6.0 ALTERNATIVES

The California Environmental Quality Act (CEQA) Guidelines state that an "EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (Section 15126.6).

The CEQA Guidelines state that "the range of alternatives required in an EIR is governed by a rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the Project (Section 15126.6).

In defining feasibility of alternatives, the CEQA Guidelines state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site" (Section 15126.6).

The alternatives must adequately represent the spectrum of environmental concerns in order to permit a reasoned choice among alternatives. The document must also provide the rationale for selecting or defining the alternatives evaluated throughout the document, including the identification of alternatives that were considered by the Lead Agency but rejected as infeasible during the scoping process.

The alternatives analysis for this EIR is presented in four major parts. The first section describes the objectives of the proposed Los Osos Community Plan (Project). The second section describes the project alternatives. The third section discusses potential impacts under the Project alternatives. The final section concludes with the identification of the environmentally superior alternative.

6.1 PROJECT OBJECTIVES

The primary objective of the Los Osos Community Plan is to establish a framework for the orderly growth and development of Los Osos. Additionally, the plan is intended to be consistent with strategic growth principles and other land use policies established in the County General Plan.

This overall objective is further articulated in Chapter 2 of the draft Community Plan through a series of Community Goals, which are intended to implement the community's vision. These are stated below, following the Community Vision from which they are derived:

> ***Los Osos Community Vision.*** *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.

1. ***Environment***
    a. *Protect and enhance the Morro Bay Estuary so that it is a clean, healthy, functioning ecosystem that harbors a diversity of wildlife.*
    b. *Promote conservation of natural environment through preservation of the existing flora, fauna, and sensitive habitats.*
    c. *Protect, maintain, enhance, and expand the existing greenbelt.*

2. ***Economy.*** *Improve and diversify the local economy by providing more opportunity for local businesses and head of household jobs.*

3. ***Air Quality.*** *Minimize the amount and length of automobile trips through planning decisions and land use practices.*

4. ***Population Growth.*** *Establish a maximum rate of growth within the Los Osos Urban Reserve Line, consistent with available resources, services and infrastructure.*

5. ***Distribution of Land Uses, Location and Timing of Urban Development.*** *Focus on infill and mixed use development consistent with the County's Strategic Growth Policies and Framework for Planning.*

6. ***Residential, Commercial and Industrial Land Uses***
    a. *Maintain a small-town atmosphere.*
    b. *Provide zoning that enables businesses to expand and remain in the community, and establish incentives to encourage good design of commercial development.*

7. ***Visitor-Serving, Recreation and Industrial Land Uses***
    a. *Encourage improvement of tourist-oriented facilities, with an emphasis on eco-tourism.*
    b. *Develop additional neighborhood and community parks and recreation facilities for existing and future populations.*
    c. *Provide maximum public access, and protect existing public access, to the coast, the shoreline, the bay, and public recreation areas, consistent with the need to protect natural and agricultural resources and private property rights.*

8. ***Public Services and Facilities***
    a. *Base all land use policies and plans on sustainable development that meets the needs of current population and visitors without endangering the ability of future population to meet its needs.*

b. *Carefully manage water resources to provide a clean, sustainable resource for the community.*
c. *Provide needed local services, such as urgent care facilities, senior care facilities, etc.*

9. ***Circulation***
   a. *Establish an efficient circulation system and pattern of land uses that minimize the number of automobile trips.*
   b. *Encourage alternatives to single-occupant and automobile travel, such as pedestrian and bicycle travel, transit, carpooling, and telecommuting.*
   c. *Complete and pave the community's grid system where feasible.*

10. ***Implementation and Administration.*** *Promote a high level of community participation and voice in land use planning decisions.*

6.2 DESCRIPTION OF PROJECT ALTERNATIVES

As required by Section 15126(d) of the State CEQA Guidelines, this EIR examines a range of reasonable alternatives to the proposed Los Osos Community Plan that could feasibly achieve similar objectives. The discussion focuses on alternatives that may be able to reduce one or more of the adverse impacts associated with the proposed Los Osos Community Plan project. Included in this analysis are the CEQA-required "no project" alternative, which includes two scenarios: "no development" and "buildout under the existing Estero Area Plan". A third alternative considers reduced development based on water availability, consistent with a proposed growth management policy included in the LOCP. A final alternative considers a version of the proposed LOCP that includes all policy-related mitigation described in Section 4.0 of this document to address various identified impacts.

These are summarized below, and subsequently discussed in greater detail:

- ***Alternative 1:*** *No Project (No Development)*
- ***Alternative 2:*** *No Project (Buildout of Existing Adopted Estero Area Plan)*
- ***Alternative 3:*** *Reduced Development Based on Water Availability*
- ***Alternative 4:*** *Mitigated Project*

6.2.1 Alternatives Considered but Discarded

As discussed above, CEQA Section 15126.6(c) requires that an EIR disclose alternatives that were considered and discarded and provide a brief explanation as to why such alternatives were not fully considered in the EIR. In particular, as required by the State CEQA Guidelines, the selection of alternatives included a screening process to determine a reasonable range of alternatives, which could

reduce significant effects but also feasibly meet project objectives. If an alternative does not clearly provide any environmental advantages compared to the proposed Project, meet key Project objectives, nor achieve overall agency policy goals, it is eliminated from further consideration. For the proposed Project, characteristics used to eliminate alternatives from further consideration include:

- Failure to meet basic Project objectives;
- Limited effectiveness in reducing Project environmental impacts;
- Inconsistency with adopted policies in the Estero Area Plan and other applicable regulatory documents;
- Reasonableness of the alternative when compared to other alternatives under consideration.

By its nature, the proposed project is intended to present a regulatory framework in part to address potential environmental impacts that could arise as a result of future development under the proposed project, the LOCP. For that reason, the range of potential alternatives will be necessarily limited. For example, there are no alternative sites that are possible, because the project must address the Los Osos community, not other locations. Alternative policy frameworks are possible, but if they do not materially reduce potential impacts compared to the policy framework included in the proposed LOCP, it may be eliminated from further consideration. The proposed LOCP, in general, was found to consistent with the intent of the Estero Area Plan, and its policy framework appropriate for providing a regulatory mechanism to guide future development. For that reason, no alternative policy framework is considered in this EIR. Wholesale changes to the proposed land use pattern as a purely academic exercise is not consistent with the intent of CEQA to focus on reducing potential impacts, and is therefore not considered further in this EIR.

In this context, the only alternatives determined to be reasonable and potentially meet project objectives are those described below, which follow the CEQA-required "No Project" alternative.

6.2.2 Alternatives Carried Forward in the EIR Analysis

Four alternatives to the proposed LOCP are examined in the EIR, which are described below.

Alternative 1: No Project (No Development)

This alternative considers the consequences of not approving the proposed LOCP, and not allowing further development in the plan area beyond already exists. In some respects, this represents a continuation of the 1988 growth moratorium, but to an even greater degree, in that no further development of any kind would be considered. Notably, the existing Estero Area Plan would remain in place with current zoning, but new development would be limited by the California Coastal Commission's Special Condition 6 (CDP A-3-SLO-09-055/069) for the recently built wastewater treatment plant.

While this alternative does not meet the project objectives as described above, it is a required scenario for consideration under CEQA, and provides a useful benchmark against which to evaluate the potential impacts of development under the proposed project.

Alternative 2: No Project (Development under the Existing Estero Area Plan)

This alternative considers the consequences of not approving the proposed LOCP, but assumes that development would resume under the existing Estero Area Plan, based on the land use pattern and regulatory framework included in the current plan, subject to the requirements of the California Coastal Commission's Special Condition 6 (CDP A-3-SLO-09-055/069), associated with the community's new wastewater treatment plant. There would be no growth restrictions based on water availability, such as are included in the proposed LOCP, so there would be no certainty that development would proceed commensurate with the availability of water.

Many of the project objectives described under the Estero Area Plan are the same as those proposed under the LOCP, so in many respects, this alternative is somewhat consistent with the intent of the proposed LOCP.

This alternative envisions a somewhat different land use pattern in portions of the community as compared to the proposed LOCP, particularly along the urban fringes near Los Osos Creek and other sensitive resource areas, where considerably more residential development would be allowed.

In general, the Estero Area Plan envisions more land designated for residential and non-residential development, and correspondingly less land designated for Open Space. Other key differences from the proposed LOCP are described below:

- **Substantially More Overall Residential Area.** There would be 15% more land (419 acres) designated for residential land use categories compared to the LOCP. This would result in more residential development potential compared to proposed land use designations under the LOCP.
- **More Overall Non-Residential Area.** There would be 14% more land (21 acres) in non-residential (commercial and office) land use categories. Overall, this would result more non-residential development potential compared to proposed land use designations under the LOCP.
- **Substantially Less Open Space.** The existing Estero Area Plan includes 418 acres less designated Open Space, or about 25% of the amount proposed under the LOCP. Most of the difference is currently designated for a variety of residential uses throughout the community.

Under the existing Estero Area Plan, the existing Urban Reserve Line (URL) would not be modified to reflect more logical boundaries that would follow existing property lines, as would be the case under the proposed LOCP.

a. Summary of Residential Development Potential. **Table 6-1** shows existing and potential residential development and population within the planning area based on land use designations under the existing Estero Area Plan.

Table 6-1. Residential and Population Buildout Summary – Existing Estero Area Plan

	Existing [1]	Buildout Capacity [3]	Potential Increase
Dwelling Units [2]			
Single-Family	*5,426*	*7,264*	*1,838*
Multi-Family	*895*	*1,864*	*969*
Total Dwelling Units	**6,321**	**9,128**	**2,807**
Population [4]	**13,906**	**20,081**	**6,175**

1 *County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP*
2 *All dwellings in all land use categories*
3 *Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes.*
4 *Based on 2.2 persons per household, consistent with the 2010 U.S. Census*

Buildout within the community under the existing Estero Area Plan would result in a potential population of 20,081, which is based on a potential capacity of 9,128 dwelling units. This is a 44% increase over the existing population and number of households currently in the planning area.

b. Summary of Non-Residential Development Potential. **Table 6-2** shows existing and potential non-residential development within the planning area based on land use designations under the existing Estero Area Plan.

Table 6-2. Non-Residential Buildout Summary – Existing Estero Area Plan *(in square feet)*

Land Use Category	Existing [1]	Buildout Capacity [2]	Potential Increase
Commercial Retail	439,200	669,045	229,845
Commercial Service	221,100	176,779 [3]	(-44,221)
Office and Professional	10,100	214,261	204,161
Recreation	0	24,975	24,975
Public Facility/ Recreation	0	0	0
Total	**670,300**	**1,085,060**	**414,760**

1 *County of San Luis Obispo Department of Planning and Building estimates*
2 *County of San Luis Obispo Department of Planning and Building projections*
3 *Decreased projected in CS category, based on projected FAR assumed for turnover development land in that category*

The overall development potential of 414,760 square feet in all categories represents a 62% increase over existing non-residential development in the community.

Table 6-3 compares residential development potential and population under the existing Estero Area Plan to that under the proposed LOCP.

Table 6-3. Residential and Population Comparison – Existing Estero Area Plan to Proposed LOCP

Dwelling Units [2]	**Alternative 2 (Estero Area Plan)**	**Proposed Project (LOCP)**	**Difference**
Single-Family (existing) [1]	5,426	5,426	-
Single-Family (potential)	1,838	1,061	777
Single-Family (buildout) [3]	**7,264**	**6,487**	**777**
Multi-Family (existing) [1]	895	895	-
Multi-Family (potential)	969	800	169
Multi-Family (buildout) [3]	**1,864**	**1,695**	**169**
All Dwellings (existing) [1]	6,321	6,321	-
All Dwellings (potential)	2,807	1,861	946
All Dwellings (buildout) [3]	**9,128**	**8,182**	**946**
Population (at buildout) [4]	**20,081**	**18,000**	**2,081**

1 County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP
2 All dwellings in all land use categories
3 Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes.
4 Based on 2.2 persons per household, consistent with the 2010 U.S. Census

Table 6-4 compares non-residential development potential under the existing Estero Area Plan to that under the proposed LOCP.

Table 6-4. Non-Residential Comparison – Existing Estero Area Plan to Proposed LOCP

Square Feet [2]	**Alternative 2 (Estero Area Plan)**	**Proposed Project (LOCP)**	**Difference**
Existing [1]	670,300	670,300	-
Potential	414,760	364,000	50,760
Total (at buildout)	**1,085,060**	**1,034,300**	**50,760**

1 County of San Luis Obispo Department of Planning and Building estimates
2 County of San Luis Obispo Department of Planning and Building projections

Alternative 3: Reduced Development Based on Water Availability

This alternative assumes a development pattern and policy framework similar to that proposed under the LOCP, except that growth would be restricted by water availability. This scenario is based on restrictions set forth in the following proposed LOCP policy related to the 2015 Los Osos Groundwater Basin Plan:

> *D. Los Osos Groundwater Basin.*
>
> *1. Basin Plan compliance. 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 ("Basin Plan") have occurred. The following programs from the Basin Plan must be successfully completed and implemented to address existing resource constraints prior to development of new dwelling units or commercial uses:*
>
> *a. Program "M" – Groundwater Monitoring*
> *b. Program "E" – Urban Efficiency*
> *c. Program "U" – Urban Water Reinvestment*
> *d. Program "A" – Infrastructure Program A*
> *e. Program "P" – Wellhead Protection*
> *f. At least one of the following additional programs:*
> *· Program "B" – Infrastructure Program B*
> *· Program "C" – Infrastructure Program C*
> *· Program "S" – Supplemental Water Program*
>
> *2. Amendments to Title 26. Development of new dwelling units that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective, as follows:*
>
> *a. The Basin Plan program(s) shall be completed to the satisfaction of the Director of Public Works, in consultation with the Los Osos Groundwater Basin Watermaster.*
> *b. As part of the review for Basin Plan effectiveness, the County shall consider data collected as part of the Groundwater Monitoring program (Program "M"). If the data indicate that completed 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.*

c. As part of the review for Basin Plan effectiveness, the Board of Supervisors shall consider trends in commercial development and commercial water demand to ensure that such demand is not growing beyond a proportional relationship with the community's population.

3. Growth limitation standards. Development of new residential units that use water from the Los Osos Groundwater Basin shall be prohibited until successful implementation of all programs identified in Subsection D.1. Once this has been achieved, Section 26.01.070.k of the Growth Management Ordinance may be modified to allow development of new residential units as follows:

a. Implementation of one additional program.

(i) Implementation of Program "B". Upon successful implementation of Program "B," an additional 1,230 residential units may be constructed within the Los Osos Groundwater Basin.

(ii) Implementation of Program "C". Upon successful implementation of Program "C," an additional 680 residential units may be constructed within the Los Osos Groundwater Basin.

(iii) Implementation of Program "S". Upon successful implementation of Program "S," assuming groundwater desalination producing 250 acre feet per year, 550 residential units may be constructed within the Los Osos Groundwater Basin.

b. Implementation of more than one additional program. In the event that more than one additional Basin Plan program is pursued, additional residential dwelling units may be constructed within the Los Osos Basin. The number of additional units allowed shall be as indicated in the following table, which are in addition to those indicated in Subsection 3a:

Previously Implemented Program	***New Program(s) to be Completed***	***Additional Dwelling Units***
B	*C*	*560*
	C + D	*1,030*
	C + S	*1,550*
	C + D + G	*3,020*
	C + D + S	*2,020*
C	*B*	*1,110*
	B + D	*1,580*
	B + S	*2,100*
	B + D + G	*3,570*
	B + D + S	*2,570*
S (250 AFY)	*Additional S (+500 AFY = 750 AFY)*	*1,590*
	B + C	*2,230*
	B + C + D	*2,700*
	B + C + G	*3,620*

4. Exemptions. All development approved (pursuant to land use permits or entitlements) prior to the effective date of this standard that complies with Title 19 retrofit requirements shall be exempt from the provisions of these standards in Subsections D.1, 2 and 3.

Under the proposed LOCP, up to 1,861 new dwelling units could be constructed. However, based on the parameters set forth in the Basin Plan and the related policy shown above, development of new residential units that use water from the Los Osos Groundwater Basin shall be prohibited until successful implementation of the following programs included in the Basin Plan (included by reference; refer to the Basin Plan for full descriptions of these programs):

a. Program "M" – Groundwater Monitoring
b. Program "E" – Urban Efficiency
c. Program "U" – Urban Water Reinvestment
d. Program "A" – Infrastructure Program A
e. Program "P" – Wellhead Protection
f. At least one of the following additional programs:
· Program "B" – Infrastructure Program B
· Program "C" – Infrastructure Program C
· Program "S" – Supplemental Water Program

According to the Basin Plan, there are several scenarios that could allow full development of 1,861 dwelling units in Los Osos. Under each scenario, Programs M, E, U, A and P must be implemented, but from there, several options are possible. These include, in order of the fewest programs to the most:

- Implementation of Program S, with additional S (up to a total of 750 AFY of desalinated water produced). This would allow up to 2,140 dwelling units, which is more than the LOCP buildout potential of 1,861 dwellings.
- Implementation of Programs B, C and D. This would allow up to 2,260 dwelling units, which is more than the LOCP buildout potential of 1,861 dwellings.
- Implementation of Programs B, C and S. This would allow up to 2,780 dwelling units, which is more than the LOCP buildout potential of 1,861 dwellings.
- Implementation of Programs B, C, D and G. This would allow up to 4,250 dwelling units, which is more than the LOCP buildout potential of 1,861 dwellings.
- Implementation of Programs B, C, D and S. This would allow up to 3,250 dwelling units, which is more than the LOCP buildout potential of 1,861 dwellings.

Each of these scenarios describe a situation that would not reduce development potential, but allow for full buildout under the proposed Area Plan. In this context, this Reduced Project Alternative assumes that only the following programs are implemented:

- Programs M, E, U, A and P
- Program S (produce 250 AFY of desalinated water)

With these programs completed, up to 550 dwelling units could be constructed beyond existing development, compared to 1,861 dwellings under the proposed LOCP, a difference of 1,311 dwelling units. This would result in a buildout population of 15,116, compared to 18,000 under the proposed LOCP. There would be no difference in non-residential development potential compared to the proposed LOCP.

Table 6-5 summarizes the residential development potential under this alternative:

Table 6-5. Alternative 3 Residential Development Potential Summary

	Existing [1]	Buildout Capacity [2]	Potential Increase
Total Dwelling Units	**6,321**	**6,871**	**550**
Population [3]	**13,906**	**15,116**	**1,210**

1 County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP
2 Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2.
3 Based on 2.2 persons per household, consistent with the 2010 U.S. Census

The project objectives described under this alternative are the same as those proposed under the LOCP, so this alternative is consistent with the intent of the LOCP.

Alternative 4: Mitigated Project

This alternative assumes the same development pattern, buildout potential and policy framework as under the proposed LOCP, except that it includes the policy-related mitigation measures prescribed to address potentially significant impacts previously identified with respect to implementation of the proposed LOCP. These include the following mitigation measures, which are also described in the applicable sections of the Draft EIR:

Aesthetics:

AES-3(a). Pecho Valley Road Scenic Corridor Policy. The table under Section 2.4.1 of the LOCP shall be modified to include the following under the heading "Conservation and Open Space Element":

> *Policy VR 4.1 Designation of Scenic Corridors. Designate scenic corridors based on the recommendations for Scenic Corridor Studies, for the candidate roads and highways listed in Table VR-2. Pecho Valley Road from Rodman Drive through Montana de Oro State Park is identified as a candidate scenic corridor.*

In addition, the following language shall be added as a new policy in Section 2.5.5 of the LOCP:

Pecho Valley Road from Rodman Drive to the boundary of Montana de Oro State Park shall be designated as a Critical Viewshed. Development along this corridor shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.

AES-3(b). Los Osos Valley Road and South Bay Boulevard Policy Modification. The following language shall be added as a new policy in Section 2.5.5 of the LOCP:

South Bay Boulevard, and Los Osos Valley Road east of South Bay Boulevard, shall be designated as a Critical Viewshed. Development along these corridors shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.

Air Quality:

AQ-2(a). Community Plan Equipment Emission Reductions. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:

Construction Equipment Emissions Reductions. Construction projects shall implement the following emissions control measures so as to reduce diesel particulate matter in accordance with SLOAPCD requirements:

- *Maintain all construction equipment in proper tune according to manufacturer's specifications;*
- *Fuel all off-road and portable diesel powered equipment with a CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);*
- *Use diesel construction equipment meeting the CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;*
- *Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;*
- *Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standard identified in the above two measures (e.g., captive or NO_X exempt area fleets) may be eligible by providing alternative compliance;*
- *All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or jobs sites to remind drivers and operators of the 5 minute idling limit;*
- *Diesel idling within 1,000 feet of sensitive receptors is not permitted;*
- *Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;*
- *Electrify equipment when feasible;*
- *Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and*
- *Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.*

AQ-2(b). Community Plan Fugitive Dust Control Measures. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:

Fugitive Dust Control Measures. Construction projects shall implement the following dust control measures so as to reduce PM_{10} emissions in accordance with SLOAPCD requirements:

- *Reduce the amount of the disturbed area where possible;*
- *Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed (nonpotable) water should be used whenever possible;*
- *All dirt-stock-pile areas shall be sprayed daily as needed;*
- *Permanent dust control measures shall be identified in the approved project revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities;*
- *Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established;*
- *All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;*
- *All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;*
- *Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;*
- *All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;*
- *Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and*
- *Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.*
- *All of these fugitive dust mitigation measures shall be shown on grading and building plans; and*
- *The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.*

Biological Resources:

BIO-1(a) **LOCP Natural Resource Policies.** The following language shall be added as a new policy in the LOCP:

Special Status Species Habitat Preservation and Enhancement. During the project permitting process, the County, including the entity overseeing LOHCP compliance, shall work with future applicants to encourage preservation or enhancement of habitat for special status species on parcels greater than 20,000 square feet that contain suitable habitat. This would be done in concert with LOHCP requirements to promote habitat preservation and enhancement efforts and regional habitat connectivity by ensuring that preserved or enhanced areas are connected to other preserved or enhanced areas and/or to other suitable habitat occurrences. Preservation of or enhancement of areas that are isolated should be discouraged unless they are determined to provide unique or unusually valuable habitat attributes. Isolated patches of native habitat on smaller lots less than 20,000 square feet are not expected to provide high quality habitat for special status CEQA species that is sustainable. Impacts to small patches of native habitat that could support low numbers of CEQA special status species such as CRPR plants or species of concern wildlife will be further mitigated through implementation of the LOHCP and payment of the mitigation fee. Habitat set aside outside urban areas will promote sustainable habitat for the range of special status species known to occur in the Plan area.

BIO-1(b) **LOCP Natural Resources Implementing Programs.** Because of the programmatic structure of the LOCP, and specific impacts for a given private or public project cannot be determined at this time. It is possible that both private and public projects could potentially impact federal and/or state listed species. As such, the following language shall be added as a new program in the LOCP:

Los Osos Habitat Conservation Plan Compliance. To address the specific requirements for special status species and habitat identification, protection, preservation, enhancement, and mitigation that would apply to a given private or public project subject to the LOHCP, the County shall incorporate the final LOHCP into the LOCP, to ensure those requirements are fully addressed during development under the LOCP.

BIO-1(c) **Biological Resources Assessment, and Focused or Protocol-level Survey Requirements on Parcels Greater Than 20,000 Square Feet.** The following language shall be added as a new policy in the LOCP:

For all projects on undeveloped lots greater than 20,000 square feet in size that require issuance of a County land use development permit, project applicants shall retain a County-approved biologist to conduct a project-specific biological resources assessment (BRA) to document the existing biological resources within the project footprint on which development is proposed, as well as an appropriate buffer, to determine the potential impacts to those resources as part of the environmental review process. The BRA shall conform to the requirements presented in the County guidance document, Guidelines for Biological Resources Assessments - Guidelines for Biological Consultants.

BIO-1(d) **Special Status Plant Species Avoidance, Minimization, and Mitigation**. The following language shall be added as a new policy in the LOCP:

If a BRA pursuant to Mitigation Measure BIO-1(c) conducted on undeveloped lots greater than 20,000 square feet in size identifies potentially suitable habitat for any federal listed, state listed or California Rare Plant Rank 1B species plant species, focused floristic surveys that are seasonally timed to coincide with the blooming period of all species identified as potentially present in the project-specific BRA shall be conducted. Surveys shall follow current USFWS and CDFW protocols. If special status plants are identified on a site, the project shall be re-designed to avoid impacting these plant species, to the maximum extent feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of proposed disturbance limits shall be protected such as having bright orange protective fencing installed at least 30 feet beyond their extent, or other appropriate distance as determined by a County-approved biologist, to protect them from direct and indirect impacts.

If special status plant species cannot be completely avoided, and will be impacted by development, all impacts shall be mitigated at the current County-required ratio for the species (number of acres of habitat/individuals restored to number of acres of habitat/individuals impacted). A habitat restoration plan (also referred to as a mitigation and monitoring plan) shall be prepared and submitted to the County, and to other state or federal agencies as appropriate. The restoration/mitigation plan shall include, at a minimum, the following components:

- *Description of the responsible party(-ies), project site and impact area (by habitat type);*
- *Goal(s) of the mitigation or restoration project including the types and area of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved;*
- *Description of the proposed mitigation/restoration site (e.g., location, size, ownership status, existing functions and values, etc.);*

- *Implementation plan for the mitigation/restoration site including rationale for expected success, responsible parties, schedule, site preparation and planting plan;*
- *Maintenance activities during plan implementation and monitoring, including but not limited to weed abatement and adaptive management;*
- *Monitoring plan for the mitigation/restoration site including no less than quarterly monitoring visits for the first year, and preparation of annual monitoring reports;*
- *Success criteria based on goals and measurable objectives, target functions and values, target areas to be established, restored, enhanced, and/or preserved; and*
- *An adaptive management program and contingency measures to address shortcomings and the overall effort in meeting success criteria;*

BIO-1(e) **Special Status Wildlife Species Habitat Assessment, Surveys, Avoidance and Minimization**. The following language shall be added as a new policy in the LOCP:

If a BRA pursuant to Mitigation Measure BIO-1(c) identifies potentially suitable habitat for a special status wildlife species on a parcel larger than 20,000 square feet, appropriate levels of surveys to determine the presence or absence of the species shall be conducted. For federal listed species such as the Morro shoulderband snail, protocol level surveys or the appropriate compliance requirements of the future LOHCP shall be conducted.

Specific habitat assessments and protocol surveys have been established for several special status species (i.e., California red-legged frog and Morro shoulderband snail) found within the Plan Area. If the results of the BRA determine that suitable habitat may be present for any such species, protocol habitat assessments or surveys shall be completed in accordance with applicable CDFW, USFWS, and County protocols prior to issuance of any construction permits. If consultation with the CDFW and/or USFWS determines that protocol habitat assessments or surveys are not required, such consultation shall be documented in writing by the agency prior to issuance of any construction permits. The project applicant shall be responsible for retaining a biological consultant that is qualified to conduct any required protocol habitat assessments or surveys.

Other special status wildlife that are not listed under CESA or FESA or covered in the LOHCP, shall have current mitigation requirements included in the developer's statement. For the Monarch butterfly, for instance, and projects located in eucalyptus woodland (including tree removal), a County-approved biologist shall conduct a habitat assessment to determine if suitable habitat for this species is present. If suitable habitat is present, then the biologist shall conduct seasonally-timed surveys to determine if Monarch butterflies currently use the site for overwintering activities. If an overwintering site is located, the County shall work with the applicant to protect the site and provide a sufficient buffer to avoid impacts to the species.

As part of a project's conditions of approval, the County-approved biologist shall conduct pre-construction clearance survey(s) of the site to avoid impacts to special status wildlife. The biologist shall be present during all initial ground disturbing and vegetation clearing activities. Ground disturbance shall be limited to the minimum necessary to complete the project, and the limits of disturbance shall be flagged for identification. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. Once initial ground disturbing and vegetation clearing activities have been completed, the biologist shall conduct additional surveys as appropriate during project construction activities, based on species habits, weather conditions, and LOHCP or protocol survey requirements.

BIO-1(f) **Preconstruction Surveys for Nesting Birds**. The following language shall be added as a new policy in the LOCP:

For construction activities occurring during the nesting season (generally February 1 to September 15), where tree, grassland or shrub removal or disturbance would be considered, focused surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved biologist no more than 14 days prior to vegetation removal. Vegetation is defined as trees, shrubs, or grasslands. Dependent on the size of the parcel and proposed development footprint, the surveys shall include the entire disturbance footprint plus observation of any large trees within a 300-foot buffer around the lot with binoculars. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and up to 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. The results of the pre-construction survey shall be submitted to the County and construction shall not commence without authorization from the County.

BIO-3(a) **Jurisdictional Waters Identification, Avoidance, Permitting, and Mitigation.** The following language shall be added as a new policy in the LOCP:

If future development in the Plan Area is proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, Los Osos Creek, unnamed tributary drainages, the Morro Bay estuary, or other areas that may fall under the jurisdiction of the Corps, CDFW, RWQCB, and California Coastal Commission, a County-approved biologist shall complete a jurisdictional delineation using the most current state and federal methodologies. The jurisdictional delineation shall determine the extent of wetlands or non-wetland waters subject to each of these agencies and shall be conducted in accordance with the requirements set forth by each agency. The result

shall be a preliminary jurisdictional delineation report that shall be submitted to the County, Corps, RWQCB, CDFW, and CCC as appropriate, for review and approval. If jurisdictional areas are identified on a site, the project shall be designed to avoid impacting those areas. All unavoidable impacts to Corps jurisdictional waters and wetlands shall be mitigated at the ratio (area restored / created / enhanced to area lost), approved in the final Section 404 permit for the project. Additional mitigation at different ratios may be required to meet CDFW, RWQCB, or California Coastal Commission regulations. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan consistent with current state and federal requirements shall be developed by a County-approved biologist.

BIO-3(b) **Construction Best Management Practices.** The following language shall be added as a new policy in the LOCP:

All development in the Plan Area proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, the Morro Bay estuary, Los Osos Creek and unnamed tributaries, or other jurisdictional areas must implement standard practices and measures to control and prevent erosion, sedimentation, or contamination of these areas. Best management practices shall follow current County requirements, and must include the following measures:

- *Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and construction areas outside of jurisdictional areas to the maximum extent feasible.*
- *To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.*
- *Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year to the extent practicable, or as otherwise directed by the regulatory agencies.*
- *During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.*
- *All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.*
- *Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.*
- *All refueling, maintenance, and staging of equipment and vehicles shall occur at least 50 feet from bodies of water where possible, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g.,*

on a slope that drains away from the water source). Reduced distances shall be approved by the County. Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

BIO-4(a) **Lighting Design**. The following Policy shall be added to the LOCP.

Outdoor lighting installed as part of any project shall be designed to be minimally disruptive to wildlife. This may be accomplished through the use of hoods to direct light away from natural habitat areas within or adjacent to the Plan Area, using low intensity lighting and as few lights as possible to achieve the goals of a project.

Coastal Hazards:

CH-1(a) **Additional Plan Framework Text.** The following text shall be incorporated within the updated LOCP to address Coastal Act requirements and ensure that impacts would be reduced to the extent possible (proposed new language is *italicized*):

1. Add the following sentence at the end of the second paragraph of section 2.2.3 (Environmental Resources, p. 2-4) that addresses Coastal Act sections 30230 and 30231 requirement to maintain, enhance and where feasible restore marine, wetland and estuary resources: *"Planning and development decisions, and new programs, should be implemented to assure the protection and maintenance of the Morro Bay estuary as sea level rises."*
2. Add Coastal Plan Hazards 1-7, 11 and 12; and ESH Policies 7-10, 13 and 16 to policy summaries in section 2.4.
3. On page 2-16, add new subsection (B) to PS-3 to require consideration of future vulnerability in public services planning and development: *"PS-3(B): Address future vulnerability to sea level rise in planning and development of new public services and adaptive redevelopment of existing services."*
4. Amend LU-1, to maintain hard *inland* edge and a soft *bayside* edge to protect future wetland and estuary function in light of sea level rise, and add a requirement to monitor sea level rise. Add a new program (LU-1.2 and reiterate as EN 1.7), to provide for no net loss of wetland acreage or biological and recreational function in Morro Bay Estuary in light of projected sea level rise:

   LU-1. Maintain a hard inland urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt, *and a soft bayside edge to protect future wetland and estuary function in light of sea level rise.*

   A. Prevent the net loss of wetland acreage or biological and recreational function of Morro Bay Estuary in Los Osos due to sea level rise by providing for natural inland migration of wetlands and protection and restoration of wetlands.

B. *Monitor the trends in sea level rise at the Port San Luis tide gauge ((NOAA ID #9412110, https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?stnid=9412110)*

Program LU-1.1: Los Osos Greenbelt. ….

Program LU-1.2: Morro Bay Estuary Protection. The County should support the protection of wetland resources, which may become increasingly vulnerable to hard shoreline coastal hazard protection measures in light of sea level rise, by developing and implementing a strategy for achieving no net less of wetland acreage or biological and recreational function along the Los Osos shoreline. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee along the shoreline, as well as the use of redevelopment/planned retreat strategies, and adaptive public access and recreation management plans to achieve wetland protection and hazard mitigation goals.

5. Add the Morro Bay Estuary to LU-2 as resource protection reason for concentrating and clustering development as follows:

   LU-2. Concentrate or cluster development to protect contiguous environmentally sensitive areas *and the Morro Bay Estuary, including the habitat of rare, endangered and other sensitive species, and other biologically important communities.*

6. Add new program/language to assess and plan for vulnerability of public access resources in light of sea level rise (add new program 1.5 to follow policy CIR-1):

   Program CIR-1.5. Sea Level Rise and Public Access. The County should protect public access resources by assessing their vulnerability to sea level rise and planning for their protection, including through planned retreat as necessary.

CH-1(b) **New Text and Combining Designations to address Sea Level Rise.** The following changes to Chapter 4 of the updated LOCP should be made to address Coastal Act requirements and ensure that impacts would be reduced to the extent possible:

1. Add mapped projected sea level rise zone to 4.5.3 FH designation:

   4.5.3 Flood Hazard (FH)

Los Osos Creek. The flood-prone natural drainage course should be maintained in its natural state to protect native vegetation and wildlife habitats.

Sea Level Rise Flooding and Inundation Zone. This zone may be subject to increased flooding and inundation due to future sea level rise. New development and redevelopment within this zone should carefully assess and minimize potential hazards for the life of the development through siting, design consistent with CLZUO 23.07.060-066, and where necessary or appropriate, relocation of development. Intensification of development should be avoided.

2. Add text to 4.5.6(A) discussion of Morro Bay Estuary and Shoreline to recognize future vulnerability of wetland resources to rising sea levels.:

   4.5.6. Sensitive Resource Area (SRA)

   The following SRAs …

   Morro Bay Estuary and Shoreline

   The purpose of the SRA standards for the following SRAs is to protect wetlands, riparian, and other sensitive habitat, and to provide required public access. *This SRA protection is even more important given projected sea level rise and the associated potential vulnerability of these resources.* The estuary and shoreline support…

3. Add SLR flooding and inundation projection map to Chapter 4.

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policies, language and maps to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above changes are included in the LOCP prior to adopting the plan.

CH-1(c) **New Text to Address Circulation Vulnerability.** Add New Section 5.4 to Chapter 5 and new Program CIR-5 to Chapter 2 to address vulnerability of circulation network to sea level rise:

5.4 Sea Level Rise and Circulation.

The circulation system of Los Osos, including roads, bicycle facilities, and pedestrian and public accessways may be increasingly vulnerable as sea level rises. The County should pursue the assessment of the vulnerability of the circulation system to

support the development of new strategies and public works investments to minimize impacts to circulation due to projected sea level rise (see Program CIR-5).

Program CIR-5. Assess the vulnerability of the Los Osos circulation system to sea level rise, including potential impacts to public access resources under CIR-1.5, to assure the maintenance of adequate community circulation and protection of public access to and along the shoreline through future planning and development decisions. Update the Community Plan to provide for continued public access, taking into account projected sea level rise for 100 years. Coordinate with transportation agencies to plan for and phase implementation of new road projects.

CH-1(d) **Sea Level Rise Standards.** Amend LOCP Planning Area Standards to address future sea level rise.

1. Amend Communitywide Standard 7.3 E(1) as follows:

   Applicability. In the following locations or circumstances, development shall be clustered, ~~or~~ concentrated *or setback* as described below …

2. Add language to Communitywide Standard 7.3E(2)(a) requiring an evaluation of projected sea level rise and impacts on a site for areas located within the Sea Level Rise Flooding and Inundation Zone FH overlay (Ch-1(b), based on the best available science, for the life of a project:

   a. Application Content. In addition to the application requirements of the Coastal Zone Land Use Ordinance or other sections of this Chapter, *the applicant shall submit an evaluation of projected sea level rise and impacts on a site for areas located within the Sea Level Rise Flooding and Inundation Zone FH overlay, based on the best available science, for the life of a project. In addition,* the applicant shall submit, …

3. Add language to Communitywide Standard 7.3E(2)(c) requiring development to be setback from wetland vegetation as required by CZLUO or other sections of the LCP, plus an additional distance to provide for inland migration of wetland resources based on a professional assessment of projected sea level rise:

   c. Setbacks. In order to comply with Subsection 5.b above, structures may need to be set back a distance greater than the applicable minimum setbacks required by the Coastal Zone Land Use Ordinance or other sections of this Chapter. *In addition, development should meet all required wetland vegetation setbacks, plus an additional distance to provide for inland migration of wetland resources based on a*

professional assessment of projected sea level rise, using best available science.

4. Add language to Standard 7.3E(2) to prohibit creation of new parcels that could not be developed consistent with required wetland setbacks taking into account projected sea level rise for 100 years:

   Extent and Intensity of Development. *If required by the Review Authority, the number of dwelling units, intensity of development and site coverage shall be reduced to protection of identified sensitive features on or adjacent to the site. Creation of new lots that would be undevelopable with applicable wetland setbacks, taking into account 100 years of projected sea level rise, are prohibited unless the purpose is to put them into open space.*

5. Add language to Standard 7.3E(2) required finding that development shall not diminish the long-term sustainability of the biological resources, including taking into account projected sea level rise and related wetland retreat for the life of the project:

   Required Finding. The land division or discretionary land use permit shall not be approved unless the Review Authority first finds, in addition to other required findings, that development shall not significantly disrupt or cause significant adverse environmental impacts to the preceding sensitive features, and shall not diminish the long - term sustainability of the biological resources, including taking into account projected sea level rise and related wetland retreat for the life of the project.

6. Add additional criteria to Communitywide Standard 7.3F to require that the maintenance, design and provision of public accessways consider projected sea level rise for at least 50 years.:

   F. Coastal Access and Recreation. Opportunities for public access to and along the coast shall be maximized as follows:
   1. New development shall be required to provide public access and improvements to and along the coast, and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization.
   2. Public access and improvements to and along the coast shall be consistent with the Circulation Element, Chapter 5 (and corresponding policies in Chapter 2) of this plan, and the coastal access policies in Chapter 2, Section 2.5.4 of this plan.
   3. Public access shall be consistent with protection of sensitive habitat and agriculture.
   4. Any existing free public access to recreational areas shall be maintained.

5. New publicly - developed coastal access and recreation shall include requirements for resource monitoring and management, and provision of interpretive facilities at points of attraction, consistent with Chapter 23.04 of the Coastal Zone Land Use Ordinance.
6. *The design, provision and maintenance of public accessways shall take into account projected sea level rise for at least 50 years.*
7. *Existing accessways vulnerable to coastal hazards shall be maintained through planned retreat or other appropriate measures.*

7. Amend Standard 7.3(H) as follows:

H. **Shoreline Development**. New development or expansion of existing uses proposed to be located on or adjacent to a *shoreline*, beach or coastal bluff are subject to the following standards:

1. Application Content. In addition to the application requirements of the Coastal Zone Land Use Ordinance and other Estero Urban Area Plan Standards, applications for new development or expansion of existing uses proposed to be located on or adjacent to a *shoreline,* beach or coastal bluff*, or in the Sea Level Rise Flooding and Inundation Zone FH as applicable,* shall include the following:

a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. *In addition, the report shall assess the impact of projected sea level rise on these hazards, for the life of the project, based on the best available science.* The report shall include an alternatives analysis to avoid or minimize impacts to public access.

b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device, *taking into account projected sea level rise*. . . . .

d. Surveyed location of all property lines and the mean high tide line*, and projected MHT based on projected sea level rise for the life of the project,* by a licensed surveyor *familiar with coastal processes and tidal boundaries* along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission. *Upon encroachment, developments shall be required to be removed from public tidelands unless otherwise allowed to remain by an amendment to the original coastal permit and authorization by the California State Lands Commission. . . . .*

2. **Bluff Setbacks**. The bluff setback is to be determined by the engineering geology analysis required in Subsection I.1.a. above and shall be adequate to withstand bluff erosion and wave action for a period of 100 years*, taking into account projected sea level rise*. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is nonconforming with respect to bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2008, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

3. **Seawall Prohibition**. Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP. *The restriction shall also provide for the removal of the development if it is deemed uninhabitable by a public official due to coastal hazard risks, or*

if the development is otherwise in imminent danger. These restrictions shall be specifically disclosed in all real estate transactions.

4. **Liability**. As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a *shoreline,* beach or bluff, *taking into account projected sea level rise,* the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

CH-1(e) **Saltwater Intrusion Policies.** Include policies that are outlined in the 2015 Updated Basin Plan for The Los Osos Groundwater Basin that establish a long-term strategy for addressing saltwater intrusion into aquifers, including limiting development or groundwater extraction that would use sensitive aquifers, as applicable.

CH-2(a) **Parcels 4, 5 and 9 Development Limitations.** Development of Community Parcels #4, 5 and 9 should follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protection devices.

Cultural Resources:

CR-1(a). Cultural Resource Management Policy. The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:

CR-1: Effectively manage significant archaeological and historical resources in and around the community of Los Osos.

A. Identify the locations of sensitive archaeological and historical sites prior to any proposed development, and preserve them in place and avoid damaging impacts whenever feasible.

B. Evaluate site significance and mitigate unavoidable impacts on archaeological sites using current professional standards and best management practices, in consultation with Native American tribal representatives and other affected communities of interest.

C. Encourage acquisition, preservation, and management of sensitive archaeological and historical sites. Allow passive recreation where compatible

with resource protection. After acquisition, change the Land Use categories of these areas to Open Space.

CR-1(b). Archaeologically Sensitive Area Combining Designation. The County shall refine its current Archaeologically Sensitive (AS) Area combining designation so it shall apply only to the areas of high and moderate sensitivity within the Plan area, per **Figure 4.5-4**. Individual project applicants shall consult with the County to determine whether their projects fall within the AS zone. If so, the County shall require a field inspection by a Registered Professional Archaeologist to determine the locations of archaeological resources vis-à-vis the proposed development.

CR-1(c). Community Plan Archaeological Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:

Archaeological and Historical Resource Surveys. *For any proposed development in areas of high and moderate archaeological sensitivity within the Plan area, per **Figure 4.5-4**, the County shall require a field inspection by a Registered Professional Archaeologist to determine the locations of archaeological resources vis-à-vis the proposed development. If archaeological resources are present, the County shall assist the applicant in designing a project that allows the archaeological resource to be preserved in place if feasible. Project applicants shall demonstrate that methods proposed for construction with the AS Area can successfully avoid impacts to known or suspected archaeological resources.*

For development outside of the AS area, or if archaeological resources are not identified during a survey, the County may require archaeological surveys or monitoring during construction to ensure that unidentified resources are not inadvertently damaged by development. If archaeological or historical sites are discovered outside of the AS area, the standards and guidelines described below shall apply.

Siting of Public Amenities and New Development. *New residential and commercial development shall be sited to avoid archaeological and historical resources to the greatest extent feasible. Avoidance means that ground disturbance for new development does not overlap the boundaries of identified archaeological and historical sites. In circumstances where complete avoidance is not feasible, applicants shall demonstrate that construction methods will not create direct or indirect impacts on archaeological remains.*

Recreational sites such as public trails and trail corridors, parks, and related developments also shall be sited and designed to avoid or minimize impacts to archaeological or historical resources. Trails should follow existing road and trail alignments and use existing bridges to the greatest extent feasible. Where this is not possible, prior to final trail alignment, proposed trail routes shall be surveyed for archaeological and historical sites and re-routed where necessary to avoid sensitive resources. Trailhead parking shall be sited and designed to avoid archaeological and historical sites.

Careful selection and planning of coastal access points must be a priority since they are all within the zone of highest archaeological sensitivity. These shall be sited and designed to avoid or minimize impacts to archaeological or historical resources to the greatest extent feasible.

Previously Evaluated Resources. *As discussed above, a small number of archaeological sites in the Plan area have been evaluated formally for significance, and others may be evaluated in the future pursuant to these Guidelines and Standards. If archaeological and historical surveys identify previously evaluated sites within a proposed development area, Project applicants shall consult with the County and the Tribes to identify methods to avoid impacts to the resource. Applicants shall demonstrate that methods proposed for construction can successfully avoid impacts. If complete avoidance is not feasible, a Registered Professional Archaeologist shall assess the integrity of remains within the specific project area and the nature of proposed development to determine whether significant impacts will occur as a result of development. Such assessment may require subsurface archaeological testing, which shall be carried out according to the standards and procedures in the following section.*

Archaeological Testing and Impact Mitigation. *If previously unevaluated archaeological remains are identified and cannot be avoided through project redesign or otherwise preserved in place, or if previously evaluated sites must be sampled to assess integrity and potential impacts per the section above, the proponent shall fund a Phase 2 study to determine the significance of the resource and the extent of the impacts prior to issuance of any permit for development. The following requirements shall apply:*

- *Phase 2 testing shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the site.*
- *Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures.*

- *The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.*
- *The significance of the site and the extent of impacts shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf).*
- *Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- *All work shall be completed by a County-approved Registered Professional Archaeologist; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- *All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*
- *For archaeological sites that are judged to be significant historical resources, the Phase 2 report shall offer mitigation recommendations as necessary and appropriate. All feasible mitigation recommendations shall be incorporated into any permit issued for development.*

Archaeological Site Capping. *If complete avoidance of archaeological sites cannot be accomplished, a site may be buried under a layer of clean, culturally sterile, chemically neutral fill. Site capping is not a preferred alternative and should only be employed after the Applicant has demonstrated to the County that no other preservation options are feasible. In that case, fill shall be placed on the site beginning at the edge and working in toward the center, so that equipment used to deposit the fill drives across the site only on the fill material and not on the exposed cultural deposit. It is important to note here that capping may effect preservation in place but does not constitute avoidance of impacts to the site. To mitigate the residual impacts of capping, the following requirements shall apply:*

- *a data collection program shall be implemented prior to placement of the fill cap, including mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of*

samples from within the area to be filled as well as adjacent site areas for comparative purposes.

- *Cultural materials collected from the site shall be processed and analyzed in an archaeological laboratory according to standard procedures.*
- *The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.*
- *The significance of the site shall be evaluated according to the criteria of the CRHR [CEQA Guidelines Section 15064.5(a)(3)], and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf).*
- *Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- *A County-approved Registered Professional Archaeologist shall conduct all work; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- *All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*

CR-2(a). The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:

CR-2: Effectively manage significant historical buildings, structures, and districts in and around the community of Los Osos.

A. Identify significant historical buildings and structures prior to any proposed development.

B. Identify and evaluate potential historic districts and develop a plan for their preservation and enhancement.

C. Encourage adaptive reuse that is compatible with resource protection. Follow the Secretary of the Interior's Standards and Guidelines to ensure preservation,

rehabilitation, restoration, and/or reconstruction of significant buildings and structures.

Program CR-2.1: ***Historic Resource Inventory.*** *The County should conduct an inventory of historical resources within the Baywood Park neighborhood to determine whether the core area qualifies as a historic district, define the boundaries of any such district, and determine which resources contribute to its significance.*

Program CR-2.2: ***Protection and Management of Historical Resources.*** *The County should work closely with property owners, other public agencies, and conservation organizations to protect and manage historical buildings, structures, and districts.*

CR-2(b). Community Plan Historical Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:

Historical Resource Evaluation. *Prior to issuance of permits for demolition or development, the County shall ensure that buildings or structures erected prior to 1970 on the subject parcel or any adjoining parcel are documented according to professional standards and their historical significance is evaluated. No permits shall be issued for any demolition, development, or other activity that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical districts.*

Historical Resource Survey. *The County should work with the History Center of San Luis Obispo County, property owners, and other local stakeholders to conduct an inventory of historical resources within the Baywood Park neighborhood to document the historical significance of buildings and structures in the neighborhood, determine whether the core area qualifies as a historic district, define the boundaries of any such district, and determine which resources contribute to its significance. Such an inventory should be initiated within five years of adoption of the LOCP.*

Secretary of Interior' Standards and Guidelines. *Projects that that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical district shall be designed to comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The applicant*

shall retain a qualified professional architectural historian to conduct design review and ensure compliance with the Standards and Guidelines.

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policies, guidelines, and standards LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.

CR-3(a). Tribal Consultation Policy. The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:

CR-3: Continue County engagement with Native American tribes to ensure effective consultation under AB 52 and SB18.

A. Identify Tribal Cultural Resources prior to any proposed development and develop a plan for their preservation.

B. Encourage acquisition, preservation, and management of Tribal Cultural Resources. Allow passive recreation where compatible with resource protection confidentiality. After acquisition, change the Land Use categories of these areas to Open Space.

CR-3(b). Community Plan Tribal Cultural Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:

Government-to-Government Consultation. Consistent with AB52 and SB18, the County shall continue its government-to-government consultations with local Tribal representatives to ensure that resources of concern to the Tribes are identified and taken into account in future development planning. Traditional cultural, historical, and spiritual properties of concern to the Tribes shall be protected and preserved to the maximum extent feasible. The County shall ensure the confidentiality of information regarding cultural, historical, and spiritual properties shared by the Tribes, and the County, Tribes, and community should work together to ensure appropriate Tribal access to such properties while still respecting the rights and privileges of private property owners.

CR-4(a). Community Plan Paleontological Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:

Paleontological Surveys. *If individual projects in areas of high paleontological sensitivity (i.e., the Pismo Formation; Figure 4.5-5) require grading, excavation, or trenching that would result in ground disturbance within previously undisturbed sediments, the following measures shall apply:*

- *the applicant shall retain a qualified professional paleontologist to perform a pre-construction paleontological survey to visually inspect the ground surface for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface.*
- *The qualified Paleontologist shall have a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local geology and paleontology, and shall be familiar with paleontological procedures and techniques.*
- *All fossil occurrences observed during the course of fieldwork shall be adequately documented and recorded during the survey. The data collected for each fossil occurrence shall include, at minimum, the following information: Universal Transverse Mercator (UTM) coordinates, approximate elevation, description of taxa, lithologic description, and stratigraphic context (if known). In addition, each locality shall be photographically documented with a digital camera.*
- *The paleontologist shall assess the significance of any identified fossil resources, and all significant or potentially significant fossils shall be collected at the time they are observed in the field.*
- *If the fossil discovery is too large to collect during the survey (e.g., a whale skeleton or bone bed) and requires a large-scale salvage effort, then it shall be documented immediately and the paleontologist shall consult with the County regarding a strategy for preservation or recovery.*

Paleontological Monitoring. *If a pre-construction survey identifies significant fossil resources, or if a qualified paleontologist determines the need for monitoring during construction, the following measures shall apply:*

- *a qualified paleontologist shall observe excavation, grading, and/or trenching.*
- *If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and*

any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.

- *All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.*
- *Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.*
- *The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.*

Hydrology:

HYD-2(a). Communitywide Drainage Improvements. Proposed LOCP Program EN-2.2 shall be followed with a new program as follows to more directly link the proposed watershed management study in Program EN-2.2 with future drainage improvements and new development:

New LOCP Program EN-2.3. Community Drainage Improvements. Based on the outcome of the Urban Watershed Management study identified in Program EN-2.2, the County shall implement its recommendations, as well as those included in the 1998 Preliminary Engineering Evaluation. These may include drainage improvements at various locations in the community, as well as other related measures. These improvements shall be completed prior to, or as conditions of, new development in the community that may be impacted by flooding or drainage impacts identified in either the 1998 study of the Urban Watershed Management Program EN-2.2.

Land Use:

LU-1(a). Standards to Minimize Land Use Conflicts. The LOCP shall be modified to include design and/or planning area standards for the Tri-W/Midtown and Fairchild/Los Olivos parcels (Areas 26 and 27), in order to address and minimize potential land use conflicts with neighboring uses. Standards should address the specific types of allowed uses, and address

design considerations such as setbacks, building heights, lighting, landscaping, and architecture. These standards shall be implemented in project design, when development applications in these areas are considered.

The following restrictions on future land uses in these areas would ensure compatibility with neighboring uses:

- Tri-W/Midtown (Area 26). Consistent with LOCP Mixed Use Policy 3.4.2, the County's intent is to allow for additional park and community facilities in this area, compatible with the adjacent library and park. Expanding this policy to address appropriate design standards that relate to lighting and noise would ensure compatibility with nearby residential uses. New policy language shall be added as follows: *"Future park and community facilities at this location must include appropriately-scaled lighting that does not adversely affect nearby residents. The site shall be primarily for daytime use."*

- Los Olivos and Fairchild (Area 27). The CS designation as included in the LOCP is relatively open-ended, noting only that "the size, scale, and design of such facilities must be consistent with the existing small-town character of Los Osos and compatible with adjacent residential and retail development." While this standard would apply to this area, it may not be sufficiently restrictive to ensure compatibility with nearby residences. This standard shall be expanded to address issues related to noise, lighting, air quality and traffic, and shall read as follows: *"…the size, scale, and design of such facilities must be consistent with the existing small-town character of Los Osos and compatible with adjacent residential and retail development. Land use compatibility shall be based on Planning Commission review of a commercial project's impacts to nearby residences related to noise, lighting, air quality, and traffic, based on technical studies associated with such projects, as determined to be appropriate by the Department and Planning and Building."*

LU-2(a). Combining Designation Consistency. The LOCP shall be modified either to include additional standards for identified Combining Designations for which no standards have been included in the plan, or references to existing applicable standards in the CZLUO shall be included where appropriate, as shown on Table 4.8-3 of the EIR. In addition, some existing Combining Designations in the Estero Area Plan as they apply to Los Osos are not included or described in the proposed LOCP. These potential inconsistencies must be resolved in both documents, based on direction provided in Table 4.8-3.

Noise:

NOS-1(a). Planning Area Standards. The following language shall be added to Section 7.3: Communitywide Standards of the Community Plan:

Noise and Vibration Reduction Plan. *Projects that involve grading, demolition, and/or construction on lots adjacent to occupied residential structures shall implement the following applicable performance standards to ensure that sensitive receptors are not adversely impacted by construction related noise:*

a) Notify existing residences within 1,000 feet of the site boundary concerning the construction schedule;
b) Shield especially loud pieces of stationary construction equipment;
c) Locate portable generators, air compressors, etc. away from sensitive noise receptors;
d) Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; and
e) Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.

NOS-3(a). Planning Area Standards. The following language shall be added to Section 7.3: Communitywide Standards of the Community Plan:

Noise Compatibility: *Where noise sensitive development such as residential uses is proposed within the projected 60 CNEL noise contours distances for Los Osos Valley Road and South Bay Boulevard, a site-specific noise study shall be conducted to demonstrate compliance with the County's noise and land use compatibility standards (60 CNEL). This study shall be completed for noise sensitive uses located within the following distances of the identified segments of Los Osos Valley Road and South Bay Boulevard:*

Roadway	*Segment*	*Distance to (feet) 60 CNEL*
Los Osos Valley Road	*east of Los Osos Creek*	*175*
Los Osos Valley Road	*east of South Bay Boulevard*	*127*
Los Osos Valley Road	*west of South Bay Boulevard*	*83*
Los Osos Valley Road	*east of 9th Street*	*77*
Los Osos Valley Road	*west of Bush Drive*	*69*
Los Osos Valley Road	*west of Palisades Avenue*	*66*
Los Osos Valley Road	*east of Doris Avenue*	*63*
Los Osos Valley Road	*east of Pecho Drive*	*62*
South Bay Boulevard	*north of Los Osos Valley Road*	*171*
South Bay Boulevard	*south of Santa Ysabel Avenue*	*149*
South Bay Boulevard	*north of Santa Ysabel Avenue*	*156*

This study shall contain recommendations to mitigate any noise levels that exceed the County's standard of 60 CNEL. At the program level, the specific attenuation methods

cannot be definitively determined. Noise reduction measure could include, but are not limited to, the following:

- *Construction of a berm or wall;*
- *Design of individual homes such that structures block the line-of-sight from useable backyards to the noise source;*
- *For homes with backyards not blocked by intervening structures, backyard fencing of sufficient height to block line-of sight to the noise source; or*
- *Placement of exterior use areas and balconies away from the noise source, as applicable.*

NOS-4(a). Community Plan Safety/Health Guidelines and Standards. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:

Noise Study. Where new commercial and industrial development would be located adjacent to residential uses, a site-specific noise study should be conducted to demonstrate compliance with the County noise standards in the Land Use Ordinance (Section 22.10.120). For the purpose of this measure, "adjacent" is assumed to include properties immediately bordering the existing use where the existing structures are within 50 feet of the project site. This study shall determine the area of impact and present appropriate mitigation measures. The mitigation measures required as a result of the noise study may include, but are not limited to the following:

- For new commercial uses, require the placement of loading and unloading areas so that buildings shield nearby residential land uses from noise generated by loading dock and delivery activities or such that there is an open space separation large enough to attenuate noise levels below the threshold.
- Require the placement of all commercial HVAC machinery to be placed within mechanical equipment rooms wherever feasible. If such mechanical equipment is to be outdoors and would expose adjacent residences to equipment noise, provide a noise study to confirm that standards applicable to stationary noise sources in the County Noise Element and Land Use Ordinance will be met.

Transportation and Circulation:

TC-1(a). Intersection 8 - Los Osos Valley Road at Sunset Drive. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions, and at LOS E and LOS F during AM and PM peak hours under Cumulative Plus Project conditions, respectively. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.

TC-1(b). Intersection 16 – South Bay Boulevard at Pismo Avenue. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions and

Cumulative Plus Project conditions. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.

Water Supply:

W-1(a). Modifications to LOCP Growth Management Provisions. The first paragraph of Standard D.3, Growth limitation standards, shall be modified to include biannual review of Title 26 and the Basin Plan Reports by Planning and Building Department to help ensure consistency with findings from the Basin Plan, as follows:

> *Development of new residential units that use water from the Los Osos Groundwater Basin shall be limited to be consistent with the findings of the Los Osos Groundwater Basin Plan and annual reports. After successful implementation of all programs identified in Subsection D.1, Section 26.01.070.k of the Growth Management Ordinance may be modified to allow development of new residential units as described in the following sections. The Growth Management Ordinance, status of development, and availability of water supply shall be reviewed on a biannual basis by the San Luis Obispo County Department of Planning and Building through the Resource Management System. The Growth Management Ordinance shall be modified as required to be consistent with the findings of the Los Osos Groundwater Basin Plan and Annual Reports.*

6.3 IMPACT ANALYSIS

This section compares the potential impacts of the alternatives under consideration, the results of which are used to determine an environmentally superior alternative, as required under CEQA.

6.3.1 Alternative 1: No Project (No Development)

With the implementation of the No Project/No Development Alternative, no new development would occur in the Los Osos community. Since new development would not occur in the area, impacts related to construction and long-term site disturbances, such as aesthetics, biological resources, cultural resources, and hydrology/water quality would not occur. In addition, since no new residents would be added to the area, impacts based on a per capita generation would not occur. These issues include air quality, greenhouse gas emissions, noise, population and housing, public services, recreation, and transportation. Because no residential development would occur, no additional residents or property would be exposed to coastal hazards or other public safety hazards.

The current availability of water would not be changed and the discharge of wastewater associated with urban-related runoff would not occur in the absence of development. Impacts related to water and wastewater would therefore not occur.

Overall, impacts would be less than for the proposed Los Osos Community Plan, because no new development is anticipated. However, this alternative would fail to meet important project objectives, including those related to providing housing consistent with regional housing needs or the Housing Element, strategic growth, and a diversified local economy. It would also fail to include key policies for the protection of water quality and other resources that are included in the proposed LOCP.

6.3.2 Alternative 2: No Project (Buildout Under the Existing Estero Area Plan)

Alternative 2 would result in development and eventual buildout under the existing Estero Area Plan. In general, it would allow more residential and non-residential development than under the proposed LOCP, protect less open space, and result in a greater population. It would also not include many of the same policies to address environmental resource protection or growth management. The following summarizes potential impacts for each issue area as compared to the proposed LOCP:

Aesthetics. Development would be similar in character as anticipated under the proposed project, with a similar regulatory framework derived from the Estero Area Plan. There would be up to 946 more homes at buildout under this alternative, which would result in a slightly more urban character. To a greater extent than under the proposed LOCP, there could be greater visual impacts in such areas, since these areas would be left in Open Space under he LOCP. Overall, impacts related to aesthetics would be greater.

Air Quality. This alternative would allow up to 946 more homes and 50,760 square feet of non-residential development compared to the LOCP. This would result in greater air emissions from construction and vehicular travel. This alternative would also not include the Morro Shores Mixed Use project, which would co-locate potential jobs and housing opportunities, and thus potentially reduce air emissions. This benefit would not be not realized under this alternative. Finally, this alternative would exacerbate the existing jobs-housing imbalance, resulting in a more housing-rich development mix than envisioned under the LOCP. Impacts would be greater than under the proposed project.

Biological Resources. This alternative would preserve 419 fewer acres of open space than the proposed LOCP, much of which includes sensitive habitat associated with Los Osos Creek and other nearby resources. The Estero Area Plan also does not include the same level of policy protection for biological resources to the extent included in the proposed LOCP. Impacts would be greater under this alternative.

Coastal Hazards. This alternative would allow up to 946 more homes and 2,081 people, some of whom would be exposed to increased coastal hazards associated with sea level rise. Development in low lying areas, particularly along the bay, has the potential to create a higher degree of potential hazard than under the proposed LOCP, which would protect a greater amount of area near the bay in open space, including a 15-acre parcel at the end of Butte Drive, which would be redesignated from Residential Suburban to Open Space. Impacts would be greater under this alternative.

Cultural Resources. Los Osos is relatively rich in cultural resources, particularly in low-lying areas near the bay and along creeks. This alternative would allow up to 946 more homes and 2,081 people, which would increase the likelihood of encountering and impacting known or unknown resources. Impacts would be relatively greater than under the LOCP.

Greenhouse Gas Emissions. This alternative would allow up to 946 more homes and 50,760 square feet of non-residential development compared to the LOCP. This would result in greater greenhouse gas emissions from construction and vehicular travel, as well as from energy used within development. This alternative would also not include the Morro Shores Mixed Use project, which would co-locate potential jobs and housing opportunities, and thus potentially reduce greenhouse gas emissions. This benefit would not be not realized under this alternative. Impacts would be greater than under the proposed project.

Hydrology and Water Quality. This alternative would preserve 419 fewer acres of open space than the proposed LOCP, much of which includes sensitive habitat associated with Los Osos Creek and other nearby resources. Residential development could occur in much of this area, resulting in possibly greater potential for uncontrolled runoff to creeks that would potentially impair water quality. Impacts would be greater under this alternative.

Land Use. As with the proposed LOCP, there would be relatively few potential land use conflicts arising from the existing land use pattern, which is generally intended to minimize impacts to sensitive natural resources, or to facilitate a logical development pattern within the community. However, the existing plan includes some potential incompatibilities, such as residential potential in areas more appropriate for open space or habitat. There are also areas where existing designations do not

recognize existing development, such as parkland or well sites. In some cases, existing lots are split by different zones, making development problematic. These deficiencies are corrected in the proposed LOCP. The existing Estero Area Plan also does not include certain combining designations that provide a greater degree of protection for sensitive resources, or protection of homes and people from various hazards. Overall, land use impacts are potentially greater under the existing Estero Area Plan.

Noise. This alternative would allow up to 946 more homes and 50,760 square feet of non-residential development compared to the LOCP. This would result in greater trip generation and traffic volumes on area streets, which in turn results in higher noise volumes that could impact sensitive receptors, such as homes. The greater level of construction throughout the community would also result in a greater level of construction-related noise. Impacts would be greater than under the proposed project.

Population and Housing. This alternative would allow up to 946 more homes and 2,081 people than the proposed LOCP, but a relatively similar amount of non-residential development. Overall, this would result in a more housing-rich plan than the proposed LOCP, in an area that is already relatively housing rich. Thus, the existing jobs-housing imbalance would be more pronounced under this alternative. The existing Estero Area Plan does not include policies to restrict growth based on water availability, so absent that protection, long-term growth may be less controlled, and outstrip the ability to provide reliable water to the community. The location of infrastructure, including roads and utility transmission lines, would be similar under this alternative, and confined to areas within the Urban Services Line, so growth-inducing impacts beyond that area are unlikely. Overall, however, impacts related to population and housing would be somewhat greater under this alternative than under the proposed project.

Public Services. This alternative would allow up to 946 more homes and 2,081 people than the proposed LOCP. Overall, this would result in a greater demand on public services, including fire protection, law enforcement, schools, and solid waste. Overall, impacts related to public services would be somewhat greater under this alternative than under the proposed project.

Recreation. This alternative would allow up to 946 more homes and 2,081 people than the proposed LOCP. Overall, this would result in a greater demand for parks and recreation facilities. Although the Estero Area Plan includes more designation Recreation land (129 acres compared to 52 under the LOCP), the amount of usable recreational area is similar, because much of the difference would be redesignated as Open Space, to reflect a more appropriate use, either to protect sensitive environmental resources, or to recognize a long-standing passive open space use. Overall, the potential parkland development under the Estero Area Plan is similar to the proposed LOCP, but demands are somewhat higher because of a greater expected population. Impacts related to recreation would be somewhat greater under this alternative than under the proposed project.

Transportation and Circulation. This alternative would allow up to 946 more homes and 50,760 square feet of non-residential development compared to the LOCP. This would result in greater trip generation and traffic volumes on area streets, which would lead to incrementally greater impacts to these facilities, which are discussed more fully in Section 4.13.7.d as the "Adopted Estero Area Plan

Scenario". This alternative would also not include the Morro Shores Mixed Use project, which would co-locate potential jobs and housing opportunities, and thus potentially reduce vehicle miles travelled, and thus potential impacts to area streets. The greater level of construction throughout the community would also result in a greater level of construction-related trips. Impacts would be greater than under the proposed project.

Water. This alternative would allow up to 946 more homes and 2,081 people than the proposed LOCP. Overall, this would result in a greater demand for water than under the LOCP. In addition, the existing Estero Area Plan does not include policies to restrict growth based on water availability, so absent that protection, long-term growth may be less controlled, and outstrip the ability to provide reliable water to the community. Overall, impacts related to water use would be somewhat greater under this alternative than under the proposed project.

Wastewater. This alternative would allow up to 946 more homes and 2,081 people than the proposed LOCP. Overall, this would result in a greater wastewater generation than under the LOCP. The new community sewer system is sized to accommodate long-term buildout under the Ester Area Plan, so no long-term impacts are expected to occur. However, because wastewater generation would be greater than under the LOCP, impacts to the sewer system would be incrementally greater than under the proposed LOCP.

6.3.3 Alternative 3: Reduced Development Based on Water Availability

Alternative 3 assumes the same development pattern and policy framework as under the LOCP, except that growth would be restricted by water availability. This alternative assumes that only 250 AFY of desalinated water is produced under Basin Plan Program S, which would limit residential development within the community to only 550 new homes, compared to 1,861 under the LOCP. The location of the 550 new homes cannot be determined, because it would be based on the order of permit applications and approvals. This would result in a buildout population of 15,116, compared to 18,000 under the proposed LOCP .Non-residential development would be identical to the LOCP, as would other uses, such as the amount and location of open space.

Comparative impacts with the proposed LOCP are as follows:

Aesthetics. Development would be similar in character as anticipated under the proposed project, with a similar regulatory framework derived from the Estero Area Plan. There would be 1,311 fewer homes at buildout under this alternative, which would result in more easily retaining the community's existing rural character. However, the development pattern would be similar, and the areas left in Open Space the same. Nevertheless, the overall visual impacts under this alternative would be slightly less.

Air Quality. This alternative would allow 1,311 fewer homes compared to the LOCP. This would result in lesser air emissions from construction and vehicular travel. This alternative would exacerbate

the existing jobs-housing imbalance to a lesser extent than the proposed LOCP, resulting in a less housing-rich development mix than envisioned under the LOCP. Impacts would be less than under the proposed project.

Biological Resources. This alternative would preserve the same amount of open space as the proposed LOCP, much of which includes sensitive habitat associated with Los Osos Creek and other nearby resources. Impacts would be similar under this alternative.

Coastal Hazards. This alternative would 1,311 fewer homes and 2,984 fewer people, which would reduce the potential exposure to coastal hazards associated with sea level rise. Development in low lying areas, particularly along the bay, may be avoidable to some extent if this reduced residential development cap is implemented. Impacts would be less under this alternative.

Cultural Resources. Los Osos is relatively rich in cultural resources, particularly in low-lying areas near the bay and along creeks. This alternative would allow 1,311 fewer homes, which would decrease the likelihood of encountering and impacting known or unknown resources. Impacts would be less than under the LOCP.

Greenhouse Gas Emissions. This alternative would allow 1,311 fewer homes compared to the LOCP. This would result in less greenhouse gas emissions from construction and vehicular travel, as well as from energy used within development. Impacts would be less than under the proposed project.

Hydrology and Water Quality. This alternative would preserve the same amount of open space compared to the proposed LOCP, much of which includes sensitive habitat associated with Los Osos Creek and other nearby resources. However, there would be less impervious surface within the community, because there would be less residential development. This could result in lesser impacts to water quality that may result from uncontrolled runoff that would potentially impair water quality. Impacts would be less under this alternative.

Land Use. As with the proposed LOCP, there would be relatively few potential land use conflicts, since it envisions the same land use pattern, which is generally intended to minimize impacts to sensitive natural resources, or to facilitate a logical development pattern within the community. Overall, land use impacts are the same as expected under the proposed LOCP.

Noise. This alternative would allow 1,311 fewer homes compared to the LOCP. This would result in less trip generation and traffic volumes on area streets, which in turn results in lower noise volume increases that could impact sensitive receptors, such as homes. The lesser level of construction throughout the community would also result in less construction-related noise. Impacts would be less than under the proposed project.

Population and Housing. This alternative would allow 1,311 fewer homes and 2,984 fewer people than the proposed LOCP, but the same amount of non-residential development. Overall, this would result in a less housing-rich plan than the proposed LOCP, in an area that is already relatively housing rich. Thus, the existing jobs-housing imbalance would be less pronounced under this alternative. The location of infrastructure, including roads and utility transmission lines, would be the same under this alternative, and confined to areas within the Urban Services Line, so growth-inducing

impacts beyond that area are unlikely. Overall, however, impacts related to population and housing would be somewhat less under this alternative than under the proposed project.

Public Services. This alternative would allow 1,311 fewer homes and 2,984 fewer people than the proposed LOCP. Overall, this would result in a less demand on public services, including fire protection, law enforcement, schools, and solid waste. Overall, impacts related to public services would be somewhat less under this alternative than under the proposed project.

Recreation. This alternative would allow 1,311 fewer homes and 2,984 fewer people than the proposed LOCP. Overall, this would result in a less demand for parks and recreation facilities. Parkland development potential under this alternative would be the same as for the proposed LOCP. Impacts related to recreation would be somewhat less under this alternative than under the proposed project.

Transportation and Circulation. This alternative would allow 1,311 fewer homes compared to the LOCP. This would result in less trip generation and traffic volumes on area streets, which would lead to incrementally lesser impacts to these facilities. The lower level of construction throughout the community would also result in a less construction-related trips. Impacts would be less than under the proposed project.

Water. This alternative would allow 1,311 fewer homes and 2,984 fewer people than the proposed LOCP. Overall, this would result in a less demand for water than under the LOCP. Overall, impacts related to water use would be somewhat less under this alternative than under the proposed project.

Wastewater. This alternative would allow 1,311 fewer homes and 2,984 fewer people than the proposed LOCP. Overall, this would result in a less wastewater generation than under the LOCP. Impacts to the sewer system would be incrementally less than under the proposed LOCP.

6.3.4 Alternative 4: Mitigated Project

This alternative assumes the same development pattern, buildout potential and policy framework as under the proposed LOCP, except that it includes the policy-related mitigation measures prescribed to address potentially significant impacts previously identified with respect to implementation of the proposed LOCP, as described in Section 6.2. These would reduce potentially significant impacts identified for the LOCP to a less than significant level within the following issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Coastal Hazards
- Cultural Resources
- Land Use
- Noise
- Transportation and Circulation

- Water Supply

Because this alternative includes a more protective policy framework with respect to these issues, impacts related to these issues would be less than expected under the proposed LOCP (prior to prescribed mitigation). For all other issues, impacts would be similar to what is anticipated under the proposed project.

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the *State CEQA Guidelines* indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project site and its surrounding environment.

Table 6-6 summarizes the environmental advantages and disadvantages associated with the proposed project and the analyzed alternatives. *CEQA Guidelines* section 15126.6 states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives.

Table 6-6. Comparison of Alternatives to the Proposed Project

Issue	**Alternative 1:** *No Project (No Development)*	**Alternative 2:** *No Project (Existing Estero Area Plan)*	**Alternative 3:** *Reduced Development Based on Water Availability*	**Alternative 4:** *Mitigated Project*
Aesthetics	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Air Quality	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Biological Resources	*Less Impacts*	*Greater Impacts*	*Similar Impacts*	*Less Impacts*
Coastal Hazards	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Cultural Resources	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
GHG Emissions	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
Hydro/Water Quality	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
Land Use	*Less Impacts*	*Greater Impacts*	*Similar Impacts*	*Less Impacts*
Noise	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Population/Housing	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
Public Services	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
Recreation	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
Transportation	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Water	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Less Impacts*
Wastewater	*Less Impacts*	*Greater Impacts*	*Less Impacts*	*Similar Impacts*
OVERALL	***Less Impacts***	***Greater Impacts***	***Less Impacts***	***Less Impacts***

Based on the comparison provided in **Table 6-6**, the No Project/No Development Alternative (Alternative 1) is considered environmentally superior overall, since no development that could result in

significant environmental impacts would occur. However, this alternative would not meet project objectives included in the proposed LOCP.

Among the other alternatives, the Reduced Development scenario (Alternative 3) would reduce many impacts related to population and growth compared to the LOCP, but would otherwise be similar. Overall, however, the Mitigated Project is considered the Environmentally Superior Alternative, because it achieves all of the project objectives of the LOCP while directly mitigating all identified impacts associated with implementation of the proposed project.