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Regarding: Cambria CSD and the Army Corps of Engineers geotechnical drilling project on the beaches in front of Cambria's Shamel Park

Dear Superintendents Franco and Del Rio,

I am concerned that the California Department of Parks and Recreation intends to process a Right-of-Entry Permit for the Cambria Community Services District allowing the CCSD, or their agents, access onto state park property for the geotechnical investigation on Hearst San Simeon State Park on the strand within the Santa Rosa Creek Day Use Area. I also understand that prior to Right-of-Entry approval, copies of all pertinent local, state and federal permits and conditions are required to be submitted to the Department. To my knowledge, there has not been any request by the CCSD or the Army Corps of Engineers for LOCAL PERMITS for access thru the park to the beach for any part of this drilling project to date. Is this how they intend to avoid environmental review? Which agency will review this part of this project?

I would like to take this moment to register my opposition to this project in full, and oppose granting of any permits for drilling on the beaches in front of Shamel Park for the following reasons:

A full project level Environmental Impact Report should be created for the desalination and geotech drilling project in its entirety, rather than piecemealing the project in stages. As we can clearly see, when a project is piecemealed in stages (such as this one) important steps in the process are avoided and one agency cannot tell what another agency may be doing. Cambria citizens are not well served by this type of environmental review avoidance. The first step should be to analyze whether this site would be allowed for a desalination plant before a permit is given to test the site for water. Is desal infrastructure at this site consistent with the coastal act and the LCP? List the significant and growth inducing impacts of desalination area wide. The criteria for choosing the site is beyond whether it will produce water. The desal project pipelines at this site should be analyzed first for consistency with the LCP and coastal act and protection of coastal resources to determine if the site can be permitted. Water supply alternatives to desalination have not been objectively analyzed and considered.

There is an abundance of confusion now on jurisdictional issues, and whether the CCSD should be allowed to follow a parallel process by filing paperwork for both NEPA and CEQA. There is confusion as to what permits are required because of this parallel process and there are significant questions that need to be answered as to what agencies are supposed to be contacted, what permits need to be issued and what portions of Shamel Park fall under county, state, and/or federal authority. My comments today are limited to public access and the parks right of entry permits, although there are significant environmental impacts associated with this project that will be addressed in future correspondence to appropriate agencies.

There are many inconsistencies between the Coastal Consistency Determination (NEPA) and the Proposed Negative Declaration (CEQA) for this project, just one of which is the number and location of well sites and number and location of test holes on the beach. It appears there is no upper limit for the number of wells and test holes that can be drilled. The beach area is small in February and March, and the documents describe drilling that can vary by 100' in any direction. The beach is not big enough to drill an unlimited number of wells and be able to move them 100' in any direction. In addition restrictions are placed on drilling to keep a 50' buffer from SR Creek. One must also remember the drill rigs are 41' long, and the distances needed for safety either 140' or 200'. The total length and width of the beach in dry season is only **1600' x 250'**.

There is no way to protect public access in a heavily used recreation area when you take this amount of drilling area and include distance needed for public safety into consideration. This lack of specificity virtually allows the Army Corps of Engineers to rototill the beach and continue to look for a paleochannel they may not find until the 15th try. There would be no place on the beach that wasn't drilled when the number of test wells, test holes and monitoring holes are taken in total. And the amount of noise would prevent any beachgoer from using the beach even if access were possible when a buffer of up to 140' – 200' is required to prevent hearing loss.

Childrens Playground:

Cambria's Shamel Park is Cambria's only public park with children's play equipment and a swimming pool! Daily movement of this construction equipment into and out of the children's park area would make it a safety hazard for children trying to reach their playground equipment. The permanent play equipment is located at the intersection of both gravel roads described for construction ingress and egress to the beach ramp.

Site Access

Access to the beach will be via the concrete emergency-vehicle access ramp at Shamel Park. The ramp proposed for use by this drilling activity is the same ramp designed for emergency vehicles access. Construction equipment traveling 4-6 MPH on the beach could prevent emergency rescue equipment from reaching the shore to rescue swimmers, or beachgoers. If that ramp is damaged by heavy drilling equipment, risks to beachgoers in an emergency would be increased. In addition, I believe this ramp is the only handicap access to this particular public beach.

Before mobilizing the drill rig, the capacity of the ramp to support the weight (see ramp photos) will be verified and if necessary planking will be used for strengthening. Permits must be obtained for ramp construction, whether the construction happens on the beach or at the top of the access ramp. Where is the permit for construction on the beach if needed? Describe planking? Boards? Isn't that dangerous for children playing near the equipment?

The capacity of the thin concrete ramp built on fill, to support the weight of equipment that is described as weighing 50,000 pounds not including 8,000 pounds of water should be determined before project is approved. Reconstruction of the ramp should be required and permits sought rather than risking lives on temporary planking. Temporary planking could

present a danger if it is unstable and an emergency occurs at the beach requiring a rescue or other emergency.

Update: Because the Army Corps of Engineers has recently (3/12/10) decided this existing ramp may need reinforcement, their latest proposal is to start a new construction project which may include building a new ramp at the site of the existing ramp. This construction activity may require the use of a cement truck, a bobcat or a backhoe. Where are the permits for this new ramp building construction project? Doesn't construction of a ramp at the current ramp site severely restrict impact children's use of the play equipment? Whether the ramp is constructed on the beach or at the top of the existing ramp, all public access to the beach will be impacted and reduced because of this new 'possible' construction activity.

Two narrow gravel roads, (northeast side of park, and southeast side of park) lined with mature overhanging shade trees, provide small vehicle access to this emergency access ramp. The northeast side has a steep embankment on the other side of the fence leading to the banks of Santa Rosa Creek. Because the equipment is so heavy and numerous trips will be taken each day for up to 30 days, erosion is likely on the North side of the fence and silting of the creek is possible. If using the southeast gravel road, vehicles would have to travel north to the access ramp, virtually blocking pedestrian access to the beach at least twice a day for an unspecified amount of time.

Photo below: a small sliver of Highway One can be seen at the top of the photo. Beachgoers must exit Highway One to Windsor Road (which takes a 90 degree turn to the south in front of Shamel Park). Beachgoers park in front or to the south side of the park, and must walk across either of two gravel access roads described in construction documents. There is no other way for the public to get to the beach from Shamel Park, the Children's playground, handicap access, and stairway access. The vehicle ramp and handicap access is located at the bottom left of this photo. Two stairways, neither of which have ramps, to the beach are shown and are on the West side of the gravel access road leading to the ramp.



RAMP

STAIRS

STAIRS

Equipment will be removed from the beach at the end of each workday and stored at the CCSD wastewater treatment plant off of Windsor Road (top left hand of photo). All heavy equipment must travel down narrow two-lane Windsor Road. Residents, Beachgoers and children using the play equipment will be forced to dodge construction traffic every morning and every evening for an unspecified amount of time.

Park Hill Residential access:

The only access to Shamel Park and the residential Park Hill neighborhood from Highway One is on Windsor Road. Windsor Road, which takes a 90 degree turn in front of Shamel Park, would be used by all the described drilling equipment and construction vehicles twice daily during the heaviest work hour traffic. The document describes driving all slow moving (4-6 mph) construction vehicle equipment from the CCSD's maintenance yard on Windsor Road to Shamel Park each morning and each evening along Windsor Road to Shamel Park. This equipment would then drive in front of the two stairway accesses to reach the ramp and onto the beaches in front of Shamel Park every morning and every evening for weeks, months or years. The documents are unclear as to the length of time drilling and monitoring activity will occur, and the number of test holes, and test wells are left open to interpretation.

This activity presents an obvious traffic problem and possible safety hazard for residents of Park Hill as this increased traffic could prevent fire, ambulance and rescue equipment from reaching Park Hill residents in a timely fashion. Is there a permit required from the County Transportation Department? Is there a permit required from the Cambria Fire Department with a plan for fire protection for Park Hill residents? What about permits or a plan of action from Cal Trans for impacts to Highway One traffic? If traffic is backed up along Windsor Road near Highway One due to construction vehicle traffic, it could impact Highway One traffic at the intersection of Highway One and Windsor. If traffic is backed up on Park Hill for residents trying to access Highway One, residents would have no escape route unless the emergency access at Fiscalini Ranch Reserve is opened for public use. Are there plans to open the emergency access road at Fiscalini Ranch reserve during this construction activity? Have the neighbors been notified of this plan? Does the Cambria Fire Department have a plan in place?

Noise:

The drilling equipment, trailers, rigs, and construction vehicles are slow moving (4-6 mph), heavy and loud. Impacts with noise and from a safety standpoint, when taken in their entirety, would virtually prevent any beachgoer to want to be anywhere near this activity.

The equipment for drilling may produce up to 86-90 dBA noise levels at the noise source. At 200 feet from the source, the noise levels would be about 72-77 dBA.² The County Noise Ordinance threshold is 70 dBA for stationary noise sources at the property line adjacent to the noise source. The nearest residences are about 200 feet from the two southerly test wells, but people could be on the beach right next to the rigs!

This is a major impact and the project should require a finding of significant impact for noise levels alone. Noise levels are above the county threshold of 70 dBA, people should stay 200' away from the drill rigs, unless provided with hearing protection. If people have to stay 200' away from the drill rigs, there is virtually no beach left for people to walk. Public access would not only be limited it would be dangerous for beachgoers not wearing hearing protection.

In addition to noise levels from the drilling, the electric pump will be rated between 15 and 20 horsepower and powered with a generator. How often will the generator run and for how many days? What is the noise level of the generator and what is the distance beachgoers and children need to maintain from the noise of the generator? How will the generator cables be secured from beachgoers? The generator will either be operated from a nearby adjacent parking area with a length of cable temporarily laid on the beach or be mobilized onto the beach. Is the length of cable removed each night?

Public Access

All test equipment and vehicles will be removed from the beach and park area to the CCSD wastewater plant off of Windsor Road at the end of each work day. The alternative ingress road to the beach that is now being proposed by the Army Corps of Engineers is located

directly in front of all stairways and the access ramp to the beach. When the slow moving (4-6 mph) construction equipment is on this gravel road, people and children will be forced to cross the path of the vehicles in order to access the stairways to the beach.

Contradictory statements are made including "During drilling, a small portion of the beach would be closed to recreational beachgoers. An exclusion area of about 20 feet around each drilling rig will be necessary for safety". Furthermore according to the noise levels, an exclusion area should be at least 140' -200' around each drilling rig for safety. **OR** "During drilling, an unspecified amount of the beach would be closed to recreational beachgoers. An exclusion area of about 50 feet around each drilling rig will be necessary for safety. This area would be demarcated with either caution tape, orange snow fencing, or other suitable material/barrier to deter the public from entering the construction site".

Shouldn't people be prevented from getting closer for safety sake during drilling, rather than deterring them? Furthermore, according to noise levels described, people are to be excluded a distance of at least 140' -200' around each drilling rig for safety and hearing protection.

According to documents "Study activities would not interrupt lateral beach access". Beachgoers will have to dodge construction traffic every morning and every nigh traveling to and from the drilling sites, trying to gain access to the beach. The public must cross the site access road to get to the stairs, or walk down the access ramp to gain access to the beach. Once on the beach, the public must dodge drilling rigs, keep away from fumes, avoid barrier tape, protect their ears from noisy generators, try not to trip over cables running on the beach, while at the same time trying to stay safe at a beach at high tide! What beachgoer will want to spend any time whatsoever on a beach under these conditions? Beach access may be possible but extremely unsafe once you arrive.

Recreation

According to documents "During drilling, a small portion of the beach would be closed to recreational beachgoers".

This is disingenuous. Impacts to public access and recreation are significant. Even if beachgoers were willing to withstand the noise, and the fumes from drilling, the distances needed for safety alone represent a clear hazard for anyone attempting to reach the beach, much less enjoy this beach in any way during construction activities.

Public Parks and heavily used public beaches are typically not construction and drill sites. It is clear this project represents a significant public access impact when one considers the number of test wells, unlimited number of drilling areas, distances beachgoers must keep away from drilling rigs for hearing protection and safety, drilling and vehicle fumes, dodging construction traffic to access the stairs or the ramp to the beach, and the small size of the beach in dry season. The entire project has major significant impacts to recreational use and public access of the beach and the park itself and should require a full Environmental Impact report with mitigation measures firmly in place before any construction begins.

Thank you for your consideration,

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Cc: Cambria Community Services District, County Supervisors, SIO County Planning, NCAC, Rep .Capps, California Coastal Commission, Army Corps, Distribution to Agencies, and other affected parties.