

Comments on the Los Osos Community Plan Draft Environmental Impact Report

Section 2.0 - Project Description

Section A - ES-44-5 **Land Use Contradiction:** Fairchild/Los Olivos, Area 27, APN 074-293-015. See Figure 2-4 and Table 2-1.

Property #27 is shown to be zoned "Commercial Service" rather than "Office Professional" as it is designated on p. 45. Since the property is bordered on three sides with residences, single family and multi-family, it should not be used in a way that would affect residents adversely. Such uses would include anything that involves pollution with "noise, lighting, air quality, or traffic." In Section 4.1, "Aesthetics," compatibility of commercial service with nearby residences is a concern. Too many negative impacts on this property would affect residents to the north, east, and south. Instead, why not zone it Residential Multi-Family? After all, more housing is needed in this community, and the property is within walking distance of the business district.

Section B2.6.2 - Transportation and Circulation

a. Roadways: ES-2-25 Table 2-5. Proposed Circulation Improvements

Collector Roads:

The document proposes that Ravenna Avenue be "extend(ed) between Los Osos Valley Road and Ramona Avenue as development occurs." (This is repeated in other sections as well.)

Instead, the text should read: "A Pedestrian Path and a Class 1 Bicycle Path, rather than a road for motorized vehicles, will extend between Los Osos Valley Road and Ramona Avenue."

In an effort to increase multi-modal forms of circulation, the Traffic and Circulation Subcommittee of LOCAC, of which I am a long-term member, considers a multi-use trail on that section of Ravenna to offer a safe route to and from schools, library, and community center while maintaining a more natural environment.

Section ES-2.32 2.6.3 Coastal Access

Figure 2-15 Coastal Access Points: The map is inaccurate. It does not include all of the beach access points in Los Osos. Also, it designates beach access at some places where there are only viewing points. The following corrections should be made (though there may be others needed as it's difficult to read the map online):

Beach Access Points: First Street at south end; Pasadena/Santa Ysabel; Third Street at north end

Viewing Points: Fourth Street at north end; Pasadena, near Santa Lucia, Sweet Springs

Neither Beach Access nor Viewing Points: Fifth, Sixth, Seventh, Eighth, Ninth Streets

ES-4.1-9 Chapter 8: Coastal Access

In the California Coastal Act of 1976, Sections 30220 and 30211, special concern for Protection of Recreation Uses and Protection of Public Access is expressed. First Street, south end, needs to be included in all references (in text and on maps) as a public Coastal Access street. In addition, public access to the beach must be preserved.

Section 4.4 - **Coastal Hazards**

In this section the first paragraph contains an incorrect statement: ". . . there are no coastal armoring structures built along the coastline." Armoring exists at the south end of Second Street and at some locations between First and Second Streets.

Section 4.12 - **Recreation**

1. Boat Launching Ramp at Cuesta-by-the-Sea

This suggestion should not be the only accommodation for small boat sailors. The long channel at Cuesta, leading directly into the prevailing northwest wind, is unsuitable for sail boat launching. What was once a launch ramp at the south end of Second Street needs to be restored/made workable. In addition, access to the natural slope at the south end of First Street needs to be returned to its original state.

Section 4.1 - **Aesthetics**

2.5.4 Circulation

Program CIR-4.3. Commercial Streetscape

Delete "street lights" from the two sentences in that section (page 4.1-23).

Goal: preserve night sky; avoid light pollution.

Respectfully submitted,

Beverly Boyd
12/11/19

Comments on the Los Osos Community Plan Environmental Impact Report
by R. D. Bowlus 12/11/2019

1. Regarding coastal access to the shoreline and the bay: On the western perimeter of the Baywood Peninsula, between the north end of 3rd Street and the south end of 2nd Street, there exists access to the shoreline and protected waters of the bay. This area, which is almost unmentioned as a recreational resource in the LOCP EIR, is possibly the most used recreational site in the entire town if one counts its use for sunset viewing, nature viewing, strolling, shore fishing, strolling, beach play, and launching of small non-motorized watercraft. Briefly mentioned on part 1 pages 4.1-23 item F, 4.8-14 item 7 and part 2 pdf page 12 item 1.

I request that coastal access to a calm bay shore and waters be added as a special attribute of our town to the following pages where recreational and environmental access and nature-oriented activities in our town are described. Part 1: pages 4.12-1 last paragraph and 4.12-8 second complete paragraph. How special is our access to this bay? Along the shoreline of Morro Bay there is no other extensive sandy beach (unless one can get to the sandspit), nor is there any place else on Morro Bay with water that is free of strong currents, constant motorboat traffic, and numerous boats on moorings. For 200 miles along the coast of California between Santa Barbara and Moss Landing there is no other protected bay for small craft use. Access to the undeveloped shoreline of the sandspit by small boat is a recreational delight. The sparse mentions of the bayfront access could well be amplified on the pages listed in my paragraph 1.

On the list of administrative responsibilities for County Parks on Part 1 page 2-33 please add "beaches and coastal access points." Part 1 page 4.12-1 should say that the Baywood Peninsula shoreline/beach is a *de facto* Community Park.

Figure 2-15 (Part 1 page 2-31) showing Coastal Access Points is wrong. 1st Street is both viewpoint (vp) and vertical access; Pasadena near Santa Lucia, Sweet Springs, and 4th St are vp, not vertical access; 5,6,8,9 Streets are neither vp nor vertical access; the north end of 7th Street could be called a vp; additionally, the sites known as Bush Lupine Point and Sienna's View in the Elfin Forest Natural Area are both well visited viewpoints but do not provide vertical access.

Please add "convenient access to the bay as recreation space for small non-motorized watercraft" to Part 1 page 2-32.

Preserving and protecting existing coastal access, whether established by county code or by prescriptive use, are particularly important. Those of us who treasure coastal access in Los Osos/Baywood Park are glad to see requirements clearly stated numerous times in the LOCP EIR. See Part 1: pages 4.1-23, 4.5-5, 4.8-14, 6-23. Citizens' prescriptive rights to the gently sloping path that provided small watercraft access to the bay at the east side of 1st Street (south end) must be respected.

The possibility of future formal coastal access sites for small boat launch is mentioned in the report (part 1 pages 4.12-5 and 4.12-9, which also mentions a community or neighborhood park in the Baywood Park area). Regarding possible sites for a boat launching site: Cuesta Inlet is suitable for launching human-powered watercraft but is unsuitable for sailboat launching due to the long narrow channel that faces directly into the prevailing Northwesterly wind. The gently sloping path that provided small watercraft access to the bay at the east side of 1st Street (south end) should be restored to use.

On Part 1 page 4.12-5 item 2 the report mentions a possible park at the south shore of Morro Bay. I wonder what location it is referring to. On page 4.12-9 a community or neighborhood park in the Baywood Park area is mentioned, but not in connection with the shore. Just wondering...

2. Light pollution is mentioned in several places in the LOCP EIR (part 1 pages 4.1-4, 4.1-27). Unfortunately, the strings of LED bulbs sold at Costco have proliferated in the commercial and residential districts of our town in recent years, especially along 2nd Street in Baywood. There is no use of downward shielding on these lights and our dark sky nights are much impacted.

3. Noise pollution is mentioned in several places in the LOCP EIR (part 1, pages 4.9-2, part 2 pages 14, 19, 30). Measurement of traffic related noise is on part 1 page 4.9-2, but there is only one commuting-time measurement, the rest of the measurements missing the daily trips to and from jobs in San Luis Obispo from this bedroom community. When listing stationary sources of noise (part 2, pages 19 and 30), no mention is made of the loud outdoor concerts that are held weekly at two motel venues for much of the year, namely the Sea Pines Resort and Back Bay Inn.

4. Regarding traffic and circulation:

Priorities listed on part 1 pages 2-24 to 2-26 are out of date. I am a long-time member of the LOCAC Traffic and Circulation subcommittee and know this to be the case.

Improved transit service (part 1 page 2-28) with more frequent offerings would increase usage. Rare transit service available at present makes public transit less and less attractive. Only full-time work-day commuters can use the bus to any advantage.

One of the proposed changes is to complete Ravenna between Los Osos Valley Road (LOVR) and Ramona. (part 1 page 2-25, 2-26, 4.13-1 through 4.13-3; part 2 fig 4 pdf p. 494). LOCAC T&C has prioritized opening that route for bicycles and pedestrians, not as a street for cars and trucks. From the anticipated traffic on this route (part 1, page 4.13-3) it is obvious that connecting Ravenna will result in its becoming a major north-south connection between the commercial area on LOVR and much of Baywood Park; the lack of stop signs on Ravenna/4th at the intersection only encourages such use (part 1, page 4.13-1). At present, LOVR to Baywood traffic moves on 9th street. Much of that traffic then uses 7th. LOVR to Baywood traffic also travels on 11th street and even on South Bay Boulevard to Santa Ysabel. The present and proposed maps do not indicate that 4th from Ramona to Pismo and Pismo from 4th to 3rd are collectors. Opening Ravenna to automobile traffic will greatly increase the burden on those streets as well as on 4th Street north of Pismo (a residential street).

5. The land use designation and/or proposed change for a property on Fairchild near Los Olivos is found in numerous locations throughout the LOCP EIR (Part 1, pages 2-12, 2-14, 2-15, 2-20, 2-25, 2-26, 4.1-28, 4.8-7, 4.-10, 4.8-14, 6.35; part 2 fig 3 pdf page 380, Fig 8 pdf page 508). If the statement on Part 1 page 6-35 is to be taken as key to the proposed change, where it says the use must be compatible with nearby residences, it seems logical to designate the property Residential Multi-family along with every other property in the surrounding neighborhood. Instead, out of proportion to the rest of the area, the plan to create a small island of commercial service in the midst of a residential multi-family area makes little sense.

The LOCP EIR is massive and seems redundant to the non-planner's eye. I hope these comments will be of use.

Sincerely, R. D. Bowlus

To: Kerry Brown, San Luis Obispo County Planning Department

Cc: Trevor Keith, San Luis Obispo County Planning Department

From: Ellen Nelson ellen@barncatservices.com

Comments on Draft Environmental Impact Report for the Los Osos Community Plan

I am a resident of Los Osos and I would like to comment on the Draft Environmental Impact Report for the Los Osos Community Plan. I read the entire Plan. I am very impressed with the thoroughness and detail of these reports and I truly appreciate the hard work that went into both the Community Plan and this Draft Environmental Impact Report.

Process: Before getting into my comments on the content of the Draft Environmental Impact Report, I would like to state that I was totally unaware that this was in process, and that the deadlines for commenting were relatively short. I am fairly internet savvy, but I do not monitor events on the San Luis Obispo County Planning Department's website on a regular basis. I have been told that I can get on some sort of a "mailing list", and I will research how to do this, but I hope there will be more outreach, so that people who are not actively involved in County government will have more opportunity to express their opinions and concerns about the future of Los Osos. I first heard of this entire process when I attended a meeting at Sea Pines Golf Course, where an incredible number of acronyms were tossed about, email addresses were flashed up on a poorly lit screen and presentations were rushed through. I understand that for the people working on these plans and reports, this information is obvious and routine but for the residents that will be affected by any future development in Los Osos, it is critical that we be given adequate notice and sufficient opportunity to participate.

Comments on the Draft Environmental Impact Report:

In accordance with CEQA guidelines, several alternatives are presented to achieve the Los Osos Community Vision, stated as:

All land use policies and plans should be based on sustainable development that meets the needs of current population and visitors without endangering the ability of future population to meet its needs or drawing upon the water of others to sustain community livelihood.

This is a perfect vision, and any Plan or Alternative that truly supports this vision will have my unequivocal support. The emphasis on water is appropriate, because without an affordable source of quality drinking water, we are misguided thinking that we can sustain any development. I am concerned that somewhere in the details of the plan, and thus in the Environmental Impact Report as well, this vision has been forgotten, or placed secondary to other short-term goals. I am concerned that there may significant errors or omissions in the data being used to support conclusions drawn in the Draft Environmental Impact Report.

Section 4.15 Water Supply references the Basin Plan and the Basin Management Committee and talks about mitigation measures that can be put into effect. I am aware that the Basin Management Committee and staff are competent & hardworking. I spent quite a bit of time reading the Basin Management Committee's 2018 Annual Report. I learned that it is based on a lot of hard work and a tremendous amount of data from many different sources. It is reassuring that the 2018 Annual Report indicates that the basin is coming into sustainability, however as I dug into the details, I found several areas for concern, or at least requiring more investigation and more detailed study:

- 1) Approximately on half of the total yield of the basin is a calculated number, not based on actual data – I'm referring to the amount of water pumped from the basin by private and agricultural wells. These wells are NOT metered. The formula for calculating this number

has been agreed upon by the parties to the Adjudicated Settlement. This number is agreed upon, and legal, but is it accurate? Without meters on these wells, this number remains an estimate, and could be woefully in error.

- 2) Sea water intrusion is calculated based on measuring chloride concentration in monitoring wells in the lower aquifer on the western edge of the basin. An estimate of seawater intrusion is calculated from the chloride data, using an agreed upon formula, with one of the wells being weighted heavier than the others. Last fall (2018) some anomalies were noted in the data coming from a critical monitoring well. It appears that nitrate-laden water from the upper aquifer may be leaking into the lower aquifer in the vicinity of this well. This inflow of water that does not have chloride in it could possibly be diluting the chloride measurement for this well, potentially making it look like less seawater intrusion is occurring. There is some discussion of this matter at the November 2018 Basin Management Committee meeting (see the agenda package and the minutes which can be found on the website:

Agenda: <https://www.slocounty.ca.gov/getattachment/7d6a2706-958d-43dd-98db-3c14e92868ce/2018-11-14-LOBMC-Agenda.aspx>

Minutes: <https://www.slocounty.ca.gov/getattachment/e4a7fb10-1755-474f-9e19-8d1f6c905495/2018-11-14-LOBMC-Minutes.aspx>

- 3) Most of the properties in the “Prohibition Zone” were connected to the sewer in 2015. This means that large number of septic tanks are no longer leaching nitrates into the aquifers that supply drinking water for the residents of Los Osos. However, there are still many properties that were not required to connect to the sewer. Some of these properties are on larger acreages, but many are on city lots in neighborhoods. Recent nitrate data from several wells in Los Osos indicate that nitrate levels are still increasing. Data for S&T Mutual Well #5 (also known as LA8) which is close to Cabrillo Estates, a large neighborhood that is still on septic systems. [Ref: S&T Nitrate trend memo, 21 Feb 2019 Agenda Package, Page 8, <http://www.st-water.com/calendar.htm>]. The nitrate levels in this Lower Aquifer well which supplies drinking water for 180 homes in Sunset Terrace has been steadily increasing, even after the waste water treatment project is online. I don't find this surprising, given the location and density of all the septic systems in Cabrillo Estates. What I do find surprising is that this data is not being addressed in the 2018 Basin Management Plan and that the County would consider allowing new homes to be hooked up to the sewer when we have 100's of existing homes over our aquifers that are still infiltrating nitrates to our water.

In summary water quality is of the utmost importance, and it is mitigatable, as stated in the DEIR. However, a facility to remove nitrates (which are now showing up in lower aquifer wells) or to desalinate seawater are expensive and generate toxic, highly concentrated salts (an environmental impact) that will need to be disposed of by hauling to a permitted disposal site (also very expensive). It is not stated anywhere that any of the mitigation costs would be borne by the County, rather will fall on the current residents. What benefit is the proposed increased development to current Los Osos residents?

It is a flaw that these current data trends are not represented or considered in the Draft Environmental Impact Report. For this reason, the only alternative I can support at this time is **Alternative 1: No Project (No Development)**. No further development should occur in Los Osos until all pollution from septic tanks is stopped and all human waste is directed to the sewer plant. I am hopeful that these problems in the Basin Management Annual Report and how data is generated, reported can be remedied, and used to truly adaptively manage the Basin to bring it into true sustainability, not “wishful thinking” sustainability that is true on paper only.

December 7, 2019

EMAIL ONLY (kbrown@co.slo.ca.us)

Department of Planning & Building
ATTN: Los Osos Community Plan Update/Kerry Brown
976 Osos Street, Room 300
San Luis Obispo CA 93408

SUBJECT: Comment Regarding Los Osos Community Plan Update

Dear Mr. Brown:

After reviewing the comments already submitted regarding the draft Los Osos Community Update, I was impressed by the knowledge and time spent by many of my neighbors to provide input into the future of our community. Though I am not an expert in any of these areas being studied, I thought it was important for me to share and echo some of the concerns voiced by others.

CENTRAL CONCERN: A Reliable, Safe Water Supply

We are under Stage III per the Water Supply Contingency Plan. How can we possibly justify being able to supply water to additional households without adversely impacting the existing population?

The water restrictions in place are unduly severe, particularly for single occupancy residences with irrigation use. Even native landscapes require some water, particularly as it is being established. The more people in a household (more water use) can more easily attribute parts of their daily allotments to irrigation. Irrigation cannot be seen as a per person activity such as number of showers daily, washes washed, etc. Please refer to Attachment A for my experiences (time and money) with attempting to comply with the restrictions.

Recommendations:

1. The water restrictions should be revisited and an irrigation amount be allotted separately from individual household water use. At minimum, daily allotments should be increased for single occupancy residences with irrigation needs.
2. As many of my neighbors have voiced, as much as we would like to see additional housing—workforce vs Airbnb/vacation housing—how can the County in good conscience suggest thousands of additional units when the existing water supply has been presented as vulnerable and uncertain. Even without the additional units being proposed we already have development proceeding, an example seen from my own backyard (see attached pic).

3. If the County insists in proceeding with thousands of additional units, please consider :
 - a. Taking us off of Stage III restrictions
 - b. Creating a more restrictive water schedule for all new businesses and residences (including vacation and Airbnb). All marketing materials for occupancy of any kind would include a note about the water restrictions.

OTHER CONCERNS

1. Evacuation

When the City of Morro Bay put their sewer plans out for comment, I was surprised that our elected representatives did not voice any concerns about the possible impacts on our community. One area of concern voiced by many was the construction impeding traffic on and around South Bay Boulevard particularly if there was the need to evacuate our community during a disaster. Your proposal begs the same question when we increase the number of people we will need to evacuate.

Recommendation:

Do a proper study taking into consideration the comments submitted. Advocate accordingly in projects such as the Morro Bay sewer plant proposal, and on an ongoing basis examine all development on LOVR, South Bay Boulevard and Highway 1 as it might adversely impact a community evacuation.

2. Construction Impacts

Over the last few months, and unfortunately ongoing, I have construction going on involving two of my three neighbors (one permitted, the other not). Due to the many small lots in our community, it often feels like we are living on top of one another, particularly as neighbors fill in their properties with additional structures. Here are a few areas that you might be able to help mitigate and keep the peace between neighbors.

a. Vibration

As mentioned in some of the other comments, the vibration from the equipment brought in to compress the soil is significant. My house shook for days as they prepared the ground for construction. Though it was not earthquake like, items like my wall thermostat which had just enough give to make squeaking sounds as it hit the wall for hours on end. I do not know what damage this might have caused with my foundation and/or plumbing damage. At minimum, it is clear that the molding in the rear of the house is differently aligned, leaving gaps were there

once were none. Though minor, as I know many of us deal with ant invasions already, plan on more visitors.

b. Multi-month construction noise

In addition to what you would expect throughout a project, conveniently for the writing of this letter, construction began behind me today almost an hour before allowed. When I mentioned it to the contractor he disputed what was written on the County webpage.

c. Light pollution

As mentioned on a local online community forum, many people are deciding to install additional outdoor lighting mainly for security. In many instances, people seem to have gone to the shelf at Home Depot and gotten the highest lumen fixture that throws light well beyond their property line. In some cases, their neighbors might appreciate it, though in most situations I imagine they do not.

When I installed a backyard light that does an excellent job of lighting the entire area, I did take into consideration how far the light would go, not wanting to disturb my neighbors. For their consideration, I rarely have the light on all night, as it feels disruptive illuminating the entire backyard. Of course, many other people may feel differently.

Lastly, with the popularity of solar tubes, one of my neighbors within the last couple of years has installed two that include an electric light for nighttime use. The most recent was larger than the last. Both, along with their patio lighting illuminate at minimum one of the walls of my bedroom. At one time, I was able to look out the window over my bed to see the stars and moon.

d. Setbacks and Other Requirements

During these months of construction on two sides I have found out that it falls me to contact County Planning if I feel a construction project is in violation. I am not sure why this has become my responsibility, as I am not an expert, nor do I want to become one.

Recently, I pointed out to him that his recent "garden/storage shed" structure he was building, was not at correct minimum setback. He told me his contractor had checked with the County and that since there were replacing an existing (garden/storage shed) structure it was fine. I told him I did not think that was correct, and encouraged him (twice in one conversation) to contact the County.

This put me in awkward position to either forget about it, and accept the new and taller structure closer to the property line, or contact the County myself. I really do not want to be put in this position.

Recommendation:

Figure out ways to help mitigate construction impacts provide neighborly assistance/education regarding best practices.

IN CLOSING

During this past summer and fall I visited a number of norther California, Washington and Oregon communities on vacation, not looking for a place to move. I was in awe of the resources/services available in communities as small a 3,500 people and as large as 25,000 that seem to be served to a greater extent than our own. One morning I looked on enviously as a woman watered her green garden by hand, something I feel guilty about doing here.

In many of these communities, volunteers were engaged as they are here, though there seemed to be more emphasis/effort put forth by local government, sometimes in partnerships with nonprofit organizations. This is different than I see happening in our community where good things only seem to happen if volunteers standup to take most, if not all, of the responsibility.

Perhaps it was the sewer situation, and the resultant exhaustion of the community, but everything we seem to get done here seems difficult. Yes, I can already hear the cries on social media of “So why don’t you leave? We won’t miss you. Don’t let the door hit you on the way out.”

I do like living in Los Osos, having owned my home since 2001 and having lived in the county since 1994. I would like to believe that I have contributed through my professional work and community service projects.

What has been a disappointment, is though many of us used to refer to Los Osos as the “brain trust of the county” with the greatest number of people living here with college and advanced degrees, we have made some bad decisions. It looks like the proposed Los Osos Community Plan, if implemented as is, will be another one.

Sincerely,

ELLEN O. STURTZ
Los Osos Homeowner

Attachments

- A Water Supply and My Recent Experience (including two of the attached pictures)
- B. Rear Neighbor Development

Attachment A

WATER SUPPLY AND MY RECENT EXPERIENCE

1. The Los Osos Community Services District would like me to use no more than 50 gallons of water per day under what I believe to be Stage III of the Water Supply Contingency Plan.
2. As the only full-time person living at my residence, with occasional multi-day visitors, it has been impossible to meet this requirement.
3. Soon after hooking up to the sewer I engaged a landscape contractor and spent thousands of dollars to install native plants/trees, drip irrigation and, hard and permeable surfaces. The intention was for beautification of my own property and for the sake of the neighborhood, the removal of lawn long-suffering from drought, to reduce water use long-term, and to deal with drainage issues unaddressed by the County on my block (see attached pic of my front yard, along with another property on my block that uses no water. Though perhaps an extreme comparison, which would you prefer our community looking like?).
4. In October 2018 I had an irrigation water leak that cost me approximately \$1000 in water charges even though I addressed it expeditiously. At the time, I was told that the CSD could do nothing for me regarding the incident. In June 2019 I was notified that the CSD was going to make a once time adjustment.
5. Ever since the irrigation leak I have:
 - a. Regularly read my meter
 - b. Identified a toilet leak and had the toilet ultimately replaced on the advice of a local plumbing company who told me best to get rid of it. They said that hundreds of these toilets had been put in all over Los Osos to meet some relatively recent CSD requirement. They had replaced most of them in town as there were no replacement parts, and the failure rate was high.
 - c. Replaced the underground irrigation values installed only 2 years ago with above ground values this year on the advice of another landscape contractor. They liked these values better and felt it would be easier to identify future leaks.
 - d. Explored installing automatic shutoff water values when a leak is detected.
 - e. Installed a new irrigation controller that operates automatically based on weather data that would be compatible with a flowmeter/shutoff (unfortunately the company recently discontinued manufacturing it).
 - f. Unearthed all drip irrigation line installed just over two years ago to check for any leaks.

g. Become so paranoid about my water use, and the possibility of another \$1000 leak that I do not enjoy my home as I have in the past.







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December 11, 2019

County of San Luis Obispo
Department of Planning & Building
ATTN: LOCP Update/Kerry Brown
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Dear Ms. Brown:

These are comments from Morro Shores' residents, on the Los Osos Community Plan Draft EIR:

1. The biggest concern with increased population is quality of water supply. According to the Plan there is a vision to provide quality drinking water to meet the needs of current and an additional 4,000 new residents.

We know the Basin Management Plan efforts indicate that there can be limited growth without deterioration of the aquifer or Morro Bay Estuary. The Draft Environmental Impact Report does not address these 5 current situations:

- Lack of metering for agricultural wells and impact of their runoff on the ground water quality
- Limited monitoring of Los Osos wells
- Cabrillo Estates and other properties outside the prohibition zone are not on a sewer system and therefore still pollute our downstream ground water quality
- No discussion in the Plan of mitigation for increased toxic storm water runoff from new construction polluting the Morro Bay Estuary. We understand that new construction by statute must contain their storm water runoff on site. However, eventually the runoff goes into the ground water bringing contaminants into the ground water basin/aquifer.
- There is not enough longitudinal data in the Basin Management Plan to have confidence in current projections of future quality water availability for existing Los Osos and growth

2. The Plan does not address the need for Los Osos' evacuation procedures. Currently, it is impossible for the Los Osos residents to all evacuate in a timely manner in the event of an earthquake, tsunami, nuclear disaster, wildfire or other act of God. Los Osos has just 2 two-lane roads on which to evacuate. As seniors the existing lack of Los Osos evacuation planning becomes an even higher level of concern with an increased population. How can population growth be allowed, without the Plan including a viable step by step emergency evacuation component in place?

3. Now during heavy rains, measurable water runoff into the Estuary is a serious problem. The Los Osos Nature Corridor south of Morro Shores Mobile Home Park acts as a sponge to collect storm water from higher elevations in Los Osos. When that 60 acre area is covered with rooftops and concrete, storm water flooding in our mobile home park will be an issue along with passing all that polluted storm water into the Estuary. How will increased storm water runoff with all the new construction be addressed in the final Plan?

4. Processing Building Permits:

We have seen the list of 213 single family applications for building permits as well as the list of 13 multi-family residences' building applications. These lists date back many years. What is the procedure to assure an equitable process to receive an approved building permit when the building moratorium is lifted? How will the existing single family and multi-family lists be prioritized? A step by step process for issuing building permits must be in place before this plan is finalized.

- For the expected expansion of Morro Shores Mobile Home Park – will the new manufactured homes be considered multi-family, single family or other designation?
- Will developers of property for seniors and/or lower income residents receive priority for building permits?
- Will the final Plan delineate how building permits will be allocated and how many permits will be issued by year over the 20 year life of the Plan?

5. What are the differences between Alternative 3 and 4 in the Plan? What mitigation measures make Alternative 4 more environmentally superior?

6. There are inconsistencies in the figures, tables and text related to the Morro Shores area in the Plan. Table 2-1 shows proposed land use designations (RMF and RSF) which is different from Table 2-2 of community plan use (RMF, RSF and CS). Variations also exist in maps in the Plan. For example, Area 2 on Figure 2-9, page 2-21 now belongs to the San Luis Land Conservancy. This area consistently is miss named as being part of Morro Shores throughout the Plan. Will these variations in data be corrected in the final Plan?

7. The 60 acre open space just south of our Mobile Home Park has been enjoyed for decades as a nature corridor with walking trails. This Los Osos Nature Corridor is designated in the Plan for dense multi-family housing (which could be up to 38 units an acre – from the SLO County Housing Plan page 3-6) and commercial use. How is such a radical change for such an entire large area of open space with significant adverse impacts on air quality, traffic, water, drainage, noise, light, etc. justified?

8. The Draft EIR points out that there is more open space set aside in the Plan than there was in the Estero Bay Plan. However in the Plan, all the open space in the center of town is now designated for dense multi-family housing. Can you describe what your vision is for increasing open space and park acreage in the prohibition zone in the Plan?

9. Everyone wants affordable housing. However, for many reasons developers don't build affordable housing. Are tiny homes and/or manufactured homes under consideration for the Los Osos Nature Corridor – 60 acres south of Morro Shores Mobile Home Park?

10. The “key components of the draft LOCP include” (page ES-2) “incorporating strategic growth policies”, and “developing a Public Facilities Financing Plan for new development”. Neither of these components are specifically delineated in the Draft EIR. How will these components be addressed in the final Plan?

11. Salt water intrusion into our aquifers has slowed, but not receded or abated, and only because of above average rainfall. Since most of the water from septic tank settling no longer returns to the aquifer, how can you suggest that water is available because of the new sewer system? We are pumping more water out, and returning less.

12. Do you think the Coastal Commission has a chance of approving development when ALL of our water supply comes from two aquifers that are threatened by salt water intrusion?

13. Do we have any possibility of connecting to the state water supply that provides for San Luis Obispo? How do you justify development in an area with no alternative water supply?

In summary, we implore the SLO County Board of Supervisors to direct staff that more analysis and review of processes on the long range effects of the proposed Los Osos Community Plan be addressed. We are the people who live in the Los Osos community now. The Plan that is about to be forced upon us is not “our” plan. *Alternative 1 is the only viable alternative that the County Board of Supervisors should consider for approval.*

Yes, more housing is needed. The housing envisioned in this Plan is not low income. By the current San Luis Obispo County Housing Element, low income is defined to be \$35,000 to \$40,000 per year. By current rental and home mortgage standards 1/3 of income should go toward housing. So 1/3 of \$35,000 to \$40,000 per year is rent or a housing payment of \$963 to \$1,100 per month. By no stretch of the imagination will new housing in Los Osos be available for a monthly payment of \$963 to \$1,100 per month. A head of household making \$35,000 or \$40,000 per year is not going to be working in Los Osos for there are no jobs in Los Osos nor will they find “affordable” housing in Los Osos.

Thank you for your attention to these questions.

James and Jeanne Howland
633 Ramona Ave., Space 127
Los Osos, CA 93402

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December 11, 2019

San Luis Obispo County Planning and Building Department
County Government Center, Room 200
San Luis Obispo, CA 93408
Attention: Kerry Brown, Sr. Planner

RE: Los Osos Community Plan / DEIR

**50 years of Environmental Stagnation
1970-2020 or?**

Dear Ms. Brown,

The community of Los Osos has been “under the thumb” of state and federal agencies since 1970 when the Morro Bay kangaroo rat was listed as endangered under the Federal Endangered Species Act. Coincidentally, in 1994 the Morro shoulderband snail was also listed as endangered under the Federal Endangered Species Act. Additionally, with the passage of Proposition 20, the Coastal Act in October 1972 and the resulting California Coastal Act of 1976 effective on January 1, 1977 further restrictions ensued protecting water, habitat, cultural resources and agriculture. Finally, on September 16, 1983 the California Regional Water Quality Control Board enacted Resolution 83-12 (Septic Tank Prohibition) becoming effective in 1988. Questions about water, wastewater and habitat have persisted for the last 50 years because of State and Federal regulatory agencies. How much longer will it take to satisfy all of these masters? The following comments relate to the Public Review Draft Los Osos Community Plan (LOCP) dated January 30, 2015 and the associated Draft Environmental Impact Report (DEIR).

The LOCP discusses the Los Osos Groundwater Basin under Section 7.3. Subparagraph D. 1. Basin Plan Compliance. Please consider the past; present and future water demands of the Community of Los Osos/Baywood Park in finalizing the LOCP.

PAST

The historic groundwater production for water purveyors in Los Osos between 1970–2013 is outlined in Table 8 on page 51 of the 2015 Los Osos Groundwater Basin Plan. In 2013 the total purveyor groundwater production was 1,470 acre feet. The most water was produced in 1988 in the amount of 2,560 acre feet, revealing a substantial reduction since 1970. Table 13 on page 36 of the 2018 Final Los Osos Basin Plan Groundwater Monitoring Program and Annual Monitoring Report of June 2019 indicated between 2013 -- 2018 the total purveyor production was further reduced from 1,470AF to 1,018AF. Therefore, since 1970 current water demand by purveyor’s in Los Osos is **40 percent** of the 1988 peak production. In Table 14 on page 36 the total groundwater production for all uses is 2,030AF.

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PRESENT

According to the 2018 Final Los Osos Basin Plan Groundwater Monitoring Program and Annual Monitoring Report of June 2019 on page 61, the 2018 sustainable yield is estimated at 2,760AF. Given total production is 2,030AF, the **Basin Yield Metric is currently $2,030/2,760 = 74$** . The Basin Yield Metric compares the estimated sustainable yield of the Basin in a given year with the water production. For comparison, water production information prepared for December 12, 2019 Board meeting of the Los Osos Community Services District indicated in October 2019 production water usage was 470,400 gallons for the month and residential customers used 62.9 gallons per capita per day. Assuming a population of 14,500 with average water use of 63 gallons per capita per day, the total purveyor demand equals 1,023AF which is very close to the 1,018AF referenced above.

FUTURE

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.*

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

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

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

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Utilizing the existing population within the water purveyor service area and the 2018 water production and LOCSO usage calculations, the existing per capita production was calculated to be approximately 65 gallons per capita per day.

To estimate future water production at build-out, projections regarding further water conservation in the community must be made. Interim Executive Director, Rob Miller prepared a Water Conservation Program Update for the November 16, 2016 Basin Management Committee staff report, item 7.C. If water conservation measures via high efficiency plumbing fixtures for interior use were deployed throughout Los Osos it has the potential to conserve an additional 150AF-260AF. According to Title 19 Section 19.07.042 of the Los Osos Retrofit Program requires all new development to retrofit at a ratio of 2:1; conserved amount of water relative to projected demand. This program goes beyond water neutral development and is actually water positive. As build-out (mostly residential) occurs over 25-plus years, conservation requirements under Title 19 will result in reduced per capita water demand. Water conservation through plumbing retrofits does not require the occupant to alter habits to shower less or not wash cloths, but simply to use the highest efficiency or latest technology to reduce water use. A classic example is changing 1.6 gallon per flush (gpf) toilets to 1.0 gpf. The LOCP appears to contemplate the elimination of the Title 19 Retrofit to Build Program. I strongly disagree with any such action.

A range of water conservation assumptions:

- Low Range: Assume per capita demand is reduced by 10% of 65 gpcd therefore utilize 59 gpcd.
- Medium Range: Assume per capita demand is reduced by 15% of 65 gpcd therefor utilize 55 gpcd.
- High Range: Assume existing per capita demand reduced by 20% therefore utilize 52 gpcd.

Therefore, the estimated water production for the purveyors at various build-out thresholds is as follows:

- Low Range: 17,000 persons x 59 gpcd = 1,003,000 gpcd = 1,124AF
- Medium Range: 17,750 persons x 55 gpcd = 976,250 gpcd = 1,094AF
- High Range: 18,750 persons x 52 gpcd = 975,000 gpcd = 1,092AF

The above calculation is limited to purveyor production and includes indoor and outdoor water usage. It should be noted that the water production from residential rural of 220AF, community of 120AF and agriculture of 670AF (800AF entitlement) is in addition to purveyor production. The actual total water demand at build-out is likely to be approximately 1,100AF + 220AF + 120AF + 800AF = 2,240AF. The second of three proposed Program "C" wells would add about 150AF to the current

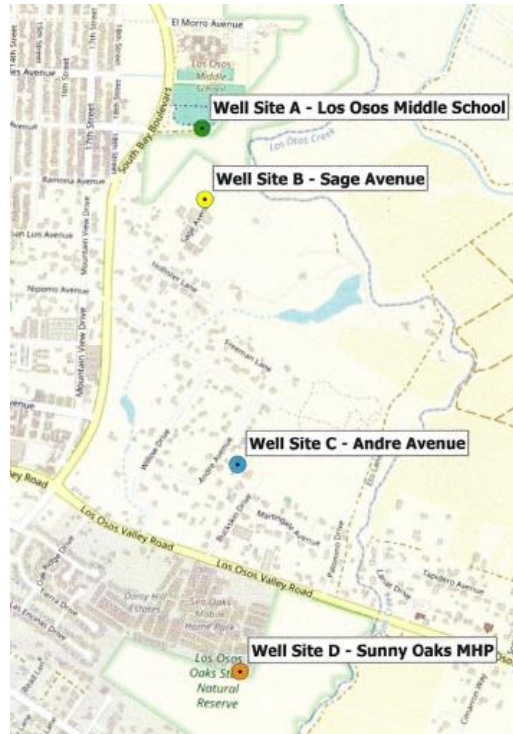
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2,760AF of sustainable yield for a projected yield of 2,910AF. **The resulting Basin Yield Metric at full build-out would be 2,240AF / 2,910AF = 77<80.**

**Much of the information provided in this section was developed by Interim Executive Director, Rob Miller for the November 16, 2016 Basin Management Committee staff report, item 7. B. – Review Future Water Demand Projections for Los Osos Community Plan.*

Additional considerations regarding water

The Basin Plan calls for various Programs regarding water extractions, treatment, transmission and monitoring. The total cost for the Programs is estimated to approximately \$30 million. Many of the projects under Program “A” have been completed and one new Program “C” well has been constructed. While the Basin Plan indicates three new Program “C” wells be installed, it appears one additional well likely will be satisfactory. There are four options as shown below, one if which will be selected in the near term.



In addition to one new Program “C” well, a groundwater recharge project is being pursued by the Basin Management Committee. Seasonal (summer) releases of treated effluent from the Los Osos Water Recycling Facility (LOWRF) would be introduced to the creek bed in the upper reaches of Los Osos Creek. This is a long-term project that could be funded by both water ratepayers and new development.

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Perhaps one of the most important considerations with regard to water demand are the implication of Title 26 of the County Codes. Residential Growth Management countywide is 2.3%. Currently the growth rate in the Prohibition Zone of Los Osos is 0%. As a “bedroom” community to San Luis Obispo, Los Osos is largely residential in nature with limited commercial development. To allay concerns over accelerated residential growth in the community it is best to view growth at a controlled pace over many years. In fact, I propose the LOCP to be for a term of 25 years which would be consistent with the published Los Osos Habitat Conservation Plan. As an example, a growth rate of 1% would establish a trend of approximately 50 new dwelling units per year. Of course, the state of the economy would also play a role in whether, or not, growth limits would be reached. By way of request, please consider exempting Senior Citizen Housing (over 62 years of age) from the Title 26 growth limitations.

In recent years, there has been a tension between the urban water users and the agricultural interests east of Los Osos Creek. The Basin Management Plan contemplated possible water exchanges between urban users and agriculturists. In theory, treated effluent from the LOWRF would be delivered to farmers for crop irrigation and they would in turn reduce pumping accordingly. Since farmers already have adequate supplies of quality water, there has been little interest in any exchanges so far. A an emerging fear on the part of farmers, is the possibility of implementing Program “D” of the Basin Plan which provides for new water extraction wells east of Los Osos Creek, principally for new development. Likewise, at least one cannabis/hemp farmer in the valley has requested water off-sets required for his irrigation needs be achieved through conservation inside the urban area. I suggest the respective parties, i.e. urbanites and farmers, stay on their side of the Los Osos Creek relative to all things water.

County Resource Management System (RMS) Los Osos Water Supply and Systems

Please consider the following comments as they relate to the Los Osos Groundwater Basin, specifically the Level of Severity (LOS) for Water Supply and Water System. Presently, the Water System has no Level of Severity and Water Supply is designated LOS III. The LOS III for Water Supply is based on the Resource Capacity Study dated February 2007. To date, no distinction has been made relative upper strata (Zone C) and the lower strata (Zone D and E) of the Los Osos Groundwater Basin. The August 1979 report prepared by the State Department of Water Resources entitled “Morro Bay Sandspit Investigation” indicates in its conclusions “Both aquifer zones have been intruded by seawater”. However, at this time, the upper strata is not experiencing any seawater intrusion, but the lower strata is realizing an incursion of seawater in Zone E.

Since 2007 there have been a number of changed circumstances affecting the Los Osos Groundwater Basin. The Los Osos Groundwater Basin is presently not in overdraft. The safe or sustainable yield of the basin on an annual basis exceeds the

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demand from all uses in Los Osos including purveyor, domestic, community and agriculture. “Safe yield is the amount of naturally occurring groundwater that can be withdrawn from an aquifer on a sustained basis, economically and legally, without impairing the native ground-water quality or creating an undesirable effect such as environmental damage.” (C.W. Fetter Applied Hydrogeology, Third Edition 1994). The Los Osos Basin Plan Groundwater Monitoring Program - 2017 Annual Monitoring Report indicates the total production and demand for groundwater in Table 14 is 2070 AFY. It also indicates, “The sustainable yield of the basin with the infrastructure in place at year-end 2016 was estimated using the basin model to be 2760 acre-feet per year”. Therefore, the current demand from all uses is less than the safe yield and as a consequence, neither the upper or lower basins are in overdraft. In fact, the Basin Yield Metric is 75 (2070/2760). A BYM of 80 or less provides a significant “cushion” between sustainable yield and demand for water.

However, pursuant to the BMP there are management strategies that include the coordination of pumping patterns and the geographic relocation of lower basin wells to the central and/or eastern part of the community in accordance with Program C. In this regard, the management function relates more to Water System than Water Supply. Consequently, I respectfully submit the following table which reflects the appropriate Levels of Severity for Water Supply and Water System given the changed circumstances affecting the basin.

Water Supply	Current	Proposed
Zone C	LOS III	LOS I
Zones D and E	LOS III	LOS II

Water System	Current	Proposed
Zone C	No LOS	LOS I
Zones D and E	No LOS	LOS II

Proposed changes to the Resource Management System (RMS) for the Los Osos Groundwater Basin are as follows:

- A. Consider the basin in two strata i.e. upper (Zone C) and lower (Zone’s D and E).
- B. Change the LOS for Water Supply and Water System as shown in the chart above to reflect the changed circumstances.

Please consider these recommendations as stated above in your determination of Levels of Severity for Water Supply and Water System as it relates to the Los Osos Groundwater Basin in the RMS and as it relates to the LOCP.

Infrastructure Financing for Los Osos

It is unclear if, or when a Public Facility Financing Plan (Chapter 8) will be considered with the LOCP as suggested. It was originally contemplated that a

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Proposition 218 vote would occur to fund water, wastewater and habitat preservation. It appears the funding of these items through such a mechanism is unlikely. The community can ill afford any additional debt beyond the \$180 million (SRF/USDA/LOCSD Bond) already owed in connection with the LOWRF. Nor does it appear any new debt is necessary to advance the community interests. For example, the LOCSD has raised revenue through water rate increases to fund the final Program "C" water extraction well, sites A-D as discussed above. The LOCSD will collaborate with the Golden State Water Company to transmit, store and deliver of water from the new well. Additional water conservation will be entirely funded by new or intensified development. New sewer connections and intensified uses will likely pay a connection and/or usage fee to capture a proportionate share of project capital costs. Lastly, the recently published Los Osos Habitat Conservation Plan, which addresses habitat issue, has its own funding mechanism as part of the plan. I respectfully submit, no Public Facility Financing Plan is needed to fully implement the LOCP. Additional fees for the ongoing provision of services for (e.g. Police, fire protection, library, parks, etc.) for new development are provided for under Title 18 of the County Codes (Public Facilities Fees).

Chapter 7: Planning Area Standards

I propose the following additions, modification or deletion to the planning area standards

1. 7.3 B. Communitywide Standards. 2. Water and Wastewater Service Capacity, Land Divisions required findings a.-c. are acceptable, however the general note requires the "Review Authority" to consider, in making the findings, that, "... not only water and wastewater demands of the development being proposed, but also the water and wastewater demands from existing development and development of all vacant parcels within the Los Osos Urban Services Line." I take considerable exception to the idea that proposed development must not only demonstrate adequate services for all current and proposed uses, but for All future infill of vacant lots. This requirement is untenable, unreasonable and unconstitutional as applied. Therefore, please delete this provision.
2. 7.3 D. 1. Los Osos Groundwater Basin. Please delete as there have been many changes in circumstances regarding the various basin management programs, but more importantly, water issues will be addressed in accordance with 7.3 B.
3. 7.3 D. 2. Amendments to Title 26. The amendment to Title 19 for Los Osos should be limited to a determination of an appropriate residential growth rate such as 1%,
4. 7.3 D. 3. Growth Limitation Standards. Please delete as superfluous.

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5. 7.5 Land Use Category Standards. A. Commercial Retail (CR) 4. Central Business District. a. Please modify the maximum building height from 30 feet to 35 feet to allow for some three-story buildings. Currently the height limit is 35 feet in the downtown and has buildings of that height.
6. 7.5 4.(vi) Senior Citizen Housing. (a) Residential Density. Please modify to allow up to 38 units per acre for Senior Citizen Housing in the Central Business District (CBD). Also, please do not count this type of housing against the maximum number of residential dwellings units allowed in the CBD.
7. 7.5 M. Residential Suburban (RS). Please retain the current residential density of one unit per 2.5 acres and not change to one unit per five acres. As a practical matter, the change would affect only one of about 13 parcels shown in Figure 7-32- Los Osos Creek/Eto Lake Corridor. The 66 acre Iacono property (APN. 074-222-013) would be down-zoned and this likely would constitute a "takings" under the United States Constitution if the density reduction were approved.

General Note Regarding Commercial Retail – Los Osos CBD

While Los Osos is predominately a residential community with limited commercial activity, it could benefit from additional commercial development particularly in the Central Business District (CDB). In spite of relatively low rents (\$1.00 per square foot), the business climate in downtown Los Osos is very challenging. The new jobs associated with additional commercial development could help to incrementally improve the jobs/housing imbalance. There is some discrepancy between the DEIR and other planning documents regarding the amount of Commercial Retail (CR) in the community. For purposes of this discussion, it shall be assumed there are approximately 70 acres of property in the CR land use category. In the CBD there are approximately 46 acres in the CR land use category. The area of vacant Commercial Retail land in the CBD is currently 8 acres and will expand to 11.5 acres in the LOCP according to Rebecca Whiteside, Geographic Information Systems Analyst, SLO County Planning & Building. The unimproved CR land of 11.5 acres equals approximately 500,000 square feet. A minimum floor area ratio for the CBD should be a 1:1 ratio. Please modify Table 6-2 of the LOCP DEIR to allow for greater potential increases in CR development, particularly in the CBD.

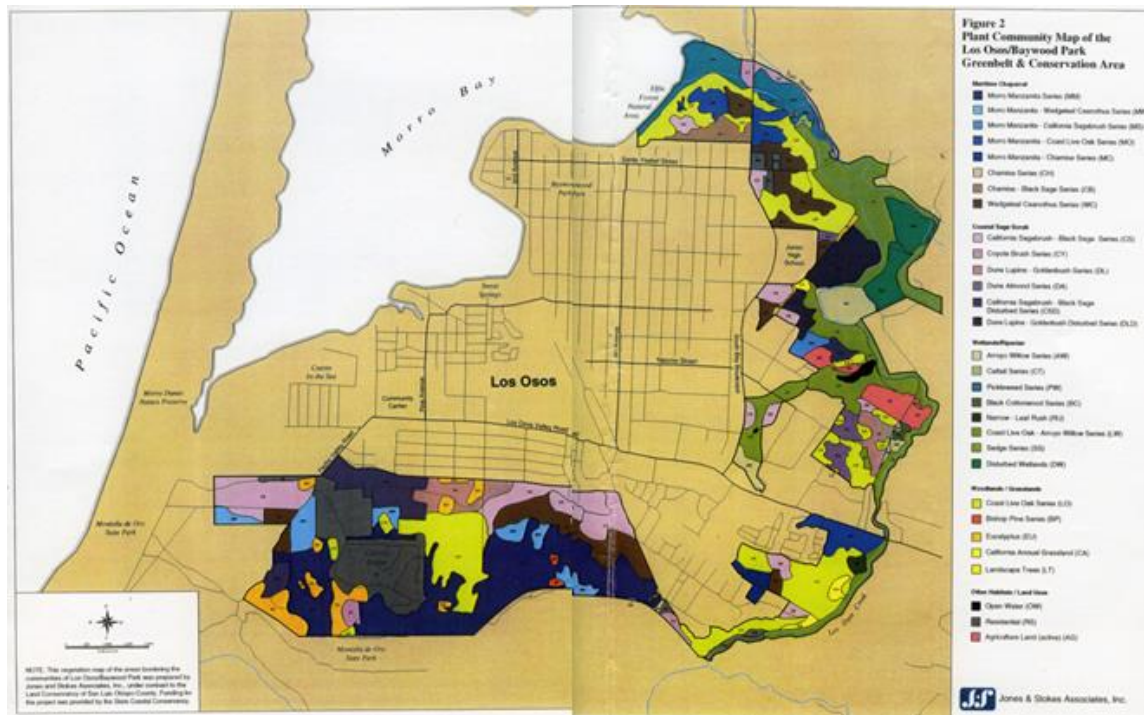
Miscellaneous Considerations

There are a number of changes from various land use categories to Open Space as part of the LOCP. There is also at least one additional land acquisition for Open Space (Corr property, south of Ramona, 8.75 acres, APN 074-229-004) that should also be re-designated to Open Space. All of the Open Space properties should be included and accounted for in the Los Osos Habitat Conservation Plan, if they are not already.

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Recent California legislation in the form of Senate Bill 13, Assembly Bill 68 and Assembly Bill 881 speak to the provision of additional housing, particularly Accessory Dwelling Units (ADU). Currently the County considers these units to be Secondary Dwelling Units. Please conform the current definitions into the LOCP. Also, to the extent it is allowed by the legislation, require onsite parking and water offsets for new or converted ADU's.

Environmentally Sensitive Habitat Area (ESHA) designations should be limited within the Urban Services Line (USL)), including Baywood Fine Sands. It is a goal of the LOHCP to optimize land preservation around the periphery of the community consistent with the 1998 Baywood and Los Osos Conservation Plan which provides multi-species habitat in the greenbelt (shown below). Maximum open-space dedications requirements (e.g. 20%) should allow land within the USL to more fully develop or intensify.



Plant Communities Map

1998 Baywood and Los Osos Conservation Plan, prepared by the San Luis Obispo County Land Conservancy.

It is unclear to what extent any changes to Table O are necessary. However, it may be instructive to review the Table in the context of Final LOCP. Also, there are questions regarding what constitutes appealable development depending upon whether, or not, the uses are principally permitted, allowed or special. Please further resolve any differences in interpretation with Coastal Commission staff to limit the extent to which conforming development may be appealed to the Commission.

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Please feel free to contact me with any questions you may have.

Sincerely,

Jeff Edwards

Jeff Edwards

“Semi-Retirement & Semi-Vacation type community” (Vol II Appendix E (App E) Background info) appears to mischaracterize the community.

This description may be just for relative context and not impact the analysis; it seems to imply commute time traffic may be less relevant to Los Osos. Appreciating the higher cost of coastal living, Los Osos home & rental pricing is generally lower than other similar local coastal locations. This attracts a segment of the employed that must travel further to their work; having a cost of coastal living vs commute time trade off. While only speculation on my part, the largest traffic will be generated from work, and school plus general recreation and shopping trips by locals, not retirees or vacationers.

Introduction and Los Osos Travel Demand Model summary (App E Page 1, 2) do not accurately describe the version of the TDM model used when the EAP was approved. Potential changes intended to improve the accuracy of model the model may have missed some important deficient traffic flow locations. A table with the modelled road segments and enhancing the figures displaying the traffic flow results would enhance understanding.

The 2009 Estero Area Plan (EAP) was approved in January 2009. This analysis refers to a 2010 TDM model update as the reference model for the EAP. The 2009 Circulation Study referred was completed in July 2009, after the EAP was approved. The 2009 Circulation Study, refers to utilizing a TDM model last updated for the November 2002 Estero Plan.

It is difficult to determine the set of Arterial and Collector road segments modelled in each version of the TDM. A master summary table spreadsheet type format of all various road segments being modelled for traffic flow plus the intersections and to the each TDM revision from the version available into the EAP is needed. This may have been a 2007 Transportation study but this is not clear.

It would be very useful to highlight the actual routes and connections that are being modelled on the figures Existing, EAP and Proposed, similar to the Bikeways Figure used draft CP (Figure 5-5) for the model being used in this analysis, For example, based upon the commentary this would exclude the Local designated roads. The maps/figures currently used infer there is full linkage for traffic flow for all County maintained roads.

It is not clear whether the TDM models all Collector streets within Los Osos or only a sample of the roads in each version and, if so, were they the same? Also, regarding intersection modeling, does the TDM model have a sample of Collector-to-Collector and Collector-to-Arterial or is it assumed all such intersections? Changes to included items in the TDM model can cause different results between model versions. For example, Pismo/South Bay was listed in the 2009 Circulation Study and not listed in this 2015 Traffic analysis. App E refers to using a 2010 version TDM model that this 2015 traffic analysis was based; applying new traffic flow data for the existing collection locations as well as expanding the collection locations. Given there have been several Model revisions since the EAP, it is important to understand these details to have confidence the model does provide the best comparison of the alternatives being evaluated.

The following questions and observations are based on a best attempt to understand the model components from the descriptions provided in the various documents.

The Report does not provide enough information to understand how the new future demand is allocated.

The results are only as good as the model is designed and the traffic volume inputs. Most critical to these would be how the overall buildout traffic volume would be applied to the present larger unimproved areas. For example, Area 21 on the Los Osos Area Update Proposed Changes map is currently a large undeveloped area that is intended for full development. The assumed connection points and volume inputs to accommodate the concentration of building for the buildout and the method apportioning traffic to the existing streets would materially affect the results of this study. As described, this area for the draft CP appears to have 4-5 points to connect to the existing grid. An explanation of buildout traffic volume apportionment should be provided. The EAP figure shows a Ravenna/Ramona new extension and the draft CP case shows a Ravenna/Ramona and a Skyline plus Palisades connection (Please see later comment specific to including Ravenna/Ramona on the EAP). An explanation of the new greater road extension strategy for Area 21 with an understanding that the overall LO target population is less between the cases should be included in the analysis. Does this infer that due to the proposed change in Land Use category vs the EAP is significant enough to warrant a more robust grid to/from Area 21 in the draft CP buildout case?

The computer model used to conduct the Transportation Impact Analysis is missing two important traffic flow Connector road sections. The model needs to be corrected and have the results updated.

The TDM model evaluates simulated network of Arterial and Collector roads in Los Osos (identified in the 2015 draft Los Osos Community Plan (draft CP) Figure 5-4). Local roads are assumed to be low volume used primarily to access adjacent properties and are not modeled. These small sections of 4th (Ramona-Pismo) and Pismo (4th-3rd) are Collector roads to connect with 3rd. (see list page 5 App E). Without them, modeling traffic through this corridor to/from El Morro would not be modelled. These locations are also missing from the 2009 Circulation Study. This error may have been introduced when the model was developed and present in the used model used as input to the current EAP (Omni-Means 2007 study?). The master table requested above would clarify this.

Correcting the model has the potential to change Ramona's LOS, and may alter the timing Public Works recommendation for the proposed Ramona completion to South Bay. I view this as a serious modeling error that may have existed for some time that did not draw attention to the immediate problems of this route in prior reports.

The 4th/Pismo intersection should be added to the TDM model.

Some Collector-to-Collector intersections are not listed in the report and appears only a sample set of intersections to include in the TDM model. The 4th/Pismo intersection has several safety related issues and is along a principle Collector transportation corridor to/from the Baywood CBD. In 2015 Public Works installed a minimal chicane in 2015 as a temporary measure to address 4th community speed concerns. Public Works had limited options at the time and were confined to working within the

existing pavement. The roadside easement could not be disturbed. Public Works has collected traffic flow data for 4th(n of Ramona) and 3rd(n of Pismo), as well as (Local)4th (n of Pismo) that could readily be incorporated into the corrected model inputs. Had this section and intersection been included in the various versions of the model may have identified this as a LOS risked location.

Buildout traffic flow assumptions that were used in the EAP were not normalized into the 2016 Omni-Means model.

The traffic data collection used in the EAP ranges from 2003-2008 (per 2009 Circulation Study). The 2009 LO Circulation study was prepared after the EAP was adopted and provided an analytical means to normalize various dates of traffic data collection. The TDM model was again updated in 2010 to reflect incremental changes to the EAP that were not in the EAP (App E page 2). No similar analytical process to normalize the timing of the various data collection sets was done in this 2015 model. As a result the 2009 existing case per the EAP may be overstated. If the method used in the model for 2009 existing state provides higher actual counts than the EAP, this will be a disadvantage to determining capital improvement projects that may qualify for RIF funding. Basically the rationale being put forward is that no significant development or change in population has occurred since the data collection for the EAP (2003-2008). Just accepting the new traffic data counts can understate the comparative change to the buildout case....potentially affecting an improvement qualifying for RIF funding. Recalibrating all the segment models back to 2009 EAP traffic could be a large task. I see the lack of the 4th Street and Pismo connector in these models as the greatest risk for having been missed in the analysis. Perhaps there is a targeted localized analysis that could be done to assess this. It is a necessary step to demonstrate possibly getting these on the CIP RIF project list.

Ravenna Road extension to Ramona and possibly others are incorrectly described in the draft CP as part of EAP buildout case.

The EAP identifies two expected Collector road completions (2009 Circulation Study – page 15) in the buildout scenario. Ravenna, south of LOVR, is a Collector and was identified having a potential need for signalization. The EAP (page 5-9) lists Ravenna as a CIP with no commentary. I would assume this would be identifying signalization requirement. The draft CP summarizes the EAP buildout case with a Ravenna extension. The draft CP also illustrates a future Ravenna extension route bending outside the current right-of-way to tie directly to 4th as part of the EAP. There is no description of this in the EAP. The EAP specifies Ravenna (LOVR to Ramona) as a future Class 1 bike path from the County Bikeways.

The 2009 Circulation Study lists in the road improvement and signalization projects (Tables 7 & 8). It adds a recommendation for the Ramona extension to South Bay. It appears the transportation analysis used the draft CP description of both buildout cases (draft CP Table 5-3). This resulted in an incorrect model representation to define the EAP buildout case and drew comparative conclusions from that scenario with the new draft CP buildout assumptions.

4th/Ramona intersection realignment is identified in the CIP list. This is to straighten out this section of Ramona as part of the Ramona improvement project to South Bay.

The 4th/Ramona intersection (#11) directional traffic flow does not appear to be modelled correctly in the existing, EAP and draft CP buildout scenarios. (Similarly LOVR/Fairchild seem to be inconsistent)

There is discrepancy between what directions of traffic flow are considered available in the present configurations (black color) among the three scenarios between the three Various Lane Geometrics illustrations (App E figures 4, 5, 6). The existing case lane direction colors do not match in the three figures. This makes it difficult to know in the buildout cases which traffic actually receives the 2WS. Does 4th get a stop sign added? Or does Ramona? Ensuring that 4th/Ramona intersection is defined correctly, and adding the two Collector road sections described above, the traffic flow assessment of this intersection will change. One would expect this would also generate revised traffic flow results at the two Ramona Avenue traffic flow measurement points and beyond.

In addition to the specific routes modelled, the Analysis should address commonly known road trouble areas.

I have regularly heard about common road and circulation issues in certain areas of the community. These may not be on the modelled routes so get missed on this analysis. Appendix G of CEQA Guidelines describes some additional criteria in Significance Criteria (App E page 31). These include:

- Traffic flow/constant road flooding in the Santa Ynez 10th-11th street area;
- 4th Street to Pismo grade/sharp turn; drain debris flow; 4th@ Pismo to El Morro high volume on Local street
- Monarch school traffic; Doris connection and others.

Doris and school traffic may have been addressed in the draft CP. The others should be addressed with an LOS designation

Public Works could provide a complete set of known existing “problem” sections of County maintained roads and intersections. (Flooding; significant grade; sharp angle/turn; other?). These should be inventoried and commented on; especially if it can be demonstrated they may fall under CEQA Appendix G parameters.

Recon’s Noise Analysis - Vehicle Traffic Noise Report

Omni-means modeling output data was used as input to Recon Consultant Noise analysis (Figures 5, 6). This may explain why no traffic noise was identified in the 4th/Pismo, 3rd corridor. One would anticipate it to be similar to 7th. This review should be revised using the corrected traffic information.

Separately, it is difficult to understand how the noise projections are determined. For example, looking at the illustration showing noise levels, 9th appears to have consistent noise level from LOVR to Santa Ysabel. However, the section of 9th from Ramona north and El Morro south are dead ends. They still show same level of traffic noise as the higher travelled portions of 9th.

**** Street and Avenue left off street names for brevity

Kerry Brown

From: Linda Owen <lindeowen@sbcglobal.net>
Sent: Wednesday, December 11, 2019 2:57 AM
To: Kerry Brown
Subject: [EXT]Comments on Los Osos Community Plan EIR

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

Thankyou for considering our comments. The introduction of the EIR HCP at the same time as the EIR Community Plan allowed little time for community awareness or understanding by launching during the Sept/Oct prior to the 2 month holiday season. Requests for a 2 month extension went un-addressed. 90% of the community is not involved. That said, the 1000+ page set of documents is a cumbersome weeks-long read/study that few have been able to accomplish. The Zoning maps are so small it takes a magnifying glass to view, yet other pull-out maps of less importance were provided.

GENERAL COMMENTS:

1) Lack of a zoning code for businesses that are in between 'commercial service' and 'industrial'. Several are currently operating in 'commercial retail' zones, in code violation with no action. They need zoning changes and moves to more appropriately zoned areas. This would involve updating the Estero era vision and trading multi-housing zoning into the center of town and the 'commercial service/industrial' to the outskirts.

Example: Commercial Services zoning on the Figure 2-6, page 2-14 is incompatible because of multi-family and SFR that already exists in that area, permitted by the County. Page 2-15 This is an area that could best address some of the multi-family housing needs in the future, not more impactful commercial retail or commercial industrial to existing homeowners who surround 3/4 of the area.

2) The maps on pages 2-12, 2-13, and 2-14 are confusing. Commercial Services appears to cover areas that are differently zoned on the Table 2-1, pg 2-15. Example: # 10 (East of Fairchild Way parcels) are shown as OP and proposed to change to RMF. Yet the maps show that the zoning is CS.

3) Page 2-13, Fig 2-5 shows 'Downtown' (1) in an area next to South Bay Blvd that is currently residential multi family. 1a is shown as the 'Central business district'.

4) A 63% increase of Commercial Retail zoning is unreasonable (page 2-24 Table 2-4). Commercial Service footnote suggests most of the increase (98,000 sq ft) will be in Morro Shores 'mixed use'. This seems unbalanced and incompatible with SFR and MFR.

5) Zoning for RMF, SFR, and Commercial Services proposed for the Morro Shores property shows no zoning distinctions. (Fig 2-9 and 2-10, pgs 2-21and 2-22)

That property is a drainage basin, has a proposed connector road (Ravenna) on the Traffic & Circulation plan and maps. The 63 acres should include growth limitations to protect the central wildlife corridor, secure the drainage area, provide a needed pedestrian trail connector from Baywood to LOVR and protect planning for the future roadway.

6) In this same Fig 2-9 and 2-10, parcel 2 is no longer developable and will be added to the Audubon Preserve properties. Should be shown as Open Space.

7) I cannot find any discussion about priority-permitting for anything addressing affordable, workforce, senior, or disabled housing having a 'position' in the issuance of future development permits. The current building list, which applicants pay to be on, 'means nothing' according to staff explanation. Mansions before low income housing seems to

be the continuing County preference. Once a bedroom community, Los Osos is no longer affordable. Encourage growth based on affordable housing priority.

8) Under Section 6.2 Project Alternatives, Alternative 3 Reduced Development Based on Water Availability is the correct choice. Alternative 4 suggests that we can 'mitigate' ourselves out of a finite Basin supply. 'New' Basin supply doesn't mean that pumping from the back-end 'produces' extra water. Our Basin Management Plan and activities may slow salt water intrusion but is not creating new water. Growth based on available water supply is the safest direction to assure that existing residents have a safe supply.

9) Landscape and Street Trees are only lightly discussed. Figure 4.3-1 showing Vegetation Communities mentions 'Landscaped Trees'. Pg 4.6-17 mentions Trees.

A. New Development will be required to plant trees on property frontage.

B. Tree master Plan notes that County Planning & Building, County Public Works, and County Parks should work with the community to create a master tree plan

C. Tree Funding suggests the County should assist with funding through grants and other sources.

Program CIR-4.3: Commercial streetscape, requires curbs, gutters, wide sidewalks, street lights, gathering areas, and underground utilities but no trees are mentioned. Just 'tree planters' which will be maintained by the fronting property owner...

Because Los Osos has lost the majority of its established Street Trees due to disease, drought, and County removal, this Community Plan needs to address these losses and be more pro-active towards developing and encouraging increased tree canopy. Trees provide visual improvements in the community, 'calm' traffic, provide shade, sequester CO2, and provide bird habitat. Of note in B. And C. above, the word 'should' is not strong enough, Request that it be changed to 'will'. Current County policy in Los Osos on these 2 'should's has been frustrating. Local tree groups and individuals have little to no County support at getting more trees planted. Understandably there is expense involved planting and maintaining new street trees but other communities have managed. Suggest better co-operation between the County and Tree groups to allow fund-raising and planting native and drought tolerant where possible.

Thankyou,
Linde Owen
1935 Tenth B

December 11, 2019

County of San Luis Obispo
Department of Planning & Building
ATTN: LOCP Update/Kerry Brown
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Dear Ms. Brown:

These are comments from Morro Shores' residents, on the Los Osos Community Plan Draft EIR:

1. The biggest concern with increased population is quality of water supply. According to the Plan there is a vision to provide quality drinking water to meet the needs of current and an additional 4,000 new residents.

We know the Basin Management Plan efforts indicate that there can be limited growth without deterioration of the aquifer or Morro Bay Estuary. The Draft Environmental Impact Report does not address these 5 current situations:

- Lack of metering for agricultural wells and impact of their runoff on the ground water quality
- Limited monitoring of Los Osos wells
- Cabrillo Estates and other properties outside the prohibition zone are not on a sewer system and therefore still pollute our downstream ground water quality
- No discussion in the Plan of mitigation for increased toxic storm water runoff from new construction polluting the Morro Bay Estuary. We understand that new construction by statute must contain their storm water runoff on site. However, eventually the runoff goes into the ground water bringing contaminants into the ground water basin.
- There is not enough longitudinal data in the Basin Management Plan to have confidence in current projections of future quality water availability for existing Los Osos and growth

2. The Plan does not address the need for Los Osos' evacuation procedures. Currently, it is impossible for the Los Osos residents to all evacuate in a timely manner in the event of an earthquake, tsunami, nuclear disaster, wildfire or other act of God. Los Osos has just 2 two-lane roads on which to evacuate. As seniors the existing lack of Los Osos evacuation planning becomes an even higher level of concern with an increased population. How can population growth be allowed, without the Plan including a viable step by step emergency evacuation component in place?

3. Now during heavy rains, measurable water runoff into the Estuary is a serious problem. The Los Osos Nature Corridor south of Morro Shores Mobile Home Park acts as a sponge to collect storm water from higher elevations in Los Osos. When that 60 acre area is covered with rooftops and concrete, storm water flooding in our mobile home park will be an issue along with passing all that polluted storm water into the Estuary. How will increased storm water runoff with all the new construction be addressed in the final Plan?

4. Processing Building Permits:

We have seen the list of 213 single family applications for building permits as well as the list of 13 multi-family residences' building applications. These lists date back many years. What is the procedure to assure an equitable process to receive an approved building permit when the building moratorium is lifted? How will the existing single family and multi-family lists be prioritized? A step by step process for issuing building permits must be in place before this plan is finalized.

- For the expected expansion of Morro Shores Mobile Home Park – will the new manufactured homes be considered multi-family, single family or other designation?
- Will developers of property for seniors and/or lower income residents receive priority for building permits?
- Will the final Plan delineate how building permits will be allocated and how many permits will be issued by year over the 20 year life of the Plan?

5. What are the differences between Alternative 3 and 4 in the Plan? What mitigation measures make Alternative 4 more environmentally superior?

6. There are inconsistencies in the figures, tables and text related to the Morro Shores area in the Plan. Table 2-1 shows proposed land use designations (RMF and RSF) which is different from Table 2-2 of community plan use (RMF, RSF and CS). Variations also exist in maps in the Plan. For example, Area 2 on Figure 2-9, page 2-21 now belongs to the San Luis Land Conservancy. This area consistently is miss named as being part of Morro Shores throughout the Plan. Will these variations in data be corrected in the final Plan?

7. The 60 acre open space just south of our Mobile Home Park has been enjoyed for decades as a nature corridor with walking trails. This Los Osos Nature Corridor is designated in the Plan for dense multi-family housing (which could be up to 38 units an acre – from the SLO County Housing Plan page 3-6) and commercial use. How is such a radical change for such an entire large area of open space with significant adverse impacts on air quality, traffic, water, drainage, noise, light, etc. justified?

8. The Draft EIR points out that there is more open space set aside in the Plan than there was in the Estero Bay Plan. However in the Plan, all the open space in the center of town is now designated for dense multi-family housing. Can you describe what your vision is for increasing open space and park acreage in the prohibition zone in the Plan?

9. Everyone wants affordable housing. However, for many reasons developers don't build affordable housing. Are tiny homes and/or manufactured homes under consideration for the Los Osos Nature Corridor – 60 acres south of Morro Shores Mobile Home Park?

10. The “key components of the draft LOCP include” (page ES-2) “incorporating strategic growth policies”, and “developing a Public Facilities Financing Plan for new development”. Neither of these components are specifically delineated in the Draft EIR. How will these components be addressed in the final Plan?

11. Salt water intrusion into our aquifers has slowed, but not receded or abated, and only because of above average rainfall. Since most of the water from septic tank settling no longer returns to the aquifer, how can you suggest that water is available because of the new sewer system? We are pumping more water out, and returning less.

12. Do you think the Coastal Commission has a chance of approving development when ALL of our water supply comes from two aquifers that are threatened by salt water intrusion?

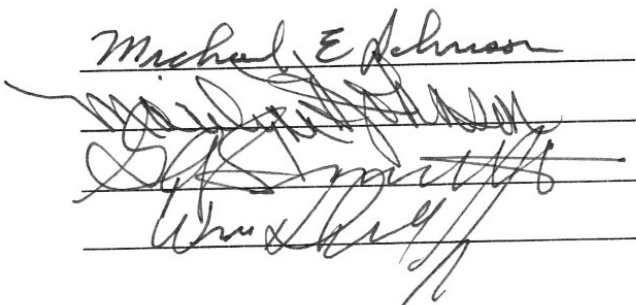
13. Do we have any possibility of connecting to the state water supply that provides for San Luis Obispo? How do you justify development in an area with no alternative water supply?

We urge the Board of Supervisors to adopt Alternative 1 until our questions can be answered.

Residents of Morro Shores
633 Ramona Avenue
Los Osos, CA 93402

Signature

Printed Name



MICHAEL E. JOHNSON
MARILYN H. JOHNSON
Georgene Smith
William H. Smith

Signatures (continued)

Signature

Printed Name

Elinore H. Cottrell

Elinore H. Cottrell

Rachael Winn Yon

Rachael Winn Yon

STEPHANIE RAPHAEL

STEPHANIE RAPHAEL

MARGARET A. DIEHL

MARGARET A. DIEHL

Barbara L. MUSSO

Barbara L. MUSSO

JAMES MICHAEL RAPHAEL

JAMES MICHAEL RAPHAEL

Barbara A. Hawkins

Barbara A. Hawkins

JAMES HOWLAND

JAMES HOWLAND

Kris Konko

Kris Konko

Carola Bundy

Carola Bundy

Dora Bialarz

Dora Bialarz

Nancy Flanders

Nancy Flanders

Eve Gruntfest

Eve Gruntfest

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11 December 2019

Ms. Kerry Brown
DEPARTMENT OF PLANNING & BUILDING
COUNTY OF SAN LUIS OBISPO
976 Osos Street, Room 300
San Luis Obispo, CA 93408

via email – kbrown@co.slo.ca.us

**RE: COMMENTS to the LOS OSOS COMMUNITY PLAN UPDATE –
DRAFT ENVIRONMENTAL IMPACT REPORT, July 2019**

Dear Kerry, et al.

We represent the Clayton E. & Claire M. Fluitt Irrevocable Trust (“Trust”). The heirs to the Trust own the following properties in Los Osos.

PROPERTY INFORMATION

PROPERTY DESCRIPTION	East of South Bay Boulevard	West of South Bay Blvd., North of El Morro Ave.	West of South Bay Blvd., South of El Morro Ave., fronting 18th Street	West of and fronts South Bay Blvd., South of El Morro Ave.
APN	038-711-020	038-711-021	038-721-008	038-721-023
Parcel Size (AC)	3.8	3.64	4.61	3.01
Current Zoning (Coastal Zone)	Residential Suburban (T23 Map 8 Creekside Area)	Single Family Residence (T23 Map 2 El Morro Area)		

On the behalf of the Trust, we have availed ourselves of the *Public Review Draft of the Los Osos Community Plan* (LOCP), January 30, 2015, the related *Draft Environmental Impact Report* (DEIR), July 2019, and the *Habitat Conservation Plan* (HCP), July 5, 2019 and related documents and, respectfully, offer the following comments. The interrelatedness of the information in the above noted documents and the Basin Plan cannot be overemphasized. Therefore, responses to our comments may need to be generated by County staff, the EIR consultant, and others. Thank you in advance for the consideration.

A. Zoning Discrepancy between Documents

As you may know, three (3) of the Trust’s properties are in the single-family residential zone and noted as subject to change in the LOCP [See *Los Osos Area Update Proposed Changes* map, area no. 27. RSF to REC and RMF, p. 3-8 Land Use Descriptions and Settings, 3.4 Mixed Use/3.4.3 West of South Bay Boulevard Mixed Use Area (RMF, REC), and p. 7-42 Planning Area Standards K. West of South Bay Boulevard RMF, REC]. Although not a change requested by the property owner, the owners do concur that this change in zoning would allow for an appropriate mixture of residential and neighborhood serving uses. In addition, increasing the residential densities to provide needed housing types for differing demographics shows foresight and, albeit only a slight density increase, offers an opportunity to achieve the County’s regional housing needs’ goals and objectives.

QUESTION:

1. Upon review of the DEIR, the subject SFR properties are no longer proposed for a change in zoning to REC and RMF. Please provide the background (e.g., minutes from previous meetings, public input, and related documentation) that formed the basis for maintaining the properties as SFR.

B. Environmentally Sensitive Habitat Areas (ESHA)

While the LOCP envisioned a change in zoning to accommodate mixed uses and greater residential densities on the west side of South Bay Boulevard properties, and the DEIR retains its original single-family residential zoning, the proposed development potential of the properties has been eclipsed by the maps in the DEIR and HCP. The properties are now mapped as Environmentally Sensitive Habitat (“ESHA”) in the DEIR – they are noted on the General Vegetation and Land Cover maps (Figure 3-3, 3-4, respectively, the Morro Shoulderband Snail Minimization Measure Area (Figure 5-2) in the draft HCP. However, they are NOT mapped as a priority conservation area (Figure 5-1).

As you know, a designation of property as ESHA has a severe and negative impact on the value of the property – particularly because, as noted below, the Los Osos Community Services District, for 15 years, has assessed the property on the basis of its potential buildout under the LOCP. We believe that an abrupt and apparently unsupported change to the LOCP to the detriment of our clients may result in an unconstitutional taking of their property. We will need questions 2-5 answered in detail in order to determine whether the proposed action rises to the level of a taking.

QUESTIONS:

2. What type of survey/analysis (e.g., protocol, windshield survey, or other methodology) was employed for the subject parcels, now noted as ESHA?
3. The subject SFR zoned properties are physically isolated from and not contiguous to other mapped ESHA, as they are separated by: 1) South Bay Boulevard, which is a two (2) lane arterial with plans for widening to four (4) lanes; and 2) adjacent to existing single-family residential development; and 3) again bifurcated, as the County has an easement to connect El Morro Avenue through the properties, which currently contains a bike trail.

Aside from the fact that the properties are currently undeveloped, and only now being considered ESHA, what is the true value of these isolated properties in the context of the community and how does the overlay achieve Objective MSS-1 & -2 of the DEIR? Is there a possibility for additional and site-specific analysis to better determine the intrinsic value of ESHA on the subject properties?

4. Can you confirm that an overlay of ESHA does not prohibit future development? If so, please describe the process. Do the measures in the HCP provide sufficient guidance (e.g., avoidance and minimization, compensatory mitigation, monitoring, etc.) for future development?
5. The Morro Shoulderband Snail (MSS) is under the U.S. Fish & Wildlife Service’s 5-year status review in order to determine whether the snail should be down-listed or removed entirely from species protection under the ESA. (See Federal Register/Vol. 83, No. 117/Monday, June 18, 2018/Notices) Please comment about the interrelatedness of the LOCP, HCP policies, and potential down-listing to threatened or removal entirely from species protection under the ESA of MSS.

C. Subdivision, Development Density Potential and Sewer Hook-ups

The Coastal Zone Land Use Ordinance §23.07.172 c. Land Division prohibits subdivision of parcels containing Environmentally Sensitive Habitat, unless all proposed building sites are located entirely outside of the applicable minimum setback required by §23.07.172 - .178. As noted above, the subject SFR properties are currently 3.64, 4.61, and 3.01 acres, respectively, for a total of 14.76 acres. In circa 2000, sewer assessments for the subject properties were based upon the SFR zoning and parcel size. For the past 15-years, the property owners have been paying into the Los Osos Wastewater AD#1 (LOW AD #1), which, again, based its assessment on the potential to subdivide into smaller parcels. Based upon a minimum parcel size of 6,000 square feet (CZLUO §23.04.028) and other factors, the sewer assessment for the three parcels was based upon the potential for fifty-eight (58) lots.

QUESTION:

6. Given the long-term vision that the subject parcels could be subdivided, and the substantial amount of the payments made to the LOW AD #1, please describe the alternatives to reconcile the CZLUO subdivision prohibition in ESHA and the development potential of the SFR parcels?

D. Water Resources

It is noteworthy that the LOCP relied on the Basin Plan for the Los Osos Groundwater Basin for its water use projections for both existing land uses and projected land use/zoning changes. The Basin Plan water use projections are notably conservative, upwards of hundreds of acre feet of buffer per year. In addition, the community's water use has been substantially reduced, due to conservation efforts, which creates far greater resources than anticipated in the LOCP. Again, the interrelatedness of all the plans and environmental documents that analyze the various resources in the community must be understood on a much more comprehensive basis. Any potential development in Los Osos will rely on this multi-layered approach and provide property owners and decision-makers with the breadth of information necessary to make good decisions.

QUESTION:

7. Please confirm that the Basin Plan and the LOCP water resources are available, should subdivision and development of the subject SFR properties be allowed under the LOCP.

Thank you for the opportunity to provide our client's comments to the Los Osos Community Plan draft Environmental Impact Report. We look forward to the responses. Please do not hesitate to contact us, should you have any questions or require clarification.

Respectfully yours,
OASIS ASSOCIATES, INC.



C.M. Florence, AICP Agent
C.E. & C.M. FLUITT TRUST

c: L. & M. Schmid
M. & D. Fluitt, et al
T. Green, Esq.
19-0072

Kerry Brown

From: Jewell, Debbie J. <DJJewell@rrmdesign.com>
Sent: Wednesday, December 11, 2019 4:59 PM
To: Kerry Brown
Cc: Rudd, Debbie L.; Michael
Subject: [EXT]Community Plan DEIR Comments

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

Hi Kerry,

RRM Design Group has reviewed the July 2019 Los Osos Community Plan DEIR, and we had a few comments.

- Who is responsible for the construction/improvement costs of the proposed Ramona Avenue and 4th Street realignment, as indicated in Table 2-5?
- Who is responsible for the construction/improvement costs of the proposed multi-use trail in Figure 2-14?
- Who is responsible for the construction/improvement costs of the proposed Ravenna Avenue extension to Ramona Avenue, as indicated in Figure 5, 6, 9, 10, and 11 in Appendix E? Can the exact alignment of the road extension be determined at a later date?
- The DEIR Mitigation measure BIO-1(c) states that all projects greater than 20,000 sf will require issuance of a County land use development permit and retain a County-approved biologist to conduct a biological resource assessment (BRA). Recommend the DEIR quantify project sizes, for example not required for projects under 5 acres or infill.
- New Combining Designation to address sea level rise – Flood Hazard (FH) – is there a mapped boundary or overlay of this new designation?
- Program CIR-4.2 A – new development requires tree planting at property frontage at a scale consistent with the roadway classification. An encroachment permit is required to plant trees within the public right of way. If there are already trees along the property frontage, does this still apply? Recommend revising program to state ‘where applicable’.
- Recommend adding the proposed multi-use trail in Figure 2-14 to the list under Program LU-1.1 C in Section 4.12.

Thank you,
Debbie



DEBBIE JEWELL

Senior Landscape Architect
3765 S. Higuera Suite 102
San Luis Obispo, CA 93401
(805) 543-1794
rrmdesign.com

Kerry Brown

From: Santa Lucia Chapter of the Sierra Club <sierraclub8@gmail.com>
Sent: Wednesday, December 11, 2019 2:35 PM
To: Kerry Brown
Subject: [EXT]Comments of Sierra Club Santa Lucia Chapter and Los Osos Sustainability Group on Draft Los Osos Community Plan EIR

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

Dec. 11, 2019

TO: Department of Planning & Building
ATTN: Los Osos Community Plan Update/Kerry Brown
976 Osos Street, Room 300
San Luis Obispo, CA 93408

FROM: Sierra Club Santa Lucia Chapter, Los Osos Sustainability Group

RE: Draft Los Osos Community Plan EIR

The Sierra Club and the Los Osos Sustainability Group (LOSG) support the “No Project, No Development” alternative presented in the Draft EIR for the Los Osos Community Plan (LOCP) update of the Estero Area Plan (EAP).

The No Project alternative is preferable for two reasons. First, the EIR does not mitigate the considerable adverse impacts on the area that would result from the “Superior Alternative,” a Community Plan that targets a 30% increase in population and a similar increase in “dwellings” of about 1,900 or 30%. Second, the level of analysis of the EIR is not adequate to inform decision makers and the public of the significant potential adverse impacts of the Plan and the options for minimizing or avoiding the impacts. CEQA requires a sufficiently rigorous review of impacts and feasible mitigation options in order for the public to provide informed input and decision makers to make informed decisions regarding a project’s impacts and the best way to minimize or avoid impacts on existing resources. An adequate analysis allows the public and decision makers to make informed decision about whether to choose a No Project alternative or support a project with unavoidable significant impacts.

The failure to mitigate major impacts to a level of insignificance and provide an adequate analysis is apparent in several sections of the EIR, including the section on Greenhouse Gasses (4.6). We focus on potential impacts of critical importance to the community and area, and impacts on the water supply.

The EIR should require empirical data over modeling

As proposed, the Community Plan may lead to further overdraft and significant additional harm of the Los Osos Water Basin (Basin), the sole source of water for the Los Osos Community, local agriculture, and the considerable high-value habitat in the area due to increased water demand from unsustainable development. The Basin has lost a major part of its groundwater capacity to severe seawater intrusion (SWI) as a result of 40 years of overdraft, beginning with a large increase in development in the 1970’s. The overdraft happened despite, and at least partly because of, “safe yields” that were too optimistic. The currently proposed criteria for making decisions on development, i.e. the mitigations proposed to avoid significant impacts, are still too reliant on modeling. At this point, a precautionary approach to Basin management and development decisions that does not rely on modeled yield estimates is necessary to preserve an irreplaceable natural resource.

As we stated in our 2015 comments on the Community Plan and in our 2019 comments on the Los Osos Habitat Conservation Plan (LOCHP) EIR – both herewith incorporated by reference -- the only prudent course of action, given the history of the Basin and its vital importance to the community and natural resources, is to base decisions regarding future development on reliable empirical data over time. This requires more monitoring wells than used presently spaced throughout the Basin, especially along the bay and inland to provide conclusive evidence that water levels are high enough to hold back and reverse SWI in the main aquifer (Zones C, D, and E) with seawater in Zones D and E reversed to a point off-shore, and that water storage above sea level is adequate to support existing resources with a margin of safety. Establishing with adequate reliable empirical data that there is sufficient additional water in storage, above a level that safely supports current resources, would enable further development.

The California Coastal Commission in 2009 agreed that the Community Plan (EAP update) should base buildout limits and mechanisms to stay within those limits, on conclusive evidence of an adequate water supply. Special Condition 6 of the Coastal Development Permit (CDP) for the Los Osos Waste Water Project (LOWWP) states:

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.

The failure of the EIR to include this language is one reason why we find the analysis inadequate. LOWWP CDP Special Conditions 5 and 6 were required to mitigate for impacts on the Basin and sensitive habitat from the LOWWP, including ongoing impacts for the life of the project. The LOWWP CDP Special Conditions should be referenced and incorporated in the Community Plan and the EIR.

The EIR fails to address the cumulative impacts of the LOWWP and Community Plan as required by CEQA

C Coastal Commission staff has reinforced the need to analyze and incorporate the LOWWP related mitigations, pointing out that the Recycled Water Management Plan (RWMP) required by Special Condition 5 of the LOWWP CDP is not mentioned or addressed (see Daniel Robinson letter 2015, Community Plan EIR Vol. 2, p. 5). Mr. Robinson's recommendations do not appear to have been incorporated into the Community Plan or current EIR.

Moreover, the potential cumulative impacts of the Basin Plan must be addressed in combination with LOWWP impacts and the potential adverse impacts of the Community plan. Mr. Babak Naficy submitted a letter to the County, Los Osos CSD, and other parties to the Los Osos Basin adjudication process on behalf of the Sierra Club in August 2015 pointing out that CEQA required addressing the potential adverse impacts of Basin Plan programs on sensitive habitat and other resources (incorporated by reference). The potential impacts still exist and should be addressed as cumulative impacts in the present EIR.

Mitigations in the Water Supply Section of the EIR do not mitigate impacts

The impact analysis of the Water Supply section (4.15.2) acknowledges potential adverse impacts on the Basin from the Community Plan, and says that the impacts will be reduced to insignificance through the Growth Management Ordinance and "standards tied to the Basin Plan" (Impact W-1). The analysis provides the Basin Plan definition of "sustainable yield" and the "current" (2015) estimate of the yield [2,450 acre-feet per year], and the analysis indicates that the yield could go up to "3,500 AFY or greater" with implemented programs. The analysis then provides "Water-Related Standards" proposed in the Community Plan, Section 7.3. Standard D. Los Osos Groundwater Basin states:

Development of land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors determines that successful completion and implementation of specific programs identified in the Los Osos Basin Plan ...have occurred (Standard D.1, p. 4.15-10).

Standard D then lists programs that would have to be completed prior to added development approval, and several review steps County supervisors and other County personnel would take to evaluate program effectiveness.

To determine program effectiveness, Standard D states that “the County shall consider data” from the Basin Plan monitoring program, and

If the data indicate that complete programs have not been effective in reducing groundwater demand, increasing the perennial safe yield or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited accordingly. (Standard D.2.a, p. 4.15-11)

As we pointed out in 2015, this language is vague and allows too much discretion in how data is used and interpreted, as well as which improvements will be considered and how they will be evaluated. For example, if data at one well shows lower chloride levels, the County could interpret the program(s) to be “facilitating the retreat of seawater intrusion.” Further, it is unlikely that data will show in the short term that programs have “not been effective in... increasing the perennial safe yield...” of the Basin. Adverse impacts from overestimating yield will likely to be long term. Thus, the language allows approval of development that could result in significant delayed adverse impacts. Also, the term “perennial safe yield” has not been defined.

Daniel Robinson in his 2015 letter points out that the criteria for program effectiveness should be clearly defined (Robinson letter 2015, EIR Vol, 2, p. 6). The current language allows decisions regarding development to be based on considerations other than data and Basin sustainability, including the need for “affordable housing” in the county, as mentioned by Supervisor Gibson in a recent *New Times* article.

As we point out in our 2015 Community Plan comments, implementation of Basin Plan programs does not assure an adequate water supply for new development. The predicted benefits of the programs (e.g., increased Basin yields) are estimates based on modeling, with significant uncertainties due to unknowns inherent in modeling relating to basin structure and groundwater movement, climate change (rainfall variability and sea level rise), unmetered water use in the Basin (1/2 of the water pumped), and potential adverse impacts on habitat. These uncertainties are increased due to significant potential impacts (major changes groundwater recharge and pumping) resulting from the LOWWP and Basin Plan programs.

The Best Management Practices for the Groundwater Sustainability Plans required by the Sustainable Groundwater Management Act (SGMA) support the need to verify basin sustainability with empirical data, not estimated yields, stating “Basin wide pumping within the sustainable yield estimate is neither a measure of, nor proof, of sustainability” (Sustainable Management Criteria BMP, p.32.)

The EIR acknowledges our concerns about uncertainty in modeling, but does not address the issue:

“...the Basin Plan contains a level of uncertainty. Planned development will need to work continuously with the Basin Management Committee as additional information becomes available to help ensure sustainable water supplies are available for existing populations and potential new development.” (Impact W-1) (p. 4.15-6)...

Established CEQA case law precludes mitigating potential impacts with unspecified future mitigation measures. Furthermore, adaptive management--which the Basin Plan and BMC propose to address future adverse impacts (e.g. reduced flows to habitat) and outcomes inconsistent with modeling (e.g. lower yields)--must be time specific and presented in an EIR with enough detail to evaluate feasibility and potential effectiveness. To our knowledge, the Basin Plan and BMC have not modeled or otherwise planned specific contingency plans for adverse impacts. The options presented in the Basin Plan and to the public in BMC meetings include conservation, shifts in pumping, and implementation of additional Basin Plan infrastructure programs. We believe these are not be feasible within a time frame that could prevent significant impacts due to the current high use of conservation and recycled water use, the long lead time required, and high cost of infrastructure programs. The latter is shown, in part, by the fact that several of the Infrastructure Program C measures are yet to be implemented after four years. Cutbacks in pumping

have been suggested, but the legality of this option is questionable, especially since Basin Plan “sustainable yields” are set 20% above targeted yields, and the ISJ agreement between the Parties of the adjudicated Basin grants water service providers additional allocations that would apparently allow pumping in excess of sustainable yields. (See our 2015 letter in Vol. 2 of the EIR for further detail explaining why the criteria for added development do not mitigate for the potential adverse impacts.)

The Basin Plan and related management actions and programs do not mitigate for Community Plan impacts

In 2015, the Los Osos Basin Management Plan was implemented as the result of a long basin adjudication process. The Interlocutory Stipulated Judgment (ISJ), an agreement between the three water service providers in the area and the County, was approved by the Superior Court in 2015, and the Basin Management Committee (BMC) made up of the parties to the ISJ began holding regular meetings. Annual Monitoring Reports since then have shown a significant drop in water use in the urban area and signs that SWI in the Basin (lower aquifer Zone D) may be improving with implementation of the Water Use Efficiency Program (conservation), the Recycled Water Reuse Program, Infrastructure Program A (primarily nitrate treatment), and initiation of Program C, a shift in pumping inland in the lower aquifer (primarily Zone D) to wells further inland.

However, based on the 2018 Annual Reports, the chloride and water level metrics and other methods used to track the SWI front in Zone D, and program benefits, may be unreliable. The data is reported to have considerable variability, and a key data point (the Rosina Well) must be estimated due to contamination (which dilutes chloride concentrations). The limited number of wells used (4-6) also make the metrics and methods prone to error.

Based on the most recent 2018 Annual Report, water levels in the lower aquifer (Zones D and E) along the bay front are still near mean sea level and remain vulnerable to SWI. The Basin Plan Water Level Metric targets 8 feet above mean sea level to reverse and hold back SWI in Zone D. To reverse SWI in the deeper aquifer, Zone E, water levels must be 12 feet above mean sea level, according to Eugene Yates, an expert on the Basin. Water storage estimates in 2018 still show levels in the main drinking water aquifer, Zone D, and the largest aquifer, Zone E, average more than 10 feet below sea level, 18 to 22 feet below the level needed to repel SWI.

The EIR cannot adequately assess impacts without additional monitoring wells.

The BMC is apparently not tracking the SWI front in the deep aquifer, Zone E. The estimated rate of SWI in Zone E in 2014 was 125 feet per year, which raises the possibility that the front is nearing an area of very low water levels under the commercial area and could accelerate. Recent (2019) data also indicate that SWI in Zone E is threatening a part of the Basin not previously impacted. With very few monitoring wells in the northern part of the Basin, SWI may be progressing inland undetected. Eugene Yates also warns that Zone E could contaminate Zone D via the process known as “upconing.”

Based on 2019 BMC meeting minutes, the only additional monitoring well that was planned for along the bay, filling a large gap in monitoring sites in the northern part of the Basin, is just now preparing to go on line. Eugene Yates and the Monterey Bay Watershed Institute have recommended substantially more monitoring sites along the bay and inland. Both have warned that SWI can intrude in all three main aquifers (Zones C, D, and E) at any point along the bay, especially with potential ongoing impacts from the LOWWP in combination with Basin Plan programs (e.g., no septic recharge in combination with more pumping from Zone C, the upper aquifer). More monitoring wells, as we point out, are also needed to provide adequate empirical data to reliably assess program benefits and the condition of the Basin.

Conclusion

For the reasons stated above, the proposed mitigations for the potential adverse impacts on the Basin that are acknowledged in the Community Plan EIR have not been appropriately analyzed or mitigated.

A brief summary of our earlier recommendations to the BMC and the County follows.

Summary of previous requested actions and recommendations

1. - Define sustainable yield more conservatively, in keeping with Sustainable Groundwater Management Act (SGMA) practices and policies SGMA Best Management Practices (BMPs) define “sustainable yield” as a yield that avoids undesirable effects. The Basin Plan “sustainable yield” would allow seawater intrusion to move up to production wells. The Basin Plan and BMC realize this is not desirable and add a 20% “buffer” as a margin of safety, but 20% is not nearly enough given the many potential impacts and uncertainties related to the major changes to Basin hydrology with LOWWP and Basin Plan implementation—and the fact that rainfall for the last 12 years has averaged at least 10% below the 17.5” yearly average assumed in Basin Plan modeling.

2.

Increase data points (monitoring wells) throughout the Basin, especially along the bay and a distance inland from the bay, to more reliably track SWI and water levels, and measure the benefits of programs on the Basin.

Model and plan specific contingency plans for a range of possible unexpected outcomes and adverse impacts (e.g., SWI in Zones C or E, and reduced ground water flows to habitat in the Willow Creek area). We asked that the plans include minimum thresholds and protocols for implementing adaptive measures consistent with SGMA BMPs.

Implement a Basin Management Ordinance that would enable the County to mandate Basin Plan programs as needed, including monitoring programs to measure the water pumped by private well users (about ½ of the water pumped from the Basin). We pointed out that this would reduce uncertainty in the timing of program implementation and uncertainty in modeling. The Annual Reports now estimate non-metered water use, which the Basin Plan indicates can be as much as 100 AFY off, adds about 5% of uncertainty to modeling.

Allow resource protection agencies, including the Department of Water Resources (DWR) to retain oversight authority over Basin Planning. We were disappointed that the DWR in 2019 designated the Los Osos Basin “very low-priority for SGMA,” and that the designation may mean that the Los Osos Basin will not be subject to the same standards and best management practices as other critically over-drafted Basins.

The above requests were not implemented. The BMC implemented some of our recommendations for conservation at a reduced level (e.g., much less outreach) over a longer time frame. We applaud the BMC’s efforts on conservation and the large drop in water use. We may be seeing the early benefits of a relatively aggressive conservation program, although more data is needed. The BMC also began tracking Basin water storage. We encourage setting storage targets at safe levels above sea level for all parts of the Basin, and providing estimates of historical losses of capacity, as agreed in 2016. The historical estimates will highlight the need for precautionary Basin management to preserve and augment the Basin we have left.

We look forward to supporting a Community Plan that adequately protects existing development and the very high value habitat in the area.

Thank you for your attention to these issues,

Andrew Christie,
Sierra Club Santa Lucia Chapter

Patrick McGibney,

Kerry Brown

From: nallypapa <nallypapa@aol.com>
Sent: Wednesday, December 11, 2019 11:48 AM
To: Kerry Brown
Subject: [EXT]Comments LOCP DEIR -letter to sign.docx
Attachments: Comments LOCP DEIR -letter to sign.docx

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

Greetings:

My wife and I attended the meeting with District Supervisor Bruce Gibson at Morro Shores Mobile Home Park on December 10, 2019 at 4:00pm. Sorry you were not there and hope that you are feeling better. Since that meeting, we have learned that we have till noon today to express our concerns about the proposed Los Osos community development plan, specifically the vacant land surrounding the mobile home park. Since we are not in the area to appear and sign the response letter from the mobile home park, we are sending you this message by Email to indicate we have read and concur with the response. Consider this email as if we were there to sign the letter.

There are still too many unanswered questions and lack of any real consideration for persons living in the immediate area of the proposed projects, unless you are a snail. It was so obvious to so many that Bruce Gibson supports the development of the 60 plus acres without completing and gathering all necessary information, other than his support of a few developers and those in county government who strive for personal monetary gain at the expense of so many in the Los Osos community.

If a development project is really for the good of the community, it will sell itself. We don't need the formalities of having meetings just to say "we have complied with public forum notice". It appears that there is no real transparency with all the information regarding such a large proposed project, which for some reason has been put on a fast track time schedule. It has the appearance of "fire,ready,aim". You cannot and should not put the horse before the cart. Water, sewage treatment, roadways, and public safety are just a few serious issues that need to be accounted for in regards to the continued quality of life for all in our community.

All the best,
Stan and Cindy Nalywaiko
633 Ramona Avenue Space#21
Los Osos, Ca.
93402
(805) 975-5209

Sent from my iPhone

Kerry Brown

From: Yael Korin <ykorin@g.ucla.edu>
Sent: Thursday, October 24, 2019 6:26 PM
To: Kerry Brown; Blake Fixler; Bruce Gibson
Cc: Yael; Paul Hershfield
Subject: [EXT]Comments to the Los Osos Community Plan Draft Environmental Impact Report released today 9/12/19

Hi Kerry.

We are gravely concerned about the discrepancy between the map shown in Figure 4.8-1 (Proposed Land Use Changes by Parcel) in the EIR and the map that appears on Page 68 of the appendix (from the 1/30/125 LOCP Public Review Draft).

The EIR document proposes converting the Bean Parcel from Residential Multi-Family to Commercial Service. As you know this has been a controversial issue in our community.

As you know, the parcel in question is surrounded on three sides by established single and multi-family residential properties. Converting it to Commercial Service (such as a construction staging yard) would, in our opinion, both divide an established community and create a land use conflict. While there are Commercial Service uses across the road, they have had negligible impact on the area's residents. A construction yard (or similar use) would, on the contrary, create a significant negative impact in terms of noise, dust, and pollution from diesel engines.

The Significance Thresholds section in the EIR Impact Analysis (p. 355) includes as significant: "impacts would be significant if development under the Community Plan would be potentially incompatible with surrounding land uses; and/or physically divide an established community." In its analysis of these two thresholds the report states: "The proposed land use pattern under the LOCP would not divide any established communities. It would also generally avoid potential land use conflicts, except in a few specific cases. Impacts in these areas are potentially significant but mitigable." Moreover, the following table 4.8-1 specifies "potential conflicts could occur with existing and potential multi-family residential uses to the east, depending on the nature and design of potential commercial service development". We agree with this analysis but considered it lacking in urgency and understanding of the more important needs of the town of Los Osos. This parcel is located in a prime area fitting to serve the needs for affordable residential multi-family units in Los Osos and in the whole county.

The proposed land use change at this location should not be adopted as shown. The community must be heard and the neighborhood must be saved from a massive impact on its serenity, cohesiveness, and monetary value.

We strongly support the original use proposed in the LOCP, residential multi family, and urge you to maintain it at this location. There is a shortage of multi-family residential properties, especially affordable ones, in our community. People's Self-Help Housing (PSHH) already owns and manages other affordable rental properties very close to this parcel. In fact, PSHH is interested in this location and have already spoken with Ms. Bean. PSHH is uniquely qualified to develop this property.

Regardless of location, the main stumbling block is that of water supply. We propose that this can be mitigated by increasing the water supply for affordable residential multi-family uses in Los Osos. The water providers should create a program to set aside water units for such affordable projects.

Sincerely,

Yael Korin and Paul Hershfield

1364 8th street
Los Osos, Ca 93402

On Sep 12, 2019, at 3:53 PM, Kerry Brown, SLO County Planning and Building Department
<kbrown@co.slo.ca.us> wrote: