

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **8.A.**

FROM: Tammy Rudock, General Manager

Meeting Date: April 22, 2010

Subject: Consider Adoption of Resolution 18-2010 Acknowledging that the U.S. Army Corps of Engineers Retains Sole Responsibility for the Santa Rosa Creek Beach Geotechnical Investigation

RECOMMENDATIONS:

1. Receive staff report, including input from District Counsel.
2. Consider Resolution 18-2010 acknowledging that the U.S. Army Corps of Engineers retains sole responsibility for the Santa Rosa Creek Beach Geotechnical Investigation
3. Direct staff to transmit copies of all information received by the CCSD during the process to the U.S. Army Corps of Engineers project team.

FISCAL IMPACT: None.

DISCUSSION:

In order to maintain the project’s momentum, the CCSD originally undertook the environmental review process for the Santa Rosa Creek Beach Geotechnical Investigation (the “Investigation”) on a parallel path with the U.S. Army Corps of Engineers, as it pursued its environmental process on a Federal level. During this time, the responsibility for all aspects of the Investigation was researched and finally determined to reside solely with the U.S. Army Corps of Engineers. Therefore, the CCSD should immediately cease all work on the Investigation. All information received by the CCSD regarding the Investigation will be turned over to the U.S. Army Corps of Engineers’ project team.

Staff further suggests sending a written communication to the California Coastal Commission confirming the Board’s action today.

Attachment: Resolution 18-2010

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___SANDERS___ CLIFT ___ CHALDECOTT ___ DE MICCO ___ MACKINNON___



RESOLUTION 18-2010

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAMBRIA COMMUNITY SERVICES DISTRICT ACKNOWLEDGING U.S. ARMY CORPS OF ENGINEERS' SOLE RESPONSIBILITY FOR THE SANTA ROSA CREEK BEACH GEOTECHNICAL INVESTIGATION

WHEREAS, the U.S. Army Corps of Engineers ("Army Corps") proposed to conduct a Geotechnical and Hydrogeologic Investigation Study (the "Geotechnical Study") at Santa Rosa Creek Beach and Shamel Park Beach in Cambria, County of San Luis Obispo, California; and

WHEREAS, in order to move the Geotechnical Study forward with all due speed, the Army Corps and CCSD each separately initiated environmental review for the Geotechnical Study on parallel paths; and

WHEREAS, it has been determined by the Army Corps and the CCSD that the Geotechnical Study is solely an Army Corps project; and
ACTION

WHEREAS, the CCSD has collected valuable information regarding the Geotechnical Study, which the CCSD will supply to the Army Corps.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District as follows:

1. The above recitals are true and correct and are incorporated herein.
2. The CCSD acknowledges that the U.S. Army Corps of Engineers has sole responsibility for conducting the Geotechnical Study.

~~3. The CCSD shall immediately cease all work on the Geotechnical Study.~~

the ccsd shall immediately cease its environmental review related to the geo technical study

4. The CCSD shall immediately transmit all information collected and received by the CCSD regarding the Geotechnical Study to the U.S. Army Corps of Engineers project team.

PASSED AND ADOPTED THIS 22nd day of April 2010.

Gregory W. Sanders, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Kathy A. Choate
District Clerk

Tim Carmel
District Counsel