

Item 4

Proposed Additions to the Los Osos Community Plan - Trees

Submitted by Lisa Denker, Vita Miller, Linde Owen and Tony Salome, Public Members of LOCAC Tree and Landscape Committee

Preservation, Maintenance and Growth of the Tree Population

The current tree population of Los Osos is decreasing drastically due to recent drought conditions, disease, decommissioning of septic systems and neglect. With the loss of trees, it is also a loss of part of our community character. Our large populations of Monterey Cypress, Monterey Pine, Italian Stone Pine, Coast Live Oak and Eucalyptus have declined. Being an asset to the community, trees conserve energy, clean the air, sequester carbon, provide storm water management, beautify our community, provide shade and improve the environmental, economic and quality of life in Los Osos. Therefore, understanding trees are a valuable resource to our community, it is essential that every effort be made to protect, maintain and expand our urban forest both on public and private lands. The County of San Luis Obispo will work with community agencies, members and leaders to achieve tree planting and preservation goals.

Benefits of Trees

Economic benefits - The urban forest contributes to the well-being of the residents of Los Osos in many ways. Trees add value to adjacent homes and business. Research shows that businesses on treescaped streets show 20% higher income streams. Realtor based estimates of street tree versus non-street tree comparable streets relate a \$15-25,000 increase in home and business value. This in turn adds to the tax base and operations budgets of the County.

Environmental benefits - Trees contribute to improving our air quality, water quality, and providing wildlife habitat. Trees leaf and branch structure absorb the first 30% of most precipitation, allowing evaporation back into the atmosphere. This moisture never hits the ground. Another 30% of precipitation is absorbed back into the ground and taken in and held onto by the root structure, then absorbed and transpired back to the air. Trees provide rain, sun, heat and wind protection shielding wildlife, humans and structures. Tree coverage offers shade from direct sunlight, shelter from the rain and lowering the air temperatures by 5-15 degrees. Trees and shrubs improve air quality by absorbing carbon dioxide and other pollutants, removing dust and sand particulates, and releasing oxygen. Carbon dioxide is absorbed for the photosynthetic process, but other emissions such as nitrogen oxides, carbon monoxide, and volatile organic compounds are reduced significantly from the proximity to trees. The leaves and shrubs filter the air from moving dust and sand particles. Urban street trees provide a canopy, for birds to enjoy, a root structure and setting important for insect and bacterial life below the surface; at grade for pets and people to enjoy, all of which connects the urban human to the natural environment.

Human benefits - Trees provide oxygen for humans. They release oxygen when they use energy from sunlight to make glucose from carbon dioxide and water. One large tree provides a day's supply of oxygen for up to four people. It is an indisputable fact that humans need trees to breathe and survive.

Social benefits - Trees seem to make life more pleasant in a couple of ways. They convert the streets, parking, and buildings into a more aesthetically pleasing environment. The paved roads, parking lots and structures that create cities are a grey visual and harsh environment without the trees and shrubs to soften and relieve the eyesore. Trees are an integral part of traffic calming measures. Trees also improve health, emotion, and wellbeing for all ages. Studies have shown that trees can reduce stress, and that views of trees can speed the recovery of surgical patients. The

advantage of trees expands past their physical benefits, by creating a more calming, visually pleasing environment for all to gain from.

Master Tree List

Develop a master inventory of existing trees in Los Osos. In addition, develop a suggested list of trees appropriate for planting in Los Osos with consideration of varied climate, soil and water conditions inherent to the community.

Natives Trees

A native tree is one that has not been introduced by man and occurs naturally. Native trees are adapted to local environmental conditions, requiring less water, saving perhaps the most valuable natural resource while providing vital habitat for birds and many other species of local wildlife. A list of trees native to Los Osos shall be identified. It is commonly understood that the Coast Live Oak is native to Los Osos while Monterey Cypress, Monterey Pine, California Sycamore found in Los Osos are California natives. Special attention should be given to the protection of native trees. Removal of native trees should be prohibited unless absolutely necessary and with special written permission from the County of San Luis Obispo. The only reasons for permission to be granted for native tree removal would be for those that endanger public safety or for new or redevelopment of land use. Whenever possible, new construction plans should include plans to work around existing native trees. If it is determined that native trees be removed, like replacement trees must be planted on the property at a ratio of 2:1.

Heritage Trees

Establish an inventory of heritage trees in the community. These trees may or may not be natives i.e. the Stone Pine found throughout our community; but by virtue of their species, age, size, rarity, as well as aesthetic, botanical, ecological and historical value – deserving of Heritage Tree protection status, signaling the importance of good arbor care and maintenance assuring that Heritage Trees will be preserved into the future. Mature trees are usually over 50 years old and will take 45 years to replace their size and beauty.

Invasives

Invasive trees are not to be planted. Invasive species cause ecological or economic harm in a new environment where it is not native. They adversely effect native trees and are capable of causing extinctions. Invasives including Robinia pseudoacacia commonly known as Black Locust, some Acacias, many Eucalyptus and others to be identified are to be avoided.

<https://www.cal-ipc.org/plants/profiles/>

Trees on Public Property

The community of Los Osos believes existing trees on public property owned by the County of San Luis Obispo need to be protected, maintained and replaced if removed. This includes right of way properties in the community. The community wishes to expand the tree population in Los Osos to include main thoroughfares and gateway locations. The County will assist the community in the expansion of our tree population.

Areas for Consideration for Tree Corridor Development Projects:

South Bay Blvd from Los Osos Valley Road to Santa Ysabel.

Los Osos Valley Road from South Bay Blvd to Pecho Valley Road @ Rodman.

El Moro from 3rd St to Santa Ysabel.

Santa Ysabel from South Bay Blvd to Pasadena.

The intersection of South Bay and Santa Ysabel.

The intersection of South Bay Blvd and Los Osos Valley Road.

Santa Ysabel route along 7th to Ramona Avenue to 9th Street to Los Osos Valley Road.

10th Street from Santa Ynez to Los Osos Valley Road.

An ongoing program should be developed to increase the presence of trees at the Los Osos Community Park and the Los Osos Library.

Neglected trees creating neighborhood safety issues or property damage should be reported to County Code Enforcement and Public works.

Tree Removal by County for Cause

No tree shall be removed from a public right-of-way unless it interferes with the necessary improvement of the public right-of-way, the installation of public utilities or is a hazard to person or property outside the drip line of the tree at maturity, or creates such a condition as to constitute a hazard or an impediment to the progress or vision of anyone traveling on or within the public right-of-way. If a tree is determined to meet the above criteria, it shall be posted for a minimum of seven days and all property owners and residents within three hundred feet shall be notified of the scheduled tree removal. If an appeal is not filed the tree shall then be removed and a new tree planted in the same location or in close proximity to the location where the tree was removed. The replacement tree shall be of the type as specified in the master tree list for that particular location, and the cost of removal and replacement shall be at the expense of the county.

Tree Protection Plans

Tree protection plans are required if any construction activity occurs within twenty feet of the drip line of any native tree. Activities include but are not limited to the following: remodeling or new construction, grading, road building, utility trenching, stockpiling of material, large machine access areas, etc.

If a project is expected to encroach on a trees drip line, special measures must be taken to protect the health of the tree and it's roots during the project. A temporary fence or physical barrier must be placed around the drip line before any construction begins. Areas that cannot be fenced at the drip line require a certified arborist review before any construction can begin.

Trees on Private Property

Owners of private property should be encouraged through community outreach and education to preserve existing trees and plant new trees. Any plans for new development should include trees in the landscaping. The planting of at least one tree common to the community is required. Please refer to the suggested list of appropriate trees for Los Osos.

Existing trees on private property are not to be removed unless permitted by existing County ordinances. Any trees removed must be replaced by at least one tree common to the community.

Neglected trees creating neighborhood safety issues or property damage should be reported to County Code Enforcement and Public works.

Trees on Commercial Property

New and established businesses should be encouraged to include trees in their landscape plans during new construction as well as renovation of properties. These trees should be selected from the approved Master Tree List for Los Osos.

Neglected trees creating neighborhood safety issues or property damage should be reported to County Code Enforcement and Public works.

Protection of Coastal Viewshed

Understanding that coastal areas of the community are a scenic resource of great public importance, all efforts should be made to protect the viewshed. Existing trees will be managed and protected. New trees planted in these areas should give careful consideration to species and size to avoid obstruction of scenic coastal areas with public view corridors. Planting plans should frame views and screen buildings out of the viewshed respecting the scenic and visual qualities of coastal areas.

Memorial Tree Grove

There is a need and interest to create a Memorial Tree Grove in the community similar to the Commemorative Grove Program at Laguna Park in the City of San Luis Obispo. There are many residents in the community who have lost loved ones who lived in Los Osos and family members and/or friends would like to have a living remembrance. A tree is a beneficial living memory of these individuals and the community as a whole. Efforts should be made to locate a suitable open space for a grove to be established where residents can plant a tree with a small memorial dedication plaque or sign. Once the property is secured and funded, a plan should be established whereby community residents can make an appropriate donation for the planting and maintenance of the memorial trees.

Multi-use Paths

Identify, plan and seek grant funding or alternate means to create multi-use tree lined paths throughout the community. Areas to consider are Los Osos Valley Road between Palisades and Doris, Pine Avenue from Los Osos Valley Road to Cuesta Inlet and Sweet Springs Preserve to Baywood Pier.

Community Reclaimed Water Use

The County will implement and begin a community reclaimed water use plan for residents of Los Osos. The plan will include access and use of all approved reclaimed water by community members for private and public landscape. The use shall include the 10th Street purple pipe hydrant and other pumping stations access to reclaimed water into approved containers or water trucks for tree watering delivery.

August 7, 2020

To: San Luis Obispo County Planning Commission
From: Jeff Edwards

Discussion Outline for PC 8/13/20 Los Osos Community Plan Agenda Item No. 4

Baywood and Los Osos Conservation Plan 1998 Greenbelt-550+ acres of multi-species habitat protection. The quid-pro-quo between resource agencies in 1998 was greenbelt formation in exchange for unconstrained infill development within the Urban Services Line (USL).

Environmentally Sensitive Habitat Area (ESHA) - no ESHA within the USL.

Los Osos Habitat Conservation Plan (LOHCP) – pending approval. Must harmonize the unapproved LOHCP with the LOCP.

Water – 2019 Annual Report for the Los Osos Groundwater Basin indicates a Basin Yield Metric (BYM) of 69. That is total water demand for all uses overlying the basin, including agriculture, is 69% of the estimated Safe Annual Yield from the basin.

Resource Summary Report Level of Severity for water supply in Los Osos is currently Level III. Based upon the applicable definitions the Level of Severity should be Level II. Fundamentally, Level II is the appropriate designation when demand is not exceeding the safe or sustainable annual yield of the groundwater basin.

Title 26/GMO-Do not leave residential growth rate at zero. Structure phased approach as follows: Phase 1-0.005 or ½ of 1% (approx. 35 units annually) until Program C well is complete. Phase 2-then increase growth rate to 1% (70 units annually). Phase 3- elevate Growth Rate to 1.5% (approx. 110 units annually) following 3 consecutive years of a basin yield metric (BYM) of less than 70. Title 26 exemptions should include; conversion of commercial to residential, senior housing, employee housing and any California Coastal Commission Special Condition No. 6 compliant projects.

Title 19 Plumbing Retrofit-to-Build – Maintain 2:1 ratio for all retrofit proposals related to new or intensified development. No 1:1 ratio at all. Refine existing Title 19 provisions to allow for additional retrofits beyond washing machines inside the Prohibition Zone. Maintain program for as long as water conservation opportunities are available (indoor and outdoor). No moratorium on commercial projects/additions.

Commercial – Central Business District (CBD) provide maximum flexibility with similar provisions to the Morro Shores Mixed Use area. Example, residential densities for the CBD should be 26 units per acre, not 15 units per acre. Likewise, senior housing density should be 38 units per acre, not 19 units per acre.

No limit on square footage or lot coverage. Also allow residential to exceed 50% of the total floor area for Mixed Use projects. Perhaps establish floor area ratios. No water moratorium for commercial (retrofits at 2:1 required). Allow drive through businesses, no prohibition of new drive-thru's (post Covid 19 planning). What is the fate of the mid-block access (i.e South Bay to Sunset, Sunset to Bayview or 10th St.)?

For the CBD, please consider height limit of 40 ft. verses the existing 35 ft. limit.

Post Covid changes to commercial include; more outdoor dining, large outdoor spaces, outdoor accommodations, again maximum flexibility with limited restrictions for CBD projects/redevelopment.

Miscellaneous Issues:

Circulation – preserve the North/South vehicular circulation via Ravenna Ave. between Los Osos Valley Road and the intersection of Ramona Ave. and 4th Street in Baywood Park. Please preserve plan line of this important connector in light of land use category change No. 22 regarding the 8.75 acre property adjacent to Ramona Ave.

Subdivision/Use Permit Findings (formerly Interim Service Capacity Allocation/ISCA) issue for any new subdivisions and potentially use permits – why require findings for future development if water neutral? Subdivisions major contributor to infrastructure development (eg. 83 unit Monarch Gove)

Conform the USL boundary to reflect current infrastructure locations.

Public Facility Financing Plan makes no reference to AB1600. AB1600 should be the tool to establish relative contributions from new development for water and wastewater services.

History of the LOCP includes the prior consideration of the then Estero Area Plan Update by the CCC in 2005. Major concerns remain regarding the water resource and ESHA components of the LOCP. It is imperative these issues are addressed comprehensively in an effort to satisfy CCC staff concerns so the LOCP has a chance of CCC certification.

Public Participation during the Estero Area Plan Update, the Planning Commission reviewed the document chapter by chapter and the public was allowed an opportunity to comment in each instance. Currently the PC review is allowing just three minutes per speaker, per meeting, with limited exceptions. I encourage your commission to break the plan down the LOCP into individual parts and allow for more public input that is not redundant.

**RE: Los Osos Community Plan
Agenda Item #4 LOCP - continued**

I addressed the Commissioners via ZOOM during the Public Comment period in the July 9th meeting. However, due to the limited time allowed and the numerous concerns I was trying to express, I was not able to convey my thoughts within the allotted time. My objective was to offer enough specific existing problems with the Circulation and Public Funding sections of the LOCP and to recommend that the Planning Commission direct the Planning team to revisit the Circulation and Public Funding sections along with their supporting Appendices to ensure they were accurate and met the necessary regulatory requirements. My time expired and I did not get a chance to make this request.

One of the items I noted pertaining to the Figure and text conflicted in the Bikeways description, and the Bikeways and Trails paragraph's figures do not match where each references the other. In the July meeting Commissioner Multari directed Planning to ensure these were consistent. I do not see that this has been addressed in the material being presented in this session.

My three areas of concern:

1. The Circulation and Public funding sections, Appendices F & G and even the master index, listing items included the Appendices has significant editorial mistakes and missing content in Appendices referenced for supporting detail. The document is a legal document and needs to be accurate to recommend it to the county Board of Supervisors for "approval".
2. The Circulation element forecasted impact is based solely on the TDM model. The model has a material error having not included the full Collector route from 4th/Pismo/3rd to Baywood CBD in the model(Pismo link missing). This route is presently impacted today and will be the shortest, most direct route from the Morro Shores new development area and Baywood CBD and El Moro in general. As such, the accuracy and impact to both vehicles and noise throughout this El Moro Area is in question. Reviews of Circulation Study updates back to 2007, which was used for the 2009 EAP, suggest this error has likely existed since then and therefore likely missed identifying Capital Improvement Fund qualifying impacted locations that should currently be factored into fee calculations. Further, all Local designated roads are dismissed from review. Many of these Local roads are precisely what the community has been voicing concerns about; especially having limited sidewalks. Many of these are interconnected into the road network and are impacted by through-traffic and Public Works has no process to identify and address problems.
3. It does not appear analysis of the Circulation element meets the standards of new required Government Codes and 2008 Complete Streets Act to provide a stronger link to multi-modal alternate travels. This is especially apparent having disregarded all Local roads in the assessment.

Several nearby community Circulation/General Plan updates demonstrate those jurisdictions have taken a more pragmatic and disciplined approach to assessing and improving multi-modal alternatives. I believe the strengthened Government Codes along with the 2008 Complete Streets Act stipulate this requirement(effective Jan 2011) require all jurisdictions to do this. The

draft LOCP follows a basic outline similar to the EAP and is even worse having material editorial errors.

The LOCP document is not yet ready for Board of Supervisor's consideration. There is a reasonable risk the set of issues identified above will be flagged at one of the subsequent reviews and cause a recycle to correct the deficiencies. A better approach is to get it right the first time.

Attached below is an embedded attachment with specifics for those wishing to read the actual document sections for a more detailed understanding.

Sincerely,

Robert Kreps
Los Osos resident

Attachment

Most of the comments provided herein were provided in submissions during the formal Public Comment period to both the EIR and the base LOCP. Only the EIR only has a requirement to formally respond to public comment. Paraphrasing the Consultant's response----it is out of their purview to review the TDM model since it has been previously vetted and is only needed for higher level planning. Also, there was no apparent follow-up within Planning regarding the written comments provided to the LOCP to investigate the concerns. Apparently Public Works was not directly involved in the preparation of the Circulation element of the document. It is not clear if the EIR consultant or some other party complied the LOCP Circulation element or who/how it was proofed for accuracy.

The Public Funding section was not available in the public comment draft & and the document's Master Index was revised with errors. This was brought to Planning's attention and has not been corrected in this LOCP version recommended "for approval".

Issues:

1. The LOCP has material editing errors: Master Reference Index; Section 5 – Circulation; Section 8 – Public Funding.
 - a. Master Index references items in Appendix F & G that do not exist.
 - b. Circulation – Roads – Leaving various identified new road improvements timing associated with the Morro Shores area development up to the discretion of Public Works is not appropriate. Various upgrades are identified at full development, but as described more fully below, El Morro area traffic is impacted today. Any incremental development will further contribute impact on these Collector and Local road segments

without any improvement. My focus has been primarily on the El Moro area circulation impact. Could there be other areas of the community having impacts within the General Plan similarly missed if they were looked at in more detail?

- c. Circulation – Bikeways -- Written commentary describing the future plans are inaccurate and does not match the displayed figure.
 - d. Circulation – The SLOCOG El Morro sidewalk project is not identified by name nor any commentary around the longer-term strategy this is trying to accomplish. Nor are any details about the South Bay Bridge project.
 - e. Circulation – The section references tables in Appendix F that do not exist.
 - f. Circulation – Brief commentary regarding the Complete Streets Act ties to the wrong date. 2011 vs. 2008. Minor typo, but inaccurate editing on an important aspect.
 - g. Public Funding – The section refers to summarizes information referring to supporting detail in Appendix G that does not exist.
 - h. Public Funding – The chart is supposed to capture all County capital costs. However, drainage improvements capital costs to roads need to be quantified and included if they are considered a priority before new development can proceed. Please note the editor makes reference to drainage problems as being “seasonal and cosmetic” essentially not important. This is troubling as these situations of sand in streets or flooding has a big impact to street circulation.
 - i. General theme – Narrowing roads for speed-calming. No distinction is made regarding using this technique for new roads, along with appropriate bike & pedestrian accommodations, or whether the strategy applies to all roads, including existing roads, that must accommodate bikes and pedestrians that must also use the same road pavement. Further, there needs to be a description of the area’s current emergency evacuation routes addressing how this will not be compromised under a narrowing street policy to encourage speed-calming. The Montecito flood, Paradise fire disasters, and other potential causes for rapid emergency evacuation raise this aspect for higher consideration in road design counter to a narrowing street strategy. If street narrowing is to be promoted, a description regarding how it will not compromise evacuation plans needs to be provided.
 - j. General theme – Page 2-35 and the goal EN-2 of the LOCP states that Public Works has to have implemented necessary drainage projects affecting the estuary prior to any new development. This provision should be strengthened regarding the use of words “should” and “shall” prepositions now intermix. These drainage improvements need to be made a priority both for estuary protection and correcting some of today’s circulation deficiencies even without dependence on new development. The estuary is being impacted today by lack of proper drainage. It needs to be stated perfectly clear that no new development will proceed until these deficiencies are addressed.
2. Circulation study analysis and the TDM model
- a. Assumptions to set “existing” conditions are in error and therefore cannot be relied upon for future buildout impacts. A review of the latest 2018 and prior Circulation

Studies suggest this error may have existed for the 2009 EAP General Plan, which relied on a 2007 Circulation Study.

- b. Using data collected spanning from 2003 to 2016 at various locations for model input to represent “current-state” system flow likely contributes to erroneous results.
- c. Specific Collector path – Ramona/4th/Pismo/3th (to Baywood CBD) results do not show this having any impact. Public Works is aware of current traffic impacts along this route and has taken some temporary measures for speed calming while environmental restrictions limit their alternatives. Given that it is impacted today, any future traffic load increase will require more substantive engineering at 4th/Pismo and maybe Pismo/3rd intersections. Not identifying this section and intersections, along with other locations that have been identified needing upgrades, will underfund Road Improvement Fund calculations. Similarly, I believe this has been modelled incorrectly all along.
- d. The Circulation study only looks at Arterial and Collector roads. Los Osos is basically a bedroom community with many Local roads. The need for speed-calming and improved pedestrian safety has been a common theme provided by the community given the pedestrian need to share roads. This is consistent with community desires identified in the 2009 EAP. However, Public Works has no formal program and policy to assess impact to Local roads. Both within the TDM circulation modeling and in Public Works commentary define Local roads are intended only for Local traffic. Therefore, Local roads are not included in any assessment. Public Works makes only this statement: their policy is to “discourage through-traffic on Local roads”; however, in practice they have no funds or process materially affect this on existing impacted roads. In fact, they really do not have any systematic review of potentially impacted areas, only feedback from the public.
- e. The EIR provides a summary of the 2009 EAP indicating a Ravenna road extension to Ramona upon the development of the Morro Shores area with a route diversion out of the existing right-of-way. **This language is not in the original EAP.** Conversations with Public Works in 2019 confirmed the line item in the Capital Improvement Project table includes a future extension within the existing ROW. The approved Bikeway Plan associated with this same extension is consistent with this. This is an important point because this assumes a direct connection intersecting at Ramona/4th intersection that will further influence traffic onto the 4th/Pismo/3rd Collector and Local streets to Baywood CBD without planned improvements. This proposed change was never discussed with the community or LOCAC for any subsequent revision to one of the Circulation Studies. But it is clearly not part of the existing approved EAP as described.
- f. The EIR Noise assessment relies on the TDM ADT data. Similarly, with incorrect input data, this may not be highlighting impact areas correctly. For example, 9th Street displays as being fully connected with higher noise level from LOVR to Santa Ysabel. There is a street traffic barrier near Pismo cross street separating 9th Street

to effectively have two cul-de-sacs along the route negating the assumed traffic flow. The generated higher noise results indicate this Noise model or the TDM model are incorrect. Similarly, for the lack of having reported information within the TDM model on the 4th/Pismo/3rd Collector route to/from the Baywood CBD, no existing nor future noise was simulated along this route. One would expect to see an increase similar to 7th Street or El Morro.

- g. The new traffic distribution assumptions to/from the Morro Shores new development area are not provided. This leaves it up to the Modeler's discretion to set the model to forecast how the various new connections would distribute traffic. It is common in modelling applications to perform a variable sensitivity assessment to understand if further evaluation is warranted. This is not provided.
3. The Circulation element of the LOCP has not been examined to the standards now required by the 2008 California Complete Streets Act.
- a. I am not well versed in the full details of implementation of the Act. However, by inspection of the Circulation sections for other localities that have been prepared after 2011, it is apparent they each prepared a more comprehensive evaluation and multi-modal plan. There is a more concerted effort of the requirement to ensure progress is achieved to promote alternative transportation.
 - b. The Act requires, whenever a responsible jurisdiction updates a General Plan's Land-Use after January 2011, that a more substantive examination of Circulation include achievable **plans**, not just ideas or policies, to enhance multi-modal transportation in new development, redevelopment of existing areas, as well as existing areas within the General Plan's geographical boundary.
 - c. It appears many communities have sidewalks along Local roads so these are of less concern. Residential areas with through-traffic do get attention.
 - d. The Circulation section does not appropriately address the requirements of the Act.
 - i. Trails program has not been changed since 2006.... except for the potential new multi-use trail along LOVR from Palisades to the Monarch School. And it is not even clear that this has been formally accepted by Parks & Rec.
 - ii. The Bikeways Plan eliminated all new future bikeways within the neighborhoods that were in the plan at the time the EAP was approved. No new bikeways are proposed/planned within existing neighborhoods despite this being one of the key findings of community needs.
 - e. I stated in the July 9th Zoom meeting that the Circulation section Bikeways Figure and corresponding text conflict and the Bikeways and Trails figures do not match where each references the other. Commissioner Multari directed Planning to ensure these were consistent. I do not see that this has been addressed.
 - f. Public Works has data to confirm that El Moro area Local streets carry substantial through-traffic.

August 4, 2020

To: SLO County Planning Commission

RE: Los Osos Community Plan (LOCP)—LCP Update for Los Osos

Commissioners,

I am very concerned about some of the proposed language and findings in the proposed plan and will expand upon my concerns below. I am also very disappointed in the process by which we are proceeding and the obvious lack of understanding of the many issues and facts affecting the community, by your Commission and many others. Admittedly, the LOCP update is very involved and lengthy and it has taken years to get to the point we are at today. The LOCP and the community deserve a more complete level of review than has been shown thus far. Please take the time to understand it.

I have been involved in the Los Osos community as a property owner, real estate appraiser, mortgage lender and builder since 1978. I know for a certainty that I am better acquainted with the issues than the average citizen of Los Osos and most likely better than many on the Commission.

From a high level perspective, I do not understand how we can proceed with the LOCP approval, when a significant component of the plan is still missing--specifically the Communitywide HCP from the USFWS. The USFWS has been completely absent since the comment draft was released last fall. As far as I know there has been no response to the numerous comments submitted to them.

There are numerous areas in the LOCP draft that concern me, but I am only going to focus here on a couple of items with an emphasis on the new ESHA designations that directly impact my situation with properties I own, although the comments are relevant to many other properties.

There were some recent changes in the ESHA map that are very concerning. Two of the properties I own at 2045 Pine and 200 Madera (both in-fill lots) are now proposed to be designated as Terrestrial ESHA on the new map. This proposed designation is apparently in response to a request by CCC to designate all of Los Osos as ESHA. This is absolutely ludicrous, unreasonable and overreaching and is poor planning policy. My specific two parcels (as well as many others that are so designated within the Urban Services Line) are in-fill lots and parcels. In my specific case, I have done archeological studies, botanical studies, and snail protocol surveys and there are no sensitive resources on either parcel. No sensitive habitat to be disturbed. And the implications of an ESHA designation on these types of lots is far ranging and excessively prohibitive in possibly minimizing development on an in-fill lot or prohibiting subdivision of properties otherwise suited to providing housing. The community has a significant greenbelt,

the purpose of which is to fully mitigate for any urban habitat loss. It makes no sense to arbitrarily splotch some green ink across vacant in-fill lots (already subdivided lots) within the urban core and call it Terrestrial ESHA. Please review Planning Area Standards in the LOCP for the ESHA map (Figure 7-11) and recognize the error of designating ESHA in the urban core areas or on any vacant lot that is already subdivided. I respectfully request that you eliminate these designations. The protocols already exist within the framework to protect or mitigate on a case by case basis for these few parcels so affected.

The third parcel that I currently own is a five acre piece across from the Middle School and is bordered by State Parks lands and BLM land and is outside of the USL. I completely agree that this parcel is appropriately identified as Terrestrial ESHA. If or when I choose to develop this parcel it is appropriate that I would be required to work within the more restrictive framework. It is not appropriate that I or anyone else be servient to an ESHA designation where there is no habitat to protect on an in-fill lot.

With respect to Cabrillo Estates Tract 1342. This tract is a modern subdivision and was developed with specific lots having set aside areas for open space and resource protection. The Coastal Commission assumed jurisdiction of this tract and the conditions that exist over it are the result of the CCC's de novo hearings and findings on this tract. My point is that the few remaining undeveloped lots in this tract that have any potential habitat, already have set aside areas designated on the subdivision map. Now the CCC proposes to designate the few remaining vacant lots as ESHA. If approved, this may constitute an unreasonable taking without compensation.

Lastly, with reference to the letter to your Commission via Ms. Kerry Brown, from the CCC dated 7-3-20, there are assertions within the letter that I believe to be false or misleading. I don't believe there is any prior CCC designation in the existing LCP that all of Los Osos is ESHA and the current draft LOCP is not undoing any prior designations.

Thank you for your consideration.

Respectfully,

Rick Kirk

805-459-4101

San Luis Obispo County
Attn: Planning Commissioners

August 8, 2020

**RE: Los Osos Community Plan
Agenda Item #4 LOCP - continued**

These comments are supplemental to my previous letter dated August 7th. There are three Los Osos referenced SLOCOG circulation projects identified in Appendix F. It would be useful to have the Circulation element include some details and descriptions of these projects and prospective timing as they have an impact on this element.

- South Bay Bridge - The South Bay bridge is in need of a future upgrade. Some commentary about this project would be useful.

Will this upgrade be a nearby replacement or use solely the existing foot-print? Will it be provisioned for future 4 lane traffic or sized similar to today? There will also be a need for a protected bike/pedestrian walkway. This might be a separate bridge feature. The California Coastal Trail LOCP commentary refers to the bridge as the point of access to Los Osos.

A precise definition for the Urban Reserve Line, specifically to the north in the area where the South Bay Bridge is located should be clear. I understand it is “at” the bridge. Any contemplated area of land that may potentially be affected by the new bridge(s) construction need to be clearly identified as being within or outside the URL. It is ambiguous relying only on the URL outline figure. Without clarity, the County could potentially be under two different Environmental review/approval processes in conjunction with the project making it much more complex; one approved for the LOCP URL and another that applies to county areas outside the URL.

- Turri Road - Based on the LOCP URL boundary figure, it appears that Turri road outside the URL area. However, the Turri road slipout project is identified as a Los Osos SLOCOG project and listed in Appendix F.
- El Moro Pedestrian – This project is a one block “sidewalk” construction project near Baywood Elementary. Some commentary regarding the associated strategy associated with this would be useful.

F-9 c. Circulation Appendix – Refers to Nipomo Creek Bridge in title. Another typo?

Sincerely,

Robert Kreps
Los Osos resident

Ramona Hedges

From: Jessica strong <greenlotuslove@gmail.com>
Sent: Sunday, August 9, 2020 1:11 PM
To: Ramona Hedges
Subject: [EXT]Planning Commission Agenda for August 13th

Follow Up Flag: Follow up
Flag Status: Flagged

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To: County of San Luis Obispo
Planning Commission
rhedges@co.slo.ca.us

We are in favor of approval of item number 4 on the Planning Commission agenda for [August 13, 2020](#) regarding the Los Osos Community Plan. We are planning to construct a new residence and associated ADU on our vacant lot adjacent to our current address at [1831 Ferrell Ave.](#) We look forward to the County continuing the approval process as well as Coastal Commission approval so our plans of building our new residence as well as an ADU for our parents can be realized.

Thank you for your consideration.

Jessica Strong and Tim Costa
805-215-2513

Sent from my iPhone



**DRAFT LOS OSOS COMMUNITY PLAN V.
THE DRAFT HABITAT CONSERVATION PLAN V. THE ESTERO AREA PLAN**
August 2020

OVERARCHING UNANSWERED QUESTIONS, REMAINING COMMENTS:

What is the technical basis for the how revised LOCP ESHA Map was drafted?

The current staff report notes that the mapping completed for the HCP was used for reference in mapping ESHA; however, the LOCP ESHA map is NOT consistent with various mapping completed in the HCP:

- The ESHA Map is not consistent with the vegetative areas identified on the HCP Map (Fig. 3-3 or Fig. 3-4). Some, but not all, vegetative areas on the HCP map within the USL are now on the LOCP ESHA Map.
- The ESHA Map is not consistent with priority conservation areas identified on the HCP Map (Fig. 5-1). The ESHA Map includes *more* area than that identified as priority conservation area in the HCP map.
- The HCP also states that “Although the area within the USL may contain Baywood fine sand and may contain individual endangered species, it does not meet the key elements of the definition of ESHA” (HCP page 1-9; emphasis added)

When comparing the documents, there is no clear basis or rationale for the revised LOCP ESHA Map.

- The HCP does not establish or attempt to map ESHA, although there is existing habitat mapping completed in the HCP. County staff notes using the HCP mapping (per CA Coastal Commission’s direction) to revise the LOCP ESHA map based on habitat conditions/mapping completed by the HCP. However, the HCP notes that “Although the area within the USL may contain Baywood fine sand and may contain individual endangered species, it does not meet the key elements of the definition of ESHA”
 - Mapping “green freckles” of habitat within the USL as ESHA is inconsistent with the HCP statement above.
 - The LOCP “ESHA” map is inconsistent with the HCP vegetation map. Some “green freckles” within the USL are not included in the LOCP map. **How/why were vegetation areas adjusted or removed?**
 - The area encompassed in the HCP is conterminous with existing and proposed URL, except for the westerly boundary where the HCP includes Morro Dunes Nature reserve and a portion of Montana De Oro state park. However, the LOCP ESHA map does not show this western area as HCP (another inconsistency).

How is the LOCP ESHA to be used? Will this map be used to amend/update the County/Estero Plan combining designations map (the only official map) to become “mapped ESHA”?

The LOCP and current staff report are unclear as to the intended implementation of this map. Again, the inconsistency of the map compared to the map staff *claims* was used for reference/guidance, a document that states areas within the USL does not meet the key elements of ESHA, is troubling.

Is Unmapped ESHA subject the same regulations and restrictions as Mapped ESHA?

Based on the HCP, vegetation maps, and existing policies, the County has the authority to potentially consider all “undeveloped” property in Los Osos as “unmapped” ESHA. **Is that really the intent?**

Should a Sensitive Resource Area (SRA) overlay be considered an acceptable alternative to ESHA?

This designation requires specific site study and analysis, but does not carry the same development prohibitions/ restrictions as ESHA.

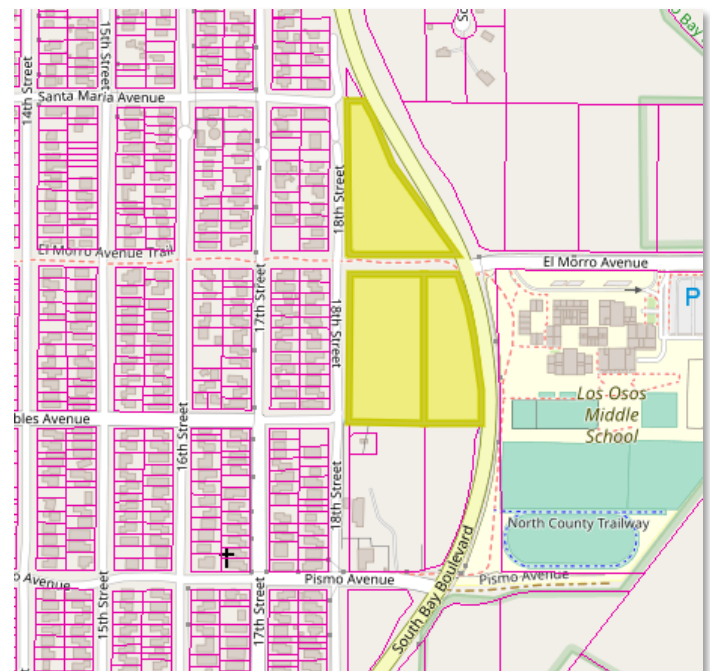
Why does the HCP’s analysis not include any assumption or consideration of land divisions?

- Analysis of impact for single-family residential (SFR) properties of over one-acre assumed a disturbance of 1-acre for each property (for a home site). There is no acknowledgement of potential increased density via land division.
- Additionally, the HCP references that parcels cannot be subdivided unless they have “received prior approval”. The intent of this is unclear, as the section discuss SFR designations area-wide, but also references properties outside the USL.
- The HCP notes the Estero Area Plan as document that controls the development standards. Therefore, the *no subdivision* statement in the HCP is not reflective of the existing/proposed development standards, as subdivision are not prohibited for SFR designations in the EAP.

QUESTIONS/COMMENTS SPECIFIC TO THE FLUITT SCHMID FAMILY PROPERTIES:

Question No. 1: After reviewing the August 13, 2020 Memorandum from Kerry Brown, County Planning, we remain unclear as to how the Fluit Schmid property went from a site for multi-family residential development under the earlier versions of the LOCP to a property that is intended to be covered by an ESHA designation in the new LOCP. The explanation in the staff report is vague and contains only a general reference to the ESHA designation being the desire of the Coastal Commission. Our question remains: Are there any studies, investigations, reports or other documentation to support placing the ESHA designation on the Fluit Schmid property? This is a critical change to the impact of the availability of housing in the Los Osos Community and the investment-backed economic expectations of our clients. (They have been paying into a Los Osos CSD sewer fund for years (\$200,000 to date) based

Location of Fluit-Schmid properties (in yellow)



upon an expectation, by the CSD through discussions with the County, that the development of the property would be 58 single-family lots). There must be some legitimate and compelling explanation for the re-designation of the Fluitt Schmid property other than a whimsical fiat of the CA Coastal Commission.

Question No. 2: In order for the Planning Commission to make a meaningful recommendation to the Board of Supervisors regarding the Fluitt Schmid property, shouldn't there be comparison of the impacts on the property of the (i) ESHA designation; (ii) the "pending" Habitat Conservation Program; (iii) an unmapped ESHA designation; and (iv) a combination of the above? The decision made regarding the LOCP will have significant impacts on the ability of the County to meet its housing needs and on the investment-backed expectations of the owners of the Fluitt Schmid property. No meaningful decision can be made without an understanding of how these factors will impact these needs and expectations.

Question No. 3. We believe the moderately dense residential designation (which would be subject to any applicable HCP) under the draft LOCP was good planning after taking into consideration the competing interests, particularly the continuing and acute regional housing shortage. There are not many areas remaining for moderately dense residential development within the unincorporated area. The Fluitt Schmid property represents a scarce resource. Because of the vegetative condition of the Fluitt Schmid property, it is entirely possible that moderately dense development can be accomplished on the property with generally the same impacts as would be required for a less dense project; a project that would fall far short of meeting the housing needs of the community. The ESHA designation may well unnecessarily remove this property as a potential site for meeting housing needs. Has Planning Staff or anyone conducted a study of what the impact of the ESHA designation would mean to the housing stock in the Los Osos community particularly focused on the Fluitt Schmid property?

For Ease of Reference –

HCP Excerpts:

[See page 1-9 of HCP.](#)

1.5.2.4 California Coastal Act of 1976

The following sections of the California Coastal Act provide guidance for resource protection:

- Section 30240 prohibits any significant disruption of habitat values, and limits development within ESHA to uses that are dependent on the resources. It also requires development adjacent to ESHA be sited and designed to prevent significant degradation and be compatible with the continuance of the habitat.
- Section 30250(a) directs new residential, commercial, or industrial development to existing developed areas. Where developed areas cannot accommodate new development, it is to be located in other areas where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The presence of underlying Baywood fine sand substrate alone does not make all of Los Osos an ESHA (County of San Luis Obispo 2015). Instead, the draft Los Osos Community Plan identifies land between the Los Osos Urban Services Line (USL) and the Urban Reserve Line (URL) as ESHA (County of San Luis Obispo 2015). **Although the area within the USL may contain Baywood fine sand and may contain individual endangered species, it does not meet the key elements of the definition of ESHA: the area is generally**

disturbed and degraded (not pristine), remaining habitat is greatly fragmented, and thus the area is not especially valuable for species persistence (County of San Luis Obispo 2015). In contrast, the area outside of the USL is largely intact, significantly less degraded, and it contains habitat that is especially valuable for long-term persistence.

P. 2-13 for SFR development

2.2.4.1.1 Single-Family Residential Development

On the 5,367 parcels totaling 2,362 acres in the Plan Area that are designated Residential Single-Family, Residential Rural, or Residential Suburban in the Estero Area Plan (Table 2-5, Figure 2-2), development can be permitted through the LOHCP. For parcels outside of the USL, development must be contained within maximum disturbance envelopes designed to protect habitat while allowing reasonable use of the land (Table 2-5). These eligibility criteria also apply to 10 unprotected privately-owned parcels within the USL designated for Recreation and Open Space.

The disturbance envelope includes the entire area featuring non-natural elements, including buildings and other facilities (e.g., septic systems) and infrastructure, hardscapes (e.g., driveways and patios), and non-native plantings including cultivated agriculture as well as ornamental plants or other species not native to the Baywood fine sand. The disturbance envelope includes areas of temporary disturbance, such as a corridor in which underground utilities are installed, as well as areas that are permanently covered by project elements. The disturbance envelope also includes the area impacted through creation and maintenance of defensible space. The maximum disturbance envelope applies to remodels and reconstruction, including additions and remodels that disturb additional ground, as well as new construction.

The maximum disturbance envelope was determined based on the parcel size and location with respect to the Urban Services Line, which collectively reflect the general conservation value of the habitat within the parcel (Table 2-5). **Parcels cannot be subdivided, unless they have received prior approval.** Importantly, a single assessor’s parcel may feature more than one legal lot, and in some cases, assessor’s parcels do not constitute legal lots for purposes of development. On balance, the number of legal lots approximately equals the number of assessor’s parcels.

Table 2-5: Single-Family Residential Development Eligibility Criteria¹

Planning Zone	Parcel Size	Number of Parcels	Total Acres	Maximum Disturbance Envelope (sf)
Inside the USL	<20,000 sf	4,799	747	None
	20,000 sf – 1 ac.	185	119	None
	>1 acre	111	299	None
Outside the USL	<=5 acres	230	327	30,000
	> 5 acres	42	870	30,000
All Single Family-Residential Parcels		5,367	2,362	

¹ Criteria for parcels in Single-Family Residential Development Categories based on parcel size and location with respect to the Urban Services Line. Includes 10 privately-held, unprotected parcels totaling 16.5 ac. that were designated for 'Recreation' or 'Open Space' that will be eligible for single-family residential land use.

Reference Maps:

Fig 3-3: General Vegetation and Land Cover: Coastal Sage Scrub

Fig 3-4: Vegetation and Other Land Cover: California Sagebrush- Black Sage; largely intact

Fig 4-1 MSS Habitat: Primary Habitat

Fig 4-3 Designated critical habitat (MB kangaroo Rat and MSS): in unit 3 for MMS

Fig 5-1 Priority conservation area: (NOTE: the Fluit Schmid property is *NOT in the priority area.*)

Fig 5-2 MSS Minimization Measure area: within MMS Min. Area

Fig 5-3 MB Kangaroo Rat Survey area: within assessment/survey area

HCP DEIR Excerpts:

Figure 6 Vegetation Communities within the Plan Area (p. 67)

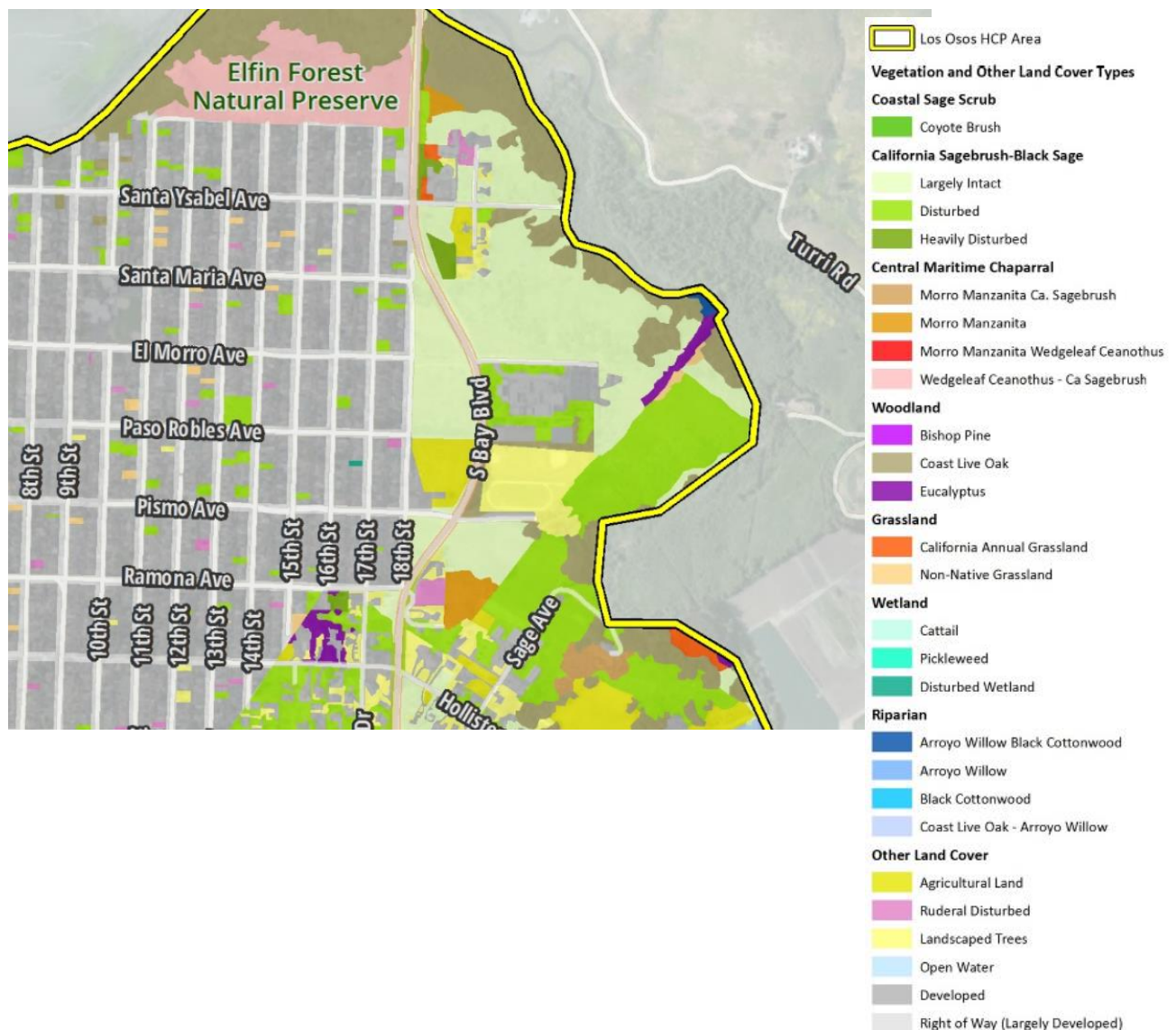


Figure 7. Critical Habitat (hatch is MSS) (p. 103)

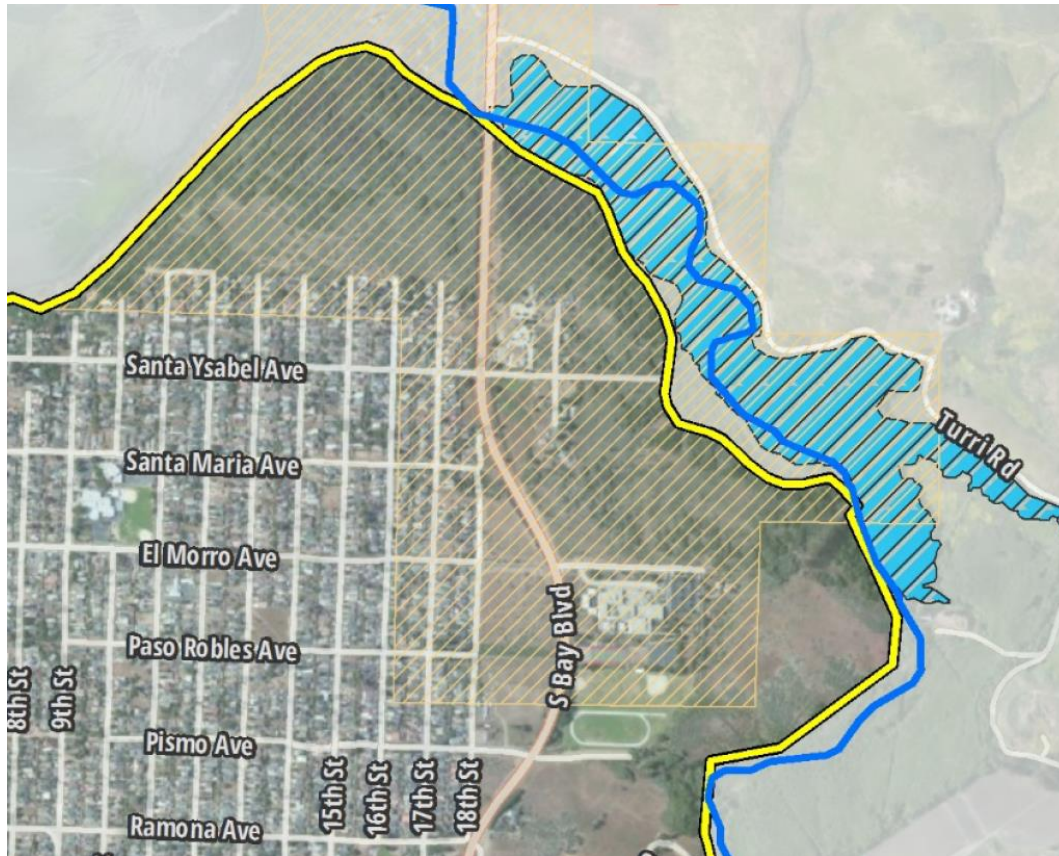


Fig. 13 “Farmland in the Plan Area and its Vicinity” notes the property as “Grazing Land”

p. 108 and 109
Estero Area Plan

The EAP is the currently applicable land use plan for the Los Osos community. Information regarding biological resources is included in the EAP in Section 6, *Land Use*, Section 7, *Combining Designations*, and Section 8, *Planning Area Standards*. These sections include Area Land Use information, the Combining Designations for Sensitive Resource Areas (SRA) and ESHAs, and Development Standards.

Los Osos Community Plan

The Draft EIR for the Los Osos Community Plan is currently being circulated for public review. Therefore, the Los Osos Community Plan is not an approved land use plan for the Los Osos community. Information regarding biological resources is included in the 2015 Los Osos Community Plan in Chapter 4, *Environmental Resources*. This chapter includes Biological Resources, Local Coastal Program, SRA, and Endangered Species Act and the Los Osos Habitat Conservation Plan.

p.214. 4.8.1.1 Los Osos Community Plan (Pending Approval).

In general, the Los Osos Community Plan envisions substantial decreases in land designated for residential and non-residential development, and corresponding increases in land designated for Open Space.

Overall, the Los Osos Community Plan accommodates the potential for future residential and non-residential growth. Key findings in the Draft EIR for the Los Osos Community Plan include:

- **Substantial Decrease in Overall Residential Area.** With approval of the Los Osos Community Plan, there would be a net decrease in residential land use categories of nearly 419 acres, or about 15 percent less land area than is currently devoted to these categories.
- **Decrease in Overall Non-Residential Area.** There would be a 214-acre (or 14 percent) net decrease in non-residential (commercial and office) land use categories.
- **Substantial Increase in Open Space.** The proposed Los Osos Community Plan would include a 4,184-acre increase in Open Space within the plan area, which is over twice the amount currently designated for that purpose.

4.12 Impacts Found to be Less than Significant During the Scoping Process (p.253)

4.12.3 Population and Housing

Issuance of the programmatic ITP would not directly or indirectly result in population growth trends that would displace a substantial number of people. The conservation strategy is focused on undeveloped land and relies on acquisition of property from willing sellers; no relocation of existing homes from acquired parcels is anticipated under the project or alternatives. Urban growth would be expected to occur in accordance with the adopted EAP and would therefore occur in a manner that balances local needs for population and housing.

Land Division is discussed once in the HCP DEIR (p.216):

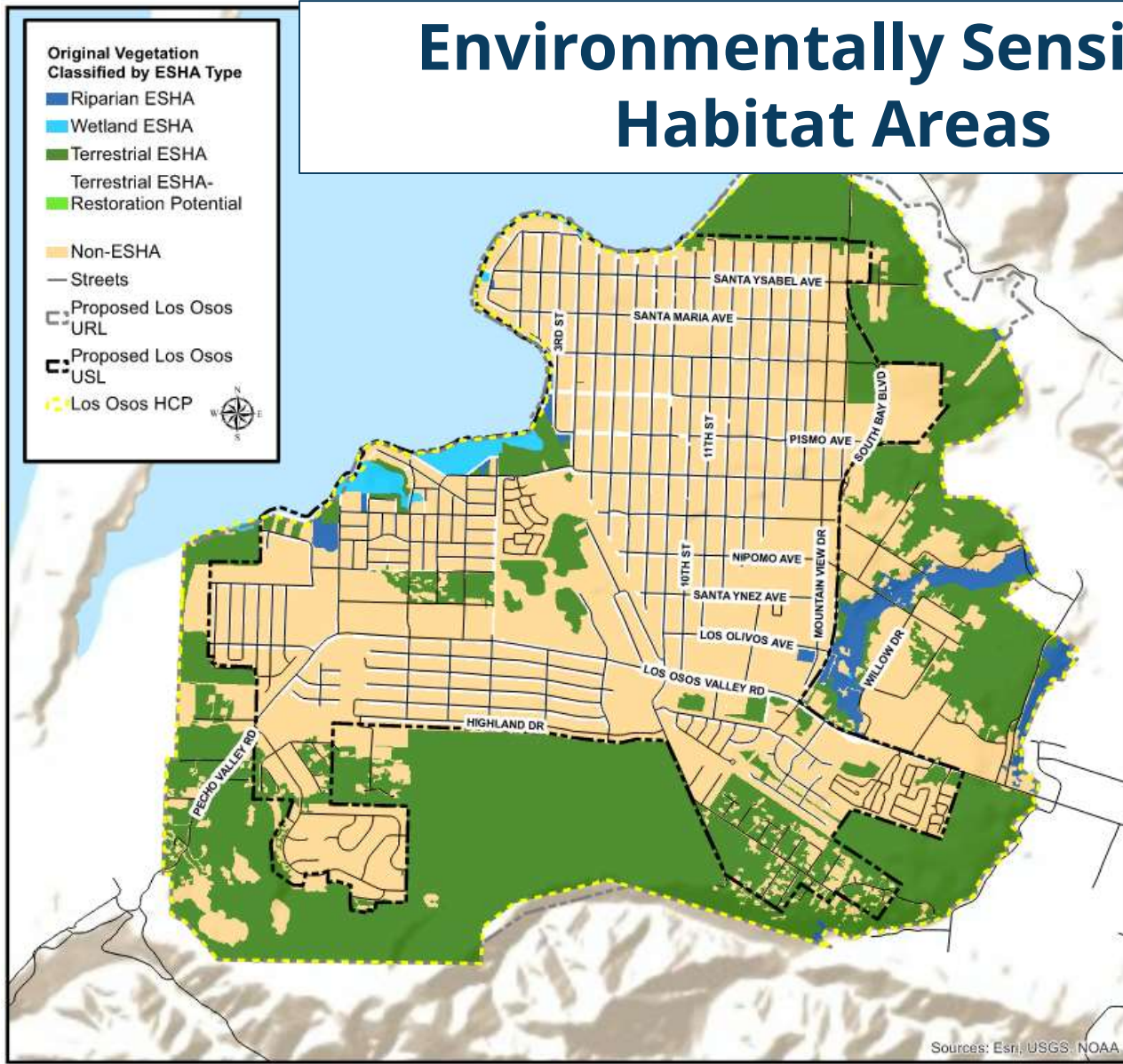
IMPACT LU-1 THE PROJECT WOULD BE CONSISTENT WITH THE POLICIES AND REGULATIONS IN APPLICABLE LAND USE PLANS. IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Table 27 provides an analysis of potential consistency of the project, including development of the proposed LOHCP Preserve System, with applicable policies from the EAP and Coastal Plan Policies in the LCP.

Table 27 Land Use Consistency Analysis

Policy	LOHCP Consistency Analysis
EAP Policies	
I. Area-wide Land Use, and Marine Resources Policy	
B. Development within Resource Capacities	
1. Adequate public or private resource capacities shall be available to serve proposed development. Within urban areas, adequate water supply and sewage disposal capacities shall be available to serve both existing and potential development within the community before approval of new land divisions using those services. Land divisions requiring urban service extensions beyond the USL/URL shall be prohibited.	Consistent. The LOHCP Preserve System itself would not require any public services. ITP issuance would provide a streamlined permitting mechanism for covered activities within the Plan Area. Some of those covered activities (e.g., residential and commercial development) would receive wastewater services from the newly developed LOWRF, which provides new wastewater capacity for the area. However, future development projects requiring additional water supply cannot be approved until the adoption of the Basin Plan for the Los Osos Groundwater Basin which illustrates adequate water supply for project growth.

Environmentally Sensitive Habitat Areas



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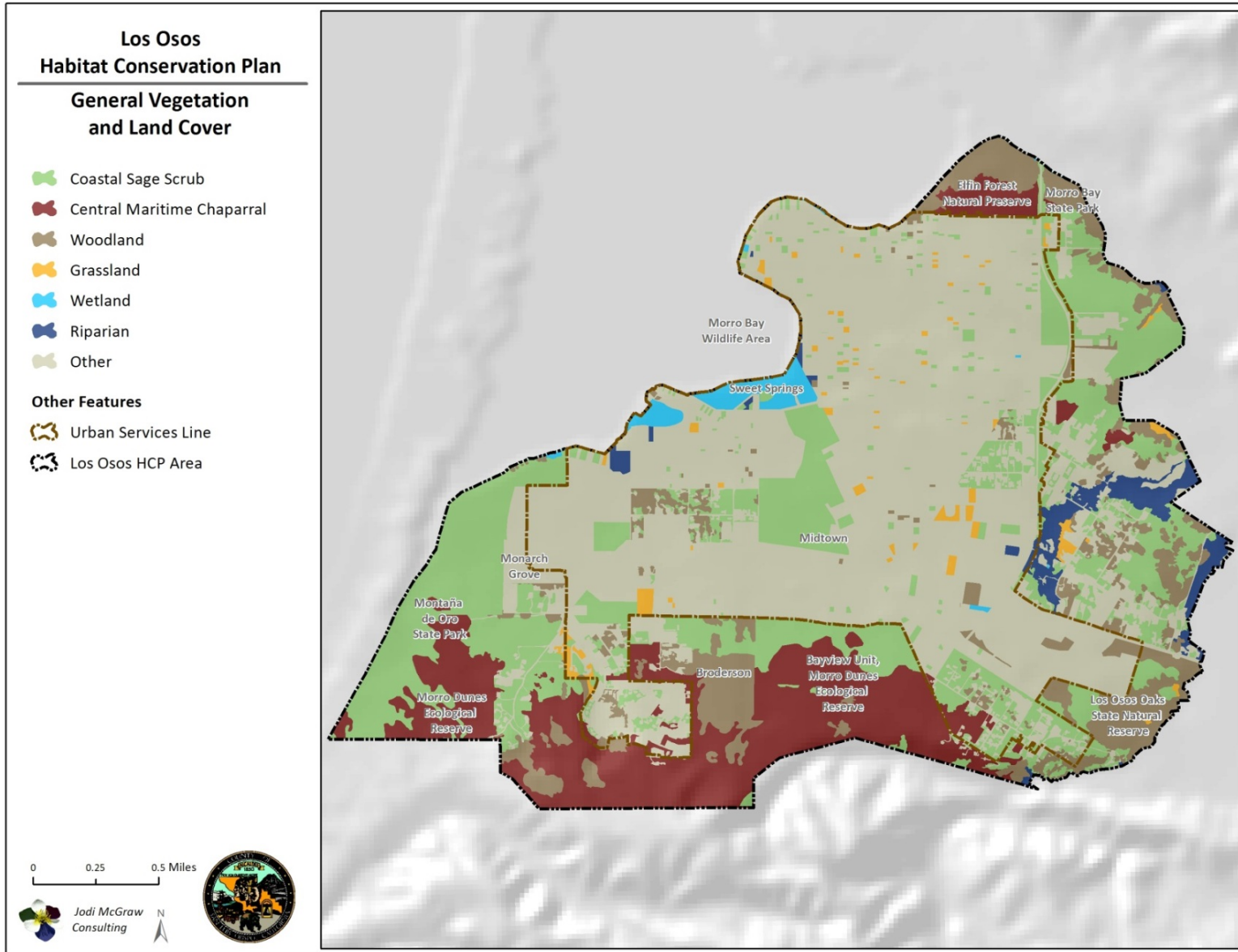


Figure 3-3: General Vegetation and Land Cover

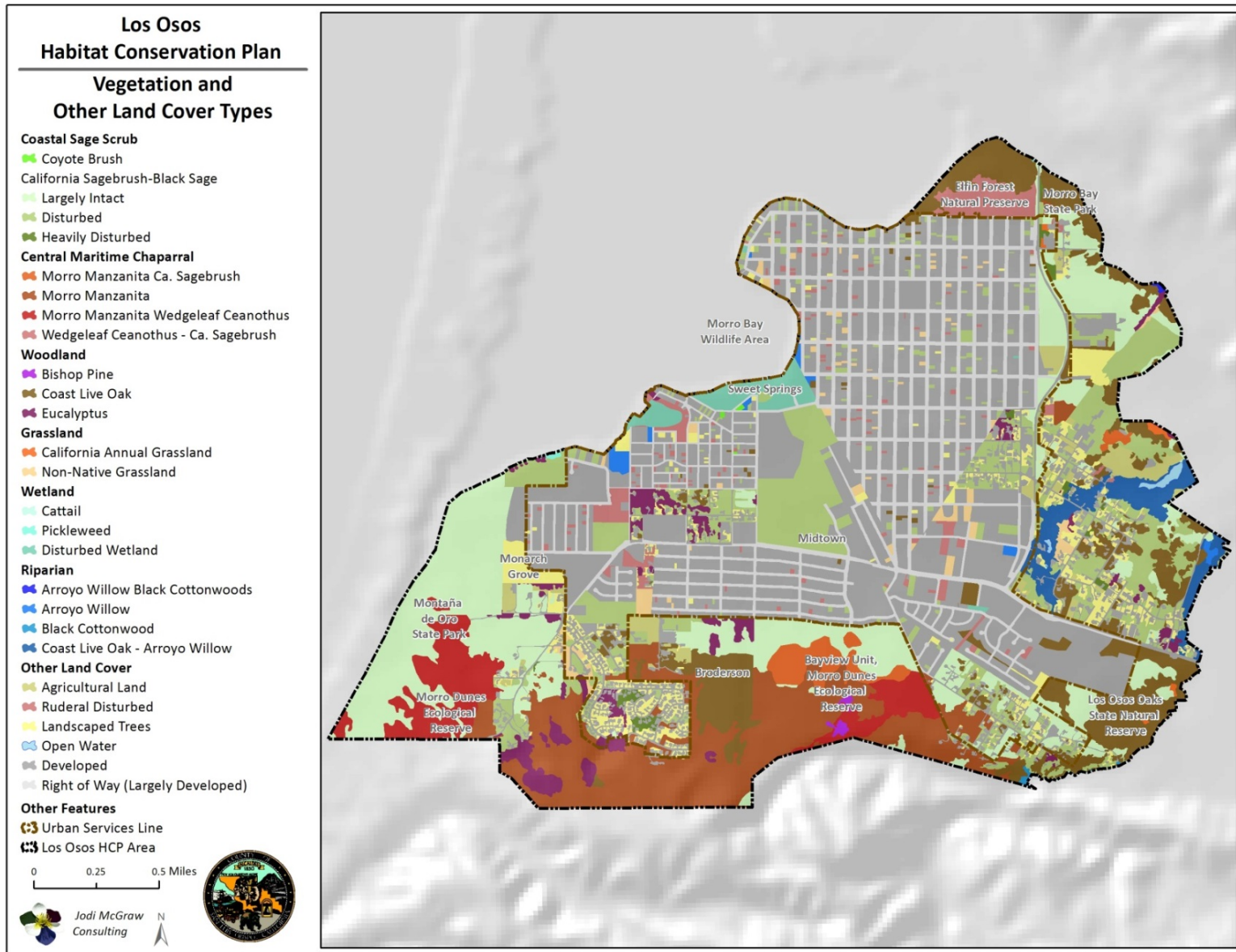


Figure 3-4: Specific Vegetation and Other Land Cover Types

Ramona Hedges

From: Tony Salome <tsal3@earthlink.net>
Sent: Tuesday, August 11, 2020 11:58 AM
To: Kerry Brown
Cc: Ramona Hedges
Subject: [EXT]Additions to LO Community Plan for Trees

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Kerry,

Thank you for your help in incorporating parts of the Proposed Additions to the Los Osos Community Plan for Trees we submitted in March of 2019 to LOCAC and subsequently approved by LOCAC. We would have liked it all to be added rather than just pieces. I am hopeful the additions made will be the beginning of an ongoing plan to preserve, maintain and enhance our tree population in Los Osos. I do think there are two additions that should be included.

Our trees on County road right of ways are lost everyday in our community. So many of these street are neglected and then removed. These trees need to be **protected, maintained and replaced** if they are removed for any reason. Our residential streets were lined with trees providing a rich tree canopy. Now our streets are barren because these trees have not been protected.

Trees on Public Property

The community of Los Osos believes existing trees on public property owned by the County of San Luis Obispo need to be protected, maintained and replaced if removed. This includes right of way properties in the community. The community wishes to expand the tree population in Los Osos to include main thoroughfares and gateway locations. The County will assist the community in the expansion of our tree population.

It is vital to protect our spectacular view scape with the heritage Monterey Cypress trees along **Second Street from El Morro to Santa Ysabel**. This description should replace El Moro from 3rd to Santa Ysabel.

Areas for Consideration for Tree Corridor Development Projects:

Second Street from El Morro to Santa Ysabel

South Bay Blvd from Los Osos Valley Road to Santa Ysabel.
Los Osos Valley Road from South Bay Blvd to Pecho Valley Road @ Rodman.
El Moro from 3rd St to Santa Ysabel. - **Replace with Second Street**
Santa Ysabel from South Bay Blvd to Pasadena.
The intersection of South Bay and Santa Ysabel.
The intersection of South Bay Blvd and Los Osos Valley Road.
Santa Ysabel route along 7th to Ramona Avenue to 9th Street to Los Osos Valley Road. 10th Street from Santa Ynez to Los Osos Valley Road.

Thanks again for your help!

We have incorporated the Tree Plan into the Los Osos Community Plan in the following ways:

In Chapter 2 page 2-32 we have a program:

Program CIR-4.2: Trees. Take the following actions to increase the presence of trees in Los Osos:

A. New development. Require tree planting on the property frontage of new development and subdivisions at a scale consistent with the roadway classification. An encroachment permit is required to plant trees within the public road right-of-way.

B. Tree Master Plan. The County Planning and Building Department, in consultation with the County Public Works Department, County Parks, should work with the community to create a tree master plan and inventory that defines areas to be planted, any key corridors or locations to have special treatment, a list of appropriate trees, planting requirements, planting and maintenance information, ways to provide and pay for trees in existing neighborhoods, and an inventory of all existing trees with sub-categories of native and heritage trees. For more information on the Tree Master Plan see Appendix E Trees.

C. Tree Funding. The County should assist in efforts to obtain funding to plant trees in existing neighborhoods through grants and other sources.

In Chapter 7 (7-14), we have this standard:

K. *Tree Protection and Replacement*

1. ***Tree Protection.*** *Development shall be designed to protect and maintain stands of native trees, or tree stands that provide valuable habitat or scenic value to the maximum extent feasible, while allowing reasonable use of the property.*

Tree protection plans are required for any construction activity that occurs within twenty feet of the drip line of a native tree.

2. ***Native Tree Retention and Replacement.*** *Development shall: a) be designed to retain healthy Native trees where feasible, except where removal is appropriate for habitat restoration or enhancement or where removal cannot be avoided; b) provide for replacement of diseased or aging Native trees at a 2:1 ratio with Native tree species approved by the County that are drought tolerant, appropriate to the climate, resistant to disease, and compatible with the character of the area.*

3. **Construction Practices.** *Construction practices to protect trees shall be implemented. These construction practices are to include a minimum:*
 - a. **Protective Measures.** *Practices to protect trees shall include but not be limited to: installing orange construction fencing around protected areas shown on the site plan; protecting tree trunks and other vegetation from construction equipment by wood fencing or other barriers or wrapping with heavy materials; disposing of waste, paints, solvents, etc. off-site by approved environmental standards and best practices; and using and storing equipment carefully.*
 - b. **Stockpiling of Materials.** *Materials, including debris and dirt, shall not be stockpiled within 15 feet of any tree, and shall be minimized under tree driplines. Stockpiled materials shall be removed frequently throughout construction. All stockpiled materials shall be removed before final inspection.*
 - c. **Construction Practices.** *Excavation work shall be planned to avoid root systems of all on-site trees and trees on abutting properties. Any trenching for utilities that may occur within the dripline of trees on the project site shall be hand dug to avoid the root system of the tree.*

And we include Appendix E Trees:

https://www.slocounty.ca.gov/getattachment/b8e45e27-4914-42c0-9c3f-797fe0c1d627/14_Appendix-E.aspx

August 11, 2020

Attention to:

Kerry Brown kbrown@co.slo.ca.us

Planning Commissioners c/o Ramona Hedges rhedges@co.slo.ca.us

Subject: Planning Commission Hearing - Los Osos Community Plan

Dear Planning Commissioners,

I have a few concerns regarding the LOCP and Trees in Los Osos.

1. Preservation of existing trees is critical as we've had a significant decline in urban tree canopy with yearly loss increases over the last 10 years. There's many reasons for the loss, but without an appointed Los Osos Arborist taking care of the old growth trees, many well suited for the Heritage Tree List, it becomes futile to consider replenishing trees without the most essential tree care in place.

Public Works tree crew does safety cleanup after broken limbs or fallen trees, it's been a sweep-up kind of operation. And this has been a pattern with our old heritage trees of Monterey Cypress and Italian Stone Pines. For trees to have long lives, Arboriculture is essential for the long term health of the tree. Arbor pruning for various needs keep the trees centered over main trunk, and balanced with thinning pruning so that the trees with stand our coastal winds and storms. Could the LOCP include language for the setting up of a designated town Arborist doing X amount of tree care per year? Maybe it could be a contracted crew to work with Los Osos annually.

2. Could the LOCP include language for trees at our schools? The health and environmental benefits out way any counter argument.

3. Could the LOCP include the revitalization of the El Moro Pathway - reinstated as a native coastal chaparral plant community, and additionally it could add to the urban tree canopy as a greenway. The project benefits are vast, the path is highly used by students walking to school, and all ages for walking, running, biking, and bird viewing.

4. Could the LOCP include language for the restoration of the historic Otto tree line of Monterey Cypress on 1st Street in Baywood Park, the tree line was on both east and west sides of the street.

Sincerely,
Lisa Denker

August 11, 2020

Kerry Brown, Department of Planning & Building
976 Osos Street, Room 300, San Luis Obispo, CA 93408

Re: Agenda Item 4—Los Osos Community Plan and Growth
Management Ordinance

Dear Ms. Brown:

The Los Osos Sustainability Group (LOSG) submits the following comments on the most recent drafts of the Los Osos Community Plan (LOCP), the final EIR (FEIR) for the LOCP, the revised County 2020 Growth Management Ordinance (GMO) that enacts parts of the LOCP, and related documents. We incorporate by reference our comment letters dated August 25, 2015; December 11, 2019; June 26, 2020; and July 8, 2020. The August 25, 2015 and December 11, 2019 letters were submitted with the Sierra Club, and the July 8, 2020 included a follow up letter dated July 13, 2020.

In this letter we comment primarily on the new language added to Section 7.3 “Community Standards” of LOCP Chapter 7 and the additional information and analyses provided in documents prepared by Planning Commission staff and included in agenda materials, e.g., Attachment 8.

In general, the revised language, information, and analyses do not resolve the deficiencies and flaws in the LOCP, GMO and related documents that we identified in our earlier letters nor do the revisions, information and analyses resolve the inconsistencies and non-compliance with CEQA, Coastal Policies, and Special Condition 6 of the Los Osos Wastewater Project (LOWWP) 2010 Coastal Development Permit (CDP).

Our chief concern continues to center on the threat the LOCP, GMO, and related documents pose to the Los Osos Basin and dependent resources, including current development and Basin-dependent ESHA, that can result from unsustainable new development allowed by the plan, ordinance and related documents. Additional development in Los Osos will have permanent impacts on the Los Osos Basin by increasing demand. As a result, the determination of an adequate water supply for new development must be based on sufficient reliable well monitoring data conclusively showing that seawater intrusion is reversed and water levels will remain high enough over the long-term to prevent seawater intrusion and ensure an adequate water supply for the current population and any additional population before further development is approved. The LOCP, GMO, and related documents currently don't assure an adequate water supply for current or added development.

The new language in Section “7.3 Communitywide Standards” of the LOCP does not protect the Basin or address previously identified deficiencies.

The new language includes the following under Subsection D:

1. *Title 19 Water Offset Requirement. New development in Los Osos shall be subject to water demand offset requirements pursuant to Section 19.07.042 of the Building and Construction Ordinance (Title 19 of the County Code). These requirements shall remain in place for the community of Los Osos until the Board of Supervisor adopts a resolution certifying new development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin and annual monitoring reports. (Emphasis added.)*
2. *Discretionary Land Use Permits. New development requiring discretionary land use permits shall not be approved unless the Review Authority finds the development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin and annual monitoring reports. The development may offset the associated net increase in water demand at a 1:1 ratio if the groundwater basin may not accommodate increased groundwater extraction, unless a higher ratio is required by Title 19. (Emphasis added.)*

3. The above subsections can result in approval of unsustainable development and harm to the Basin and dependent resources for at least four reasons:

1. Harm from retrofit offsets

First, the Title 19 retrofit offset requirement does not assure that approved new development has an adequate water supply. Attachment 8, provided as part of the agenda materials, estimates that 160 to 350 AFY of conservation potential remains in Los Osos. This estimated potential would theoretically allow development that uses 80 to 175 AFY of water from the Basin. However, reducing water use in the Basin does not establish that the resulting water use will be sustainable, and a retrofit offset requirement can undermine the ability of existing development to have an adequate water supply.

The Title 19 conservation retrofit-to-build program uses conservation potential at a rate that is half as efficient as a program implemented by existing property owners, and it hardens water demand at a higher level of use, leaving less conservation for

water users to fall back on when needed (e.g., for droughts). For instance, the 2:1 offset that Title 19 requires uses 100 AFY of conservation potential to reduce water use 50 AFY because the new development adds half of reduction back as additional demand. A program implemented by existing property owners produces twice as much net water reduction. The 1:1 retrofit proposed in Item 2 of Subsection D above provides no net water-use reduction, while raising demand and leaving existing property owners with less conservation potential.

In our June 26 and July 8 letters we provided substantial evidence that the Basin is not sustainable under current conditions for the current population. We include with this letter a graph of Water Level Metric and Chloride Metric trends through spring of this year prepared for the Los Osos Basin Management Committee (BMC). Chloride Metric results from fall of 2018 to spring of 2020 show that seawater intrusion in Zone D continues to get worse. The metric rose from 145 mg/l in fall of 2018, to 163 mg/l in fall of 2019, to about 180 mg/l in spring of 2020, indicating worsening seawater intrusion. The 2020 monitoring data also show chloride levels in the deep aquifer, Zone E, substantially increasing at a new monitoring well (from 1460 mg/l of chlorides to 2190 mg/l) indicating severe and worsening seawater intrusion. The 2190 reading is about nine times the threshold for seawater intrusion used in the Basin Plan (250 mg/l).

Every Annual Monitoring Report since 2016 has recommended more conservation to mitigate for seawater intrusion (see e.g., Table 22, 2016 and Table 23, 2019). Based on current trends and conditions, existing development will likely need all the conservation potential remaining, as well as the most effective remaining Basin Plan programs, to establish a sustainable water supply. (The LOSG continues to support maximizing all of the most effective proposed Basin Plan programs to establish a sustainable water supply for the current population.)

2. Harm from a lack of objective data-based sustainability criteria

A second reason the revised LOCP language could result in unsustainable development is that the criteria for the Board of Supervisors to remove the Title 19 offset requirement and to approve discretionary development (per Items 1 and 2 of Subsection D above) are vague and discretionary. The criteria do not require that the decisions are based on objective criteria and hard evidence (sufficient reliable well monitoring data) that conclusively show the Basin will support the added demand without further harm to the Basin. The language states that the Board of Supervisors must certify that the "...new development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan...and annual monitoring reports." This language allows the Board considerable leeway in how the language is interpreted.

Under the revised language, the Board of Supervisors could remove the Title 19 requirement and approve discretionary and other new development based on uncertain predictive modeling or other limited and unreliable information, such as one year of positive metrics.

In our June 26 and July 8 letters, we provide substantial evidence that current modeling significantly overstates actual sustainable yields because it does not account for less rainfall over 15 years and Broderson leach fields being non-operational in pushing back seawater intrusion. We also point out that positive metric trends in 2017 and 2018 have since reversed. Thus, relying on modeled “sustainable yield” estimates and short-term metric trends could easily result in further overdraft and harm to the Basin and dependent resources.

Further, as we have pointed out in the past, the “sustainable yield” definition provided in the Basin Plan and used by the Basin Management Committee (BMC) is not consistent with the accepted definition stated in the best management practices (BMPs) for Sustainable Groundwater Plans subject to the Sustainable Groundwater Management Act (SGMA). The sustainable yield definition of BMPs is a yield that results in no undesirable effects. The current Basin Plan definition is a yield that allows seawater intrusion to advance further in to the Basin. Recognizing that further seawater intrusion is an undesirable condition, the Basin Plan sets a target of 80 for the Basin Yield Metric (80% of “sustainable yield”). However, based on a November 2019 technical memorandum prepared for the BMC, and evidence we provide in our June 26 and July 8 letters, a yield that will stop and reverse seawater intrusion (i.e., achieve the first immediate goal of the Basin Plan) is significantly less than 80% of the current “sustainable yield.”

3. Harm from approving development knowing the water supply may not be adequate

A third reason the above language does not prevent unsustainable development is that it apparently allows development even when the Board of Supervisors believes the Basin may not support it. The language in item 2 of Subsection D states, “The development may offset the associated net increase in water demand at a 1:1 ratio if the groundwater basin may not accommodate increased groundwater extraction...” (Emphasis added). This indicates that discretionary development can be approved even when Supervisors know that harm to the Basin may occur. As explained above, approval with a 1:1 offset does not assure an adequate water supply for the development and it could prevent existing development (and the approved development) from having a sustainable supply.

4. Harm from exempt housing

A fourth reason the new language and supporting information and analyses do not protect the Basin is that it allows exempt housing to be approved with a 2:1 conservation offset and it does not limit the number of units that can be approved or the rate of approval. Attachment 8 estimates that about 11 accessory dwelling units (ADUs) per year will be built in Los Osos for a total of 220 units over 20 years, and it estimates that just two affordable housing developments will be constructed in 20 years having a total of 162 units. The total estimated water use is about for the development is 50 AFY and the total estimated offset is 100 AFY of conservation. These estimates are based on several assumptions and not codified in the LOCP or GMO. The revised language of Chapter 7 of the LOCP (quoted above) would allow exempt housing units to be approved under either provision in numbers and at rates far above the projections in Attachment 8. Applying the Title 19 Water Offset Requirement, Discretionary Land Use Permits provision, and the proposed GMO (which exempts ADUs and affordable housing from development restrictions) would allow exempt housing to be approved even when an adequate water supply may not exist at whatever limit and rate the Supervisors decide.

Why 100 AFY or more of conservation potential exists (but should not)

The Planning Commission staff estimates that 160 AFY to 350 AFY of conservation potential exists in Los Osos. If the estimate is accurate, it is far more than should exist for several reasons.

(1) The potential should have been used to stop and reverse seawater intrusion to provide a sustainable water source for current development and to preserve as much of the Basin as possible.

(2) Special Condition 5 of the LOWWP 2010 CDP [Paragraph 5(b)] requires the County to spend \$5 million to “help Basin residents to reduce their potable water use as much as possible...” The County did not spend all the \$5 million (despite LOSG members spending considerable time and energy encouraging the County over a period of several years to fully implement the program).

(3) The Basin Plan indicates that improving “urban water use efficiency (conservation) is the highest priority program of this Basin Plan for balancing the Basin and preventing further seawater intrusion” (p. 139), and it proposes a Basin-wide conservation program with “mandatory standards” that requires all property owners inside and outside the urban services line, including private well owners, to participate. To be enforceable and effective, the program would require a County ordinance or a BMC ordinance. This has not happened but it should have.

Why the delay in maximizing Basin Plan program

The delay in fully developing the conservation potential of the community and implementing Basin Plan programs has resulted in a delay in providing a sustainable water supply for the current and future populations, and it has resulted in further harm to the Basin. From our long involvement in the Basin planning process, the delay results to some extent from the Basin Plan and BMC's overreliance on the model and the reluctance on the part of the County and BMC to implement a Basin-wide ordinance or other mechanism(s) to secure funding and the participation of all users in Basin Plan programs. However, the delay has also resulted from the County prioritizing new development in its role as a Party to Basin Plan and member of the BMC. This priority has had a disproportionate effect on the Basin Plan and Basin management, slowing progress toward the immediate goals of the Basin Plan—e.g., to provide a sustainable water supply for the current population. All conservation potential and the most effective Basin Plan programs should have been maximized by now—and should still be maximized immediately--to establish a healthy and sustainable Basin that will support the present and future populations, as well as the high value natural resources that depend on the Basin.

Conclusion

Because the current LOCP, FEIR, GMO, and related documents continue to fail to adequately protect the Basin and dependent resources, including existing development and groundwater-dependent ESHA; we continue to support the No Project, No Development Alternative for the LOCP. We also support a GMO that limits growth to zero in Los Osos because any development relying on the Basin can further harm the Basin until the County and BMC establish, based on conclusive evidence (i.e., sufficient reliable well-monitoring data over a sufficient period of time) that the Basin will support the current population and provides enough additional water to sustainably support some level of additional development.

We incorporate by reference all earlier comments we've submitted to the County relating to the Los Osos Basin, the Los Osos HCP, and the Los Osos Community Plan, and we also incorporate by reference comments submitted by other stakeholders on these topics that support a cautious and protective approach to Los Osos Basin Management and the approval of further development in Los Osos.

Sincerely,

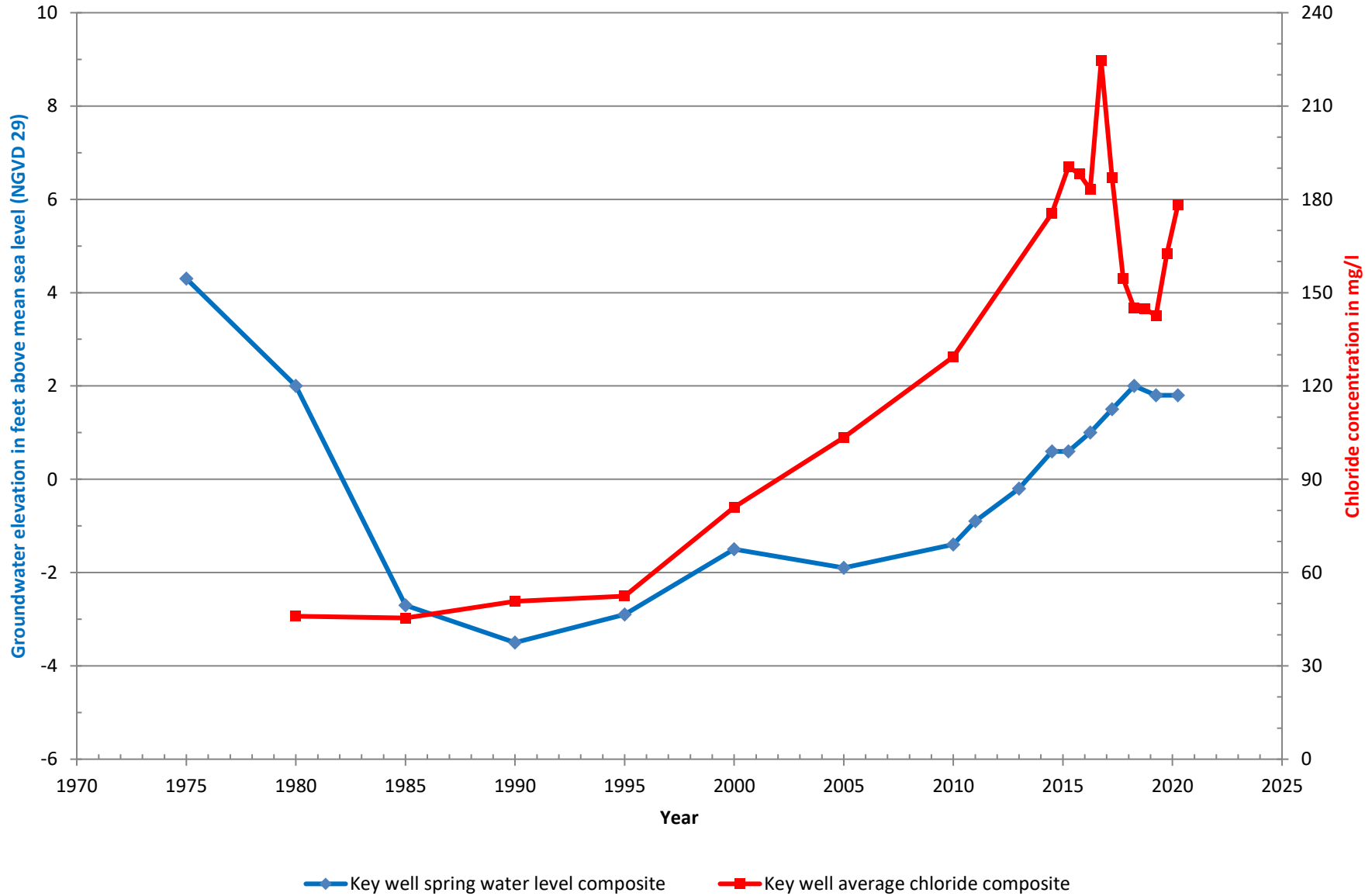
Patrick McGibney, Elaine Watson, Larry Raio, Keith Wimer, Chuck Cesena

Los Osos Sustainability Group (LOSG)

Graph of Water Level and Chloride Metric trends through spring of 2020 showing worsening seawater intrusion conditions.

Spring 2020 DRAFT

Chloride and Water Level Metric Lower Aquifer



Water Quality Results - Lower Aquifer Monitoring

Station ID	Well Name	Basin Plan Well ID	Aquifer Zone	Date	HCO3	Total Hardness	Cond	pH	TDS	Cl	NO3-N	SO4	Ca	Mg	K	Na
					mg/l	mg/l	umhos/cm	units	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l
30S/10E-11A2	Sand Spit #1 East	LA2	D	3/14/2005	180	4600	16000	7.3	8900	5400	ND	430	770	640	20	1300
				10/21/2015	150	6640	17700	7.4	13100	6300	ND	740	1030	990	31	1560
30S/10E-12J1	MBO5 DWR Obs.	LA11	E	2/14/2005	350	370	1300	8.1	840	77	ND	190	51	58	6.1	110
				11/20/2009	300	360	1150	7.5	732	83	ND	190	51	58	4.4	95
				7/24/2014	360	489	1290	7.7	780	105	ND	212	69	77	5	88
				4/22/2015	360	475	1290	7.8	810	112	ND	189	65	76	5	88
				10/1/2015	250	486	1280	7.3	840	117	ND	188	68	77	4	85
				4/20/2016	330	524	1370	n/a	840	151	ND	193	73	40	5	83
				10/10/2016	350	497	1370	7.1	930	173	ND	189	69	79	4	81
				4/11/2017	350	541	1380	7.5	880	167	ND	186	75	86	4	81
				10/4/2017	300	543	1370	7	850	162	ND	191	76	86	5	90
				4/10/2018	350	595	1390	7.6	820	173	ND	192	85	93	5	97
				10/2/2018	350	497	1340	7.4	870	160	ND	160	69	79	3	87
				4/9/2019	350	539	1430	7.4	860	196	ND	189	76	85	4	85
				10/2/2019	250	290	1520	7.6	1000	187	ND	189	80	90	5	91
4/14/2020	350	667	1580	7	950	222	ND	187	81	113	5	83				
30S/10E-13Bb	Lupine Zone D	LA41	D	11/7/2019	210	312	1310	7.7	760	136	3.1	188	69	34	4	140
				4/8/2020	310	204	943	7.8	560	68	0.3	109	44	23	2	101
30S/10E-13Ba	Lupine Zone E	LA40	E	11/6/2019	210	2090	5330	7	4750	1460	1.3	224	388	272	6	182
				4/7/2020	240	3300	7360	7.6	6340	2190	0.3	202	569	458	7	203
30S/10E-13J1* Highlighted chloride values from GSWC water quality monitoring (dates vary from those listed)	GSWC Rosina	LA10	D,E	12/20/2004	72	230	720	7.1	410	150	1.6	14	38	33	1.4	29
				1/14/2010	35	260	778	6	435	200	1.6	13	41	38	1.5	33
				7/24/2014	80	418	1200	7.3	910	303	1.7	16	67	61	2	39
				4/22/2015	80	431	1230	7.1	750	331	1.9	20	69	63	2	39
				10/5/2015	70	460	1280	7	950	329	1.7	19	74	67	2	41
				4/26/2016	80	412	1170	7.1	840	299	1.8	18	66	60	2	37
				10/12/2016	60	509	1430	6.8	1100	389	1.8	27	82	74	2	44
				4/10/2017	80	327	957	6.9	720	300	2.6	15	52	48	2	35
				10/12/2017	80	245	702	6.9	510	220	3.4	13	39	36	2	33
				4/24/2018	70	188	620	7.4	400	190	4.3	12	29	28	1	29
				10/9/2018	70	265	730	7.1	450	210	3.2	13	42	39	2	34
				4/15/2019	80	251	744	7	600	174	1.9	10	38	38	2	31
				10/14/2019	80	332	961	7.1	830	229	2	13	54	48	1	33
4/21/2020	80	353	1310	6.4	970	250	2.1	14	59	50	2	32				
30S/10E-13M2	Howard East	LA31	C,D	11/22/2004	51	810	2900	7.3	1500	810	0.5	140	60	120	4.7	210
				12/9/2009	55	1100	3740	7.1	2170	1100	0.5	220	160	160	4.8	370
				8/4/2014	60	757	3340	7.1	2450	990	0.6	178	117	113	5	382
				4/21/2015	60	739	3430	7.3	1930	950	0.6	178	117	113	5	382
				10/6/2015	30	756	3370	7.1	2140	960	0.5	185	115	114	5	342
				4/20/2016	50	726	3520	7.2	2190	941	0.7	179	113	108	5	400
				10/19/2016	70	722	3420	7.4	2190	943	0.6	182	113	107	4	398
				4/17/2017	60	733	3380	6.8	2060	907	0.6	178	114	109	4	413
				10/5/2017	60	738	3350	7.5	2190	960	0.7	160	116	109	5	411
				4/24/2018	70	664	3370	7.2	2020	946	0.6	2.8	103	99	4	367
				10/17/2018	60	740	3400	7.3	2180	834	0.6	153	115	110	5	414
				4/3/2019	70	640	3290	7.8	2010	940	0.6	179	103	93	4	341
				10/3/2019	70	574	3120	7.4	2120	827	0.7	169	90	85	4	340
4/9/2020	70	519	2970	7.8	1740	738	0.6	152	86	74	4	258				

Water Quality Results - Lower Aquifer Monitoring

Station ID	Well Name	Basin Plan Well ID	Aquifer Zone	Date	HCO3	Total Hardness	Cond	pH	TDS	Cl	NO3-N	SO4	Ca	Mg	K	Na
					mg/l	mg/l	umhos/cm	units	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l
30S/10E-13N	S&T #5	LA8	D	11/23/2004	42	80	390	6.9	200	67	5.9	9.2	13	12	1.7	38
				11/19/2009	41	89	386	6.8	267	73	6.1	11	15	13	1.4	38
				7/24/2014	50	100	438	7.4	270	76	7	10	17	14	2	38
				4/21/2015	50	98	445	6.9	280	77	7.7	11	16	14	2	38
				10/6/2015	40	98	422	7.2	310	75	6.8	10	16	14	1	38
				4/20/2016	20	97.5	446	7	320	76	7.2	12	16	14	1	38
				10/13/2016	50	104	470	8	320	79	7.2	12	17	15	1	40
				4/11/2017	50	100	434	7.4	270	77	7.3	12	17	14	1	38
				10/2/2017	30	95	438	7.2	290	78	7.6	13	15	14	1	36
				4/11/2018	60	104	440	7	260	79	7.9	14	17	15	1	39
				10/3/2018	60	107	430	6.5	340	66	6.7	13	18	15	2	40
				4/3/2019	50	100	434	6.3	250	75	7.3	13	17	14	1	36
10/7/2019	60	95	446	7.6	250	77	7.7	14	15	14	1	37				
4/13/2020	60	104	443	8	300	75	7.4	15	17	15	2	37				
30S/10E-14B2	Sand Spit #3 Deep	LA3	D	3/15/2005	100	3600	30000	8	17000	8500	ND	960	1200	130	34	4300
				10/21/2015	ND	7140	29500	11	24700	10000	ND	530	2830	20	80	4040
30S/10E-24C1	GSWC Cabrillo	LA9	D	12/20/2004	64	130	610	7	310	110	4.5	19	22	19	1.6	50
				11/20/2009	60	150	611	7.1	347	130	4.1	22	23	22	1.6	52
				7/24/2014	40	69	339	7.6	240	46	8.4	6	11	10	1	32
				4/22/2015	70	117	530	7.3	320	95	5.5	16	19	17	2	45
				10/5/2015	50	75	349	7.6	270	50	7.6	7	12	11	1	34
				4/26/2016	70	115	499	7	300	90	5.6	16	18	17	2	44
				10/12/2016	70	111	506	7.1	320	93	5.5	15	18	16	1	44
				4/10/2017	70	111	490	7	310	89	5.7	16	18	16	1	43
				10/12/2017	70	117	484	7	270	89	6	16	19	17	2	46
				4/24/2018	70	115	486	7.8	300	90	6.2	17	18	17	1	43
				10/9/2018	60	135	477	6.9	280	76	5.8	17	21	20	2	50
				4/15/2019	70	112	488	7.1	310	92	5.7	16	17	17	2	45
10/14/2019	no sample (off-line)															
4/21/2020	50	75.2	492	6.7	290	80	9.1	8.4	12	11	1	34				
30S/11E-7Q3	LOCSD 8th St.	LA12	D	11/18/2004	250	270	790	7.5	410	73	ND	39	44	40	2.3	48
				11/19/2009	220	290	782	7.4	465	92	ND	46	46	42	1.9	53
				7/23/2014	290	303	876	7.6	460	91	ND	43	49	44	2	54
				4/21/2015	290	305	897	7.7	500	101	ND	55	48	45	2	59
				10/6/2015	280	298	828	7.4	490	91	ND	46	47	44	2	55
				4/20/2016	190	307	907	7.7	520	91	ND	49	49	45	2	54
				10/11/2016	280	278	827	4.9	490	93	ND	46	44	41	2	52
				4/10/2017	300	294	839	7.3	480	91	ND	50	47	43	2	54
				10/4/2017	220	305	826	6.5	470	92	ND	45	48	45	2	56
				4/10/2018	300	319	814	7.7	440	93	ND	46	52	46	2	56
				10/2/2018	290	283	822	7.3	470	78	ND	50	46	41	1	53
				4/9/2019	300	301	844	7.5	480	94	ND	50	48	44	2	53
10/2/2019	290	312	877	8	530	91	ND	51	49	46	2	56				
4/16/2020	310	301	883	7.8	500	94	ND	55	48	44	2	52				

Water Quality Results - Lower Aquifer Monitoring

Station ID	Well Name	Basin Plan Well ID	Aquifer Zone	Date	HCO3	Total Hardness	Cond	pH	TDS	Cl	NO3-N	SO4	Ca	Mg	K	Na
					mg/l	mg/l	umhos/cm	units	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	
30S/11E-17E8	So. Bay Obs. Middle	LA22	D	1/14/2005	150	150	440	7.5	290	34	2.2	11	24	22	1.4	28
				11/20/2009	120	160	455	7.3	255	42	4.3	12	25	23	1.3	29
				7/23/2014	150	166	500	7.6	270	43	6.3	10	27	24	2	28
				4/21/2015	150	157	481	7.6	270	49	7.1	13	25	23	1	28
				10/1/2015	120	164	475	7.4	290	44	6.6	10	26	24	1	28
				4/19/2016	150	164	476	6.9	290	45	6.9	12	26	24	1	29
				10/13/2016	140	161	521	7.3	290	46	6.9	12	25	24	1	29
				4/13/2017	150	164	466	7.3	300	46	6.7	13	26	24	1	29
				10/11/2017	150	168	476	7.7	260	47	7.2	14	26	25	1	29
				4/16/2018	150	165	473	6.4	310	47	6.7	14	25	25	1	29
				10/10/2018	150	160	471	7.5	250	43	6.1	15	26	23	1	28
				4/10/2019	180	153	466	7.2	290	46	5.8	14	25	22	1	28
10/9/2019	150	155	485	7.3	270	49	7	15	24	23	1	28				
4/14/2020	160	164	482	8	280	48	6.3	15	26	24	1	27				
30S/11E-17N10	GSWC So. Bay #1	LA20	C,D,E	Jan 2003	250	--	510	7.1	290	37	ND	21	41	25	1.3	35
				11/20/2009	230	220	638	7.3	357	41	0.5	30	35	33	1.7	37
				7/24/2014	280	232	646	7.7	370	37	0.5	24	37	34	2	41
				4/22/2015	290	234	653	7.4	360	43	0.6	27	36	35	2	42
				10/5/2015	280	227	614	7.2	370	38	0.5	23	35	34	2	41
				4/26/2016	230	227	629	7.1	360	39	0.6	27	35	34	2	40
				10/12/2016	290	221	631	7	370	40	0.6	25	34	33	2	40
				4/10/2017	280	227	624	7.2	380	39	0.6	27	35	34	2	40
				10/12/2017	260	240	583	6.6	320	41	0.7	28	37	36	2	43
				4/24/2018	200	166	515	7.4	330	43	3.2	23	27	24	2	31
				10/9/2018	290	273	632	7.2	340	38	0.6	29	42	41	3	47
				4/15/2019	200	181	559	7.4	310	42	3.1	22	28	27	2	34
10/14/2019	290	221	626	7.2	380	41	0.7	29	34	33	2	40				
4/21/2020	300	230	705	7	400	50	0.7	27	36	34	2	42				
30S/11E-18K8	10th St. Obs. East (Deep)	LA18	E	1/19/2005	260	290	650	7.5	370	33	ND	38	62	33	2.5	28
				11/20/2009	230	220	620	7.5	378	32	ND	40	51	24	1.8	23
				7/24/2014	290	271	647	7.5	380	28	ND	34	56	32	2	27
				4/21/2015	290	265	634	7.7	400	33	ND	39	55	31	2	27
				10/19/2015	230	256	621	7.3	370	29	ND	33	53	30	2	26
				4/20/2016	190	265	700	7.5	390	31	ND	38	55	31	2	26
				10/18/2016	290	256	615	6.8	370	31	ND	36	53	30	2	26
				4/12/2017	290	274	616	7.5	450	31	ND	38	57	32	2	27
				10/10/2017	220	271	619	7.8	350	30	ND	36	56	32	2	27
				4/17/2018	290	260	625	7.3	390	33	ND	40	53	31	2	27
				10/10/2018	290	254	608	7.5	360	31	ND	40	54	29	2	26
				4/10/2019	290	245	620	7.6	380	32	ND	37	52	28	2	25
10/9/2019	290	253	647	7.9	390	33	ND	41	52	30	2	26				
4/14/2020	290	269	629	7.5	400	33	ND	40	55	32	2	26				

Water Quality Results - Lower Aquifer Monitoring

Station ID	Well Name	Basin Plan Well ID	Aquifer Zone	Date	HCO3	Total Hardness	Cond	pH	TDS	Cl	NO3-N	SO4	Ca	Mg	K	Na
					mg/l	mg/l	umhos/cm	units	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l
30S/11E-18K9	LOCS D 10th St.	LA32	C,D	May 2002	250	--	550	6.9	320	37	0.2	26	31	32	--	39
				11/20/2009	180	160	539	7.2	307	36	1	27	27	24	1.3	32
				7/23/2014	220	190	546	7.7	300	32	1	20	30	28	1	35
				4/21/2015	190	108	504	7.6	270	38	1.6	20	17	16	1	27
				10/6/2015	50	62	248	7.2	190	31	5.9	3	10	9	ND	21
				4/20/2016	130	121	382	7.5	220	32	3.3	12	19	18	1	27
				10/11/2016	200	168	511	6.6	270	36	1.2	22	26	25	1	34
				4/10/2017	190	155	461	7.3	270	35	1.9	19	24	23	1	31
				10/9/2017	200	168	493	7.6	270	36	1.4	23	26	25	1	33
				4/10/2018	50	75.2	256	7.7	150	35	6.5	29	12	11	ND	23
				10/2/2018	210	168	492	7.3	270	36	1.3	22	26	25	ND	33
				4/9/2019	200	172	474	7.6	270	34	1.6	22	26	26	1	33
				10/2/2019	200	185	531	7.4	310	36	1.4	25	28	28	1	35
4/16/2020	60	72.7	272	8.1	190	35	6	5.4	11	11	ND	20				
30S/11E-18K	GSWC Los Olivos #5	LA39	D	4/15/2019	290	230	619	8.1	350	38	ND	27	33	36	2	41
				10/14/2019	300	225	628	7.2	370	37	ND	29	34	34	1	41
				4/21/2020	300	236	674	6.9	370	37	0.2	28	37	35	2	42
30S/11E-18L2**	LOCS D Palisades	LA15	D,E	11/18/2004	220	330	880	7.3	420	120	ND	31	54	48	2.2	40
				11/19/2009	200	590	1460	7.2	890	360	0.4	39	94	86	2	44
			D	7/23/2014	250	293	783	7.8	390	90	0.4	26	48	42	2	40
				4/29/2015	80	78	348	7.4	230	43	5	10	13	11	ND	30
				10/28/2015	230	288	782	7.4	420	104	0.6	29	46	42	ND	36
				4/27/2016	230	264	796	7.3	450	93	0.9	28	43	38	2	43
				10/11/2016	200	221	694	7	380	91	1.7	26	36	32	1	35
				10/5/2017	180	306	768	7.6	400	102	0.7	27	50	44	2	40
				4/10/2018	250	311	767	7.3	420	100	0.8	32	52	44	2	40
				10/23/2018	250	288	772	7.7	440	83	0.6	31	48	41	1	38
				4/9/2019	250	301	774	7.4	460	102	0.8	29	48	44	1	38
				11/14/2019	210	303	806	7.8	430	107	0.7	33	49	44	2	39
				4/16/2020	260	299	832	7.7	460	109	0.8	33	49	43	2	37

ND = Not Detected

Chloride Metric Wells in Green (13J1 weighted x2); current chloride concentrations in red

*Chloride concentrations at 13J1 can vary seasonally by 100+ mg/l and are affected by well production and borehole leakage, so fluctuations are expected.

**Water from 18L2 affected by wellbore leakage/upper aquifer influence when inactive

Legend and Detection Limits

Constituent	Description	Practical Quantitation Limit*
HCO3	Bicarbonate Alkalinity in mg/L CaCO3	10.0
Total Hardness	Total Hardness in mg/L CaCO3	--
Cond	Electrical Conductance in umhos/cm	1.0
pH	pH in pH units	--
TDS	Total Dissolved Solids in mg/L	20.0
Cl	Chloride concentration in mg/L	1.0
NO3-N	Nitrate as Nitrogen concentration in mg/L	0.1
SO4	Sulfate concentration in mg/L	2.0
Ca	Calcium concentration in mg/L	1.0
Mg	Magnesium concentration in mg/L	1.0
K	Potassium concentration in mg/L	1.0
Na	Sodium concentration in mg/L	1.0

*where dilution not required

Ramona Hedges

From: Yael Korin <ykorin@g.ucla.edu>
Sent: Thursday, August 13, 2020 2:55 PM
To: Ramona Hedges; Kerry Brown
Cc: paul hershfield; Yael
Subject: [EXT]Re: Comments to Planning Commissioner, following the August 13, 2020 hearing on item 4: County File #: LRP2011-00016 and LRP2020-00006
Attachments: Housing element- Public Review Draft.pdf; Untitled attachment 00008.htm

Commissioners:

In the attached PDF document, Housing Element Public Review Draft, presented to LOCAC and available to Los Osos community, slides #7, 8, and 9, note the SLO "Regional housing needs allocation", "Remaining share of housing needs", and "Identified vacant parcels", respectively. The data shows, in slide 7, 801 housing units that need allocations throughout the unincorporated County areas; slide 8 data show that 427 are remaining share of housing units that still need allocation; and slide 9 indicates there are 36 parcels suitable for use for building affordable units. In their previous discussion, County staff estimated that because Los Osos has not built any affordable housing due to the ongoing sewer related building moratorium, and since Los Osos has adequate RMF zoned neighborhoods, that some 60% of the remaining share of housing needs may be incorporated into the LOCP.

However, in their presentation today, August 13 2020, County staff reported a very significant reduction in the number of affordable housing projected to be built in Los Osos from 60% of the 427 units remaining share housing that still need allocation throughout the County unincorporated areas, to merely 162 units, a very significant and substantial reduction.

We questioned the process used by County staff to determine this huge reduction and addressed this issue during public comments on August 13, 2020, and County staff responded to this issue when the commissioners came back from lunch, but their response was not sufficient, as it did not directly address the suggested projected number for affordable units allocated to be built in Los Osos as prescribed by the existing needs for San Luis Obispo County unincorporated areas (see attached PDF document).

We strongly object to this significant reduction in the number of affordable housing allocated for building in Los Osos, with the understanding that any construction will be subject to water availability. Moreover, we strongly recommend that senior housing will be added and included as part of the needed and required affordable housing. This will provide the process by which County staff can increase the number of remaining affordable housing need from 162 to 200, which is about 47% of County remaining need.

Sincerely,

Yael Korin and Paul Hershfield
1364 8th street Los Osos 93402

2020-2028 HOUSING ELEMENT

County of San Luis Obispo

Context

Shaping San Luis Obispo County to better serve its current and future residents:

- **Participation.** The Housing Element provides information on planned County actions.
- **Awareness.** The Housing Element provides information on the housing shortage, its impacts on our communities, and how it can be addressed.

The Lack of Housing Affordability

- **Low Affordability.** San Luis Obispo County is one (1) of the least affordable housing markets in the United States (National Association of Home Builders, 2019).
- **High Home-Purchasing Costs.** According to a report by the National Association of Home Builders (2019 Fourth Quarter Housing Opportunities Index), only 16.5 percent of families can afford to purchase a median priced home in San Luis Obispo County.
- **High Home-Rentals Costs.** A study by Apartment List (a real estate rental site) determined that 52 percent of San Luis Obispo County renters spent more than 30 percent of their salaries on rent in 2017.
- **Homelessness.** A 2019 count of persons experiencing homelessness throughout San Luis Obispo County estimates that approximately 1,483 persons were homeless at some point during 2019.

What is the Housing Element?

The Housing Element is:

- One of the required elements of the County of San Luis Obispo General Plan
- The overarching strategic housing plan for the unincorporated county

The Housing Element serves four (4) main purposes:

- Establish Framework
- Assess Housing Needs
- Report on Progress
- Qualify for Funding

What the Housing Does Not Do

The Housing Element does not:

- Provide funding
- Make actual changes to ordinances or zoning
- Construct or authorize construction of residential developments

Purpose of Updating the Housing Element

- The Housing Element update process allows the public, stakeholders, developers, decision makers, and staff to work together to develop a framework that achieves this purpose.
- This Housing Element will guide planning, development, and funding related to housing, through December 2028.
- At the end of this eight (8) year planning period, the Housing Element will be updated again.

Regional Housing Needs Allocation

JURISDICTIONS	TOTAL SHARE	INCOME CATEGORY			
		Very Low	Low	Moderate	Above Moderate
		24.6%	15.5%	18.0%	41.9%
Unincorporated County	3,256	801	505	585	1,365
Arroyo Grande	692	170	107	124	291
Atascadero	843	207	131	151	354
Grover Beach	369	91	57	66	155
Morro Bay	391	97	60	70	164
Paso Robles	1,446	356	224	259	607
Pismo Beach	459	113	71	82	193
San Luis Obispo	3,354	825	520	603	1,406
Regional Total	10,810	2,660	1,675	1,940	4,535
Note: Number of shares represent number of housing units needed					
Source: 2019 San Luis Obispo Council of Governments Regional Housing Needs Allocation Plan					

Remaining Share of Housing Needs

	TOTAL	INCOME CATEGORY			
		Very Low ⁽¹⁾	Low	Moderate	Above Moderate
Unincorporated County's Share	3,256	801	505	585	1,365
Housing Units Approved, Under Construction, or Completed (Jan - Aug 2019)	388	15	14	0	359
ADUs Approved, Under Construction, or Completed (Jan - Aug 2019)	37	0	18	19	0
ADUs Projected Through Dec 2028	1,665	832		566	267
Remaining Share of Housing Needs	1,166	427		0	739
Note 1: The low-income category includes the extremely low-income category.					

Identified Vacant Parcels

Income Category	IDENTIFIED VACANT PARCELS		HOUSING UNITS		
	Total Number of Parcels	Number of Parcels by Land Use Category	Number of Realistic Potential Housing Units ⁽¹⁾	Remaining Share of House Needs ⁽²⁾	Unincorporated County's Share
Very Low and Low	36	RMF: 13	1,505	427	1,306
		CR: 23			
Moderate	42	RMF: 13	1,361	0	585
		CR: 29			
Above Moderate	193	RSF: 184	1,217	739	1,365
		RR: 9			

Note 1: Based on realistic development capacity of 18 dwelling units per acre.

Note 2: For more information on this, see "Remaining Share of Housing Needs" section.

Housing Element Contents

- Chapter 1: Introduction
- Chapter 2: Glossary
- Chapter 3: The Need for Housing is a Regional Issue
- Chapter 4: Goal, Objectives, Policies, and Programs
- Chapter 5: Evaluation of Previous Housing Element
- Chapter 6: Housing Needs Assessment
- Chapter 7: Sites Analysis

Framework for Housing



Goal and Objectives

Housing Goal for Unincorporated County:

Achieve an adequate supply of safe and decent housing that is affordable to all residents of the unincorporated county.

- **Objective HE 1.00 (General Housing).** Facilitate the development and preservation of housing units that are diverse in type, size, and ownership level to meet the needs of residents of varying lifestyles and income levels.
- **Objective HE 2.00 (Affordable Housing).** Facilitate the development and preservation of housing that is affordable to households of moderate-income or lower, households of workforce-income, and seniors.
- **Objective HE 3.00 (Homelessness).** Provide support for services that reduce homelessness and housing of persons experiencing or at risk of experiencing homelessness.

Policy Example #1

Policy HE 1.01

(Strategic Regional Residential Development)

Support and prioritize new residential development in areas identified for strategic regional residential development and other areas that are (a) located along priority transportation corridors (i.e. highways identified by San Luis Obispo Council of Governments as priorities for regional infrastructure investments), (b) located in or between areas with higher concentration of jobs and services, and (c) located within or in close proximity to existing urbanized areas or communities. This includes, but is not limited to, supporting and prioritizing the following in such areas:

- improvements to infrastructure and facilities;
- reductions in infrastructure constraints for the development of housing to the extent possible; and
- increases in the supply of land for residential uses.

Policy Example #2

Policy HE 2.04

(Barriers to Affordable Housing)

Reduce regulatory barriers to the development of affordable housing.

Policy Example #3

Policy HE 3.02

(Regional Approach on Homelessness)

Collaborate with other jurisdictions to support a county-wide approach to reducing homelessness.

Program Example #1

Program A

Strategic Regional Residential Development

- **Purpose:** To focus public outreach, land use planning, infrastructure and facility improvements, and funding primarily in areas described under Policy HE 1.01.
- **Description:** Create an implementation plan to facilitate strategic regional residential development.

Program Example #2

Program B

AB 686 Affirmatively Further Fair Housing

- **Purpose:** To ensure that meaningful actions will be taken to combat discrimination, overcome patterns of segregation, and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.
- **Description:** Take actions and/or update the Fair Housing Plan to affirmatively further fair housing and ensure compliance with AB 686.

Program Example #3

Program V

Residential and Commercial Mixed-Use Developments

- **Purpose:** To incentivize developments that harmoniously incorporate residential and commercial uses.
- **Description:** Explore options to incentivize developments that harmoniously incorporate residential and commercial uses, and if appropriate, amend ordinances to include such incentives. The relationship between the amount of public benefit and the incentive options would be heavily considered.

Thank You

Cory Hanh

Phone: (805) 781-5710

E-mail: chanh@co.slo.ca.us

Housing Element Update Website

[https://www.slocounty.ca.gov/Departments/Planning-Building/Active-Major-Projects/Housing-Element-Update-\(2020-2028-Housing-Element\).aspx](https://www.slocounty.ca.gov/Departments/Planning-Building/Active-Major-Projects/Housing-Element-Update-(2020-2028-Housing-Element).aspx)

Survey

[https://www.slocounty.ca.gov/Departments/Planning-Building/Active-Major-Projects/Housing-Element-Update-\(2020-2028-Housing-Element\)/Housing-Element-Public-Input-Survey.aspx](https://www.slocounty.ca.gov/Departments/Planning-Building/Active-Major-Projects/Housing-Element-Update-(2020-2028-Housing-Element)/Housing-Element-Public-Input-Survey.aspx)

Ramona Hedges

From: bboyd <bboyd2002@earthlink.net>
Sent: Friday, August 14, 2020 5:03 PM
To: Ramona Hedges
Subject: [EXT]letter to Planning Commissioners

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear Ms. Hedges:

On Monday, August 10, 2020, I emailed you a letter in an attachment, asking you to forward it to the Commissioners. It regarded Item 4 on the agenda of the August 13th meeting. I checked the Item Documents on the website the morning of the meeting as well as today and didn't see it included with other letters. In case it didn't reach you, I copy it here.

Please redact my email address from this email. Thank you.

Best wishes,
Beverly Boyd

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* *

August 10, 2020

Dear Planning Commissioners Brown, Campbell, Multari, and Ortiz-Legg:

I appreciate your careful review of this important document—the Los Osos Community Plan. Before you approve the LOCP and send it to the Board of Supervisors, I suggest that the Plan needs more extensive attention given to the Circulation section, not just for current conditions but also for two new conditions that will complicate what appears there.

The new conditions are the increase of traffic that will inevitably

(1) follow the lifting of the building moratorium that the Basin Management

Committee regards as feasible

(2) and result when Los Osos does its part to fulfill the State's requirement

for more housing units in the County.

Not only changes resulting from those conditions will affect traffic circulation, but also existing needs—which have been postponed due to the absence of funding—that require more planning. These include:

- (1) making streets safe while incorporating bikeways and pedestrian paths
for multi-modal use, which the LOCP identifies as a goal,
- (2) paving dirt roads,
- (3) and addressing the increase of tourist traffic and parking in commercial and residential areas.

An example of one large property that has been singled out for housing development lies south and east of Morro Shores Mobile Home Park between Ramona and Los Osos Valley Road. According to some, an extension of Ravenna, a Collector road (defined as a "road that enables traffic to move from local streets to arterials and activity centers"), may run through that property, which will greatly increase traffic through Local streets (defined as "low capacity roads that provide primary access to adjacent parcels"). The surrounding Local streets are not designed for such an influx. If, indeed, housing is developed there, that neighborhood could be designed with cul-de-sacs or with two or three different entrances onto Collector streets as an alternative to a sole Ravenna Collector. Even then Local roads would need to be prepared to handle the additional traffic. On the other hand, especially if housing were not built on that parcel, the area would be a perfect place to develop a multi-modal passageway, such as the LOCP encourages, by creating a pedestrian path / bike route through that property instead of a Collector road. Such a path would offer a safe route for children as well as adults to and from schools, the library, and community center.

Provisions that address multi-modal goals in the LOCP need clearer definition to provide maximum safety and to preserve the character of surrounding neighborhoods. Planning for such important changes should be done now, not later. Before sending the LOCP to the Board of Supervisors, you may find it helpful to separate Chapter 5, "Circulation," and related Appendices from the whole document to allow for more study and planning before passing that section on—if such a bifurcation is possible.

Since June 2015, I have attended monthly meetings of the Traffic and Circulation Subcommittee of LOCAC, which have also been attended by knowledgeable and informative traffic engineers from Public Works. I have learned more about Los Osos' web of streets, classified as "Artery," "Collector," or "Local" as I am especially concerned with keeping "Local" streets functioning as such so they do not become, by default, "Collectors." For actual and expected increase of daily vehicular traffic, more planning needs to be done to coordinate it with pedestrian and bicycle traffic.

I agree with Robert Kreps that inconsistencies in circulation documents should be resolved before mistakes are incorporated into the LOCP. Consequently, I urge you to read and to take action as requested by Mr. Kreps in his letters to you about circulation issues. Mr. Kreps has researched a multitude of documents and has consolidated much of what he has found in his letters to you.

Thank you for the important work you do for our community.

Sincerely,

Beverly Boyd

Los Osos Resident



PO Box 6391
Los Osos, CA 93412
Voice mail: (805) 316-0640
Email: STMutualWater@gmail.com
Website: www.st-water.com

Date: 10 July 2020

To: **Kylie Hensley**, San Luis Obispo County Planning Department

S&T Water thanks you for the opportunity to voice our perspective on the planning efforts for our community here in Los Osos. We certainly understand that a great deal of time and effort have gone into the County's work with the Los Osos Community plan.

While we are the smallest purveyor of water in our community, we are on the front line of those affected by seawater intrusion and nitrates from historical and current septic systems. Our primary well is the westernmost community water source and as such, our water supply is very vulnerable to seawater intrusion. As you know, the current metrics of the Basin Management Committee are indicating no improvement and perhaps even an increase in the threat of seawater intrusion. In addition to the threat of sea water intrusion, S&T is also threatened by nitrate pollution originating from the high-density septic systems currently permitted by the County in the Cabrillo Estates area. The S&T community water source, which supplies drinking water to approximately 591 citizens of Los Osos, is threatened with imminent failure when the nitrate concentrations in this source continue to increase in the next decade or two.

We are cautiously optimistic that the programs under the management of the Los Osos Basin Management Committee will eventually allow the community water sources in Los Osos to become sustainable for the current population. We do not believe these supplies to be sustainable now. Progress is materializing, but we are fearful that "turning on the tap" of development, without greater margins of safety, will lead to unnecessary harm and expense.

Our primary responsibility is to our shareholders to continue to provide a safe, clean and sustainable water supply.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "Chris Gardner", is written over a light blue circular stamp.

Chris Gardner

Vice President of the Board and S&T Staff Representative to the Los Osos Basin Management Committee
S&T Mutual Water Company

Cc Julie McAdon – President, S&T Mutual Water Co.
Charlie Cote – S&T Treasurer and BMC Director