

Robert Hather
3675 Sequoia Dr.
San Luis Obispo, CA 93401

January 7, 2023

To: San Simeon Community Service District Board members

I own property on Avonne that is currently in the permitting process but put on hold by request of the Coastal Commission pending review of the Pico Creek inflow study. I am a retired water well driller in this County with extensive knowledge of hydrology. I have studied all three of the District's ground water studies from 1958, 1986 and 2014 in addition to the Akel report. I have also fished for steelhead in all the local creeks including San Simeon, Pico and Arroyo De La Cruz for the last 50 years. I have also toured the entire the Hearst Ranch under the supervision Harley Brown and the Warren ranch, personally observing the creek habitat and I have fished for trout in the headwaters of Pico creek.

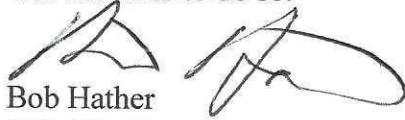
1. What influenced Stillwater to amend their report from November of 2022 to January 23 from originally just recommending flow monitoring to "avoid pumping when flows are between 0.0 cfs and 1.56 cfs year round, without the addition of any new data? Is Stillwater recommending cutting off water to the district and stopping any development?

2. The Stillwater report does not contain one single piece of evidence that pumping the the district's wells influences the creek flow rate. In fact, both reports conclude negligible impacts from pumping; to quote "District pumping operations are not expected to influence **adult** steelhead migration in Pico Creek due to the magnitude of flow required to support **adult** steelhead passage." And "District pumping operations are not expected to influence **juvenile** steelhead migration in Pico Creek due to the magnitude of flow required to support **juvenile** steelhead passage." I can tell you from personal experience the juvenile steelhead live in abundance all year in the upper portions of the creek in pools.

3. The Cleath 2014 Water Availability Study contains yearly groundwater levels relative to precipitation in Figure 5. It clearly demonstrates that the Pico Creek basin fully recharges each season regardless of precipitation levels. More importantly, I have added a column with the district's well production for years 1976 through 2015 with the data available from the Cleath report. What clearly stands out from this additional data presentation is that rainfall levels determine the aquifer levels, not pumping rates. Case in point, in 1986 the district pumped 150 AF, about twice today's usage. But the well's static level never went below average because there were 25 inches of rain that year. However, in 1981 when there was only 14" of rain, and the district used only 101 AF, the well level dropped an additional 2 feet. The data show a very high correlation between seasonal rainfall and the aquifer but very little correlation between pumping and the aquifer. Absolute definitive proof from the data that the pumping rates have minimal

effect on the Pico Creek portions that are impacted by the basin's static level is observed by comparing years 1987 and 2007. Both years experienced low precipitation of between 10 and 14 inches and the seasonal drop in the static water level was the same but the district pumped 140 AF in 1987 and only 90 AF in 2007.

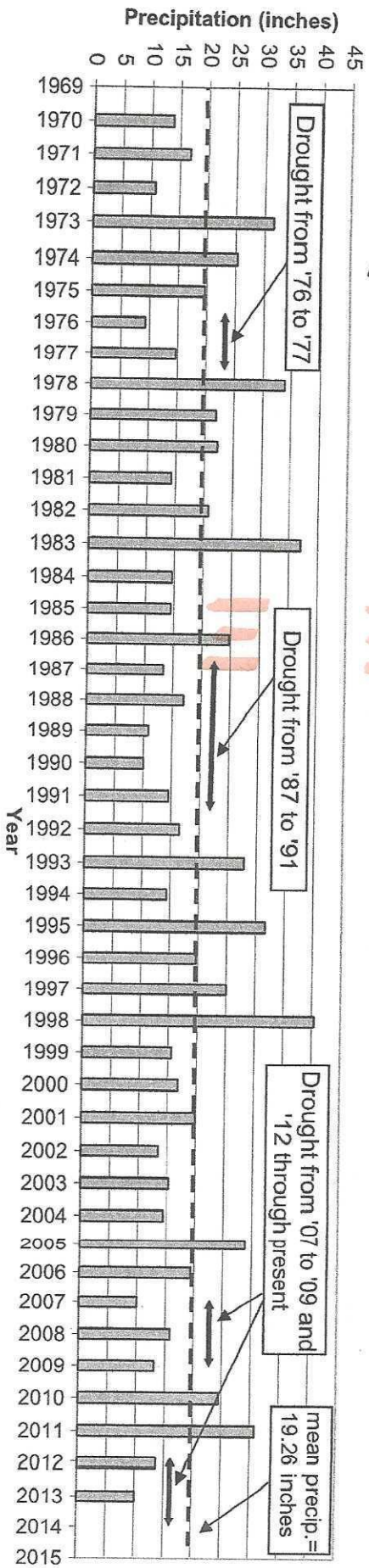
I ask the board to delay adopting the Stillwater report until these issues are addressed. I see no justification for the January revisions. The steelhead and other aquatic species survived just fine when the district consumed 150 AF of water per year in the past and will continue to do so.



Bob Hather

805 459-1841

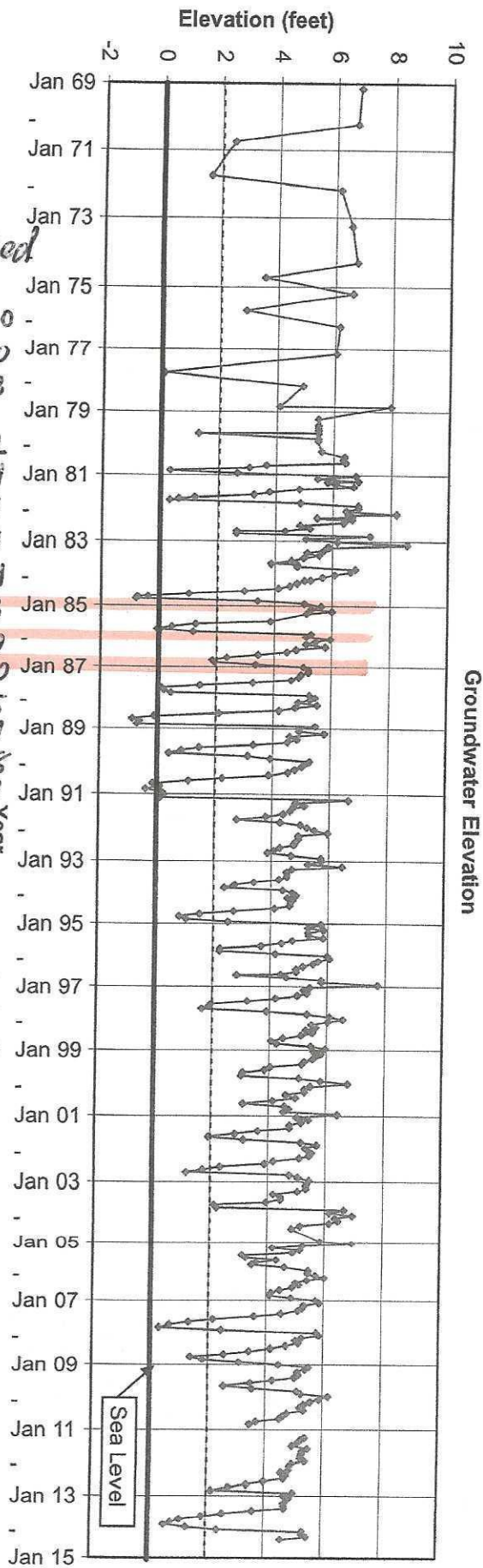
bobhather@gmail.com



AF Used

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Annual Precipitation at Cambria CDF Gage



Groundwater levels are Well 1 and Well 2 average

Figure 5
Groundwater Levels and Annual Precipitation
Groundwater Availability 2014 Update
San Simeon CSD

Cleath-Harris Geologists

Annual Production
San Simeon Community Services District

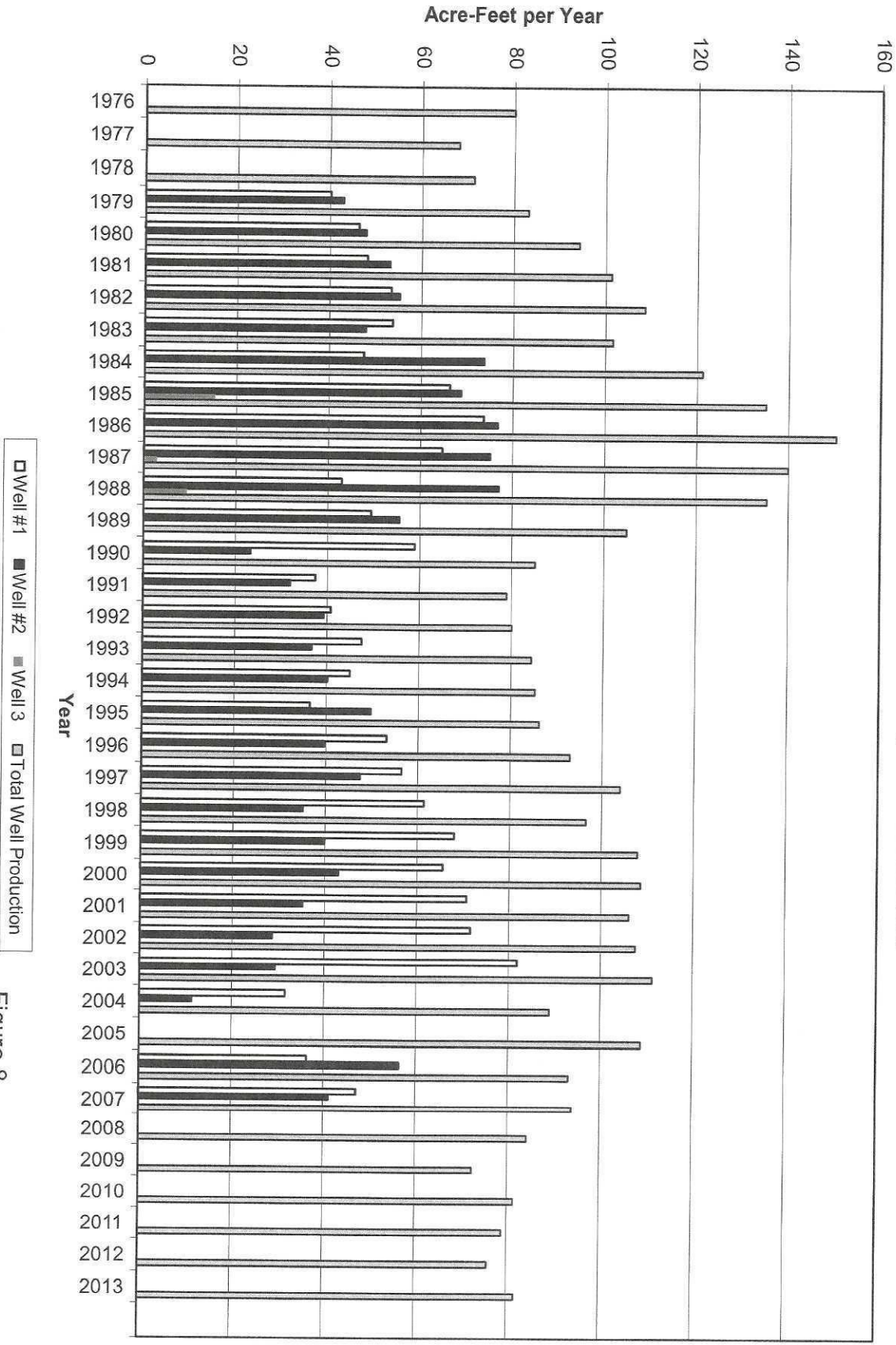


Figure 8
Annual Production
Groundwater Availability 2014 Update
San Simeon CSD

Cleath-Harris Geologists

Pico

Mainstem Pico Creek is formed by the confluence of North Fork and South Fork Pico Creek about 1.1 stream miles upstream from the mouth. The creek drains a watershed of about 20 square miles and flows southwest, entering the Pacific Ocean about 3.5 southeast of the town of San Simeon.

Staff from DFG surveyed Pico Creek and its upstream forks in 1960 and did not observe *O. mykiss*. The survey report includes the following summary:

“During the summer the stream dries up below the confluence of the north and south forks. A good part of the south fork also dries up in the summer. The north fork appears to be the main part of the stream suitable for fishlife. It contains adequate spawning grounds, good cover, good pool development and enough shading to keep summer temperatures down. Mr. Junge claims that steelhead do go upstream and that at times in the spring he has seen as many as 50 to 100 fish in a single pool. These are adult fish and they have gathered there prior to their going back to the ocean” (DFG 1960b).

A DFG memo from 1960 states about Pico Creek steelhead, “The run has been estimated by Warden Needham of the Dept. of Fish and Game to be about 3,000 adult fish” (DFG 1960c).

Pico Creek was sampled in 1993 as part of a steelhead genetics study. *Oncorhynchus mykiss* was observed in the creek (USFS 1996).

Information concerning steelhead resources in the Pico Creek watershed was not made available to the authors of this report. “The continued use and management of the [Hearst Ranch] property is monitored twice a year by the California Rangeland Trust to verify that the conservation values of the property are being protected in compliance with the [2006] conservation easement and to ensure that the steelhead habitat and other conservation values are being protected” (Cepkauskas pers. comm.).

North Fork Pico

North Fork Pico Creek consists of about 8.3 stream miles. It flows southwest to its confluence with South Fork Pico Creek.

North Fork Pico Creek appears on a list of “Known Steelhead Runs, San Luis Obispo County” (DFG 1982). The basis for inclusion is not provided.

South Fork Pico

South Fork Pico Creek consists of about 5.8 stream miles. It flows southwest to its confluence with North Fork Pico Creek.

South Fork Pico Creek appears on a list of “Known Steelhead Runs, San Luis Obispo County” (DFG 1982). The basis for inclusion is not provided.

5 RECOMMENDATIONS FOR INSTREAM FLOW MANAGEMENT

Pico Creek follows the northern side of the groundwater basin over much of the Study Reach. The basin sediments are highly permeable and allow for percolation of stream flow, particularly upstream of the Pico Creek Road Bridge. As the inflow from the watershed declines, the groundwater level also declines and typically by early summer Pico Creek upstream of the Pico Creek Road Bridge is dry. The stream channel, near where the District wells are located, has a longer duration of water presence than this upstream recharge area, but still dries by mid-summer. The lagoon at the mouth of Pico Creek has water year-round.

District pumping operations were observed to influence surface flows in Pico Creek in the vicinity of District pumps (i.e., downstream of the Pico Creek Road Bridge). Of the two main District wells, Well #1, which pumps water from shallower in the groundwater basin layer, has the most influence on surface flows, while Well #2, which pumps from the deeper groundwater basin layer, has less influence. Additional monitoring in the lagoon would be needed to evaluate if any changes in lagoon water depth are occurring due to pumping versus other natural factors, such as tidal influence or evapotranspiration. However, the level of lagoon water depth fluctuation observed during this study appeared to be minimal (<0.05 ft).

In the absence of District pumping operations, the lower reach of Pico Creek within the Study Area potentially provides migratory and rearing habitat for steelhead in the winter and spring when surface flows occur. Migration conditions for steelhead within the Study Area are expected to be supported under current District pumping operations. Adult steelhead passage, which requires high flows associated with large precipitation events, is not likely to be influenced by the District's maximum daily average pumping rate of 0.27 cfs. Juvenile steelhead passage conditions assessed in riffle habitat during this study indicate passage for juvenile steelhead occurs at flows of approximately 4 cfs and greater, which is also not likely to be influenced by District pumping operations due to the limited capacity of the District wells.

New
At low stream flows (less than 1.56 cfs), habitat in lower Pico Creek is sensitive to changes in surface flows. Results of the surface water monitoring and riffle habitat assessments found suitable rearing habitat for juvenile steelhead and potential BMI production is abundant at stream flows of 1.56 cfs and greater. When stream flows were at 0.86 cfs or less, habitat was disconnected with limited passage in riffles for juvenile steelhead, and at 0.35 cfs BMI habitat was substantially reduced. It appears that a small reduction in flow when stream flow is less than 1.56 cfs, even by a small amount (e.g., 0.1 cfs) would reduce the quantity and quality of juvenile steelhead habitat in lower Pico Creek by reducing food availability from BMI, migration conditions, and pool depth.

Pools in the Study Area provide suitable water depth and temperature for rearing juvenile steelhead when surface occurs. Once surface flows cease, pools quickly dry up and become unsuitable for juvenile steelhead. During this study, conditions in pool habitat appeared suitable for steelhead rearing until around July, at which time surface flows ceased and nearly all wetted habitat in the Study Reach went dry. Since pool habitat remains suitable after surface flows cease temporarily, District pumping operations increase the risk of steelhead stranding and desiccation in isolated pool habitat that remains wetted after surface flows cease.

In summary, based on pumping capacity, District pumping operations have the potential to reduce the amount and quality of juvenile steelhead rearing habitat within Study Area at flows of around 1.56 cfs or less. These results are consistent with estimates for spring environmental Water

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Demand which are 0.9 cfs (Stillwater 2014). District pumping operations will not influence aquatic habitat in Pico Creek after the channel has gone dry.

In addition to steelhead, the Study Area provides abundant suitable breeding habitat for CRLF with many pool locations observed with habitat conditions that remained suitable through the CRLF breeding season. In isolated pools that remain wet after surface flows cease, District pumping operations are likely to increase the rate at which pool habitat dries out, leading to egg desiccation or tadpole stranding. Suitable habitat for CRLF breeding is located within the Pico Creek lagoon and excavated ponds near the lagoon just upstream of the Highway 1 Bridge.

Key conclusions of this study are listed below:

- District pumping operations appear to influence surface flows in lower Pico Creek
- District pumping operations are not expected to influence adult steelhead migration in Pico Creek due to the magnitude of flow required to support adult steelhead passage.
- District pumping operations are not expected to influence juvenile steelhead migration in Pico Creek due to the magnitude of flow required to support juvenile steelhead passage.
- At low stream flows, habitat in lower Pico Creek is sensitive to changes in surface flows, particularly when flows are at or below 1.56 cfs and stream flow reductions when flows are in this range lead to reduced habitat quantity and habitat quality for juvenile steelhead
- District pumping operations that occur after surface flows cease may affect juvenile steelhead and CRLF rearing in isolated pools by decreasing pool water levels or speeding up the process by which pools dry out increasing the risk of stranding for juvenile steelhead and CRLF tadpoles.
- District pumping operations are not expected to impact aquatic habitat once the channel within the Study Area goes dry, which happens for extended periods of most years during summer and fall.
- District pumping operations do not appear to be affecting or reducing habitat conditions within the lagoon.
- District pumping operations do not appear to be affecting or reducing habitat conditions for tidewater goby.

New

During this study we made empirical measurements at 0.86 cfs and 1.56 cfs. Rearing habitat was abundant at 1.56 cfs and beginning to decline at 0.86 cfs. In a related regional assessment of instream flow needs for steelhead, Stillwater Sciences (2014) estimated that flow needs for steelhead in lower Pico Creek would be protected during spring at 0.9 cfs. Taking all of this available data and observations into account, we infer that pumping operations at flows less than 1.56 cfs likely reduce habitat suitability for steelhead. Therefore, our recommendations for District pumping operations to provide protection to steelhead include restricting pumping during periods when stream flows are between 0.0 and 1.56 cfs year-round. Avoiding pumping when stream flows are between 0.0 cfs and 1.56 cfs will protect downstream migration for juvenile steelhead, habitat connectivity, and habitat quality and quantity for juvenile steelhead within the Study Area year-round.

In addition to recommending operational changes, we also recommend long term monitoring of stream flow in Pico Creek near the District wells using a stream gage that provides real-time information. Stream flow data is recommended to help inform pumping operations during sensitive flow conditions (i.e., 0 to 1.56 cfs) and to develop a long-term record of stream flows in

the watershed. The most suitable location for real-time stream gage monitoring is just upstream of the District wells at the Pico Creek Road Bridge.

If District pumping operations are restricted when stream flows are between 0.0 cfs and 1.56 cfs and District pumping from the Pico Creek groundwater basin only occurs outside this range of stream flows, then no further recommendations are provided. However, if pumping occurs during these sensitive stream flows, we also recommend the District monitor isolated pool habitat within the Study Area as surface flows cease to evaluate potential fish stranding and fish health.

6 REFERENCES

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December 7, 2022

San Simeon Community Services District

111 Pico Avenue, San Simeon CA

Attention: Board of Directors

Cc: Dudek, California Coastal Commission, County Officials, Supervisor Bruce Gibson

Subject: Coastal Hazards Response Plan — Removal of In-Town Residential Sites from Consideration

Dear San Simeon Community Services District Board of Directors,

We represent the owners of the Pineview Mobile Home Park located at 9540 Avonne Ave., San Simeon, CA. On November 14, 2022, the district's environmental consulting company, Dudek, conducted a public meeting regarding the plan for the district's new wastewater treatment plant (WWTP). In section 3 of the Dudek presentation (attached), attention is drawn to two residential area properties, Site A and Site J (also referred to on some maps as Site X) located on Pico Avenue for a new sewage treatment plant.

Residential Site J, the Hurlbert property, is the vacant lot across from the district office and RO/Desalination facility which shares a property line with our park. Force-fitting a sewage plant on that site would place it within feet of existing residences. An industrial facility like a WWTP will include definite noise, air quality (odors), transportation traffic, public health, lighting, and operations impacts. Both sites identified are upwind of the residential areas of San Simeon. Further, Site A, the Russell property, is part of an environmentally sensitive conservation easement.

The Pineview Mobile Home Park has provided affordable housing for seniors for decades and is planned to continue doing so. Most of the homes in the park are privately owned by their residents. It is a quiet neighborhood adjoining Hearst Ranch which also has a conservation easement for agricultural uses. Prevailing winds from the north bring fresh air to the park. A WWTP located immediately to the north of the park will most certainly cause significant odor and air quality impacts to our residents and neighbors.

An established residential neighborhood is not an appropriate place for a facility to process primarily commercial and Hearst Castle State Parks wastewater. According to the "Outreach Plan" on page 4 of the California Coastal Commission's June 7, 2022 memo to Dudek, the grant agreement requires stakeholder meetings with relevant agencies, including "any landowners of potential relocation sites." As a stakeholder directly impacted by two of the proposed sites (both A and J), we have not once been contacted for input or participation.

The memo also states "meaningfully engaging with low-income and environmental justice communities who are likely to be impacted by relocation of WWTP functions." Our residents have just recently received an "informational flyer" with reference to an updated online survey and a QR access code—many of the recipients asked for a standard URL as they do not have a QR code reader, but their requests went unanswered. Information is only useful if it is accessible. This attempt can

hardly be held to the necessary meaningful engagement required of residents who will forever be impacted by the outcome of this project.

Furthermore, it is apparent that any consideration for alternative solutions has been glazed over; instead, identifying potential sites has been prioritized as a relocation “quick-fix”. There are too many members of the public whose livelihoods are at risk to rush forward with such a plan – it is simply irresponsible to not give more consideration and research to alternative accommodations, especially with respect to off-site locations.

With the identification of these two sites in a public forum that was attended by a member of the press and posted on the district’s website, financial damage has already been done to our recently acquired Pineview Mobile Home Park and the individual senior homeowners in the park.

The casual, inconsiderate, and questionable way in which preferred site identification is being handled is unacceptable. Other non-residential sites are available and identified in the study. Those out-of-town sites are preferable and acceptable options to present to the California Coastal Commission. Residential areas were avoided in the construction of new/relocated sewage treatment facilities in the nearby communities of Los Osos, Morro Bay, and Cayucos, and your district should also pursue similar solutions and locations outside of residential zoning.

Any potential buyer of the Pineview Mobile Home Park or of a senior’s residence in the park will now be required to be notified of the preferred site(s) for the district’s new sewage treatment plant. All sewage treatment plants have stigmas associated with them. The financial implications are clear and serious.

An acceptable path forward is for the Board to pass and publish a resolution removing all residentially zoned areas from further consideration. If that is not done immediately, then the district will need to provide compensation to ownership of the park and individual homeowners.

Your serious consideration of this matter is greatly appreciated. These decisions cannot be undone, and there must be thorough consideration for all neighbors of the identified residential zones.

Sincerely,



Robert T. Flesh
President
Homewood Reality, D.H. Pineview LLC

and 55 Accompanying Signatories

Statement for San Simeon Community Services District Meeting
on December 13, 2022

As a homeowner and/or resident of the Pineview Mobile Home Park, and as a taxpayer of the San Simeon Community Services District, I am in support of the attached letter from Pineview Mobile Home Park ownership to the San Simeon Community Services District Board of Directors.

Given the permanence and severity of the environmental impacts of the wastewater treatment plant relocation on my livelihood and that of my neighbors (both within and outside of the Pineview Mobile Home Park) I request that the Board pass and publish a resolution removing all residentially zoned areas from further consideration. In addition, I hereby request that I be individually notified in advance of any meetings, pertinent studies, surveys, and communications concerning the siting of the WWTP.

Sincerely,

Name(s): Diana Novak

9540 Avonne Ave. Space 2

Address: San Simeon, CA ~~90245~~ 93452

Signature(s): Diana Novak

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Sincerely,

Name(s): Sharon Gardner

Address: 9540 Avonne Ave, #4 San Simeon, CA 95842

Signature(s): Sharon Gardner

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Sincerely,

Name(s): Irma S. Zubia

Address: 9540 Avonne Ave #6 San Simeon, CA

Signature(s): Irma Zubia

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Sincerely,

Name(s): Rojelio F. Sanchez

Address: 9540 Avonne Ave #6 San Simeon Ca.

Signature(s): Rojelio F. Sanchez

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Sincerely,

Name(s): The Villalvazo family

Jose C Villalvazo

Address: 9540 Avonne Avenue space 7

Signature(s): Carlos Villalvazo, Amaranadee Villalvazo

Concepcion Villalvazo

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Sincerely,

Name(s): Bill Maurer

Bill Maurer

Address: 9540 Avonne Ave. Spc. 8

Signature(s): William E. Maurer

Bill Maurer

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Sincerely,

Name(s): Kirk S. MacDonald

Address: Park Address: 9540 Avonne Ave. Space 9, San Simeon, CA
Home Address: 3829 4th Ave., La Crescenta, CA 91214

Signature(s): *Kirk S. MacDonald*

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Sincerely,

Name(s): Pepe Sudano

Address: 95740 Avonme Ave #10
San Simeon, CA-93452

Signature(s): Pepe Sudano

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Sincerely,

Name(s): MICHAEL RAVICH

Address: PINEVIEW MOBILE HOME PARK, SPC 11

Signature(s): 

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Sincerely,

Name(s): Suzanne James

Address: 9540 Avonne Ave. # 12

Signature(s): Suzanne James

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Sincerely,

Name(s): Ardy May

Address: 9540 Avonne Ave Sp. 13 SAN SIMEON Ca

Signature(s): Ardy May

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Sincerely,

Name(s): Morgan Fucci

Address: 9540 Avoca Ave Sp 15 San Simeon CA 93452

Signature(s): Morgan Fucci

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Sincerely,

Name(s): Steve Larson

Address: 9580 Avonne Sp. 16

Signature(s): Steve Larson

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Sincerely, Judy Templeton, Judy Templeton

Name(s): Judy Templeton

Address: 9540 Avonnc Ave # 17

Signature(s): Judy Templeton

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**



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Sincerely,

Name(s): Steve & Sandy Perry

Address: 9540 Avonue Ave Spc 18, San Simeon, CA 93452

Signature(s):  

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

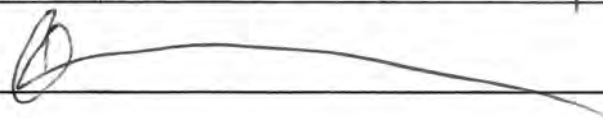
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Sincerely,

Name(s): Clare E. Freeman

Address: 9540 Avonne Avenue, Sec 19 San Simeon, CA

Signature(s):  93452

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Alice Louise Koop

Address: 9540 Avonne Ave #22 San Simeon Ca 93452

Signature(s): Alice Louise Koop

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): John R. Hills

Kim Hills

Address: 9540 Avonne Ave #23 San Simeon Ca 93452

Signature(s): [Handwritten Signature]

Kim Hills

Statement for San Simeon Community Services District Meeting
on December 13, 2022

AFVet

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Sincerely,

Name(s): Ronetta Coffman

Address: 9540 Avenue Ave #24, SS CA 93952

Signature(s): Ronetta Coffman

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Sincerely,

Name(s): Deborah Richardson
John Richardson

Address: 9540 Avonne Ave #25 San Simeon CA 93450

Signature(s): Deborah Richardson
John Richardson

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): SEAN SEGIER

Daniel Hart

Address: 9540 AVONNE AVE space 26

Signature(s): [Handwritten Signature]

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Michael Austin

Cynthia Austin

Address: 358 W Northstar Dr Hanford CA 93230

Signature(s): Cynthia Austin Michael Austin

We own a Mobile Home #27 in the Pineview MOHO Park
We have owned it for over 5 years

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Cynthia Pettrille

Andrew Royenn

Address: 9540 Avonne Ave, Space #29

Signature(s): Cynthia Pettrille

Andrew Royenn

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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Sincerely,

Name(s): Susan K. Foster

Address: 10708, Sunset Canyon Dr., Bakersfield, CA

Signature(s): Susan K. Foster 93311

(661) 205-2558

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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Sincerely,

Name(s): CHRISTINA RUHLAND

Address: 9540 Avonne Ave #31, San Simeon, CA

Signature(s): 

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Edythe J. GROLLA

Address: 9540 AVONNE Ave #33 San Simeon CA 93452

Signature(s): Edythe J. Grolla

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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Sincerely,

Name(s): Jerome Kracow

Patricia Kracow

Address: 9540 Avonne Ave, Spc 34 San Simeon, CA
93452

Signature(s): Jerome Kracow

Patricia A. Kracow 12/10/2022

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Lisa Greenberg

Address: 9540 Aronne Ave Sp 35

Signature(s): Lisa Greenberg

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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Sincerely,

Name(s): Nancy M. Millsap

Address: 9540 Avonne Ave #36 San Simeon CA

Signature(s): Nancy Millsap

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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Sincerely,

Name(s): LEE DAVIS SPC 38[#]

SHARON J. CHOW SPC. 38

Address: ~~9~~ 9540 AVONNE AVE #38 SAN SIMEON, CA. 93452

Signature(s): Sharon J. Chow

LEE DAVIS

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Patrick H. Clarke

Address: 9540 AVONDA APT# 39 SAN SIMEON CA. 93452

Signature(s): Patrick H. Clarke

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): ANNE AUSTIN

Address: 9540 AVONNE UNIT 40 SAN SIMEON

Signature(s): 

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on December 13, 2022**

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Sincerely,

Name(s): Penny & Ken Niadna

Address: 5125 W. Oriole Ave. Visalia, Ca 93291 (or space 41)

Signature(s): Penny Niadna (Pine View)
Ken Niadna

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): GARY S. LATOS

Michael Cruz

Address: 9540 AVONNE AVE SPACE 42 SAN SIMEON, CA 93452

Signature(s): Gary S. Latos
Michael Cruz

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Rosemary Flamion

Address: 9540 Avonne Ave #43, San Simeon CA 93452

Signature(s): Rosemary Flamion

It would be too close to Pico Creek watershed and have a huge negative environmental impact.

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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Sincerely,

Name(s): Jim Schroeter, P.E., L.S. Mary Schroeter

Address: 9540 Avonne Ave. Space 44, San Simeon 93452

Signature(s): Jim M Schroeter Mary Schroeter

**Statement for San Simeon Community Services District Meeting
on December 13, 2022**

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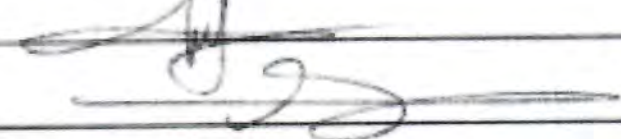
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Sincerely,

Name(s): MARCO BINI

KRISTEN MCAULIFFE

Address: _____

Signature(s): 

Statement for San Simeon Community Services District Meeting
on December 13, 2022

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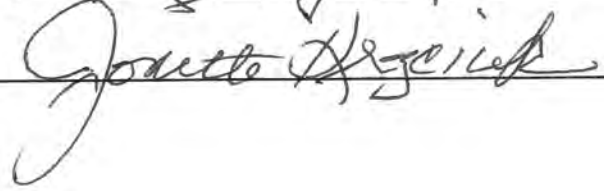
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Sincerely,

Name(s): KENNY KRZCIUK

JONETTE KRZCIUK

Address: 9540 AVONNE AVE SDC 46

Signature(s): 


January 7, 2023

San Simeon Community Services District
111 Pico Avenue
San Simeon, CA
Attention Board of Directors

RE: Item 7. B. Public Employee Performance Evaluation – General Manager

Dear San Simeon Community Services District Board of Directors,

By way of introduction, I am a 20-year county activist that participates in several special services districts, County, Coastal Commission and Water Board governments. My background as an elected official, serving from 2004-2008 on the Los Osos Community Services District board of directors gives me extensive knowledge and expertise in special districts. I ran for office on a platform to “Move the Sewer” and had a hand in successfully halting the construction of a wastewater treatment plant in the heart of our beautiful community. For 14 years I continued to serve my community on the Los Osos CSD Emergency Services Committee and have been a community member of the Los Osos Advisory Council’s Land Use Committee since 2012.

For the last two last two and a half years I have closely studied San Simeon Community Services District. In my experience I have never seen as many missteps in a district as I have in yours, bringing into question the competency of your administration.

Please find a short chronology of significant administrative blunders/errors your General Management firm has made in one month since the new board majority took office on Friday, December 2, 2022.

December 5, 2022 – SSCSD Receives Brown Act Cure & Correct Demand from April Dury regarding rapidly approaching expiration date on virtual meeting resolution 22-459 and wrong company named on the agenda or in the agreement to use meeting room for CHR community workshops. The district had 30-days to respond, to date, Ms. Dury has received no response and her concerns have not been fully addressed.

December 5, 2022 – New Board majority directs a Special Board meeting for Tuesday December 6th to hold closed session for Legal Counsel and GM Performance Review’s. (GES snubs directors and denied the request.)

December 8, 2022 – Special Meeting to adopt resolution 22-460 to continue virtual meetings, but this opportunity to follow new board’s direction of December 2nd was not exercised. (Clerical error in this board packet; does not include agenda.)

December 13, 2022 -- Regular Meeting agenda also fails to include items directed on December 2nd. This agenda was mis-posted by staff failing to physically post in required 3

From the Desk of Julie Tacker

public places in a timely fashion, i.e., 72-hours ahead of meeting. This caused the meeting to be cancelled. GES failed to creatively cure the mistake by reposting as a "Special Meeting" within 24 hours of the meeting time.

December 16, 2022 – Special Meeting agenda also fails to include items directed by new board on December 2nd or include "green sheets" with law firm's proposals dated May 24th and Dec. 10th, causing the district to need to call a Special Meeting on December 20th to conduct this important business.

December 20, 2022 – Special Meeting, as of this date (18 days ago) the video recording has not been posted to the district website.

Thursday, January 5, 2023 – Agenda for January 10, 2023, posted without White Brenner agreement. The agreement and minimal staff report were mis-numbered and included in board packet. Additionally, item adoption of resolution 23-463 on consent calendar was misnumbered. Errors caused second agenda posting January 6th.

Dates unknown – Board majority had to take two oaths of office.

This is a list of the things I have noticed in just one month, certainly there are additional items that I am unaware of.

Concerns regarding this firm's poor administrative work continues to plague your district. I could make similar lists of many more missteps over the last couple of years I have been participating in San Simeon. These many mistakes result in increased expenses incurred by the ratepayers of your district. These missteps negatively impact the credibility and the governance of your district. It is my hope that you work swiftly to sever ties with Grace Environmental Services, LLC.

Sincerely,

A handwritten signature in black ink that reads "Julie Tacker". The signature is written in a cursive, flowing style.

Julie Tacker
P.O. Box 6604
Los Osos, CA 93412
805-235-8262