

# Item 7

**Subject:** LOSG Comments on the Draft Growth Management Ordinance (GMO) and Resource Summary Report (RSR) pertaining to Los Osos.

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

Dear Ms. Hensley,

Thank you for answering our questions and clarifying the intent of the proposed GMO revisions, the RSR, and related polices and documents. We are very appreciative of the time and effort staff has spent drafting these documents, but our main concern is, and has always been, conclusive evidence of a sustainable water supply.

First, it is clear to us that the proposed changes to the Growth Management Ordinance (GMO) for Los Osos would trigger a supplemental or subsequent EIR under CEQA for the Los Osos Community Plan, which is currently undergoing environmental review. This is because the proposed GMO represents a major change in the original Community Plan that could result in significant undisclosed and unaddressed adverse impacts.

A quick comparison of the “redline” version of the “Community Standards” section of the most recent draft of the Community Plan and the original Community Plan makes the degree of change in the language, which is reflected in the proposed GMO, abundantly clear. By exempting affordable housing, accessory dwelling units (ADUs), and farm worker housing from growth rate provisions, the new Community Plan language and proposed GMO significantly modify the criteria for determining how and when new development is approved. In the original Community Plan, the completion of certain Basin Plan programs--and a determination that the programs are successful and effective—must precede changes in a GMO and approval of all new residential housing, not just non-exempt housing.

Old language--

## **Amendments to Title 26.**

*Development of new dwelling units that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect*

*current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective, as follows.*

New language with cross outs--

*Amendments to Title 26.*

*2. Residential Development. The Growth Management Ordinance, Title 26 of the County Code shall be amended to establish an annual growth rate for new residential units in the Los Osos Urban Area consistent with the available sustainable water supply. Residential units exempt from Title 26 are exempt from this standard (e.g., affordable housing, accessory dwelling units ~~that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation~~); (Chapter 7, p. 7-2, pdf page 2 of 82, redline version)*

We understand that new affordable housing may not be a significant percentage of new housing in most unincorporated communities of the County. However, the Los Osos Community Plan indicates that Los Osos could accommodate “60% of all very low and low-income housing potential in unincorporated areas.” The Community Plan further adds that “Los Osos could nearly provide all (remaining) needed affordable housing Countywide (404 units out of 407 units required)...” Other incorporated communities would supply 277 units of the total of 681 units. (See Chapter 4-10, pdf pages 4 & 5 of 19).

We understand from the response to our questions, that there is no upper limit on the number of exempt housing units that can be approved, even with a Level of Severity III designation for Los Osos, and that exempt housing can be approved in addition to the non-exempt housing, which is subject to the growth rate of 1.3% per year. Thus, total water use of the new housing in Los Osos could be two, three, four or more times the 63 AFY of water use estimated over five years for non-exempt housing. To address the potential adverse impact of unsustainable water use, the Community Plan language states:

*iii **Non-Residential Usage Trends.** If the data from the Basin Plan annual monitoring reports, individual purveyors, or private wells, indicate a significant increase in water demand for non-residential uses (e.g., commercial, agricultural, public facilities) or for residential uses not subject to the growth limitation standards in Title 26 (e.g., affordable housing, accessory dwelling units) that the Basin Plan*

*adaptive management is not mitigating, then the residential growth rate shall be decreased* (Chapter 7, p. 7-4, pdf page 4 of 82, redline version)

By the time a “significant increase in water demand for non-residential uses” occurs, and the purveyors and others realize that “adaptive management is not mitigating” the overdraft, it will be too late to prevent permanent harm to the Basin. Even when overdraft is known, per the new Community Plan language, the growth rate for non-exempt residential development would only be “decreased,” not stopped, and exempt housing, apparently, could continue to be approved without any limit.

The most recent Adaptive Management Memorandum completed for the Basin Management Committee, the “marginal yield,” for further development is 150 AFY. The estimate, based on modeling, is supposed to account for adaptive management modifications to Program C (e.g., two expansion wells instead of three and less recycled water discharged at Brodersion leach fields). Thus, the new language in the Community Plan and proposed GMO could easily result in water use exceeding modeled “sustainable yields.”

As the above clearly shows, the changes in Community Plan language, including the changes reflected in the proposed GMO, require CEQA review to disclose, analyze, and address potential adverse impacts. Therefore, we are requesting that a subsequent or supplemental EIR for the Community Plan is conducted to address the impacts, with appropriate notification and time given to the public and other stakeholders to comment.

In addition to our objection to the proposed GMO and Resource Summary Report (RSR) documents on the basis of inadequate CEQA review, we are concerned that the documents do not protect the Los Osos Water Basin and the current homeowners of Los Osos, who rely on the Basin for their sole source of water. This is because the documents confirm a major shortcoming and concern we expressed in our comments on the Los Osos Habitat Conservation Plan and the Los Osos Community Plan: that decisions regarding whether the Los Osos Basin can sustainably support further development will not be based on enough reliable, empirical data (well tests over time) to conclusively determine that the Basin can sustainably support that development.

The documents confirm our earlier concerns, in part, by showing that development decisions will be based on a cursory review of actual Basin conditions and untested modeling predictions that Basin Plan programs (e.g., Program C--moving well inland) will result in additional yield to support added development. We explain some of the

reasons for our concerns below—and request that we are able to submit further comments on the proposed GMO and Resource Summary Report and Level of Severity designation in the future as needed.

### **What the Resource Summary Report (RSR) fails to mention**

The Public Review Draft of the 2016-2018 Resource Summary Report (RSR), which we downloaded from the Los Osos Basin Management Committee (BMC) website (part of the June 17, 2020, BMC agenda packet), includes several incomplete, inaccurate, or misleading statements regarding the condition of the Basin, all of which suggest that Basin conditions are improving.

The RSR leaves out significant contrary evidence showing that Basin conditions are not improving and may be getting worse. The draft RSR states: “The 2017, 2018, and 2019 annual reports show the seawater intrusion front moving back towards the coast from its position in 2016” (p. 4). Yes, the 2017 and 2018 Chloride Metric, Water Level Metric, and seawater intrusion front mapping indicated that the seawater front receded in those years in the lower aquifer, Zone D, and that water levels came up some—good signs.

However, the most recent 2019 Annual Report shows seawater again moving inland and water levels going down (pdf pp. 60, 70, and 72). So there is no clear trend established. Further, the 2016 through 2019 Annual Reports all acknowledge considerable variability (unreliability) in the data used for the metrics, and the Annual Reports acknowledge an intentional confirmation bias in the Chloride Metric. Chloride data from the Rosina Well is double weighted “to increase the sensitivity of the metric to management actions,” i.e., to show a reduction in chlorides at the well with reduced pumping (see 2019 Annual Report, pdf p. 71). The seawater intrusion front mapping also relies heavily on Rosina data.

The RSR also fails to mention that seawater intrusion continues to move inland in the deep aquifer, Zone E, in a northern location where it has not been previously observed, and Zone E seawater intrusion appears to be moving inland along a wider front than originally observed. These conditions were confirmed in a November 2019 Adaptive Management Tech Memo, which includes data from a new monitoring well (see December 2019 BMC Agenda Package, pdf pages 48-54). The tech memo warns that the Zone E intrusion could threaten a key LOCS D supply well by upconing into the well (pdf page 49). Since Zone E seawater intrusion extends over a mile inland to a point past the Community Center, and underlies several Zone D supply wells, Zone E seawater intrusion could also threaten other Zone D wells with upconing. Further, Zone E seawater

intrusion is likely destroying substantial Basin capacity.

The 2019 Draft Annual Report states that there are not enough data to represent the seawater front in Zone E in plan view (from above), and the Report recommends modifying three existing monitoring wells to monitor Zone E seawater intrusion (pdf p. 55 & 67 of 273). In lieu of a verifiable front, the report provides a “generalized plan view interpretation” of the front, showing seawater intrusion extending throughout most of the Western Area of the Basin (see Appendix D, pdf p. 194-196). The actual advance of seawater intrusion in Zone E could, in fact, be further inland over a wider area than estimated since there is only one Zone E monitoring well in the entire northern part of the Basin (western part of the Central Area) where Zone E seawater intrusion is now known to be advancing. Furthermore, Basin studies have established that seawater intrusion in the lower aquifers (Zones D and E) can move along preferred pathways at different rates, advancing further in some areas than others along relatively narrower pathways.

The upper aquifer has several monitoring wells in the northern Basin (western half of the Central Area) (see Figure 10, pdf p. 50 of 273). To accurately track seawater intrusion and monitor water levels in lower aquifers, significantly more monitoring wells are needed for Zones D and E.

The Public Review Draft of the RSR also mentions that recycled water from the Los Osos Water Recycling Facility (LOWRF) is mounding down gradient from Broderson Leach fields, which suggests that it will eventually help push back seawater intrusion in the lower aquifers. The RSR does not mention that the November 2019 tech memo states that the mounding (in the Upper Aquifer) is estimated to take 5-7 more years to fully form before it begins to push through the 50-foot thick clay layer and raise water levels in lower aquifers, which then could influence the seawater intrusion front (see December 2019 BMC Agenda Package, pdf page 53 of 63). The RSR also fails to mention that the tech memo states,

*The sustainability of the 2017 infrastructure and pumping distribution depends in large part on discharges to the Broderson community leachfield, which over time will create a groundwater mound to push water through the regional aquitard and into the Lower Aquifer. Basin Model scenarios operate under steady-state flow conditions, where the Broderson site has a fully developed mound, even though the mound will take several years to develop.*

The tech memo adds:

*Until a known rate of increase in the Lower Aquifer attributable to Broderson mounding is measured, the timing of recovery (rise of lower aquifer water levels) will be uncertain. (pdf p. 53 of 63).*

Thus, the memo acknowledges that modeled yield estimates and the benefits of Basin Plan programs depend on Broderson leach field effectiveness and the timing of the benefits are uncertain. The memo further acknowledges that Broderson leach field benefits won't happen for at least 5 years, sometime after the mound is fully formed and begins pushing through the clay layer. By acknowledging this uncertainty in the modeling and program benefits, the memo acknowledges that the estimated yields for currently implemented Basin Plan programs will not occur for at least five years—i.e., not within the 5-year span of the proposed GMO. The tech memo estimates that water levels in the lower aquifers will rise to the Water Level Metric target of 8 feet above mean sea levels by 2033, but the estimate is based on one year of Water Level Metric data (2016 to 2017), which is not consistent with 2019 Water Level Metric data. Thus, the timing of the leach field benefits on seawater intrusion is uncertain and may not occur within the 20-year horizon of the Community Plan, if at all.

Further, the RSR fails to mention that the November 2019 tech memo finds that nitrates from septic systems outside of the sewer service area are likely to be polluting production wells in the Western Area of the Basin. The memo estimates nitrate levels at the wells will rise to above allowable limits within 20 to 30 years, and possibly much sooner.

### **Conclusion and further comment in the future**

The above provides just a few of the examples we could cite showing why the proposed GMO, draft Resource Summary Report, and Level of Severity designation for Los Osos do not adequately protect the sole source of water for the community.

As the examples show, one basic way the proposed documents do not protect the Basin is that they do not base decision-making relating to Basin sustainability and future development on sufficient reliable, empirical data to conclusively show the Basin is sustainable for the current population or additional population. More well tests from more monitoring sites over a longer period of time and a review of metric reliability are needed to be confident that seawater intrusion has reversed and a sustainable water supply exists for the current population. In keeping with a First Immediate Goal of the Basin Plan, the first priority must be to "Provide sustainable water supplies for existing

residential, commercial, community and agricultural development within Los Osos.” (p. 19).

Currently, the above documents base critical decisions on Basin sustainability and development almost exclusively on modeling estimations of future yields. These modeling estimations are untested and have significant levels of uncertainty.

Finding out in the future—after development is in place -- that Basin metrics were not reliable, the model has exaggerated sustainable yields, and the added water demand from development is unsustainable, would be disastrous for Los Osos and the high value natural resources that depend on the Basin for survival.

As previously stated, we request that you conduct a subsequent or supplemental EIR to afford stakeholders the time and opportunity to fully understand and comment on impacts of proposed Community Plan changes and proposed related documents.

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.

We look forward to providing more information and comments at the Planning Commission hearing, and we thank you again for your response to our questions.

Sincerely,

Board of Directors : Los Osos Sustainability Group (LOSG)

Patrick McGibney

Elaine Watson

Larry Raio

Keith Wimer

Chuck Cesena

Attention: Kylie Hensley [khensley@co.slo.ca.us](mailto:khensley@co.slo.ca.us)

June 26, 2020

Subject: Los Osos Community Plan: Water Supply & Projected Build-out

Dear Kylie Hensley,

Having lived in Baywood Park for over 20 years, there has always been a possibility of build-out, this is California coastal after all. We've been here during the changing climate, less marine layer and long drought that is now normal. Water is insufficient for the demand in our state. Having read and heard your LOCAC presentation on 6/25, I would like to give feedback of how abstract and alarming this water supply and projected build-out is. When talking with community members, people often mention the moratorium we are in due to lack of ground water. There is great dis-belief with our Level of Severity at LOS III that adding to our population could be possible. The public deserves a fair interim period after the suggested check list of monitoring and improvements have been made before adding additional water/ sewer demands. If water reserve levels are stable over an interim reliable period, showing stable results of high water levels and safe quality water, then Los Osos residents could be assured for considering adding a growing population. The community deserves to see that the proposed methods of improving our water reserves works beyond satisfactory, a clear assurance in order to be supportive. The restricted period you mentioned would still allow for exemption of other builds, like Affordable Housing, which is a state funding trend these days, so it is possible we would be getting hundreds to possibly a thousand plus more residents just before lifting the restriction for Single-Family and Multi-Family build-out. Again, having another interim period of keeping an eye on the water reserve stability seems like a smart thing to do before opening further build-outs.

The projected Single-Family build-out per year is an astonishing amount of construction projects to be going on in such a small community all at once. The county roads will be impacted by the repeated construction truck loads and that will add expense for the county. Other impacts will be noise, parking problems, dust and debris, and especially impacts on wildlife as they are pushed further outside of residential zones. I would be in favor of a mandatory percent planting of native plants for every development, in order to give back and nurture our native bird, insect, and wildlife populations. With development each property should have a no water run-off regulation, and demand that run-off water be collected for landscape or re-directed to infiltrate ground water. Without this we will see more erosion of the Morro Bay shoreline, and more run-off pollutants into the bay, including the man made materials from construction.

I'm in favor of an EXTRA SLOW growth management plan for the build-out if water level and quality permits. 80 plus Single-Family residences a year is too many, and asking too much of the existing residents to live with that much ongoing construction and its upheaval and impacts on the quality of life here. If the number of developments was lowered to 30-40 a year, it would be much more manageable. With interim periods between adding more build-out categories and quantities, and proving that water reserve levels are stable and increase for the next added demand, along with sewer handling each new group of hookups, our growing community could be assured that we have more than sufficient water levels and infrastructure for the proposed build-out and growing population.

Sincerely,  
Lisa Denker

## Ramona Hedges

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**From:** Yael Korin <ykorin@g.ucla.edu>  
**Sent:** Thursday, July 2, 2020 10:40 AM  
**To:** Ramona Hedges  
**Cc:** Yael Korin; Paul Hershfield  
**Subject:** [EXT]Comments to Planning Commissioner, July 9, 2020 agenda item 7: county file# LRP2011-00016 and LRP2020-00006

Dear Ramona Hedges,

Please confirm the receipt of this email and its inclusion within the material for the Commissioners for their meeting on July 9, 2020.

Thank you very much,

Yael Korin

July 1, 2020

Commissioners:

The Los Osos Community Plan (LOCP) recognizes the need for affordable housing in the county, and more specifically in Los Osos.

There are two undeveloped areas in the plan that are designated for residential multi-family housing, one on Fairchild Way and the other in the Morro Shores area.

The EIR proposes converting the parcel on Fairchild from Residential Multi-Family to Commercial Service. The parcel in question is surrounded on three sides by residential uses, consisting of both multi- and single family housing. A Commercial Services use (owner has been trying to obtain permit for use as a construction staging yard) would not be compatible with the surrounding residential uses, and could potentially bring excessive noise, dust and pollution to an otherwise quiet

neighborhood. This area should remain residential. The parcel is a great location for an affordable multifamily housing project, one owned and operated by a real low-income housing organization.

The owner of Morro Shores property has responded to the LOCP's requirement for affordable housing as follows:

“Given the largely built out condition of Los Osos, requiring affordable housing be provided on site or elsewhere in Los Osos may not be feasible. The Community Plan should include the option, even if as a last resort, that the housing requirement be satisfied by allowing the applicant the option to pay a fee to satisfy the requirement. Los Osos has historically been one of the “affordable” areas of the County. Providing truly affordable housing closer in to employment centers, which a fee would allow, also seems consistent with VMT and GHG concerns.”

Los Osos is not “largely built out.” There has been a building moratorium in much of the community for many years. However, the Morro Shores property is one of the few unbuilt areas that is available for a multi-family housing community. The requirement to provide affordable housing in Los Osos should not be compromised by payment of a fee that might go towards building it elsewhere. It is needed here. Los Osos may have once been “affordable,” but that era is long gone. Residential property prices are skyrocketing out of control.

Los Osos has a real need for affordable housing. Many essential workers in Los Osos, including supermarket employees and home-health service providers, cannot afford to live where they work. Los Osos also has undeveloped land that is not available in the unincorporated coastal communities, nor in the City of San Luis Obispo. The county needs affordable housing, and Los Osos can provide it.

The County should preserve both of these properties specifically for affordable housing, and should work in conjunction with an organization such as People's Self-Help Housing in order to make it happen.

Sincerely,

Yael Korin and Paul Hershfield

Los Osos residents and LOCAC and LUC members

## Ramona Hedges

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**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 9:21 AM  
**To:** Ramona Hedges  
**Subject:** Re: 7/9 PC Item #7 - SUMMARY of forwarded comments related to water & growth

Please add to the website, thank you!

Kylie

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**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 9:19 AM  
**To:** Kerry Brown <kbrown@co.slo.ca.us>; Ramona Hedges <rhedges@co.slo.ca.us>  
**Subject:** 7/9 PC Item #7 - SUMMARY of forwarded comments related to water & growth

Hi Ramona and Kerry,

Please see attached pdf of all of the comments for item 7 I have forwarded you so far, combined into one file. Here is a summary for reference:

1. LOCSD - more conservative growth rate
2. Jeff Edwards - allow growth now, factor in water offsets
3. Dominic Roques - concerned about water demand for ADUs and affordable housing
4. Michael Raphael - no more housing
5. Anonymous - please consider owners of undeveloped parcels
6. Marc Weber - keep moratorium in place
7. Lisa Denker - slower growth
8. Scott Kelting - against Program C well on Andre
9. Robin McPeak - growth rate is too optimistic
10. Eve Gruntfest - no growth, public not involved enough in planning process
11. Steve Sumii - wait to allow new development

Thanks,  
Kylie

## Ramona Hedges

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**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 8:52 AM  
**To:** Ramona Hedges; Kerry Brown  
**Subject:** 7/9 PC Item #7 - Comment, Steve Sumii

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please add this comment to the public record. Thanks, Kylie

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**From:** steve sumii <sumiisteve@gmail.com>  
**Sent:** Sunday, June 28, 2020 7:27 AM  
**To:** Kylie Hensley <khensley@co.slo.ca.us>  
**Subject:** [EXT]Fwd: Proposed housing development Los Osos

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

----- Forwarded message -----

**From:** **steve sumii** <[sumiisteve@gmail.com](mailto:sumiisteve@gmail.com)>  
**Date:** Sat, Jun 27, 2020 at 8:17 AM  
**Subject:** Proposed housing development Los Osos  
**To:** <[bgibson@co.slo.ca.us](mailto:bgibson@co.slo.ca.us)>

After reading the report on the water supply over the next several years, it seems to me that we are taking a big risk having enough water for the housing development that is planned. From what I read it is saying that there is just enough water for current residence. I know there are plans to alleviate this problem, but hoping for enough water from mother nature in addition to the man-made plans to have more water in the future is too risky. I am afraid that the plans to develop more housing at this time is not reasonable. Let wait until we complete the water conservation plans and see how much water is truly available before we risk not having enough for us.

If I am misinformed please explain to me in simple terms I can understand. Thank you.

Steve Sumii

## Ramona Hedges

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**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 8:50 AM  
**To:** Ramona Hedges; Kerry Brown  
**Subject:** 7/9 PC Item #7 - Comment, Robin McPeak

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please add this comment to the public record. Thanks, Kylie

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**From:** Joe and/or Robin McPeak <mcpeakchina@hotmail.com>  
**Sent:** Friday, June 26, 2020 4:29 PM  
**To:** Kylie Hensley <khensley@co.slo.ca.us>  
**Subject:** [EXT]Comments on RSR and GMO

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

Allowing auxiliary dwelling units, affordable housing AND 80+ new homes/year to be built in Los Osos is a flawed plan. The county water projections are overly optimistic at best. There should be no building of homes in Los Osos until there is a sufficient and sustainable water supply.

Robin McPeak  
Los Osos

June 26, 2020

Kylie Hensley  
SLO County Planning Department  
San Luis Obispo, CA  
Sent electronically

Dear Kylie Hensley:

I am a resident of Los Osos, CA. I have a Ph.D. in geography and I taught land use planning at the University of Colorado Colorado Springs for decades.

Like many of my neighbors I moved from places that did not responsibly address concerns about water quality, water supply, provision of public services and other issues before allowing massive growth. The growth compromised the quality of living for the existing residents. That's why many of us, including me, moved TO Los Osos.

I am writing to strongly recommend that the building moratorium remain in effect and that the County's growth plans for Los Osos be indefinitely put on hold. There are many reasons Los Osos should not allow any of the proposed 3000 new residents to move here. Here are four points for you to consider.

1. **SUSTAINABLE WATER SUPPLY FOR EXISTING RESIDENTS** The primary reason is the concern about sustainable, affordable and safe water supply for the existing residents.

As Mark Zimmer, from Golden State Water stated at the June 17, 2020 Los Osos Basin Management Meeting stated:

(transcribed from the meeting recording)

[https://slo-span.org/media/audio\\_files/LOBMC/LOBMC\\_20-06-17/LOBMC\\_20-06-17.mp3](https://slo-span.org/media/audio_files/LOBMC/LOBMC_20-06-17/LOBMC_20-06-17.mp3)

"Once new customers become customers, they become customers that we have to serve no matter what I would like to take a more conservative approach than to try to push it to the limit of what our theoretical yield is and have a little more certainty with confirmation of the program effectiveness and the data from the matrix coming back to us.

Our main fundamental priority is for our existing customers and make sure that these customers have a reliable and affordable source and if we add more users onto the basin without a high level of certainty then we are taking a risk there (46:04 in the meeting) and we have to evaluate that risk."

Charlie Cote, also a Director on the Los Osos Basin Management Committee and representative of S&T Water, agreed with Mark Zimmer that current water conditions do not warrant new will serve water permits. He cited issues related to groundwater nitrate contamination from neighborhoods that are not connected to the Los Osos Sewer system.

The Cabrillo Estates neighborhood septic tanks are contaminating the Los Osos groundwater. This problem must be addressed before any more building can be allowed (in or out of the prohibition zone). Even though Cabrillo Estates development is not in the prohibition zone - nitrates from septic tanks in that neighborhood are contaminating the Los Osos groundwater basin.

## **2. THE LOOPHOLE OF THE EXEMPT CATEGORY JEOPARDIZES QUALITY OF LIFE IN LOS OSOS AND THE SUSTAINABILITY OF MORRO BAY**

I needed to hear the presentation by San Luis Obispo County planners several times before I realized that most attention was going to the impact of the proposed 82-86 new dwellings that were part of the growth plan. The plan's "exempt" category of structures includes ADU's, AFFORDABLE HOUSING, agricultural housing and replacement dwellings challenge the idea that the land owners who have been waiting for decades should be first in line if any growth is going to occur. The large number of residential permits that can be issued in the "exempt category" assures that building permits for hundreds or even thousands of permits can be issued to land developers - who have no connection to Los Osos, prior to the approval of permits for those land owners on the waiting list. The apartment houses and hundreds of mobile homes will require water service that exceeds the capability of the basin.

The water purveyors comments concerned the sustainability of the current Los Osos water supply. The seawater intrusion into Morro Bay is a substantial long term consequence that the Los Osos Basin Management plan identifies as a problem and before the moratorium is lifted there must be confidence that the proposed growth will not significantly degrade Morro Bay. The impacts of climate change will intensify pressures on the Los Osos Groundwater Basin and new building permits must be issued judiciously - not hundreds or thousands at a time.

According to the County Plans - (The Land Use Table (3-1) is on page 3-2 of Chapter 3 of the Redlined Version of the County Public Hearing Draft)— there can be 370 new dwellings and 814 new residents in the "affordable housing" proposed for the Morro Shores Mixed Use Area in the middle of Los Osos. The addition of these residences may be in an EXEMPT category in the plans but each one of these units will require safe, affordable water that the water purveyors (professional engineers) argue is in jeopardy for the current Los Osos population.

**3. NEED FOR OPEN SPACE CORRIDOR THROUGH THE CENTER OF LOS OSOS:** These 56 acres now serve as an open space Nature Corridor that links the Sweet Springs Nature Preserve and the Community Center and Public Library.

Most of the open space land in Los Osos is on the periphery. This 56 acre parcel is an oasis for community members now who do not want to drive to the open spaces at the edges of Los Osos for their recreational walks. This open space should be purchased by a public/private consortium similar to the other important natural areas that make Los Osos a prime habitat for many birds, reptiles, rodents and plants. The model used by the Elfin Forest or the Bay Oaks Preserve could be followed to find partners who will purchase the land from the current land owners. The land owners could receive large tax benefits from transferring their land to open space. I have contacted the land owners/developers. They responded that they would consider an offer to purchase the land.

**4. THE PROCESS HAS NOT BEEN INCLUSIVE.** Supervisor Gibson frequently states that the Los Osos Community Plan represents the wishes of the ~14,000 residents here. It does not. The plan was written by consultants and has been supported by the Los Osos Community Advisory Council (LOCAC). The Council made some attempts to reach out to the broader community. I recognize that with the limited local newspaper and television coverage it's harder to bring people into the local planning process. However, I tried to notify my neighbors in the Morro Shores Mobile Home Park with "cubby" messages and emails.

Not one of the ~250 people in the park had ever heard of LOCAC. Supervisor Gibson recognized that in person outreach was required for seniors who do not get their news electronically - and he came to Morro Shores to brief the residents. More than 60 people turned out. There was only one other public meeting before the pandemic /virtual meetings

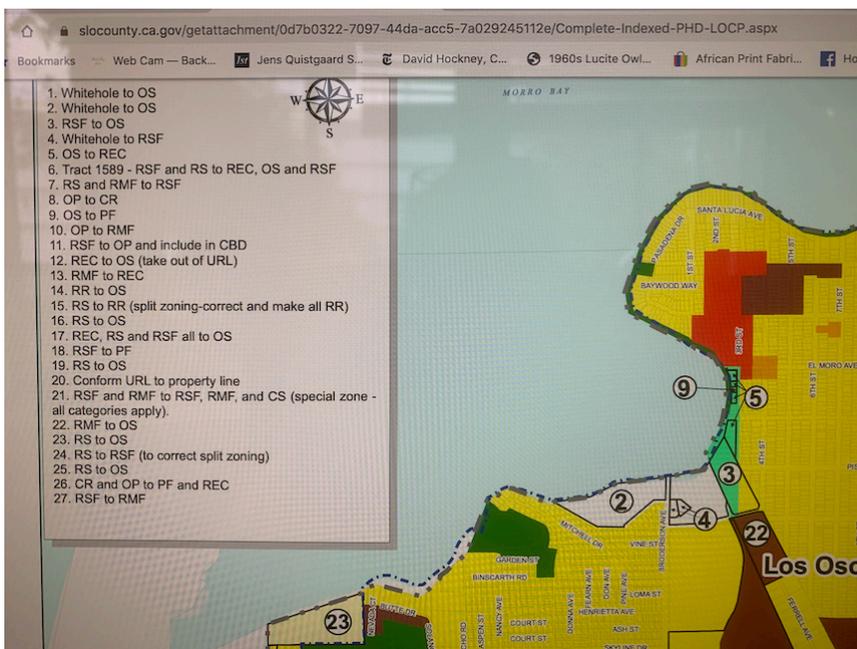
went into effect. There were 300 people at the meeting at Sea Pines when the Habitat Conservation Plan and Draft Environmental Impacts Report were presented in Fall 2019.

Thinking generously - 500 out of 14,000 people in Los Osos even KNOW what the county plans for our unincorporated area. The planners have made presentations at the Basin Management Meeting but there have been no mailings or newspaper articles pointing out how our beautiful quiet community is about to radically grow by 25% in the next five years. There are many ways that the County could have shown that it wanted the process to be inclusive - by sharing information at the numerous free music events where so many locals show up - at Sea Pines Golf Course or Beer on the Pier or even by posting signs in stores and offices.

As I stated upfront, I have a Ph.D. in geography. I have reviewed hundreds of plans. These San Luis Obispo County/Los Osos plans are numerous and complex. The maps are contradictory. The various versions of the reports are inconsistent. For example, in some of the maps Morro Shores Mobile Home Park - the mobile homes are shown but mostly the maps show Morro Shores as a white space. We are going to most strongly feel the impacts of the thousands of new residents because they will be living in our backyard but having the mobile home park appear as a white empty space on most of county's maps emphasizes how we, and 90% of Los Osians, have been deliberately excluded from the planning process that will undermine our quiet life across the street from Morro Bay.

This is only one of several examples. This is the first image - from the Executive Summary. It

does not make me feel "included" to see that my community of 164 homes - in the space numbered 4 on this image is considered "white space".



Morro Shores Mobile Home park has been here for more than 40 years. In Figure 3-1 our small streets are shown to recognize that we already exist as ~250 in Los Osos. I think the maps could show our neighborhood and also to highlight the beautiful open space that surrounds the Mobile Home Park.

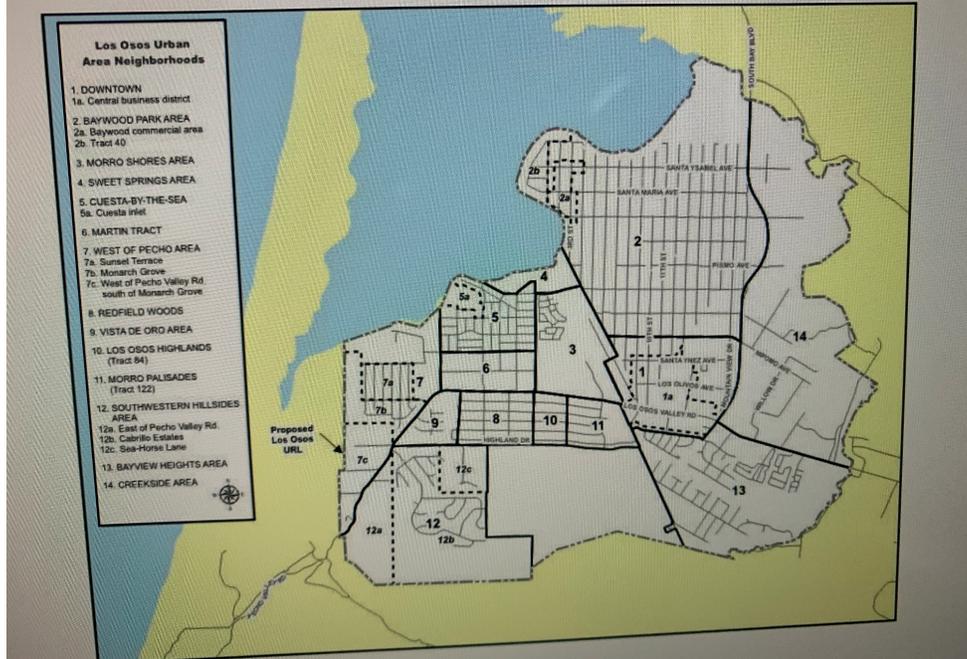
Maps like this that show radical land use change are difficult to interpret even when they are well done and

representative. The only excuse for not showing our community on the maps is that it further cements the County's lack of respect for the current residents of Los Osos as the plans careen toward "buildout".

Thank you for your consideration of these concerns.

Sincerely,

FIGURE 3-1: Los Osos Urban Area – Neighborhoods



Eve Gruntfest, PhD.  
633 Ramona Ave Space  
126  
Los Osos, CA 93402

[evegruntfest@gmail.com](mailto:evegruntfest@gmail.com)

June 26, 2020



Ms. Kylie Hensley  
Department of Planning and Building  
County of San Luis Obispo  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408

Dear Ms. Hensley,

Thank you for the opportunity to comment on the planning efforts underway for the community of Los Osos. The Los Osos Community Services District (CSD) is keenly aware of the amount time and energy the County's staff has given to this project and are appreciative of the effort. The CSD's comments are focused on the water issues and the references to the Basin Plan in the draft Los Osos Community Plan and incorporated by reference in the draft Growth Management Ordinance and Resource Summary Report.

**President**  
Charles L. Cesena

**Vice President**  
Christine M. Womack

**Directors**  
Matthew D. Fourcroy  
Vicki L. Milledge  
Marshall E. Ochylski

**General Manager**  
Ron Munds

**District Accountant**  
Robert Stilts, CPA

**Unit Chief**  
Scott M. Jalbert

**Battalion Chief**  
Paul Provence

Since the finalization of the Los Osos Basin Plan (Plan) and the approval by the court as part of the integrated Stipulated Judgement in 2015, the three water purveyors in Los Osos have been actively implementing the programs described in the Plan. The results have been encouraging but the CSD is recommending that a very cautious and measured approach be taken when planning for new development to proceed. There are four metrics in the Plan (see attached table from the Basin Plan) to assist the water purveyors in measuring the effectiveness of the programs and projects. The 2019 data indicates the groundwater basin's health is improving but the CSD believes more time may be needed to be fully confident in the results. That said, it is important to understand that the intent of the metrics and the underlying objectives of the Plan are to stabilize and improve the sustainability of the water supply existing residents and businesses in Los Osos.

The CSD's other concern moving forward is there is no funding mechanism or fee structure in place that would assure new development pays it fair share of the costs to supply and deliver water to that development. To date, existing customers have borne the cost of the Basin Plan projects and administrative overhead through their rates and charges. A basin-wide AB 1600 fee study needs to be completed before any new connections can be considered by the CSD.

In summary, the CSD is requesting a cautious and measured approach to approving any new development in the CSD's service area. The variables that can impact the groundwater basin health have been analyzed extensively but it will take additional time to confirm if the trends are sustainable. The follow up concern is the fiscal impact to existing customer which will need to be addressed in front moving forward.

Thank you for your consideration of the information provided in this correspondence. Please feel free to reach out to me if you have any questions.

**Mailing Address:**  
P.O. Box 6064  
Los Osos, CA 93412

**Offices:**  
2122 9<sup>th</sup> Street, Suite 110  
Los Osos, CA 93402

**Phone:** 805/528-9370  
**FAX:** 805/528-9377

[www.losososcsl.org](http://www.losososcsl.org)

Sincerely,

Ron Munds  
General Manager  
Los Osos Community Services District

**Table ES-2. LOBP Metric Summary**

<b>Metric</b>	<b>LOBP Goal</b>	<b>Calculated Value from 2018 Data</b>	<b>Recommended Actions in Addition to LOBP Programs</b>
<b>Basin Yield Metric</b>	80 or less	69	Implement additional conservation measures to reduce indoor and outdoor demands (See Section 10.3.2)
<b>Water Level Metric</b>	8 feet above mean sea level or higher	1.8 feet above mean sea level	Implement additional conservation measures to reduce indoor and outdoor demands (See Section 10.3.2)
<b>Chloride Metric</b>	100 mg/L or lower	162 mg/L	Implement additional conservation measures to reduce indoor and outdoor demands (See Section 10.3.2)
<b>Nitrate Metric</b>	10 mg/L or lower	22 mg/L (NO <sub>3</sub> -N)	None recommended

## Ramona Hedges

---

**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 8:48 AM  
**To:** Ramona Hedges; Kerry Brown  
**Subject:** 7/9 PC Item #7 - Comment, Marc Weber

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Ramona,

Please add this comment to the public record for item 7 at 7/9 PC.

Thanks,  
Kylie

---

**From:** Marc Weber <mlwwriter@yahoo.com>  
**Sent:** Friday, June 26, 2020 3:40 PM  
**To:** Kylie Hensley <khensley@co.slo.ca.us>  
**Subject:** [EXT]SLO County Growth comments

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

June 26, 2020

Kylie Hensley  
SLO County Planning Department  
San Luis Obispo, CA

Dear Kylie Hensley:

I am a resident of Los Osos, CA. I recommend that the building moratorium remain in effect and that the County's growth plans for Los Osos be put on hold until the public can be shown that growth here is sustainable. There are many reasons Los Osos should not allow the proposed 3000 new residents.

1. **SUSTAINABLE WATER SUPPLY FOR EXISTING RESIDENTS is not proven in any document so far available. Our primary concern should be about a sustainable, affordable and potable water supply for the existing residents.**

a) Furthermore, as Mark Zimmer, from Golden State Water (serving Los Osos) stated at the June 17, 2020 Los Osos Basin Management Meeting stated: "Our main fundamental priority is for our existing customers and make sure that these customers have a reliable and affordable source and if we add more users onto the basin without a high level of certainty then we are taking a risk there (46:04 in the meeting) and we have to evaluate that risk."(transcribed from the meeting recording): [https://slo-span.org/media/audio\\_files/LOBMC/LOBMC\\_20-06-17/LOBMC\\_20-06-17.mp3](https://slo-span.org/media/audio_files/LOBMC/LOBMC_20-06-17/LOBMC_20-06-17.mp3)

b) Charlie Cote, also a Director on the Los Osos Basin Management Committee and representative of S&T Water which also serves Los Osos, at the same meeting, agreed with Mark Zimmer that current water conditions do not warrant new water permits. He cited issues related to groundwater nitrate contamination from neighborhoods that are not connected to the Los Osos Sewer system. Specifically, Director Cote stated that the Cabrillo Estates neighborhood septic tanks are contaminating the Los Osos groundwater. This problem must be addressed before any more building can be allowed (in or out of the prohibition zone). Even though Cabrillo Estates development is not in the prohibition zone - nitrates from septic tanks in that neighborhood are contaminating the Los Osos groundwater basin.

**2. THE LOOPHOLE OF THE EXEMPT CATEGORY JEOPARDIZES QUALITY OF LIFE IN LOS OSOS AND THE SUSTAINABILITY OF MORRO BAY:** The seawater intrusion into Morro Bay is a substantial long term consequence that the Los Osos Basin Management plan identifies as a problem and before the moratorium is lifted there must be confidence that the proposed growth will not significantly degrade Morro Bay. According to the County Plans - (The Land Use Table (3-1) is on page 3-2 of Chapter 3 of the Redlined Version of the County Public Hearing Draft)— there can be 370 new dwellings and 814 new residents in the "affordable housing" proposed for the Morro Shores Mixed Use Area in the middle of Los Osos. The addition of these residences may be in an EXEMPT category in the plans.

How is it justifiable that any growth can be "exempt"? Growth is growth—some types could reasonably be a priority but "exempt" is ridiculous.

**3. NEED FOR OPEN SPACE CORRIDOR THROUGH THE CENTER OF LOS OSOS:** These 56 acres now serve as an open space Nature Corridor that links the Sweet Springs Nature Preserve and the Community Center and Public Library.

Most of the open space land in Los Osos is on the periphery. This 56 acres is an oasis for community members now who do not want to drive to the open spaces at the edges of Los Osos for their recreational walks.

Sincerely,

Marc Weber  
633 Ramona Ave Space 126  
Los Osos, CA 93402  
(805) 203-3058

## Ramona Hedges

---

**From:** Kylie Hensley  
**Sent:** Wednesday, July 1, 2020 8:52 AM  
**To:** Ramona Hedges; Kerry Brown  
**Subject:** 7/9 PC Item #7 - Comment, Steve Sumii

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please add this comment to the public record. Thanks, Kylie

---

**From:** steve sumii <sumiisteve@gmail.com>  
**Sent:** Sunday, June 28, 2020 7:27 AM  
**To:** Kylie Hensley <khensley@co.slo.ca.us>  
**Subject:** [EXT]Fwd: Proposed housing development Los Osos

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

----- Forwarded message -----

**From:** **steve sumii** <[sumiisteve@gmail.com](mailto:sumiisteve@gmail.com)>  
**Date:** Sat, Jun 27, 2020 at 8:17 AM  
**Subject:** Proposed housing development Los Osos  
**To:** <[bgibson@co.slo.ca.us](mailto:bgibson@co.slo.ca.us)>

After reading the report on the water supply over the next several years, it seems to me that we are taking a big risk having enough water for the housing development that is planned. From what I read it is saying that there is just enough water for current residence. I know there are plans to alleviate this problem, but hoping for enough water from mother nature in addition to the man-made plans to have more water in the future is too risky. I am afraid that the plans to develop more housing at this time is not reasonable. Let wait until we complete the water conservation plans and see how much water is truly available before we risk not having enough for us.

If I am misinformed please explain to me in simple terms I can understand. Thank you.

Steve Sumii

June 26, 2020

Comments for [khensley@co.slo.ca.us](mailto:khensley@co.slo.ca.us)

We are some of the private domestic well users that rely on groundwater from the Los Osos Water Basin. We have concerns about Program C in the Basin Management Plan and concerns about the building of future dwellings in the next five years.

First, we are against the Andre site as a possible Program C municipal well. We believe the proximity of this site will negatively affect the available water for our private wells. In the BMC plan, a Program C well is meant to balance the basin for existing water users in Los Osos and not for development. An added point of confusion is that the Andre site is owned by a developer who will obtain water benefits for development.

Second, with the basin at or approaching overdraft condition, we are concerned that building over 400 new dwellings in the next five years will have negative impacts on the private wells and the communities water. The BMC metrics have only been in place for five years; it seems much too soon to predict the plausibility of future growth based on them.

We would like to echo the concerns stated by the BMC water purveyors from the last BMC meeting by concluding: Before Los Osos commits to building new housing, we need a safe and reliable water supply for all the current users in the basin. Let's not put our community water at risk.

Mary +  
Scott  
Ketting

1. Mary Ketting
2. ~~Scott Ketting~~
3. Brenda Hock
4. Jules Hock
5. Wayne D. Sully
6. Phyllis S. Z...
7. Mike Z...
8. Sabra Scott Lodge
9. Ite Zatorich
10. Katherine Z...
11. Gail Freiler
12. ~~Bob Wood~~
13. Bob Whitworth
14. Ed Van Fleet
15. Judy Van Fleet
16. Ralph B. Ward Jr.
17. Shirley B. Ward
18. Sheldon Madrin
19. Alta E. Madrin
20. Alice Smith
21. Stephani Kendrick
22. Janet Kendrick
23. Robert J. Cohen
24. Lynda L. Cohen
25. Parula K. Logan  
(PAMELA K. LOBAN)
26. Ph B. Wood

- 27 Marie Neumann  
28 Ike (Jim Neumann)  
29 Emie Palacios  
30 Thotie Valdes  
31 Susan Clifford  
32 DA Cliff (David Clifford)  
33 Susan Choy  
34 Maynt  
35 M. S. (Michael Sumner)  
36 Dawn Riments  
37 M. S.  
38 Larry Bender (LARRY Bender)  
39 Marcia M. Page (MARCIA M. PAGE)

**J. H. EDWARDS COMPANY**  
A REAL PROPERTY CONCERN  
*Specializing in Water Neutral Development*

June 26, 2020

San Luis Obispo County  
Department of Planning and Building  
Attention: Kylie Hensley

**RE: Los Osos Community Plan; 2016-2018 Resource Summary Report  
Water Supply Section/Title 26 Residential Growth Management**

Dear Ms. Hensley,

Please find the following comments as they pertain to the Los Osos Community Plan; 2016-2018 Resource Summary Report Water Supply Section/Title 26 the County Residential Growth Management Ordinance and water conservation.

**Los Osos Water Conservation**

The community of Los Osos has done a tremendous job of conserving water since 2008. The original, January 30, 2015 public review draft of the LOCP contemplated elimination of the Title 19 Retrofit-to-Build program. The Title 19 Retrofit-to-Build program has been very successful and should be refined and extended to achieve additional conservation since there is a substantial amount of water conservation available from urban residential and commercial use.

It should be noted that the water purveyors have administered water conservation programs with limited results. While the Title 19 Retrofit-to-Build program has demonstrated the ability to conserve water on a 2:1 basis and may continue to conserve into the future.

Please find the attached December 2, 2016 Water Conservation Implementation Plan for the Los Osos Wastewater Project memorandum(attached), authored by former Basin Management Committee Executive Director, Rob Miller, a principle in the Wallace Group. As identified in the memo, the indoor conservation remaining available in the Prohibition Zone is conservatively 230 AFY. Outdoor conservation programs have the potential to conserve another 120 AFY. The LOCP estimate projected demand for new dwelling units is 63 AFY; with a 2:1 conservation ratio it equals of 126 AFY of conservation. Clearly, available water conservation in Los Osos is alone sufficient to offset demand from 5 years' worth of new development at a 1.3% residential growth cap.

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*Specializing in Water Neutral Development*

## **Basin Management Plan Programs**

With regard to the LOCP referenced Basin Management Plan (BMP) Water Programs;

- a. Program "M" –Groundwater Monitoring
- b. Program "E" –Urban Efficiency
- c. Program "U" –Urban Water Reinvestment
- d. Program "A" –Infrastructure Program A
- e. Program "C" –Infrastructure Program C
- f. Program "P" –Wellhead Protection

Completion of the above six (6) programs is supported, including two (2) fundamental water resource development projects outstanding.

- a. The Los Osos Community Services District (LOCS D) Program A expansion well at 8<sup>th</sup> Street.
- b. The joint LOCS D/ Golden State Water Company (GSWC) Program C No. 2 well.

Both new wells have been funded:

- Program A well is pending construction.
- Program C well is pending permits.

Unsupported Basin Management Programs are B (Community Nitrate Removal), D (New Well East of Los Osos Creek), G (Agricultural Water Exchange) or S (Supplemental or Imported Water). It is generally accepted, programs B and D have been deferred and Program S is not supported by the community at this time.

## **Title 26 Growth Management Ordinance**

Currently, the residential growth rate for the Prohibition Zone of Los Osos is zero (0%). It is recommended the amendment to Title 26 Residential Growth Management Ordinance for Los Osos should be set a 1% growth rate now; to be elevated to a 1.3% growth rate upon completion of the two above mentioned expansion wells as recommended by the staff report.

Consideration of an increase in the maximum growth rate to 1.5% could occur with evidence of further reductions in demand and/or in combination with, additional Basin Plan programs that maintain a Basin Yield metric of 70 or less.

## **2016-2018 Resource Summary Report Water Supply Section Level of Severity for Water Supply in the Los Osos Groundwater Basin**

In the fall of 2007, the litigation between the water purveyors was settled by way of an Interlocutory Stipulated Judgement (ISJ) (Case No. GIN 040126). In paragraph C of the ISJ expressly discussed the county's Resource Management System, now

P.O. Box 6070, Los Osos, CA 93412 (805)235-0873 [jhedwardscompany@gmail.com](mailto:jhedwardscompany@gmail.com)  
ACQUISITION    MARKETING    LAND USE    REDEVELOPMENT

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known as the "Resource Summary Report". As the ISJ notes, the Severity Level for water supply in Los Osos was certified LOS III on March 27, 2007. The court recognizes LOS III as indicating groundwater basin deficiencies as follows:

1. "Unavoidable Resource Deficiency" exists which is defined as "the most critical level of concern". Given urban water demand reductions, the basin no longer represents a deficient resource. Other basin plan metrics for water level and chlorides have also trended toward improvement as indicated in the 2019 Annual Report.
2. The ISJ also provides, "Level III occurs when the capacity (maximum safe yield) of a resource has been met or exceeded." Also as evidenced by the 2019 Annual Report. The total demand is 69% of the basin safe annual yield, also expressed as a Basin Yield Metric of 69.
3. Given current demand relative to safe annual yield there is no deficiency, let alone "a deficiency of sufficient magnitude that drastic actions may be needed to protect public health and safety."

Please find link to 2019 BMC Annual Report (pages 65-346 of the pdf) here:

[https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Los-Osos-Basin-Management-Committee-\(BMC\)/Agendas/2020-Agendas/2020-06-17-LOBMC-Agenda-Packet.aspx](https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Los-Osos-Basin-Management-Committee-(BMC)/Agendas/2020-Agendas/2020-06-17-LOBMC-Agenda-Packet.aspx)

It is recommended the LOS for the Los Osos water supply be established at LOS II. It is clear, based upon the metrics established by the BMP and reflected in the most recent 2019 annual report, that the water supply criteria for the coastal zone indicates the "timeframe for remaining dependable water supply is 7 years", which equates to LOS II.

In summary, the community of Los Osos through BMP Programs have addressed water supply limitations relative to the groundwater basin over the past 10+ years. Additional water conservation pursuant to Title 19 is adequate to accommodate limited new residential development subject to Title 26. The severity level for water supply in the Los Osos Prohibition Zone should be set at LOS II. A 1% growth rate in the Prohibition Zone should become effective upon Board of Supervisors adoption on August 18, 2018.

Please let me know if you have any questions.

Sincerely,

*Jeff Edwards*

Jeff Edwards

Attachment:

Water Conservation Memorandum- Rob Miller, BMC -- ED

[EXT]Los Osos Community Plan

Dominic Roques <dproques@charter.net>

Sat 6/20/2020 10:21 PM

To: Kylie Hensley <khensley@co.slo.ca.us>

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

Greetings:

I reviewed the LOCP and the GMO and I see ADUs and affordable housing projects would be exempt from the growth limits that apply to other development. By extension, the water demand from ADUs and affordable housing projects is not considered in calculating the increased demand of 63 AFY over the 5-yr build-out.

Is it safe to assume ADUs and affordable housing won't raise demand? Is there any calculation of potential water demand from these exempt development types?

I suppose an assessment could reveal limited potential for ADUs in Los Osos, but I see quite an incentive to build them and there should be some analytical foundation for leaving them out of the demand calculation. I may have missed it, if so let me know where to find it.

My experience of living here tells me this community is poised to densify considerably, even before new units are permitted, with more people sharing DUs thanks to economic hardship. More (occupied) RVs seem to be appearing in side yards as well. ADUs would help address the shortage of affordable housing and many communities throughout CA and other high-cost areas in the nation have experienced explosions of granny flats. It happens so fast they find they've lost the opportunity to address the impacts. Please let me know your planning has seriously considered how this could affect the water supply picture over time. One scenario I've considered is one where enough ADUs get built to affect the Basin Yield metric and as a result, the conditions never allow for the 215 parcels on the waiting list to be built. But that assumes a large number of ADUs get constructed over a short period of time. Are there projections of this development activity now that the State law allows ADUs?

Thank you,

- Dominic Roques  
Los Osos

[EXT]Water for Los Osos is limited

Michael Raphael <jmichaelraphael@yahoo.com>

Tue 6/23/2020 3:04 PM

To: Kylie Hensley <khensley@co.slo.ca.us>; Eve Gruntfest <evegruntfest@gmail.com>; Stephanie Raphael <stephanieraphael228@gmail.com>

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

June 23, 2020

Attn: K. Hensley

To allow additional growth in Los Osos puts pressure on people who already live here to find ways to go elsewhere when we run out of potable water.

The county's report on water is already outdated, and as near as I can tell does not consider the effects of global warming and a rise in sea level that will add further pressure on the aquifer and thus exacerbate seawater intrusion.

Also not taken into consideration is that the population of California has, in effect, leveled off, as a recent report showed the population went up .01 percent last year. Another report, made public earlier this year, showed that there was more migration out of state in the years 2000 through 2008 than there was immigration into California.

If all of the statistics prove out, there is less pressure on communities to add housing, which, presumably, is the county's reason for adding population in Los Osos.

This is a statement of opposition to any additional housing for the community of Los Osos. That includes 900 family units and additional spaces for Morro Shores Mobile Home Park.

James Michael Raphael  
Morro Shores Mobile Home Park  
633 Ramona Ave., Spc 20  
Los Osos, CA 93402

June 26, 2020

SLO Planning Commission

Los Osos Community Plan hearing July 9, 2020

Public Comment:

Please consider the following when addressing how priorities will be determined and to whom the costs of implementing the Los Osos Community Plan and its component plans will be allocated. If this is not the appropriate forum, please provide the community with guidance regarding the proper forum:

There needs to be an equitable method for determining priorities and allocating costs for the community and the basin that does not rely on a majority vote of property owners or on governing boards who, largely and sometimes exclusively, represent the interests of property that is already developed.

Owners of developed property have been the benefactors of housing, property appreciation and water usage for decades, to the exclusion of others with similarly vested property rights. They have been a primary source of pollution in the water basin and many of their actions/inactions have fueled controversies that have exacerbated the problems, delayed the solutions, and caused the costs to escalate. As such, they should be responsible for their relative share of the cost to stabilize the community's resources and they should not be allowed to dominate the decision-making process, simply because they out-number the other stakeholders.

Owner of undeveloped property located within existing sub-divisions, particularly with vested allocations and appurtenant water rights, should have an established role in setting priorities and they should not be expected to bear a disproportionate share of the costs necessary to support minimal growth in Los Osos.

The undeveloped property owners in Los Osos are outnumbered by the developed property owners, as such, they cannot influence important decisions by simply voting. An equitable method of determining priorities and allocating the past, present and future costs associated with implementing the LO Community Plan and its component plans is needed to avoid controversies over priorities and costs in the future.

I ask that you establish a role within the LO Community Plan governance structure for representation by undeveloped property owners, so they can have a voice that counts in the decision-making process.

Thank you.

## Ramona Hedges

---

**From:** Larry Bender <pagebender@msn.com>  
**Sent:** Monday, July 6, 2020 2:50 PM  
**To:** Ramona Hedges  
**Subject:** [EXT]Los Osos Community Plan correction  
**Attachments:** page5-15 .pdf; page 6-7; page 6-10 .pdf; page 6-8.pdf; page 6-13 .pdf; 20200703\_125915.jpg

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

To the Planning Commissioners of San Luis Obispo

July 6, 2020

This Letter is concerning the Revised Los Osos Community Plan Draft.

Since this will be the plan for the future of Los Osos for many years, it is important that it is as accurate as possible. On page 5-15 of the circulation element, figure 5-7, of the Coastal Access Points, it fails to designate the southern end of First Street as an Existing Vertical Access Point, marked so with a black circle **O**. This may not seem like an important issue, there has already been ongoing controversy over the end of this street. Once the Plan is approved it will set the standard for the future of Los Osos for years to come and should be as precise as possible with First Street clearly marked a Vertical Access Point.

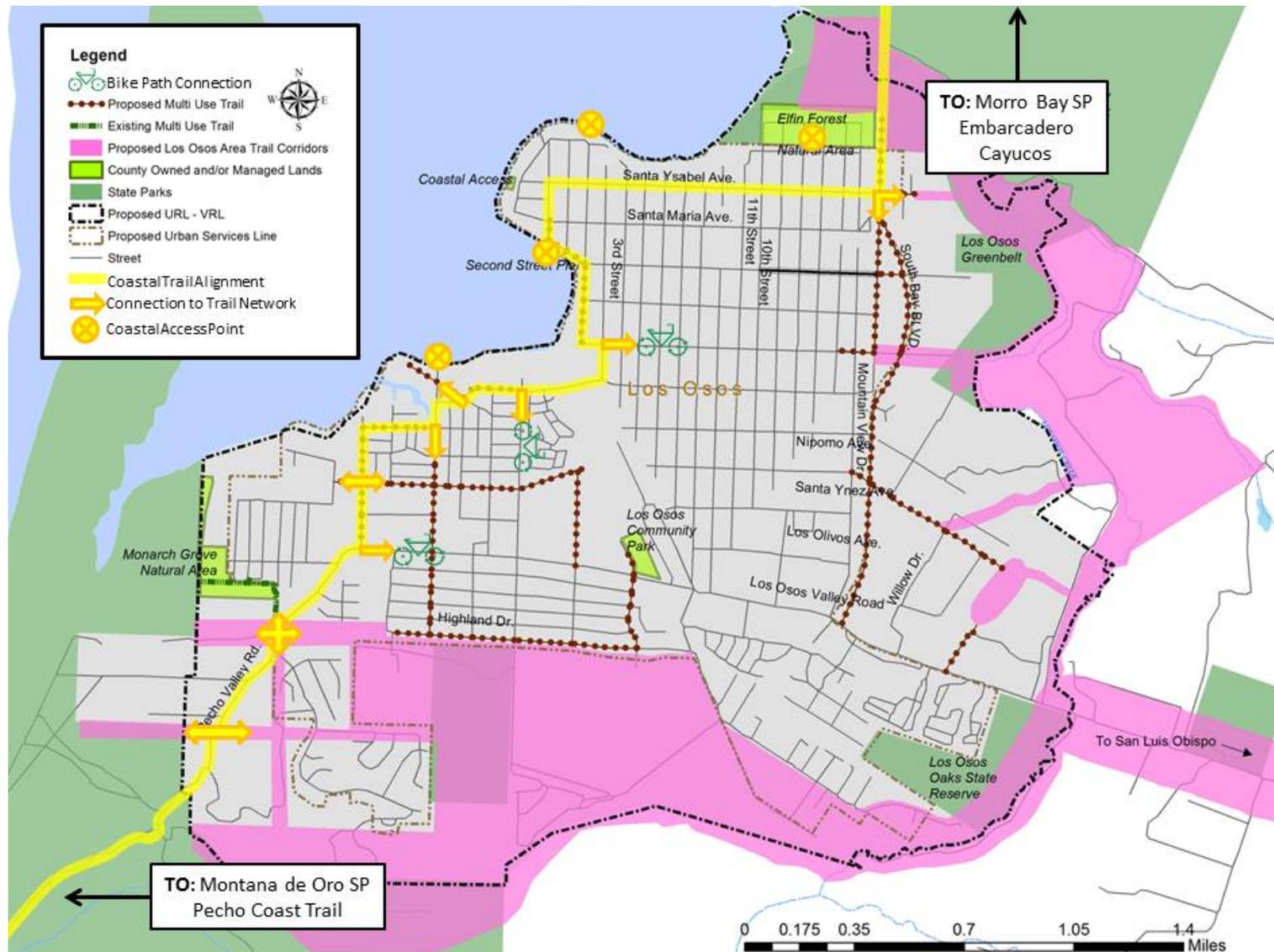
To back up my stance for accuracy, Chapter 6 Coastal Access on page 6-7, the end of First Street is clearly marked Coastal Access Point. On page 6-8, figure 6-2, the end of First Street is marked and on page 6-10, table 6-2, it is labeled Vertical Access and Accepted. Then on page 6-13, figure 6-4, of the Coastal Access Master Plan there is an arrow with the First Street, labeled as Accepted.

Historically there has always been vertical access to and from the bay at the end of First Street. There is a sign at Santa Maria and First Street indicating Coastal Access was signed off by the Planning Dept. the Planning Commissioners, the Public Works Dept. the Board of Supervisors and the consent of the Coastal Commission.

So I hope that the correction to the map on Page 5-15 is done soon and that it is made clear that Coastal Access will not be tampered with, and the public will have the full width of the street as access to the Bay.

Thank You for Your Time  
Smooth Sailing, Larry Bender

Figure 6-1: Potential Alignment of the California Coastal Trail



## 6.7 Coastal Access Inventory

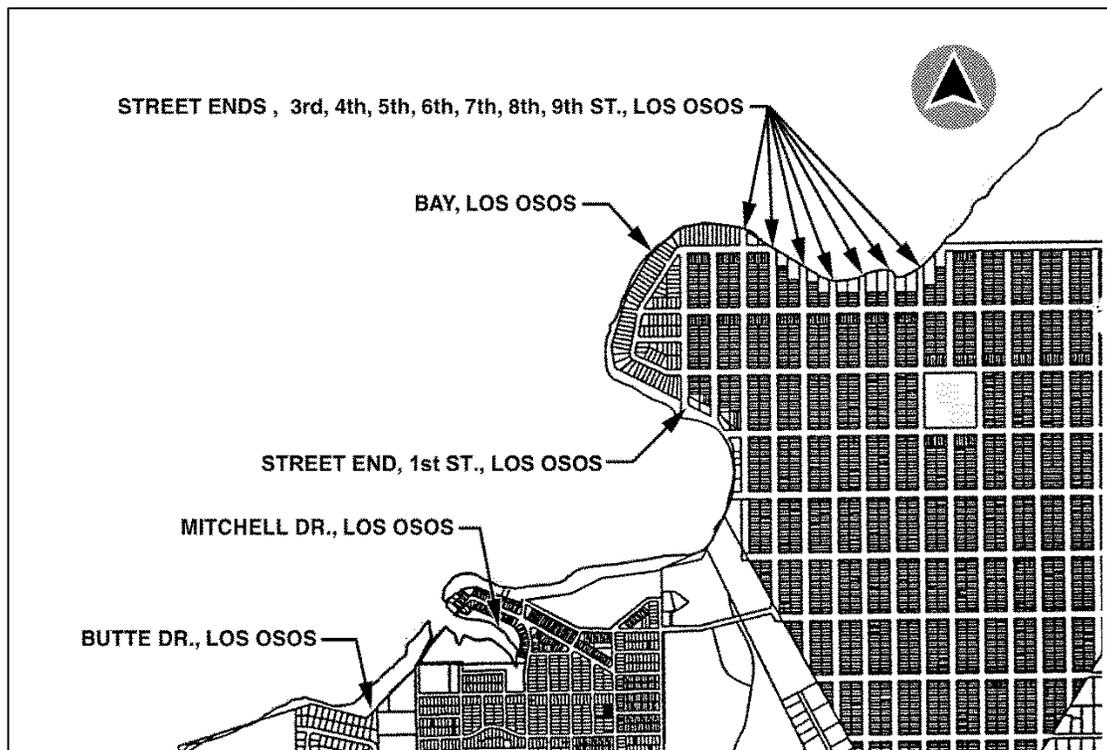
### General Note:

Coastal accessways are not available for public use until a public agency or private association approved by the county agrees to accept responsibility for maintenance and liability of the accessway. Offers of dedication may have interim deed restrictions that restrict the property owner from interfering with pre-existing use by the public and require that the area offered for dedication remain open and unobstructed during the period when the offer is outstanding.

### Note about the Table:

“Accepted” in the “Status” column of the table means that an offer of dedication was accepted by a public agency or private association approved by the county, and is considered an easement.

Figure 6-2: Improvement of Coastal Access



**Table 6-2: Coastal Access Inventory**

Assessor Parcel Number	Access	Type/Location	Status
038-732-08	Lateral	OTD: 1309 Pasadena Dr., Los Osos	Accepted
038-692-015	Vertical	Street End: First St. South end, north of 1391 2 <sup>nd</sup> St., Los Osos	Accepted
038-181-025	Lateral	OTD: 1391 Second St., Los Osos	Offer Verified
038-181-024	Lateral/Vertical	OTD: 1399 Second St. Back Bay Inn, adjacent to pier and 2nd Street, Los Osos	Offer Verified
038-181-024	Vertical	Street End: Second St. South end, south of 1399 2 <sup>nd</sup> St., Los Osos	Developed
038-262-008	Other	Deed Restriction: Well site. West side of 3rd St., north of Paso Robles Ave., south of El Moro Ave., Los Osos	Not Applicable
038-262-005	Lateral/Vertical	Public/Non Profit: Audubon. Corner of Paso Robles and 3 <sup>rd</sup> Street, Los Osos	Nonprofit Natural Area
074-229-010; 074-101-004	Lateral/Vertical	Public/Nonprofit: Sweet Springs Marsh. 660 Ramona, Los Osos	Nonprofit Natural Area
074-081-013	Lateral/Vertical	OTD: 398 Mitchell Dr. Northern extension of Doris, Los Osos	Accepted/Developed
074-081-037	Lateral	OTD: 380 Mitchell Dr., Los Osos	Accepted
074-081-028	Lateral	OTD: 366 Mitchell Dr., Los Osos	Accepted
074-081-018	Lateral	OTD: 350 Mitchell Dr., Los Osos	Accepted
074-082-010	Vertical	OTD: 399 Mitchell Dr., Los Osos	Accepted
074-082-010	Vertical	Street End: Doris Ave. South end, south of 399 Mitchell St., Los Osos	UDSE
074-084-012	Other	Potential Prescriptive Rights: Tidal inlet. South of Mitchell Dr., Cuesta-By-The-Sea, Los Osos	Informal
<b><i>Coastal Access Plan: Los Osos Map 8C</i></b>			
074-084-013	Other	Potential Prescriptive Rights: 25' causeway. Cuesta-By-The-Sea. Between Mitchell and Pecho road ends, Los Osos	Informal
074-121-003	Other	Potential Prescriptive Rights: Parcel adjacent to Pecho Road stub out. Cuesta-By-The-Sea, Los Osos	Informal
074-462-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013	Other	Potential Prescriptive Rights: Butte Drive Shoreline trail. Extends east behind parcels along Butte Dr., Los Osos	Informal
074-121-002	Vertical	Street End: Solano Dr. East of 272 Butte Dr., Los Osos	Accepted
074-462-013	Lateral/Vertical	OTD: 272 Butte Dr., Los Osos	Accepted
074-462-011	Lateral	OTD: 260 Butte Dr., Los Osos	Accepted

Figure 6-4



**Coastal Access Master Plan: Los Osos Map 8B**

**Offers to Dedicate**

**Lateral**

- Accepted
- Offer verified

**Vertical/Street End**

- Accepted & developed
- Accepted
- Offer verified

**Overlook**

- Accepted & developed
- Accepted
- Offer verified

**Additional Resources**

**Public Land**

- Public/Non-profit
- CalTrans Vista Point
- Other County easement

**Trail Dedication**

- Developed
- Accepted

**Historic Use**

- Lateral
- Vertical

**Other**

- Deed restriction
- Proposed vertical

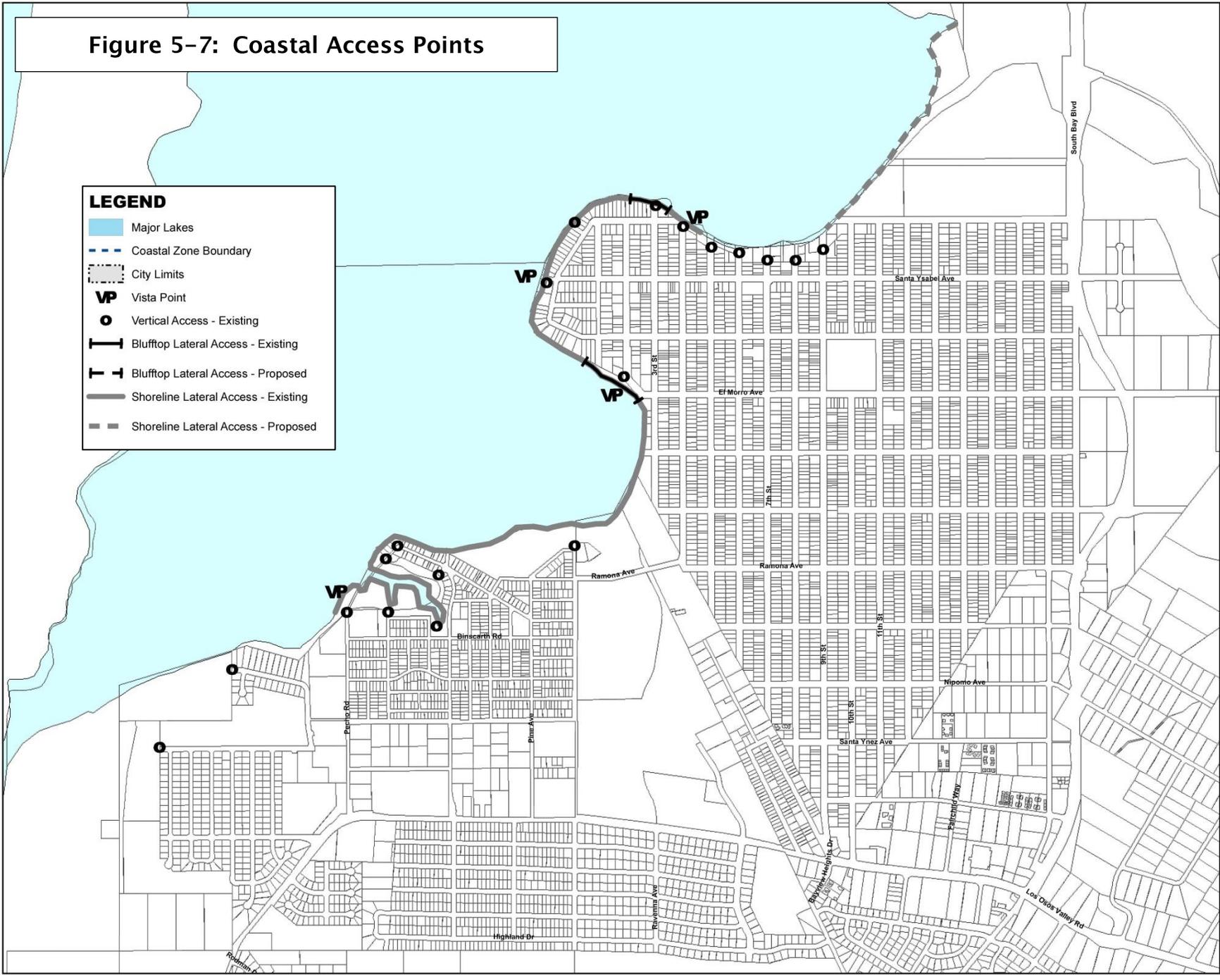
**County of San Luis Obispo**



**General Services Parks Division**

Author: Sara Kocher Consulting. Sources: County Parks Division, County Mapping & Graphics Division, Barclay Maps

**Figure 5-7: Coastal Access Points**



# Item 7

## Ramona Hedges

---

**From:** Michael Miller <vmmil@charter.net>  
**Sent:** Monday, July 6, 2020 7:39 PM  
**To:** Ramona Hedges  
**Subject:** [EXT]Hearing July 9, 2020

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

Planning Dept. County of San Luis Obispo  
Ramona Hedges, Secretary

July 6, 2020

Dear Ms. Hedges;

Regarding Item 7 on the Planning Commission agenda for Thursday, July 9<sup>th</sup> update of the Los Osos Community Plan and Estero Bay Plan.

I wish to voice my objection to a proposal that implies that Los Osos will be responsible for 60% of all new low income housing in the unincorporated area of District 2, the coastal communities of San Luis Obispo County.

It is well documented and verified by the Basin Management Committee that Los Osos remains in a Stage 3 overdraft condition and that with the additional burden of sea level rising, sea water intrusion will continue to be a factor in our basin. I am understanding that the three water purveyors who are members of that committee have also expressed reservations about build-out in Los Osos and the availability of an adequate water supply.

There is no conclusive evidence to date that the operation of the Los Osos Wastewater Treatment Plant is reversing this condition.

As was proposed in Cambria and eventually approved by the Coastal Commission, the only remedy is "retrofits" that provide credits so that these units can be built. I am seriously in doubt that enough retrofits remain in Los Osos to offset the water

usage necessary to supply a multitude of new “affordable” or normal home building.

I am in favor of allowing a few multi-family low income units in specific locations that will accommodate individuals and families who meet the stringent qualifications for this housing.

Perhaps 30 units in one or two buildings annually. They must include the provision that when the unit is vacated, it again becomes available to low income persons and does not get sold or leased at current market rates.

I want to add that Los Osos is in dire need of more open space with access to the local residents.

We have one park with very little room for families, etc. to enjoy an outdoor picnic or with picnic tables and all the other accoutrements a family oriented town such as Los Osos should have available.

I suggest the site on LOVR between Palisades and Broderson, the former “Tri W” location as a perfect spot.

I also sincerely hope that you will give careful consideration of the need for additional tree plantings and the preservation of our heritage trees in Los Osos.

Trees can be planted at the Tri W location to enhance its appeal as a natural setting within open space.

Please see the comments (letters) included that specifically address the issue of adding tree canopies here to enhance the ability to reduce greenhouse gasses, as is well documented in the scientific literature included, to provide carbon capture and the release of oxygen to support all life on planet earth.

Please remember 25% of the earth’s oxygen supply comes from trees.

Trees must be a major component of the Los Osos Community Plan.

Thank you for your consideration of these statements. P

lease send this to the Planning Commissioners at your earliest convenience.

Regards,

Vita Miller  
1205 Bay Oaks Dr.  
Los Osos, CA 93402  
805-704-3173



July 6, 2020

Kylie Hensley  
County of San Luis Obispo  
Department of Planning & Building, Long Range Planning Division  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408

**Re: Agenda Item No. 7 re consideration of Growth Management Ordinance to establish a growth rate for new dwelling units in the Los Osos Urban Area (County File Number: LRP2011-00016 and LRP2020-00006)**

Dear Ms. Hensley,

Golden State Water Company (“Golden State”) appreciates the opportunity to provide comments on the County of San Luis Obispo’s (“County”) Growth Management Ordinance for Los Osos community. The following comments build off of the letter sent by the Los Osos Basin Management Committee (“BMC”), of which Golden State is a member, to the California Coastal Commission and the County on June 21, 2017. (See Attachment A.) This letter serves to provide additional information regarding the goals, programs, metrics, and restrictions discussed in the Updated Basin Plan for the Los Osos Groundwater Basin (“Basin Plan”).

The Basin Plan was the culmination of a multi-year planning process, during which the Los Osos Community Services District (“LOCSD”), Golden State, and S&T Mutual Water Company (jointly, the “Purveyors”), as well as the County worked together to identify projects and develop goals and metrics to address management of the Los Osos Groundwater Basin (“Basin”) and ensure a sustainable water supply for the Los Osos community. Upon finalization, the Basin Plan was adopted by the San Luis Obispo County Superior Court in 2015.

The primary goals of the Basin Plan include halting seawater intrusion into the Basin and providing sustainable water supplies for existing and future needs. Although much of the Basin Plan is focused on ensuring a sustainable and affordable water supply for existing users, the Basin Plan also contemplates the requirements that need to be met before new

development should be allowed to proceed within the Basin, including completion of a Basin Infrastructure Program and satisfaction of identified Basin monitoring metrics.

As the BMC described in its June 21, 2017 letter, the Basin Infrastructure Program is divided into four parts, designated as Programs A through D. (See Basin Plan, Ch. 10.) Programs A and C are contemplated to provide a sustainable water supply for existing Basin users, while Programs B and D are intended to provide water for future development. (Basin Plan, Ch. 16.3.4.) The Purveyors—through their customers—have borne the majority of the costs associated with implementation of the Basin Plan, including the infrastructure projects associated with Basin Infrastructure Programs A and C. The infrastructure projects that fall within Programs B and D, however, have not yet been funded and there is currently no funding mechanism or fee structure in place that would ensure (as recommended by the Basin Plan) that new development pays its fair share of the costs to supply and deliver additional water. (Basin Plan, Ch. 15.3 (stating that the “Basin Plan recommends that the costs of the programs required to allow development of currently undeveloped parcels . . . be borne primarily by those property owners.”))

The Basin Plan also relies on several metrics—the Basin Yield Metric, the Water Level Metric, the Chloride Metric, and the Nitrate Metric—to assist the Purveyors in measuring the effectiveness of contemplated programs and projects. Although the most recent available data indicates that the Basin’s health is improving, as a whole these metrics have yet to show consistent improvement. For example, although the Basin Yield Metric has been met over the past four years as a result of the Purveyors’ water conservation efforts and progress made on Program A and C program projects, e.g. GSWC’s Program C Well (Los Olivos Well), the other three metrics have made inconsistent progress and have not yet reached their target levels. (See Los Osos Basin Plan 2019 Annual Monitoring Report, available at [https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Los-Osos-Basin-Management-Committee-\(BMC\).aspx](https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Los-Osos-Basin-Management-Committee-(BMC).aspx).) It is also important to note that the intent of the metrics is to stabilize and improve the sustainability of the water supply for the Basin’s existing water users.

Although the Basin Plan itself recognizes that the Purveyors do not have the power to wield land use authority, and that instead the authority to determine future levels of development lies with the County, the Basin Plan does discuss—and rely on—several external constraints on future development within the Basin. (See Basin Plan, Ch. 14.5.3 (stating that “[i]t is not the purpose of the Parties to determine desirable levels of future development in Los Osos through this Basin Plan; rather, it has been prepared as a water supply planning document with a primary focus on halting seawater into the Basin.”)) First, the Regional Water Quality Control Board prohibited discharges of municipal

wastewater to septic tanks within the majority of the Basin; this had the effect of precluding new development until construction of the Los Osos Wastewater Plant (“LOWWP”), which was finished in 2016. (Basin Plan, Ch. 14.5.3.) Second, the Coastal Development Permit issued for the LOWWP requires that the County demonstrate a sustainable Basin before the California Coastal Commission will allow adoption of the Los Osos Community Plan or connection of any new development to the LOWWP. (Basin Plan, Ch. 14.5.3 (stating that new development is “prohibited until the [Los Osos Community Plan] is adopted to identify appropriate sustainable buildout limits, based on conclusive evidence indicating that adequate water is available to support development of such properties without adverse impacts to ground and surface waters, including wetlands and all related habitats.”) Third, the County adopted a Level of Severity (“LOS”) III for the Basin as part of its Resource Management system (as described in Section 5.7.2 of the Basin Plan). As a result, the County is required to take this LOS determination into consideration when reviewing applications for development and a change in the current LOS would be necessary before any significant development were permitted.

In summary, and as noted in our above comments, the Basin has made progress towards supplying a stable and sustainable water supply; however, additional progress still needs to be made on developing a funding plan for Programs B and D in support of new development and ensuring that monitoring results support a clear trend towards compliance with the Basin Plan’s stated metrics.

Golden State appreciates your consideration of the information provided in this correspondence and the time County staff has already spent reviewing and digesting the Basin Plan. We would be happy to provide additional comments and/or answer any questions. Please feel free to reach out to me at (805) 349-75407 (ext. 101) or [MarkZimmer@gswater.com](mailto:MarkZimmer@gswater.com).

Sincerely,



Mark Zimmer

General Manager, Coastal District  
Golden State Water Company

Enclosure

Cc: Toby Moore, Water Resources Manager, Golden State Water Company  
Paul Rowley, Vice President of Operations, Golden State Water Company

**ATTACHMENT A**

June 21,2017

California Coastal Commission  
725 Front Street #300  
Santa Cruz, CA 95060

SLO Co Dept of Planning and Building  
976 Osos St #200  
San Luis Obispo, CA 93401

Subject: Basin Management Committee Recommendations

To whom it may concern:

The Los Osos Basin Management Committee (LOBMC) understands that the update to the Los Osos Community Plan (part of the County's Local Coastal Program) is proceeding toward hearings before the County Planning Commission and Board of Supervisors. We write to provide you information regarding LOBMC efforts to implement actions that will create a sustainable water supply for the community. We realize that a clear and accurate description of the community's groundwater resources is fundamental to the land use planning process.

In January 2015, the Los Osos water purveyors and the County of San Luis Obispo released the Updated Basin Plan for the Los Osos Groundwater Basin (Basin Plan), detailing a series of strategies, plans and projects to manage and protect groundwater water resources in the basin. The Basin Plan is the conclusion of a multi-year planning process that first began in 2008 following the initiation of the basin adjudication.

The updated Basin Plan establishes goals, timeframes, milestones, and metrics to address basin management. The Los Osos Community Services District, Golden State Water Company and S&T Mutual Water Company, as well as the County of San Luis Obispo worked together to develop the immediate and continuing goals, and to create a framework that defines the fiscal and management authority to finance and implement the Basin Plan projects. Both the Basin Plan and the cooperative authority described in the plan were approved by the Superior Court in October, 2015. The area covered under the adjudication is termed the Plan Area in the Basin Plan (see Basin Plan Figure 10), and it fully encompasses the Urban Reserve Line.

The primary goals of the Basin Plan include halting seawater intrusion into the basin and providing sustainable water supplies for existing and future needs. Strategies outlined include:

- Implement conservation measures to minimize basin demand
- Shift pumping away from the coast and lower aquifer to halt seawater intrusion and maximize basin yield
- Beneficially use recycled water to minimize seawater intrusion

- Reserve 20 percent of basin safe yield to create a buffer to proactively protect the basin

In September 2014, California Governor Jerry Brown signed the Sustainable Groundwater Management Act (SGMA), groundwater management legislation that strengthens local management and monitoring of groundwater basins. Since the Los Osos Groundwater Basin is adjudicated, it was specifically excluded from the requirements of SGMA in the final version of the legislation. However, the Basin Plan is compliant with the substantive requirements of SGMA, and shares common goals for basin monitoring, management, and sustainability.

### **Basin Management Committee Activities**

Pursuant to the court-approved Stipulated Judgment approved in October, 2015, the water purveyors and the County of San Luis Obispo formed a Basin Management Committee (BMC) in December, 2015. In September 2016, the BMC released its first Annual Report documenting the monitoring performed and Basin Plan progress made in 2015. The 2015 Annual Report includes:

- 2015 Groundwater Production
- The status of the basin based on the metrics set in the Basin Plan
- Framework for an Adaptive Management Plan
- Update on the basin infrastructure programs identified in the Basin Plan

The BMC meets regularly to discuss progress, establish upcoming priorities, and evaluate adaptive management measures. In November, 2016, the BMC updated the current and future water projections based on current production data. A copy of the staff note is attached for reference, but the key conclusions are summarized as follows:

- The Basin Plan projected a build-out purveyor water demand of 2,100 acre feet per year (AFY)
- Based on implemented water efficiency measures and community use patterns, the current range of estimated water demands is now revised to 1,100 to 1,500 AFY, depending on the future per capita demand and total population.

### **Status of Basin Infrastructure Program**

The Basin Plan provides a list of projects that comprise the Basin Infrastructure Program (Program) that were put forth to address the following immediate and continuing goals:

#### *Immediate Goals*

1. Halt, and to the extent possible, reverse seawater intrusion into the Basin.
2. Provide sustainable water supplies for existing residential, commercial, community and agricultural development overlying the Basin.

#### *Continuing Goals*

1. Maximize the reasonable and beneficial use of Basin water resources.
2. Provide sustainable water supplies for future development within Los Osos, consistent with local land use planning policies.

3. Allocate costs equitably among all parties who benefit from the Basin's water resources, assessing special and general benefits.

The Program is divided into four parts, designated Programs A through D. Programs A and B are designed to shift groundwater production from the Lower Aquifer to the Upper Aquifer, and Programs C and D shift production within the Lower Aquifer from the Western Area to the Central and Eastern Areas, respectively. The following Table provides an overview of the status, as of March 2017, of the Projects that are currently moving forward or have been completed. Programs A and C are currently intended to balance the basin with the current population, and Programs B and D are generally intended for future development.

#### **Basin Management Committee Recommendations**

Future development within the Los Osos basin should be incremental and only occur after:

1. Any growth projections in the updated Los Osos Community Plan should be consistent with the water supply estimates provided in the Basin Management Plan.
2. The Community Plan should acknowledge any infrastructure projects contemplated by the Basin Plan that would require coastal planning action subject to the authority of the Coastal Commission. This provision would help expedite completion of any affected projects.
3. Amendments to the County's Growth Management Ordinance [separate from the Community Plan/LCP] should provide a growth rate for Los Osos consistent with the adaptive management provision of the Basin Plan. In particular, the rate of growth must be set so that the monitoring provisions of the Basin Plan confirms the adequacy of a sustainable water supply in support of any contemplated future growth.

The BMC is available to provide periodic input and updates concerning groundwater basin conditions and project status. The 2016 Annual Report is expected to be released by June, 2017. Please let us know if you have any questions, or if you need more information.

Sincerely,



Rob Miller, PE  
Interim Executive Director of BMC  
RCE 57474

Project Name	Parties Involved	Funding Status	Capital Cost	Status
<b>Program A</b>				
Water Systems Interconnection	LOCSD/ GSWC	Fully Funded	Construction Value: \$103,550	Project completed February 2017, with final approval in March 2017
Upper Aquifer Well (8 <sup>th</sup> Street)	LOCSD	Fully Funded	\$250,000	Well was drilled and cased in December 2016. Budget remaining \$250,000 to equip the well. Project to be completed by June 2018
South Bay Well Nitrate Removal	LOCSD			Completed
Palisades Well Modifications	LOCSD			Completed
Blending Project (Skyline Well)	GSWC	Fully Funded		Blending of Skyline Well and Rosina Well Project was completed. Project needed modifications to include a new nitrate removal unit. Construction is expected to commence in Spring,2017.
Water Meters	S&T			Completed
<b>Program B</b>				
LOCSD Wells	LOCSD	Not Funded	BMP: \$2.7 mil	Project not initiated
GSWC Wells	GSWC	Not Funded	BMP: \$3.2 mil	Project not initiated
Community Nitrate Removal Facility	LOCSD/GSWC	Not Funded	Pending further review	GSWC's Program A project allows for incremental expansion of the nitrate facility and can be considered a first phase in Program B.
<b>Program C</b>				
Expansion Well No. 1 (Los Olivos)	GSWC	Fully Funded	Pending Completion	Well has been drilled and cased. GSWC is in the equipping phase. Well can be used, if needed, using on-site generator.
Expansion Wells No. 2	GSWC	Pending Funding Vote	BMP: \$2.0 mil	Property acquisition phase is on-going through efforts of LOCSD. Two sites are currently being reviewed, and both appear to be viable for new east side lower aquifer wells, Environmental studies initiated in December 2016 for expansion well #2.

Project Name	Parties Involved	Funding Status	Capital Cost	Status
Expansion Wells 3 and LOVR Water Main Upgrade	GSWC	Pending Funding Vote	BMP: \$1.6 mil	Property acquisition phase is on-going through efforts of LOCSD. Two sites are currently being reviewed, and both appear to be viable for new east side lower aquifer wells.
LOVR Water Main Upgrade	GSWC	Pending Funding Vote	BMP: \$1.53 mil	Project not initiated
S&T/GSWC Interconnection	S&T/ GSWC	Pending	BMP: \$30,000	Conceptual design

**TO: Los Osos Basin Management Committee**

**FROM: Rob Miller, Interim Executive Director**

**DATE: November 16, 2016**

**SUBJECT: Item 7B. – Review Future Water Demand Projections for Los Osos Community Plan**

**Recommendations**

Receive report and provide input to staff for future action.

**Discussion**

The population within the Los Osos Urban Reserve Line (URL) was identified in the Basin Plan as 14,159 persons based on the 2010 Census. The build-out population was estimated at 19,850 persons. The County of San Luis Obispo has issued a Public Review Draft of the Los Osos Community Plan (Plan) and is re-evaluating the build-out potential and the population within the URL. Based on more recent information, the County has updated the build-out population to be 18,747 persons based on 7,811 dwellings at 2.4 persons per dwelling. The County has also noted a downward trend in occupancy with a current estimated rate of 2.2 persons per household. In addition, the potential for a small increase in the number of total units at build-out has been identified, from a published value of 7,811 dwellings to a new value 7,887. Using the lower density and revised dwelling count, a future population of 17,352 can be calculated. For the purposes of this update, a range of 17,000 to 18,750 persons will be used for the projected build-out population within the URL.

To further understand the population within Los Osos, the following table provides a breakdown of the existing population and future build-out population for the Water Purveyors and the population outside of the water purveyor boundaries. These values were based on Census block data and should be considered approximate.

	<b>Existing Population (2010 Census)</b>	<b>Build-out Population Range</b>	
<b>Total Water Purveyors</b>	<b>13,544</b>	<b>16,330</b>	<b>18,075</b>
Estimated Population Outside of Water Purveyor Boundary	615	670 <sup>1</sup>	675 <sup>2</sup>
<b>Total</b>	<b>14,159</b>	<b>17,000</b>	<b>18,750</b>

<sup>1</sup> Assumes 25 additional dwelling units outside of water purveyor boundaries with a household density of 2.2 persons per household.

<sup>2</sup> Assumes 25 additional dwelling units outside of water purveyor boundaries with a household density of 2.4 persons per household.



capita demand of 95 gpcd, resulting in a total future production value of 2,100 AFY. This value includes water production from private domestic wells within the URL.

## Ramona Hedges

---

**From:** Kylie Hensley  
**Sent:** Tuesday, July 7, 2020 10:00 AM  
**To:** Ramona Hedges  
**Cc:** Kerry Brown  
**Subject:** PC Item 7 Los Osos Community Plan & GMO - comment for website

Hi Ramona,

Will you please add this comment to the public record for PC item 7?

Thank you,  
Kylie

---

**From:** Phil Gray <pgray@Midstate-cal.com>  
**Sent:** Thursday, June 25, 2020 3:55 PM  
**To:** Kylie Hensley <khensley@co.slo.ca.us>  
**Cc:** Kerry Brown <kbrown@co.slo.ca.us>; David Gray <dgray@Midstate-cal.com>  
**Subject:** [EXT]Proposed addition to the Growth Management Ordinance and the Los Osos Community Plan

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

Hello, Kylie,

We have studied the latest draft of the Growth Management Ordinance and the Los Osos Community Plan, and we do not see anything that would clearly allow the conversion of commercial space to residential units. Therefore, we propose the following addition to the public review draft 5 - 26 – 2020 of the Growth Management Ordinance:

### Chapter 26.01 GENERAL PROVISIONS

#### Section 26.01.034 - Exemptions

(7) Conversion of existing commercial structures to dwelling units. Space at the rear 50% of the first floor, and all space above the first floor, of existing commercial structures may be converted to dwelling units, as long as the units remain within the existing building envelope.

\*\*\*\*\*

Our reasons for requesting this addition are as follows:

1. There is a shortage of housing in the Los Osos area, while there is relatively little demand for commercial space on the second and higher floors of commercial buildings.

2. This 'mixed use' is popular worldwide, and has had a good reception in San Luis Obispo County. The Los Osos Community Plan supports mixed uses, as follows:

(a) section 2.2.1: Growth and Development: "... The community seeks to focus on infill development." (page 2-3)

(b) section 2.4.3: Land Use and Community Design Policies: "Strategic Growth Goal 7: Encourage mixed land uses" (page 2-21)

(c) LU-7: "provide opportunities for a variety of housing types that are affordable to people of different income levels" (page 2-29)

(d) section 3.2.3: Residential Multi Family : "... Projects with high density should be encouraged close to the Central Business District." (page 3-6)

(e) section 3.3.1: Central Business District: "... should offer a variety of ... uses, including mixed residential and commercial uses." (page 3-9)

3. The reason that this conversion is proposed as an "Exemption" is that it does not burden the existing community infrastructure, simply replacing one use with another. Needed housing can be provided within a matter of months, not years, with no adverse community impact.

Please call or email me if you have any questions or comments. Thank you for your consideration.

Phil Gray  
Gray Properties  
pgray@midstate-cal.com  
805-4459-9700

## Ramona Hedges

---

**From:** Susan Shaw <snflwrsusi@yahoo.com>  
**Sent:** Monday, July 6, 2020 4:00 PM  
**To:** Ramona Hedges  
**Subject:** [EXT]Message for Planning Commission

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Dear Ms. Hedges,

As homeowners in Los Osos, we would like our voices to be heard regarding the changes in the Los Osos Community Plan (LOCP) to add substantial new housing and commercial development. We do not believe that there is/will be enough water supply to sustain this proposed new development. We are very concerned for the loss of existing wildlife habitat and do not believe in the so called "mitigation solutions" offered. This proposal will have a negative impact on Los Osos and we are absolutely opposed to it.

Thank you for making sure our message is sent to the Planning Commissioners Roy and Susan Wiest  
1997 Bush Drive  
Los Osos, CA93402  
805-441-2162

Sent from my iPad

## Ramona Hedges

---

**From:** Jennifer Bauer <slojen10@gmail.com>  
**Sent:** Tuesday, July 7, 2020 5:36 PM  
**To:** Ramona Hedges  
**Subject:** [EXT]Public Comment on the Los Osos Community Plan Update and Final Environmental Impact Report

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

To Whom It May Concern:

Thank you for providing the Public Hearing Draft Los Osos Community Plan Update and Final Environmental Impact Report (FEIR). We appreciate the opportunity to comment and also appreciate the considerable work that has gone into the effort. This letter is intended to share a potential concern with the environmental review and proposes a simple resolution to ensuring the adopted plan and subsequent development minimize exposure to legal challenges.

In short, we do not believe that the Greenhouse Gas Emissions (GHG) section of the Final EIR is adequate nor legally defensible given current legal precedent. We find four deficiencies:

- 1.
- 2.
3. Efficiency thresholds based on state data are not appropriate for local
4. use [*Golden Door Properties,*
5. *LLC v. County of San Diego*].
6. <sup>1</sup>
- 7.
- 8.
9. Even
10. if the San Luis Obispo Air Pollution Control District (SLOAPCD) efficiency thresholds referenced were based on local data, they are for consistency with 2020 state targets and are no longer useful given the substantial changes that have occurred in state law
11. since 2012 (e.g., SB32, EO-B-55-18, etc.) [*Cleveland National Forest Foundation v. San Diego Assn. of Governments*] <sup>2</sup>
- 12.
- 13.
14. Thresholds
15. must seriously take into account future year targets beyond 2020 [*Center*
16. *for Biological Diversity v. Department of Fish & Wildlife*].
17. <sup>3</sup>
- 18.
- 19.
- 20.

21. In the eight years since adoption of the EnergyWise Plan, the County has
22. not demonstrated substantial progress towards its adopted 2020 goal, and therefore, even analysis based on consistency with the 2020 goal is insufficient.
- 23.

To remedy these issues, we suggest that the County:

- 1.
- 2.
3. Change Impact GHG-1 and GHG-2 to less than significant with mitigation.
- 4.
- 5.
- 6.
7. Include and fund a mitigation measure to develop within 6 months a community
8. greenhouse gas emissions inventory for Los Osos, and adopt within 18 months a qualified greenhouse gas emissions reduction strategy consistent with CEQA Guidelines Section 15183.5(b).[1]
- 9.

We apologize for participating so late in this process; we were only just recently made aware of the update and related CEQA analysis. It is certainly not our intention to slow down adoption of the Community Plan. It is our intention to be sure that the plan and environmental review are legally defensible.<sup>4</sup> We believe our proposed solution is a simple way to address the problem, is in line with community values, and allows the plan to be adopted without delay.

Thank you again for the opportunity to submit comments. Please find attached additional detail to support the claims in this comment letter, attached.

Sincerely,

Jennifer Bauer

Chair

Sierra Club Santa Lucia Chapter

1 The ruling explicitly states, "However, the County fails to adequately address the core concern raised by plaintiffs in the court below, which is reliance on statewide data without evidence supporting its relationship to countywide reductions fails to meet the substantial evidence standard. We agree. [...] Without substantial evidence explaining why statewide GHG reduction levels would be properly used in this context, the County fails to comply with CEQA Guidelines."

2 The ruling notes that lead agencies, "must ensure that CEQA analysis stays in step with evolving scientific knowledge and state regulatory schemes."

3 In the ruling, the California Supreme Court explained that, "year 2020 goals will become a less definitive guide, especially for long term projects that will not begin operations for several years." Rather, these EIRs "may in the near future need to consider the project's effects on meeting longer term emissions reduction targets."

4 We believe the legal deficiencies outlined in this letter exist and will continue to exist for any EIR conducted under the existing planning framework. For these reasons, we suggest that the EnergyWise Plan also be updated. However, this comment sits outside the scope of this question narrowly considered in this letter, which is only focused on the Los Osos Community Plan Update and FEIR

# Supporting Evidence

## Adopted County Policy

The Los Osos Community Plan Update Final EIR references two adopted County documents related to greenhouse gas emissions reductions: the Conservation and Open Space Element of the General Plan and the EnergyWise Plan

### *Conservation and Open Space Element of the General Plan*

The *Conservation and Open Space Element of the General Plan* (May 2010) and associated environmental review sets a goal for and considers greenhouse gas emissions through 2020.<sup>5</sup> The Conservation and Open Space of the General Plan includes Implementation Strategy AQ 4.2.6, which states, “Monitor and Update Climate Action Plan - Regularly monitor, measure, and report on the implementation status of the Climate Action Plan and adapt strategies to reduce greenhouse gas emissions over time.”

### *EnergyWise Plan*

The *EnergyWise Plan* (November 2011) notes, “For consistency with the State’s GHG reduction target as outlined in AB 32, the County set an emissions reduction target of 15% below 2006 levels by 2020.<sup>6</sup> The County adopted the emissions reduction target in 2010 as part of the COSE. The County has not set reduction targets for other target years” (Page 4-10). The EnergyWise Plan includes the following actions (Chapter 8):

- 
- 
- Bi-Annually monitor and report the County's progress toward achieving the
- reduction target. (Page 8-2)
- 
- 
- Update
- the baseline greenhouse gas emissions inventory every five years. (Page 8-2)
- 
- 
- Maintain
- funding to implement the EnergyWise Plan. (Page 8-3)
- 
- 
- 
- Review and update the EnergyWise Plan at least once prior to the year 2020.
- (Page 8-4)
- 

A 2016 EWP update is available on the County’s website, but it appears to focus primarily on government operations activities and does not report on substantial progress towards achieving the adopted greenhouse gas emissions target.<sup>7</sup> It does not appear any other bi-ennial reports or greenhouse gas emissions inventory have been completed, nor has the EnergyWise Plan been updated prior to the year 2020. As an additional important note, the 2016 EnergyWisePlan Update reports a per-capita emissions in the unincorporated county of 16.4 in 2006 and 14.7 in 2013, numbers that are substantially higher than those reported in the FEIR.

*Key Adopted County Policy points:*

- 1.
- 2.
3. The County has only adopted a greenhouse gas emissions target for 2020 consistent
4. with AB 32. The County does not have a target for any year after 2020, nor does the 2020 target illustrate consistency with SB32 or relevant California Executive Orders (S-03-035, B-30-15, and B-55-18)
- 5.
- 6.
- 7.
8. The County has not monitored EnergyWise Plan implementation or effectiveness,
9. has not updated its inventory, and has not updated the plan. The County has not made an effort to illustrate progress towards achieving the target, nor can it claim that it is on track to achieving the 2020 target, let alone future year targets.
- 10.

## San Luis Obispo Air Pollution Control District Greenhouse Gas Thresholds and Supporting Evidence

The San Luis Obispo Air Pollution Control District *Greenhouse Gas Thresholds and Supporting Evidence* provides efficiency thresholds for projects, establishing a threshold of 4.9 MTCO<sub>2</sub>e/service population. It is important to note that the threshold was established in 2012 for consistency with AB32's 2020 greenhouse gas emissions goal. More importantly, the efficiency thresholds, which were used for analysis in the FEIR, were calculated using statewide emissions and service population totals.

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<sup>6</sup> <https://www.slocounty.ca.gov/getattachment/ba01754b-50ac-4c13-ba16-1a9eb9d56a01/Conservation-and-Open-Space-Element.aspx>

<sup>7</sup> <https://www.slocounty.ca.gov/getattachment/8ca4c6ea-4bb0-4c51-b3c2-78b2ba29e7a5/EnergyWise-Plan.aspx>

<sup>8</sup> <https://www.slocounty.ca.gov/getattachment/d8cf48aa-eeb4-403b-81cd-e5da063458dc/EnergyWise-Plan-2016-Update.aspx>

## Ramona Hedges

---

**From:** KC Creations <kccreations2014@yahoo.com>  
**Sent:** Tuesday, July 7, 2020 4:22 PM  
**To:** Ramona Hedges  
**Subject:** [EXT]Exemption of affordable housing, community plan

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

Dear Planning Commission,

Farm worker housing and low income housing cannot be exempt from water considerations in the Los Osos community plan.

All building should be subject to a sustainable water supply and there must be conclusive evidence that it is sustainable. As it stands, we cannot be exempting any homes because we don't have conclusive evidence that our basin is sustainable.

The Los Osos community plan indicates that Los Osos could accommodate 60% of all low income housing potential in unincorporated areas. The community plan further adds that "Los Osos could nearly provide all (remaining) needed affordable housing county wide. 464 units out of 407 units required. Other incorporated communities would supply 277 units of the total 681 units. This is a very unbalanced idea And poor planning for Los Osos. Whether you are building high end homes for 2-10 people or farm housing, low income homes for 2-10 people they all require the same amount of water.

It is critical Los Osos not have any Exemptions due to our water supply and the distribution of low income housing should be spread evenly in other towns and not all placed into Los Osos, Thank You, Cecile Surbeck

Sent from my iPad



**OASIS ASSOCIATES**  
LANDSCAPE ARCHITECTURE + PLANNING

08 June 2020

Kylie Hensley, Planner

**COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING**

976 Osos Street, Room 300

San Luis Obispo, CA 93408

*via email only* [khensley@co.slo.ca.us](mailto:khensley@co.slo.ca.us)

**RE: WATER-RELATED PLANNING DOCUMENTS *for* LOS OSOS**

- 2016-2018 Resource Summary Report (RSR) – Los Osos Water Supply Update
- Growth Management Ordinance – proposed Los Osos Growth Rate
- Advisory Memo – Los Osos Growth Rate Calculations.

Dear Ms. Hensley, et al.

We have reviewed the draft water-related planning documents for Los Osos. We are concerned that those documents may unintentionally mislead the public and other agencies about what Special Condition 6 of the County's CDP for the LOWWP specifically prohibits.

Special Condition No. 6 of the CDP states, as follows: "Wastewater service to **undeveloped properties** within the service area shall be prohibited unless and until the Estero Area Plan is amended to identify appropriate and sustainable buildout limits, and any appropriate mechanisms to stay within such limits, based on conclusive evidence indicating that adequate water is available to support development of such properties without adverse impacts to ground and surface waters, including wetlands and all related habitats" (emphasis added).

Thus, Special Condition No. 6 applies only to "undeveloped" properties. However, the Los Osos planning documents state that the prohibition applies to "vacant" properties. "Vacant" covers many more lots than "undeveloped." A "vacant" lot is one that has no home on it, but that may be otherwise "developed," because it has basic infrastructure in place—for example, water meters, retaining walls, underground utilities, roads, landscaping, etc. The Coastal Act and County LCP broadly define "development" to refer to such infrastructure installed on land. In addition, the California Coastal Commission itself has characterized as "substantially developed" lots in Los Osos have that basic infrastructure, but that are otherwise vacant because they have no homes built on them yet. Special Condition No. 6 would not bar homebuilding on those lots, because the lots are not "undeveloped."

In the interest of accuracy, and to ensure the County does not unnecessarily concede that Special Condition No. 6 has broader application than the text justifies, we request that you substitute "undeveloped" for "vacant," wherever the term is used in the Los Osos planning documents. Thank you for the consideration.

Respectfully,  
OASIS ASSOCIATES, INC.

C.M. Florence, AICP  
Principal Planner

c: Molnar/Shea  
16-0124

**Kerry Brown**

---

**From:** Ramona Hedges  
**Sent:** Tuesday, June 23, 2020 3:37 PM  
**To:** Kerry Brown  
**Subject:** FW: [EXT]Water for Los Osos is limited

**Ramona Hedges**  
**(805) 781-5612**  
**Supervising Administrative Clerk II**  
**Clerk to the Planning Commission**  
**Custodian of Records**



COUNTY OF SAN LUIS OBISPO  
PLANNING AND BUILDING DIVISION

---

**From:** Kylie Hensley <[khensley@co.slo.ca.us](mailto:khensley@co.slo.ca.us)>  
**Sent:** Tuesday, June 23, 2020 3:06 PM  
**To:** Kerry Brown <[kbrown@co.slo.ca.us](mailto:kbrown@co.slo.ca.us)>; Ramona Hedges <[rhedges@co.slo.ca.us](mailto:rhedges@co.slo.ca.us)>  
**Subject:** Fw: [EXT]Water for Los Osos is limited

Hello,

Please see comment below to add to the 7/9 PC record for Los Osos Community Plan.

Kylie

---

**From:** Michael Raphael <[jmichaelraphael@yahoo.com](mailto:jmichaelraphael@yahoo.com)>  
**Sent:** Tuesday, June 23, 2020 3:03 PM  
**To:** Kylie Hensley <[khensley@co.slo.ca.us](mailto:khensley@co.slo.ca.us)>; Eve Gruntfest <[evegruntfest@gmail.com](mailto:evegruntfest@gmail.com)>; Stephanie Raphael <[stephanieraphael228@gmail.com](mailto:stephanieraphael228@gmail.com)>  
**Subject:** [EXT]Water for Los Osos is limited

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

June 23, 2020

Attn: K. Hensley

To allow additional growth in Los Osos puts pressure on people who already live here to find ways to go elsewhere when we run out of potable water.

The county's report on water is already outdated, and as near as I can tell does not consider the effects of global warming and a rise in sea level that will add further pressure on the aquifer and thus exacerbate seawater intrusion.

Also not taken into consideration is that the population of California has, in effect, leveled off, as a recent report showed the population went up .01 percent last year. Another report, made public earlier this year, showed that there was more migration out of state in the years 2000 through 2008 than there was immigration into California.

## ATTACHMENT 7

If all of the statistics prove out, there is less pressure on communities to add housing, which, presumably, is the county's reason for adding population in Los Osos.

This is a statement of opposition to any additional housing for the community of Los Osos. That includes 900 family units and additional spaces for Morro Shores Mobile Home Park.

James Michael Raphael  
Morro Shores Mobile Home Park  
633 Ramona Ave., Spc 20  
Los Osos, CA 93402

ATTACHMENT 7  
**J. H. EDWARDS COMPANY**  
A REAL PROPERTY CONCERN  
*Specializing in Water Neutral Development*

June 26, 2020

San Luis Obispo County  
Department of Planning and Building  
Attention: Kylie Hensley

**RE: Los Osos Community Plan; 2016-2018 Resource Summary Report  
Water Supply Section/Title 26 Residential Growth Management**

Dear Ms. Hensley,

Please find the following comments as they pertain to the Los Osos Community Plan; 2016-2018 Resource Summary Report Water Supply Section/Title 26 the County Residential Growth Management Ordinance and water conservation.

**Los Osos Water Conservation**

The community of Los Osos has done a tremendous job of conserving water since 2008. The original, January 30, 2015 public review draft of the LOCP contemplated elimination of the Title 19 Retrofit-to-Build program. The Title 19 Retrofit-to-Build program has been very successful and should be refined and extended to achieve additional conservation since there is a substantial amount of water conservation available from urban residential and commercial use.

It should be noted that the water purveyors have administered water conservation programs with limited results. While the Title 19 Retrofit-to-Build program has demonstrated the ability to conserve water on a 2:1 basis and may continue to conserve into the future.

Please find the attached December 2, 2016 Water Conservation Implementation Plan for the Los Osos Wastewater Project memorandum(attached), authored by former Basin Management Committee Executive Director, Rob Miller, a principle in the Wallace Group. As identified in the memo, the indoor conservation remaining available in the Prohibition Zone is conservatively 230 AFY. Outdoor conservation programs have the potential to conserve another 120 AFY. The LOCP estimate projected demand for new dwelling units is 63 AFY; with a 2:1 conservation ratio it equals of 126 AFY of conservation. Clearly, available water conservation in Los Osos is alone sufficient to offset demand from 5 years' worth of new development at a 1.3% residential growth cap.

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ACQUISITION    MARKETING    LAND USE    REDEVELOPMENT

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**Basin Management Plan Programs**

With regard to the LOCP referenced Basin Management Plan (BMP) Water Programs;

- a. Program "M" –Groundwater Monitoring
- b. Program "E" –Urban Efficiency
- c. Program "U" –Urban Water Reinvestment
- d. Program "A" –Infrastructure Program A
- e. Program "C" –Infrastructure Program C
- f. Program "P" –Wellhead Protection

Completion of the above six (6) programs is supported, including two (2) fundamental water resource development projects outstanding.

- a. The Los Osos Community Services District (LOCS D) Program A expansion well at 8<sup>th</sup> Street.
- b. The joint LOCS D/ Golden State Water Company (GSWC) Program C No. 2 well.

Both new wells have been funded:

- Program A well is pending construction.
- Program C well is pending permits.

Unsupported Basin Management Programs are B (Community Nitrate Removal), D (New Well East of Los Osos Creek), G (Agricultural Water Exchange) or S (Supplemental or Imported Water). It is generally accepted, programs B and D have been deferred and Program S is not supported by the community at this time.

**Title 26 Growth Management Ordinance**

Currently, the residential growth rate for the Prohibition Zone of Los Osos is zero (0%). It is recommended the amendment to Title 26 Residential Growth Management Ordinance for Los Osos should be set a 1% growth rate now; to be elevated to a 1.3% growth rate upon completion of the two above mentioned expansion wells as recommended by the staff report.

Consideration of an increase in the maximum growth rate to 1.5% could occur with evidence of further reductions in demand and/or in combination with, additional Basin Plan programs that maintain a Basin Yield metric of 70 or less.

**2016-2018 Resource Summary Report Water Supply Section  
Level of Severity for Water Supply in the Los Osos Groundwater Basin**

In the fall of 2007, the litigation between the water purveyors was settled by way of an Interlocutory Stipulated Judgement (ISJ) (Case No. GIN 040126). In paragraph C of the ISJ expressly discussed the county's Resource Management System, now

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known as the "Resource Summary Report". As the ISJ notes, the Severity Level for water supply in Los Osos was certified LOS III on March 27, 2007. The court recognizes LOS III as indicating groundwater basin deficiencies as follows:

1. "Unavoidable Resource Deficiency" exists which is defined as "the most critical level of concern". Given urban water demand reductions, the basin no longer represents a deficient resource. Other basin plan metrics for water level and chlorides have also trended toward improvement as indicated in the 2019 Annual Report.
2. The ISJ also provides, "Level III occurs when the capacity (maximum safe yield) of a resource has been met or exceeded." Also as evidenced by the 2019 Annual Report. The total demand is 69% of the basin safe annual yield, also expressed as a Basin Yield Metric of 69.
3. Given current demand relative to safe annual yield there is no deficiency, let alone "a deficiency of sufficient magnitude that drastic actions may be needed to protect public health and safety."

Please find link to 2019 BMC Annual Report (pages 65-346 of the pdf) here:  
[https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Los-Osos-Basin-Management-Committee-\(BMC\)/Agendas/2020-Agendas/2020-06-17-LOBMC-Agenda-Packet.aspx](https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Los-Osos-Basin-Management-Committee-(BMC)/Agendas/2020-Agendas/2020-06-17-LOBMC-Agenda-Packet.aspx)

It is recommended the LOS for the Los Osos water supply be established at LOS II. It is clear, based upon the metrics established by the BMP and reflected in the most recent 2019 annual report, that the water supply criteria for the coastal zone indicates the "timeframe for remaining dependable water supply is 7 years", which equates to LOS II.

In summary, the community of Los Osos through BMP Programs have addressed water supply limitations relative to the groundwater basin over the past 10+ years. Additional water conservation pursuant to Title 19 is adequate to accommodate limited new residential development subject to Title 26. The severity level for water supply in the Los Osos Prohibition Zone should be set at LOS II. A 1% growth rate in the Prohibition Zone should become effective upon Board of Supervisors adoption on August 18, 2018.

Please let me know if you have any questions.

Sincerely,

*Jeff Edwards*  
Jeff Edwards

Attachment:  
Water Conservation Memorandum- Rob Miller, BMC -- ED

P.O. Box 6070, Los Osos, CA 93412 (805)235-0873 [jhedwardscompany@gmail.com](mailto:jhedwardscompany@gmail.com)  
ACQUISITION    MARKETING    LAND USE    REDEVELOPMENT

## MEMORANDUM

WATER CONSERVATION IMPLEMENTATION PLAN  
LOS OSOS WASTEWATER PROJECT

**Date:** December 2, 2016

**To:** Basin Management Committee

**From:** Rob Miller, PE  
Wallace Group

**Subject:** Addendum 1 – BMC Water Conservation Measures

CIVIL AND  
TRANSPORTATION  
ENGINEERING

CONSTRUCTION  
MANAGEMENT

LANDSCAPE  
ARCHITECTURE

MECHANICAL  
ENGINEERING

PLANNING

PUBLIC WORKS  
ADMINISTRATION

SURVEYING /  
GIS SOLUTIONS

WATER RESOURCES

The following memorandum is an addendum to the current Water Conservation Implementation Plan for the Los Osos Wastewater Project (WCIP), adopted by the County of San Luis Obispo (County) on October 23, 2012. The WCIP was prepared by Wallace Group, in coordination with the development of the Los Osos Groundwater Basin Management Plan (BMP), which was adopted by the County in January 2015. Both plans share a common goal: to protect the sustainability of the Los Osos Groundwater Basin (Basin) as a source of potable water supply for the Los Osos community.

The BMC began monthly meetings on December 14, 2015. Of the items discussed in the meetings, focus initiated on existing and proposed conservation measures for the Basin. Several measures identified by the BMC were proposed as additional or supplemental measures to the ones outlined in the 2012 WCIP. The BMC recognized that further water savings could be seen with newer technology with lower flow values than were available at the time the original WCIP was prepared. In addition, the BMC wanted to add new measures to the plan, as they could provide for additional water savings not recognized in the initial WCIP report. This addendum provides a description of the modified or additional measures proposed by the BMC. It is desired that these measures be included in the program currently being implemented by the County. Table 1, located at the end of this memo, outlines the eight proposed BMC conservation measures.

The BMC conservation measures are separated into two categories: indoor and outdoor. Indoor conservation measures are supplemental programs to the Category 1 Residential measures discussed in the WCIP. The proposed outdoor conservation measures are new, as there were no comparable measures included in the WCIP.

#### BMC Indoor-1: Hot Water Recirculation System

This conservation measure would provide for a \$350 rebate for installing a hot water recirculation system inside the home. The water recirculation system is designed to minimize water waste while residents wait for tap water to heat up. Annual savings estimates vary, but using EPA Water Sense estimates, it is assumed that approximately 7,000 gallons per year per unit could be conserved, resulting in an overall Basin water savings of 50 to 100 acre-feet/year if full implementation is

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achieved. The plan is assumed to have a 10 year life span, which would cost approximately \$1,600/acre-ft saved.

BMC Indoor-2: High Efficiency Clothes Washer

This measure would provide for a \$350 rebate to residents who replace their existing clothes washer with a new high-efficiency clothes washer. The current WCIP Measure 1B includes a clothes washer rebate program which offers \$150 per eligible washer. This measure would increase the washer rebate by \$200.

Estimates assume that approximately 400 washers per year would be replaced and that 3,300 gallons per year per unit in potential savings could be realized, assuming 20 to 30 gallons per washing load. With full implementation of this program, total Basin water savings are estimated to reach 40 to 60 acre-ft/year. Rebate costs are estimated to be close to \$7,000/acre-ft saved.

BMC Indoor-3: Replace 1.6 GPF Toilets

The current WCIP Measure 1A provides property owners with a rebate for replacing inefficient toilets. The current program goal is to replace all toilets flushing more than 1.6 gallons per flush with ones that use 1.28 gpf or less, with a rebate amount of \$160 per unit. The proposed modification would provide a rebate of \$250 for homes that replace a 1.6 gpf toilet with a toilet that flushes 1.28 gpf or less, or install a dual flush model.

The water savings for this measure is estimated to be 1,500 gallons per year per unit, corresponding to a 30 to 50 ac-ft/year Basin water savings, at a cost of approximately \$2,500/acre-ft saved.

BMC Indoor 4: Replace 2.0 GPM Showerheads

Similar to BMC Indoor-3, this measure would be a supplement to the current WCIP Measure 1A for the replacement of showerheads. The current program provides a \$30 rebate for replacement of showerheads that use more than 2.0 gpm with fixtures that use no more than 1.5 gpm.

The proposed BMC Indoor 4 program would provide a rebate for all showerheads flowing 1.5 gpm or more to be replaced with ones that flow less than 1.5 gpm. The proposed program would be voluntary and provide a rebate of \$40 per unit. The estimated average savings water savings is 1,500 gallons/year per unit, which would equate to approximately 30 to 50 ac-ft/year in total Basin savings. The program is estimated to cost approximately \$900/acre-ft saved.

BMC Outdoor 1: Septic Tank Repurpose

This measure includes a rebate of \$500 per household for the conversion of an existing septic tank (assumed abandoned as part of the wastewater project) into a rain water capture basin for roof runoff or for recycled water storage. Water would either be captured through gutters on the roof and piped to the septic tank for storage and re-use as irrigation supply, or recycled water could be pumped into the tank from a recycle water fill station. It is envisioned that a simple access riser and mobile pump assembly would provide for easy application of re-used water, making the rebate attractive.

## ATTACHMENT 7

Basin Management Committee  
December 2, 2016  
Page 3 of 5



Since some residents have already backfilled their septic tanks as part of the wastewater project, this measure would offer a \$500 rebate to anyone who implements more than 1,000 gallons of capacity for rainwater catchment/recycled water storage on the property, and a \$400 rebate to anyone who implements storage of 500 gallons up to 1,000 gallons.

This measure is to coincide with the County's wastewater program, which includes a recycled water fill station at a location on 10<sup>th</sup> Street in Los Osos, to be monitored by Los Osos CSD or County staff during designated periods. The recycled water from the fill station is proposed to be used for dust abatement, construction activity, or irrigation, so long as the beneficial use is in conformance with California Title 22 regulations. It is suggested that local hauling programs be developed to minimize hauling costs.

Annual water savings for this program are estimated to be 4,500 gallons per year per unit, depending on the number of participants and irrigation events. The cost of this measure is estimated to be approximately \$1,800/ac-ft for a Basin savings of approximately 100 to 140 ac-ft/year if widely implemented.

### BMC Outdoor 2: Gray Water System

BMC Outdoor 2 measure involves a \$500 rebate for the installation of a gray water recycling system on the property. Gray water is the combination of waste water from showers, baths, sinks, and washing machines. Gray water is typically all the wastewater from the home with the exception of toilets and kitchen sinks. It is envisioned that graywater from the home would be diverted to an on-site pre-treatment and storage unit, or to be directly plumbed to a below-ground watering station, such as a flowerbed or near trees, to be used as irrigation or for other beneficial reuse purposes. Installation of a graywater system would be subject to code and permit requirements, and would require homeowners make sure the system meets those requirements. Gravity flow systems will be eligible for this rebate. Proposed Basin savings, with full implementation, could reach 70 – 90 ac-ft/year with a rebate cost of around \$1,400/ac-ft.

### BMC Outdoor 3 – Laundry to Landscape Program

This measure, similar to BMC Outdoor 2, would provide residents with a \$50 rebate for installation and implementation of a laundry-only gray water system. As described above, gray water is the combination of wastewater from house drains, with the exception of toilets and kitchen sinks. This measure would be for systems that are installed to reuse water from the washing machine only. Diverting the drain line from a washing machine is substantially easier than re-routing all of the drains from inside the home, therefore the rebate amount is less than BMC Outdoor 2. Recipients who receive a rebate for the BMC Outdoor 2 measure would not qualify for this laundry-only program. Current code allows for permit exemption for gravity discharge of laundry water to landscape area with a minimum of 2 inches of mulch provided at the discharge location. Diaper washing or pumped flow from the washing machine are not allowed. Proposed Basin water savings are estimated to be 10 – 20 ac-ft/year, with an estimated rebate cost of \$2,600/ac-ft.



BMC Outdoor 4 – LID Landscape

This measure would provide a rebate of up to \$400 for the installation of low water-use landscaping, especially landscaping that includes Low Impact Development (LID) measures, which capture and infiltrate storm water runoff.

Similar to BMC Outdoor 1, it is estimated that approximately 3,000 gallons per year per unit, where approximately 50 – 70 ac-ft/year of water might be saved. The rebate cost is estimated to be approximately \$1,358/ac-ft saved.

ATTACHMENT 7

**TABLE 1. BMC CONSERVATION MEASURES**

Item No.	Conservation Measure Name	Draft Rebate Amount	Water Savings Potential and Assumptions (ac-ft/year)	Estimated Savings per Unit (gal/yr)	Fixture or Program Estimated Lifespan	Cost of rebate per acre-ft saved	Approximate Savings Potential (AFY) <sup>4</sup>
Indoor-1	Hot water recirculation system	\$350	EPA Water Sense estimates > 10,000 gal/year, assume 5,000 to 10,000 gal/year	7,000	10	\$1,629	50 to 100
Indoor -2	High efficiency clothes washer	\$450	3,000 to 5,000 gal/year, depending on household size	3,300	5	\$6,911	40 to 60
Indoor - 3	Replace 1.6 gpf toilets with 1.28gpf or less	\$250	1,000 to 2,000 gal/year, depending on use	1,500	20	\$2,545	30 to 50 (See Note 5)
Indoor - 4	Replace 2.0 gpm showerheads with 1.5 gpm	\$40	1,000 to 2,000 gal/year, depending on use	1,500	10	\$869	30 to 50 (See Note 5)
Outdoor - 1	Septic tank repurpose	\$500 (see Note 3)	Assume 3 to 4 tank volumes, at 1,000 gallons each	3,500	20	\$2,327	110 to 150 (See Note 1)
Outdoor - 2	Gray water system	\$500 (see Note 3)	Potentially eliminate outdoor potable usage	6,000	20	\$1,358	70 to 90 (See Note 1)
Outdoor - 3	Laundry to landscape program	\$50 (see Note 3)	1,000 to 1,500 gallons per year, depending on use	1,250	5	\$2,606	10 to 20 (see Note 1)
Outdoor – 4	Low Water Use Landscape	\$100 - \$400	1,000 to 3,500 gallons per year, depending on use.	3,000	20	\$1,358	50 – 70 (see Note 6)
<b>Notes:</b>	<p>1. Total savings for outdoor programs are not additive. For example, outdoor use can be addressed through gray water or hauled recycled water.</p> <p>2. All estimates depend on use patterns and other factors. Values are stated for comparison.</p> <p>3. Only one \$500 rebate will be provided per property under programs Outdoor -1, 2, and 3. Participants in these programs are not eligible for program Outdoor - 4. Property owners who have already backfilled their septic tank will receive a rebate of \$500 for implementation of an alternative storage tank/basin with a minimum of 500 gallons of capacity.</p> <p>4. Approximate Savings Potential assumes total 4,500 unit participation.</p> <p>5. Assumes 2 replacement fixtures per household unit.</p> <p>6. Rebate amount to vary between \$100 - \$400, depending on landscape area. Savings value calculated assuming average of \$250/unit.</p>						

## ATTACHMENT 7

June 26, 2020

SLO Planning Commission

Los Osos Community Plan hearing July 9, 2020

Public Comment:

Please consider the following when addressing how priorities will be determined and to whom the costs of implementing the Los Osos Community Plan and its component plans will be allocated. If this is not the appropriate forum, please provide the community with guidance regarding the proper forum:

There needs to be an equitable method for determining priorities and allocating costs for the community and the basin that does not rely on a majority vote of property owners or on governing boards who, largely and sometimes exclusively, represent the interests of property that is already developed.

Owners of developed property have been the benefactors of housing, property appreciation and water usage for decades, to the exclusion of others with similarly vested property rights. They have been a primary source of pollution in the water basin and many of their actions/inactions have fueled controversies that have exacerbated the problems, delayed the solutions, and caused the costs to escalate. As such, they should be responsible for their relative share of the cost to stabilize the community's resources and they should not be allowed to dominate the decision-making process, simply because they out-number the other stakeholders.

Owner of undeveloped property located within existing sub-divisions, particularly with vested allocations and appurtenant water rights, should have an established role in setting priorities and they should not be expected to bear a disproportionate share of the costs necessary to support minimal growth in Los Osos.

The undeveloped property owners in Los Osos are outnumbered by the developed property owners, as such, they cannot influence important decisions by simply voting. An equitable method of determining priorities and allocating the past, present and future costs associated with implementing the LO Community Plan and its component plans is needed to avoid controversies over priorities and costs in the future.

I ask that you establish a role within the LO Community Plan governance structure for representation by undeveloped property owners, so they can have a voice that counts in the decision-making process.

Thank you.