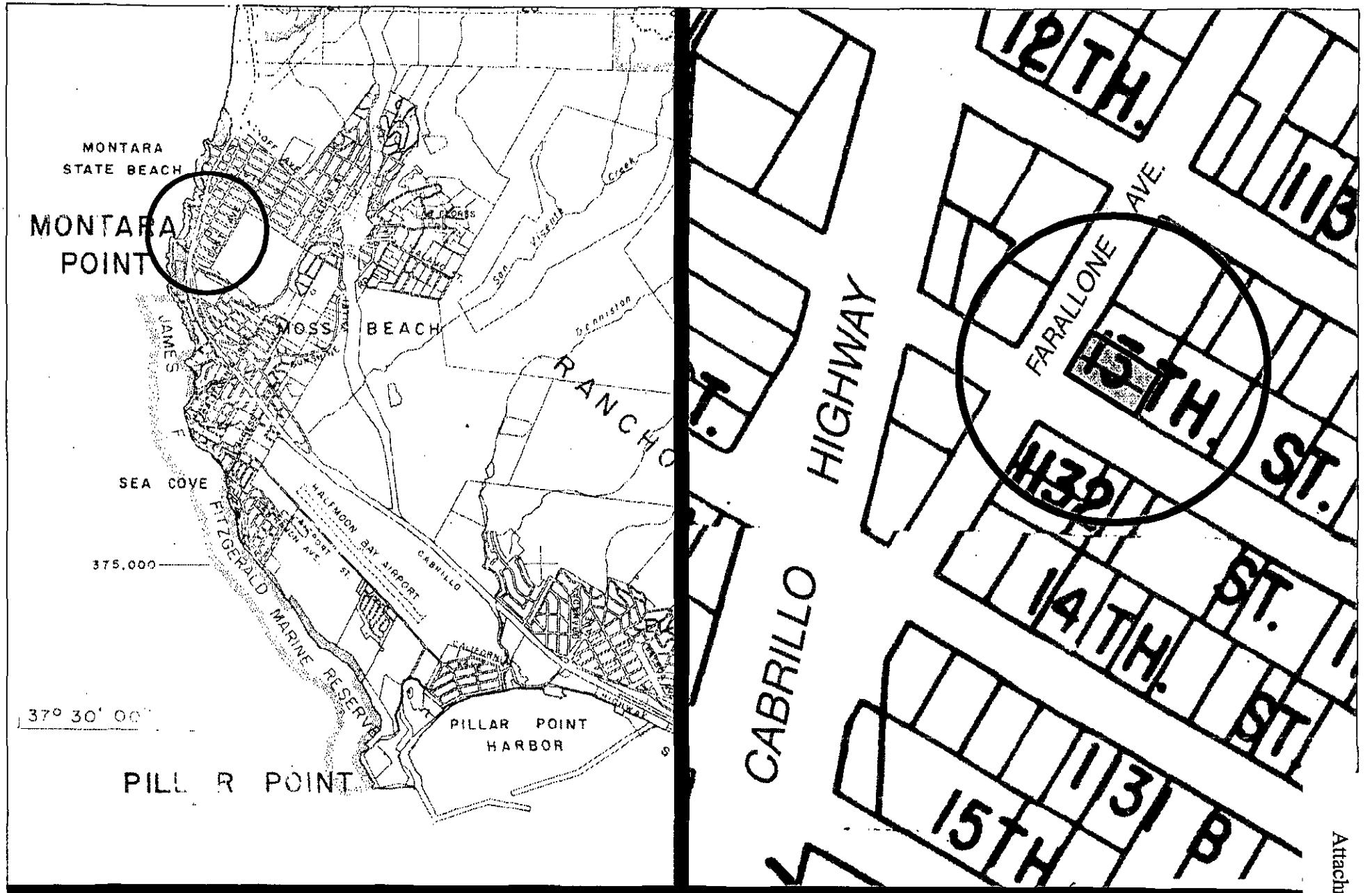


**San Mateo County Board of Supervisors Meeting**

Applicant: **Burke**

Attachment:

File Numbers: **PLN2001-00681**

Attachment B

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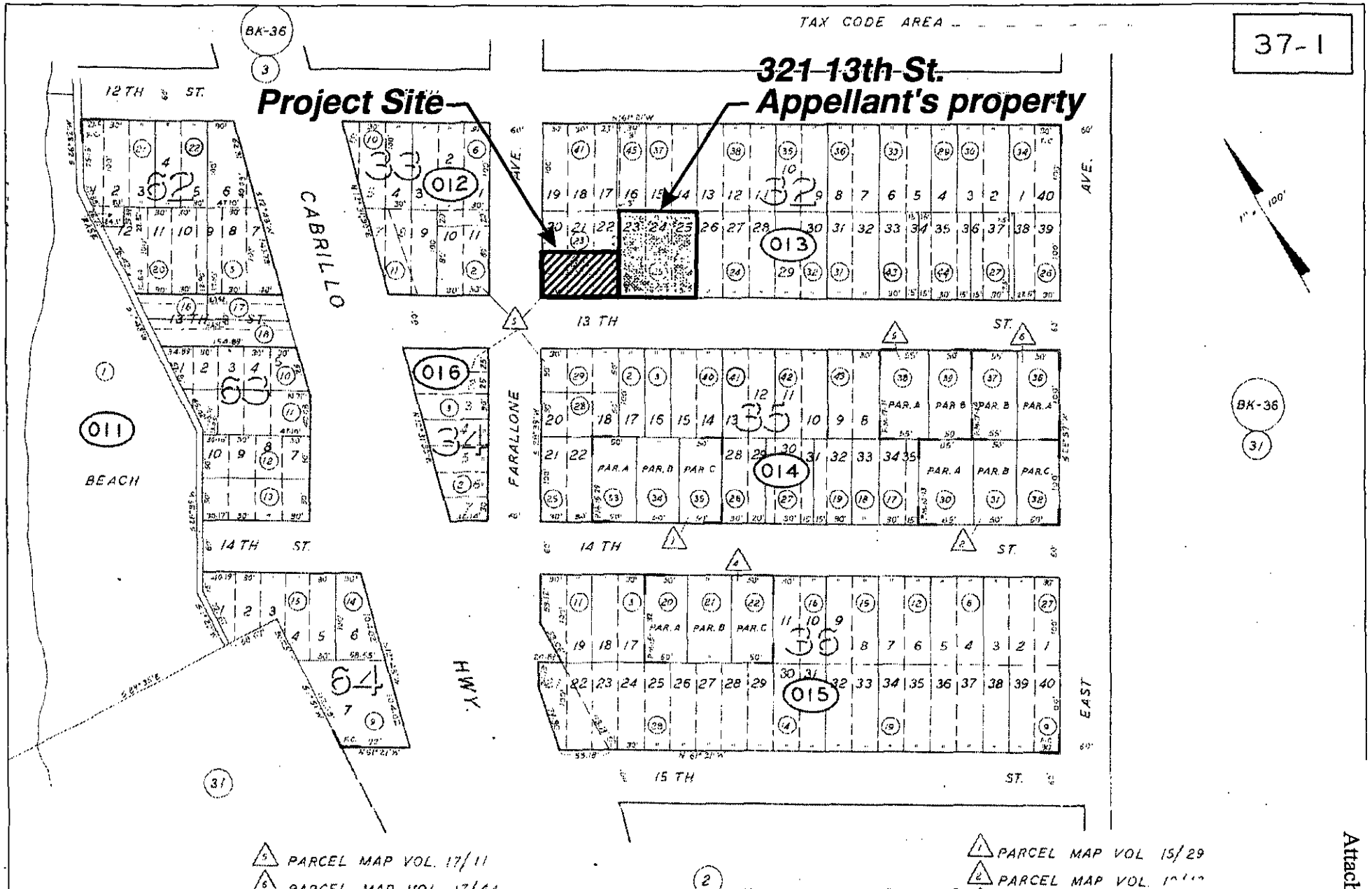


**San Mateo County Board of Supervisors Meeting**

Applicant: **Burke**

Attachment:

File Numbers: **PLN2001-00681**

Attachment C

CDR8\plan01-681

## Project Site

**San Mateo County Board of Supervisors Meeting**

Applicant: **Burke**

Attachment:

File Numbers: **PLN2001-00681**

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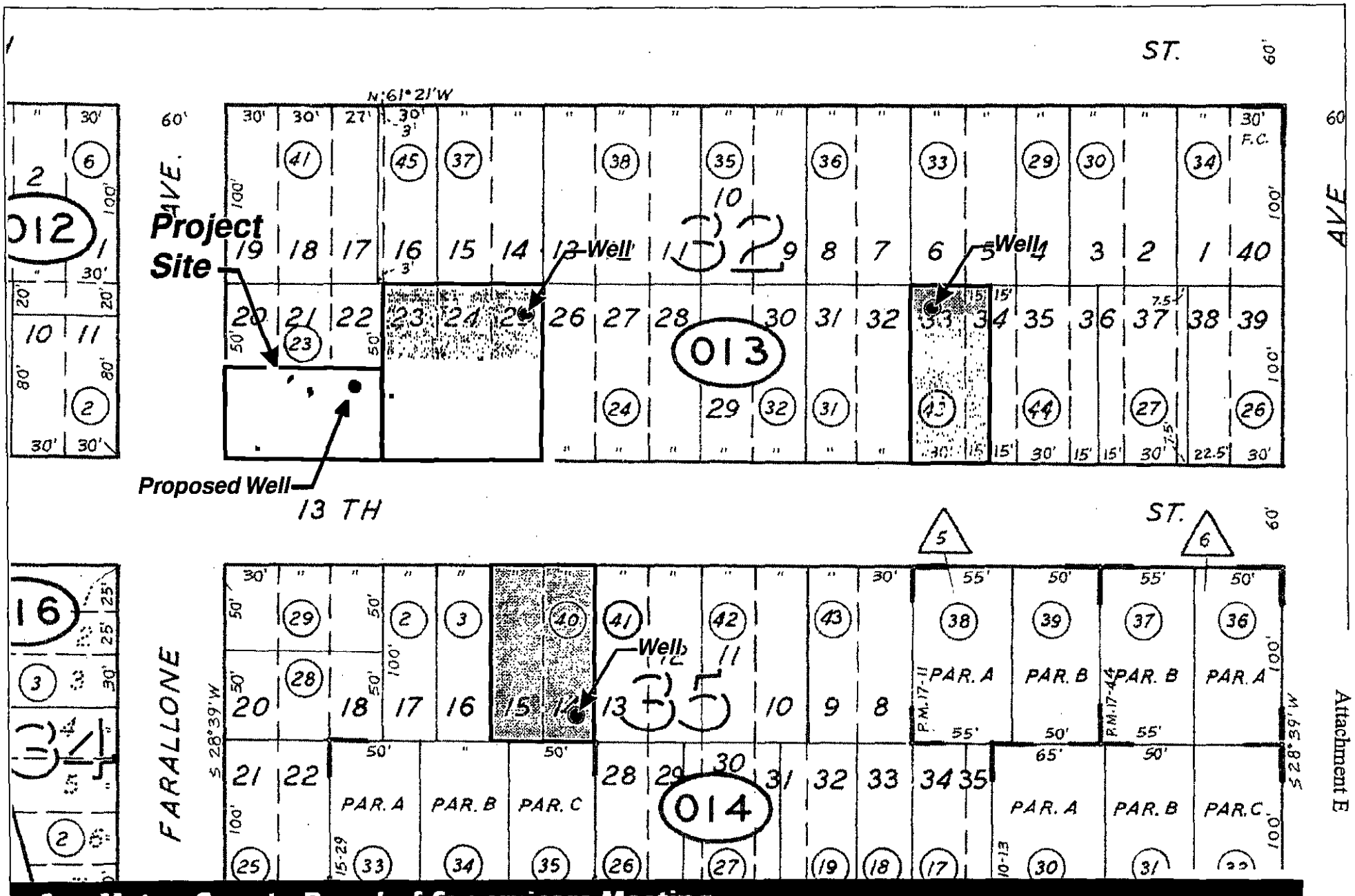



**San Mateo County Board of Supervisors Meeting**

Applicant: **Burke**

Attachment:

File Numbers: **PLN2001-00681**

Attachment E

CDR8\plan01-681 9-04-03 rp

Attachment G

San Mateo County Environmental Services Agency

Planning and Building Division

County Government Center • 590 Hamilton St. • Redwood City CA 94063
Mail Drop PLN 122 • 415 • 363 • 4161

# Application for Appeal

☐ To the Planning Commission

☑ To the Board of Supervisors

## 1. Appellant Information

Name: AL MacMorres

Address: 321 Thirteenth ST

Phone, W: (650) 728-7513

Montara, CA Zip: 94037

## 2. Appeal Information

Permit Numbers involved:

I have read and understood the attached information regarding appeal process and alternatives.

☑ yes ☐ no

I hereby appeal the decision of the:

- ☐ Staff or Planning Director
- ☐ Zoning Hearing Officer
- ☐ Design Review Committee
- ☑ Planning Commission

Appellant's Signature: Al MacMorres

Date: 5/29/03

Made on _____ 19____, to approve/deny the above-listed permit applications.

## 3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

See Attachment

To: San Mateo Board of Supervisors.

From: Al MacMorres
321 Thirteenth St.
Montara, CA 94037
(650) 728-7513
macmorres@earthlink.net

The California State Department of Health Services in 1976 decreed that Citizens Water could not add any new customers in order to protect the citizens of Montara from an insufficient water supply. They were required to increase the water supply substantially.

Individual drilling has been allowed since then and now there are over 650 wells on the mid coast including over 300 wells in Montara.
In the next shortage those on wells may not have adequate water supplies. This could produce the emergency referred to in the March 15, 1989 Environmental Health Division EIR SCH # 89010308: "wells cease to be viable sources of water" and that "Citizens Water be forced to provide emergency water supply to the users of the affected wells".

" Increased taxes for that huge capital outlay would bring close scrutiny to the water resource management of the San Mateo Board of Supervisors". There were approximately 60 wells in Montara then.

What happens to Gary Skowron of 711 Etheldore in Moss Beach whose well has "run dry"? What recourse has his family?
How many wells can our aquifer service? Can we investigate or do we count the straws on the camels' back after it falls?
So far the count is only one. However, as part of this appeal we will investigate this question with hydro/geology experts.

In the hearing May 14, Dean Peterson stated that he found "no cause for alarm". What studies did he investigate which assured him that it was safe to continue drilling wells in Montara and Moss Beach without concern?

The April 2002 the Phase 1 Balance Hydrologics report produced for San Mateo County, details possible over pumping of 67 gpm .
( recharge 393gpm - use 460 gpm [page A-5]) with salt water intrusion (A-15). Let me point this out as a double "red flag".

Is this a concern to the Board of Supervisors?

From the San Mateo County Ganeral Plan:

Policy10.10 "... Discourage use of wells to service urban areas ... "

Is the County is doing anything to discourage the use of wells in the Coastal Urban Areas? Has it ever denied a well applicant? If so what percent has it denied?

Denial of this well will not deny property rights. The Montara Sanitary District is currently in the process of acquiring the water company servicing Montara and Moss Beach with the goal of developing a public water supply referring to Kathryn Slater-Carter's letter.

Refering to the letter of Kathryn Slater Carter and that of the hydrologist Henry Ku, wouldn't it be in the best concerns for all to wait for public water?

SMCo General Plan Policy 10.10(3)(C) "The well is a safe distance from potential sources of pollution ...and other existing wells..."

Montara Sanitary District has an easement called the right of way. That sewage easement includes the street and adjacent County property called the County easement. This can be varified with George F. Irving, District Manager of the Montara Sanitary District. This well can be no farther than 45 feet from that easement since it must be set back five feet from the other side. The rule is 50 feet. Why then did it pass Environmental Health in the Planning department? My sewer is 42 feet from their property line making their proposed well site only 47 feet from my sewer.

This would only be a postponement of a "spec" house to this owner/builder who builds several "spec" houses per year. In fact the owner has requested that her other lot across the street (the S/E corner of Farallone and 13th) have a lot line adjustment. This would leave six adjacent wells in a radius of less than 100 yards and three adjacent sub standard lots with wells. Will this be discouraged by the Supervisors? (six is a red flag)

The 300 wells in Montara and Moss Beach withdraw the equivalent of 64 gallons per minute. When community wells, for commercial or special districts, are proposed they are required to examine the potential environmental effects. There has not been an examinations of the potential effects of these new wells as of yet. What test will be made on this site?

When the Local Coastal Program was approved it was assumed that all urban services would be provided by a community utility. (LCP Policy 1.3 a; 1.18 *a;1.19 (2).

The proposed well and all new wells since the 60 proposed in the 1989 Kleinfelter EIR potentially violate LCP Policy 1.18 (*a, 5).

This in-fill development is not served by a water utility and is in violation of LCP Policy 1.19 (2).

There has been no "significant new water facilities" provided . Although the number of wells , and their concentrations is specific areas and even on specific blocks has greater impact than the development of "significant new water facilities" on specific coastal resources. We will be examining this prior to our hearing and present any relevant findings to the Board of Supervisors.

Rain water flows down hill from the whole of 11th,12th and 13th streets into the lot in question. In winter it's a small creek or stream. That lot is the last spot of recharge in that flow path before it drains into the gutters. It is approximately 100 yards from Montara Creek which could easily be affected by "development".

The County is paving our drainage ditches, allowing paving of parking areas, allowing coverage on lots as houses are built and allowing new wells. Yet the County has not examined the effect of all this paving with its decreased re-charge of the aquifer on the water balance while accounting for the increased withdrawls. The water used by homes is not returned to the aquifer - it is sent via the sewer system to the ocean in Half Moon Bay. Thus the nearby Montara Creek has the potential for restricted flow due to increased domestic water use in the dry season while experiencing exacerbated wet weather flow from increased runoff flowing into the creek. You must examine the potential effects in critically dry years and not just in average rainfall years in order to not violate LCP Policy *7.3.

Further, although the original subdivision was correctly done, I have not been adequately assured that the lot line adjustment was approved by the County.

I am here requesting a display of scrutiny from the San Mateo Board of Supervisors..Will they wait for the Kleinfelder Phase II analysis and consider well density also? Unfortunately in 2 separate public meeting we were told that distance between wells will not be considered as part of Phase II.
why?

The first step in that scrutiny should be to deny wells on sub standard and non-conforming lots, near creeks and prevent any wells from encroaching on the sewer lines easements.

In closing, I would like to recite two items form the "Shared Vision 2010- The promise of the Penisula" :

14. Important natural resources are preserved and enhanced through environmental stewardship. (Montara Creek)
20. Government decisions are based on careful consideration of future impact, rather than the temporary relief or immediate gain.

( Page 5).

where is the truth in these statements.

This decision should look at the cumulative effects of all wells from the past and the combined potential effects of any future wells.

Sincerely,

Al MacMorres

Attachment H

May 14, 2003

Kalthryn Slater-Carter
P.O. 370321
Montara, Ca 94037

San Mateo County Planning & Building Division
County Office Building
455 County Center
Redwood City, CA 94063



RE: PLN 2001-00681/APN: 037-013-390

I want to make several brief points in this critical issue:

This is an issue about health and safety. You must decide which is more important: the rights of a community and current residents entirely dependent on groundwater for residential use or a property owner who, if denied the CDP for a well, will have to wait until a public source of water is available.

The County claims it supports and even prefers to have a single supplier of water for Montara and Moss Beach. Yet on May 15, 2002, a full year ago, Montara Sanitary District applied for permits for seven test wells so we can begin developing additional sources of water in order to end the dependence of individual urban lot owners on individual wells for residential development. Just last month the district was told this permit will be 'expedited'. The district is still waiting. We are ready, willing and able to begin the appropriate test wells and studies to end the well drilling for individual homes. Meanwhile, here is yet another disputed CDP for a well on a non-conforming parcel.

In 1988 the El Granada Ground Water Investigation Report (Kleinfelder: April, 1988) looked at the effect of the then recently revised well ordinance on coastal groundwater resources. It noted "Very large draw downs might be expected in the weathered bedrock if wells are spaced any closer than 50 to 100 feet apart." (Ibid; Appendix 3, p3) Further on it reports that the results of simulation of inter-well distances for prevailing conditions in San Mateo County show that "perhaps 5 to 10 percent of the terrace aquifer wells would be effectively non-producing at the end of a dry summer period." (Ibid; Appendix 3, p7).

This proposed well will be located in the Montara Heights sub-aquifer of the San Vincente aquifer. It is a granitic bedrock aquifer. "As the movement of groundwater within the granite is controlled by secondary fracture porosity, increased will-interference effects may become a problem locally is closely spaced wells happen to draw primarily from the same set of . .- " Kleinfelder Draft Montara-Moss Beach Water Well EIR: March 1989; p54)

From the above it is quite clear that in order to insure the health and safety of the existing homes dependent on domestic wells in the area a study must be done to prove that this new well will not interfere with the ability of the existing wells to deliver acceptable amounts of water during droughts.

In spite of the cautions in two coastal well studies the new well study will not examine the appropriate spacing between wells. I asked both Terry Burnes and Dean Peterson if this would be a point of investigation in the new well study at the MCC meeting several weeks ago. I was told "no" - in spite of the fact that this is a question of extreme concern for folks who suddenly find out that a new well (or several new wells) is going to be drilled just 50 feet away from their well.

Montara Creek is only a few hundred feet from this proposed well site. "Outflows were assumed to be in balance with inflows, consistent with our conceptualization of the bedrock aquifer as a conduit for throughflow from the coastal mountains to the ocean. Because outflows were assumed to equal inflows, no net surplus was estimated. Nevertheless, small quantities of utilizable ground water may be available in the bedrock aquifer." (Ibid, p.67)

There has been no study to examine the cumulative effects of all of the existing wells on the riparian area surrounding Montara Creek as well as on the creek itself. In addition this examination must look at how many additional wells are possible in the immediate neighborhood in order to predict how these will affect the future viability of that sensitive habitat..

One of the finding necessary to granting a CDP is that it is in compliance with the requirements of our Local Coastal Program and General Plan.

LCP Policy 1.18 (a) (5) says new development must "protect and enhance the natural environment".

LCP Policy 1.25: Rural Water shed Monitoring Program:
"Commencing within one year of certification of the LCP, the County shall, providing funding can be secured, undertake a water monitoring program to determine, on a watershed-by-watershed basis, water availability for new development consistent with LCP resource protection policies. The monitoring program should be completed within five years of LCP certification and subsequent development shall be consistent with the findings of the final approved report."

Twenty-three years and hundreds of new wells later: we are still waiting. This urban area affects the hydrology Montara Creek [illegible] riparian habitat in the rurally zoned (within the urban area) creek basin. The recharge and runoff have been severely limited by the paving of the streets and the loss of drainage ditches: "Infiltration from roadside ditches which occur on both shoulders of paved and unpaved streets in Montara was perceived to be a significant component of inflows to the terrace aquifer." (Ibid, p.64).

This CDP cannot be granted because it has not been proven that this well will not have a detrimental effect on coastal resources.

Sincerely,

Kat Carter
p/o AL McNerney

Kathryn Slater-Carter

State of California

# Memorandum

Attachment I

To : Terry Roberts
State Clearinghouse
1400 Tenth Street, Room 121

Date : April 24, 1989

Subject: Draft
Montara-Moss
Beach Well EIR
SCH# 89010308



From : Environmental Health Division
714 P Street, Room 600
3-6111

The Department of Health Services has reviewed the subject environmental document and offers the following comments:

#4 The wells may encounter two failure possibilities that may impact the water supply situation in the Montara-Moss Beach area. First, it is possible that well production may initially be plentiful and then diminish significantly after a period of time that it could no longer supply the needed water. Second,it is possible that the water quality of the wells may, at first, be acceptable and then deteriorate to the extent the wells cease to be viable sources of domestic water.

If these occur, the Department is concerned that the Citizens Utilities Company of California would be forced to provide emergency water supply to the users of the affected wells, thus aggravating the problem of inadequate water supply that now exists in the area.

The above possibilities should be addressed and their impact be mitigated.

If you have any questions or need further information concerning these comments, please contact Clifford L. Bowen of the Public Water Supply Branch at 2151 Berkeley Way, Berkeley, CA 94704-9980, (415) 540-2153.

Peter A. Rogers, Chief
Public Water Supply Branch



cc: San Mateo County Health Department
Environmental Health
590 Hamilton Street
Redwood City, CA 94063

Attachment J

**To: San Mateo Planning Commission**



**Fr: Henry Ku**
**717 Folson Circle**
**Milpitas, CA 95037**
**(408) 586-9125**
**lku@prodigy.net**

**I am a retired Supervisory Hydrologist for the U.S. Geological Survey, Warer resource Division. I am a member of the Santa Clara County Flood Control Zone Advisory Committee. I am also a Commissioner for the Parks, Recreation and Cultural Resource Commission for the City of Milpitas.**

**It is my experience that unrestrained housing and water supply development will eventually cause increases in taxes and fees for its citizens.**

**The folllowing two points are based on the report "San Mateo County Mid-Coast Aquifers" dated April 2002.**

1. **On page A-5 the annual recharge for the basin is 393 gpm while ground water withdrawn is 460 gpm. This imbalance will cause a drop in ground water level an induce the landward movement of sea water. When sea water intrudes into the the aquifer, that aquifer will be unusable.**

2. **On page A-15 the chloride concentration in the upland is approximately 45 mg/L and 150 mg/L in the terrace areas. This could indicate**

   a) **pollution due to increased population and / or**

   b) **that sea water is already moving through the aguifer towards the wells due to over pumping.**

3. **In addition there is a need to test for well interference. When wells interfer with each other the well capacity**

**will be reduced (yielding less water or go dry) and may go dry even during a minor drought.**

**The only way to alleviate these problems is to supply the affected home owner with municipal water. This results in increased fees and taxes for everyone. Unrestrained ground water development will result in major hardship for the home owner and higher taxes for the entire county.**

**Sincerely,**

**Henry Ku**

**4.68.120 Water well sanitization.**

All water wells shall be provided with a pipe or other effective means of directly introducing chlorine or other disinfecting agents into the well. (Ord. 4023, 01/30/01)

**4.68.130 Exclusion of contamination.**

All water wells shall be designed and constructed to exclude contamination as follows:

(a) All sanitization pipes for an above surface pump discharge shall extend to height equal to the pump pedestal that is at least eight inches above the finished grade. The pipe shall be kept sealed by a threaded or equivalently secure cap.

(b) All sanitization pipes for a subsurface pump discharge installation shall be kept sealed by a threaded or equivalently secure cap.

(c) All air relief vents shall terminate downward and be screened and protected against the possibility of contaminating material entering the vent.

(d) All entry pipes into gravel packed sections of a well shall be tightly capped. (Ord. 4023, 01/30/01)

**4.68.140 Location of water well.**

In order to protect the water source and public health and safety, all water wells shall be set back from possible sources of pollution and contamination. The minimum setbacks, measured horizontally from the well, shall be:

| | |
|---|---|
| From another well | 50 feet |
| From any septic tank | 100 feet |
| From a septic tank leachfield | 100 feet |
| From a seepage pit | 150 feet |
| From a sewer line or lateral | 50 feet |
| From a property line (sewered area) | 5 feet |
| From a property line (unsewered area) | 50 feet |
| From an exterior wall of a building's foundation | 5 feet |
| From a boundary line of any easement dedicated to or reserved for sanitary sewers or wastewater facilities as shown on a map approved by a sanitary district and placed on file by that district with the County Environmental Health Division. | 50 feet |

(Ord. 4023, 01/30/01; Ord. 4052, 07/24/01)

**4.68.150 Protection of community system.**

In the event a well is used on a property served by a public water system, there shall be installed between the dwelling unit or structure being served water and the meter box or distribution system a backflow prevention devise approved jointly by the County Health Officer and the Water Superintendent of the Public Water System. (Ord. 4023, 01/30/01)

**4.68.160 Log of new water well.**

Any person to whom the County Health Officer has issued a permit to construct, repair, reconstruct, inactivate, convert or destroy a well shall, within sixty (60) days of the completion of the drilling, diggings, boring or excavating authorized by such permit, furnish the County Health Officer with a log of such well. The log shall include, but is not limited to, information on the type of casing, the number and location of the perforations therein, the depth of the well and soil types encountered during drilling of the well, as well as any other data requested by the County Health Officer. Any person who has earlier submitted a log for the well to the State of California may satisfy this provision by submission of that same log to the County Health Officer. (Ord. 4023, 01/30/01)

**4.68.170 Expiration of permit for the construction, destruction, inactivation or conversion of a well.**

A permit issued pursuant to Section 4.68.080 for the construction, reconstruction, inactivation, destruction or conversion of a water well cathodic pro-

tection well or geothermal heat exchange well shall expire and become null and void if the work authorized has not been completed within one calendar year following the issuance of the permit. Upon expiration of such permit, no further work may be done in connection with the construction, reconstruction, repair, destruction, inactivation or conversion of a well unless and until a new permit for that purpose is secured in accordance with the provisions of this chapter. (Ord. 4023, 01/30/01)

**4.68.180 Certification for building permit.**

Upon the completion of the construction or conversion of a well in compliance with the provisions of this chapter, the County Health Officer shall, upon request, certify the well as a domestic water supply for one to four dwelling units or for industrial or commercial use for the purpose of obtaining a building permit to construct a new structure or for the enlargement of an existing structure if the well provides a water supply that is potable, adequate and delivered [illegible] pressure of twenty (20) pounds per square inch during periods of maximum demand. The potable water sample shall be drawn from the pump at the conclusion of the pump test required by Section 4.68.190, and shall be transported to a state of California certified laboratory under chain-of-custody. Within the Midcoast water treatment will not be considered in order to be certified if either the State Upper Secondary Maximum Contaminant Level for specific conductance or chloride are exceeded. A certification issued pursuant to this section shall be valid only for the purposes of obtaining a building permit and is not and shall not be deemed a permit to use or operate a well as a domestic water supply as may be required by Sections 4.68.210 through 4.68.280. (Ord. 4023, 01/30/01; Ord. 4128, 08/20/02)

**4.68.190 Standards for adequate water.**

For the purposes of this chapter, "adequate water" means:

(1) For a vertical well serving a single family dwelling, said term shall mean a well, which produces a minimum of 2.5 gallons per minute for four consecutive hours with at least 1,250 gallons of emergency storage.

(2) For a vertical well serving a single family dwelling with the second unit less than 750 square feet, said term shall mean a well which produces a minimum of 3 gallons per minute for four consecutive hours with at least 1,500 gallons of emergency storage.

(3) For a vertical well serving two to four dwelling units, said term shall mean a well which produces at a minimum at a stabilized water level during pumping:

(A) Five gallons per minute for four consecutive hours with 2,500 gallons of emergency storage for two dwelling units.

(B) 7.5 gallons per minute for four consecutive hours with 3,750 gallons of emergency storage for three dwelling units.

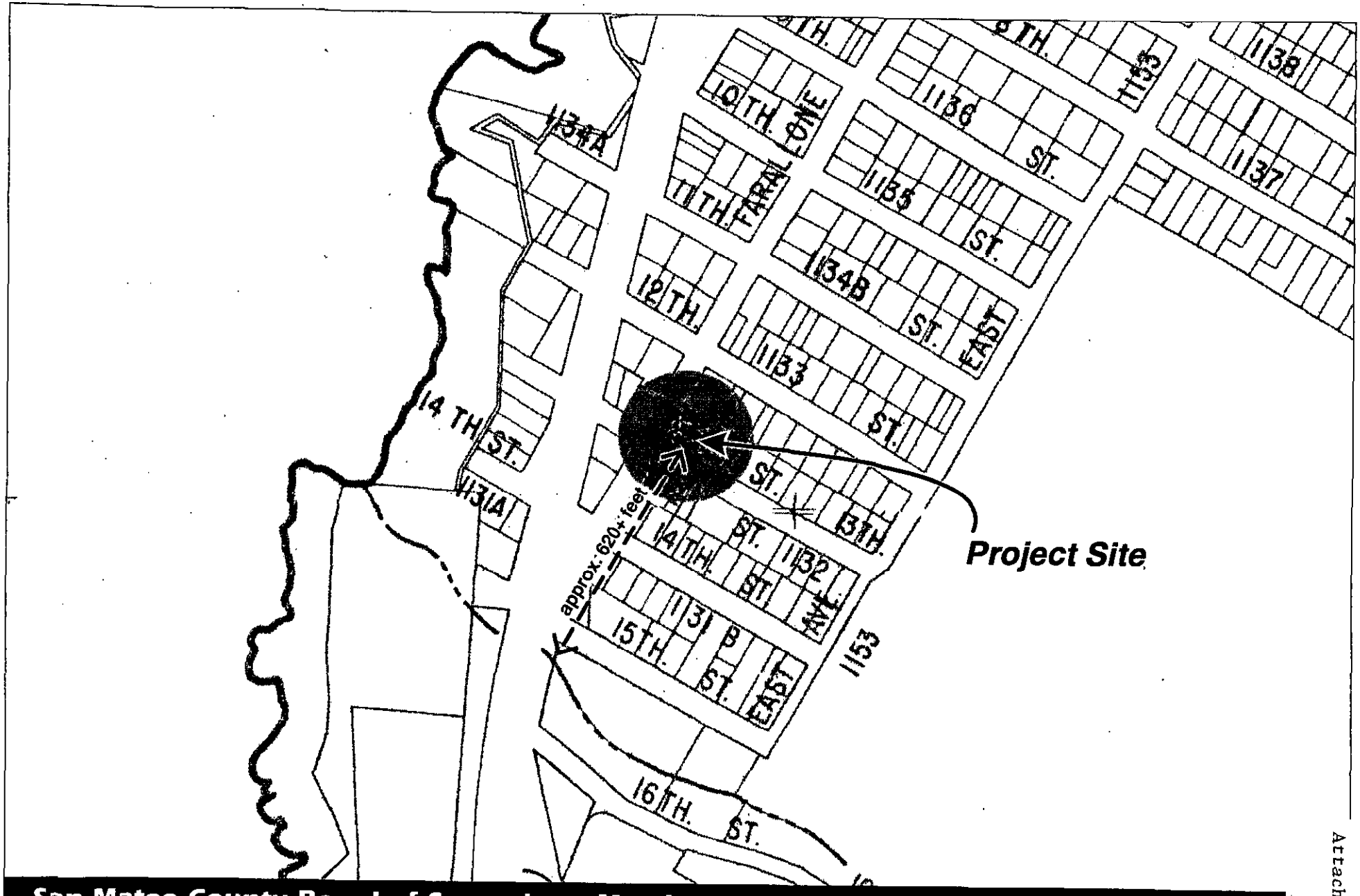
(C) Ten gallons per minute for four consecutive hours with 5,000 gallons of emergency storage for four dwelling units.

(4) For all vertical wells in the Midcoast, said term shall also mean a well in which the water level within the well casing recovers to 80%, or greater, of the hydrostatic level, as determined by a California Registered Geologist, immediately following the completion of the pumping test. Recovery time shall be equal to the time taken to perform the pumping test, but not less than four hours.

(5) For a horizontal well or spring serving a single family dwelling, said term shall mean a well or spring that produces a minimum flow of 2.5 gallons per minute with minimum storage of 1,250 gallons after 30 days of observation or if done in the dry period, August 1 through November 30, 1.5 gallons per minute for a thirty-day observation period and 2,000 gallons of storage.

(6) In the Midcoast, all pumping tests shall be performed by, or under the supervision of, a California Registered Geologist or Registered Civil Engineer, and certified by signature of the same.

(7) For nonresidential uses, such term shall mean an amount of water determined by the County Health Officer in accordance with the Uniform Plumbing Code and water quality standards issued by the Cali-




**San Mateo County Board of Supervisors Meeting**

Applicant: **Burke**

Attachment:

File Numbers: **PLN2001-00681**

Attachment M