildlife Society, San Francisco Bay Area Chapter, October 24, 2015
- San Joaquin Kit Fox Workshop, The Wildlife Society, Central Coast Chapter, October 2015 (attendee) and 2018 (helped host)
- Burrowing Owl Workshop, Elkhorn Slough Coastal Training Program, August 2015

**PROFESSIONAL AFFILIATIONS**

- The Wildlife Society: Council, Western Section, California Central Coast Chapter, San Joaquin Chapter, San Francisco Bay Chapter; currently Central Coast Chapter President

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*Sara Snyder, Wildlife Biologist*



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**PATRICK SCOTT, WILDLIFE BIOLOGIST**

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**EDUCATION**

M.S. Environmental Science – Southern Cross University, Lismore, NSW, Australia, 2010

B.S. Biology – Mount Allison University, Sackville, NB, Canada, 2006

**RELEVANT PROFESSIONAL CERTIFICATIONS, PERMITS, AND APPROVALS**

- California Department of Fish and Wildlife Scientific Collecting Permit (#SC-12515)
- U. S. Fish and Wildlife Service (USFWS) Authorized California red-legged frog (*Rana draytonii*; CRLF) Biologist (survey, monitor, and capture and handle) under the Caltrans' Programmatic Biological Opinion (8-8-10-F-58)
- USFWS Authorized CRLF and California tiger salamander (*Ambystoma californiense*; CTS) Biologist (monitor) for Caltrans' La Gloria Road Project
- USFWS – Authorized CRLF Biologist for the Arroyo Grande Creek Waterway Management Program.

**AREAS OF EXPERTISE**

Mr. Scott has technical and project management experience in the following areas:

- Special-status species habitat assessments, surveys, identification, and monitoring
- Special-status and general avian habitat assessments, surveys, identification, and nest monitoring
- GIS (ArcMap 10.0 and newer) and GPS applications for pre-project planning, data collection and analysis, and producing project deliverables
- Environmental compliance monitoring for small- to large-scale construction projects
- Technical document preparation, natural environmental studies, and biological resource assessments

**RELEVANT CURRENT EXPERIENCE:**

**Atlas Technical Consultants – Conoco Phillips Telephone Soil Road Remediation Project – Santa Maria, CA – Wildlife Biologist (2022 – Present)**

Terra Verde is providing environmental consulting services to the Atlas Technical Consultants for the Conoco Phillips Telephone Road Soil Remediation Project in Santa Maria, CA. Mr. Scott prepared the technical document for the project and is assisting with agency consultation for potential impacts to federally listed species.

**City of Atascadero – San Rafael Lift Station No.2 – Atascadero, CA – Wildlife Biologist (2021 – Present)**

Terra Verde is providing environmental consulting services to the City of Atascadero for the San Rafael Lift Station No.2 Project. Mr. Scott conducted the preconstruction wildlife surveys and currently assists with agency permit compliance and reporting, technical document preparation, and environmental trainings for project staff.

**City of San Luis Obispo – Sediment Removal Project – San Luis Obispo, CA – Wildlife Biologist (2021 – Present)**

Terra Verde has supported the City of San Luis Obispo with obtaining necessary regulatory agency permits for sediment removal projects in the past and has been awarded the 2021 contract to support permit acquisition for five sediment removal sites located within San Luis Obispo, California. In support of permitting efforts, Mr. Scott supports jurisdictional mapping at each proposed sediment removal location and assists in obtaining all regulatory resource agency permits as needed for maintenance work not covered under routine maintenance agreements.

**Pacific Gas & Electric – Vegetation Management Program – Kern, San Luis Obispo, and Santa Barbara Counties, CA – Wildlife Biologist (2021 – Present)**

As a subcontractor, Terra Verde is providing ongoing environmental services in support of vegetation management activities for PG&E. Mr. Scott is conducting special-status species surveys, including nesting birds, presenting environmental awareness trainings, and monitoring for various projects throughout central California.

**County of San Luis Obispo Public Works – Arroyo Grande Creek Waterway Management Program – Oceano, CA – Wildlife Biologist (2020 – Present)**

Terra Verde is providing environmental consulting services to the County of San Luis Obispo Public Works Department for the first phase of the Arroyo Grande Creek Waterway Management Program. The program includes management of up to 11 sediment management zones including restoration monitoring and invasive species management. Mr. Scott completes pre-activity special-

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*Patrick Scott, Wildlife Biologist*



status species and nesting bird surveys in support of management activities and wildlife inventory surveys to track wildlife use within restoration areas.

**MNS Engineers, Inc – Bello Street Bridge Project – Pismo Beach, CA – Wildlife Biologist (2020 – Present)**

Terra Verde is providing environmental services to support the replacement of the Bello Street bridge in Pismo Beach, California. Mr. Scott is assisting with preconstruction crepuscular surveys for bats, seine netting for special-status fish species, and construction monitoring. He is also supporting permit acquisition and technical document preparation for this project.

**Pacific Gas & Electric Company (PG&E) – Distribution Environmental Services (October 2019 – Present)**

Terra Verde has been involved as a prime contract holder and as a subcontractor to other PG&E primes with over 200 PG&E electric distribution projects. Mr. Scott has provided support in desktop and field biological assessment efforts for special-status plants and wildlife.

**PG&E – Diablo Canyon Power Plant– San Luis Obispo County, CA – Biologist (October 2019 – Present)**

Terra Verde provides biological services in support of Diablo Canyon Power Plant operations. Due to the confidentiality of this work specific tasks are not discussed.

**California Department of Transportation (Caltrans) – Mill Creek Viaduct Project – Monterey County (Big Sur), CA – Biologist (Planner/Natural Sciences) (2019)**

Mr. Scott served as the project biologist for the completion of a comprehensive Natural Environmental Study for Caltrans' Mill Creek Viaduct project. The project included removing the current road surface, constructing a land-based bridge (viaduct), updating metal beam guard rail, and restriping. The scope of work included completion of multiple focused wildlife and botanical resource surveys, in addition to a SBB habitat assessment and protocol-level surveys (species presence confirmed). The combined studies and technical report included a series of recommended avoidance and minimization measures for protection of identified sensitive biological resources.

**AGENCY PERMITS, APPROVALS, AND AUTHORIZATIONS**

- CDFW – Scientific Collecting Permit #SC-12515.
- USFWS – Authorized Biologist (CRLF – survey, monitor, and capture and handle) for Caltrans projects funded or approved under the Federal Highway Administration's (FHWA) federal aid program.
  - Bello Street Bridge Replacement Project
  - Trout Creek Bridge Replacement Project
- USFWS – Authorized Biologist (CRLF and CTS - monitor) for Caltrans' La Gloria Road Curve Correction project.
- USFWS – Authorized Biologist (CRLF) for the Arroyo Grande Creek Waterway Management Program.

**SPECIALIZED TRAINING**

- The Wildlife Society: Riparian Bird Workshop (least Bell's vireo [*Vireo bellii pusillus*], southwestern willow flycatcher [*Empidonax traillii extimus*], etc.) – Ventura/Ojai, CA – June 2019
- Caltrans: Smith's Blue Butterfly Training (Led by Authorized Biologists listed under the Caltrans PBO (1-8-07-F-68) – San Luis Obispo, CA – May 2019
- The Wildlife Society: Declining Aquatic and Semi-aquatic Herpetofauna of the Central Coast (CTS, CRLF, WPT, slender salamanders [*Batrachoseps* sp.], etc.) – San Luis Obispo, CA – April 2018
- The Wildlife Society: Mammal Track and Sign Workshop (Bobcat [*Lynx rufus*], Grey Fox [*Urocyon cinereoargenteus*], Red Fox [*Vulpes vulpes*], Coyote [*Canis latrans*], etc.) – Guadalupe, CA – April 2017
- National Audubon Society (Orange County Chapter): Birding Skills Workshop – Huntington Beach, CA – December 2011

**PROFESSIONAL AFFILIATIONS**

- The Wildlife Society (Central California Coast and San Joaquin Valley Chapters) – Present



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**AMY GOLUB, BOTANIST**

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**EDUCATION**

B.S. Environmental Studies, emphasis in Natural Resource Management and Conservation – San Francisco State University, San Francisco, 2009

B.A. Geography, San Francisco State University, 2009

**PROFESSIONAL CERTIFICATIONS**

- California Department of Fish and Game Plant Voucher Collecting Permit No. 2081(a)-18-050-V
- Mine Safety and Health Administration; 8-hour refresher, 2017
- California Division Occupational Safety and Health Administration, 40-Hour Hazardous Waste Operations and Emergency Response Safety Training; 8-hour refresher, 2017

**AREAS OF EXPERTISE**

Ms. Golub has technical expertise in the following areas:

- Botanical surveys and floristic analyses (rare plant surveys, invasive plant surveys, oak tree surveys, and vegetation mapping and classification)
- Use of botanical taxonomic dichotomous keys
- Jurisdictional determinations and wetland assessments
- Habitat restoration and monitoring
- Rare and native seed collection and plant salvage techniques
- Technical document preparation, including biological assessments, natural environmental studies, habitat mitigation and Monitoring plans, and monitoring reports
- Regulatory agency permitting
- Environmental and construction compliance monitoring

**RELEVANT CURRENT PROJECTS:**

**Creek Lands Conservation – Lower San Luis Obispo Fish Passage Project – Avila Beach, San Luis Obispo County, California – Botanist, Permitting Coordinator (May 2020 – Present)**

Terra Verde provided environmental support for a creek passage improvement project located in the lower reaches of San Luis Obispo Creek, Avila Beach, San Luis Obispo County, California. The project includes repair and improvement to an existing weir to improve fish passage. Ms. Golub supported conducting a jurisdictional delineation and formal wetland delineation of the federal and state waters and wetlands as well as prepared a Habitat Restoration and Monitoring Plan in support the permitting process. Ms. Golub led the initial permitting effort, which included obtaining a Small Habitat Restoration Project Notice of Applicability and submitting a U.S. Army Corps of Engineers Nationwide Permit 27 application and appropriate documents to support Section 7 consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Terra Verde is expected to provide continued permitting support on the project including preparing and submitting a Habitat Restoration or Enhancement Project Request Form to the California Department of Fish and Wildlife.

**City of Paso Robles – Propeller Drive Extension Project– Paso Robles, CA – Botanist, Permitting Coordinator (January 2020 – Present)**

Terra Verde is supporting the City of Paso Robles with environmental permitting for the Propeller Drive Extension Project. In support of this project, Terra Verde completed a biological resources assessment, including botanical surveys, habitat assessment, and jurisdictional determination for waters and wetlands. Ms. Golub is responsible for obtaining all regulatory agency permits to complete the project including a U.S. Army Corps of Engineers Section 404 Nationwide Permit, a Regional Water Quality Control Board Section 401 Water Quality Certification, and a California Department of Fish and Wildlife Streambed Alteration Agreement. Ms. Golub also developed a Compensatory Mitigation Plan for unavoidable impacts to jurisdictional waters in support of the permitting process for resources agency review and approval. Ms. Golub is currently in the permitting review stage with resources agencies.

**City of Paso Robles – Dry Creek Road Realignment Project– Paso Robles, CA – Botanist, Permitting Coordinator (January 2019 – Present)**

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*Amy Golub, Botanist*



Terra Verde is supporting the City of Paso Robles with environmental permitting for the Dry Creek Road Realignment Project. In support of this project, Terra Verde completed a multi-season field assessment, including botanical surveys, habitat assessment, and jurisdictional determination for waters and wetlands, including vernal pools. Ms. Golub is coordinating agency consultation with the Regional Water Quality Control Board, California Department of Fish and Wildlife, and U.S. Army Corps of Engineers, including Section 7 consultation for potential impacts to vernal pool fairy shrimp (*Branchinecta lynchi*) critical habitat. Ms. Golub also developed a Compensatory Mitigation and Monitoring Plan for impacts to vernal pool fairy shrimp critical habitat.

**City of San Luis Obispo – Urban Streams Routine Maintenance Project – San Luis Obispo, CA – Permitting Coordinator (October 2017 – Present)**

The City of San Luis Obispo is responsible for conducting routine maintenance within San Luis Obispo Creek and its tributaries in accordance with the San Luis Obispo Creek Waterway Management Plan. The City of San Luis Obispo obtained a new standard agreement to conduct routine maintenance, which includes up to 14 different sediment removal sites through City Limits. Ms. Golub is currently supporting obtaining an amendment to the existing routine maintenance agreement to include grazing as a method for vegetation management at select project sites.

**City of San Luis Obispo – Sediment Removal Project – San Luis Obispo, CA – Permitting Coordinator (October 2017 – Present)**

Terra Verde has supported the City of San Luis Obispo with obtaining necessary regulatory agency permits for sediment removal projects in the past and has been awarded the 2021 contract to support permit acquisition for five sediment removal sites located within San Luis Obispo, California. In support of permitting efforts, Ms. Golub supports jurisdictional determinations at each proposed sediment removal location and is responsible for obtaining all regulatory resource agency permits as needed for maintenance work not covered under routine maintenance agreements.

**Santa Margarita Ranch, LLC – Tract 2586 Phase 1 Improvement Project – Santa Margarita, California – Botanist, Permitting Coordinator (September 2017 – Present)**

Terra Verde was awarded the contract to support Santa Margarita Ranch, LLC with environmental and permitting support for Phase 1 of the Tract 2586 Improvement Project located on the Santa Margarita Ranch, San Luis Obispo County, California. Terra Verde has been tasked to support acquisition of all agency permits which at this time are assumed to be a U.S. Army Corps of Engineers Section 404 Nationwide Permit, Regional Water Quality Control Board Section 401 Water Quality Certification, and a California Department of Fish and Wildlife Streambed Alteration Agreement for multiple riparian crossings. In addition, Terra Verde is responsible for development of agency required plans including a La Panza mariposa lily (*Calochortus simulans*) Mitigation and Monitoring Plan; a Riparian and Wetland Habitat Mitigation and Monitoring Plan; a Steelhead Management Plan; an Oak Tree Inventory, Avoidance, and Protection Plan; and an Oak Tree Replacement Plan. Ms. Golub is responsible for obtaining all agency permits in support of the project and preparing a habitat mitigation and monitoring plan for unavoidable impacts to waters and wetlands.

**Pacific Gas and Electric Company (PG&E) – Pecho Creek Berm Removal and Restoration Project – San Luis Obispo County, CA – Botanist, Permitting Coordinator (November 2015 – Present)**

A 40-year-old earthen berm was removed by PG&E from the bed and banks of a blue line drainage located on the Diablo Canyon Power Plant property, San Luis Obispo County, California. Ms. Golub provided biological and technical assistance including conducting a biological resources assessment, jurisdictional determination, rare plant survey, and technical document preparation. Ms. Golub was responsible for obtaining all regulatory permits including a U.S. Army Corps of Engineers Section 404 Nationwide Permit, Regional Water Quality Control Board Section 401 Water Quality Certification, and a California Department of Fish and Wildlife Streambed Alteration Agreement. As a part of permitting support, Ms. Golub worked closely with agency representatives to develop and implement an agency approved site stabilization and restoration plan for the project. Ms. Golub is currently providing annual mitigation monitoring and reporting support of restoration areas.

**City of San Luis Obispo – Calle Joaquin Lift Station Replacement Project – San Luis Obispo, CA – Botanist, Permitting Coordinator (August 2015 – Present)**

Terra Verde is providing permitting assistance to the City of San Luis Obispo for a lift station project. This project includes a complicated replacement of an existing lift station and sanitary sewer pipeline under San Luis Obispo Creek. The project has an aggressive permitting timeline and Ms. Golub has been integral in providing environmental support services during the permitting and consultation phase. Ms. Golub's communications with agencies including the United States Army Corps of Engineers, U.S. Fish Wildlife Service, National Marine Fisheries Service, and the Regional Water Quality Control Board is ongoing. Ms. Golub has led the

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Amy Golub, Botanist



permitting effort including preparing permit applications and a Site Restoration and Enhancement Plan for unavoidable impacts to riparian and wetland habitat.

#### **RELEVANT PAST PROJECTS:**

##### **Old Creek, LLC – Old Creek Pond Dredging Project – San Luis Obispo County, CA – Botanist, Permitting Coordinator (June 2015 – December 2019)**

Terra Verde provided biological and permitting support for the Old Creek Pond Dredging Project located in San Luis Obispo County, California. The project included dredging accumulated silts and sediments to increase carrying capacity of the residential reservoir. Terra Verde conducted a biological resources assessment, jurisdictional determination, and prepared and obtained applicable resource agency permits or authorizations to proceed from the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. In addition, Ms. Golub prepared and supported implementation of a Riparian Habitat Enhancement Plan. Ms. Golub is currently providing annual monitoring and reporting support for the restoration areas.

##### **Jackson Family Wines – Byron Winery Drainage Maintenance Project – Sisquoc, CA – Botanist, Resource Specialist (June 2017 – March 2018)**

Terra Vere provided biological and permitting support for the Byron Winery Drainage Maintenance Project located in Sisquoc, California. Ms. Golub was responsible for obtaining all necessary permits or authorizations to proceed from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and the California Department of Fish and Wildlife. Ms. Golub supported implementing avoidance and minimization measures for the project including environmental training and pre-activity surveys for special-status species including the federally threatened California red-legged frog (*Rana draytonii*). Ms. Golub successfully obtained all necessary permits or authorizations to proceed and the project was completed on schedule.

##### **Private Property Owner – Baddley Restoration Project – Santa Margarita, CA – Botanist (October 2015 – December 2016)**

Ms. Golub assisted in developing and implementing the site-specific Habitat Revegetation and Bank Stabilization Plan for approval by the California Department of Fish and Wildlife in support of required mitigation for unpermitted activities within the Salinas River. Ms. Golub supported a site assessment and preparation of a restoration plan which focused on identifying feasible locations for restoration, site stabilization techniques, and development of an appropriate plant palette for restoration objectives. Following agency approval, Ms. Golub implemented the restoration plan which included installation of several baffle systems and native plant cuttings in directional rows to slow water velocities during high flow events and create a stable riparian scrub community.

##### **Chevron Corporation – San Luis Obispo Tank Farm Remediation, Restoration, and Development Project – San Luis Obispo, CA – Botanist, Resources Specialist (March 2013 – June 2015)**

While employed at Padre Associates, Inc., Ms. Golub assisted in the development of the Site Restoration Plan including developing project targets and goals, rare plant monitoring, mitigation planning, and restoration implementation for the 332-acre San Luis Obispo Tank Farm Remediation, Restoration, and Development Project, which includes restoration of waters and wetlands following remediation activities. In addition, Ms. Golub assisted in site preparation for Phase I project implementation including, but not limited to, conducting rare plant surveys, native seed collection, invasive plant mapping and removal oversight, rare plant salvage and donation, and seed increase efforts. Ms. Golub provided oversight of botanical field activities, specifically native and rare plant seed collection, in support of Phase I project implementation.

##### **Chevron Corporation – Guadalupe Dunes Restoration Project – Guadalupe Dunes, CA – Botanist (April 2013 – December 2014)**

While employed at Padre Associates, Inc., Ms. Golub worked with a team of botanists and conducted annual botanical surveys of open water, transitional wetland, and foredune/coastal dune scrub habitat. In addition, Ms. Golub was approved by the San Luis Obispo County Independent Botanical Monitor in identification of sensitive species known to occur on the project site including La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*), beach spectacle pod (*Dithyrea maritima*), and surf thistle (*Cirsium rhotophilum*). Ms. Golub participated in habitat enhancement projects including restoration planting and nursery operations.

#### **SPECIALIZED TRAINING**

- California Environmental Quality Act Impact Assessment Workshop; California Native Plant Society, 2015
- Definitions and Methods for Identifying and Delineating California Wetlands; Jepson Herbarium, 2015
- Streamlined Monitoring: Methods with a focus on citizen science; California Native Plant Society, 2015
- Grass Identification; California Native Plant Society San Luis Obispo Chapter, 2014

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Amy Golub, Botanist

## **6.C. Business Action Item**





## **BUSINESS ACTION ITEM STAFF REPORT**

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**ITEM 6.C. DISCUSSION, CONSIDERATION OF PROPOSALS FROM CANON AND ASHLEY & VANCE ENGINEERING, LLC FOR DESIGN AND SPECIFICATIONS, PROJECT MANAGEMENT, PERMITTING, BID PHASE SERVICES, AND CONSTRUCTION MANAGEMENT OF THE COMMUNITY WATER AND SEWER PIPE BRIDGE REPLACEMENT NOT TO EXCEED THE AMOUNT OF \$ 258,000.00.**

### Summary:

This request for proposal (RFP) for project management, design, bid phase services, construction management to replace the pipe bridge was mailed to thirty-seven (37) companies on March 31, 2022.

The District received two responsive proposals from the following firms:

- 1) Ashley Vance - \$229,111
- 2) Canon - \$252,924

### Recommendation:

It is recommended that the Board selects one responsive bidder and authorize staff to enter into an agreement to provide services as described in the RFP.

Enc: Proposal from Ashley & Vance Engineering, LLC  
Proposal from Cannon



PROPOSAL

# WATER AND SEWER PIPE BRIDGE REPLACEMENT

Consideration of  
**Ashley & Vance Engineering, Inc.**  
For Design Services

Prepared for:

**San Simeon Community Services District**  
111 Pico Avenue  
San Simeon, CA 93452

June 30, 2022

July 12, 2022 Board Meeting Packet



**SAN SIMEON**  
Community Services District

### DESIGN APPROACH

The proposed design approach includes utilizing a prefabricated steel utility bridge that will be assembled offsite and lifted into position. Reuse of the existing concrete abutments is anticipated. This approach is expected to minimize the amount of work required in the field, the associated impacts on the arroyo and surrounding areas, and the impact to the community services provided by the District. Temporary interruption, or rerouting, of the existing utilities will be required and every effort will be made to keep this to a minimum. In addition to the structural component of the design, civil, geotechnical, and environmental services will be provided to assist with the various constraints and permitting associated with the project. Biannual monitoring and maintenance recommendations will be provided for the existing bridge concurrently with the design, permitting, and construction of the replacement bridge.



### DESIGN CHALLENGES

The primary design challenges include minimizing the impact and disturbance to the existing arroyo and surrounding areas as well as reducing disruption to the services provided by the District. In an effort to mitigate these challenges, it is proposed that the bridge be prefabricated and shipped to the project site. This will allow for a faster transition between the removal of the existing bridge and placement with the new structure. Our team will work with the District to determine the best means of temporarily interrupting services to minimize the impact to its customers. Our team will provide performance specifications for the new bridge that will be met by the project General Contractor. With these performance specifications, the General Contractor will be allowed to solicit bids from various bridge manufacturers and select the one that is best suited to meet the aesthetic and structural requirements of the project. Our team will also perform a thorough review and evaluation of the existing concrete bridge abutments in order to reuse them for support of the new bridge. This approach will further reduce the impacts to the District and existing terrain.



### ADDITIONAL INFORMATION

Our team is local and readily available to meet onsite with District staff. We have extensive experience with local jurisdictions and are well versed in the nuances of building on the Central Coast. Together, we will work with the District and community to deliver an exceptional product that meets the needs of its users now and for years to come.

We are excited at the opportunity to be part of the project and look forward to working together.



# SCOPE OF SERVICES



Scope of services based on the request for proposal for design and specifications, project management, permitting, bid phase services, and construction management for the implementation of community water and sewer pipe and pipe bridge replacement submitted by the San Simeon Community Services District and advertised on March 31, 2022. The following services are for the period from notice to proceed through project completion:

## CIVIL/STRUCTURAL DESIGN DOCUMENTS AND SPECIFICATIONS

Prepare required Construction Documents (Con-Docs): Con-Docs shall consist of civil and structural plans, details, sheet specifications, and calculations for the project provided on 8.5"x11" sheets or a full-size set of plans. Performance specifications delineating the minimum design loads and requirements for the new bridge and pipe lines will be provided. Design of the bridge itself shall be by the prefabricated bridge supplier awarded the project during the bidding phase. Contractor's material suppliers shall be responsible for design of anchors for railings, ladders, equipment, pre-engineered structures, and other manufactured items, as indicated in the Drawings and Specifications. Anchors shall be designed for all operating conditions, including wind and seismic loadings when indicated in the Meteorological and Seismic Design Criteria section. Con-Docs will be provided at major milestones, including 30%, 50%, 90% and 100% for District review & comment. Project management and coordination is included along with one (1) site visit to the project location.

## CIVIL/STRUCTURAL PERMITTING

Satisfy Plan Check Corrections provided by the Authority/Agency Having Jurisdiction: All Corrections shall be addressed in a timely manner including up to four (4) meetings total with the various Authority/Agency Having Jurisdiction. Final Con-Docs will be provided addressing all corrections identified. Project management and coordination is included along with 100% Opinion of Probable Cost.

## CIVIL/STRUCTURAL BID PHASE

Assistance provided during the bid phase including responses to Requests for Information (RFI's) and Addendums. Eight (8) RFI/Addendum responses are included. Additional time shall be billed hourly T&M. All such support shall be conducted under the review of the District.

## CIVIL/STRUCTURAL CONSTRUCTION ADMINISTRATION

Construction Administration (CA): Assistance provided during the construction phase such as all meetings, site visits or correspondence via telephone or email in response to Requests for Information (RFI's). One (1) pre-construction meeting, Twelve (12) site visits, Five (5) submittal reviews and Fifteen (15) RFI responses are included. Additional time shall be billed hourly T&M. A final punch walk and closeout review along with record document preparation is included. All such work shall be performed under the review of the District.

## STRUCTURAL ROUTINE REVIEW - EXISTING BRIDGE

Routine review and recommendations for maintenance of the existing pipe bridge will be provided every 6 months for up to 30 months after notice to proceed. Additional shall be billed hourly T&M. Engineering cost estimates will be included for the maintenance tasks identified. Due to the extent of unknowns (both in the condition of the existing bridge and desired improvements by the District) CA assistance for the maintenance of the existing bridge is not included. This level of engineering effort is to be confirmed once review & recommendations have been provided and the improvement options have been selected. At that time, an adjusted contract fee shall be negotiated with the District.

## CIVIL/STRUCTURAL ASSUMPTIONS & EXCLUSIONS

1. Alignment & elevation of existing utility lines is to be maintained
2. The three utility lines on the bridge will be replaced with new pipes and pipe restraints.
3. No additional utility lines or worker/pedestrian access is to be added
4. Existing concrete abutments to remain in place and will be reused for support of the new bridge
5. Performance specifications and design requirements will be provided for a prefabricated utility bridge
6. Bridge design shall be by others and the bridge manufacturer will be selected by the General Contractor in conformance with the project design and specifications
7. Permitting and approval through the US Army Corps of Engineers is assumed to not be required
8. Special inspections will be contracted separately between the District & qualified special inspection agency and have not been included with this proposal
9. Ashley & Vance does not have experience with grant application or implementation support but we are able to provide assistance to the District during the grant application process.

## COST ESTIMATE

Ashley & Vance's cost estimate has been included in this proposal. Ashley & Vance will complete the scope of work identified above on a time and materials (T&M) basis in accordance with Ashley & Vance's 2022 rate schedule. Ashley & Vance will not exceed the total amount without written approval from the District.

## SURVEY, GEOTECHNICAL AND ENVIRONMENTAL SERVICES

Sub-Consultant Scope of Work, Cost Estimates, Schedules and Assumptions are included in this proposal and can be found in the attachments at the end of this document.

## PREVAILING WAGE

Prevailing wage requirements will be followed (as applicable) for the services provided under this proposal in accordance with governing edition of the California Labor Code.

## INSURANCE

Ashley & Vance Engineering, Inc. carries both professional and general liability insurance. Certificates will be issued upon request.

We would like to take this opportunity to highlight an item for further discussion:

- Our policy's Notice of Cancellation (NOC) endorsements cannot comply with the provisions outlined in the original Request for Proposal (RFP).



July 12, 2022 Board Meeting Packet

As of January 1, 2022, rates for the San Luis Obispo office shall be as follows:

## HOURLY BILLING RATES

Principal Engineer	\$225
Senior Engineer	\$185
Project Engineer	\$150
BIM/CAD Tech	\$100
Office/Clerical	\$85
Deposition/Trial Testimony	\$450

## EXPENSE REIMBURSEMENT RATES

Reproduction, Packing, & Shipping	Cost + 15%
Commercial Travel	Cost + 15%
Automobile Travel	\$0.56/mile
Accommodations/Subsistence	Published GSA Rate
Subconsultants	Cost + 15%

All invoices are billed on a monthly basis, due and payable upon receipt. A 1½% monthly finance charge may be assessed for payments greater than 30 days past due. Ashley & Vance Engineering, Inc. may suspend services until account is brought current.

### Fee Proposal

Civil Engineering				Structural Engineering			
Principal Engineer	Senior Engineer	Project Engineer	CAD/Drafting	Principal Engineer	Senior Engineer	Project Engineer	CAD/Drafting
\$225	\$185	\$150	\$100	\$225	\$185	\$150	\$100

Design Documents & Specifications	
Estimated time: 6 to 9 months	
<b>Sub-total Fee</b>	
<b>Total Hours</b>	
1 Coordination Meetings	
2 Site Visits (1 Visit)	
3 30% design drawings and specifications	
4 District Review of 30% design/Address District Comments (1 Meeting)	
5 50% design drawings and specifications	
6 District Review of 50% design/Address District Comments (1 Meeting)	
7 90% design drawings and specifications	
8 District Review of 90% design/Address District Comments (1 Meeting)	
9 100% design drawings and specifications	
10 District Review of 100% design/Address District Comments (1 Meeting)	
11 Project Management and Coordination	
12 Team Coordination (Web/phone Conf.)	

<b>\$6,675</b>			
<b>\$3,825</b>	<b>\$0</b>	<b>\$2,850</b>	<b>\$0</b>
<b>17</b>	<b>0</b>	<b>19</b>	<b>0</b>
1	0	1	0
3	0	3	0
1	0	2	0
1	0	2	0
3	0	4	0
1	0	1	0
2	0	1	0
1	0	1	0
1	0	1	0
1	0	1	0
0	0	0	0
2	0	2	0

<b>\$25,100</b>			
<b>\$2,925</b>	<b>\$6,475</b>	<b>\$12,000</b>	<b>\$3,700</b>
<b>13</b>	<b>35</b>	<b>80</b>	<b>37</b>
1	4	4	0
3	3	0	0
2	4	16	8
0	1	1	2
2	4	16	16
0	1	1	2
2	8	24	4
0	1	1	2
1	4	12	2
0	1	1	1
0	2	2	0
2	2	2	0

Permitting	
Estimated time: 6 to 12 months	
<b>Sub-total Fee</b>	
<b>Total Hours</b>	
1 Review with agency having jurisdiction review (4 Meetings)	
2 Revisions based on agency having jurisdiction review	
3 Building Department Submittal (Plan Check Submittal and Revisions)	
4 Team Coordination (Web/phone Conf.)	
5 100% Opinion of Probable Cost	
6 Final design drawings and specifications	
7 Project Management and Coordination	

<b>\$15,150</b>			
<b>\$5,400</b>	<b>\$0</b>	<b>\$9,750</b>	<b>\$0</b>
<b>24</b>	<b>0</b>	<b>65</b>	<b>0</b>
4	0	4	0
16	0	55	0
1	0	2	0
1	0	1	0
1	0	0	0
0	0	2	0
1	0	1	0

<b>\$6,000</b>			
<b>\$450</b>	<b>\$1,850</b>	<b>\$3,300</b>	<b>\$400</b>
<b>2</b>	<b>10</b>	<b>22</b>	<b>4</b>
0	2	2	0
0	1	2	1
0	2	8	1
1	1	1	0
0	1	1	0
0	1	4	2
1	2	4	0

Bid Phase	
Estimated Time: 3 months	
<b>Sub-total Fee</b>	
<b>Total Hours</b>	
1 Bid RFI Response, Addendums (8 RFI/Addendum responses)	

<b>\$825</b>			
<b>\$225</b>	<b>\$0</b>	<b>\$600</b>	<b>\$0</b>
<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>
1	0	4	0

<b>\$2,515</b>			
<b>\$225</b>	<b>\$740</b>	<b>\$1,350</b>	<b>\$200</b>
<b>1</b>	<b>4</b>	<b>9</b>	<b>2</b>
1	4	9	2

Construction Administration	
Estimated Time: 6 to 12 months	
<b>Sub-total Fee</b>	
<b>Total Hours</b>	
2 Pre-Construction Meetings (1 Meeting)	
3 Construction RFI, CO and Submittal Review & Response (15 RFI/CO & 5 submittals)	
4 Site Visits and Reports (1 visit per month for 12 Months)	
5 Punch walk and Closeout Review	
6 Record Document Preparation	

<b>\$3,075</b>			
<b>\$1,575</b>	<b>\$0</b>	<b>\$1,500</b>	<b>\$0</b>
<b>7</b>	<b>0</b>	<b>10</b>	<b>0</b>
2	0	2	0
1	0	4	0
2	0	2	0
1	0	0	0
1	0	2	0

<b>\$29,125</b>			
<b>\$5,625</b>	<b>\$11,100</b>	<b>\$10,800</b>	<b>\$1,600</b>
<b>25</b>	<b>60</b>	<b>72</b>	<b>16</b>
4	4	4	0
4	10	20	4
12	36	36	0
4	8	8	0
1	2	4	12

*Note: Special inspection and structural observation have been excluded.*

Routine Review - Existing Bridge	
Estimated Time: 24 to 30 months	
<b>Sub-total Fee</b>	
<b>Total Hours</b>	
1 Site Visits (5 visits)	
2 Report Preparation (5 reports)	
3 Project Management and Coordination	

<b>\$0</b>			
<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
0	0	0	0
0	0	0	0
0	0	0	0

<b>\$19,160</b>			
<b>\$3,600</b>	<b>\$6,660</b>	<b>\$8,100</b>	<b>\$800</b>
<b>16</b>	<b>36</b>	<b>54</b>	<b>8</b>
8	20	20	0
4	12	32	8
4	4	2	0

<b>Sub Total</b>
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<b>\$25,725</b>
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<b>\$81,900</b>
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## Fee Proposal, Continued

<b>Sub-Consultant Fees (Survey)</b>		
<i>See Sub-Consultant Proposal(s) for Fee Breakdown, Scope of Work, Terms &amp; Conditions</i>		<b>\$7,900</b>
<b>Sub-total Fee</b>		<b>\$7,900</b>
1	Topographic Survey	\$4,400.00
2	Plot Property Lines from Prior Record Maps	\$1,600.00
3	As Built Utility Survey	\$1,900.00

<b>Sub-Consultant Fees (Geotechnical)</b>		
<i>See Sub-Consultant Proposal(s) for Fee Breakdown, Scope of Work, Terms &amp; Conditions</i>		<b>\$24,421.25</b>
<b>Sub-total Fee</b>		<b>\$24,421.25</b>
1	Task I - Project Initiation and Field Reconnaissance	\$3,863.75
2	Task II - Subsurface Investigation, Laboratory Testing, Analysis and Report Preparation	\$5,957.50
3	Task III - Conditions Assessment	\$11,680.00
4	Task IV - Construction Documents	\$2,920.00

<b>Sub-Consultant Fees (Environmental)</b>		
<i>See Sub-Consultant Proposal(s) for Fee Breakdown, Scope of Work, Terms &amp; Conditions</i>		<b>\$73,319</b>
<b>Sub-total Fee</b>		<b>\$73,319</b>
1	Task 1: Biological Resource Assessment	\$7,040.00
2	Task 2: Coastal Development Permit	\$7,760.00
3	Task 3: RWQCB Section 401 Water Quality Certification	\$7,639.00
4	Task 4: Fish and Game Section 1600 Permitting	\$5,040.00
5	Task 5: Agency Site Visit and Project Management	\$2,720.00
6	Task 6: Biological Monitoring	\$43,120.00

<b>Sub-Consultant Sub Total</b>	<b>\$105,640.25</b>
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<b>Consultant Markup (15%)</b>	<b>\$15,846</b>
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<b>Sub-Consultant Fee</b>	<b>\$121,486</b>
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<b>TOTAL FEE</b>	<b>\$229,111</b>
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# PROPOSED PROJECT SCHEDULE

Project Milestone	Start Date	Duration
Project Kick-Off	August 01, 2022	
Design Documents & Specifications	August 01, 2022	6 to 9 Months
Permitting	May 01, 2023	6 to 12 Months
Bid Phase	May 01, 2024	3 Months
Construction Administration	August 01, 2024	6 to 12 Months
Routine Review (Every 6 Months)	August 01, 2022	24 to 30 Months





## Water & Sewer Pipe Bridge Replacement Proposal

# APPENDIX

## SUBCONSULTANT INFORMATION

**MBS LAND SURVEYS**

**EARTH SYSTEMS**

**PADRE ASSOCIATES, INC.**



**Michael B Stanton, PLS 5702**  
 3559 S. Higuera Street  
 San Luis Obispo, CA 93401

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 Fax: 805.594-1966

June 22, 2022

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 (805) 545-0010 x116  
 ian@ashleyvance.com

**RE: Proposal for Surveying Services – Pipe Bridge at Arroyo Padre Del Juan, San Simeon CSD**  
 MBS No. 14-046

Dear Ian:

Thank you for requesting a proposal for surveying services for replacement of the Pipe Bridge Project at Arroyo Padre Del Juan in San Simeon. It is our understanding that you need a topographic survey, and a utility survey for bridge repair and replacement. Since this project is paid with public funds, we assume prevailing wages will need to be paid for all field work. We can perform the following services:

**1. TOPOGRAPHIC SURVEY**

This work will include a field survey of the approximately 80' x 230' area (0.5 acres) as shown on the site plan attached sufficient to produce a one-foot contour map, with planimetric features including;

- Footprint of existing structures
- Bridge, abutment footprint, and location of abutment connection points
- Surface evidence of utilities
- Surface and elevations of channel below bridge
- Top/toe of slope of channel below bridge
- Trees (over 6" dia.) with approximate canopies
- Fencing
- Edge of pavement
- Other items which are visible and present at the time of the survey

The map will be drawn at 1"=20' scale on a 24" by 36" sheet. The vertical datum will be based on a bench mark if available near the site.

**Fee: \$4,400**

**2. PLOT PROPERTY LINES FROM PRIOR RECORD MAPS**

This task will include locating property monuments in the area and then drawing the boundary from publicly available record maps onto the base map for the topographic mapping. No missing monuments will be set in the field.

**Fee: \$1,600**

### 3. AS BUILT UTILITY SURVEY

This task will include locating above ground evidence of utilities, including storm drain, sewer, water, gas, electric and cable TV and incorporating that data into the base map. If the CSD can provide us with construction plans or Atlases showing the underground alignments, we will plot the alignments based on the drawings provided. Mapping will include:

- Surface evidence of storm drain system (manholes with invert elevations, catch basins, drop inlets with flow line elevations)
- Surface evidence of sewer system (manholes with flowline elevations and cleanouts)
- Surface evidence of water system (water valves, blow offs and hydrants)
- Water meter locations
- Surface evidence of dry utilities (PG&E boxes, telephone boxes, cable TV boxes, etc.)
- Power poles and guy wires
- Overhead lines
- Fencing and gates
- Striping and markings
- Tree trunk locations and diameter within right-of-way

CSD Responsibilities:

*Provide atlas data for sewer, storm drain and waters systems  
Provide any improvement plans for utilities within the project area.*

**Fee: \$1,900**

#### Terms and Conditions:

This proposal hereby incorporates MBS Land Surveys "General Provisions, Terms and Conditions" attached hereto and made a part hereof. If you would like us to proceed, sign below and return a copy to us via scan, fax or mail.

Sincerely,



Michael B. Stanton, PLS 5702

Authorized to proceed:

\_\_\_\_\_  
Ashley & Vance Engineering

\_\_\_\_\_  
Date

Q:\PROPOSALS\PROPOSALS SENT\San Simeon Community Services District Mapping.doc

## **Partial Listing of Recent Public Projects by MBS Land Surveys:**

### **Central Coast Blue Pipeline Project – City of Oceano (MKN & Assoc)** (2022)

MBS Land Surveys provided GPS static survey control and topographic mapping, right-of-way and utility surveys for waterline improvements for a waterline design project. All work was performed on state plane NAD83 coordinates with a Topographic Survey prepared upon completion of field work.

### **San Luis Obispo Water Treatment Plant (Southland Energy)** (2018)

MBS Land Surveys provided a boundary survey to determine the right of way line, topographic mapping, and written legal descriptions for easement areas on the project site. The work was performed on state plane NAD83 coordinates with a Record of Survey filed upon completion.

### **El Capitan Street Pedestrian Bridge Project – City of San Luis Obispo (Rick Engineering)** (2018)

MBS Land Surveys provided topographic surveying of the bridge abutments for engineering design.

### **Checetti Road Creek Crossing – City of Arroyo Grande** (2017)

MBS Land Surveys performed GPS static survey control, topographic mapping (cross sections), and right-of-way surveying for hydrology, hydraulics and bridge design. The work was performed on state plane NAD83 coordinates.

### **Lighthouse Suites – Pedestrian Bridge (TerraCosta Consulting Group)** (2016)

MBS Land Surveys provided aerial and ground topographic surveying to obtain spot elevations, and 3D scanning of the bluff face for a new pedestrian bridge alignment.

### **San Simeon CSD Pipeline Projects (Phoenix Engineering)** (2014)

MBS Land Surveys provided aerial and ground topographic surveying, utility surveying, and prepared legal descriptions for pipeline engineering design.



## General Provisions, Terms and Conditions

1. **Billing:** If the proposal was quoted with estimated fees, you will be billed as the work progresses on a time and materials basis. The amount billed may be more or less than the estimated fees. We will keep you informed of our progress and will inform you if our services will exceed the scope and/or fee estimate limits. If the proposal was quoted with a fixed fee, you will be billed the fixed fee upon completion of the work. Requests that require overtime pay will be billed at 1.5 times the standard rate. Rates will increase each year on January 1<sup>st</sup>.

### Office Rates:

Permit Coordinator/Administration	\$110.00 per hour
Survey Technician I	\$100.00 per hour
Survey Technician II	\$125.00 per hour
Survey Technician III (LSIT)	\$150.00 per hour
Land Surveyor (PLS)	\$160.00 per hour
Survey Manager (PLS)	\$170.00 per hour
Expert Witness (PLS)	\$300.00 per hour

### Standard Field Rates:

1-Person Field Crew	\$185.00 per hour
2-Person Field Crew	\$225.00 per hour

### Field Prevailing Wage Rates: (Public Works Projects)

1-Person Field Crew	\$225.00 per hour
2-Person Field Crew	\$300.00 per hour

2. **Agency Fees:** All agency fees will be paid for by the client. Fees for submittal and checking of lot line adjustments, parcel and tract maps and other documents will be set according to current agency fee schedules.
3. **Records of Survey:** Client acknowledges and agrees that if Consultant provides surveying services, which require the filing of a Record of Survey in accordance with Business and Professions Code Section 8762, all costs of preparation, examination and filing of such Record of Survey will be paid for by Client as extra services.
4. **Completion of Work:** When the services rendered require the submittal of any maps or documents by the Surveyor to a governmental agency, it is agreed that the payment of fees due for services shall not be contingent upon the final approval by the agency of said maps and documents. It is agreed that the first submittal of said maps or documents to the agency shall constitute the completion of that portion of work. Agency or client-initiated changes after the first submittal to the agency will be billed on an hourly basis at the rates quoted above.
5. **Schedule:** The work will be scheduled after we receive the signed contract. We estimate our initial work project will be delivered within 40 work days of receiving this signed contract. Factors such as weather, staffing shortage, workload, equipment malfunctions, etc., may cause delay in product delivery.
6. **Terms of Payment:** All fees will be billed to the client at the completion of work or for long term projects, as the work progresses, and shall be due and payable within 30 days of the invoice date (check, credit card or cash), with interest charged at 1.5% permonth for past due invoices. Invoices will be sent via e-mail or by mail if no e-mail address is available. Invoices over 60 days past due will be referred to a collection agency and all remaining or ongoing survey work will stop. Sub-consultants and reimbursable items will be charged at cost plus 15%.
7. **Release and Delivery of Electronic Files:** AutoCAD files will be released only after full payment is received. Files will be delivered in Civil3D 2019 format. An additional charge of \$50 may be charged for converting the AutoCAD Civil3D 2019 drawing to other (e.g. older) drawing or drawing formats.
8. **Work Product:** Our product of service is the signed and sealed original hardcopy drawing or digital signed PDF.
9. **AutoCAD drawings:** Electronic data may be provided as a courtesy to the client. The user of this information hereby understands that the delivery of this electronic media does not constitute the delivery of our professional work product. MBS Land Surveys will not be responsible for any modifications made to the electronic file, or any products derived from this file, which are not signed and sealed by MBS Land Surveys. The user of the digital data agrees to hold harmless, indemnify, and defend MBS Land Surveys from and against any and all claims arising from the use or misuse of the electronic information provided herein.
10. **Extra Services:** Extra services will be handled on an hourly basis after your written or verbal authorization.
11. **Term of Proposal:** The fees and terms delineated in this contract are valid if the contract is executed within ninety (90) days of the date it was signed by the Surveyor.
12. **Termination of Contract:** Either party, with verbal or written notice, can terminate this contract.

Field conditions will be confirmed by a site reconnaissance and coordination with CSD Staff and the design team regarding the existing improvements. A field investigation will then be performed to evaluate subsurface conditions adjacent the existing abutments, including the depth of the abutments. Laboratory testing of samples obtained during the investigation will be performed. A formal report will be issued addressing the conclusions and recommendations. Further, bi-annual visits will be conducted to provided updated conditions assessment.

Earth Systems detailed scope will consist of the following tasks:

**Task I: Project Initiation and Field Reconnaissance.** After an initial planning meeting with the design engineers, a field reconnaissance will be performed by a Registered Professional Engineer. This will be a visual reconnaissance and meeting with the CSD staff and design team to make the investigation most efficient and evaluate record drawings.

**TASK II: Subsurface Investigation, Laboratory Testing, Analysis and Report Preparation**

To evaluate subsurface conditions, we plan to drill one to two hand auger borings adjacent the existing abutments. Bulk soil samples will be obtained from the borings. Further, the depth of the existing abutments will be determined.

Soil samples obtained from the borings will be tested in the laboratory to determine various engineering properties. The final numbers and types of tests to be performed will be determined based upon the subsurface conditions encountered.

The field and laboratory data will be reviewed by a Registered Engineer and evaluated with respect to geotechnical recommendations for development of the project. Based on our current work load, the supervising engineer for this project will be Robert Down, PE 70206.

Information gathered during the geotechnical engineering investigation will be compiled into a reduced geotechnical engineering report that will address the planned re-use of the exiting foundations. The report will be intended to fulfill the requirements of Sections 1803.2 through 1803.7, J104.3 and J104.4 of the 2019 California Building Code; and common geotechnical engineering and engineering geologic practice in this area under similar conditions at this time for the re-use of existing foundations elements.

The following items will be addressed; description of exploration performed, subsurface conditions, foundation design recommendations, and drainage around improvements.

It is our intent that the report will be used exclusively by the client to form the geotechnical basis of the design of the project and in the preparation of plans and specifications.

**TASK III. Conditions Assessment**

Earth Systems will aid in performance of the six-month review of the existing pipe bridge until the new bridge will be constructed. It is anticipated this review will occur four times. A report with variations in conditions will be produced after each assessment.

**TASK IV. Construction Documents**

Earth Systems will provide geotechnical consultation as the design nears completion. They will also review the plan and provide a plan review letter commenting on the incorporation of the intent of the geotechnical recommendations into the plans as required by the County of San Luis Obispo.

## Earth Systems Fee Breakdown

	Hours/Units	Rate	Total
<b>TASK I - Project Initiation and Field Reconnaissance</b>			
Principal Professional	12	\$220.00	\$2,640.00
Staff Professional	8	\$145.00	\$1,160.00
Mileage (per trip)	1	\$63.75	\$63.75
<b>Subtotal</b>			<b>\$3,863.75</b>

<b>TASK II - Subsurface Investigation, Laboratory Testing, Analysis and Report Preparation</b>			
Principal Professional	8	\$220.00	\$1,760.00
Staff Professional	12	\$145.00	\$1,740.00
Driller	8	\$135.00	\$1,080.00
Laboratory Testing	1	\$1,250.00	\$1,250.00
Mileage (per trip)	2	\$63.75	\$127.50
<b>Subtotal</b>			<b>\$5,957.50</b>

<b>TASK III - Conditions Assessment</b>			
Principal Professional	32	\$220.00	\$7,040.00
Staff Professional	32	\$145.00	\$4,640.00
<b>Subtotal</b>			<b>\$11,680.00</b>

<b>TASK IV - Construction Documents</b>			
Principal Professional	8	\$220.00	\$1,760.00
Staff Professional	8	\$145.00	\$1,160.00
<b>Subtotal</b>			<b>\$2,920.00</b>

<b>TOTAL</b>	<b>\$24,421.25</b>
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SLO-2206-082.PRP



Earth Systems Pacific (Earth Systems) is a professional consulting firm with services that encompass geotechnical engineering, engineering geology, environmental assessment, materials testing and special inspection. The Earth Systems staff consists of registered geotechnical engineers, professional civil engineers, certified engineering geologists, soil technicians, special inspectors, and laboratory technicians, augmented by drilling, drafting, and support personnel. With several decades of experience in both geotechnical engineering and construction inspection for wastewater treatment projects, Earth Systems can bring expertise and value to this project that cannot be equaled by other firms.

Geotechnical engineering and geology services available through Earth Systems include the following:

- Design-level geotechnical engineering investigations
- Geotechnical and geologic feasibility studies
- Slope stability evaluations
- Fault location studies
- Liquefaction and seismicity evaluation
- Geotechnical criteria for shallow and deep foundations, including caissons, driven piles, and micropiles
- Criteria for earth retention structures and embankments
- Engineering analysis of settlement-reduction methods
- Geotechnical criteria for pavement design, construction and rehabilitation
- Groundwater monitoring
- Geotechnical aspects of shoring and dewatering
- Seismic refraction/rippability

Materials testing and special inspection capabilities include, but are not limited to, the following:

- Geotechnical sampling and testing of soils
- Foundation excavation observation
- Sampling of potentially contaminated soils and testing for hydrocarbons, other petroleum products, and lead
- Sampling and testing of asphalt concrete
- Sampling and testing of concrete; including slump, casting test cylinders, and compression testing
- Sampling and testing of reinforcing steel
- Sampling and testing of masonry; including block compliance, prisms, mortar strength, grout strength and cores of completed construction
- Batch plant inspection of concrete and grout
- Special inspection of concrete
- Special inspection of masonry
- Special inspection of shop and field welding
- Special inspection of high strength bolts
- Special inspection of paints and coatings
- Special inspection of driven or drilled piles
- Testing or inspection of fabrics or other various construction materials



Earth Systems has a comprehensive materials testing laboratories located in San Luis Obispo and Santa Maria, which will translate to cost savings, efficiency, and rapid response times that will allow the project to proceed smoothly without unnecessary delays. Earth Systems laboratories are fully qualified to perform all of the materials testing anticipated to be associated with the project. The primary laboratory will be our San Luis Obispo laboratory which is certified or approved by the U.S. Army Corps of Engineers, the Division of the State Architect (DSA), the Cement and Concrete Reference Laboratory (CCRL), and the AASHTO Materials Reference Laboratory (AMRL). Earth Systems participates in the Caltrans Reference Sample Program, the CCRL Concrete Proficiency Testing Program, and the AMRL Soil, Aggregate and Rebar Proficiency Testing Programs.

Earth Systems has extensive experience with wastewater and water treatment plant projects including pipe bridges throughout Santa Barbara and San Luis Obispo counties, including the following:

- Alameda Padre Serra Water Line and Pipe Bridge
- Windset Farms Pipe Bridge
- Scheid Vineyards Pipe Bridge
- Titan Foods Pipe Bridge
- Garden Farms Water Company - Pipe Bridge
- Cuesta College Sewer Line Replacement and Pipe Bridge
- Freeport-McMoRan Oil and Gas (FMOG) - AG Southern Pipe Bridge Replacement
- PXP - AG Pipe Bridge Upgrade
- South San Luis Obispo County Wastewater Treatment Plant Redundancy Project, Oceano, California
- Morro Bay Water Reclamation Facility, Morro Bay, California
- San Luis Obispo Water Resource Recovery Facility, San Luis Obispo, California
- South San Luis Obispo County Wastewater Treatment Plant Digester Tank Testing, Oceano, California
- Laguna Sanitation District Phase 1 Plant Upgrades, Santa Maria, California
- Paso Robles Wastewater Treatment Plant Tertiary Treatment Facilities Project, Paso Robles, California
- Nacimiento Water Treatment Plant, Thunderbird Well Site, Paso Robles, California
- Los Osos Wastewater Treatment Plant and Collection System, Los Osos, California
- Pismo Beach Wastewater Treatment Plant Expansion, Pismo Beach, California
- Chumash Wastewater Treatment Plant MBR Upgrade, Santa Ynez, California
- Laguna Sanitation District Flood Control Walls and Berms, Santa Maria, California
- Santa Maria Wastewater Treatment Plan Influent Piping Improvements, Pond Berm Removal, Santa Maria, California
- Goleta Wastewater Treatment Plant Upgrade, Goleta, California
- City of Lompoc Water Treatment Plant, various projects, Lompoc, California
- Buellton Wastewater Treatment Plant Dewatering System Upgrade, Buellton, California
- Santa Maria Wastewater Treatment Plant Pond Berm Removal, Santa Maria, California





**ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS**

June 29, 2022

Project No. 2202-2601

Ashley and Vance Engineering, Inc.

1229 Carmel Street

San Luis Obispo, California 93401

Attention: Ian Shoebridge, Structural Engineer

Subject: Proposal to Provide Environmental Services for the San Simeon Community Services District, Arroyo del Padre Juan Creek Pipe Bridge Replacement Project

Dear Mr. Shoebridge:

Padre Associates, Inc. (Padre) is pleased to submit this proposal in response to the Request for Proposals (RFP) for Design and Specifications, Project Management, Permitting, Bid Phase Services, and Construction Management for the San Simeon Community Services District (District). This proposal has been prepared in accordance with the requirements listed in the RFP and your request via email on June 27, 2022. The proposal includes a summary of qualifications, descriptions of key personnel, scope of work, cost estimate, and resumes.

### **SUMMARY OF QUALIFICATIONS**

Padre is a multidisciplinary consulting firm assisting clients in the fields of environmental sciences and geoenvironmental services. Padre has a highly qualified team of in-house experts who are experienced with California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) processes, regulatory coordination, analysis and permitting, construction mitigation and monitoring, biological, archaeological, air quality, noise, and other technical analyses. Padre also has experience with federally funded projects requiring Federal Highway Administration (FHWA) and California Department of Transportation (Caltrans) involvement and approval. Because of our responsive approach, project management, technical capabilities, experience, and familiarity with the San Simeon area, Padre's team is well suited to assist the District with environmental services.

Our team has the project management, environmental planning, and technical experience necessary to assist the District with their Community Services projects with the following tasks:

- CEQA/NEPA Environmental Documents
- Development Plan Review
- Federal, State, and Regional Regulatory Permitting
- Initial Studies
- Biological and Special-Status Species Surveys/Consultations
- Wetland Delineations
- Biological Assessments and Biological Resource Assessments
- Regulatory Agency Permitting (i.e., Section 404 Section 401, Section 1602, etc.)
- Site Restoration Plans and Revegetation Plans
- Habitat Restoration
- Cultural and Historic Resource Evaluations

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**369 Pacific Street • San Luis Obispo, CA 93401 • (805) 786-2650 • [www.padreinc.com](http://www.padreinc.com)**

- Native American Consultation
- Noise Studies
- Air Pollution Dispersion Modeling and Emission Inventories
- Compliance/Construction Mitigation and Monitoring
- Mitigation Monitoring/ Post-Construction Reporting Programs
- Geologic Hazards Studies
- Asbestos Surveys
- Lead Surveys

### KEY PERSONNEL

**Mr. Simon Poulter.** Mr. Poulter will serve as the Principal-in-Charge and will also provide quality control functions during the proposed contract. Mr. Poulter is one of the four founding Principals of Padre and has been working as an environmental consultant for over 34 years. Prior to establishing Padre, he was the program manager for resources management services at Fugro West for six years. Mr. Poulter currently manages Padre's Environmental Sciences Group. In this role, he is responsible for supervising day to day operations of the group including marketing, contract administration, staffing, quality assurance, cost control, and scheduling of ongoing projects. Mr. Poulter's experience includes the preparation of numerous environmental impact reports (EIA/EIR/EIS), resource assessment studies, and environmental training programs for projects within the western United States, as well as several international projects. Mr. Poulter has extensive experience in the San Luis Obispo County including permitting review of the decommissioning of the Diablo Nuclear Generation Station, regulatory support for ongoing restoration at the Guadalupe Dunes Remediation Site and permitting support for the Cayucos Water Treatment Plant. Mr. Poulter has a B.A. in Marine/Aquatic Biology and Physical Geography and an M.R.P. in Environmental Planning.

**Ms. Crystahl Taylor.** Ms. Taylor joined Padre in 2011 and has over 21 years of professional experience as an environmental specialist and manager of environmental projects involving CEQA and NEPA. Ms. Taylor is the manager of the San Luis Obispo's Environmental Sciences Group and would be the point of contact for the District's permitting service needs. Ms. Taylor specializes in the management and preparation of CEQA and NEPA environmental documents. In addition, Ms. Taylor specializes in regulatory agency permitting involving the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service, and the California Coastal Commission (CCC). Ms. Taylor is experienced in conducting environmental impact analyses and has written various sections for CEQA and NEPA environmental documents. She is also experienced with the management and coordination of projects involving Caltrans Local Assistance such as bridge replacement and road realignment projects. Ms. Taylor has managed and/or contributed to over 15 bridge replacement and road realignment projects within Caltrans, District 5. Ms. Taylor holds a B.S. degree in Natural Resources Management from California Polytechnic State University, San Luis Obispo.

**Ms. Alyssa Berry.** Ms. Berry joined Padre Associates in 2010 and has over 16 years of experience monitoring threatened and endangered species in California. Ms. Berry has considerable experience in San Luis Obispo County managing biological monitoring services and permit compliance. As a Senior Biologist, Ms. Berry is responsible for managing the San Luis

Obispo office biological staff, biological surveying and reporting, permit compliance monitoring, agency communications, biological resource studies, permit applications, sensitive species surveys, habitat restoration, mitigation monitoring, and project management. Ms. Berry has supported infrastructure projects that required biological monitoring and has overseen environmental compliance monitoring for several projects throughout the Central Coast. She gained valuable experience coordinating the biological monitoring efforts at the recent Marsh Street Bridge Replacement Project, which involved nesting bird pre-construction surveys, nesting deterrent deployment, biological monitoring for sensitive wildlife, and comprehensive permit compliance and reporting. In addition, Ms. Berry specializes in habitat restoration project planning and implementation for wetland, oak woodland, and coastal dune habitat types. Ms. Berry holds a B.A. degree in Earth and Environmental Science from Wesleyan University, Connecticut.

**Ms. Michaela Craighead.** Ms. Craighead joined Padre in 2011 and has over ten years of experience as a field biologist and environmental consultant, with a primary focus on aquatic and marine biology. Currently, Ms. Craighead assists with the preparation of permit applications for Federal and State agencies, as well as CEQA and technical environmental documents. In addition, she conducts biological resource surveys and habitat assessments, including protocol-level surveys for protected species. Ms. Craighead's field experience extends to both onshore and offshore construction projects, as well as numerous remediation and restoration sites. She was approved as a Protected Species Officer (PSO) by the National Oceanic and Atmospheric Administration (NOAA) in 2012 and holds a USFWS 10(A)(1)(a) Recovery Permit for Large Branchiopods. Ms. Craighead holds a B.S. degree in Biology with a concentration in Marine Science and Fisheries from California Polytechnic State University, San Luis Obispo.

**Ms. Christina Santala.** Ms. Santala joined Padre in 2007 and has over 25 years of experience in the environmental field. She is currently a Project Biologist specializing in botanical resources and ecological restoration for projects located throughout the California central coast. Ms. Santala has assisted and managed various types of projects related to residential and commercial development, bridge replacement and improvement, utility pipeline and facilities decommissioning, and oil field exploration and development. Her project specific field work includes oak tree inventory surveys, rare plant presence/absence surveys, vegetation type identification and mapping, aquatic resource delineation surveys, qualitative and quantitative botanical monitoring, habitat restoration plan development and implementation, native seed collection, pre-activity nesting bird and special-status species surveys, and special-status species presence/absence surveys. Other project related tasks include report writing, literature and database searches, data analysis, project planning, and submittal of environmental permit applications to Federal, State, and local agencies including ACOE, CDFW, and RWQCB. Ms. Santala earned a B.S. degree in Biological Sciences from California Polytechnic State University San Luis Obispo, and has attended continuing education classes focused on botany, plant taxonomy, vegetation classification and mapping, soil taxonomy, aquatic resources delineation, and special-status aquatic wildlife.

**Ms. Shannon Gonzalez.** Ms. Gonzalez joined Padre in 2013 and is a Project Biologist with eight years of field and environmental reporting experience. Her responsibilities at Padre include conducting various biological resource surveys and construction monitoring, as well as preparing biological resource survey reports, Federal and State level environmental documents, and other support documents for a range of projects within San Luis Obispo, Monterey, Santa

Barbara, Fresno, and Kern counties. Her field experience includes comprehensive biological resource surveys, nesting bird surveys, construction monitoring, burrow excavation, wildlife relocation, oiled wildlife response, and surveys for various federally and/or state-protected wildlife species such as California red-legged frog, blunt-nosed leopard lizard, San Joaquin kit fox, burrowing owl, California tiger salamander, and San Joaquin antelope squirrel. Ms. Gonzalez has a B.S. degree in biological sciences with a concentration in ecology from California Polytechnic State University, San Luis Obispo.

## **SCOPE OF SERVICES**

### **TASK 1 – Biological Resources Assessment**

Padre will conduct a BRA for the Project. The BRA survey will focus on the suitability of the habitat to support special-status plant and wildlife species and presence/absence of special-status plant and wildlife species within the Project site. If possible, the botanical resources should be evaluated during the late spring/summer which is the typical blooming period for most special-status plant species known to occur in the proposed Project region. If it is not feasible to complete surveys during the appropriate blooming period, a follow-up botanical survey may be recommended as a protective measure prior to Project site disturbance. Field survey methods will consist of walking paths of opportunity through the Project site and recording wildlife species observed by visual observation using 10X42 binoculars, indirect signs (e.g., tracks, scat, skeletal remains, and burrows), and/or auditory cues (i.e., calls and songs). Notes on botanical resources, plant communities and habitats will be recorded. In addition, Padre will delineate the boundaries of the Arroyo del Padre Juan Creek to determine jurisdictional limits in support of regulatory permit applications. The results from the BRA will be presented in a report with figures depicting biological and aquatic resources, and representative photographs. The BRA will be included in the regulatory agency permit application packages and submitted to CCC, RWQCB, and CDFW (Task 2 through 5).

### **TASK 2 – Coastal Development Permitting**

The Project site is located within the community of San Simeon in the San Luis Obispo County North Coast Planning Area. The proposed sewer utility pipe bridge replacement is located within the designated Coastal Zone boundary and would therefore require a Coastal Development Permit (CDP) prior to implementation of the Project. Local communities have the authority to issue a CDP if they have a designated Local Coastal Program (LCP) that has been certified by the California Coastal Commission. The community of San Simeon does not have its own certified LCP therefore the County of San Luis Obispo (SLO County) would be responsible for review and issuance of the CDP. The County of San Luis Obispo Local Coastal Plan Policy Document was certified by the California Coastal Commission originally on February 25, 1988; with revisions adopted through April 2007 (<https://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Plans-and-Elements/Elements/Coastal-Plan-Policy.pdf>).

In order to obtain the CDP from SLO County Department of Planning and Building, a Land Use Permit Application (Form PLN-1000, updated 4/1/20) will be completed and electronically submitted with the appropriate permit fees (see SLO County Fee Schedule 2022-2023) through the County's online submittal portal. The Land Use Application Checklist and Package is required to include the following forms:

- GEN-3000: General Application Contact Information
- PLN-1004: Land Use – Project Information Form
- PLN-1003: Environmental Description Form
- PLN-1006: Information Disclosure Form
- PLN-1012: Land Use Consent of Property Owner (if applicant does not own property)
- PLN-1122: Hazardous Waste and Substances Statement Disclosure
- Accessory Application Forms, if Applicable

*It is assumed that the costs associated with Task 2 do not include permit fees and those fees would be paid directly to SLO County from the SSCSD.*

Once the CDP application materials have been submitted, Padre would support the application processing by responding to any requests for additional information from SLO County Department of Planning and Building until the CDP permit decision.

### **TASK 3 –RWQCB Section 401 Water Quality Certification**

The Project will impact State wetlands/waters and will require submittal of a Water Quality Certification Application. Padre will complete the Water Quality Certification application for submittal to RWQCB. Padre will work with the Client to complete the application form and acquire the required Project material.

RWQCB requires an application fee prior to issuance of the Water Quality Certification which will be determined by the Project design. Therefore, the amount is not able to be determined at this time and is not included in this proposal.

RWQCB requires compliance with the California Environmental Quality Act (CEQA). The Project will likely receive a Categorical Exemption pursuant to CEQA. It is assumed that the District will be the lead CEQA agency for this Project.

### **TASK 4 – Fish and Game Code Section 1600 Permitting**

The Project will impact State wetlands/waters and will require compliance with Fish and Game Code Section 1600 and CEQA. Padre will consult with CDFW to achieve Project approval and submit applicable application materials. Padre will work with the Client to complete the application form and acquire the required Project material.

CDFW requires an application fee for Project approval which will be determined by the applicable permit and Project cost. Therefore, the amount is not able to be determined at this time and is not included in this proposal.

### **TASK 5 – Agency Site Visit and Project Management**

The Project will be managed by Ms. Alyssa Berry, Senior Biologist in our San Luis Obispo office. Ms. Taylor will manage the regulatory agency permitting process. Padre's biologist and/or project manager will be available to attend a site visit with regulatory agencies, if requested.

## **TASK 6 – Biological Monitoring**

Padre will provide biological monitors during inspection and construction activities that have the potential to impact Arroyo del Padre Juan Creek. Biological monitors will be qualified to identify potentially occurring special-status plant and wildlife species. The biological monitors will document compliance with regulatory permit requirements relevant to the work activities. This task assumes work activities requiring biological monitoring will be limited to a total of six weeks with ten hour workdays, Monday through Friday. If additional monitoring hours are necessary, a budget augment would be required.

### **COST ESTIMATE**

Padre's cost estimate has been included as an attachment. Padre will complete the above scope of work on a time and materials basis invoiced in accordance with Padre's 2021 fee schedule. Padre will not exceed the total amount without written approval from the Client. Padre's proposal is valid for 120 days.

### **SCHEDULE AND ASSUMPTIONS**

Several assumptions have been made in developing this proposal and cost estimate and, if not valid, will constitute a change in the scope of services, requiring an adjustment in Project cost and schedule. Padre will notify the Client of any such changes in writing. Assumptions and limitations to our scope of services are presented below:

- The client will arrange access to the Project site;
- The biological resources assessment area will be limited to the boundaries of the Project site;
- The biological resources survey will be conducted during the typical blooming period (April-June) for most special-status plant species known to occur in the proposed Project region and assumes no follow-up botanical survey will be required;
- This proposal does not include protocol surveys for special-status wildlife, such as, California red-legged frog (*Rana draytonii*).
- All Project plans/diagrams will be provided in AutoCAD and/or ArcMap shapefiles files that can be easily manipulated by the Padre Mapping and Spatial Services staff;
- CDP, CDFW, and RWQCB application fees are not included;
- Padre assumes the Project will qualify for a CEQA Categorical Exemption and not require preparation of an Initial Study/Mitigation Negative Declaration;
- Padre assumes the Project will not involve abutment replacement and will not require Army Corps of Engineer permitting;
- Padre assumes the Project will not affect federally listed species or their habitat; therefore, a Biological Assessment is not included in this proposal; and
- The lead CEQA and federal agencies will complete any and all Native American consultation;



**CLOSING**

If you should have any questions regarding Padre's proposal and/or require additional information for review purposes, please contact Alyssa Berry at (805) 786-2650, ext. 127 or Crystahl Taylor at (805) 786-2650, ext. 111.

Sincerely,

Padre Associates, Inc.



Alyssa Berry  
Senior Biologist



Crystahl Taylor  
Senior Project Manager

369 Pacific Street  
San Luis Obispo, California 93401  
ctaylor@padreinc.com  
(805) 786-2650, ext.111

Enclosure: Cost Estimate and Fee Schedule  
Resumes

**Table 1. Estimated Costs**

<b>Personnel/Item</b>	<b>Rate</b>	<b>Hours/Units</b>	<b>Cost</b>
<b>Task 1. Biological Resource Assessment</b>			
Senior Professional II	\$160	12	\$1,920.00
Project Professional II	\$130	32	\$4,160.00
Senior GIS Specialist	\$110	8	\$880.00
Vehicle	\$80	1	\$80.00
<i>Subtotal</i>			<i>\$7,040.00</i>
<b>Task 2. Coastal Development Permit</b>			
Senior Professional II	\$160	10	\$1,600.00
Project Professional	\$120	16	\$1,920.00
Staff Professional	\$95	40	\$3,800.00
Senior GIS Specialist	\$110	4	\$440.00
<i>Subtotal</i>			<i>\$7,760.00</i>
<b>Task 3. RWQCB Section 401 Water Quality Certification</b>			
Senior Professional II	\$160	8	\$1,280.00
Project Professional II	\$130	8	\$1,040.00
Staff Professional	\$95	24	\$2,280.00
Senior GIS Specialist	\$110	4	\$440.00
<i>Subtotal</i>			<i>\$7,639.00</i>
<b>Task 4. Fish and Game Section 1600 Permitting</b>			
Senior Professional II	\$160	8	\$1,280.00
Project Professional II	\$130	8	\$1,040.00
Staff Professional	\$95	24	\$2,280.00
Senior GIS Specialist	\$110	4	\$440.00
<i>Subtotal</i>			<i>\$5,040.00</i>
<b>Task 5. Agency Site Visit and Project Management</b>			
Senior Professional II	\$160	16	\$2,560.00
Vehicle	\$80	2	\$160.00
<i>Subtotal</i>			<i>\$2,720.00</i>
<b>Task 6. Biological Monitoring</b>			
Senior Professional II	\$160	24	\$3,840.00
Project Professional	\$120	300	\$36,000.00
Senior GIS Specialist	\$110	8	\$880.00
Vehicle	\$80	30	\$2,400.00
<i>Subtotal</i>			<i>\$43,120.00</i>
<b>TOTAL</b>			<b>\$73,319.00</b>

# Simon A. Poulter

Principal, Environmental Sciences Group

**EDUCATION:** M.R.P. Environmental Planning, University of Pennsylvania, 1985

B.A. Marine/Aquatic Biology and Physical Geography, Wittenberg University, 1980

**EXPERIENCE:** Mr. Poulter has over 30 years of experience as a project manager and environmental scientist responsible for the preparation of physical, biological, and cultural resource assessments for inland, coastal, and outer continental shelf projects. Mr. Poulter is a founding Principal of Padre Associates, Inc. and currently manages the firm's Environmental Sciences group. In this role, he is responsible for supervising day to day operations of the group, including marketing, contract administration, staffing, quality assurance, cost control, and scheduling of ongoing projects.

Mr. Poulter has extensive experience with the development of permitting strategies, permit acquisition and permit condition compliance for coastal development and decommissioning projects. He manages the larger coastal permitting projects conducted by Padre and oversees all such projects.

Mr. Poulter also directs the preparation of environmental assessment documentation mandated under both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA).

Representative projects Mr. Poulter has actively supervised and participated in include:

**Diablo Canyon Nuclear Power Plant Decommissioning - Permitting Project Management Plan, Avila Beach.** Mr. Poulter served as Padre's Principal-in-Charge for assisting PG&E with the preparation of a Permitting Project Management Plan for the decommissioning of the Diablo Canyon Power Plant. The Permitting Project Management Plan included preparation of a Benchmarking Study, Permitting Conceptual Phasing Report, and a Permitting Strategy Report. Padre also assisted PG&E with the preparation of a comprehensive permitting project schedule and a detailed permitting cost estimate that covered the complete decommissioning of the existing power plant and possible re-use of key site facilities.

**High Energy 3D Offshore Seismic Survey, and Ocean Bottom Seismometer Project, San Luis Obispo County, California.** Mr. Poulter was the project Principal-in-Charge for Environmental Permitting Services for a proposed High Energy 3D Offshore Survey to be conducted offshore of the PG&E Diablo Nuclear Power Generation Station. Project application packages included a Project Description, Biological Assessment, Essential Fish Habitat Assessment, Marine Wildlife Contingency Plan, Section 404 Dredge and Fill Permit, Air Quality Calculation, and Incidental Harassment Authorization. The application packages were sent to jurisdictional agencies including the CSLC, CCC, National Oceanic Atmospheric Administration, National Marine Fisheries Service (NMFS), United States Fish and Wildlife Service (USFWS) and USACOE. Documents prepared by Padre were used by the CSLC in their preparation of an EIR as well as an Incidental

Take Authorization from the NMFS and USFWS. Dates of Service: January 2010 to October 2013.

**Encina Marine Oil Terminal Decommissioning Planning, Carlsbad, California.**

Padre has been providing various forms of project assistance for the proposed decommissioning project. Mr. Poulter is the Principal-in-Charge of Padre's efforts on behalf of the client, Cabrillo Power I LLC. Padre tasks to date have included: preparation of a Project Execution Plan (including numerous supporting plans such as a Marine Wildlife Contingency Plan and Oil Spill Response Plan); coordination with the California State Lands Commission (CSLC) regarding the client's State tidelands lease; assisting the CSLC with the preparation of CEQA compliance documentation for the project; preparation of permit applications (Coastal Development Permit from the California Coastal Commission [CCC], Section 404 Permit from the United States Army Corps of Engineers [USACOE], Section 401 Certification from the Regional Water Quality Control Board [RWQCB] and Right-of-Entry Permit from the California Department of Parks and Recreation); review of contractor bid documentation; and development of mitigation and permit condition tracking documents. Dates of Service: February 2014 to Present.

**ExxonMobil Santa Ynez Unit Offshore Power System Reliability - B (OPSR-B) Phase 2 Project, Santa Barbara County and Offshore, California.**

Padre prepared a Mitigated Negative Declaration on behalf of the CSLC for the project. The project includes the installation and operation of replacement cables and electrical systems from the Las Flores Canyon Processing Facility in Santa Barbara County to Outer Continental Shelf Platforms Harmony and Heritage, and the retrieval of existing out-of-service cables from selected locations within the project area. The CSLC amended the existing State Lease PRC 7163.1, a General Lease - Right-of-Way Use, to allow for project implementation. Dates of Service: April 2013 to October 2016.

**Chevron 4H Platform Decommissioning Project - Shell Mounds Disposition, Offshore California.**

Mr. Poulter has assisted Chevron with the submission of various project application information intended to enable the State Lands Commission and associated responsible agencies to comparatively evaluate the final disposition of the remaining 4H Platform Shell Mounds disposition. These efforts have included extensive biological and geophysical assessment of the remaining mounds as well as a review of a wide range of potential alternatives for both the removal and retention of the mounds. Dates of Service: 1998 to Present.

**PROFESSIONAL AFFILIATIONS:**

City of Carpinteria, Former Chairman Planning Commission

Former Chairmen, City of Carpinteria General Plan and Local Coastal Plan Update Committee

National Association of Environmental Professionals - Former Board Member

# Alyssa Berry

Senior Biologist

**EDUCATION:** B.A. Earth and Environmental Science, Wesleyan University, 2004.

**EXPERIENCE:** Ms. Berry joined Padre Associates, Inc. in 2010 and has more than 16 years of professional experience in the biological resources field. Ms. Berry currently manages Padre's Biological Group in the San Luis Obispo office and is responsible for organizing biological surveys, permit compliance monitoring, biological resource studies, and restoration project management. Ms. Berry has experience preparing Biological Assessments for projects that have the potential to impact species protected by the Federal Endangered Species Act (FESA). Ms. Berry is qualified to survey for and implement project specific mitigation measures for special-status plant and wildlife species that occur throughout San Luis Obispo County. She effectively communicates with dynamic project teams and works collaboratively to achieve permit compliance.

Representative projects Ms. Berry has worked on include:

**East Cat Canyon Redevelopment Project, Santa Barbara County, California.**

Ms. Berry coordinated and participated in comprehensive biological resource surveys and assessments at a former oil field proposed for redevelopment. Ms. Berry analyzed the survey results to prepare a Biological Assessment that was submitted to the United States Fish and Wildlife Service (USFWS) to address potential impacts to California tiger salamander and California red legged frog (CRLF).

**Marsh Street Bridge Replacement Project, San Luis Obispo County, California.**

Ms. Berry managed the environmental compliance and biological monitoring for the project. Key compliance components included nesting birds, steelhead, CRLF, and regulatory permits (Water Quality Certification and CDFW Streambed Alteration Agreement). She coordinated with the project team managers, trained construction personnel on environmental permit conditions, monitored water quality, conducted pre-activity surveys, monitored installation and removal of the dewatering and diversion system, monitored active nests, and implemented nest deterrence measures. She was approved under the Federal Highways Administration's Federal Aid Program (8-8-10-F-58) Programmatic Biological Opinion) to relocated CRLF. She helped to relocate a juvenile steelhead from the project site during dewatering activities, under the authorization of National Marine Fisheries Service (NMFS) Biological Opinion (BRLS-5016(050)).

**Camp Roberts Programmatic Biological Assessment, San Luis Obispo and Monterey County, California.**

Ms. Berry was awarded the contract to update the Programmatic Biological Assessment of the Camp Roberts military installation's activities. Ms. Berry has prepared the administrative draft that addresses the effects of military activities on four species protected under FESA.

**Guadalupe Restoration Project, San Luis Obispo County, California.** Ms. Berry managed a team of six biologists to comply with over 1,200 ecological permit conditions. Ms. Berry worked closely with regulatory representatives from the County of San Luis Obispo, California Department of Fish and Wildlife (CDFW), USFWS, and California Coastal Commission to achieve project compliance with permit conditions. She adhered to a multi-agency approved Wetland Restoration and Mitigation Plan through planting, photopoint monitoring, and vegetation sampling. Ms. Berry has managed the seed collection, propagation, and replacement planting of three California threatened and endangered plants. Ms. Berry was authorized by the project's Biological Opinion, to handle CRLF, conduct quarterly eyeshine surveys, and perform annual egg mass surveys and to relocate tidewater goby during crayfish trapping activities. Ms. Berry implemented a successful migratory bird monitoring program that enabled construction activities to proceed with minimal disruptions during the nesting season.

**Public Works Railroad Safety Trail, City of San Luis Obispo, California.** Ms. Berry conducted a biological survey of the proposed trail alignment and prepared a Natural Environment Study (Minimal Impacts) for the City of San Luis Obispo and the California Department of Transportation. The biological survey included identification of vegetation types, rare plants, and wildlife habitat.

**San Ardo Energy Project, Monterey County, California.** Ms. Berry managed the biological assessment of an area of the San Ardo oil field. Ms. Berry organized and participated in biological resource surveys that included vegetation type mapping, oak tree inventory, protocol San Joaquin kit fox surveys, and protocol CRLF surveys. She prepared a biological resource survey report, mitigation cost analysis, and species-specific protocol survey reports.

**San Luis Obispo Tank Farm Restoration Project (Project), San Luis Obispo County, California.** Ms. Berry managed biological pre-activity surveys and biological monitoring during remediation and restoration at the Project site. These activities included protocol-level CRLF surveys, nesting bird surveys, and nesting deterrent deployment within the Project site.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

- Wetland Delineation Training, Wetland Training Institute, 2016
- Measuring and Monitoring Plant Populations, California Native Plant Society, 2012
- California Tiger Salamander Workshop, 2009
- CRLF Workshop, 2008
- Coursework in zoology and ornithology, Santa Barbara City College, Spring 2006
- Geology Field Course, University of Pennsylvania, Red Lodge, Montana. June 2003
- Comparative Ecology, School of International Training, Ecuador. Spring 2003

**PROFESSIONAL  
AFFILIATIONS:**

- California Native Plant Society, Member
- Central Coast Wildlife Society, Member

## Resume

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# Crystahl Taylor

Senior Project Manager

**EDUCATION:** B.S. Natural Resources Management, California Polytechnic State University, San Luis Obispo, 2000. Concentration: Wildlife Biology

**EXPERIENCE:** Ms. Taylor joined Padre Associates in 2011 and has over 21 years of professional experience as an environmental specialist and manager of environmental projects involving the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Ms. Taylor is the manager of the San Luis Obispo's Environmental Sciences Group. Ms. Taylor specializes in the management and preparation of CEQA and NEPA environmental documents. In addition, Ms. Taylor specializes in regulatory agency permitting involving the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and the California Coastal Commission (CCC). She is experienced with the management and coordination of projects involving Caltrans Local Assistance such as bridge replacement and road realignment projects. She is also experienced in permitting and compliance management for coastal and offshore projects involving the California State Lands Commission (CSLC).

Representative projects Ms. Taylor has managed or assisted with include:

**Highway 120 Lodging Hospitality Project, Tuolumne County, California.** Ms. Taylor is currently the Project Manager in support of the Initial Study/Mitigated Negative Declaration for the Highway 120 Lodging Hospitality Project (Project). The Project's development includes 200 guest suite accommodations, lodge, market and bar, pool and pool house, soaking tubs, and an events space located on State Route 120 in the Big Oak Flat area near Groveland, Tuolumne County. Ms. Taylor is also managing the preparation and submittal of the regulatory agency permits required for the Project including a Nationwide Permit from ACOE, a Water Quality Certification from RWQCB, and a Lake or Streambed Alteration Agreement from CDFW.

**Camp Roberts High Water Bridge Project, Camp Roberts, California.** Ms. Taylor is currently the Project Manager in support of the joint NEPA/CEQA environmental document for the Camp Roberts High Water Bridge Project (Project). The Project includes constructing a joint access road and pier foundation repair of the existing High Water Bridge. Padre will prepare the joint environmental document with assistance and review from the California Army National Guard (CA ARNG) environmental staff and the National Guard Bureau (NGB-ILE). Ms. Taylor is also managing the preparation and submittal of the regulatory agency permits required for the Project including a Nationwide Permit from ACOE and a Water Quality Certification from RWQCB.

**City of San Luis Obispo Railroad Safety Trail Project – Taft Street to Pepper Street, San Luis Obispo, California.** Ms. Taylor was the environmental Project Manager for the City of San Luis Obispo Railroad Safety Trail Project. Ms. Taylor managed preparation of the technical studies, as required by Caltrans, for the Project including a Natural Environment Study-Minimal Impact, Section 106 Documentation, Initial Site Assessment, and the Noise Study Report. Ms. Taylor also managed and prepared the Mitigated Negative Declaration for the project.

**Dynegy Morro Bay Power Plant Marine Terminal Decommissioning Project, Morro Bay, California.** Ms. Taylor was the Assistant Project Manager in support of the Morro Bay Power Plant Marine Terminal Decommissioning Project. Ms. Taylor assisted in the revision of the Project Execution Plan for the decommissioning project. She managed the preparation of the Mitigated Negative Declaration for the project in accordance with CEQA on behalf of the CSLC. She also applied for and obtained the CCC Coastal Development Permit, ACOE Nationwide Permit Authorization, RWQCB Water Quality Certification, and the CDFW Operation of Law Letter for pipeline removal.

**East Cat Canyon Oil and Gas Exploration Plan, Santa Barbara County, California.** Ms. Taylor was the Assistant Project Manager in support of an Oil Field Redevelopment Project Plan located in the East Cat Canyon Oil Field, Santa Barbara County, California. Ms. Taylor was the permitting coordinator for various stages of the Project, and coordinated the compilation of permit applications for various resource agencies including the ACOE, RWQCB, CDFW and USFWS. Ms. Taylor also provided assistance through the Environmental Impact Report (EIR) process and assisting in responding to the questions raised by the EIR consultant. In addition, Ms. Taylor assisted with other components of the Project such as agency correspondence, meeting attendance, scheduling, and reporting.

**Chevron San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo, California.** Ms. Taylor was the Assistant Project Manager in support of the remediation and restoration activities at Chevron's San Luis Obispo Tank Farm property. The project's environmental issues included wetlands, endangered species, rare plants, airport compatibility, historical resources, traffic and transportation, hydrology, recreation, land use compatibility, human and ecological risk mitigation, deed restrictions on future uses, and groundwater quality. Ms. Taylor coordinated with the agencies for the proposed remediation and restoration components of the project and received the following agency permits: Nationwide Permit Authorization from the ACOE, Water Quality Certification from the RWQCB, Streambed Alteration Agreement from CDFW, and Section 7 Biological Opinion from the USFWS and NMFS. In addition, Ms. Taylor assisted with other components of the project such as agency correspondence, meeting attendance, scheduling, and reporting.

**PROFESSIONAL AFFILIATIONS:**

Channel Counties Chapter, Association of Environmental Professionals, member  
Channel Counties Chapter, Association of Environmental Professionals, Board of Directors, Student Membership Chair (2011-2012)



## Resume

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# Christina Santala

Project Biologist

**EDUCATION:** B.S. Biological Sciences, California Polytechnic State University, San Luis Obispo, 1988.

**EXPERIENCE:** Ms. Santala joined Padre Associates, Inc. in April 2007 and has over 25 years of experience in the environmental field. Ms. Santala specializes in botany and ecological restoration of upland, riparian, and wetland habitats associated with utility pipeline and facilities decommissioning, oil field exploration, development, and remediation, bridge replacement and improvement, residential development, and streambed alteration projects. In addition, Ms. Santala is experienced in conducting aquatic resources delineations and jurisdictional determinations in accordance with the United States Army Corps of Engineers (ACOE) guidelines.

Representative projects Ms. Santala has managed and assisted with include:

**San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo County, California.** Ms. Santala was involved with this soil remediation and habitat restoration project for over ten years and served as lead restoration ecologist for initial restoration activities. Ms. Santala assisted with and managed baseline botanical inventory surveys, rare plant surveys and mapping, vegetation type identification and mapping, rare plant seed collection, planting and seeding, noxious/invasive plant management, temporary irrigation system design, restoration plan development, design, and implementation, and restoration monitoring.

**Cuyama River Tanker Spill Restoration Project, Santa Barbara and San Luis Obispo Counties, California.** Ms. Santala conducted biological baseline surveys and developed and implemented the habitat restoration and mitigation plan. Specific tasks included rare plant and botanical inventory surveys, vegetation classification and mapping, development of mitigation strategies and restoration performance criteria focused on establishment of riparian habitat, vegetation rapid assessment protocol surveys, report writing, and is currently involved with restoration site monitoring and adaptive management.

**Air Park Drive Bridge Replacement Project, San Luis Obispo County, California.** Ms. Santala assisted with the botanical component of this bridge replacement project located in the community of Oceano, San Luis Obispo County, California. Specific tasks included an aquatic resources delineation survey following ACOE guidelines, botanical inventory, vegetation type assessment and mapping, jurisdictional, and associated research and reporting.

**Highway 120 Lodging Project, Tuolumne County, California.** Ms. Santala completed the biological technical reports used for CEQA documentation in support of the environmental permitting for this development project. Specific tasks included biological resources assessment field survey, aquatic resources delineation survey, and oak tree inventory and all associated reporting, and preparation of technical responses during the CEQA review period.

## Resume

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**Various Residential Biological Survey Assessments, San Luis Obispo County, California.** Ms. Santala has completed numerous biological resources assessment surveys for small residential development projects to document the existing biological resources and to determine the for potential special-status plants and wildlife to occur within the subject properties. Specific tasks included desktop review and database research, field surveys, use of Global Positioning System unit for mapping, report writing including preparation of avoidance and minimization and mitigation measures to protect special-status resources.

**U.S. Highway 101 Clark Avenue and Northbound Interchange Improvement Project, Santa Barbara County, California.** Ms. Santala managed and assisted with the environmental permit compliance and onsite biological monitoring for the project, which involved removal and construction of highway interchange ramps. Activities completed included pre-project habitat assessment and special-status wildlife surveys, pre-activity surveys of habitat areas prior to initial ground disturbances, periodic biological monitoring, and associated reporting. Onsite monitoring focused on potentially occurring special-status wildlife species including American badger, silvery legless lizard, coast horned lizard, and nesting birds.

**East Cat Canyon Oil and Gas Exploration Project, Santa Barbara County, California.** Ms. Santala completed numerous field surveys and desktop analyses for this oil and gas exploration project. Specific tasks included wetland delineation and jurisdictional determinations, site-wide botanical inventory, California Native Plant Society (CNPS)/California Department of Fish and Wildlife (CDFW) vegetation rapid assessment protocol surveys, vegetation mapping, rare plant surveys, oak tree inventory, restoration plan and oak tree replacement plan development, and associated reporting and permitting assistance.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

CDFW Plant Voucher Collecting Permit 2081(a)-21-016-V.

Rare Pond Species Survey Techniques Workshop (California red-legged frog, California tiger salamander and southwestern pond turtle), Laguna de Santa Rosa Foundation, 2008.

Flowering Plant Families Workshop, Jepson Herbarium, 2010.

Manual of California Vegetation Second Edition Workshop, California Native Plant Society, 2012.

Soil Morphology and Hydric Soils Workshop, California Native Plant Society, 2015.

Wetland Delineation Workshop, Jepson Herbarium, 2015.

**PROFESSIONAL  
AFFILIATIONS:**

California Native Plant Society, member.

Robert F. Hoover Herbarium, California Polytechnic State University; volunteer.

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# Michaela Craighead

Project Biologist

**EDUCATION:** B.S. Biology, California Polytechnic State University, San Luis Obispo, 2009.  
Concentration: Marine Science and Fisheries

**EXPERIENCE:** Ms. Craighead joined Padre in 2011 and has ten years of experience as a field biologist and environmental consultant. Ms. Craighead focus has been primarily in aquatic and marine biology. Ms. Craighead has previously conducted mitigation monitoring of protected terrestrial and marine species, but now her primary focus is preparing permit applications for federal and state agencies, and CEQA documents (Initial Studies and Mitigated Negative Declarations [IS/MND]), technical environmental documents, wildlife contingency plans. In addition, Ms. Craighead conducts biological resource surveys and habitat assessments, including protocol-level for protected species. Ms. Craighead field experience extends to both onshore and offshore construction projects, as well as numerous remediation and restoration sites. In addition, Ms. Craighead was approved as a Protected Species Observer by the National Oceanic and Atmospheric Administration (NOAA) in 2012 and holds a U.S. Fish and Wildlife Service (USFWS) 10(A)(1)(a) Recovery Permit for Large Branchiopods.

Representative projects Ms. Craighead has participated in include:

**Dynegy Morro Bay Power Plant Decommissioning, San Luis Obispo County.** Ms. Craighead responsibilities on the project included marine environmental consulting and marine wildlife monitoring services, and preparing the CEQA document (IS/MND) for the offshore decommissioning of power plant pipelines offshore San Luis Obispo County. Ms. Craighead conducted hydroacoustic sampling of noise levels related to dynamic pipe ramming (DPR) operations and consulted with NMFS for the protection of marinemammals during project activities that produced hazardous noise. Hydroacoustic sampling was conducted with a Reson TC hydrophone, a SpectraDAQ-200 for data acquisition, and the SpectraPlus-SC software. In support of onshore decommissioning activities, Ms. Craighead participated in the relocation of native fish species, including tidewater goby, from the Morro Creek lagoon. Under the supervision of a USFWS-permitted biologist, Ms. Craighead captured and relocated thousands of juvenile and adult tidewater gobies. Dates of service: September 2018 to October 2018.

**Marsh Street Bridge Reconstruction Project, City of San Luis Obispo, California.** Ms. Craighead supported the environmental compliance monitoring for the project and conducted pre-construction nesting bird surveys and nesting raptor monitoring. Ms. Craighead was approved by the United States Fish and Wildlife Service (USFWS) to independently survey for and relocate California red-legged frog prior to and during diversion and dewatering activities. Ms. Craighead also installed block nets and conducted passive relocation of steelhead prior to dewatering activities to avoid significant impacts to federally protected fish. In addition, Ms. Craighead was the biological monitor during bridge demolition and conducted water quality monitoring for the project. Dates of service: February through November 2020.

**Port San Luis Avila Pier Rehabilitation Project, Avila Beach, San Luis Obispo County.** Ms. Craighead prepared the federal Biological Assessment and Essential Fish Habitat Assessment to support federal permit applications for the project. In addition, due to the repair and maintenance nature of the project, Ms. Craighead prepared the Notice of CEQA exemption. Dates of Service: February 2017 through Present.

**San Luis Obispo Tank Farm Remediation, Restoration, and Development Project, San Luis Obispo County, California.** In support of the Biological Assessment for the project, Ms. Craighead participated in several protocol-level surveys for both state and federally protected species including, California Red-legged frog (*Rana draytonii*), burrowing owl (*Athene cunicularia hypugaea*), and large vernal pool branchiopods (*Branchinecta* sp., *Streptocephalus woottoni*, *Lepidurus packardii*). In addition, Ms. Craighead managed the Surface Hydrocarbon Inspection and Monitoring Program for two years which consisted of weekly surveys for oiled wildlife, and if found, the rescue and recovery of oiled wildlife under the guidance of the California Department of Fish and Wildlife (CDFW). As the USFWS-approved biologist, Ms. Craighead oversees the construction of vernal pool fairy shrimp (*Branchinecta lynchi*) restoration habitat and conducts wet season monitoring surveys. Dates of service: December 2013 through Present.

**California Resources Petroleum Corporation Grubb Lease Decommissioning, Ventura County, California.** Ms. Craighead completed marine SCUBA biological resources surveys of intake and outfall pipelines proposed for removal. Ms. Craighead documented the type and location of marine plants, macro-epifauna, and fish associated with the habitats within the project area to avoid impacts to these habitats. In addition, Ms. Craighead helped prepare the project's CEQA document (IS/MND) and technical documents to support federal and state permit applications. Dates of service: November 2018 to March 2020.

**CERTIFICATIONS,  
PERMITS AND  
TRAINING:**

USFWS Section 10(A)(1)(a) recovery permit for federally listed branchiopods (fairy shrimp and tadpole shrimp (Permit No. TE-13636B-1)

American Academy of Underwater Sciences Scientific Diver and National Association of Underwater Instructors Master SCUBA Diver, 2015.

eDNA: A Practical Workshop, presented by the Western Section of the Wildlife Society, Genidaqs, and WRA. 2019.

Divers Alert Network CPR/AED and First Aid and Emergency Oxygen Administration for Diving Accidents Certified, 2019.

Standards of Training Certifications and Watchkeeping Certified Personal Survival Techniques, Cal Maritime Academy, 2018.

California Red-Legged Frog Workshop, presented by Trish Tartarian, 2014. Western Burrowing Owl Workshop, presented by Dr. Lynn Trulio, 2014.

Fairy Shrimp of California Identification Course, presented by Mary S. Belk, 2013.

**PROFESSIONAL  
AFFILIATIONS:**

California Central Coast Chapter of the Wildlife Society, member

# Shannon Gonzalez

Project Biologist

**EDUCATION:** B.S. Biological Sciences, California Polytechnic State University, San Luis Obispo, 2013. Concentration: Ecology

**EXPERIENCE:** Ms. Gonzalez joined Padre Associates, Inc. in 2013 and has eight years of experience as a field biologist. She is responsible for conducting biological resource surveys and environmental/construction monitoring, and for the preparation of biological resources reports, environmental permit applications, and support documents for a range of projects within San Luis Obispo, Santa Barbara, Monterey, Kern, and Fresno Counties. Her field experience includes comprehensive biological resource surveys, nesting bird surveys, construction monitoring, burrow excavation, wildlife relocation, oiled wildlife response, and surveys for various federally and/or state-protected wildlife species such as California red-legged frog (CRLF), blunt-nosed leopard lizard (BNLL), San Joaquin kit fox (SJKF), burrowing owl, California tiger salamander (CTS), and San Joaquin antelope squirrel.

Representative projects Ms. Gonzalez has participated in include:

**County of San Luis Obispo Environmental Monitoring for the Oak Shores Development Project (January – July 2021).** Ms. Gonzalez provided compliance monitoring for the Oak Shores project site to ensure that all applicable environmental mitigation measures from the County's conditions of approval were implemented throughout the project duration. She completed the initial site walk with project engineers and contractors prior to start of 2021 work activities to discuss environmental concerns and solutions, and regularly coordinated with project engineers as work progressed at the site.

**Chevron North America Exploration and Production, San Ardo Oil Field Salinas River Vegetation Maintenance Project, Monterey County (2018-2021).** Ms. Gonzalez conducted construction monitoring and annual eagle roosting surveys along the Salinas River in support of regular vegetation maintenance, and completed the associated documentation and reports in accordance with the project's CDFW Streambed Alteration Agreement. Over the past four years, Ms. Gonzalez has identified juvenile and adult bald eagle, red-tail hawk, northern harrier, and osprey during surveys and monitoring at the site.

**Chevron Environmental Management Company, San Luis Obispo Tank Farm Remediation and Restoration Project, San Luis Obispo County (2014 – 2018).** Ms. Gonzalez conducted construction monitoring over four years for remediation activities at the project site. In addition, she participated in annual pre-activity surveys which were focused on California red-legged frog (CRLF), burrowing owl, nesting birds, raptors, and special-status plants. Ms. Gonzalez also observed and documented the activity of several nesting birds and numerous raptors during surveys and monitoring at the site, including but not limited to burrowing owl, golden eagle, bald eagle, white-tailed kite, and northern harrier.

**Dynegy; Morro Bay Power Plant Decommissioning Project – San Luis Obispo County (September – November 2018).** Ms. Gonzalez conducted onshore environmental monitoring for power plant pipeline abandonment and removal

activities in Morro Bay, California. Monitoring included continuous communication with work crews to avoid and/or minimize impacts to surrounding sensitive resources including the Pacific Ocean, dune scrub/beach habitat, and Morro Creek. In support of onshore pipeline removal, Ms. Gonzalez assisted with tidewater goby pre-activity surveys and native fish relocation, including tidewater goby, within Morro Creek under the supervision of a USFWS-approved biologist.

**Chevron North America Exploration and Production San Ardo Oil Field Biological Constraints Analysis, Monterey County (2016).** In support of the project biological resources analysis, Ms. Gonzalez participated in USFWS protocol-level surveys for CRLF along a four-mile stretch of the Salinas River within the San Ardo Oil Field. No CRLF were observed during these surveys; however, Ms. Gonzalez observed and/or heard several amphibian and reptile species during this time, including western spadefoot, Sierran treefrog, American bullfrog, and southwestern pond turtle. Ms. Gonzalez handled one western spadefoot toad during CRLF surveys for this project.

**Chevron Environmental Management Company, Chevron North American Exploration and Production, and Seneca Resources Corporation; various projects – Kern, Kings, and Fresno Counties, California (2014 – present).** Ms. Gonzalez has assisted with seven years of protocol-level blunt-nosed leopard lizard (BNLL) surveys for various projects within Kern, Kings, and Fresno Counties and has led surveys as a Level II BNLL surveyor since 2018. During these surveys, Ms. Gonzalez has observed several reptile species including but not limited to BNLL, western side-blotched lizard, California whiptail, San Joaquin coachwhip, northern Pacific rattlesnake, and Pacific gophersnake. Other wildlife observed incidentally but regularly during surveys include San Joaquin kit fox, burrowing owl, and Swainson's hawk.

**AERA Energy, LLC; East Cat Canyon Oil Field Redevelopment Project – Santa Barbara County, California (2014 – 2017).** Ms. Gonzalez participated in California tiger salamander (CTS) upland habitat and aquatic surveys for this project for three years and identified and/or handled several common amphibians and reptiles during that time, including, but not limited to, western spadefoot, western toad, Baja California treefrog, black-bellied slender salamander, western side-blotched lizard, and Skilton's skink.

**TRAINING:** Western Burrowing Owl Workshop, Elkhorn Slough Coastal Training Program, 2014  
California Tiger Salamander Workshop, Elkhorn Slough Coastal Training Program, 2015  
San Luis Obispo (SLO) County Biological Report Guidelines Workshop, County of SLO Planning Department, 2015  
San Joaquin Kit Fox Workshop, California Central Coast Chapter of the Wildlife Society, 2016  
Blunt-Nosed Leopard Lizard Workshop, San Joaquin Valley Chapter of the Wildlife Society, 2018  
Rattlesnake Safety Workshop, Central Coast Snake Services, 2020

**PROFESSIONAL AFFILIATIONS:** California Central Coast Chapter and San Joaquin Valley Chapter of the Wildlife Society, member

# Natalie Goetz

Staff Planner

**EDUCATION:** B.S. Biology with a Concentration in Marine Science and a Minor in Sustainability, San Diego State University, San Diego, 2019.

**EXPERIENCE:** Ms. Goetz joined Padre Associates in October of 2021 and has over 4 years of professional experience with two universities and an environmental consulting firm as a lab and field technician. She is a certified Protected Species Officer (PSO) through MPSC and has worked on multiple projects involving the U.S Army Corps of Engineers (ACOE) subject to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). She has conducted pre-construction and post-construction biological surveys for a variety of projects in compliance to the mitigation plans specified in the environmental documents. With Padre, Ms. Goetz is currently drafting environmental documents and ensuring environmental compliance for multiple projects across counties from Central to Northern California.

Representative projects Ms. Goetz has worked on include:

**Highway 120 Lodging Hospitality Project, Tuolumne County, California.** Ms. Goetz is currently a Staff Planner in support of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Highway 120 Lodging Hospitality Project (Project). The Project's development includes 200 guest suite accommodations, lodge, market and bar, pool and pool house, soaking tubs, and an events space located on State Route 120 in the Big Oak Flat area near Groveland, Tuolumne County.

**Camp Roberts High Water Bridge Project, Camp Roberts, California.** Ms. Goetz is currently a Staff Planner in support of the joint NEPA/CEQA environmental document for the Camp Roberts High Water Bridge Project (Project). The Project includes constructing a joint access road and pier foundation repair of the existing High Water Bridge. Padre will prepare the joint environmental document with assistance and review from the California Army National Guard (CA ARNG) environmental staff and the National Guard Bureau (NGB-ILE).

**PG&E L123 L-130 Replacement Project, Sacramento and Solano Counties, California.** Ms. Goetz is currently assisting the California State Lands Commission (CSLC) as a Staff Planner for Padre in the preparation of the Draft IS/MND for the decommissioning/replacement of pipeline spanning the Sacramento River across two counties in Northern California. She is working with project management to ensure environmental compliance to CSLC standards. Ms. Goetz is predominantly working on the Hydrology, Hazards and Hazardous Materials, and Geology, Soils, and Paleontological Resources sections of the document, ensuring compliance with the General Plans of both counties.

**Naval Base San Diego Pier 8 Demolition and Reconstruction Project, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz was the PSO during the demolition and reconstruction phases for the modernization of Pier 8 for U.S Navy usage. Her duties were to work alongside Manson construction company, maintaining

continuous monitoring and to provide verbal permission for every pylon that was removed/installed.

**San Diego Bay Maintenance dredging Project, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz was the PSO for the maintenance dredging project throughout San Diego Bay involving ACOE. Her duties were to work alongside dredgers and report any animal sightings and determine level of impact.

**San Diego Bay Habitat Valuation Study, San Diego, California.** While employed at Merkel and Associates, Ms. Goetz assisted in the valuation study of habitat production as it relates to depth in San Diego Bay (SDB) involving the U.S. Navy. Associated with new project construction, this study relates unvegetated bottom productivity with that of eelgrass habitat to determine how future projects will affect the long-established "mitigation bank" pursuant to eelgrass habitat remediation. Ms. Goetz participated in sediment collection from multiple sites in SDB and categorized invertebrates microscopically for data collection.

**CERTIFICATIONS  
AND TRAINING**

"CEQA Training" Certification, University of California San Diego Extension, San Diego, 2021.

**PROFESSIONAL  
AFFILIATIONS:**

California San Diego Chapter, American Planning Association, member #392908



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# *San Simeon Community Services District*

## **Proposal to Provide Water and Sewer Pipe Bridge Repairs**

**Cannon**

Reliable Responsive Solutions

July 12, 2022 Board Meeting Packet

Charles Grace  
District Office  
San Simeon Community Services District  
111 Pico Avenue  
San Simeon, CA 93452

**RE: Proposal to Provide Water and Sewer Pipe Bridge Repairs**

Dear Mr. Grace:

San Simeon Community Service District (District) provides water and sewer utilities for approximately 100 acres, serving 199 residential and 10 non-residential customers.

One of the District's components is a 74-foot-long pen pipe utility bridge located approximately 100 yards east of the Pacific Ocean and immediately north of the wastewater treatment plant. The single-span bridge is a triangular-shaped welded steel truss supported at each end by concrete abutments. The bridge was constructed around the year 2000 and spans across the Arroyo del Padre Juan Creek.

AECOM, Inc. performed a study of the bridge in 2009 to assess its condition and expected lifespan. Repair and recoating projects were completed in 2009 and 2016. ATS completed a review of the bridge in 2021 and recommended immediate action to address deteriorated conditions throughout the span of the trussed bridge affecting most members and connections.

Cannon is pleased to submit this proposal to provide the following services:

- Evaluate the condition of the bridge and abutments based on review of available reports and site observations.
- Design a replacement plan for a low maintenance, long-life structure.
- Develop construction drawings and specifications for the replacement work.
- Obtain approval from San Luis Obispo County and California Coastal Commission as needed and conduct the necessary environmental documentation.
- Obtain permits from environmental agencies such as California Fish and Game and the Regional Water Quality Control Board, and State Water Resources Control Board as required.
- Bidding and award services.
- Project management services through the construction phase.

Cannon has professional staff with experience and expertise in each phase of this project and have a history of smooth communication and coordination. We have assembled an experienced team with extensive knowledge that will make this project a success. Advantage Technical Services (ATS) will join our team to provide construction inspection and QA/QC and Rincon will provide environmental documentation.

Respectfully submitted,



Marshall Pihl, SE  
Structural Director/Project Manager  
1050 Southwood Drive  
San Luis Obispo, CA 93401  
☎ 805.503.4554 ✉ MarshallP@CannonCorp.us

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Fee Estimate and Rates *(Submitted in a Separate Sealed Envelope)*



*Cannon Corporation – Providing Reliable Responsive Solutions since 1976*

As a full-service engineering, construction management, and surveying firm, we take pride in our ability to offer our clients a broad range of services. Our commitment to providing Reliable Responsive Solutions, whether the project scope is expansive or more specialized, spans over 46 years. During that time, we have worked with many cities, counties, and agencies throughout California to maintain secure and dependable water systems.

We have worked with many cities, counties, and agencies to make bridges and streets safer and more pedestrian and bicycle-friendly, designed and upgraded wastewater and water systems, and constructed buildings and facilities that are structurally sound. Likewise, we are dedicated to creating sustainable landscapes and providing a high level of technical expertise in areas of low impact development (LID) design.

Our team of more than 135 professionals includes registered structural, civil, electrical, and mechanical engineers; automation and SCADA system specialists; licensed land surveyors and Caltrans certified construction managers and inspectors. Cannon's team includes experienced engineers who have thorough knowledge in the design of building materials, including steel, wood, concrete, masonry, aluminum, composite materials, and more and are familiar with the District's permitting process.

Cannon's structural engineers have extensive experience and knowledge in the design of new structures as well as adding modifications to existing structures. Our experience includes the following:

- Steel beam bridges
- Bridges, culverts, and retaining walls
- Roadways and bridges
- Post-tensioned and heavy timber bridges
- Pedestrian bridges
- Pre-cast concrete beam bridges
- California Department of Transportation's Caltrans bridge element inspection manual
- Evaluation and improvements to existing structures
- Wood, concrete, masonry, and steel buildings
- Conversion of existing structures to essential facilities
- Addition of equipment to existing mechanical and electrical support structures

- Structures damaged by environmental or other conditions
- Development of performance-based improvements for existing structures to accommodate increased performance expectations, appropriate to new occupancies using ASCE 41 - Evaluation and retrofit of existing buildings

Applicable standards for design of new structures includes the following:

- California Building Code, and referenced material, design standards for wood, masonry, concrete, and steel
- American Water Works Association

## Forensic Investigation

Cannon also provides forensic investigation, analysis and repair design services including expert witness. We have experience providing forensic investigation with the following types of projects:

- Sewer pipe bridges
- Steel pipe and arch drainage structures
- Steel beam bridges
- Pedestrian bridges
- Roadways and bridges
- Pre-cast concrete beam bridges
- Post-tensioned and heavy timber bridges
- Structural retrofit and rehabilitation
- Coastal stairways
- Piers
- Commercial, residential, and industrial buildings
- Essential facilities
- Industrial structures
- Site stabilization structures
- Non-design services
- Building systems
- Culverts and retaining walls
- Headwalls and wingwalls
- Retaining walls
- Platforms

## Experience Working with Government and Public Agencies

Cannon has had the opportunity to work and build relationships with many cities, counties, and local agency representatives throughout California. Our structural engineers are well versed with all aspects of structural inspections. Our team has worked to provide the most cost efficient solutions that meet the performance and life safety needs for your project. Cannon's team includes experienced engineers with a thorough knowledge in the design of building materials, including steel, concrete, masonry, wood, aluminum, composite materials and more. Below is a list of government and municipal clients, with whom we have worked:

- County of San Luis Obispo
- City of San Luis Obispo
- San Luis Obispo Council of Governments
- City of Carpinteria
- Carpinteria Sanitation District
- State of California Military Department
- Vandenberg Air Force Base
- City of Buellton
- City of Lompoc
- City of Santa Maria
- City of Solvang
- City of Salinas
- City of Soledad
- City of Los Banos
- Nipomo Community Services District
- County of Santa Barbara
- Santa Clarita Water District
- City of Santa Monica
- City of Vernon
- City of Santa Ana
- City of Irvine
- City of Chino
- City of Diamond Bar
- City of El Monte
- City of Fullerton
- City of Garden Grove
- City of Glendora
- City of Hemet
- City of Huntington Beach
- City of Lake Forest
- City of Lancaster
- City of Los Angeles
- City of Manhattan Beach
- City of Menifee
- City of Moreno Valley
- City of Pomona
- City of Redondo Beach
- City of Rancho Palos Verdes
- County of Riverside EDA
- City of Santa Fe Springs
- Los Angeles Community College District
- Los Angeles Unified School District
- Orange County Public Works
- Port of Long Beach
- San Bernardino County
- City of Arroyo Grande
- City of Grover Beach
- City of Paso Robles
- City of Atascadero
- City of Morro Bay
- City of Pismo Beach
- Santa Ynez Community Services District
- County of Kern
- City of Bakersfield
- City of Lynwood
- City of Simi Valley
- City of Delano
- City of Guadalupe
- City of McFarland
- City of Pico Rivera
- County of Los Angeles Department of Public Works
- City of Glendale
- City of South Pasadena
- City of Manhattan Beach
- Ventura County Waterworks District No. 8
- Newhall County Water District



## Subconsultants

We have selected subconsultants to join our team who have a history working with Cannon with public works and water resource agencies. Provided is a brief description of each firm.

### Advantage Technical Services (ATS) – Stainless Steel Construction Inspection QA/QC

Advantage Technical Services (ATS) is a specialty engineering company based in San Luis Obispo, California. ATS has been providing customized services to clients throughout the Western United States since 1995. ATS is a California small business and conducts work with honesty and integrity. They have worked diligently to develop themselves as experts in their field and continue to provide the quality of service to customers. Their management team has over four decades of combined experience related to engineering, welding, construction management, and inspection services. ATS offers a full range of consulting services while utilizing a small staff with specific credentials and expertise.



ATS provided the Inspection Report for the San Simeon Pipe Bridge in December of 2021, which is referenced in the RFP. ATS has also provided quality assurance services for the rehabilitation of the Estrella Bridge, Arroyo Grande's Bridge St. Bridge, and for new construction for the City of Atascadero's Lewis Avenue Bridge.

ATS has provided both Cannon and the Community Services District with technical services for 20 years.

### Rincon – Environmental Services

Rincon Consultants Inc. is a multi-disciplinary environmental sciences, planning, and engineering consulting firm that provides quality professional services to government and industry. Founded in 1994, Rincon has grown to a firm of over 260 professionals with 13 California offices, including their headquarters in Ventura and an office in Los Angeles.



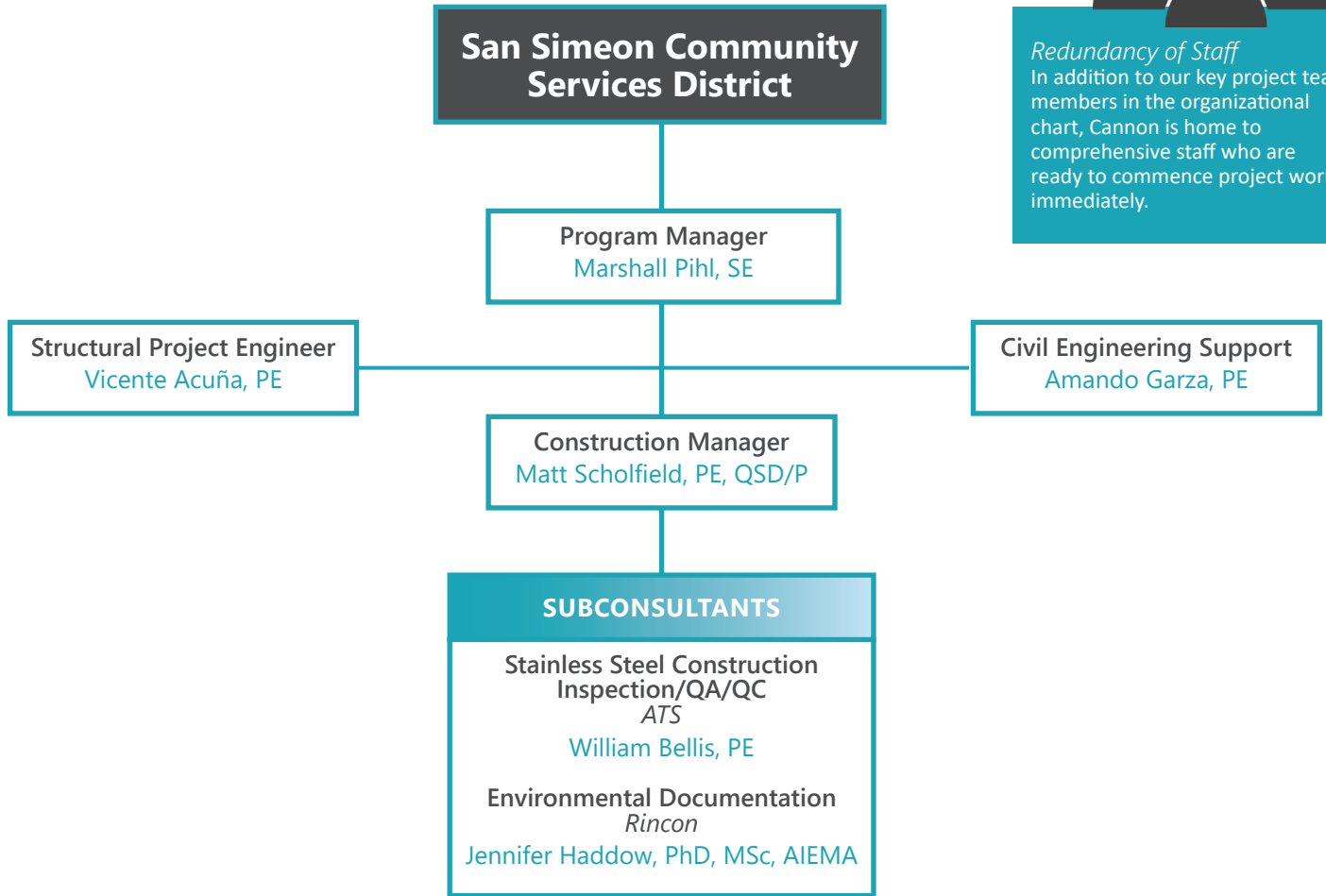
A core business area for Rincon is water infrastructure projects and their firm has provided environmental consulting services for water resources projects for 27 years. During that time, they have successfully completed the environmental analysis and permitting processes for a number of water, wastewater and stormwater conveyance, storage and treatment projects, and other water-related infrastructure projects throughout California. Their philosophy on projects is to encourage early agency and public scoping, and to develop and maintain close communication between project owners, engineering consultants, regulatory agencies and other stakeholders to ensure technical adequacy and timely review of project deliverables. This approach avoids costly and time-consuming constraints early in the assessment process, thereby reducing or avoiding potential conflicts with funding or permitting deadlines.

Their professionals are experienced in urban, land use, and environmental planning; regulatory compliance; biological resource evaluation and habitat enhancement; cultural resources evaluation and planning; soil evaluation and remediation; and related studies including problem-solving services in geology, hydrology, and waste management. Their approach is focused on well-designed solutions that respond to their clients' specific needs in a cost-effective manner.

## Organizational Chart



*Redundancy of Staff*  
In addition to our key project team members in the organizational chart, Cannon is home to comprehensive staff who are ready to commence project work immediately.





## Marshall R. Pihl, SE Project Manager

### Professional Registration

- Structural Engineer, California, No. S5101, Colorado, No. 42873,
- Structural Engineer, Oregon, No. 60887PE, Washington, No. 25440
- Civil Engineer: California, No. C61406, Washington, No. 625440, Texas, No. 121184

### Education

- Master of Science Civil Engineering (Structural), Columbia University, New York
- Bachelor of Science, Civil Engineering, Columbia University, New York
- Bachelor of Engineering Science, Pacific Lutheran University, Tacoma, Washington

### Professional Affiliations

- American Society of Civil Engineers
- National Council of Examiners for Engineers and Surveyors
- International Code Council
- American Concrete Institute
- American Public Works Association

As Structural Engineer, Mr. Pihl brings over 30 years of experience in design and analysis for each type of new construction, renovations, and repair of structural damage due to water, rot, fire, and natural disaster. His expertise includes design and analysis of wood, concrete, masonry, and steel structures. In addition to structural design and analysis, he has been involved in a number of projects as a structural engineering expert witness and consultant concerning various insurance claims and repairs.

**Utility Bridge for Shore Cliff Lodge, Pismo Beach, California:** The Shore Cliff Lodge is serviced by an 18-inch-diameter sewer line supported by a 135-foot steel bridge. When the owner noticed damage to some of the bridge elements, Cannon was called to evaluate the condition of the bridge. Located just 150 feet from the Pacific Coast, the bridge was exposed to extreme conditions, which resulted in severe corrosion of the bridge framing. Mr. Pihl provided quality assurance and structural analysis for the detailed report that was prepared to describe the condition of the bridge. He also oversaw development of the design for the new utility bridge.

**Veronica Meadows Residential Development Bridge, Santa Barbara, California:** Cannon provided engineering and surveying for this hillside development in Santa Barbara. Structural engineering services included design for retaining walls, caissons, and a bridge. The bridge spans 140 feet across an environmentally sensitive area. Design features included construction with a nominal impact on the sensitive area, clearance for a 100-year flood flow underneath the structure, support of utilities, high attention to contractibility, and an overall appearance congruent with other neighborhood and city structures.

**Bloedel Reserve Pedestrian Bridges, Bainbridge Island, Washington:** Bloedel Reserve is known for its ability to provide people with the opportunity to enjoy nature through tranquil walks in gardens and woodlands. Mr. Pihl designed two bridges that meander through this forest. These wooden bridges are designed to look and feel as if they are part of the natural elements of the forest.

### Select Project Experience Summary

Mr. Pihl served as Project Manager and/or Structural Engineer on the following projects:

- Martin Resorts Sewer Bridge Evaluation, San Luis Obispo, California
- Coalinga Los Gatos Analysis (CLGA) West Pipe Bridge Repair, Coalinga, California
- Utility Bridge Replacement, Imerys World Minerals, Lompoc, California
- Hyla Truck Bridge, Freeport-McMoRan Oil & Gas LLC, San Luis Obispo, California
- Basque Bridge, Fullerton, California



## Amando Garza, PE Civil Engineering Support

### Professional Registration

- Registered Civil Engineer, California, No. 54148

### Education

- Master of Science, Civil Engineering, University of California, Los Angeles, California
- Bachelor of Science, Civil Engineering, California State University, Fresno, California

### Professional Affiliations

- California Water Environment Association
- Water Environment Federation

Mr. Garza has 22 years of water and wastewater design and construction experience. He has completed facilities plans, design, resident engineering, construction management, operations manuals, grant administration, revenue programs, and agricultural reuse projects. In addition, Mr. Garza has served as the Lost Hills Utility District Engineer since 1998 and currently serves as the City of McFarland's Municipal Wastewater Engineer. The projects listed below have included a broad range of tasks from plan checking, water and wastewater planning reports, master planning, design services, and preparation of various grant and loan applications.

**On-Call Utilities Engineer, Lost Hills, California:** Cannon is the District Engineer for the Lost Hills Utility District (LHUD). LHUD owns and operates a large water system for providing potable water to the town site of Lost Hills, the commercial intersection of Interstate 5/Highway 46 and the Highway 46/Highway 33 as well as users along 20 miles of highway 46 corridor. LHUD also owns and operates the sewer collection and treatment for the town site of Lost Hills. Mr. Garza serves as Project Manager and provides planning, design, inspection and administration of public water and sewer infrastructure.

**Sanitary Sewer System Management Plan (SSMP), Beverly Hills, California:** The City of Beverly Hills selected Cannon to develop a Sewer System Management Plan in compliance with the Statewide General Waste Discharge Requirements (WDR). In 2007, the City underwent a compliance audit of their existing operations to address deficiencies. It was confirmed the City had in place many elements of a sewer system management plan; however, in order to elevate the City's status to fully meet the requirements of the Water Quality Order, Cannon prepared the management plan document. Mr. Garza served as Project Manager.

### Select Project Experience Summary

- Seaside Force Main Project, Ventura, California
- Sewer System Management Plan, Lost Hills Utility District, Kern County, California
- Sanitary Sewer Management Plan, City of Bell, California
- Sewer System Management Plan, Pismo Beach, California
- Regional Recycled Water Plan, San Luis Obispo, California
- Electrical Evaluation for Flood Protection at WWTP, Morro Bay, California
- Municipal Wastewater Engineer, McFarland, California
- Dewatering Plate Press Designs, Lost Hills Utility District, California
- Wastewater Treatment Plant 48-inch Interceptor Sewer Main Design, Delano, California
- Ion Exchange Water Treatment for Barstow Wells Design, Bidding, and Construction Administration Support, Barstow, California
- Laguna County Sanitation District, Wastewater Reclamation Facility Upgrades, Santa Maria, California



# Vicente Acuña, PE Structural Project Engineer

## Professional Registration

- Registered Civil Engineer, California, No. C91522

## Education

- Bachelor of Science, Architectural Engineering, California Polytechnic State University, San Luis Obispo, California

## Professional Affiliations

- American Institute of Steel Construction

Mr. Acuña has been providing structural engineering services since June of 2015. He is knowledgeable in design and analysis for new construction. His experience includes design and analysis of aluminum, timber, concrete, masonry, and steel structures as well as architectural components and mechanical equipment. He specializes in concrete and steel design. In addition to structural design and analysis, Mr. Acuña has been involved in a number of projects as a support designer.

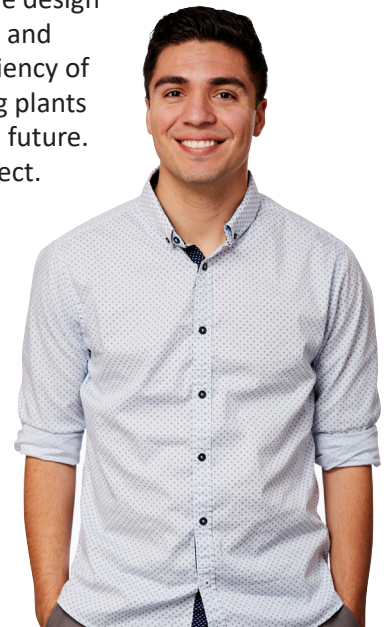
**Seaside Force Main Project, Ventura, California:** The Seaside Transfer Station (STS) force main is a high-risk facility for the City of Ventura (City). There are two parallel force mains for a large portion of the alignment, and other areas where the parallel main was not installed. The age of the force mains were approaching 50 years old. Several recent breaks have resulted in sewage spills and citations from the Regional Water Quality Control Board. Due to the vertical alignment and length of the force main, hydrogen sulfide gas formed within the force main. This has corroded the force main and downstream trunk sewer and caused odor problems in the adjoining neighborhoods of the alignment. Repairing or replacing the at-risk elements of the system was a high priority for the City. Cannon was selected to complete the design for the second parallel force main, so that a dual force main system will be in place for operational flexibility. Mr. Roepke was the Project Manager for this project. Mr. Acuña provided structural engineering on this project.

**Ventura Pierpont Neighborhood Stormwater Lift Stations, Ventura, California:** The City of Ventura's (City) Dover and Weymouth stormwater pipelines and pump stations were built in 1970 to mitigate flooding along the Pierpont Bay Neighborhood. In addition to storm water runoff mitigation, the reinforced concrete pump stations also serve as public access points for the beach. The pump stations had reached the end of their service life and showed signs of deterioration. Cannon was selected to provide design services for the pump station upgrades. The four pumps sizes and types included three 4,100-gpm mix flow pumps and one 1,600-gpm submersible pump with a lift of 17 feet. Cannon analyzed the pumping requirements and designed two identical stormwater pump stations that included structural upgrades; new electrical Southern California Edison service; and Americans with Disabilities Act access to the beach. The design includes survey, civil, electrical, mechanical, structural, and SCADA. The goal of the project is to increase the efficiency of the pump stations and provide structures and pumping plants that will weather the Pacific Ocean storm long into the future. Mr. Acuña provided structural engineering on this project.

## Select Project Experience Summary

Mr. Acuña served as Structural Project or Design Engineer on the following projects:

- Coalinga Los Gatos Analysis (CLGA) West Pipe Bridge Repair, Coalinga, California
- Design for Ventura Emergency Generators Engineering Services, Ventura, California
- Ventura Parking Garage Structural Assessment, and Repair, Ventura, California



## Matt Scholfield, PE, QSD/P Construction Manager

### Professional Registration

- Civil Engineer, California, No. 83926
- Qualified SWPPP Developer/Practitioner (QSD/QSP), No. 26102

### Education

- Bachelor of Science, Civil Engineering, California State University, Long Beach, California

### Certifications

- OSHA 30
- Safety Qualified Supervisor (STS)
- First Aid/CPR Certified
- OSHA Confined Space Training
- OSHA Trenching & Excavation Competent Person

Mr. Scholfield brings more than 15 years of experience in the heavy civil construction industry and more than 12 years as a project manager. He has a strong background managing self-performed work, and his technical engineering knowledge has created a valuable skill set for the safe, timely, and cost-effective completion of projects. Mr. Scholfield brings a supportive and enthusiastic attitude that promotes positive work environments, effective project teams, and collaborative owner relationships.

### City of Morro Bay Water Reclamation Facility Lift Stations and Offsite Pipelines, Anvil Builders, Inc., Morro Bay, California:

The City of Morro Bay (City) Water Reclamation Facility Program will replace the City's existing wastewater treatment plant with an advanced water purification facility that complies with state regulations, protects the environment, and provide safe and reliable water resources for the community. Construction on the \$31.5M water reclamation facility pipelines and lift stations began in early 2021. 3.5 miles of joint utility trench were installed, totaling over 90,000 LF of pipelines and conduit crossing numerous live utilities. The project also involved 110 LF utility bridge creek crossing, including dewatering, temporary shoring, cast-in-place concrete abutments, prefabricated steel bridge truss, and mechanical piping. The construction of two new wet well pump stations included dewatering, sheet pile shoring, cast-in-place concrete wet well structures, mechanical pipe, and an electrical building with associated appurtenances. The team also utilized trenchless construction methods, including a 315 LF micro tunnel and 125 LF jack and bore. Mr. Scholfield served as Project Manager for the prime contractor.

### Presidio Trust Quartermaster Culvert and Marsh Restoration, San Francisco, California:

Presidio Trust's water storage restoration project was planned to improve ecology in the bay and visitor access to the national park. Project goals included restoring the pre-existing marshland through grading and excavation as well as installing large box culverts to create habitats for native species to thrive. Work included excavation within a public roadway, dewatering, and subgrade preparation for installing the new concrete box culvert. The project also involved utility relocation and tie-in, culvert backfill, cast-in-place storm drain outfalls, and best management practices. A portion of the project occurred within Caltrans right-of-way with dewatering, excavation, and fine grading to restore the 7-acre marshland. Mr. Scholfield served as Project Manager for the prime contractor for this \$10M project.

### Select Project Experience Summary

Mr. Scholfield has served as Project Manager, Senior Project Engineer or Field Engineer on the following projects:

- Construction Management for Avila Beach Community Services District Wastewater Treatment Plant, Avila Beach, California
- Construction Management for Kings and Blanca Tanks, Morro Bay, California
- Construction Management and Inspection for Golden Hill/Union Road Roundabout, Paso Robles, California





### Professional Registration

- Registered Civil Engineer, California, No. C55334

### Education

- Bachelor of Science, Engineering, Cal Poly, San Luis Obispo

### Certifications

- Tank Inspector API 653
- American Society of Nondestructive Testing Level III
- ICBO Concrete Inspector
- ICBO Structural Steel Inspector
- National Association of Corrosion Engineers Coating Inspector
- American Welding Society Certified Inspector
- Qualified Storm Water Pollution Prevention Plan Practitioner/Developer (SWPPP)

### Professional Affiliations

- American Institute of Steel Construction

Mr. Bellis has provided construction quality, engineering and technical services to the construction industry for over 30 years with nearly 300 tank and corrosion rehabilitation projects completed. Will's experience and certified qualifications put him among a handful of tank experts in the country. A mix of engineering, quality assurance and management experience give Will a balanced perspective on the needs of the project and project team.

Will was the Project Engineer for a tank contractor for eight years where he developed an in-depth understanding of the design, estimating and construction of water and wastewater tank structures. Will has participated in the writing and editing of the National Standard for Welded Steel Tanks for Water Storage (AWWA D100). The use of protective coatings for corrosion prevention was also an important part of this work. Later in his career, Will moved to Alaska to work as a Project Manager for several large, complex construction projects in some of the world's most challenging conditions. Will was the Project Manager for the Badami Pipelines Project in the winter of 1998 which was a \$27 million dollar project extending above ground cross country pipelines far east of Prudhoe Bay. This project included the first winter pipeline crossings of major arctic rivers designed to reduce impact on sensitive habitat. Will managed an office staff of nearly 30, and over 300 union craft personnel who completed the work on schedule and within budget. About 90% of the work was completed in four months between January and April of 1998. Will worked as Project Manager for several smaller projects then successfully culminated his career in Alaska as Arctic Slope Regional Corporation's Project Manager for the NorthStar Project. The NorthStar Project was the first offshore oil pipeline in Arctic Alaska and pipelines were constructed on floating sea ice. The \$41 million dollar project was extremely complex and regulatory oversight was intense but the project was completed within both budget and very tight schedule. Will continues to provide consulting for ASRC.

In 2000 Will returned to the Central Coast where he and Judy started ATS to provide specialized engineering and technical services for tanks and other corrosion prevention and rehabilitation projects. During the last 18 years, Will has provided construction quality oversight, management and developed specifications for many tank and corrosion rehabilitation projects. Recently Will and ATS acquired U.S. Patent Office approval on an underwater coating system that protects potable water from hazardous substances during the curing process. Will's unique blend of education, credentials, experience and innovative thinking make him well qualified to lead ATS's construction management team.



## Jennifer Haddow, PhD, MSc, AIEMA Environmental Consulting

Dr. Haddow has over 16 years of professional experience and has prepared and coordinated all levels of environmental documentation for infrastructure projects with an emphasis on water supply, conveyance, and quality projects, as well as watershed planning studies. Her philosophy is to provide excellent, “no surprises” consultancy advice and expertise to her clients and uses her strong project leadership skills and exceptional QA/QC guidance to achieve this goal. Dr. Haddow currently manages Rincon’s Environmental On-Call Contract with the Metropolitan Water District of Southern California. In addition, she has managed or served as the Principal-in-Charge for most of Rincon’s water clients, including Water Replenishment District of Southern California, West Basin Municipal Water District, Las Virgenes Municipal Water District, Central Basin Municipal Water District, United Water Conservation District, and Coachella Valley Water District, among others.

### Education

- PhD, Biogeochemistry, University of Aberdeen, UK
- MSc, Environmental Science, University of Aberdeen, UK
- BSc, Environmental Policy Analysis and Planning, University of California, Davis
- Associate, Institute of Environmental Management and Assessment

### Summary of Select Project Experience

**Metropolitan Water District of Southern California – On-Call Environmental Services, Various Counties, California:** Dr. Haddow has overseen Rincon Consultant’s on-call contract to provide consultancy support to Metropolitan’s Environmental Planning Team since 2011. Key projects Dr. Haddow managed under this contract are listed below.

- **Palos Verdes Reservoir Relining Project.** Dr. Haddow managed preparation of an Initial Study-Mitigated Negative Declaration along with associated technical studies for Biological Resources, Cultural Resources, Air Quality and Greenhouse Gas Emissions for this project. Key issues analyzed include construction-related impacts from noise and air pollutant emissions as well as the potential for construction activities to affect recreational resources near the site.
- **Jensen WTP Solar Project.** Dr. Haddow oversaw preparation of the CEQA documentation for the proposed Jensen Water Treatment Plant 1 MW Solar Project. The solar panels will be ground-mounted and approximately five acres required for the installation. The location of the facility is within the Jensen plant’s operational boundary. Key issues addressed included the potential for visual impacts as well as construction-related air emissions, noise and traffic as well as incorporation of an analysis to meet the previous requirements of Appendix F of the State CEQA Guidelines.
- **F.E. Weymouth Water Treatment Plant Upgrades Project.** Dr. Haddow is currently overseeing several phases of this project including ongoing environmental compliance monitoring services in support of upgrades at the Weymouth WTP. To date, these include the Chemical Upgrades Project; 2MW Solar Project; Filter Rehabilitation Project; West Washwater Tank Seismic Tank Upgrades Project; La Verne Shop Plasma Cutter AQ Analysis; La Verne Shop Blast Booth Modification, AQ Analysis; Historical Analysis for the Filter Building No. 2 Pumps Replacement Project; Site Tree Survey and Health Assessments; Administration Building Seismic Upgrades; and Domestic Water System Improvements Project.
- **Climate Action Plan and CEQA Document.** Dr. Haddow the Principal-in-Charge for the contract and provides overall quality control/quality assurance for both the Climate Action Plan and its associated CEQA document. She also provides strategic advice on the CEQA approach to address this complex and geographically vast planning level document Rincon is developing an integrated, comprehensive, and transformative Climate Action Plan (CAP) and CEQA document. The plan is intended to be applied across all of Metropolitan’s land, facilities and infrastructure and takes into account the greenhouse gas (GHG) emissions from future capital investment projects such as the Regional Recycled Water Plant. The CAP will build on Metropolitan’s sustainability achievements to date and identify additional actions that would reduce GHG emissions and prepare Metropolitan’s facilities and operations for the impacts of climate change.



### Martin Resorts Sewer Bridge Evaluation, San Luis Obispo, California

In 2007, the City of Pismo Beach made Martin Resorts responsible for the maintenance of the sewer bridge that crosses the ravine between the Shore Cliff Lodge and Lighthouse Suites properties. Cannon investigated the condition of the bridge structure in 2008 and determined that it was in very poor condition. Cannon then developed a repair concept to replace the bridge in-kind with a new structure while maintaining the sewer line. Specialty Construction provided input in the design and executed the construction in late 2009. It was a high-profile project that benefited from the combined experience and planning of Cannon and Specialty Construction.

In 2017, Martin Resorts requested that Cannon to make a site visit to inspect the current condition of the bridge and foundations to assess its performance and provide a letter report identifying any observed conditions that may warrant further evaluation or action to address.

**Completion:** 2017  
**Design Fee:** \$14,600

**Reference:** Noreen Martin, President, Martin Resorts / 1201 Palm Street, San Luis Obispo, CA 93401 / ☎ 805. 545-7900 x102 ✉ noreenm@martinresorts.com



### Coalinga Los Gatos Analysis (CLGA) West Pipe Bridge Repair, Coalinga, California

A visual inspection of the Los Gatos Creek West Pipe Bridge at Chevron’s Coalinga Field revealed areas of concern around the southern support. The age of the bridge and its many additions through the years prompted questions regarding the bridge’s structural integrity.

Cannon’s scope of work for this project included determining the loading capacity of the existing bridge and if there was any available space to support additional piping and discerning the remaining life of the bridge. The results of Phase 2 determined Chevron’s next steps in providing a 30+ year life for the pipe crossing, including plans for expansion. Phase 3 will provide construction documents to implement recommended modifications to the existing bridge.

**Completion:** 2017  
**Design Fee:** \$57,150

**Reference:** Manish Mishra, Chevron North America Exploration and Production, 9705 Camino Media, Bakersfield, CA 93311 / ☎ 661.395.63002 ✉ Manish.Mishra@chevron.com



### Utility Bridge Replacement, Imerys World Minerals, Lompoc, California

The utility bridge spans across the roadway between the Celite and storage warehouse building and supplies critical utilities across the roadway. A piece of the bridge fell to the ground creating concerns about the structural integrity of the bridge. An investigation performed by ATS determined the majority of the welded connections at the bridge had failed welds, compromised welds, lost material thickness and/or high levels of corrosion. Based on that report, it was not feasible to repair the existing trussed utility bridge. Cannon designed a new bridge system that was installed while maintaining the existing utilities.

**Completion:** 2020  
**Design Fee:** \$19,900

**Reference:** Leighton Bovee, Engineering & Reliability Manager /US West Hub, Imerys World Minerals, 2500 Miguelito Road, Lompoc, CA 93436 / ☎ 805.735.7791 ✉ Leighton.Bovee@imerys.com



## Basque Bridge, Fullerton, California

The Basque Bridge featured prestressed concrete planks spanning between concrete abutments. A communications contractor sawcut through the plan top chord for approximately two thirds of the span for the installation of fiber optic cabling. Cannon reviewed the damage and work with the contractor's consultant to develop an appropriate repair scope. Cannon provided site visits, developed repair concepts, reviewed the final repair scenario, and reviewed the work during the repair process.

**Completion:** 2021  
**Design Fee:** \$7,000

**Reference:** Paul Dominguez, Engineer / City of Fullerton, 303 W. Commonwealth Ave, Fullerton /  
☎ 714.738.6300 ✉ PaulD@cityoffullerton.com



## Trestle Bridge, Chevron North America Exploration and Production, San Ardo, California

Chevron needed to add new pipelines to an existing pipeline bridge across a creek. The existing bridge was constructed of pipe elements in a trussed configuration with two levels of cross members. Cannon reviewed the existing bridge condition which included corroded elements and erosion around existing abutments. Cannon coordinated with the client to determine the needed modifications to the piping configuration and repairs to the bridge elements and connections sufficient to comply with the code and extend its useful life.

**Completion:** 2014  
**Design Fee:** \$212,297

**Reference:** Manish Mishra, WCC Facilities Engineer / Chevron North America Exploration and Production, 9705 Camino Media, Bakersfield, CA 93311 / ☎ 661.395.6300 ✉ Manish.Mishra@chevron.com

Additional relevant project experience where Mr. Pihl provided project management services:



## Hyla Truck Bridge, Freeport-McMoRan Oil & Gas LLC (FMOG), San Luis Obispo, California

FMOG needed to replace a grade level crossing with culverts across Pismo Creek to access a series of wells. Cannon worked with the environmental agencies to establish creek reconstruction requirements for removal of the existing crossing and replacement with a new elevated structure. The new structure design included new abutments, two interior, pile supported piers, and steel and concrete bridge spans.

**Completion:** 2014  
**Design Fee:** \$148,000



## Chevron San Ardo Creek Bridge, San Ardo, California

Chevron needed to add pipelines to an existing pipeline bridge across the San Ardo Creek. Cannon reviewed the existing condition of the bridge bents, reviewed the current and future pipeline configurations, and developed bridge repairs and enhancements sufficient to obtain permitting for the new bridge and pipe configurations. The work included coordination with environmental permitting agencies.

**Completion:** 2013  
**Design Fee:** \$40,000



We understand that the goal of this project is to replace the existing truss bridge that has reached the end of its useful life. The need is to identify a cost-effective replacement solution that will allow replacement of the bridge while keeping the existing water and sewer lines in service. It is critical that the chosen consultant provide services from analyses of the existing bridge structure through construction of a new bridge solution.

As our many clients can attest, we provide these services in a seamless manner with a consistent point of contact. This allows us to take great pride in the services we provide. There is no greater means of measuring the qualifications of a designer, inspector, project manager, or firm than through its list of successfully completed projects.

## Understanding

Cannon understands the importance of each phase of the work:

- Design of a low maintenance, long-life structure to replace the existing bridge. We will work with District staff to establish the optimum life span for a new replacement bridge integrating future needs including existing, additional, and future piping and other potential uses such as a pedestrian walkway. The focus will be on maximizing the value within the confines of the project budget.
- Construction drawings and specifications for the replacement work will align with the priorities and parameters of the work identified through discussions with the District Project Manager. We will obtain a construction permit for the work through the San Luis Obispo County Building Department, environmental agencies, and Coastal California as needed. Our intent will be to permit the work as a replacement project.
- We plan to perform the work as a maintenance project without adverse environment impact, which exempts the project from a Coastal Development Permit. The erection of the new bridge and demolition of the existing bridge would be designed with no needed activity in the ravine between abutments. We used this strategy successfully to replace an 18" sewer bridge across a similar ravine in Pismo Beach, California.
- We will coordinate with District staff and develop bidding documents, provide distribution to bidders, provide bid evaluation, and award recommendation services.
- We will provide construction management service through the construction phase of the project.
- Our experienced staff currently provides these services on a broad range of public infrastructure projects throughout central and southern California.



## Critical Success Factors

**1 Time Critical.** We have thoroughly evaluated the provided documents that include documentation of the conditions as of December 2021. The condition at that time illustrated the critical need to replace the existing bridge in a timely manner. Our integrated, experienced staff will prioritize meeting an aggressive schedule to compete the work.

**2 Coastal Development Permitting.** At this time, we anticipate we can engineer a design that can be permitted within criteria exempt from a Coastal Development Permit. The project is located adjacent to the Pacific Ocean and crosses a sensitive ravine. Replacement of utility connections within an existing service facility may be exempt from a Coastal Development Permit. Design of the replacement bridge system requires an understanding of Coastal Development Permitting processes and methodologies that minimize construction impacts on the environment around the project. Cannon has worked with Coastal California staff on numerous successful projects. We focus on communication throughout the design and review processes to reduce surprises.

**3 Design Experience and Expertise.** Our experienced engineers and construction managers regularly work with cities, counties, and districts on new structures, design repairs and modifications, obtain permits, and manage the construction process. We do this work as an integrated team with a single point of contact to provide clear communication and accountability.

**4 Cost Control.** Every entity and project are constrained by budget limitations. Cannon focuses on finding solutions that fit the project budget. Recent construction and material costs have become volatile, and it is critical to pay attention to real costs and manage the design and construction to stay within the budgetary confines.

**5 Schedule.** The existing bridge is past its useful life. The design, permitting, and construction phases must be performed on a schedule that is realistic but results in replacement of the failing bridge on an expedited schedule.

## Scope of Services

The following scope of services have been verified as being comprehensive in nature based on the scope of this project and will be followed for completeness and continuity.

### 1. Project Kickoff and Existing System Evaluation

- a. **Design Kickoff Meeting.** We will meet with District staff to review project parameters and set priorities for future performance needs.
- b. **Document Review.** We will review available existing documents and reports related to the existing utility bridge.
- c. **Site Visit Documentation.** We will observe and document the condition of the existing bridge, abutments, and utility lines.
- d. **Prefabricated Bridge Supplier Research.** We will contact prefabricated structure suppliers to research preliminary costs and availability of structures.
- e. **Basis of Design.** We will document and maintain a project diary to reflect decisions and information throughout the design process.

### 2. Environmental Documentation (Rincon)

- a. **Project Management.** Rincon will provide overall project management and coordination. Rincon will schedule a kickoff meeting with Cannon and the District.
- b. **Project Description.** Rincon will prepare a brief Project Description based on the plan set, project narrative, construction parameters, and estimated footprint of maximum disturbance to be provided by Cannon and/or the District.
- c. **Biological and Aquatic Resources Evaluation.** To determine whether regulatory permitting will be required for the project, Rincon will prepare a Biological and Aquatic Resources Evaluation of current site conditions in support to the regulatory permitting for the project.
- d. **Notice of Exemption.** Based on our current understanding of the project description, we anticipate the District will utilize a Class 2 Categorical Exemption (Replacement or Reconstruction) for the project's CEQA documentation. The District's ability to utilize this exemption will be confirmed, in part, through

preparation of the Biological and Aquatic Resources Evaluation.

- e. **Coastal Development Permitting.** Rincon will provide coastal development permitting assistance for the proposed project. Based on our understanding of the project, it is possible that the project may be classified as “Repair and Maintenance.”

Should time in excess of the budgeted 30 hours be necessary, Rincon will notify the District and Cannon prior to exhaustion of this budget. and cost.

### Optional – Regulatory Permitting

- a. **Notification of Lake/Streambed Alteration.** Under California Fish and Game Code Section 1600 et seq., CDFW requires that applicants obtain a Lake and Streambed Alteration Agreement (LSAA) for impacts, including fill from abutments, to streambeds, banks, and riparian vegetation. If impacts to these features cannot be avoided, Rincon will prepare an application (termed “notification”) for a standard regular-term (i.e., five years or less) LSAA based on the project’s Biological and Aquatic Resources Evaluation.
- b. **Waste Discharge Requirements Permit.** Prepare an application including a Notice of Intent (NOI) for enrollment under the State Water Resources Control Board General WDRs General Order 2004-004-DWQ for dredge or fill, including riprap and abutments, to waters outside of federal jurisdiction, assuming no federal waters will be impacted in the project. To qualify for the General WDR, no more than 0.20 acre and 400 linear feet for fill and excavation discharges may be impacted by temporary and/or permanent impacts.
- c. **Habitat Mitigation and Monitoring Plan.** As part of the permit application/notification packages, Rincon will provide a Habitat Mitigation and Monitoring Plan (HMMP) that details the mitigation approach and monitoring plan for the project that meet expected recommendations and requirements of the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) for impacts to jurisdictional areas.
- d. **Agency Coordination.** Once the applications are submitted, ongoing coordination with the permitting agencies may be needed to answer questions and help identify and resolve potential issues in a timely manner. As a result, Rincon will

provide up to 20 hours of post-submittal support of the applications/notifications.

### 3. Preparation of Specifications and Bid Documents

- a. **Coordination with County permit staff.** We will coordinate with County permit staff to identify special circumstances and project aspects are addressed with the first submittal.
- b. **Design Parameters.** We will determine wind and seismic design parameters for the project and communicate them to potential prefabricated bridge suppliers.
- c. **35% Design Documents.** We will prepare a schematic set of documents for District staff review.
- d. **Construction Sequencing.** We will develop a construction sequencing procedure for inclusion in the bid documents.
- e. **Cost Estimate.** We will develop a preliminary cost estimate for the work.
- f. **District Review.** We will meet with the District project manager to review the 35% design and preliminary cost estimate. We will review options for reconciliation where project parameters do not meet project limits.
- g. **Basis of Design.** We will update the Basis of Design to reflect additional information gained and design decisions through the preliminary design process.

### 4. Preparation of Specifications and Issued for Construction (IFC) Bid Documents

- a. **IFC Drawings.** Development of complete, issued for construction, drawing package.
- b. **Cost Estimate.** We will provide a final engineer’s estimate for the construction.
- c. **Basis of Design.** We will finalize the basis of design document.
- d. **Construction Schedule.** We will provide a projected construction schedule.
- e. **Project specifications.** We will provide technical specifications to combine with the District’s front-end specifications.

## 5. Bid Services

- a. **Bid Document Development.** We will assist District Staff with the development of bid documents.
- b. **Bid Walk.** We will lead a project job walk and pre-bid meeting at the site.
- c. **Qualified Contractors.** Prior to bidding, we will provide a list of at least eight qualified contractors that can complete the work. This task shall also include responding to bidders' questions, preparation of addenda, assistance in analysis of bids received, and assistance in award of construction contracts.

## 6. Construction Management

- a. Construction management services are being proposed on a part-time basis.
- b. **RFI Responses.** We will review questions from the contractor.
- c. **Submittal Review.** We will review submittals from the contractor.
- d. **Preconstruction Meeting.** We will conduct a preconstruction meeting and distribute meeting minutes.
- e. **Evaluate Change Order Requests.** We will include recommendations to the District to approve/disapprove these requests, as applicable.
- f. **Review and Approve Schedules.** We will review, correct, and approve contractor-submitted construction progress schedule.
- g. **Review Progress Payment Requests.** We will review invoices and provide recommendations to the District to approve/disapprove these invoices as applicable.
- h. **Contractor Construction Schedule.** We will monitor contractor progress for conformance with the construction schedule.
- i. **Project Close-Out.** We will review final pay requests and conduct project close-out and approval including final walk and final punch list verification.
- j. **Prepare Daily Reports.** We will provide daily reports and submit them weekly to the District.
- k. **Punch List.** We will provide and verify completion of a punch list for project acceptance.

## 7. Construction and Coatings Inspection

- a. Construction inspection services are being proposed on a part-time basis, with full time coating and welding inspection, as required.
- b. We will coordinate with subconsultant ATS to confirm coating inspections and testing frequencies are met.
- c. We will conduct periodic inspections and oversee inspections required for project as needed. Inspections will be a combination of full-time (shop coating and welding) and part-time (erection and field coating) for the replacement work performed.
- d. We will oversee special inspections and/or testing performed by the contractor as part of the contract work.
- e. We will maintain project reports for our periodic inspections and observations of construction activities. Reports will contain a record of weather, work onsite, number of workers, work accomplished, problems encountered, solutions agreed upon, and other similar relevant data as the District may request.
- f. We will maintain photo and video record of construction progress.
- g. We will monitor construction activities on a part time basis to verify that elements of project are furnished, installed, and constructed, per contract documents. We will notify the District and contractor of any non-conformance items when materials, construction installation process, or quality of work does not meet the requirements of the contract. We will work with the District's project manager if notices need to be issued to the contractor stating the nature of the deviation. Non-compliance issues will be documented with photographs and in writing.
- h. We will monitor contractor's work and recommend additional testing as needed.

## Exclusions

If high levels of heavy metals are found in the paint films and those films are to be removed, Cannon will provide a supplemental "lead-abatement" proposal.

The District will advertise the project and pay all associated costs for the advertisement.

# Reliable Responsive Solutions

**Cannon**  
1050 Southwood Drive  
San Luis Obispo, CA 93401  
805.544.7407



**FEE PROPOSAL - PROFESSIONAL ENGINEERING SERVICES  
SAN SIMEON WATER AND SEWER PIPE BRIDGE REPLACEMENT**

Project: San Simeon Utility Bridge  
Cannon #: 220541

Phase		Task	Description	Cannon												Total				
				Sr Principal Engineer		Structural Engineer		Civil Engineer		Support BSA		Construction Manager		Survey Crew				Survey Designer		Outside Services
				Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost			Hrs	Cost	Subconsult 10% Markup
Phase I - Project Kickoff and Existing System Evaluation																				
I	10	Design Kickoff Meeting	6	\$ 1,200	6	\$ 900	6	\$ 1,200		\$ -		\$ -		\$ -		\$ -		18	\$ 3,300	
I	11	Document Review	2	\$ 400	8	\$ 1,200		\$ -		\$ -		\$ -		\$ -		\$ -		10	\$ 1,600	
I	12	Site Visit Bridge Documentation		\$ -	8	\$ 1,200	3	\$ 600		\$ -		\$ -		\$ -		\$ -		11	\$ 1,800	
I	13	Prefabricated bridge supplier research	2	\$ 400	8	\$ 1,200		\$ -		\$ -		\$ -		\$ -		\$ -		10	\$ 1,600	
I	14	Basis of Design	6	\$ 1,200	4	\$ 600		\$ -		\$ -		\$ -		\$ -		\$ -		10	\$ 1,800	
I	15	Survey of site		\$ -		\$ -		\$ -		\$ -		\$ -	16	\$ 5,600	10	\$ 1,600		26	\$ 7,200	
I	19	Project Coordination and Administration	8	\$ 4		\$ -	4	\$ 800	4	\$ 360		\$ -		\$ -		\$ -		16	\$ 1,164	
			REIMBURSABLES & EXPENSES															\$ 500		
Phase I Subtotal			24	\$ 3,204	34	\$ 5,100	13	\$ 2,600	4	\$ 360		\$ -	16	\$ 5,600	10	\$ 1,600	\$ -	101	\$ 18,964	
Phase II - 30% Design and Specifications																				
II	20	Coordination with County permit staff	4	\$ 800		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		4	\$ 800	
II	21	Design parameters	2	\$ 400	6	\$ 900		\$ -		\$ -		\$ -		\$ -		\$ -		8	\$ 1,300	
II	22	Bridge supplier coordination	2	\$ 400	8	\$ 1,200		\$ -		\$ -		\$ -		\$ -		\$ -		10	\$ 1,600	
II	23	35% design documents	4	\$ 800	12	\$ 1,800	24	\$ 4,800		\$ -		\$ -		\$ -		\$ -		40	\$ 7,400	
II	24	Construction sequencing	2	\$ 400		\$ -	8	\$ 1,600		\$ -	8	\$ 1,360		\$ -		\$ -		18	\$ 3,360	
II	25	Cost Estimate	6	\$ 1,200		\$ -	10	\$ 2,000		\$ -	6	\$ 1,020		\$ -		\$ -		22	\$ 4,220	
II	26	District Review and Coordination	6	\$ 1,200	6	\$ 900	6	\$ 1,200		\$ -	6	\$ 1,020		\$ -		\$ -		24	\$ 4,320	
II	27	Basis of Design	6	\$ 1,200		\$ -	4	\$ 800		\$ -		\$ -		\$ -		\$ -		10	\$ 2,000	
II	29	Project Coordination and Administration	8	\$ 1,600	6	\$ 900	4	\$ 800	12	\$ 1,080	4	\$ 680		\$ -		\$ -		34	\$ 5,060	
			REIMBURSABLES & EXPENSES															\$ 500		
Phase II Subtotal			40	\$ 8,000	38	\$ 5,700	56	\$ 11,200	12	\$ 1,080	24	\$ 4,080		\$ -		\$ -	\$ -	170	\$ 30,560	
Phase III - Development of IFC Documents																				
III	30	IFC Drawings	16	\$ 3,200	24	\$ 3,600	24	\$ 4,800		\$ -		\$ -		\$ -		\$ -		64	\$ 11,600	
III	31	Cost Estimate	2	\$ 400		\$ -	4	\$ 800		\$ -		\$ -		\$ -		\$ -		6	\$ 1,200	
III	32	Basis of Design	4	\$ 800		\$ -	2	\$ 400		\$ -	4	\$ 680		\$ -		\$ -		10	\$ 1,880	
III	33	Construction Schedule	2	\$ 400		\$ -		\$ -		\$ -	12	\$ 2,040		\$ -		\$ -		14	\$ 2,440	
III	34	Project Specifications	8	\$ 1,600		\$ -	32	\$ 6,400		\$ -	16	\$ 2,720		\$ -		\$ -	\$ 2,200.00	56	\$ 12,920	
III	35			\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -			\$ -	
III	36	Rincon Tasks 1-5		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	\$ 26,530.00		\$ 26,530	
III	37	Rincon Task 6 (optional)		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	\$ 22,550.00		\$ 22,550	
III	39	Project Coordination and Administration	6	\$ 1,200	6	\$ 900		\$ -	5	\$ 450		\$ -		\$ -		\$ -		17	\$ 2,550	
			REIMBURSABLES & EXPENSES															\$ -		
Phase III Subtotal			38	\$ 7,600	30	\$ 4,500	62	\$ 12,400	5	\$ 450	32	\$ 5,440		\$ -		\$ -	\$ 51,280.00	167	\$ 81,670	

**Total Fees Through IFC: =**      **Cannon**      **Subconsultants**      **Total Fee**  
**\$ 79,914**      **\$ 51,280**      **\$ 131,194**



**FEE PROPOSAL - PROFESSIONAL ENGINEERING SERVICES  
SAN SIMEON WATER AND SEWER PIPE BRIDGE REPLACEMENT**

			Canon																		
Project: San Simeon Utility Bridge Canon #: 220541			Sr Principal Engineer		Structural Engineer		Civil Engineer		Support BSA		Construction Manager		Survey Crew		Survey Designer		Outside Services		Total		
			Hourly Rate	\$200		\$150		\$200		\$90		\$170		\$350		\$160		Subconsult 10% Markup		Hrs	Cost
Phase	Task	Description	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	
<b>Phase IV - Bid Services</b>																					
IV	40	Bid document development	2	\$ 400		\$ -	24	\$ 4,800		\$ -	24	\$ 4,080		\$ -		\$ -			50	\$ 9,280	
IV	42	Bid Construction Management Services	4	\$ 800	8	\$ 1,200	40	\$ 8,000		\$ -	40	\$ 6,800		\$ -		\$ -			92	\$ 16,800	
IV	44	ATS Project Support	6	\$ 1,200		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 5,280.00	6	\$ 6,480	
IV	45			\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -				\$ -	
IV	49	Project Coordination and Administration	6	\$ 1,200		\$ -	4	\$ 800	9	\$ 810	12	\$ 2,040		\$ -		\$ -			31	\$ 4,850	
IV																		REIMBURSABLES & EXPENSES			\$ 500
Phase IV Subtotal			22	\$ 4,400	8	\$ 1,200	72	\$ 14,400	9	\$ 810	80	\$ 13,600		\$ -		\$ -		\$ 5,280.00	191	\$ 40,190	

**Total Fees Through Bid Phase: =**

<b>Canon</b>	<b>\$ 34,910</b>
<b>Subconsultants</b>	<b>\$ 5,280</b>
<b>Total Fee</b>	<b>\$ 40,190</b>

<b>Phase V - Construction Administration</b>																					
V	Task	Description	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	Hrs	Cost	
V	50	RFI Responses	4	\$ 800	12	\$ 1,800	8	\$ 1,600		\$ -	24	\$ 4,080		\$ -		\$ -			48	\$ 8,280	
V	51	Submittal Reviews	4	\$ 800	12	\$ 1,800	8	\$ 1,600		\$ -	24	\$ 4,080		\$ -		\$ -			48	\$ 8,280	
V	52	Preconstruction Meeting		\$ -		\$ -		\$ -		\$ -	8	\$ 1,360		\$ -		\$ -			8	\$ 1,360	
V	53	Evaluate Change Order Requests		\$ -		\$ -		\$ -		\$ -	16	\$ 2,720		\$ -		\$ -			16	\$ 2,720	
V	54	Review and Approve Schedules		\$ -		\$ -		\$ -		\$ -	16	\$ 2,720		\$ -		\$ -			16	\$ 2,720	
V	55	Review Progress Payment Requests		\$ -		\$ -		\$ -		\$ -	24	\$ 4,080		\$ -		\$ -			24	\$ 4,080	
V	56	Monitor Construction performance		\$ -	12	\$ 1,800		\$ -		\$ -	40	\$ 6,800		\$ -		\$ -			52	\$ 8,600	
V	57	Project Close-Out		\$ -		\$ -		\$ -		\$ -	16	\$ 2,720		\$ -		\$ -			16	\$ 2,720	
V	58	Daily Reports		\$ -		\$ -		\$ -		\$ -	32	\$ 5,440		\$ -		\$ -			32	\$ 5,440	
V	59	Punch List		\$ -		\$ -		\$ -		\$ -	16	\$ 2,720		\$ -		\$ -			16	\$ 2,720	
V	60	ATS Construction Quality Assistance		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 19,800.00		\$ 19,800	
V	61	ATS Construction Management Assistance		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 7,200.00		\$ 7,200	
V	62	Project Coordination and Administration	8	\$ 1,600		\$ -		\$ -	16	\$ 1,440	24	\$ 4,080		\$ -		\$ -			48	\$ 7,120	
V																		REIMBURSABLES & EXPENSES			\$ 500
Phase V Subtotal			16	\$ 3,200	36	\$ 5,400	16	\$ 3,200	16	\$ 1,440	240	\$ 40,800		\$ -		\$ -		\$ 27,000.00	324	\$ 81,540	

**Total Fees Through Construction: =**

<b>Canon</b>	<b>\$ 54,540</b>
<b>Subconsultants</b>	<b>\$ 27,000</b>
<b>Total Fee</b>	<b>\$ 81,540</b>

**Total Project Fees: =**

<b>Canon</b>	<b>\$ 169,364</b>
<b>Subconsultants</b>	<b>\$ 83,560</b>
<b>Total Fee</b>	<b>\$ 252,924</b>

# **CLOSED SESSION MATERIALS**





**ATTORNEYS AT LAW**

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Refer To File # 270858-0001

**VIA FEDEX AND EMAIL**

June 22, 2022

Gwen Kellas, Chair and  
Members of the Board of Directors  
San Simeon Community Services District  
111 Pico Ave.  
San Simeon, CA 93452

Re: Hather Settlement Agreement and Proposed Amendments to San Simeon  
Community Services District Ordinance No. 102

Dear Chair Kellas and Members of the Board of Directors:

We continue to represent Cavalier Inn, Inc., V&H Holdings, LLC and all of their affiliated entities (collectively, "Cavalier") with regard to water and sewer service capacity to which Cavalier is entitled for properties owned by Cavalier within the boundaries of the San Simeon Community Services District ("SSCSD"). The purposes of this letter are to advise you of Cavalier's positions with regard to the "will serve letter" issued by the SSCSD to Mr. Robert Hather in settlement of the *Hather v. SSCSD, et al.* lawsuits and proposed amendments to SSCSD Ordinance no. 102 as discussed at the June 9, 2022 meeting of the SSCSD Board of Directors.

**I. Cavalier Properties on the Wait List.**

In partial satisfaction of SSCSD's obligations under that certain Settlement Agreement and Release by and between Cavalier and the SSCSD, dated October 7, 2003 ("Cavalier Settlement Agreement"), the SSCSD Board of Directors adopted Resolution no. 20-426 on October 14, 2020 (Resolution), which reaffirmed and memorialized the sequential priority of properties entitled to water and sewer treatment service capacity at such time as the water system hook-up moratorium enacted by the SSCSD by Ordinance No. 61 and extended by Ordinance nos. 63, 66 and 102 is lifted. The "Hook Up Waiting List," attached to the Resolution as Exhibit "A" ("Wait List"), lists the properties in order of priority of entitlement to water and sewer treatment service and the capacity of service allocated to each property.

Cavalier held the first and fourth positions on the Wait List with a capacity allocation of 145 motel and 2,400 square feet of restaurant space and 1 residential unit, respectively. Subsequently, the Wait List was updated to add an additional Cavalier property, among others, with an allocation of 25 equivalent dwelling units of capacity. The combined allocations represent 140.5 equivalent dwelling units of capacity. (See Chart of Equivalent Dwelling Units attached as Exhibit "A" to SSCSD Ordinance no. 115.) This amount represents 14.44 acre-feet per year of water capacity. (See System-Wide Water Supply Assessment Report for the San

Simeon Community Services District, adopted by the SSCSD Board of Directors on March 15, 2022.)

## **II. Cavalier's Vested Contractual Right to Water and Sewer Service Capacity.**

Cavalier's first position on the Wait List is rooted in that certain Sewer and Water Agreement by and between W.V. Dalton, M.D. ("Dalton") and San Simeon Acres Community Services District (predecessor to the SSCSD), dated January 25, 1972 ("Sewer and Water Agreement"). Cavalier succeeded to the rights, duties and obligations of Dalton under the Sewer and Water Agreement when Cavalier acquired the property that is the subject of the Sewer and Water Agreement ("Dalton Property") on September 5, 1989. Through succeeding discussions, negotiations and agreements (documentation of which will be provided upon request), Cavalier and the SSCSD agreed to a reduced amount of water and sewer treatment service capacity for Cavalier's first priority position as reflected on the Wait List and subsequent updates thereof. (Cavalier's fourth and fourteenth positions on the Wait List arose as a result of a) acquisition of property that held the fourth position on the Wait List at the time the property was purchased; and b) a later addition to the Wait list for the property holding the fourteenth position.)

The Sewer and Water Agreement and various representations, agreements and assurances provided by the SSCSD, as discussed below, vests in Cavalier a contractual right to water and sewer service for the Dalton Property in an amount reflected in position no. 1 of the Wait List. Section 2 of the Sewer and Water Agreement provides, in pertinent part, that Cavalier is entitled to the water and sewer treatment capacity for the land uses described in the agreement when "such capacity may be available if and when Consumer [Cavalier] should desire to connect to said [water and sewer] systems at the charges and rates then pertaining . . ." The amount of water and sewer service capacity described in the Sewer and Water Agreement that the SSCSD was obligated to provide has since been modified by agreement between Cavalier and the SSCSD, as reflected in the Wait List and discussed above.

Cavalier's vested contractual right to water and sewer treatment capacity for the Dalton Property, flowing initially from the Sewer and Water Agreement, was later reinforced by the SSCSD. By letter of March 10, 1989, the SSCSD General Manager assured Michael R. Hanchett of Cavalier that "any persons with a deposit on file would be given priority for water service in the future when water was available." A non-refundable deposit was made for the Dalton Property. Further, by letter of August 18, 1989, Elizabeth O'Leary, Secretary, San Simeon Acres Community Services District (predecessor to the SSCSD) informed Mike Hanchett of Cavalier that "Priority [on the water and sewer wait list existing at that time] is established by the date the deposit was received by the District, the first priority being the earliest date," which placed the Dalton Property in first priority for water and sewer treatment service. In addition to the foregoing, the Cavalier Settlement Agreement resulted in adoption by the SSCSD Board of Directors of Ordinance no. 115 ("Ordinance") which eventually led to adoption of the Resolution in which the Dalton Property's first position on the Wait List was reconfirmed and remains so.

In reliance on these agreements, letters and certain oral assurances provided by SSCSD personnel, Cavalier relied to its detriment by purchasing the Dalton Property, expending large sums of money planning for its development, volunteering time and effort to assist the SSCSD with solutions to various issues including, but not limited to, resolution of the water quality issues required to lift the water service moratorium, etc., all of which were necessary to develop the

Dalton Property and for Cavalier to realize its investment backed expectations. These agreements, letters and oral assurances, and Cavalier's reliance thereon, resulted in Cavalier accruing a vested contractual right to the water and sewer treatment service capacity now reflected in the first position on the Wait List. (For a discussion of contractual vested rights, see, e.g., *Monterey Sand Co. v. Cal. Coastal Comm.*, 191 Cal. App. 3d 169, 178.)

**THIS VESTED CONTRACTUAL RIGHT TO WATER AND SEWER CAPACITY IMPOSES AN OBLIGATION ON THE SSCSD TO RESERVE WATER AND SEWER TREATMENT CAPACITY IN THE AMOUNTS AGREED UPON BY CAVALIER AND THE SSCSD TO SERVE THE DALTON PROPERTY. CAVALIER'S CONTRACTUAL VESTED RIGHT TO WATER AND SEWER SERVICE CAPACITY FOR THE DALTON PROPERTY IS SEPARATE AND APART FROM ANY RIGHTS CAVALIER HAS TO WATER AND SEWER SERVICE UNDER THE WAIT LIST AND IS SUPERIOR IN RIGHT TO AND SUPERSEDES ALL OF THE WATER ALLOCATIONS SET FORTH ON THE WAIT LIST.**

In order to ensure Cavalier's vested contractual right to water and sewer capacity the SSCSD must, as a matter of law, set aside and reserve such capacity and not permit allocations of water and sewer service that oversubscribe the capacity of the SSCSD, thereby effectively depriving Cavalier of the capacity and service to which the SSCSD is legally bound to provide and Cavalier is entitled to receive.

### **III. Approval of the Hather/SSCSD Settlement Agreement and Issuance of a Will Serve Letter to Robert Hather Violates Cavalier's Vested Contractual Rights, the Ordinance and Resolution.**

As discussed above, the Wait List established the priority of entitlement to water and sewer service in partial fulfillment of the SSCSD' obligations under the Cavalier Settlement Agreement. As outlined above, Cavalier is listed at positions 1, 4 and 14 on the current iteration of the Wait List, with water allocations expressed in terms of equivalent dwelling units for each position and an additional allocation of 2,400 square feet of restaurant space for position no. 1.

On May 10, 2022, the SSCSD Board of Directors approved that certain Conditional Settlement Agreement whereby those certain lawsuits styled *Robert Hather v. San Simeon Community Services District, et al.* venued in the San Luis Obispo County Superior Court and the United States District Court, Central District of California were settled ("Hather Settlement Agreement"). The Hather Settlement Agreement obligated the SSCSD to provide Robert Hather a will serve letter for "up to 15 dwelling units" for "water and sewer services." Subsequently, the SSCSD transmitted the will serve letter to Mr. Hather.

The property to which the will serve letter applies holds position no. 8 on the Wait List, behind the 1 and 4 positions for properties owned by Cavalier. By issuing a will serve letter to Mr. Hather in advance of issuance of a will serve letter for the Dalton Property and the Cavalier property in position no. 4 on the Wait List, the SSCSD blatantly ignored Cavalier's superior vested contractual right to water and sewer service capacity and the priority of Cavalier property holding Wait List position nos. 1 and 4 over that of Mr. Hather, a clear violation of the Cavalier Settlement Agreement, Ordinance and Resolution.

**IV. Cavalier Has Withheld Application for a Hardship Waiver for Will Serve Letters in Reliance on SSCSD Board Assurances That Will Serve Letters Will Be issued in the Immediate Future.**

At the June 9, 2022 meeting of the SSCSD Board of Directors, the Board assured those persons and entities with positions on the Wait List that Ordinance No. 102 would be amended in such a manner as to require issuance of will serve letters to all such persons and entities, including Cavalier. In reliance on this assurance, Cavalier has agreed to forbear from filing an application with the SSCSD for a hardship exemption. Cavalier's forbearance is without prejudice to any rights Cavalier may possess now, or in the future, including, but not limited to, the right to apply for a hardship exemption from the water and sewer service connection moratorium in accordance with Section V of Ordinance no. 102.

**V. Cavalier Is Entitled to Will Serve Letters That Comply With the Property Transfer Provisions of the Ordinance and are Without an Expiration Date.**

Among other things, the Cavalier Settlement Agreement obligated the SSCSD to "create, adopt, and implement procedures for requesting new water and sewer services and transferring existing water and sewer services by amending Ordinance 66." In satisfaction of this obligation, the SSCSD adopted Ordinance no. 101, subsequently amended by Ordinance no. 108 and the Ordinance all of which, among other things, permitted and now permit transfer of properties on the Wait List to other properties within the SSCSD boundaries, subject only to compliance with the transfer requirements. Further, neither the Ordinance nor its predecessor ordinances authorize the SSCSD to impose a time limitation on Will Serve letters. Accordingly, any will serve letters issued to Cavalier must not restrict the transfer of Wait List positions to other properties nor contain an expiration date.

Thank you for your attention to this matter. Please let us know if you have any questions.

Sincerely,



Gregory W. Sanders  
Nossaman LLP

cc: Jeffrey Minnery, SSCSD General Counsel

GWS:jg