

8.0 COMMENTS AND RESPONSES

8.1 INTRODUCTION

In accordance with Section 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the County of San Luis Obispo, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for the Los Osos Community Plan and has prepared responses to all comments received.

The Draft EIR was circulated for a 90-day public review period that began September 12, 2019 and concluded on December 11, 2019. This exceeds the statutory requirement of 45 days, which is the minimum circulation period required under CEQA. The County received comment letters through December 11, 2019, which are included herein. The County held a public workshop on October 28, 2019, to receive informal input on the Draft Community Plan and the Draft EIR.

Each written and verbal comment that the County received is included in this Responses to Comments section. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues.

The focus of the responses to comments is the disposition of environmental issues that are raised in the comments, as specified by Section 15088(c) of the State CEQA Guidelines. Detailed responses are not provided to comments on the merits of the proposed project. In addition, Section 15131 of the *State CEQA Guidelines* states that “economic or social effects of a project shall not be treated as significant effects on the environment.” When a comment is not directed to an environmental issue, the response indicates that the comment will be forwarded to the appropriate decision-makers for review and consideration as part of the public record.

The Draft EIR and responses to comments collectively comprise the Final EIR for the project. Any changes made to the text of the Draft EIR to correct information, data, or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Draft EIR. Where a comment results in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in the Draft EIR text are signified by strikeouts (~~strikeouts~~) where text is removed and by underline font (underline font) where text is added. If text is added where the font is already bold or underlined, additions are noted using underlined bold font (**underlined bold font**).

8.2 CHANGES TO THE DRAFT EIR RESULTING FROM PUBLIC COMMENTS

The following portions of the Draft EIR were modified in response to one or more public comments provided during the 90-day public review period. Note that none of these changes resulted in any modification to the conclusions or mitigation measures included in the Draft EIR. The comments themselves, along with responses to those comments, may be found in Sections 8.3 and 8.4 of this document. In summary, the modifications to the Draft EIR include the following:

Section 2.0, Project Description

- Minor modifications were made to page 2-33 to clarify coastal access issues in the context of recreational opportunities. *(Response to Comment 21.1)*

Section 4.3, Biological Resources

- Graphics have been cleaned up to improve readability. *(Response to Comment 7.1)*

Section 4.4, Coastal Hazards

- Additional clarification has been provided with respect to coastal armoring in the context of coastal hazards. *(Response to Comment 20.4)*
- Additional information has been provided through Section 4.4 to support the existing conclusions and mitigation measures described in the section. These changes do not respond to any public comment, but instead reflect useful information that was not available at the time the Draft EIR was prepared.

Section 4.5, Cultural Resources

- References to the Memorial Park have been clarified to indicate that this is a cemetery and not a recreational park. *(Response to Comment 7.2)*

Section 4.12, Recreation

- Page 4.12-1 of the EIR has been clarified to indicate that the playgrounds at schools are not all playgrounds in the traditional sense as might be found at community parks. *(Response to Comment 7.3)*
- Minor modifications were made to pages 4.12-1 and 4.12-8 to clarify coastal access issues in the context of recreational opportunities. *(Response to Comment 21.1)*

Section 4.15, Water Supply

- Additional information has been provided through Section 4.15 regarding the Basin Plan to support the existing conclusions and mitigation measures described in the section. These

changes do not respond to any public comment, but instead reflect useful information that was not available at the time the Draft EIR was prepared.

Section 6.0, Alternatives

- The descriptions of the two No Project Alternatives (Alternatives 1 and 2) have been clarified to frame them in the context of Coastal Commission requirements relative to future development. This descriptive information is also carried forward in the Executive Summary of the Final EIR. These changes do not respond to any public comment, but instead reflect useful information.

Section 7.0, References and Preparers

- Two new references from 2018 and 2019 are added with respect to the issue of coastal hazards.

Appendix C, Coastal Hazards - Technical Report

- This appendix has been augmented with a new Appendix C.2, prepared by San Luis Obispo County planning staff, which compares the sea level rise maps included in the Final EIR as prepared by Revell Coastal, and those in the Los Osos CSD Annex of the 2019 *San Luis Obispo County Multi-Jurisdictional Hazard Mitigation Plan* (Wood, 2019) using the USGS Coastal Storm Modeling System (CoSMoS) version 3.1 for central California, aka “CoSMoS data”. The conclusion is that the maps are substantially similar with respect to predicting potential impacts on land uses within Los Osos.
- The original Appendix C (Coastal Hazards - Technical Report) has been renamed as “Appendix C.1”, but its contents have otherwise not been altered from the version included in the Draft EIR.

8.3 MASTER RESPONSES

Responses to specific verbal and written comments on the Draft EIR are provided in Section 8.4 (Responses to Written Comments). The following Section provides “Master Responses,” which are intended to address questions and concerns regarding the Draft EIR that were commonly raised by commenters responding to the Draft EIR, and are in some cases referred to in specific responses throughout Section 8.4.

Master Response 1 – Adequacy of Water Supply to Support Future Growth

Several commenters expressed the concern that there will be insufficient water to support population growth as envisioned in the LOCP. Section 4.15 of the EIR discusses potential impacts with respect to water supply. As described in that analysis, the community received its water supply from the Los Osos Groundwater Basin, which is managed through a Basin Plan. The formally-approved 2015 Basin Plan and Annual Reports establish several immediate and continuing goals for management of water resources. The most important goals are to halt seawater intrusion and to provide sustainable water supplies for existing and future populations. The Basin Plan recommends several programs to achieve a sustainable Basin. These are described more fully in the EIR analysis, but include:

- Groundwater Monitoring Program (“M”) - Complete and consolidate data collection on groundwater resources in the Basin, including groundwater level, quality and production data.
- Urban Water Use Efficiency Program (“E”) - County and purveyors will implement regulations and rebate programs to promote efficient water use in Los Osos.
- Urban Water Reinvestment Program (“U”) - Maximize use of basin resources by reinvesting used urban water (treated wastewater, or recycled water) in the hydrologic cycle.
- Basin Infrastructure Program A (“A”) - Infrastructure which increases groundwater production to the upper aquifer without construction of nitrate removal facilities.
- Basin Infrastructure Program C (“C”) - Infrastructure to allow purveyors to shift lower aquifer groundwater production from the Western Area to Central Area.
- Wellhead Protection Program (“P”) – Protect water quality by managing activities within a delineated source area or protection zone around drinking water wells.
- Basin Infrastructure Program B (“B”) – Infrastructure to maximize the use of the upper aquifer through construction of additional wells and a community nitrate removal system; and
- Either Basin Infrastructure Program D (“D”) - Infrastructure to allow increase in groundwater production in the Eastern Area, or the Agricultural Water Reinvestment Program (“G”) – Maximize the use of basin resources by reinvesting used urban water (treated wastewater, or recycled water) for agricultural purposes.

The Basin Plan and latest Annual Report (2018) estimates the current sustainable yield at 2,760 acre-feet per year (AFY). Implementation of the programs listed above for immediate implementation (M+E+U+AC+P) and Program B is estimated to achieve a sustainable yield of 3,350 AFY. If Program D is added, the estimated sustainable yield is 3,500 AFY. Program G would not increase the sustainable yield of the Basin, but is estimated to reduce water demand from agricultural properties which are receiving

recycled water. As shown in Table 4.15-3, implementation of these programs would be sufficient to provide an adequate water supply to the projected population that would be accommodated under the LOCP. Notably, Mitigation Measure W-1(a) requires that population growth and development be managed to be consistent with Basin Plan provisions that require appropriate water supply programs to be in place prior to allowing development to occur beyond what can be sustainably supplied with water.

Master Response 2 – Land Use Issues Related to the “Bean” Parcel (Area 27)

Some commenters were concerned about the potential redesignation of the “Bean Parcel” from Office Professional (OP) to Commercial Service (CS), believing that a Residential designation would be more appropriate and consistent with the existing nearby residential development to the east, north and south. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP.

With respect to potential land use conflicts, Table 4.8-1 does in fact identify a potential land use conflict similar to what is being suggested in the comment. To address this potential impact, the EIR requires Mitigation Measure LU-1(a), which includes the following provision with respect to the parcel in question:

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.*”

Some commenters also believe this change would “divide an established community.” Under the current General Plan (Estero Area Plan), this parcel would already be developable as a non-residential use. The required mitigation measure as described above would minimize possible incompatibility with neighboring residences, with the intent of integrating future development within the context of the existing adjacent residential neighborhood to the extent possible.

Master Response 3 – Land Use Issues Related to the Morro Shores Mixed Use Area (Area 21)

The “Morro Shores Mixed Use” area primarily consists of the 63-acre in multiple parcels identified as Area 21 on Figure 2-4 and Table 2-1 of the Draft EIR. Although currently undeveloped, under the existing Estero Area Plan, this area is currently designated for single-family and multi-family development. Under the draft LOCP as examined in the Draft EIR, this area would be redesignated as “Mixed Use”, which would allow a combination of residential and commercial development, and would

promote a greater degree of design flexibility in order to achieve a variety of planning goals related to affordability, connectivity, and trip reduction. For that reason, potential impacts under the existing plan and proposed Community Plan for this area would be somewhat similar. As described in Table 4.8-1, the proposed Mixed Use designation presents opportunity to create cohesive mixed use development that is compatible with adjacent uses in a way that the existing RSF and RMF designations might not. Detailed development standards in the proposed LOCP would promote framework for future development in the area that ensures internal compatibility and with nearby uses.

Master Response 4 – Issues Related to the Wildfire Protection

Several commenters believe that a Community Wildfire Protection Plan (CWPP) must be completed before any further development is allowed in Los Osos. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please refer to pages 1-17 through 1-19 of the Draft EIR for a discussion of issues related to fire hazards, including the existing regulatory framework that addresses wildland fires at both the state and local level. As noted in the Draft EIR, most of Los Osos is not considered at high risk from wildland fires, but the hills to the south and east are considered to be at higher risk than the more level and coastal portions of the community, as identified on the County’s Fire Hazard map. This includes existing residential development south of Los Osos Valley Road, where homes are near or intermixed with areas of native and non-native vegetation. The County Safety Element describes these risks, and provides a policy framework to address the potential for risk in the context of existing and potential development countywide. It also prescribes strategies for development to minimize potential risks to the extent possible, including:

- Use fire resistant building materials and construction methods
- Provide defensible space around structures
- Provide adequate water supply
- Provide adequate access

Future development in Los Osos is subject to many state and local regulations intended to further mitigate risk, including:

- *Uniform Fire Code*
- *California Health and Safety Code*
- *Title 19 of the California Code of Regulations*
- *Title 14 of the Public Resources Code*
- *Assembly Bill 337 (Bates Bill)*

Several local ordinances direct fire prevention activities within San Luis Obispo County. These include Chapter 19.20, Construction Standards of Title 19, of the County Code; as well as Section 22/23.05.050 et. seq. of the Land Use Ordinance and Coastal Zone Land Use Ordinance. These sections of Titles 22 and 23 contain standards pertaining to the preparation and review of fire safety plans, fire safety standards, site access, and driveway requirements. In addition, the provisions of the Uniform Fire Code have been adopted by San Luis Obispo County.

Section 8.0 – Comments and Responses

Because of the programmatic nature of the Community Plan, and because future development within the area is already subject to a wide range of regulations intended to mitigate risk and reduce fire hazard risk, impacts are considered less than significant at a programmatic level.

8.4 RESPONSES TO WRITTEN COMMENTS

Each written comment on the Draft EIR that the County of San Luis Obispo received is listed in Table 8-1. The comment letters included herein were submitted by public agencies, local interest groups, private companies, and private citizens. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has also been assigned a number. Each comment letter is reproduced in its entirety with the issues of concern numbered in the right margin. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 2.1, for example, indicates that the response is for the first comment raised in Letter 2).

Table 8-1. Comments Received on the Draft EIR

Letter No.	Commenter and Affiliation	Date Received
Comments Received During the Draft EIR Circulation Period – September 12, 2019 through December 11, 2019		
1	Vince Kirkhuff, San Luis Obispo County Air Pollution Control District	September 27, 2019
2	Crow White, Private Citizen	September 13, 2019
3	Peter Sarafian, Private Citizen	September 18, 2019
4	Vicky Johnsen, Private Citizen	September 18, 2019
5	Thomas Fichter, Private Citizen	October 7, 2019
6	Yael Korin and Paul Hershfield, Private Citizens	October 24, 2019
7	Elizabeth Kavanaugh, San Luis Obispo County Parks and Recreation Department	November 4, 2019
8	Roxanne Lee, Private Citizen	November 15, 2019
9	Deborah Ross, Private Citizen	November 18, 2019
10	Mary Pat Woodling, Private Citizen	November 18, 2019
11	Cecile Surbeck, Private Citizen	November 18, 2019
12	Tim Rochte, Private Citizen	November 21, 2019
13	Sarah Halpern, Private Citizen	November 17, 2019
14	Vic Brown, Private Citizen	November 17, 2019
15	Sylvie Asselin, Private Citizen	November 16, 2019
16	Jeff Kreps, Private Citizen	November 22, 2019
17	C.M. Florence, Oasis Associates	December 11, 2019
18	Marcie Begleiter, Private Citizen	December 11, 2019
19	Ellen Nelson, Private Citizen	December 11, 2019
20	Beverly Boyd, Private Citizen	December 11, 2019
21	R.D. Bowlus, Private Citizen	December 11, 2019
22	Ellen Sturtz, Private Citizen	December 7, 2019
23	Jean Balthazor, Private Citizen	December 11, 2019
24	Jeanne Howland, Private Citizen (and 18 Morro Shores residents signing this letter)	December 11, 2019

Table 8-1. Comments Received on the Draft EIR

Letter No.	Commenter and Affiliation	Date Received
25	Jeff Edwards, Private Citizen	December 11, 2019
26	Larry Owens, Private Citizen	December 11, 2019
27	Linda Owen, Private Citizen	December 11, 2019
28	Michael and Stephanie Raphael, Private Citizens	December 11, 2019
29	Debbie Jewell, RRM Design Group	December 11, 2019
30	Seth Howell, Private Citizen	December 11, 2019
31	Andrew Christie, Sierra Club, Santa Lucia Chapter; Patrick Gibney, Los Osos Sustainability Group	December 11, 2019
32	Stan and Cindy Nalywaiko, Private Citizens	December 11, 2019
33	Tony Salome, President, Greening Los Osos	December 11, 2019
34	Vita Miller, Private Citizen	December 11, 2019
35	Rick Kirk, Private Citizen	December 11, 2019
36	Deborah Ross, Private Citizen	November 16, 2019
37	Marcie Begleiter, Private Citizen	November 18, 2019
38	Rebecca McFarland, Private Citizen	November 18, 2019
39	Roxanne Lee, Private Citizen	November 15, 2019
40	Stephanie Raphael, Private Citizen	November 18, 2019



Air Pollution Control District
San Luis Obispo County

Via Email

September 27, 2019

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

SUBJECT: APCD Comments Regarding the Los Osos Community Plan - DEIR (LRP2011-00016)

Dear Ms. Brown:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the draft environmental impact report for the Los Osos Community Plan (LOCP). The LOCP functions as a General Plan and Local Coastal Plan guiding future development within the Los Osos community. The LOCP is part of the Estero Area Plan and located within the Estero Planning Area. The LOCP establishes a vision for the future of Los Osos and defines the nature of future development in the Los Osos planning area and provides development standards that in many cases are site-specific. The LOCP is facilitated to a large extent by the recently completed sewer project which has been a prerequisite to growth in Los Osos. At the same time, the County is preparing a communitywide Habitat Conservation Plan (HCP), the permitting requirements of which will potentially affect the nature of future of development in Los Osos. That project is undergoing separate CEQA review, and the applicable prescribed mitigation measures in that effort will be incorporated into the final LOCP as appropriate.

1.1

The following are APCD comments that are pertinent to this project.

Section 4.6 Greenhouse Gas Emissions

Impact GHG-1 states that impacts related to GHG emissions from development under the Community Plan are less than significant because they would be less than the GHG threshold of significance from the APCD 2012 *CEQA Air Quality Handbook* (the Handbook) of 4.9 metric tons of carbon dioxide equivalent (MT CO₂E) per service population.

The thresholds of significance in the Handbook were based on a gap analysis and demonstrated consistency with the Global Warming Solutions Act (AB 32) and the California Air Resources Board's (CARB) Climate Change Scoping Plan in order to meet the state's 2020 GHG emissions goals. In 2015, the California Supreme Court issued an

opinion in the *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") which determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. **The APCD, therefore, does not recommend relying on the GHG thresholds in the Handbook.**

Impact GHG-2 states that the LOCP would not conflict with any local or state plan, policy, or regulation aimed at reducing GHG emissions. This conclusion is again based on the GHG threshold of significance of 4.9 MT CO₂E per service population from the Handbook. The thresholds in the Handbook have not been analyzed for conformity with the 2030 GHG emissions goals codified in SB 32, the 2050 goals of EO S-3-05, nor the 2017 Climate Change Scoping Plan. **The APCD does not recommend relying on the GHG thresholds in the Handbook to show conformity with these state plans and goals.**

The APCD is working to develop GHG impact and mitigation guidance for local projects and plans to demonstrate consistency with state emission reduction targets. Until this guidance is complete, please note that in the Newhall Ranch case, the Supreme Court identified that compliance with a local qualified Climate Action Plan (CAP) is a potentially acceptable method for meeting CEQA requirements. Guidance from the Sacramento Metropolitan Air Quality Management District¹ states:

To meet statutory criteria to allow project-level CEQA tiering and streamlining, the CAP must include a community-wide inventory of GHG emissions, forecasted future emissions, targets for GHG reductions in line with state goals, quantifiable GHG reduction measures, established monitoring procedures, an environmental review, and adoption through a public process (CEQA Guidelines § 15183.5(b)). Plans that meet these requirements are referred to as "qualified" CAPs.

and:

If a jurisdiction does not have a qualified CAP, development projects may have to mitigate GHG emissions from their projects to no-net increase level, which has already been done for larger development projects² and is the most defensible alternative to compliance with a qualified CAP³.

The APCD is beginning to work with local stakeholders to determine the best approach for updating emission inventories as the first step for updating CAPs for local jurisdictions.

Section 4.13.2 Transportation Analysis Methodology

The LOCP uses level of service to determine existing roadway conditions and future impacts. CEQA Guidelines § 15064.3, adopted by the state in December 2018 in response to SB 743 (2013), states that "a project's effect on automobile delay [level of service] shall not constitute a significant environmental impact" under CEQA, and that "generally, vehicle miles traveled (VMT) is the most

¹ "Climate Action Planning In The Sacramento Metropolitan Air Quality Management District." Sacramento Metropolitan Air Quality Management District, 24 October 2017, www.airquality.org/ClimateChange/Documents/CAPWhitePaperLogoFinal.pdf.

² Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan: Final Additional Environmental Analysis. California Department of Fish and Wildlife SCH No. 2000011025, 12 June 2017.

³ "Final White Paper Beyond 2020 And Newhall: A Field Guide To New CEQA Greenhouse Gas Thresholds And Climate Action Plan Targets For California." Association of Environmental Professionals, 18 October 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf.

1.1
continued

1.2

appropriate measure of transportation impacts." Section 15064.3 is to be adopted by lead agencies no later than July 1, 2020.

The APCD recommends that the LOCP follow San Luis Obispo Council of Governments' pending guidance on transitioning to VMT as specified in their October 2, 2019 board item D-11. Future projects may be able to be identified as consistent with SB 743 using screening criteria or by being 15% below the regional or city VMT per capita average. Projects that cannot be screened out or that are above the average would need mitigation as outlined in the Governor's Office of Planning and Research *Technical Advisory on Evaluating Transportation Impacts in CEQA* which can be found at the following website: <http://opr.ca.gov/ceqa/updates/sb-743/>.

1.2
continued

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



VINCE KIRKHUFF
Air Quality Specialist

VJK/jjh

cc: John Rickenbach, John F. Rickenbach Consulting

Response to Letter 1

COMMENTER: Vince Kirkhuff, San Luis Obispo County Air Pollution Control District

DATE: September 27, 2019

Response 1.1

The commenter recommends that the EIR analysis modify the thresholds used in determining the significance of impacts related to greenhouse gas emissions based on recent direction of the California Supreme Court. Specifically, the comment states that reliance on AB 32-based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Although no specific new thresholds have yet been developed by SLOAPCD, it recommends that compliance with a local qualified Climate Action Plan is a potentially acceptable method for assessing impacts.

In response, the thresholds used in the Draft EIR were consistent with Appendix G of the State CEQA Guidelines, where impacts are considered significant if development under the Community Plan would result in any of the following:

- *Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of GHGs.*

At the time the Notice of Preparation was issued for the EIR, the County based its thresholds on guidance from the SLOAPCD for assessing the significance of GHG-related impacts. SLOAPCD acknowledges in its comments that alternative methods for quantifying impacts relative to determining consistency with state emission reduction targets have not yet been established. The County looks forward to working with SLOAPCD in updating emission inventories toward accomplishing that goal.

Notably, the Draft EIR includes a discussion of the County's adopted Climate Action Plan, known as the EnergyWise Plan. The EnergyWise Plan outlines the County's approach to reducing GHG emissions through a number of goals, measures, and actions that provide a road map to achieving the County's GHG reduction target of 15 percent below baseline levels by 2020 (County of San Luis Obispo 2011). The EnergyWise Plan includes reduction measures associated with energy conservation, renewable energy, solid waste, land use and transportation, water conservation, and agriculture. The Implementation Program of the EnergyWise Plan provides a strategy for action with specific measures and steps to achieve the identified reduction targets.

The Los Osos Community Plan (LOCP) and all development pursuant to the LOCP must comply with the EnergyWise Plan. As described in Section 3.2 of the Draft LOCP, the following policy direction is included, consistent with SLOAPCD direction: *"New discretionary projects should be designed to maximize energy conservation, including solar access, consistent with the Conservation and Open Space Element of the county General Plan and the EnergyWise Plan."*

Response 1.2

SLOAPCD recommends that the LOCP follow SLOCOG's pending guidance on transitioning to VMT for assessing transportation-related impacts as specified in the October 2, 2019 Board Item D-11. The

County appreciates this information, and will follow appropriate adopted thresholds after they are established. Note that the thresholds used in the document are based on accepted methodology used by the County and other agencies within the County, and consistent with transportation agencies such as Caltrans. These thresholds were in place at the time the NOP was issued, and remain in force until such time they are formally updated. It is also notable that under CEQA Guidelines Section 15064.3, standards related to assessing impacts related to VMT apply prospectively, and do not apply to Draft EIRs sent out for public comment prior to July 1, 2020.

Section 4.13.2 of the Draft EIR describes the technical methodology used in the transportation analysis, which is appropriate for a programmatic document such as the Los Osos Community Plan. Development pursuant to the LOCP will be subject to CEQA, and depending on the project, additional transportation analysis may be required based on the thresholds in place at that time. The criteria for requiring additional transportation analysis under CEQA for future projects are included in Table 4.13-11 of the Draft EIR.

[EXT]Comment on LOCP EIR

CW Crow White <crowsfeather@gmail.com>
Fri 9/13/2019 2:49 PM
Kerry Brown

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

Dear Kerry Brown,

In regard to the Los Osos Community Plan, I support "Alternative 2: No Project". I do not think the limited water resources in/below Los Osos should be used to support (if even possible) additional residents, much less 4,094 residents for a buildout of 18,000 residents total. Instead, to ensure environmental sustainability, Los Osos should remain at its current resident count (13,906) or be reduced below that count.

2.1

Thank you for your consideration of m comment.

Regards, Crow White
Los Osos resident

Response to Letter 2

COMMENTER: Crow White, Private Citizen

DATE: September 13, 2019

Response 2.1

The commenter supports the “No Project: No Development” alternative, which is analyzed in the EIR as Alternative 1 (the comment refers to this as Alternative 2). The commenter also expresses the opinion that there is insufficient water to support development beyond the current population. Please refer to Section 4.15 of the EIR, which discusses potential impacts with respect to water supply. Please also refer to Master Response 1, in Section 8.2 of the Final EIR.

[EXT]comments on LOCP EIR draft

PS Peter Sarafian <psaraf2@charter.net>
Wed 9/18/2019 9:33 AM
Kerry Brown; Vicky Johnsen <schoonermagic@earthlink.net>



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

Dear Kerry:

I have a comment on Page 4.3-37:

Section 4.3 – Biological Resources

Mitigation Measures. In addition to the existing policies and regulations discussed above, the following mitigation measures are required to reduce Impact BIO-1 to a less than significant level.

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.

...

"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 plant or species of concern wildlife will be further mitigated through implementation of the LOHCP and payment of the mitigation fee."

3.1

During the Los Osos sewer project hundreds of Morro Shoulderband snails were found on small lots with native and non-native habitats within the LOCP area. I am not sure about the numbers of Morro Manzanita. However, I feel sure that USFWS would not consider a mitigation fee as sufficient justification for ignoring surveys, capture and relocation of snails to safe habitat. Likewise, I am unsure of their consideration of mitigation by planting a commensurate number of Manzanitas in an approved location instead of a fee.

Pete Sarafian

Federal Recovery Permit Holder

Response to Letter 3

COMMENTER: Peter Sarifian, Private Citizen

DATE: September 18, 2019

Response 3.1

The commenter states the opinion that proposed Mitigation Measure BIO-1(a), which calls for augmenting a proposed LOCP policy to implement the recommendations of the Los Osos Habitat Conservation Plan (LOHCP) and to pay a mitigation fee would not be sufficient to satisfy the requirements of U.S. Fish and Wildlife Service (USFWS). Note that USFWS will need to approve the LOHCP prior to its implementation. In so doing, it will review and ultimately accept the mitigation strategies included in that document. The LOHCP will be incorporated by reference into the LOCP. The mitigation requirements in the LOHCP will provide a greater level of protection for endangered species than is currently the case, including both the Morro Shoulderband Snail and Morro Manzanita, both of which are addressed in the LOHCP.

[EXT]Concerning the "Proposed Trails and Trail Corridors"

Letter 4

Craig & Vicky Johnsen <schoonermagic@earthlink.net>

Wed 9/18/2019 10:17 AM

To: Kerry Brown <kbrown@co.slo.ca.us>

Cc: 'Yolanda' <ywaddell@kcbx.net>; 'Peter Sarafian' <psaraf2@charter.net>; 'Leslie Rotstein' <glrotstein@gmail.com>

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

Dear Kerry,

Thanking you for your patience, after re-reading LOCP DEIR Executive Summary's pdf, I was able to locate the appropriate sections addressing the policy concerning Federally Listed Endangered Species (MSS) and the rare plant species of concern, the Morro Manzanita. I agree with Pete Sarafian's concern that parcels less than 20,000 sq.' are not considered important enough to both species.

*** I am also writing you regarding the "pink area" in figure 2-14: Proposed Trails and Trail Corridors: 2-30 (page 127). My concern lies in the fact that more than half of the Elfin Forest is in the pink zone... as opposed to the western third that is green or: "State Parks". That pink area is part of the El Morro Elfin Forest Natural Area, owned by SLO County State Parks. Having all that area designated as "proposed trail corridors" if implemented would adversely affect all the restoration of plants and the protection of the Morro Shoulderband Snail and the Morro Manzanita in that section of the Elfin Forest depending on the proposed types of general public use trails. The Elfin Forest already has trails with symbolic fences to attempt to keep visitors and their dogs off the sensitive areas. ***

4.1

Please let me know when the next meeting is,
Many thanks,
Vicky Johnsen

Response to Letter 4

COMMENTER: Vicky Johnsen, Private Citizen

DATE: September 18, 2019

Response 4.1

The commenter states the opinion that proposed Mitigation Measure BIO-1(a), which calls for augmenting a proposed LOCP policy to implement the recommendations of the Los Osos Habitat Conservation Plan (LOHCP) and to pay a mitigation fee would not be sufficient to satisfy the requirements of U.S. Fish and Wildlife Service (USFWS). Please refer to Letter 3, Response 3.1.

Response 4.2

The comment expresses concern that much of the Elfin Forest would be accessible to trail corridors under the proposed LOCP. This reflects the current condition, where there is already public access to the Elfin Forest via trail corridors, and does not represent a change to the existing condition. The LOCP will incorporate management measures included in the LOHCP, which will minimize impacts to endangered species such as the Morro Shoulderband Snail and Morro Manzanita within the entire Los Osos community, including the Elfin Forest.

[EXT]Los Osos Community Plan

Letter 5

TF Thomas Fichter <artdirector54@gmail.com>
Mon 10/7/2019 2:51 PM
Kerry Brown



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

Hi Kerry,

I am a resident of Los Osos. My wife and I have had a home here since 2008. We voted for the current sewer/water treatment plan. I'm happy that progress has been made on keeping our water local as well as keeping it clean. I am worried about the limits of population versus water availability. We all know the problems that Cambria has and we are fortunate to have aquifers. However, the more people allowed to build the more our water resources will be tapped. It is very possible and likely that we cannot support more people in the area with our current water supply. That said, I feel like those of us who currently live here should not be taxed for any water that may need to be imported in the future...only new construction should be put on a list of potential water importers if it comes to that. This information can be imparted upon any home builders before that begin construction so that they are aware that they may, in the future, have to bear the burden of any costs to bringing in water to support such growth.

5.1

Thank you for your time,
Tom

Thomas Fichter
artdirector54@gmail.com

Response to Letter 5

COMMENTER: Thomas Fichter, Private Citizen

DATE: October 7, 2019

Response 5.1

The commenter expresses the concern that there will be insufficient water to support population growth as envisioned in the LOCP. Section 4.15 of the EIR discusses potential impacts with respect to water supply. Please also refer to Master Response 1, in Section 8.2 of the Final EIR.

Letter 6

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

Hi Kerry.

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

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

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

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

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

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

6.1

Regardless of location, the main stumbling block is that of water supply. We propose that this can be mitigated by increasing the water supply for affordable residential multi-family uses in Los Osos. The water providers should create a program to set aside water units for such affordable projects. 6.2

Sincerely,

Yael Korin and Paul Hershfield

1364 8th street
Los Osos, Ca 93402

Response to Letter 6

COMMENTER: Yael Korin and Paul Hershfield, Private Citizens

DATE: October 24, 2019

Response 6.1

The commenter is concerned about a possible discrepancy between two maps included in the Draft EIR related to the possible conversion of the potential conversion of the “Bean Parcel” to Commercial Service (CS) as recommended in the LOCP. This is shown as item 27 on Figure 4.8-1. In the opinion of the commenter, this conversion would be inappropriate and potentially result in land use conflicts with neighboring residential uses on three sides.

With respect to the map discrepancy, Figure 4.8-1 accurately reflects what is proposed in the draft LOCP at the time of the issuance of the Notice of Preparation for the Draft EIR. While the map in the appendix reflects a slightly different land use pattern, it does not affect the air quality analysis, which is the portion of the appendix in which that map is located.

With respect to potential land use conflicts, Table 4.8-1 does in fact identify a potential land use conflict similar to what is being suggested in the comment. Please also refer to Master Response 2 in Section 8.2 of the Final EIR for an expanded discussion of this issue.

Response 6.2

The commenter expresses concern about the ability to supply water to future development. Please refer to Master Response 1, in Section 8.2 of the Final EIR.



COUNTY OF SAN LUIS OBISPO
PARKS AND RECREATION DEPARTMENT

Nick Franco *Director*

Letter 7

November 4, 2019

Kerry Brown
San Luis Obispo County
Planning and Building Department
976 Osos St., Suite 200
San Luis Obispo, Ca. 93408

RE: Los Osos Community Plan Draft Environmental Impact Report

Dear Kerry,

Thank you for an opportunity to review the Los Osos Community Plan, Draft Environmental Impact Report. The Parks and Recreation Department comments are minimal and include:

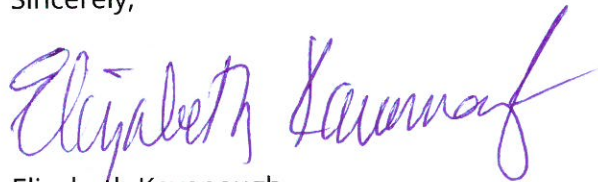
- 1) Maps in biological section- please make blotches translucent so areas under the blotches can be identified. 7.1
- 2) Please change references in Cultural Historical section of the "Historic Memorial Park" to "Historic Memorial Park (Cemetery)" or Los Osos Valley Mortuary and Memorial Park to ensure this is not confused with recreational park(s) in Los Osos. The site is referred to as the "cemetery" in other sections of the EIR. 7.2
- 3) Page 4.12-1 - please clarify that the 10.5 acres of "playgrounds" at the local schools are not all playgrounds in the traditional sense with play structures and swings but includes: X # of acres of black top, X # of acres of fields, and X # of acres of play structures. 7.3
- 4) Page 4.12-9 - Expand Los Osos Community Park. There is not enough room for sports fields at this park and no need for an additional playground or group picnic area at this time Leaving "Expand Los Osos Community Park" is okay in general since new recreation facilities could possibly be added to the approximately 1.5 7.4

acres of undeveloped park land at the north end of the park. There may also be possible options for using the library site on palisades, as park land if the library is relocated. The Park and Recreation element also identifies obtaining additional park acreage in Los Osos at non specified sites, that could also end up being contiguous to the existing Los Osos Community Park. However, please do not be specific about the types of recreation facilities that may go at this park. Communities' recreational needs and wants change.

7.4
continued

Please let me know if you need anything else from me or need additional details.

Sincerely,



Elizabeth Kavanaugh
Parks and Trails Planner
San Luis Obispo County,
Parks and Recreation Department

Response to Letter 7

COMMENTER: Elizabeth Kavanaugh, San Luis Obispo County Parks and Recreation Department

DATE: November 4, 2019

Response 7.1

The commenter requests clarification of maps included in Section, 4.3, Biological Resources, so underlying layers can be more clearly seen. This information has been clarified in the Final EIR.

Response 7.2

References to the Historical Memorial Park (Cemetery) will be modified to clarify that this is a cemetery and not a recreational park.

Response 7.3

Page 4.12-1 of the EIR will be clarified to indicate that the playgrounds at schools are not all playgrounds in the traditional sense as might be found at community parks.

Response 7.4

The comment clarifies information included in the Draft EIR regarding the ability to expand Los Osos Community Park, and requests that the EIR not be so specific about what facilities should be included in that park. The Draft EIR describes policies and programs included in the draft LOCP, including Program LU-1.1, which includes a programmatic list of facilities that could be included in future parks. The Board of Supervisors could consider modifying this program to be less specific regarding park facility requirements.

On Fri, Nov 15, 2019 at 9:57 AM Roxanne Lee <leeerox@gmail.com> wrote:

Letter 8

Dear Ms. Brown,

As a resident of Los Osos, I would like to submit comments re: The Los Osos Community Plan Update Draft Environmental Impact Report (LODEIR). **The proposed land use and development identified in the LODEIR should maintain the rural character of Los Osos.** Specific comments re: the LODEIR include the following:

- Figures 2-4, Proposed Land Use Changes and 2-6, Proposed Land Use: The undeveloped area along LOVR between Palisades St. and Broderson St. should be classified as open space or recreation. It is currently designated as a mix of commercial and residential single- and multi-family. However, commercial and office land uses should be clustered east along LOVR, where there are already existing commercial/office uses, e.g., there are already vacant commercial properties adjacent to Grocery Outlet, Chase Bank, and the US Postal Office. Don't sprawl these commercial uses; especially if there are already plenty of vacant commercial lots. Density where they already exist to preserve the rural character of Los Osos. Single- and multi-family residential should be set back from LOVR to make space for a large regional park that connects to the existing community park. There are no large regional parks that are walking distance for residents in Los Osos. The National Recreation and Parks Association states that importance of having easily accessible recreational parks of small, medium, and regional parks. The area along LOVR is the perfect location for a larger central regional park. It would also conserve important habitat area along LOVR and maintain the rural character. While there is Montana Del Oro State Park, it requires driving. The regional park could include the following facilities that currently have not been sited: aquatic center and library. We also need large grassy areas with large-shade trees for family barbecues/parties, outdoor amphitheater for events, native plant / water conservation demonstration garden, multiuse fields (e.g., soccer, kickball, disc sports), outdoor courts (basketball, pickleball, tennis), etc. The existing community park has picnic areas adjacent to LOVR, but they are loud and noisy from traffic. It would also be a safe location for families to walk to the future library and aquatic center without high traffic volumes.
 - If the area continues to be designated as single- or multi-family housing, there should be explicit and detailed design standards for development of the area to protect the rural character of Los Osos. It would be a tragedy if the beautiful open space habitat was destroyed and paved over to build a conventional subdivision that looks like its from Irvine.
- Bike Lanes: More bike lanes! There needs to be a designated bike lane with cones or fencing between Los Osos and Morro Bay. This would be great for families and tourists.

8.1

8.2

Thank you,
Roxanne Lee

Table 4-1: Take/Impacts Assessment Methods for Anticipated Covered Activities within the LOHCP Area

Activity	Description	Take/Impacts Assessment Methods
County Parks and Recreation Department		
New Park in Los Osos	County Parks plans to build an approximately 10-acre park in a yet to be determined location likely within the Urban Services Line (USL).	Impacts were distributed proportionally to vegetation and other land cover types mapped within unprotected land within the USL. Because the project was anticipated to affect only undeveloped, upland vegetation types; impacts to developed areas and the County right-of-way (right-of-way), as well as wetland and riparian vegetation types and water were excluded. Within the project footprint, the habitat impacts from this construction project are anticipated to be 90% permanent, as this portion will be converted or lost, and 10% temporary, as the adjacent area disturbed during construction will be restored.
Aquatic Center	County Parks plans to build 3.5-acre aquatic center in an undetermined location likely within the USL.	Impacts were distributed proportionally to vegetation and other land cover types mapped within unprotected land within the USL. Because the project was anticipated to affect only undeveloped, upland vegetation types; impacts to developed areas and the right-of-way, as well as wetland and riparian vegetation types and water were excluded. Within the project footprint, the habitat impacts from this construction project are anticipated to be 90% permanent, as this portion will be converted or lost, and 10% temporary, as the adjacent area disturbed during construction will be restored.
Los Osos Community Park Expansion	County Parks plans to expand the Los Osos Community Park, which is estimated to impact the remaining undeveloped 1.6 acres on the parcel.	Impacts were allocated to the vegetation and other land cover types mapped within the project footprint. Habitat impacts from this construction project are anticipated to be 90% permanent, as this portion will be converted or lost, and 10% temporary, as the adjacent area disturbed during construction will be restored.

Response to Letter 8

COMMENTER: Roxanne Lee, Private Citizen

DATE: November 15, 2019

Response 8.1

The commenter states the opinion that the undeveloped open space between Palisades Avenue and Broderson Avenue should be designated as Open Space or Recreation under the proposed LOCP, rather than commercial or residential. In the event it is designated as residential, the comment suggests the need for detailed design standards to ensure compatibility with the rural character of Los Osos. The comment also expresses support for a large park along LOVR. The Board of Supervisors will consider these perspectives in its deliberations regarding potential approval of the LOCP.

Response 8.2

The commenter states support for more bike lanes in the community, particularly a designated bike lane between Los Osos and Morro Bay. The Board of Supervisors will consider this perspective in its deliberations regarding potential approval of the LOCP.

From: Deborah Ross <deb@drfilmdesign.com>
Sent: Monday, November 18, 2019 12:40 AM
To: Kerry Brown <kbrown@co.slo.ca.us>
Cc: Bruce Gibson <bgibson@co.slo.ca.us>
Subject: [EXT]My Comments on Draft EIR!

Letter 9

To Kerry Brown:

I have some serious concerns about the proposed EIR and it's impact on the LO Community Plan. However, before I share my thoughts, I must inform you that your email address as shown on the slide in the powerpoint presentation on October 28 was INCORRECT. I believe that is cause for *great concern*, and probably should prompt a delay in receipt of all "comments", as it could be construed as intentional. (See photo of slide below). Dozens of Los Osos residents have been trying to reach you and have probably received "undeliverable" emails in return like I have!
(cc'd: Bruce Gibson)

9.1

My comments:

1) As quoted from the current draft EIR:

"With regard to water supply within Los Osos, the Draft EIR for the Los Osos Community Plan (County 2019a) determined impacts to water supply would be potentially significant, but mitigable, because development under the Community Plan would be limited to the sustainable capacity of the Groundwater Basin through the County's Growth Management Ordinance (County Municipal Code Title 26) and additional review standards tied to the Updated Basin Plan for the Los Osos Groundwater Basin (County et al. 2015). Implementation of the water supply mitigation measure from the Draft EIR for the Los Osos Community Plan would satisfy the requirement of the County to provide adequate groundwater supply to the community."

9.2

Problem: I simply don't see how the impacts to our general water supply will be "mitigable". Even if development IS limited to what has been predetermined by the County to be sustainable capacity, the assessment it is based upon is way out of date. The realities of climate change and salt water intrusion have severely altered the course of future sustainability projects. The damages will be far greater than previously acknowledged or understood. At this moment in time, we simply don't have the infrastructure (or the money to create it) required to provide water for such a huge population growth spike.

Solution: This needs to be taken into consideration BEFORE **ANY** NEW BUILDING PERMITS ARE CONSIDERED OR GRANTED. We need smart, sustainable, green *development standards in place as guard rails*, before thousands of new units are built and the population of Los Osos expands by more than 1/3 on top of our current population of @15K.

2) As quoted from the current draft EIR:

"CAL FIRE/San Luis Obispo County Fire - Draft Community Wildfire Protection Plan A CWPP serves as a mechanism for community input and identification of areas presenting high fire hazard risk as well as identification of fire hazards potential projects intended to mitigate such risk.

A CWPP must be collaboratively developed with input from interested parties, federal, state, and local agencies managing land within the County, as well as local government representatives. The CWPP for San Luis Obispo County is currently under development and, when complete, would address fire protection planning efforts occurring in the County to minimize wildfire risk to communities, assets, firefighters, and the public. The CWPP presents the County's physical and social characteristics, identifies and evaluates landscape-scale fire hazard variables, utilizes Priority

Landscape data sets for evaluating wildfire risk, identifies measures for reducing structural ignitability, and identifies potential fuel reduction projects and techniques for minimizing wildfire risk."

9.3

Problem: As I understand it, the most recent CWPP hasn't been updated since 2013. It is in a relatively unfinished state, and wouldn't be useable for our community plan in this state.

(<https://www.wildfirelessons.net/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=927bc270-5fd8-48ab-aab5-68a1b8c09ca4>). Additionally, many of the abatement tactics it discusses haven't even been undertaken in Los Osos up till this point in time (Wildfire Season 2019-20). There is still no proper fire line around the Urban Wilderness Interface, especially along Highland Ave. where dozens of 4' high piles of wood chips were left behind after a recent clearing of the area by Public Works. Shameful!!

Solution: The CWPP needs to be updated to current climate change predictions, a substantial budget must be created and set aside for this purpose, and the planners and community itself must begin **implementation and enforcement** of all the recommended tactics BEFORE **ANY NEW BUILDING PERMITS ARE CONSIDERED OR GRANTED**.

9.3
continued

Thank you for your time!

Sincerely,
Deborah Ross and Robbie Conal
1347 6th Street,
Los Osos, CA 93402

Email address is INCORRECT on slide at Oct 28th meeting:

How to Comment

Draft EIR	Draft EA and LOHCP
The Draft EIR is available online at: slocounty.ca.gov/EnvDocs.aspx	The Draft EA and LOHCP are available online: https://www.fws.gov/ventura/docs/LosOsosHCP/LosOsosHCPNewsRelease.html
The Draft EIR public comment period ends: <u>November 19, 2019</u>	The Draft EA and LOHCP public comment period ends: <u>November 18, 2019</u>
Comments can be submitted via e-mail to kbrown@slo.co.ca.us or mail to: Department of Planning & Building ATTN: Los Osos HCP / Kerry Brown 976 Osos Street, Room 300 San Luis Obispo, CA 93408	Comments can be submitted via e-mail to julie_vanderwier@fws.gov or mail to: Stephen P. Henry, Field Supervisor Ventura Fish and Wildlife Office U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, CA 93003

Response to Letter 9

COMMENTER: Deborah Ross, Private Citizen

DATE: November 18, 2019

Response 9.1

The commenter notes that the email address given on a powerpoint slide presented at an October 28 workshop was incorrect. To clarify, that workshop addressed by the Los Osos Community Plan (LOCP) and the Los Osos Habitat Conservation Plan (LOHCP), which is a separate project. Although the email address provided for the LOHP was incorrect, the email address provided on the presentation for the LOCP was accurate. The County apologizes for any inconvenience or confusion, especially with regard to the LOHCP project. Note that the correct contact information for both projects has been posted on the County's website since both Draft EIRs began their public circulation periods.

Response 9.2

The commenter does not agree with the Draft EIR conclusion that impacts with respect to water supply would be significant but mitigable. Please refer to Master Response 1 in Section 8.2 of the Final EIR.

Response 9.3

The commenter believes there is a need to complete a Community Wildfire Protection Plan (CWPP) to address fire hazards before any building permits are approved under the LOCP. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please also refer to Master Response 4 in Section 8.2 of the Final EIR.

From: Mary Pat Woodling <marypatwoodling@gmail.com>
Sent: Monday, November 18, 2019 8:17 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Los Osos Community plan

Letter 10

I'm hoping that I am not too late and that I'm one of thousands of emails sent to you concerning the possible growth of our little community of Los Osos.

I have sat in multiple "meetings" since I personally heard of the plan to build at the area behind the Los Osos Library and Catholic Church.

Not a word had been spoken concerning this project around our tiny town. I happen to be walking my dogs on the evening of the 6th of November at this property. One of the residence of Morro Shores informed of the possible development. Shocking I know, since it had already been in the works for months by then.

I understand that I am to use certain wording to have this email give any effect on this possible development, but I will do my best. There are 4 plans to choose from, but I truly only understand 2 of these plans: One: would be no growth. And this is not possible. I get that. Two: would be growth with mitigation.

10.1

All of the legal terminology I really do not understand. But what I do understand and what frightens me is that with every home built whether it is a single family dwelling or a multiple family dwelling, comes a minimum of 2 cars. Our "road" (LVR) cannot handle this volume of traffic. We built the sewer to hopefully save the bay. The run off from the increased volume of cars will reek havoc on our roads and the bay.

Personally I have been doing my part for over 30 years to save water. But now I wonder why I have worked so hard and have taken serious steps to conserve water when I find out I was saving it not for the current community but saving it for developers !!! Developers who in the not so distance past have made huge mistakes in our community, lost millions of other peoples money just to start it all over again.

Mary Pat Woodling

Response to Letter 10

COMMENTER: Mary Pat Woodling, Private Citizen

DATE: November 18, 2019

Response 10.1

The comment expresses concern about possible growth and development that could occur as a result of the Los Osos Community Plan. Specifically, she is concerned about possible resulting traffic and water quality degradation from runoff into the bay from more heavily used roadways. For a discussion of traffic impacts, please refer to Section 4.13, *Transportation and Circulation*. Water quality impacts are addressed in Section 4.7, *Hydrology and Water Quality*. The LOCP includes policies to address both issues. Traffic impacts from future development were found to be significant but mitigable through a combination of implementing those policies, and by making specific intersection improvements at LOVR/Sunset Drive and South Bay Boulevard/Pismo Avenue to ensure levels of service remain at acceptable levels.

Water quality issues would be less than significant through the implementation of the existing and proposed policy framework, both within the LOCP and other regulatory requirements. As noted in the Draft EIR, the application of these requirements on a project-by-project basis would ensure that potential impacts are reduced to a less than significant level as development occurs.

From: Cecile Surbeck <cecilesurbeck@gmail.com>
Sent: Monday, November 18, 2019 5:58 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comments regarding DEIR

Letter 11

2040 Fairchild Way
Los Osos, CA 93402

November 18, 2019

John F. Rickenbach Consulting
Attn: John Rickenbach
SLO County Building and Planning Department
Attn: Kerry Brown

Re: DEIR proposed zoning, Figure 4-8.1, change from Office/Professional to Commercial Service, located at 1230 Los Olivos Rd., Los Osos, CA

Dear Mr. Rickenbach and Ms. Brown,

As the most immediate neighbors of Sandy Bean's proposed lot development project, we have numerous concerns about the nature of the request to change the zoning from Office/Professional to Commercial Service. To begin with, this zoning change would only exacerbate the conflict already in existence between Ms. Bean and the neighborhood with regard to her desire to use her lot as a construction yard. Section 4.8 of the DEIR, with regard to land use and policy, states: "In no case would these changes divide any established neighborhood, but would instead build on an existing pattern of development." The existing pattern of development currently in place is residential.

(We feel the need to point out here that in studying the two different maps from the EIR Appendices and Analysis (both dated July 2019), there is a lack of clarity and consistency between the two. We don't know which map is correct for zoning. Is the EIR Analysis map correct for the lot on Los Olivos/Fairchild with regard to zoning, or is the map in the EIR Appendices correct?)

Beneath the map in Figure 4-8.2 is written: "Proposed commercial service designation is potentially appropriate and consistent with commercial service in the west. However, potential conflicts could occur with existing and potential multi-family residential use in the east." We take issue with this assessment, both because it inaccurately defines the situation of Ms. Bean's lot, and because it puts the proposed use of her lot into the same category with the existing businesses in the area. In actuality her lot is surrounded on *three* sides, not one (north, south, and east) by single family and multi-family housing, with Fairchild Way separating these homes from any Commercial service businesses to the west, all of which are small and quiet, in keeping with a residential neighborhood like this one. Ms. Bean's lot is

11.1

ideally suited for the type of construction already in place, namely residential. It is not suited to commercial services zoning, which would be disruptive and injurious to the existing neighborhood. The most logical place to consider putting a new commercial venture would be to the west of this property. Furthermore, for the lot in question to be zoned commercial, the road it sits on (Fairchild Way) would need to be paved and in good condition. It is neither, nor is it part of a major thoroughfare or likely to ever be, as it runs into a field beyond which sits an expensive single family home on acreage.

To comply with the goal stated in Figure 4-8.1 of "facilitating a more logical and flexible development pattern with community," it would make no sense to zone this lot commercial, rather, as previously stated, it would make far more sense to zone Ms. Bean's lot as residential, so as to be cohesive with the rest of the block, and as Ms. Bean herself requested in 2003 (Apn# 074-293-025.)

Lastly, we would like to point out that Ms. Bean has committed a series of code violations on this lot over the years, one of which remains open and unresolved. This is not the behavior of someone with good intentions who wants to become part of an established, neighborly community.

Thank you for your consideration.

Sincerely,

Cecile Surbeck, Karen Surbeck

11.1
continued

Response to Letter 11

COMMENTER: Cecile Surbeck, Private Citizen

DATE: November 18, 2019

Response 11.1

The commenter is concerned about the potential redesignation of the “Bean Parcel” from Office Professional (OP) to Commercial Service (CS), believing that a Residential designation would be more appropriate and consistent with the existing nearby residential development to the east, north and south. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please also refer to Master Response 2 in Section 8.2 of the Final EIR.

With respect to a noted potential discrepancy between Figure 4.8-1 and one that is contained in the DEIR appendix, Figure 4.8-1 accurately reflects what is proposed in the draft LOCP and formed the basis of the analysis included in the Draft EIR.

To: Kerry Brown, Project Manager - Los Osos Community Plan Update

From: Tim Rochte, Los Osos trochte@sbcglobal.net

RE: Official Comments on the Los Osos Community Plan DEIR

Date: November 21, 2019

Letter 12

Thank you for the opportunity to provide my comments in the outline that follows:

1. **Existing and Proposed Land Use**

Regarding the area known as “West of South Bay Boulevard:”

The DEIR designates the above-referenced area as RMF and REC. I urge that the DEIR include these recommendations:

- a. Designate 80% of this area as REC,
- b. For RMF designations establish Workforce Housing levels at a minimum of 75% of the housing stock and 25% for Senior Housing,
- c. Allow RMF units to be built only on areas that have previously been disturbed,
- d. Do not allow RMF units to be built in areas that have not been previously developed in order to protect the habitats of Maritime chaparral and Coastal sage scrub which not only protects diversity, but also maximizes ground water recharge into the Basin,
- e. Establish a Traffic Circulation Plan that minimizes auto-oriented uses, and instead uses Livable Community strategies such as Transit Oriented Development (TODs).

Unless this strategy is adopted in full, or at least in large part, the traffic generated will quickly overwhelm the infrastructure causing vehicle delays for all users at the Pismo Avenue and South Bay Boulevard intersection, but of special concern is to take into full account the negative impact on response times for emergency vehicles.

2. **North – South Non-Motorized Transportation Connections:**

- a. Establish a Multi-use Pedestrian/Bicycle Path Corridor (modeled after the El Moro Bicycle/Pedestrian Path) from Los Osos Valley Road to downtown Baywood Park going north along Palisades Avenue and connecting at Fourth Street at Ramona, then continuing into Baywood via Third Street.

3. **East – West Non-Motorized Transportation Connections:**

- a. To reduce motorized traffic and increase air quality, construct an extension to the existing “El Moro Bike/Ped Path” from 12th Street to Second Street in Baywood Park.

4. **Hydrology, Water Quality and Coastal Hazards:**

- a. Immediately implement and maintain proven interventions to significantly reduce Sea Water Intrusion into the public water supplies.

12.1

Response to Letter 12

COMMENTER: Tim Rochte, Private Citizen

DATE: November 21, 2019

Response 12.1

The commenter provides several suggestions to be included in the LOCP related to land use, transportation, hydrology, water quality, and coastal hazards. These will be considered by the Board of Supervisors as it contemplates adoption of the LOCP. No comments were provided that relate to the analysis or conclusions included in the Draft EIR, so no further response is possible.

From: Sarah Halpern <sassart@me.com>
Sent: Sunday, November 17, 2019 9:38 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Los Osos Development Plans

Letter 13

Hi Kerry,

I have gone onto the county website to try and view and understand the proposed plans for development and building in Los Osos. I confess that the information there is more confusing than illuminating for me so I will just list my concerns and hope that as a resident of Los Osos my reservations about development in Los Osos will be considered and recorded.

I looked through the Los Osos Community Advisory Council, Los Osos Community Plan Draft Environmental Impact Report and several areas of concern are listed.

13.1

It is only recently that we have shifted away from a septic system to the sewer system and it is clear to me that there are unanticipated impacts. We are losing trees and other plants that had adapted to the water that was available from leaching from the septic tanks. While some of the negative impacts on the ground water system have been mitigated, we have not lived with this sewer system long enough to see and understand the impact of this change.

We are also continuing to experience drought or dry conditions and high demand for water. Just these two considerations would dictate a slow and cautious approach to development in our small community.

13.2

While I do believe that we need to be sure that we have adequate affordable housing, I feel strongly that we should take a slow a considered approach to adding this level of housing to our community and an even slower and more cautious approach to adding high end housing.

The cost of living - the costs of the most basic services is rising more quickly than wages and income here and we do not want to create a community that puts middle and lower income people at such a disadvantage that they will need to depart their homes for more affordable but less appealing communities.

13.3

Thank you for considering my input.

Sarah Halpern

1215 8th street

Los Osos, Ca 93402

Response to Letter 13

COMMENTER: Sarah Halpern, Private Citizen

DATE: November 17, 2019

Response 13.1

The commenter expresses concern that there have been unanticipated impacts from the community's recent switch from septic systems to a sewer system, including effects on trees and other plants. These issues are not related to the LOCP, or development under that plan, which is facilitated by the fact that a sewer system is in now place. Impacts related to the sewer system were evaluated in the 2008 EIR for that facility.

Response 13.2

The commenter expresses concern about water availability as it relates to potential growth. This issue is addressed in Section 4.15 of the Draft EIR. Also refer to Master Response 1 in Section 8.2 of the Final EIR for an expanded discussion related to this issue.

Response 13.3

The commenter advocates growing cautiously, and expresses concerns about cost of living and housing affordability. These concerns will be considered as the Board of Supervisors contemplates potential approval of the LOCP.

From: Vee Bee <vmbrown4@yahoo.com>
Sent: Sunday, November 17, 2019 7:23 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]DEIR COMMENT on MAPS

Letter 14

DEIR COMMENT MAPS

November 17, 2019

Dear Kerry Brown ,

Regarding DEIR: Proposed Changes

It confusing and disturbing that the property owned by Bean, Area #27, has since been preferentially carved out of a solid residential multi- family proposed zoning area and reserved as a commercial designation to accommodate the owner's request to temporarily use the property for construction staging and storage . Why would that be feasible in face of all the conflict this has caused ?

The proposed change on page 109, Figure 2.4 of LOCP DEIR VOLUME 1- Analysis pdf upper left hand box listing Bean Property at Los a Olivos and Fairchild Way,area 27 , be zoned from OP , Office Professional, to CS Commercial Services. This is dated 5/25/19.

There is an earlier Map in Volume II LOCP DEIR Appendices page 192 dated 5/25/16 , draft date , however, is 1/30/2015 figure 3 which suggests changing same property on corner of Los Olivos and Fairchild , area #10, from OP to RMF, residential multi family.

To date, there have been no alternative ideas offered to surrounding neighborhood of Fairchild and Los Olivos by Bean Project . No matter what the zoning is, a construction yard dropped in an established residential area is not a viable option. It may cause a decline in surrounding property values, and ruin protected species (including human) environment.

Near the end of September 2019 , several construction diesel trucks were staged on Fairchild road and on property known as # 27 , (Bean project) on map . Diesel trucks were started in early mornings , the source micro particulate fumes, dust ,noise pollution, wear and tear on the unpaved road , eyesore : the realization of concerns of the neighborhood , and those who attended LOCAC meetings exemplified for 4 days without permit or notifying neighbors of this use of the property. There are videos and photos available, and residents who directly witnessed this.

Vic Brown

14.1

Response to Letter 14

COMMENTER: Vic Brown, Private Citizen

DATE: November 17, 2019

Response 14.1

The commenter is concerned about the potential redesignation of the “Bean Parcel” from Office Professional (OP) to Commercial Service (CS), and potential incompatibility with nearby residential areas in the vicinity of Los Olivos and Fairchild. The comment also note a potential map discrepancy between what is shown in the EIR Project Description and in one of the appendices of the EIR. Please refer to Master Response 2 in Section 8.2 for a discussion of this issue.



[EXTERNAL] Public comments and response to EIR and Los Osos Community Plan

1 message

Sylvie Asselin <asselin@me.com>

Sat, Nov 16, 2019 at 3:22 PM

To: Leilani_takano@fws.gov

Here are my comments and questions regarding the EIR and the Los Osos Community Plan.

Disaster Plan

Before any consideration of development, we need a 2020 updated county disaster plan that takes into account future disaster such climate change the latest (IPCC October 2019) , fire evacuation plan, existing water shortage and drought prediction in the Central Coast due climate change. *Los Osos is known to have the worst evacuation route in the County in case of a disaster. (Fire and floods)*

15.1

- *How can we increase the population growth of Los Osos by 1/3 when there is no future disaster plan for the existing population of Los Osos.*
- *How is adding 2,500 more cars and trucks in the Los Osos Community going to help current Los Osos residents evacuate more efficiently?*
- *How is the county going to address the current issue before considering adding more residents in Los Osos?*

Zero-Carbon Initiative - Electrification of new construction

- *Will the plan support the new electrification reach code that has been approved in the city of San Luis Obispo and that 50 counties are considering to support all-electric new construction?*
- *Are there any plans to install electrical charging stations as we are moving by 2030 to sales of all electric vehicles only.*
- *Is the county planning to adopt zero carbon emissions by 2035 just like San Luis Obispo?*
- *How is the community plan taking into account lowering carbon emissions to meet climate change state benchmarks?*

15.2

Water Shortage

The Los Osos Groundwater Basin is in a Level III severity. Salt water intrusion is affecting our current water table from the extraction from the Lower aquifer. Existing homeowners are paying more for water and we have water quotas. With sea levels rising per the IPCC rising sea level October 2019 report, there will more sea water intrusion in our water supply. Thus less water available for the current habitants of Los Osos.

15.3

- *What will be the water source for the new development plan?*
- *How will our water usage and water bill impacted?*

Stakeholders

- *Who are the stakeholders involved in developing single-family homes, multi-unit homes and commercial units?*

15.4

Noise component

I hear the noise from the Back Bay Inn at the end of 2nd, I am very concerned of the cumulative noise if other musical and outdoor restaurants are developed along 2nd Street. I am also very concerned about stationary noise from the influx of increased cars and truck driving on Santa Ysabel and 2nd Street.

15.5

- *Who will monitor the noise level of new commercial development on 2nd Street?*
- *How is the circulation flow of about 2,500 more cars and trucks be monitored for increased noise beyond current acceptable levels?*

Parking

I am very concerned about the parking arrangements when there is currently no parking in place where there are special events such as the Monday Music, October Fest. Since the Blue Heron has opened there is no parking available on 2nd Street. Most cars and trucks parked on empty lots. So where are these cars and trucks going to park? I can't imagine 2,500 more cars on the road. The decibel level will exceed the maximum accepted level from 2nd Street to South Bay Boulevard.

15.6

- *Are there any plans for additional parking for the influx of about 2,500 more cars and trucks in the commercial areas of Los Osos, especially Second Street?*

Air Quality

Los Osos is known to have the best air quality. Unfortunately, it will be impacted by the community plan if more than 2,000 homes (single/multiple) are planned for construction and by the influx of more than 2,500 more cars and truck in the community. Increasing air pollution should not be an option.

15.7

- *How is the plan considering the levels of large air particulate due to construction and increased gas emissions in the well-being of the current community living in Los Osos? How do we make sure that the current air quality stays the same?*

Light Pollution

Los Osos is one of the few cities of its size in California for having a very low light pollution at night.

15.8

- *How is this proposed plan considers keeping the current light pollution levels? Are more traffic light planned, street lights? Are there any restrictions standards for single-home, multi-units, and commercial units to use when considering night lights?*

Concerned about Liquifaction Area - Soil

The drilling in our current ancient sand dunes sends vibration to the surrounding homes. We are at risk of soil movement when construction is increased. As a result there is are cumulative effects on current homes; creating erosion and destabilizing current home foundations.

15.9

- How will the county monitor and remedy any soil movement effects on current constructions?
- Will structural engineers be involved in the development process?

Taxes and more resources needed

- *Can the county guarantee to existing homeowners no increase in taxes and utilities?*
- *Who will pay for additional infrastructures to accommodate a growing community of 4,000 more residents?*
- *Who will pay for the hiring of police, EMT's, fire crews, street maintenance, patrolling of state property that will get damaged and eroded by more human footprints?*

15.10

LOCSD

It needs to be clear what responsibilities will be under the LOCSD before the plan is approved.

15.11

- *What will be the responsibilities of the Los Osos CSD in the managing the community plan growth?*

Special Building Permits

According to your own flood report you presented, new commercial development on 2nd Street will be flooded due to rising sea levels.

15.12

- *How can the county provide permit waivers on known floor areas? Who will pay for the damages and lost?*
- *Shouldn't there be no development on predicted flooding zones?*

NATURAL RESOURCES:

- *How will the county ensure protection of these natural resources and change current development codes to avoid noise pollution, light pollution increases for instance* 15.13

HISTORICAL AND CULTURAL RESOURCES:

- *How will the county work with historical lands where the Chumash Peoples lived? Will the County work directly with the Northern Chumash Tribal Council to seek input both academic and based on oral history etc.?* 15.14

CLIMATE CHANGE:

- How will the county ensure local community members and environmental scientists are involved in feedback to proposed incidental “take permits” whereas ecosystems are removed and disturbed for building? 15.15

WATER SUPPLY:

- How can permits be issued when the basin management plan is showing increases in water use in territory of LOCSD/Baywood? If we haven’t mastered maximum water use efficiency LO wide, then approving new development will not improve the situation. How will the county fund water use efficiency education and activities in future beyond subsidies currently available for appliances, recirculating hot water etc.? 15.16

POPULATION GROWTH & DEVELOPMENT CONCERNS:

- Will County and CDFW start recycling and garbage collection at each and every entrance to public lands? Currently there is none on CDFW lands Morro Dunes Ecological Reserve. Human and canine wastes are not routinely disposed of properly which has a negative impact on the ecosystem. Plastics are strewn throughout the ecosystem. How will the State and County ensure better management of public lands? 15.17

WILDFIRE DESTRUCTION of Los Osos:

The County of San Luis Obispo, the State of California, and the Federal Government seem intent on developing MUCH OF LOS OSOS, while at same time trying to protect delicate ecosystems and the species dependent upon them. 15.18

Generally, Los Osans feel abandoned where real time solutions to fire fuel mitigation are concerned in the Wildland Urban Interface (WUI). Our public lands exist abutted to neighborhoods built many years ago when the state didn’t manage these lands, since they were privately owned.

Without funding from Fire Safe Council, fire mitigation and maintenance activities in Los Osos will not happen because CDFW and other agencies claims they have no budget. Before we allow new building projects with the intention of adding 2500 – 4000 new residents to our community over the next 15 to 25 years, much more needs to be done by the State and County to protect all lives; human, invertebrate, plants and mammals. If Los Osos burns, the wildlands and endangered species habitat around us will burn. And vice versa! Los Osos is where endangered species live!

We’ve had an increase in illegal public lands encampments. CDFW for instance states they are understaffed and underfunded to address the growing need for routine patrols and enforcement in public lands throughout the county. If manmade fires start in the public lands it could spread rapidly as we’ve seen throughout California.

Sample comment and question:

- Currently there are no true Wildfire Mitigation measures in the HCP or EIR draft as presented to follow **CALFIRE** or **Fire Safe Council** recommendations to create fuel breaks (300' to manmade structure) in the WUI to protect wildland and homes from extreme fires and allow our firefighters the space to protect nature and our community.

15.18
continued

We hope these suggestions for comments to the county have been helpful. We are also encouraging everyone to ask the county for an extension of the public comment deadline so that we all have a better opportunity to carefully read the plan, discuss it, and make meaningful suggestions. Everyone's voice matters in making these important community decisions.

15.19

Response to Letter 15

COMMENTER: Sylvie Asselin, Private Citizen

DATE: November 16, 2019

Response 15.1

The comment suggests that an updated Disaster Plan that addresses climate change and water availability is needed before growth under the LOCP should be allowed. The County is currently updating the 2014 Local Hazard Mitigation Plan (LHMP). The LHMP works in conjunction with other County plans, including the General Plan, and other hazard mitigation plans developed for specific programs such as flood control and fire prevention. The development of a new Multi-Jurisdictional LHMP will enable all participating jurisdictions, including the Los Osos Community Services District, to address disaster events in a combined and coordinated approach. The Countywide LHMP will allow the region to mitigate the impacts of hazards based on current and expected future conditions, creating a more resilient County in the face of increasingly severe, frequent, and costly disasters.

Response 15.2

The comment suggests that the LOCP needs to include policies and programs related to achieving zero carbon emissions goals similar to other nearby communities such as the City of San Luis Obispo. As described in Section 4.6 of the Draft EIR (Greenhouse Gas Emissions), the LOCP includes many policies and programs related to land use, circulation, urban design, and groundwater management that are consistent with the goal of reducing GHG emissions. The Board of Supervisors could consider additional policies and programs such as those advocated in the comment as it considers potential approval of the LOCP.

Response 15.3

The commenter is concerned about water supply as it related to future growth in Los Osos. This issue is addressed in Section 4.15 of the Draft EIR. Also refer to Master Response 1 in Section 8.2 for an expanded discussion related to this issue. With respect to Coastal Hazards and the potential for seawater intrusion, please refer to Section 4.4 of the Draft EIR.

Response 15.4

The commenter asks who will be the potential stakeholders in future development in the community. As with any project of communitywide importance, the stakeholders include the entire community. The LOCP, if adopted, will provide the blueprint for future development in the community, but the housing market and development community will determine the pace of such development in the context of resource availability, as described in both the LOCP and Draft EIR.

Response 15.5

The commenter is concerned about cumulative noise increases from future development in the community, especially from traffic, but also from commercial development along 2nd Street. Please refer to Section 4.9 of the Draft EIR for a discussion of noise impacts, including cumulative noise levels in the community. As shown in Table 4.9-8 of the Draft EIR, cumulative traffic-related noise increases in the community are expected to be less than significant. Impact NOS-4 also discusses impacts on residential

areas related to commercial development throughout the community, and includes Mitigation Measure NOS-4(a), which requires site specific noise studies where such conflicts are possible, and to implement any recommendations of that study into project design. Any required monitoring would be guided by the County’s Planning and Building Department.

Response 15.6

The commenter is concerned about parking associated with future commercial development. Commercial development will be required to provide parking consistent with existing County regulations related to zoning.

Response 15.7

The commenter is concerned about air quality associated with future development in Los Osos. Please refer to Section 4.2 of the Draft EIR for a discussion of air quality impacts, including cumulative air quality. As discussed in that section, future development will be required to comply with a variety of state and local air quality standards to minimize the impacts from emissions, and the Draft EIR requires additional policies to be included in the LOCP related to addressing air quality impacts from construction.

Response 15.8

The commenter is concerned about light pollution associated with future development in Los Osos. Please refer to Section 4.1 of the Draft EIR for a discussion of visual impacts, specifically Impact AES-5, which addresses impacts related to light and glare. As discussed in that section, the LOCP includes several standards and policies to address the effects of lighting, especially in commercial areas. Projects are also required to comply with Section 23.04 of the Coastal Zone Land Use Ordinance, which regulates the use of lighting in future development.

Response 15.9

The commenter is concerned about liquefaction, and its potential effects on public safety in the context of new development. Impacts related to geology and soils are described on pages 1-9 through 1-14 of the Draft EIR. Liquefaction-related impacts were found to be less than significant at a programmatic level, because development would be required to comply with state laws, including the California Building Standards Code (CBC), which has stringent requirements that ensure building safety. Projects would also be required to comply with the San Luis Obispo County Building Code, as well as existing General Plan Safety Element policies would minimize the risk to life and property. Any recommendations from geotechnical investigations that may be required on a case-by-case basis to comply with state and local law would be required in individual project design to ensure public and building safety.

Response 15.10

The comment is concerned about the ability to pay for public services that would be required to support new development. New development will be required to pay established fees to offset impacts related to the provision of public services. In general, new development will be required to “pay its own way” to minimize financial impacts on existing development in the community.

Response 15.11

The County will work with LOCSD as appropriate with respect to managing growth. The purview of LOCSD is to provide public services related to water, drainages, parks and recreation, and in some areas,

street lighting. Land use authority, including planning and development, rests with the County. The two agencies will coordinate with each other regarding their respective areas of authority as development is proposed.

Response 15.12

The County will evaluate projects on a case by case basis as applications come forward, including those within flood hazard areas. Development will be required to comply with state and local laws that pertain to flood hazard areas.

Response 15.13

New development will be required to address County requirements related to noise and air pollution. The Draft EIR describes the existing regulatory framework with respect to these issues in Sections 4.9.1.b (Noise) and 4.2.1.b (Air Quality) of that document.

Response 15.14

New development will be required to address County requirements related to cultural resource protection and tribal consultation. The Draft EIR describes the existing regulatory framework with respect to these issues in Sections 4.5.1.f. Additional regulatory mitigation is also included in the Draft EIR, which will become part of the LOCP. These eight mitigation measures may be found following the discussion of Impacts CR-1 through CR-4.

Response 15.15

The comment discusses the public's potential involvement in the issuance of "incidental take permits" in the context of climate change. It is unclear what is meant by that comment, since those two issues are only tangentially related. Incidental take permits are issued through an established process pursuant to Section 10 of the United States Endangered Species Act via the US Fish and Wildlife Service, to private, non-federal entities undertaking otherwise lawful projects that might result in the take of an endangered or threatened species. Application for an incidental take permit is subject to certain requirements, some of which are subsumed into the Los Osos HCP. This document will become part of the LOCP, and will guide future development with respect to this issue.

Response 15.16

Please refer to Section 4.15 of the Draft EIR for a discussion of issues related to water supply and future development in the community. Also refer to Master Response 1 in Section 8.2 for further discussion of this issue.

Response 15.17

The comment concerns the County's efforts to address impacts to ecosystems and human/animal waste management in the context of future growth. Solid waste disposal issues are discussed in Section 4.11 of the Draft EIR. Water quality protection is discussed in Section 4.7 of the Draft EIR, which impacts and mitigation related to protection of biological resources are described in Section 4.3 of the document. Please refer to the regulatory setting discussion of each section for a detailed discussion of existing requirements related to these issues.

Response 15.18

The comment discusses impacts on endangered species and ecosystems related to possible wildfire that results from growth. Specifically, the comment recommends that 300-foot fire breaks be required

between development and wildfire hazard areas to protect wildlands and homes. Please refer to pages 1-17 through 1-19 of the Draft EIR for a discussion of this issue, including the existing regulatory framework that addresses wildland fires at both the state and local level. For further discussion of this issue, please also refer to Master Response 4 in Section 8.2.

Response 15.19

The County has strived to maintain transparency about the EIR process for the project, and to provide ample opportunity for public input. For example, there was a 90-day public review period for the Draft EIR for the LOCP when only a 45-day period was required. The October 28 workshop on the Draft EIR was not required under CEQA, but was conducted in order to provide an additional opportunity for the public to learn about the project and help frame any questions that could arise through the public review process.

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

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

16.1

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

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

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

16.2

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

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

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

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

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

16.2
continued

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

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

16.3

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

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

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

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

16.3
continued

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

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

16.4

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

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

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

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

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

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

16.4
continued

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

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

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

16.5

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

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

Recon’s Noise Analysis - Vehicle Traffic Noise Report

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

16.6

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

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

Response to Letter 16

COMMENTER: Jeff Kreps, Private Citizen

DATE: November 22, 2019

Response 16.1

The comment speculates that the largest traffic increases in Los Osos will be from work commutes, school trips, recreation and shopping, not from retirees or vacationers. Section 4.13 analyzes trip generation characteristics of the community and potential impacts that could result, based on the future development potential of the community as summarized in Table 4.13-6. This land use mix is consistent with the issues of concern as raised in the comment.

Response 16.2

The comment challenges the accuracy of some of the assumptions made in the travel demand model (TDM) used in the EIR analysis. The original creation and evolution of the TDM for the Los Osos community began in 2002 and was updated in 2008-2010. In 2015, with this proposed update to the Los Osos Community Plan, the TDM was once again updated and used for evaluation of travel forecasts resulting from the proposed Community Plan in comparison to the past community plan. The original TDM creation and its subsequent updates have all been performed by the same team lead within Omni-Means and subsequently within GHD, when the two companies merged. The TDM development, calibration and forecast process was closely monitored and guided by first the San Luis Obispo County Public Works staff and then, by Planning staff. A full technical report, entitled, “*Los Osos Travel Demand Model Update Final Report*” was prepared in 2010 fully describing this model development, calibration and forecast process that was accepted and approved by County staff. Then, with this approved TDM, it was then used for not only the transportation impact analysis for this proposed Los Osos Community Plan EIR, but also for fulfilling the nexus requirements of AB 1600 to update the Los Osos transportation impact fees. All land use files, including ‘existing’ GIS files and ‘build-out’ files were provided by the County and used as provided.

In that this transportation analysis is at a community planning level, the original goal of the TDM and supporting analysis was to determine the appropriateness of the need for roadway additions, widenings, extensions and other major circulation improvements. This TDM, or any TDM as a planning tool, is not designed to evaluate the specifics of design elements of roadway alignments and other more sensitive traffic operational characteristics. Other technical transportation tools and software are available that can better make these assessments when such evaluations are needed, which are not typically at the community plan level.

The proposed extension of Ravenna Road to Ramona Avenue will divert travel and reduce traffic volumes on other area roadways, like 9th Street and Pine Avenue, but the amount of traffic diversion is not projected to be of such a magnitude that other localized traffic impacts would occur presuming the proposed improvements follow County policies and standards.

Response 16.3

In review of the TDM model network created to represent circulation in the vicinity of 3rd and 4th Streets in the vicinity of Pismo Avenue, adequate street segment representation within the model street network was created for planning level analysis in this primarily residential area of the community. Additionally, in review of both existing traffic volumes and forecasted build-out volumes, existing and

Section 8.0 – Comments and Responses

projected conditions did not indicate the need for any planning level recommendations, such as roadway additions, widenings or extensions to achieve acceptable travel conditions beyond those circulation improvements contained in the proposed Los Osos Community Plan Update Circulation Element.

Lastly, the issues raised regarding current safety concerns are not typically addressed as a part of any travel forecast modeling nor within a community plan update, other than addressing the overall safety concern as a policy of the proposed Plan. As was shared, the safety concerns as raised would be addressed over time by the San Luis Obispo County Public Works Department in finding safety and operational improvements to address the concerns raised.

Response 16.4

The comment challenges the accuracy of some of the assumptions made in the travel demand model (TDM) used in the EIR analysis. Please refer to Response 16.2.

Response 16.5

The issues raised are ones that identify potential current traffic operational or safety concerns that are not typically addressed within a community plan update, which provides guidance for future actions with the plan area through its policies. These issues should continue to be shared with the County's Public Works Department as they arise, which will address these in the context of the County's policy framework.

Response 16.6

The comment challenges the accuracy of the noise modeling based on the belief that the assumptions that went into the travel demand model were flawed. The noise analysis accurately reflects the traffic analysis as included in the Draft EIR. Please refer to Response 16.2 for a discussion of issues related to the travel demand model.

11 December 2019

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

via email – kbrown@co.slo.ca.us

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

Dear Kerry, et al.

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

PROPERTY INFORMATION

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

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

A. Zoning Discrepancy between Documents

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

17.1

QUESTION:

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

17.1
continued

B. Environmentally Sensitive Habitat Areas (ESHA)

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

17.2

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

QUESTIONS:

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

17.3

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

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

17.4

17.5

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

The Coastal Zone Land Use Ordinance §23.07.172 c. Land Division prohibits subdivision of parcels containing Environmentally Sensitive Habitat, unless all proposed building sites are located entirely outside of the applicable minimum setback required by §23.07.172 - .178. As noted above, the subject SFR properties are currently 3.64, 4.61, and 3.01 acres, respectively, for a total of 14.76 acres.

In circa 2000, sewer assessments for the subject properties were based upon the SFR zoning and parcel size. For the past 15-years, the property owners have been paying into the Los Osos Wastewater AD#1 (LOW AD #1), which, again, based its assessment on the potential to subdivide into smaller parcels. Based upon a minimum parcel size of 6,000 square feet (CZLUO §23.04.028) and other factors, the sewer assessment for the three parcels was based upon the potential for fifty-eight (58) lots.

17.6

QUESTION:

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

D. Water Resources

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

17.7

QUESTION:

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

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

Respectfully yours,
OASIS ASSOCIATES, INC.



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

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

Response to Letter 17

COMMENTER: C.M. Florence, Oasis Associates

DATE: December 11, 2019

Response 17.1

The commenter is concerned about how an area shown in the LOCP as a potential change in land use from RSF to REC and RMF is not analyzed that way in the Draft EIR (Community Plan Area 27). The commenter would support change to higher density if possible, and requests background information from the County as to how that property is no longer under consideration for a land use change. The County provided background information regarding the change to the respondent. Please refer to Master Response 2 for further discussion of this issue as it relates to the EIR analysis.

Response 17.2

The comment requests additional information as to how the boundaries of ESHA included in the Draft EIR were developed, as a portion of this area affects one of her client's properties. The ESHA boundaries were originally based on those included in the Estero Area Plan, but augmented through additional field work conducted through the development of the HCP and its related EIR. In some instances, this was further augmented through field analysis conducted through the preparation of the Draft EIR for the LOCP, although those changes did not affect the property of concern as raised in the comment.

Response 17.3

The comment asks whether additional site-specific evaluation of the properties in question are possible in order to determine the intrinsic value of ESHA that may be located on the site. At the time of any project application, applicants are welcome and encouraged to provide any technical information in support of their application, including studies related to biological resources. Such studies would be objectively evaluated and considered by the County in its review of the application, and important in the consideration of approval of such projects.

Response 17.4

The comment seeks confirmation that an ESHA overlay does not preclude future development. Please refer to Chapter 7 of the draft LOCP, Section 7.4.B., which provides criteria for potential development within identified ESHA (Los Osos Ecosystem SRA). This in turn is further clarified through the County's Coastal Zone Land Use Ordinance (CZLUO) Section 23.07.172. That said, this comment does not pertain to the adequacy of the EIR, nor of its contents, analysis or mitigation measures.

Response 17.5

The comment seeks feedback on the interrelatedness of the HCP, LOCP, and the status of the Morro Shoulderband snail. The LOHCP provides policy framework with respect to the Morro Shoulderband snail, and this issue is examined in detail in the EIR for that effort. The LOHCP, once completed, will be included in its entirety within the LOCP, and be used as the policy framework for protection of this species under the LOCP.

Response 17.6

The comment seeks clarification regarding the potential subdivision of parcels development on lands containing ESHA, in the context of CZLUO 23.07.172.c as it relates to restrictions on development of

such lands. Please refer to Response 17.3. Development in such areas is subject to review by the County for consistency with ESHA standards and policies and subject to appeal to the California Coastal Commission.

Response 17.7

The comment seeks confirmation from the County that water resources are available under the Basin Plan to support future development in the community, specifically the SR parcels of concern to the commenter. Section 4.15 of the Draft EIR describes the County's regulatory framework with respect to this issue. With respect to growth, future development would be allowed based on the implementation of certain programs related to water use and conservation, as included in the Basin Plan. Please refer to the discussion under Impact W-1, on pages 4.15-6 to 4.15-16. Also refer to Master Response 1.

From: Marcie Begleiter <mdbegleiter@gmail.com>
Sent: Wednesday, December 11, 2019 11:50 AM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comment on Los Osos Development Plan

Letter 18

Dear Ms. Brown and County Board of Supervisors,

Thank you for the opportunity to offer feedback on the draft of the Los Osos Community Development Plan.

It is an impressive document - well researched, detailed and offers many options for development of Los Osos. As a resident of the town I am deeply interested in our town's development future and have a few comments and questions for the Supervisors who are considering its approval.

First of all I commend the plan's attention to the unique quality of Los Osos - the natural surroundings which are protected by green spaces on the edges and throughout the area. My husband and I moved here as we were attracted by the small-town qualities and natural surroundings.

In looking to preserve the character of the town I am supportive of development of the natural resources as well as opportunities for diverse businesses and an expanded population. That said, the plan has a maximum cap on development that seems **questionable in terms of the ability for the town's resources to support a 29% increase in population within the next 15 years (2035).**

Specifically, I refer to the **ongoing issues with salt water intrusion into the lower aquifer of the Los Osos Basin and the current over-extraction rates of the upper aquifer.** Even in 2012, when this plan was begun, the commercial, agricultural and residential requirements of the Los Oso water district was beyond what our supply could support (LOCP E 2.4).

In support of the current Development Plan, which is dated from 5 years ago, I strongly suggest commissioning an **undated revision of the LOV Sustainable Water Basin Management Plan** so we can have a realistic idea of what the community's ability is to support future development. **The most recent plan is dated 2013 (using data from 2010-2012), and because of drought and climate change the data is out-of-date.**

18.1

For instance, the "Urban Water Reinvestment" plan (LOCP E-5) involves the reuse of treated water for agricultural purposes. But according to an article in the New Times in February of this year the **plant is only providing just over 500 acre feet per year, when estimates were that it would provide 750 acre feet per year.** That's quite a short fall! So even before new development we have a situation where agricultural and commercial needs are in conflict because of a lack of resources.

In fact, according to the Los Osos CSD, **the amount of available groundwater, the only water source in Los Osos, has decreased to the level we had in the late 1970s when the population was only 11,000** (Los Osos Basin Plan 2015 pg 3). This new plan calls for a max population growth to 18,000.

While the **Basin Plan has some suggestions that would protect and even increase the yield for current water resources (E6-8) it this comes with an estimated price tag of over 50 million dollars.** The development plan should be specific about where these funds will come from as the expansion of population and business is tied to exploitation of this fragile resource.

Finally, the issue of **salt water intrusion** into the lower aquifer is a primary challenge to the level of development outlined in the current plan. What were the **readings from the salt water intrusion tests that were recently conducted in Cuesta by the Sea?** This information would be vital to gage the level of development that is feasible for Los Osos.

In summary, the plan does have a caveat for increasing the available water that goes beyond the recommended plan for the Basin (E-7), but again, this **upper end projection is based on out-of-date data and it seems unwise to base a plan for large-scale development on a water source that is already strained to supply enough water to the existing population, commercial and agricultural needs of the community.** Although the plan does call for

the water board's feedback to mitigate growth, why have an upper cap that is inconsistent with what we know about our known water supply.

The growth rate for the state of California has been 14 percent over the past 15 years. This plan calls for, on its maximum limit, a growth rate that is double the state average. With the climate changing, sea levels rising and salt water intruding, what counts as sustainable growth on a town built on sand should be based on current data and balancing business development with quality of life concerns for current residents.

18.2

*** I urge the commission to revise the plan to reflect a growth rate of 15% through 2035 which is in keeping with the historic growth rate of the state and which will be more in line with current and serious issues of sustainability.**

Thank you for taking the time to consider these comments and I look forward to engaging with the community on plans for our future.

Best,

Marcie Begleiter

2005 9th St, Suite E

Los Osos

Response to Letter 18

COMMENTER: Marcie Begleiter, Private Citizen

DATE: December 11, 2019

Response 18.1

The comment questions whether the level of development that could be accommodated under the LOCP could be sustained by the availability of resources. Specifically, she is concerned about salt water intrusion if the groundwater basin is overused. The EIR evaluates water supply and water quality issues, and largely bases its analysis related to water supply on the Basin Plan. The Basin Plan and Annual Reports include a strategy that manages growth based on implementation of various programs that are intended to address either water supply or demand, in order to ensure orderly growth. These programs are described in detail in Section 4.15 of the Draft EIR, and analyzed in the context of future growth under Impact W-1, pages 4.15-6 through 4.15-15. Mitigation Measure W-1(a) requires biannual review of the Basin Plan to ensure ongoing consistency between the Basin Plan and growth under the Community Plan. Please also refer to Master Response 1 in Section 8.2 of the Final EIR.

Response 18.2

In order to address water supply and water quality issues, the comment recommends capping growth through 2035, such that a maximum 15% increase in existing levels occurs between now and then. This perspective will be considered by the Board of Supervisors.

To: Kerry Brown, San Luis Obispo County Planning Department
Cc: Trevor Keith, San Luis Obispo County Planning Department

Letter 19

From: Ellen Nelson ellen@barncatservices.com

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

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

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

19.1

Comments on the Draft Environmental Impact Report:

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

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

19.2

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

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

19.3

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

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

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

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

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

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

19.3
continued

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

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

19.4

Response to Letter 19

COMMENTER: Ellen Nelson, Private Citizen

DATE: December 11, 2019

Response 19.1

The commenter expresses that it was difficult to find information about the EIR process on the County’s website or through other information sources. The County makes every effort to publicize public meetings and hearings, and welcomes input from the public to improve its noticing procedures in any way. To that end, the County has strived to maintain transparency about the EIR process, and provide ample opportunity for public input. For example, there was a 90-day public review period for the Draft EIR when only a 45-day period was required. The October 28 workshop on the Draft EIR was not required under CEQA, but was conducted in order to provide an additional opportunity for the public to learn about the project and help frame any questions that could arise through the public review process.

Response 19.2

The comment questions is concerned about issues related to water supply and water quality (sea water intrusion). The EIR evaluates water supply and water quality issues, and largely bases its analysis related to water supply on the Basin Plan. The Basin Plan and Annual Reports include a strategy that manages growth based on implementation of various programs that are intended to address either water supply or demand, in order to ensure orderly growth. These programs are described in detail in Section 4.15 of the Draft EIR, and analyzed in the context of future growth under Impact W-1, pages 4.15-6 though 4.15-15. Mitigation Measure W-1(a) requires biannual review of the Basin Plan to ensure ongoing consistency between the Bain Plan and growth under the Community Plan. Please also refer to Master Response 1.

Response 19.3

The comment is concerned that the information included in her letter was not described in the Draft EIR. The County appreciates the references to the November 2018 Basin Management Committee meeting, as well as discussion of nitrates, which is information that will be considered by the Board of Supervisors as it contemplates possible Community Plan approval. Note that this information supports the Draft EIR’s finding that water quality impacts were found to be significant but mitigable, and would not change the nature of programmatic policy-related mitigation included in the EIR, which is an appropriate approach for the analysis of a Community Plan.

Response 19.4

Until all septic tank pollution is ended and all human waste is directed to the new sewer plant, the commenter can only support Alternative 1 (No Project, No Development), a perspective that will be considered by the Board of Supervisors.

Comments on the Los Osos Community Plan Draft Environmental Impact Report

Section 2.0 - Project Description

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

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

20.1

Section B2.6.2 - **Transportation and Circulation**

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

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

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

20.2

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

Section ES-2.32 2.6.3 **Coastal Access**

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

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

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

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

20.3

ES-4.1-9 Chapter 8: Coastal Access

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

20.3
continued

Section 4.4 - **Coastal Hazards**

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

20.4

Section 4.12 - **Recreation**

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

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

20.5

Section 4.1 - **Aesthetics**

2.5.4 Circulation

Program CIR-4.3. Commercial Streetscape

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

Goal: preserve night sky; avoid light pollution.

20.6

Respectfully submitted,

Beverly Boyd
12/11/19

Response to Letter 20

COMMENTER: Beverly Boyd, Private Citizen

DATE: December 11, 2019

Response 20.1

The commenter expresses the concern that the property at Los Olivos and Fairchild (identified as item 27 on Figure 2-4 and Table 2-1 of the EIR Project Description) should not be designated as Commercial Service as shown in the Draft EIR. In reference to a possible contradiction between what is shown in the Draft EIR and what is included in the Community Plan, the Draft EIR accurately reflects the land use changes under consideration at the time of its preparation. Possible land use conflicts that could arise from that land use are described in the Draft EIR. Please refer to Master Response 2 for additional information related to this topic.

Response 20.2

The commenter seeks clarification about whether the Community Plan will consider the nature of a possible extension of Ravenna Avenue between Los Osos Valley Road and Ramona Avenue, specifically whether the intent is to have that open for motor vehicles as a collector road or just for pedestrians and cyclists. It is her perspective that this should be for pedestrians and cyclists only. The Draft EIR evaluated this as a possible collector road, which was the direction at the time the Draft EIR was prepared. The Board of Supervisors will consider the perspective of the commenter as it considers possible approval of the Community Plan.

Response 20.3

Figure 2-15 shows coastal access points in Los Osos, based on a map included in the Draft Community Plan. The County appreciates input related to making any necessary corrections to this map, which will be useful in finalizing this and all other maps included in the adopted Community Plan. It is not necessary to make these changes in the EIR, since the map does not materially affect the analysis or mitigation measures included in the document, nor does it substantially degrade the public's ability to understand this issue at a conceptual level.

Response 20.4

The comment suggests a correction in the discussion of coastal armoring with respect to coastal hazards. This change will be reflected in the Final EIR, but it does not change the analysis or mitigation measures included in the document.

Response 20.5

The commenter makes suggestion about where boat ramps should be located in Los Osos. This information does not affect the EIR analysis or mitigation, but will be considered by the Board of Supervisors.

Response 20.6

The commenter suggests removing references to streetlights currently included in draft the Community Plan in order to protect the night sky. This comment does not relate to the EIR analysis, but will be considered by the Board of Supervisors.

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

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

21.1

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

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

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

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

21.2

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

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

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

21.3

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

21.4

4. Regarding traffic and circulation:

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

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

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

21.5

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

21.6

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

Sincerely, R. D. Bowlus

Response to Letter 21

COMMENTER: R.D. Bowlus, Private Citizen

DATE: December 11, 2019

Response 21.1

The commenter discusses coastal access issues, and requests that this issue be emphasized to a greater extent. Although he suggests including additional references to coastal access in the EIR, his underlying intent is to have these issues emphasized to a greater extent in the Community Plan itself. As appropriate, the Board of Supervisors will consider this comment, and potentially make changes to the Community Plan if they choose. The Draft EIR will be modified on Pages 2-33, 4.12-1 and 4.12-8 to address coastal access in the context of recreation. These changes will not affect the analysis or conclusions of the Draft EIR.

Response 21.2

Figure 2-15 shows coastal access point in Los Osos, based on a map included in the Draft Community Plan. The County appreciates input related to making any necessary corrections to this map, which will be useful in finalizing this and all other maps included in the adopted Community Plan. It is not necessary to make these changes in the EIR, since the map does not materially affect the analysis or mitigation measures included in the document, nor does it substantially degrade the public's ability to understand this issue at a conceptual level.

Response 21.3

The commenter raises the issue of light pollution, and wonders what can be done to minimize lighting on private commercial and residential properties. The Board of Supervisors will consider this perspective as it considers approval of the Community Plan.

Response 21.4

Noise issues are analyzed in Section 4.9 of the Draft EIR, and appropriately considers the potential impacts of new development under the LOCP. Such effects relate primarily to traffic, construction, and noise related to commercial operations. In the context of a long-range community plan, an EIR does not consider the effects of noise from existing development, since this is part of the baseline condition.

Response 21.5

The commenter is a member of the LOCAC traffic subcommittee and considers the transportation priorities included in the draft Community Plan (and therefore in the Draft EIR) to be out of date, and lacking emphasis on non-motorized transportation. The Board of Supervisors will consider this perspective as it considers approval of the Community Plan.

Response 21.6

The commenter expresses the concern that the property at Los Olivos and Fairchild (identified as item 27 on Figure 2-4 and Table 2-1 of the EIR Project Description) should not be designated as Commercial Service as shown in the Draft EIR. Possible land use conflicts that could arise from that land use are described in the Draft EIR. Please refer to Master Response 2 for additional information related to this topic.

December 7, 2019

Letter 22

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

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

SUBJECT: Comment Regarding Los Osos Community Plan Update

Dear Mr. Brown:

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

CENTRAL CONCERN: A Reliable, Safe Water Supply

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

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

22.1

Recommendations:

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

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

22.1
continued

OTHER CONCERNS

1. Evacuation

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

22.2

Recommendation:

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

2. Construction Impacts

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

22.3

a. Vibration

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

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

b. Multi-month construction noise

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

c. Light pollution

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

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

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

d. Setbacks and Other Requirements

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

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

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

22.3
continued

Recommendation:

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

22.3
continued

IN CLOSING

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

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

22.4

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

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

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

Sincerely,

ELLEN O. STURTZ
Los Osos Homeowner

Attachments

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

Attachment A

WATER SUPPLY AND MY RECENT EXPERIENCE

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

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





150
AUC





Response to Letter 22

COMMENTER: Ellen Sturtz, Private Citizen

DATE: December 7, 2019

Response 22.1

The commenter is concerned that there is insufficient water supply to support the level of development that would be accommodated under the Community Plan. This issue is addressed in Section 4.15 of the Draft EIR. Also refer to Master Response 1 for an expanded discussion related to this issue.

Response 22.2

The commenter is concerned about impacts related to emergency evacuation plans in the event of a disaster. As discussed on Page 1-17 of the Draft EIR, the San Luis Obispo County Safety Element describes the need and applicability of emergency response plans to address a variety of hazards within the County. It prescribes conditions for their creation, and how such plans would be coordinated with multiple agencies to address disasters. The proposed project is a Community Plan that would provide for orderly development, including improvements to the circulation system to accommodate that development. As such, it will not interfere with any existing or potential emergency response plan, but would likely help facilitate a more timely evacuation because of improvements to the roadways network that would be called for under the plan.

Also please refer to Section 4.13, Impact TC-4 for a discussion of emergency response and proposed policies in the Community Plan that address this issue.

Response 22.3

The commenter is concerned about construction related impacts to neighbors, notably with respect to noise, vibration, and light, all in the context of setback requirements. Please refer to Section 4.9, Impact NOS-1 for a discussion of noise and vibration impacts. Mitigation Measure NOS-1(a) requires additional Planning Area Standards to address this issue as it relates to the notification, the use of newer construction equipment, and shielding as appropriate. With respect to light, construction activities would be limited to normal daylight hours, per existing County requirements.

Response 22.4

The commenter recommends more active community engagement and more care should be given to Los Osos by government officials, suggesting a level of disappointment with the existing level of service provided, and feels the proposed Community Plan is inadequate to provide a framework for future decision-making. No CEQA issue is raised in this comment, so no response is possible.

From: jean.j <jean.j@att.net>
Sent: Wednesday, December 11, 2019 10:11 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Proposed commercial zoning

Letter 23

In regard to the lot on Fairchild Way and Los Olivos Ave, I am opposed to rezoning this area per the DEIR. Please consider the residents' claims involving this decision.

23.1

Thank you.

Jean Balthazor

1183 Santa Ynez Ave, Los Osos

Response to Letter 23

COMMENTER: Jean Balthazor, Private Citizen

DATE: December 11, 2019

Response 23.1

The commenter is concerned about the potential redesignation of the “Bean Parcel” from Office Professional (OP) to Commercial Service (CS), and potential incompatibility with nearby residential areas in the vicinity of Los Olivos and Fairchild. Please refer to Master Response 2 for a discussion of this issue.

December 11, 2019

Letter 24

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

Dear Ms. Brown:

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

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

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

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

24.1

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

24.2

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

24.3

4. Processing Building Permits:

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

24.4

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

5. What are the differences between Alternative 3 and 4 in the Plan? What mitigation measures make Alternative 4 more environmentally superior? **24.5**

6. There are inconsistencies in the figures, tables and text related to the Morro Shores area in the Plan. Table 2-1 shows proposed land use designations (RMF and RSF) which is different from Table 2-2 of community plan use (RMF, RSF and CS). Variations also exist in maps in the Plan. For example, Area 2 on Figure 2-9, page 2-21 now belongs to the San Luis Land Conservancy. This area consistently is miss named as being part of Morro Shores throughout the Plan. Will these variations in data be corrected in the final Plan? **24.6**

7. The 60 acre open space just south of our Mobile Home Park has been enjoyed for decades as a nature corridor with walking trails. This Los Osos Nature Corridor is designated in the Plan for dense multi-family housing (which could be up to 38 units an acre – from the SLO County Housing Plan page 3-6) and commercial use. How is such a radical change for such an entire large area of open space with significant adverse impacts on air quality, traffic, water, drainage, noise, light, etc. justified? **24.7**

8. The Draft EIR points out that there is more open space set aside in the Plan than there was in the Estero Bay Plan. However in the Plan, all the open space in the center of town is now designated for dense multi-family housing. Can you describe what your vision is for increasing open space and park acreage in the prohibition zone in the Plan? **24.8**

9. Everyone wants affordable housing. However, for many reasons developers don't build affordable housing. Are tiny homes and/or manufactured homes under consideration for the Los Osos Nature Corridor – 60 acres south of Morro Shores Mobile Home Park? **24.9**

10. The “key components of the draft LOCP include” (page ES-2) “incorporating strategic growth policies”, and “developing a Public Facilities Financing Plan for new development”. Neither of these components are specifically delineated in the Draft EIR. How will these components be addressed in the final Plan? **24.10**

11. Salt water intrusion into our aquifers has slowed, but not receded or abated, and only because of above average rainfall. Since most of the water from septic tank settling no longer returns to the aquifer, how can you suggest that water is available because of the new sewer system? We are pumping more water out, and returning less. **24.11**

12. Do you think the Coastal Commission has a chance of approving development when ALL of our water supply comes from two aquifers that are threatened by salt water intrusion? **24.12**

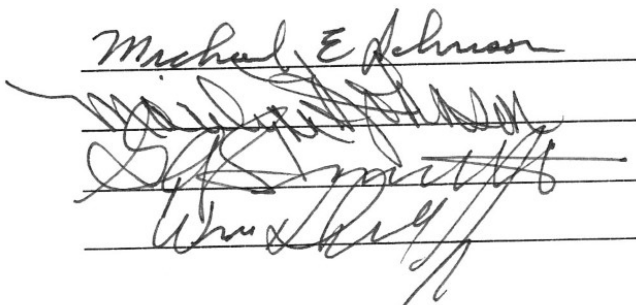
13. Do we have any possibility of connecting to the state water supply that provides for San Luis Obispo? How do you justify development in an area with no alternative water supply? **24.13**

We urge the Board of Supervisors to adopt Alternative 1 until our questions can be answered. **24.14**

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

Signature

Printed Name



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

Signatures (continued)

Signature

Printed Name

E. Cottrell

Elinore H. Cottrell

Rachael Winn Yon

Rachael Winn Yon

Stephanie Raphael

STEPHANIE RAPHAEL

Margaret A. Diehl

MARGARET A. DIEHL

Barbara L. Musso

Barbara L. Musso

James Michael Raphael

JAMES MICHAEL RAPHAEL

Barbara A. Hawkins

Barbara A. Hawkins

James Howland

JAMES HOWLAND

Kris Konko

Kris Konko

Carola Bundy

Carola Bundy

Dora Bialarz

Dora Bialarz

Nancy Flanders

Nancy Flanders

Eve Gruntfest

Eve Gruntfest

~~MARC WEBER~~

MARC WEBER

Marc Weber

Response to Letter 24

COMMENTER: Jeanne Howland, Private Citizen (submitted on behalf of undersigned Morro Shores residents)

DATE: December 11, 2019

Response 24.1

The commenter is concerned about water supply in the context of future growth under the Community Plan. Please refer to Section 4.15 of the EIR, which discusses potential impacts with respect to water supply. Please also refer to Master Response 1.

Response 24.2

The commenter is concerned about impacts related to emergency evacuation plans in the event of a disaster. As discussed on Page 1-17 of the Draft EIR, the San Luis Obispo County Safety Element describes the need and applicability of emergency response plans to address a variety of hazards within the County. It prescribes conditions for their creation, and how such plans would be coordinated with multiple agencies to address disasters. The proposed project is a Community Plan that would provide for orderly development, including improvements to the circulation system to accommodate that development. As such, it will not interfere with any existing or potential emergency response plan, but would likely help facilitate a more timely evacuation because of improvements to the roadways network that would be called for under the plan.

Also please refer to Section 4.13, Impact TC-4 for a discussion of emergency response and proposed policies in the Community Plan that address this issue.

Response 24.3

The commenter is concerned about drainage and water quality issues associated with future development under the Community Plan. These issues are addressed in Section 4.7, Drainage and Water Quality, specifically under Impacts HYD-1 and HYD-2. This section also discusses the existing and policy framework that relate to these issues, including policies contained in the Community Plan.

Also refer to Section 4.3 of the EIR, which discusses water quality in the context of habitat protection. Specifically, refer to Impacts BIO-2 and BIO-3 (which address wetlands and riparian areas), including the regulatory framework related to these issues, and mitigation measures as appropriate.

Response 24.4

The commenter is concerned about the County's building permit process with respect to future development in Los Osos. While an important issue, it is unrelated to CEQA, including the information, analysis and mitigation measures included in the EIR document. No further response is appropriate in the context of the EIR process.

Response 24.5

Alternative 3 would limit buildout potential under the Community Plan based on the concept that only some of the programs included in the Basin Plan would be implemented. Specifically, it assumes that infrastructure Programs B and C under the Basin Plan are not completed, and that less desalinated water is produced under Program S, which would collectively limit growth based on the fact that

insufficient water infrastructure and supply would be available to support full development under the Community Plan. Alternative 4 is exactly like the proposed project, except that it also includes all mitigation measures associated with the proposed project (including modified or new policies) as a means of reducing potential impacts. Please refer to pages 6-8 through 6-38 of Draft EIR Section 6.0 for a complete description of each. Alternative 4 is environmentally superior because it includes all mitigation measures described in the EIR, whereas Alternative 3 does not explicitly include any of them.

Response 24.6

The commenter notes potential inconsistencies in maps and tables associated with land uses as they relate to the Morro Shores area. Please refer to Master Response 3 as it relates to land uses and potential map differences between the Draft EIR and draft Community Plan with respect to this area. The Final Community Plan will reflect land use decisions made by the Board of Supervisors, based on Planning Commission recommendations, which in turn will be informed by public input and technical information provided in the EIR and other documentation.

Response 24.7

The EIR is a programmatic document intended to address communitywide impacts at a large scale, primarily in the context of the proposed Community Plan's policy framework and buildout potential. Wherever appropriate, impacts related to individual parcels are described, primarily in Section 4.8, *Land Use and Policy Consistency*. Such impacts are summarized in Table 4.8-1, including those related to the Morro Shores area in question. It is notable that this area is already designated for single-family and multi-family housing in the existing Estero Area Plan. Please refer to Master Response 3 for additional discussion of this issue.

Response 24.8

The commenter asks about the vision for open space and park acreage in the prohibition zone. While an important issue, it is unrelated to CEQA, including the information, analysis and mitigation measures included in the EIR document. No further response is appropriate in the context of the EIR process. That said, the Board of Supervisors will make final land use decisions (including those related to open space and parks) based on Planning Commission recommendations, which in turn will be informed by public input and technical information provided in the EIR and other documentation.

Response 24.9

Development consistent with the Mixed Use designation under the proposed Community Plan would be allowed in the area in question. That said, no development is proposed at this time, but the Community Plan would provide a framework for future project applicants with interest developing that area. Under the existing Estero Area Plan, this area could potentially be developed with single and multi-family homes.

Response 24.10

The EIR is a programmatic document intended to address communitywide impacts at a large scale, primarily in the context of the proposed Community Plan's policy framework and buildout potential. The EIR considers both physical and policy issues as included in the draft Community Plan. In terms of policies, the EIR's conclusions are based in part about whether the Community Plan's proposed policy framework is sufficient as a mechanism to guide and regulate future development. The plans and policies referred to by the commenter are part of that framework, and future development under the

Section 8.0 – Comments and Responses

Community Plan would be considered in the context of whether it is consistent with those actions and policies. The Public Facilities Financing Plan will be included in the Public Hearing Draft of the Los Osos Community Plan.

Response 24.11

The commenter is concerned about water availability and whether it is sufficient to support new development under the Community Plan. Please refer to Master Response 1.

Response 24.12

Coastal Commission's future actions are unknown, and it is not appropriate to speculate about them in a CEQA document. That said, the Community Plan will need to be approved by the Coastal Commission prior to its ability to be implemented as a County policy document. The policy framework of the Community Plan is intended to be consistent with Coastal Commission policies, and the Draft EIR analyzes potential consistency with those policies in order to provide a general understanding of these from the County's perspective. The Coastal Commission must make the final determination of consistency with its own policies.

Response 24.13

The Basin Plan and Annual Reports provide the framework for future water supply in the Los Osos area. Based on the analysis and information in that document, and by implementing the programs included in that document, it will not be necessary to connect to State Water in order to support future development in Los Osos. Section 4.15 of the Draft EIR summarizes this information.

Response 24.14

The undersigned commenters support Alternative 1 (no development), a perspective that will be considered by the Board of Supervisors.

December 11, 2019

Letter 25

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

RE: Los Osos Community Plan / DEIR

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

Dear Ms. Brown,

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

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

PAST

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

25.1

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PRESENT

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

FUTURE

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

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

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

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

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

25.1
continued

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

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

25.1
continued

A range of water conservation assumptions:

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

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

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

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

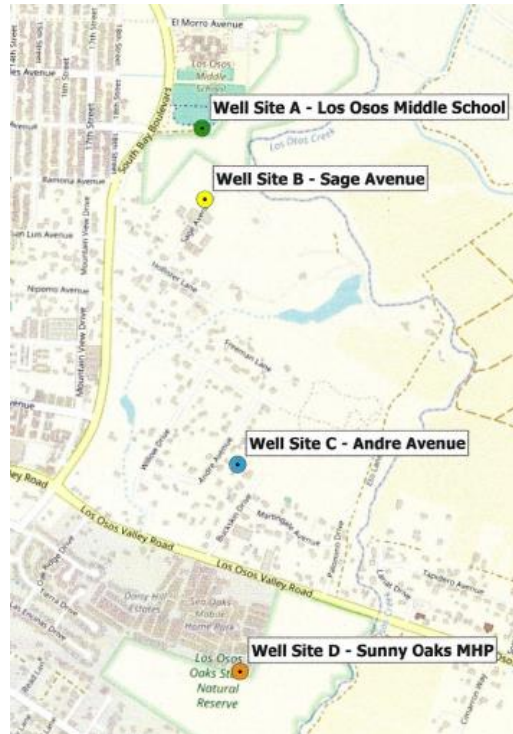
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2,760AF of sustainable yield for a projected yield of 2,910AF. **The resulting Basin Yield Metric at full build-out would be 2,240AF / 2,910AF = 77<80.**

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

Additional considerations regarding water

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



25.1
continued

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

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

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

25.1
continued

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

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

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

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

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

25.1
continued

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

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

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

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

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

Infrastructure Financing for Los Osos

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

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

25.1
continued

Chapter 7: Planning Area Standards

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

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

25.2

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

25.2
continued

General Note Regarding Commercial Retail – Los Osos CBD

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

25.3

Miscellaneous Considerations

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

25.4

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

Sincerely,

Jeff Edwards

Jeff Edwards

Response to Letter 25

COMMENTER: Jeff Edwards, Private Citizen

DATE: December 11, 2019

Response 25.1

The commenter provides an independent analysis of water supply issues in the context of possible buildout. This information will be considered by the Board of Supervisors as it contemplates potential approval of the Community Plan. Please refer to Section 4.15 of the EIR, which discusses potential impacts with respect to water supply. Please also refer to Master Response 1.

Response 25.2

The commenter suggests several modifications to the Planning Area Standards included in the draft Community Plan. While these do not directly relate to the EIR, the Board of Supervisors, if it makes policy changes that could affect the physical environment, would need to make CEQA Findings that indicate that such changes would not result in significant impacts greater than what is already described in the Draft EIR.

Response 25.3

The commenter suggests modifying Table 6-2 of the Draft EIR to reflect for greater development potential in the Commercial Retail (CR) district, particularly within the CBD. The information included in this another other similar tables, particularly in the EIR Project Description, are based on estimates generated by the County Planning and Building Department, and are considered appropriate based on reasonable assumptions made within their analysis. For this reason, no changes have been made to the table.

Response 25.4

The commenter suggests including one additional 8.75-acre parcel as Open Space within the Community Plan. This request will be considered by the Board of Supervisors.

Response 25.5

The commenter suggests that that Community Plan include the updated definition of Accessory Dwelling Units (ADUs) in the Community Plan. This information, if included in the LOCP, would not affect the analysis or mitigation included in the EIR.

Response 25.6

The commenter suggests limiting the extent of designated ESHA as shown in the Draft EIR, but does not provide a technical justification supported by analysis for this suggested change. Please refer to Section 4.3, and specifically the discussion under Impact BIO-2, pages 4.3-42 and 4.3-43, as well as Figure 4.3-5, for additional information regarding the appropriate extent of ESHA within the area.

Response 25.7

The comment concerns issues related to identifying what might be considered conforming development in the context of Coastal Commission appeal procedures. This issue does not relate directly to the EIR analysis or mitigation measures.

From: larry_owens50 <larry_owens50@comcast.net>
Sent: Saturday, December 7, 2019 12:44 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Cc: Marcie Begleiter <mdbegleiter@gmail.com>; Betsy Tjader <ewtjader@comcast.net>
Subject: [EXT]Comments and questions LO Community Plan

Letter 26

Hi Kerry,

I have reviewed the community plan, although not in its entirety. It is generally well done.

My comments fall into three categories: Zoning, growth and quality of life

Zoning:

1. although there is considerable movement away from residential to open space or recreation, most of these new areas will “naturally” be uninhabitable and perhaps inaccessible with anything more than the one meter rise in sea level currently predicted in the next several decades. Unfortunately, so far, reality is that worse case scenarios are coming true and at times being exceeded. The plan uses old data on this and thereby does a disservice to this area of consideration. **Please be clear in the plan that new and changing outlooks on sea level rise and its impacts should be included and/or create a mechanism for incorporating new data every five years for potential plan amendments.** It is not right to ignore new compelling information just because a plan “has to draw a line somewhere” in order to achieve completion.

FYI - Recent king tides have inundated much of these newly zoned OS and REC designated areas. Several boats on the shore at Cuesta Inlet, for example, were floated during the last king tide and carried away by the wind.

26.1

2. I propose for consideration the additional rezoning of residential (Mitchel) and commercial areas (Baywood) as OS and/or REC to evolve those areas away from a use that will surely be wrought with flooding and condemnation in the coming decades. Zoning is about future-shaping a community and prepares it for decades beyond the scope of the plan itself. Once Mitchel Road starts to get occasional flooding during even higher king tides and looks more like an island than a peninsula, the county will be hard pressed to provide continuing support services. This applies to many of our low-elevation areas - not just shore front. This is a long term visual and economic impact for the community, and a blight to the community that surrounds this national estuary. **Start to signal the halting of improvements and likely deconstruction of buildings in these flood zones in the future.** At least talk about what preparations are needed to adapt the plan in future years.

Growth:

This community development plan is heavy on solid parameters for economic developers and builders, but light on solid requirements for sustaining and improving quality of life. Sure, there are narratives for support of a more pedestrian and bicycle friendly community (hence lowering VMT), expansion of the library and the desire for an aquatics center. **I request that the plan include clear instruction for County Planners to include robust developer contributions toward these quality of life targets.** For example, make mandatory and increase contribution requirements for the building of bike paths from that development to the town center and to the OS and REC designated areas. Planning staff won't ask for things like this on their own - no staffer will risk the blow back from those that have money - it must be clear in in the Community Plan!

26.2

It is unfortunate that almost all cities and counties invite growth as a way to increase budgets and services. Prop 13 pretty much forces this. However, many of us moved from population centers to enjoy the quaint nature and low-growth community of Los Osos. Water and waste water are currently our most constricted resource - **please make the Community Plan growth plans solidly contingent on available water and waste water restrictions.**

26.3

Quality of Life:

Developers in an attractive place make more profit than developers in a crappy place. At the same time, development itself reduces the attractiveness of an area. Quality of life is an externality that is eroded with development and growth. Traffic congestion increases, more stop lights get installed, utility maintenance cost and rates go up, road maintenance increases, air quality decreases, visual beauty is interrupted, etc. City and counties rarely if ever value these externalities enough to compensate for their long term impact. This leads to the vicious

26.4

circle of needing to increase growth and development (for more taxes) to finance the underfunded new demand for support services and maintenance. Usually, these externality cost shortfalls are made up by socializing the cost to taxpayers and ratepayers. Or worse, services and quality of life degrade. **Make it clear that developers must materially contribute to retaining and improving the quality of life elements of the plan.**

26.4
continued

Thank you for including my comments and suggestions.

Larry Owens
1890 Donna Ave
Los Osos

Response to Letter 26

COMMENTER: Larry Owens, Private Citizen

DATE: December 7, 2019

Response 26.1

The Draft EIR recognizes the changing dynamic nature and information associated with sea level rise, and reflects that in its analysis included in Section 4.4 of the Draft EIR. Specifically, Mitigation Measures CH-1(a) through CH-1(e) provide a robust framework for addressing this issue in the LOCP. Mitigation CH-1(d), in particular addresses the likelihood that updated information related to sea level rise will be available through the life of the LOCP. The standards included in that mitigation measure address, among other things, that setbacks from coastal hazard areas be based on projected sea level rise evaluations that are prepared for projects that may be threatened by such a rise, using the latest information available (see item 3 under that mitigation measure).

Response 26.2

The commenter suggests that the LOCP include requirements that developers contribute to quality of life targets, such as making it mandatory that they contribute to or build bike paths that further this goal as conditions of development. This may be considered by the Board of Supervisors, but even in draft form, the LOCP does not preclude this from happening.

Response 26.3

For water supply issues related to growth, please refer to Master Response 1.

Response 26.4

Please refer to Response 26.2 for issues related to quality of life.

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

Letter 27

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

27.1

GENERAL COMMENTS:

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

27.2

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

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

27.3

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

27.4

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

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

27.5

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

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

27.6

7) I cannot find any discussion about priority-permitting for anything addressing affordable, workforce, senior, or disabled housing having a 'position' in the issuance of future development permits. The current building list, which applicants pay to be on, 'means nothing' according to staff explanation. Mansions before low income housing seems to be the continuing County preference. Once a bedroom community, Los Osos is no longer affordable. Encourage growth based on affordable housing priority.

27.7

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

27.8

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

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

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

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

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

27.9

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

Thankyou,

Linde Owen

1935 Tenth B

Response to Letter 27

COMMENTER: Linda Owen, Private Citizen

DATE: December 11, 2019

Response 27.1

The commenter expresses that it was difficult to respond to two large EIRs (the LOCP and LOHCP EIRs) at the same time, and to get input on them at a single workshop in October. The County has strived to maintain transparency about the EIR process for both projects, and provide ample opportunity for public input. For example, there was a 90-day public review period for the Draft EIR for the LOCP when only a 45-day period was required. The October 28 workshop on the Draft EIR was not required under CEQA, but was conducted in order to provide an additional opportunity for the public to learn about the project and help frame any questions that could arise through the public review process.

Response 27.2

The comment suggests several land use changes that could be made to the LOCP. While these do not directly relate to the EIR, the Board of Supervisors, if it makes land use changes not directly addressed in the EIR that could affect the physical environment, would need to make CEQA Findings that indicate that such changes would not result in significant impacts greater than what is already described in the Draft EIR.

Response 27.3

The commenter expresses the concern of a possible map discrepancy in the Draft EIR. Figure 2-6 accurately reflects the most updated intent of the LOCP, notably to redesignate the parcel near Fairchild and Olivos from OP to CS.

Response 27.4

Figure 2-5 in the Draft EIR is taken directly from an early draft of the LOCP. The final LOCP will address any potential mapping inaccuracies. In this case, the map is suitable for the purpose of the Draft EIR, which is to generally identify neighborhoods in Los Osos as background information, and does not affect the analysis, conclusions or mitigation measures included in the document.

Response 27.5

Figures 2-7 and 2-8 in the Draft EIR are taken directly from an early draft of the LOCP. The final LOCP will address any potential mapping inaccuracies. In this case, the maps are suitable for the purpose of the Draft EIR, which is to provide general background information, and does not affect the analysis, conclusions or mitigation measures included in the document.

With respect to the 63-acre area in question, the LOCP includes more detailed discussion regarding appropriate development standards for this area. Please refer to Chapter 7 of the LOCP, pages 7-37 through 7-42. Please also refer to Master Response 3.

Response 27.6

The commenter suggest a portion of the Morro Shores mixed use area is undevelopable and should be shown as Open Space in the LOCP. This will be considered by the Board of Supervisors. Such a change,

if made, would not significantly change the analysis, conclusions or mitigation measures included in the Draft EIR. Please also refer to Master Response 3.

Response 27.7

The comment concerns prioritization of affordable housing development. This is a concept the Board of Supervisors could consider in the LOCP, but it does not affect the analysis, conclusions or mitigation measures included in the Draft EIR.

Response 27.8

The commenter supports Alternative 3, a perspective that will be considered by the Board of Supervisors.

Response 27.9

The commenter suggests minor modifications to certain LOCP policies that relate to trees. This will be considered by the Board of Supervisors. Such a change, if made, would not significantly change the analysis, conclusions or mitigation measures included in the Draft EIR.

From: Michael Raphael <jmichaelraphael@yahoo.com>

Letter 28

Sent: Wednesday, December 11, 2019 2:38 PM

To: Kerry Brown <kbrown@co.slo.ca.us>; Jeanne Howland <jghowland58@hotmail.com>; Eve Gruntfest <evegruntfest@gmail.com>; Bruce Gibson <bgibson@co.slo.ca.us>; Blake Fixler <bfixler@co.slo.ca.us>

Subject: [EXT]Commentary re draft EIR for proposed future development in Los Osos

December 11, 2019

Dear Ms. Brown:

This is in addition to the letter sent to you on this date by Jeanne Howland, also a resident of Morro Shores Mobile Home Park, one of the areas of Los Osos that would be most severely effected by a plan to growth the community by as many as 4,000 people.

Sea level rise. This is already occurring in some coastal California communities. Half a foot in the next decade, according to an L. A. Times story that focuses on the 1,200-mile long California coastline. One of our escape routes (two) that we could no longer use if inundated by flooding, is South Bay Blvd. That leaves us with one way out.

28.1

Eventually, as sea level rises, Sweet Springs will become a salty part of the Estuary, and the entrance to Morro Shores Mobile Home Park will be no longer of use to us during those times when the area is overwhelmed.

Perhaps more importantly, as the sea level rises, more pressure is exacted on the aquifers, which means higher chloride content, and less water as we mine the aquifers. Adding 4,000 people puts that much more pressure on our limited water supply, which if the supply and quality of water declines to the point that we have no water supply, what are we supposed to do at that point?

28.2

There is no mention of a comprehensive report on diminishing population in California. The study shows that every year, from 2001 through 2018, there were more people leaving California than were moving into California. Extrapolating from the graphs shows that roughly half a million people live in California now (not counting 2019).

28.3

Thus there is no housing crisis in California. If the Los Osos growth plan is to be justified by the need for housing, how is this possible if there are fewer people living in this state?

The source of this information about people leaving the state is an L. A. Times story published roughly three weeks ago.

Sincerely, Michael and Stephanie Raphael

Response to Letter 28

COMMENTER: Michael and Stephanie Raphael, Private Citizens

DATE: December 11, 2019

Response 28.1

The commenter is concerned about sea level rise and the effects on existing and future development in Los Osos. This issue is addressed in Section 4.4 of the Draft EIR.

Response 28.2

The commenter is concerned about water supply to serve future development in Los Osos. This issue is addressed in Section 4.15 of the Draft EIR. Please refer to Master Response 1.

Response 28.3

The commenter states the opinion that there is no housing crisis in California, so there is no need to accommodate development at the levels contemplated under the Community Plan. Multiple studies over the past decade support the concept that there is indeed a shortage of affordable housing throughout the state, an issue that is related to lack of housing supply in relation to demand. Empirical evidence from local real estate listings also suggests that most housing in the County is generally unaffordable to many middle and lower-income families. That said, the Community Plan actually envisions less residential potential than that which could be accommodated under the existing Estero Area Plan (see the discussion of Alternative 2 in Section 6.0 of the Draft EIR, starting on page 6-5).

From: Jewell, Debbie J. <DJJewell@rrmdesign.com>
Sent: Wednesday, December 11, 2019 4:59 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Cc: Rudd, Debbie L. <DLRudd@rrmdesign.com>; Michael <michael@bessire-casenhiser.com>
Subject: [EXT]Community Plan DEIR Comments

Letter 29

Hi Kerry,

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

- Who is responsible for the construction/improvement costs of the proposed Ramona Avenue and 4th Street realignment, as indicated in Table 2-5? 29.1
- Who is responsible for the construction/improvement costs of the proposed multi-use trail in Figure 2-14? 29.1
- Who is responsible for the construction/improvement costs of the proposed Ravenna Avenue extension to Ramona Avenue, as indicated in Figure 5, 6, 9, 10, and 11 in Appendix E? Can the exact alignment of the road extension be determined at a later date? 29.2
- The DEIR Mitigation measure BIO-1(c) states that all projects greater than 20,000 sf will require issuance of a County land use development permit and retain a County-approved biologist to conduct a biological resource assessment (BRA). Recommend the DEIR quantify project sizes, for example not required for projects under 5 acres or infill. 29.2
- New Combining Designation to address sea level rise – Flood Hazard (FH) – is there a mapped boundary or overlay of this new designation? 29.3
- Program CIR-4.2 A – new development requires tree planting at property frontage at a scale consistent with the roadway classification. An encroachment permit is required to plant trees within the public right of way. If there are already trees along the property frontage, does this still apply? Recommend revising program to state ‘where applicable’. 29.4
- Recommend adding the proposed multi-use trail in Figure 2-14 to the list under Program LU-1.1 C in Section 4.12. 29.5

Thank you,

Debbie

DEBBIE JEWELL

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

Response to Letter 29

COMMENTER: Debbie Jewell, RRM Design Group

DATE: December 11, 2019

Response 29.1

The commenter asks who is responsible for constructing many of the transportation improvements identified in the draft LOCP, and shown in the Draft EIR. This is not a CEQA issue, and it is outside the purview of the EIR to address responsibility and timing of those improvements. The LOCP simply identifies the needed improvements, much in the same manner as a General Plan would. The County will work with appropriate partner agencies and the development community to identify funding sources that would be used to construct these improvements over time as appropriate and necessary to support the community's needs.

Response 29.2

The commenter recommends that Mitigation Measure BIO-1(c) be modified to quantify project sizes that should not be made subject to biological resource assessment, such as parcels under 5 acres or infill parcels. The language in the mitigation measure was carefully considered, and based on the fact that even smaller undeveloped parcels in the community have the potential to support listed species because of the underlying soils that support such species. The intent of the mitigation is to ensure compliance with state and federal regulations related to the protection of endangered species.

Response 29.3

A boundary map for the FH combining designation that addresses sea level rise per Mitigation Measure CH-1(b) has not yet been created, but would coincide with sea level rise inundation zones based on the most recent accurate information available at the time of their preparation.

Response 29.4

The commenter suggests a modification to the draft LOCP's street tree program CIR-4.2A, which may be considered by the Board of Supervisors. This issue would not modify the EIR, nor would it affect the EIR analysis or mitigation measures.

Response 29.5

The commenter suggests a modification to the draft LOCP's program LU-1.1C, which may be considered by the Board of Supervisors. This issue would not modify the EIR, nor would it affect the EIR analysis or mitigation measures.

From: Seth Howell <sethhowell.57@gmail.com>
Sent: Saturday, December 7, 2019 2:34 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comments on Los Osos Community Plan

Letter 30

Kerry,

Below are my comments regarding the Los Osos Community Plan, which I believe has many inconsistencies and incongruous objectives:

Under section V.b.ii (Environment) Project Objectives, the plan "promotes conservation of natural environment through preservation of existing flora, fauna and sensitive habitats".

The scenic open space in the E.I.R. (figure 2-9) sections 1, 4, 2 and 3 is a long time home to many species including rare fox, deer, coyote and many small mammals and rodents. Dozens upon dozens of bird species use this area as it sits adjacent to the Audubon Preserve. We have hawks and great horned owls nesting in this area, and we do entertain the occasional bald eagle! Building 14 units per acre in this space does **not** promote conservation of natural environment for flora and fauna.

Section V.b.iii calls to "Protect, maintain, enhance and expand the existing greenbelt". As this corridor runs through the center of Los Osos, adding hundreds of single and multi-family units does not maintain the existing greenbelt. This area contains huge runoff channels (from south of Los Osos Valley Road as well as the 63 acres of open space) that soak up and deliver water to our aquifers; paving and covering ground will ultimately contaminate the back bay area with dangerous nitrate filled runoff. Section V.b.i calls to "Protect and enhance the Morro Bay Estuary" which makes the plan antithetical to me.

30.1

Section V.h.i. reads "encourage improvement of tourist-oriented facilities with an emphasis on eco-tourism" and V.h.ii reads "develop additional neighborhood and community parks". What we have in this area is a de facto park. It has been used by the community for over thirty years by thousands of hikers, joggers, horse riders, picnickers, dog-walkers, birders and nature lovers. What better way to "promote a high level of community participation in land use"? The Los Osos Reclamation Area (Tri-W project) opens directly onto this open space, as does the Community Center. This should be our equivalent to Fiscalini Ranch in Cambria. The billionaire owners from Orange County have said they're open to a sale of the property.

It is my understanding that the County Supervisors favor Alternative 4 in section VI. I believe this is completely irresponsible and dangerous. We **must** restrict growth based on water availability under Alternative 3. Bruce Gibson fear-mongered Cayucos about Whale Rock reservoir and now he wants to develop without regard to available water here? Even Alternative 3 is flawed - stating water availability with no regard for water quality. Alternative 4 **cannot** be considered Environmentally Superior, there is no way to "mitigate" lack of water. Alternatives 1 and 2 are simply unworkable - we must have *some* project. Alternative 3 is the only sane choice we're offered.

30.2

Thank you for your consideration and please note that there are many of us voters concerned about this plan and our continued quality of life.

Seth Howell

633 Ramona Avenue, SPC 11

Los Osos, CA 93402

Response to Letter 30

COMMENTER: Seth Howell, Private Citizen

DATE: December 7, 2019

Response 30.1

The commenter does not support development within the Morro Shores area as shown in Figure 2-9 of the Draft EIR, and believes it should be left as undeveloped open space, and that it currently functions as a de facto park. Note that this site is already currently designated for development under the existing Estero Area Plan, which envisions future residential and commercial development at this location. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP.

Response 30.2

The commenter supports Alternative 3 among those presented in the Draft EIR, and believes there is insufficient water to support full development under the LOCP. Please refer to Section 4.15 for an analysis of water supply issues. Also refer to Master Response 1.

From: Santa Lucia Chapter of the Sierra Club <sierraclub8@gmail.com>

Letter 31

Sent: Wednesday, December 11, 2019 2:35 PM

To: Kerry Brown <kbrown@co.slo.ca.us>

Subject: [EXT]Comments of Sierra Club Santa Lucia Chapter and Los Osos Sustainability Group on Draft Los Osos Community Plan EIR

Dec. 11, 2019

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

FROM: Sierra Club Santa Lucia Chapter, Los Osos Sustainability Group
RE: Draft Los Osos Community Plan EIR

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

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

31.1

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

The EIR should require empirical data over modeling

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

31.2

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

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

Wastewater service to undeveloped properties within the service area shall be prohibited unless and until the Estero Area Plan is amended to identify appropriate and sustainable buildout limits, and any appropriate mechanisms to stay within such limits, based on conclusive evidence indicating that adequate water is available to support development of such properties without adverse impacts to ground and surface waters, including wetlands and all related habitats.

31.2
continued

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

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

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

31.3

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

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

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

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

31.4

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

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

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

As we pointed out in 2015, this language is vague and allows too much discretion in how data is used and interpreted, as well as which improvements will be considered and how they will be evaluated. For example, if data at one well shows lower chloride levels, the County could interpret the program(s) to be "facilitating the retreat of seawater intrusion." Further, it is unlikely that data will show in the short term that programs have "not been effective

in... increasing the perennial safe yield..." of the Basin. Adverse impacts from overestimating yield will likely to be long term. Thus, the language allows approval of development that could result in significant delayed adverse impacts. Also, the term "perennial safe yield" has not been defined.

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

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

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

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

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

Established CEQA case law precludes mitigating potential impacts with unspecified future mitigation measures. Furthermore, adaptive management--which the Basin Plan and BMC propose to address future adverse impacts (e.g. reduced flows to habitat) and outcomes inconsistent with modeling (e.g. lower yields)--must be time specific and presented in an EIR with enough detail to evaluate feasibility and potential effectiveness. To our knowledge, the Basin Plan and BMC have not modeled or otherwise planned specific contingency plans for adverse impacts. The options presented in the Basin Plan and to the public in BMC meetings include conservation, shifts in pumping, and implementation of additional Basin Plan infrastructure programs. We believe these are not be feasible within a time frame that could prevent significant impacts due to the current high use of conservation and recycled water use, the long lead time required, and high cost of infrastructure programs. The latter is shown, in part, by the fact that several of the Infrastructure Program C measures are yet to be implemented after four years. Cutbacks in pumping have been suggested, but the legality of this option is questionable, especially since Basin Plan "sustainable yields" are set 20% above targeted yields, and the ISJ agreement between the Parties of the adjudicated Basin grants water service providers additional allocations that would apparently allow pumping in excess of sustainable yields. (See our 2015 letter in Vol. 2 of the EIR for further detail explaining why the criteria for added development do not mitigate for the potential adverse impacts.)

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

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

However, based on the 2018 Annual Reports, the chloride and water level metrics and other methods used to track the SWI front in Zone D, and program benefits, may be unreliable. The data is reported to have considerable

31.4
continued

31.5

variability, and a key data point (the Rosina Well) must be estimated due to contamination (which dilutes chloride concentrations). The limited number of wells used (4-6) also make the metrics and methods prone to error.

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

31.5
continued

The EIR cannot adequately assess impacts without additional monitoring wells.

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

31.6

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

Conclusion

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

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

Summary of previous requested actions and recommendations

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

31.7

2.

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

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

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

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

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

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

Thank you for your attention to these issues,

Andrew Christie,

Sierra Club Santa Lucia Chapter

Patrick McGibney,

Los Osos Sustainability Group

Response to Letter 31

COMMENTER: Andrew Christie, Santa Lucia Chapter of the Sierra Club; Patrick McGibney, Los Osos Sustainability Group

DATE: December 7, 2019

Response 31.1

The commenter supports The “No Project, No Development” alternative among those presented in the Draft EIR, based on the belief that the EIR does not adequately mitigate for impacts related to water supply and greenhouse gas emissions. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP.

Response 31.2

The commenter believes the EIR inadequately analyzes and mitigates issues related to water supply. Please refer to Section 4.15 of the Draft EIR, and the discussion of various programs within the Basin Plan that must be implemented as prerequisites to allowing certain levels of growth under the LOCP. Please also refer to Master Response 1.

Response 31.3

The commenter does not believe the Draft EIR adequately addresses cumulative impacts with respect to the issue of water supply. Please refer to Section 4.15 of the Draft EIR, and the discussion of various programs within the Basin Plan that must be implemented as prerequisites to allowing certain levels of growth under the LOCP. As noted in the analysis, the LOCP accounts for all of the expected growth in the Los Osos area, as it functions as a General Plan and Local Coastal Plan. Therefore, cumulative water impacts are addressed in main body of the analysis as included in that section of the Draft EIR. Please also refer to Master Response 1.

Response 31.4

The commenter provides additional details in his argument that the Draft EIR does not adequately address issues related to water supply, believing that the Basin Plan, which forms the basis for the water supply analysis in the EIR, is inadequate. Please refer to Responses 31.2 and 31.3.

Response 31.5

The commenter believes that impacts cannot be adequately assessed without data from additional monitoring wells to track water supply within the groundwater basin. As a programmatic planning document, the LOCP provides a policy framework for future development, which is based in part on technical information included the adopted Basin Plan and Annual Reports. The Draft EIR, as a programmatic analysis and disclosure tool, accurately conveys this information, and bases its analysis on the best information available.

Response 31.6

The commenter summarizes previously submitted suggestions related to the Basin Plan to support the arguments raised in the letter. This information will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP.

Response 31.7

The commenter summarizes previously stated concerns raised in this letter, and attaches previous recommendations to the County submitted outside the CEQA process, which will be considered by the Board of Supervisors as it contemplates approval of the LOCP.

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

Letter 32

Greetings:

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

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

32.1

If a development project is really for the good of the community, it will sell itself. We don't need the formalities of having meetings just to say "we have complied with public forum notice".

It appears that there is no real transparency with all the information regarding such a large proposed project, which for some reason has been put on a fast track time schedule. It has the appearance of "fire,ready,aim". You cannot and should not put the horse before the cart. Water, sewage treatment, roadways, and public safety are just a few serious issues that need to be accounted for in regards to the continued quality of life for all in our community.

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

December 11, 2019

Ms. Kerry Brown
County of San Luis Obispo
Department of Planning & Building
ATTN: LOCP Update/Kerry Brown
976 Osos Street, Room 300
San Luis Obispo, CA 93408
Sent by email: kbrown@co.slo.ca.us

Dear Ms. Brown:

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

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

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

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

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

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

4. Processing Building Permits:

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

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

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

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

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

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

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

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

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

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

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

Thank you for your attention to these questions.

Response to Letter 32

COMMENTER: Stan and Cindy Nalywaiko, Private Citizens

DATE: December 11, 2019

Response 32.1

The commenters do not support development within the Morro Shores area of Los Osos, but in this context do not address issues related to the Draft EIR. Please refer to Master Response 3. The comment also mentions concerns related to water supply, sewage treatment, roadways, and public safety, all of which are addressed in the Draft EIR.

From: Tony Salome <tsal3@earthlink.net>
Sent: Monday, December 9, 2019 8:16 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comments on Draft EIR for Los Osos Community Plan

Letter 33

Dear Kerry,

I understand the deadline for comments to the draft EIR is coming up. I reviewed the comments and do not see the proposed additions I submitted to you on two previous occasions regarding preservation, maintenance and enhancement of our tree population in Los Osos. In addition these proposed additions to the Los Osos Community Plan were approved by LOCAC in March 2019 and submitted separately by David Harris.

I am attaching my previous emails along with a copy of the proposed additions. Please confirm that these will be included in the comments and reviewed for inclusion in the community plan.

Sincerely,

Tony Salome

President, Greening Los Osos

33.1

Proposed Additions to the Los Osos Community Plan - Trees

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

Preservation, Maintenance and Growth of the Tree Population

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

Benefits of Trees

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

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

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

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

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

Master Tree List

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

Natives Trees

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

Heritage Trees

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

Invasives

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

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

Trees on Public Property

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

Areas for Consideration for Tree Corridor Development Projects:

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

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

El Moro from 3rd St to Santa Ysabel.

Santa Ysabel from South Bay Blvd to Pasadena.

The intersection of South Bay and Santa Ysabel.

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

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

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

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

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

Tree Removal by County for Cause

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

Tree Protection Plans

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

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

Trees on Private Property

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

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

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

Trees on Commercial Property

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

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

Protection of Coastal Viewshed

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

Memorial Tree Grove

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

Multi-use Paths

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

Community Reclaimed Water Use

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

Response to Letter 33

COMMENTER: Tony Salome, President, Greening Los Osos

DATE: December 11, 2019

Response 33.1

The commenter is concerned that issues and proposed modifications related to tree protection, multi-use trails and water supply raised in March 2019 and approved by LOCAC are not reflected in the draft LOCP analyzed in the Draft EIR. As appropriate under CEQA, the Draft EIR analysis was based on the information included in the draft LOCP at the time the Notice of Preparation (NOP) was prepared for the EIR in March 2015. Where available, updated analysis and information was included in the Draft EIR analysis during its preparation. Proposed changes to the LOCP, including any information or recommendations provided by LOCAC and others, will be considered by the Board of Supervisors during hearings related to potential approval of the LOCP.

The commenter also attaches four pages of suggested additions to the draft LOCP that will be considered by the Board of Supervisors.

From: Michael Miller <vmml@charter.net>
Sent: Monday, December 9, 2019 1:20 AM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comments draft EIR Los Osos Community Plan

Letter 34

Kerry Brown

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

Dear Kerry Brown,

I have read all the comments submitted regarding the draft EIR and the Los Osos Community Plan on the site above.

I do not see comments that I submitted months ago, in early 2019 regarding the issue of the importance of planting trees in our community. I will attempt to locate those comments to resend them to you, but as I recall you assured myself and other members of the community who wrote extensive comments in regard to this matter that all of those would be included in the Community Plan.

34.1

I have only had time to scan the document, but do not see my comments included.

Please advise me if I am wrong and please acknowledge receipt of these comments.

As noted above I will search for those comments to resubmit and hopefully get them to you before the December 11, 2019 cut-off date.

In addition I do want to comment on these other topics.

1. One is the proposed development of many properties within the urban reserve line of Los Osos now that the sewer project is complete.

There is no proven source of an adequate water supply in this town. The issue of salt water intrusion is not resolved and there is a limited source of water for the basin, both upper and lower aquifers.

As quoted from the current draft EIR: "With regard to water supply within Los Osos, the Draft EIR for the Los Osos Community Plan (County 2019a) determined impacts to water supply would be potentially significant, but mitigable, because development under the Community Plan would be limited to the sustainable capacity of the Groundwater Basin through the County's Growth Management Ordinance (County Municipal Code Title 26) and additional review standards tied to the Updated Basin Plan for the Los Osos Groundwater Basin (County et al. 2015). Implementation of the water supply mitigation measure from the Draft EIR for the Los Osos Community Plan would satisfy the requirement of the County to provide adequate groundwater supply to the community."

34.2

I concur with the following statement:

Water Shortage The Los Osos Groundwater Basin is in a Level III severity. Salt water intrusion is affecting our current water table from the extraction from the Lower aquifer. Existing homeowners are paying more for water and we have water quotas. With sea levels rising per the IPCC rising sea level October 2019 report, there will more sea water intrusion in our water supply. Thus less water available for the current habitants of Los Osos. • What will be the water source for the new development plan? • How will our water usage and water bill impacted?

34.2
continued

2. I also agree with the following statement: gleaned from another residents comments:

I believe this to be true:

Figures 2-4, Proposed Land Use Changes and 2-6, Proposed Land Use: The undeveloped area along LOVR between Palisades St. and Broderson St. should be classified as open space or recreation. It is currently designated as a mix of commercial and residential single- and multi-family. However, commercial and office land uses should be clustered east along LOVR, where there are already existing commercial/office uses, e.g., there are already vacant commercial properties adjacent to Grocery Outlet, Chase Bank, and the US Postal Office. Don't sprawl these commercial uses; especially if there are already plenty of vacant commercial lots. Densify where they already exist to preserve the rural character of Los Osos.

34.3

There is a very urgent need for more open space and parks for the residents of Los Osos. Both of these are proven to be a benefit to the overall health of a community. The planting of trees in these areas provide an added benefit of carbon capture and release of oxygen into the atmosphere. They are also proven to be a health benefit, in particular in the matter of mental health and stability of a community.

3. In regard to a Community Wildlife Protection Plan (CWPP): **I very much agree with the following:**

As quoted from the current draft EIR: "CAL FIRE/San Luis Obispo County Fire - Draft Community Wildfire Protection Plan A CWPP serves as a mechanism for community input and identification of areas presenting high fire hazard risk as well as identification of fire hazards potential projects intended to mitigate such risk. A CWPP must be collaboratively developed with input from interested parties, federal, state, and local agencies managing land within the County, as well as local government representatives. The CWPP for San Luis Obispo County is currently under development and, when complete, would address fire protection planning efforts occurring in the County to minimize wildfire risk to communities, assets, firefighters, and the public. The CWPP presents the County's physical and social characteristics, identifies and evaluates landscape-scale fire hazard variables, utilizes Priority Landscape data sets for evaluating wildfire risk, identifies measures for reducing potential fuel reduction projects and techniques for minimizing wildfire risk."

34.4

This protection plan must be complete with input from community members, stakeholders and wildfire experts, including our local Cal Fire professionals before any further development should be allowed in the community of Los Osos.

4. And finally to the matter of the lot on the corner of Fairchild and Los Olivos owned by Sandra Bean who has proposed a construction yard to be utilized on that property.

I believe it must be returned to its original “residential” designation. I made several comments at a LOCAC meeting regarding this topic and its potential health risks to the surrounding neighbors. Besides noise pollution, even more deleterious is the impact of dust and other particulate matter in the dirt, including the potential for the spores that are the cause of coccidiomycosis, otherwise known as Valley Fever, a very serious and sometimes fatal lung infection, to be stirred up and spewed into the surrounding neighborhood. Just one case of this disease will be enough to cause enormous concern among neighbors.

34.5

In addition, the residents in the surrounding area will not only suffer the health consequences, they will also see a loss of property value.

Thank you for your consideration of these comments and please respond whether you have my prior comments regarding the importance of tree planting and my desire for a memorial grove within the community of Los Osos.

Vita Miller

1205 Bay Oaks Drive

Los Osos, CA 93402

805-704-3173

<https://www.slocounty.ca.gov/LosOsosPlan.aspx>

<https://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Plans/Community-Plans/Los-Osos-Community-Plan-Update-Files/Comments-on-Draft-EIR.aspx>

From: Michael Miller <vmml@charter.net>
Sent: Monday, December 9, 2019 1:30 AM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Comments regarding trees Draft EIR Los Osos Community Plan

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

Ms. Kerry Brown, San Luis Obispo County Planner;

These are the comments I submitted earlier in 2019 to be included in the draft EIR for the Los Osos Community Plan.

The following are my suggestions for addition to the Los Osos Community Development Plan:

A Memorial Tree dedication grove

There are many residents in our community who have lost a loved one that was raised here or was a resident of Los Osos during their lifetime.

Often these family members and/or friends would like to have a cherished remembrance and reminder of the life they shared with the deceased person.

It is fitting that a tree is a symbol of the love and memories these people hold dear to their hearts. In addition, a tree is a beneficial living memorial to these individuals and to the community as a whole.

Please add to the Community Development Plan a proposal to set aside open space where residents of Los Osos can plant a tree with a small memorial dedication plaque or sign.

This might include the county park, space near the library, the Sweet Springs preserve or in conjunction with State Parks, land on or near Montana de Oro State Park or anywhere else the community decides it can be done.

A donation to cover the cost of the tree and it's maintenance would be requested. The community can determine what species of tree is appropriate.

Tree Planting in Los Osos

I am a strong proponent for the addition of trees to the Los Osos landscape. However I am also mindful of the need for defensible space as outlined by Cal Fire and so I am including these guidelines for your consideration.

I will also add to the portion of the Community Plan suggestions sent in by Tony Salome, Linde Owen, Lisa Denker and myself in regard to

34.6

the human need for and benefit of trees by providing oxygen and by the uptake of carbon dioxide on the planet.

Please include the data below to strengthen the statements already submitted and approved by LOCAC, the Los Osos Community Advisory Committee on February 28, 2019.

Trees provide over one fourth of the world's oxygen supply. Mankind would be precariously tempting fate without the presence of trees on the planet. In addition trees play an enormous role in carbon uptake.

Los Osos can play a role in the process of carbon sequestration with a planned effort to sustain those healthy trees already in the community and by encouraging the planting of trees throughout Los Osos in a sustainable manner.

The need for trees in our environment is corroborated by scientific data from an unlimited number of authorities.

To substantiate the need for trees in our community I present the following sources:

1)

<https://www.independent.co.uk/environment/forests-climate-change-co2-greenhouse-gases-trillion-trees-global-warming-a8782071.html>

"Trees already store an enormous amount of carbon, and planting more would suck more CO2 from the atmosphere

Massive restoration of world's forests would cancel out a decade of CO2 emissions, analysis suggests

New findings suggest trees are 'our most powerful weapon in the fight against climate change', says scientist"

"Replenishing the world's forests on a grand scale would suck enough carbon dioxide from the atmosphere to cancel out a decade of human emissions, according to an ambitious new study.

Scientists have established there is room for an additional 1.2 trillion trees to grow in parks, woods and abandoned land across the planet.

If such a goal were accomplished, ecologist Dr Thomas Crowther said it would outstrip every other method for tackling climate change – from building wind turbines to vegetarian diets."

Dr Crowther said undervaluing trees means scientists have also been massively underestimating the potential for forests to combat climate change.

Project Drawdown, a group that compares the merits of different emission-cutting techniques, currently places onshore wind power and improved recycling of fridges and air conditioners at the top of its list.

While the exact figures are yet to be released, he said ***trees had emerged as “our most powerful weapon in the fight against climate change”***. ***Dr Crowther discussed his findings at the American Association for the Advancement of Science (AAAS) meeting in Washington DC.***

“tree planting is increasingly being recognized as a critical activity to preserve life on Earth.”

The United Nations initially ran a project known as the Billion Tree Campaign, but in light of Dr Crowther’s findings this has been renamed the Trillion Tree Campaign. It has already seen 17 billion trees planted in suitable locations around the world.

“We are not targeting urban or agricultural area, just degraded or abandoned lands, and it has the potential to tackle the two greatest challenges of our time – climate change and biodiversity loss,” said Dr Crowther.

“It’s a beautiful thing because everyone can get involved. Trees literally just make people happier in urban environments, they improve air quality, water quality, food quality, ecosystem service, it’s such an easy, tangible thing.”

2) And from another article: <https://www.dec.ny.gov/lands/47481.html>

“Carbon needs to be pulled out of the atmosphere and put into long-term storage elsewhere. This process is called carbon sequestration, and high-technology ways to accomplish it are being explored worldwide.

We don't have to wait for high tech sequestration. We can increase carbon sequestration now by working with some experts. They're called trees, and they have almost 350 million years' experience in sequestering carbon. Trees, like other green plants, use photosynthesis to convert carbon dioxide (CO2) into sugar, cellulose and other carbon-containing carbohydrates that they use for food and growth. Trees are unique in their ability to lock up large amounts of carbon in their wood, and continue to add carbon as they grow. Although forests do release some CO2 from natural processes such as decay and respiration, a healthy forest typically stores carbon at a greater rate than it releases carbon.”

3) And this:

<http://www.growingairfoundation.org/facts/>

- Trees renew our air supply by absorbing carbon dioxide and producing oxygen.

- The amount of oxygen produced by an acre of trees per year equals the amount consumed by 18 people annually. One tree produces nearly 260 pounds of oxygen each year.
- One acre of trees removes up to 2.6 tons of carbon dioxide each year.
- Trees lower air temperature by evaporating water in their leaves.
- Tree roots stabilize soil and prevent erosion.
- Trees improve water quality by slowing and filtering rainwater, as well as protecting aquifers and watersheds.

Thank you for your consideration of my suggestions. I believe it's important to provide the above documentation so that the government authorities and elected officials who will make the final decision on what is included in the Los Osos Community Plan can be convinced of the need for a tree planting program in our town.

Vita Miller

1205 Bay Oak Dr.

Los Osos, CA 93402

805-704-3173

Response to Letter 34

COMMENTER: Vita Miller, Private Citizen

DATE: December 9, 2019

Response 34.1

The commenter is concerned that issues and proposed modifications related to tree protection raised in March 2019 are not reflected in the draft LOCP analyzed in the Draft EIR. As appropriate under CEQA, the Draft EIR analysis was based on the information included in the draft LOCP at the time the Notice of Preparation (NOP) was prepared for the EIR in March 2015. Where available, updated analysis and information was included in the Draft EIR analysis during its preparation. Proposed changes to the LOCP, including any information or recommendations provided by LOCAC and others, will be considered by the Board of Supervisors during hearings related to potential approval of the LOCP.

Response 34.2

The commenter believes there is not adequate water supply to serve future development under the LOCP. Please refer to Section 4.15 of the EIR for an analysis of this issue. Also refer to Master Response 1.

Response 34.3

The commenter does not support development within the Morro Shores area as shown in Figures 2-4 and 2-6 of the Draft EIR, and believes it should be left as undeveloped open space or as a park. Note that this site is already currently designated for development under the existing Estero Area Plan, which envisions future residential and commercial development at this location. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP. Please refer to Master Response 3.

Response 34.4

The commenter believes that a Community Wildfire Protection Plan (CWPP) must be completed before any further development is allowed in Los Osos. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please refer to pages 1-17 through 1-19 of the Draft EIR for a discussion of issues related to fire hazards, including the existing regulatory framework that addresses wildland fires at both the state and local level. Please refer to Master Response 4 for additional discussion related to this issue.

Response 34.5

The commenter is concerned about the potential redesignation of the “Bean Parcel” from Office Professional (OP) to Commercial Service (CS), believing that a Residential designation would be more appropriate and consistent with the existing nearby residential development to the east, north and south. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please also refer to Master Response 2.

Response 34.6

The commenter attaches four pages of suggested additions to the draft LOCP that will be considered by the Board of Supervisors. These suggestions do not relate directly to the contents of or analysis included in the Draft EIR.

From: rick kirk <rick.kirk52@gmail.com>
Sent: Tuesday, December 10, 2019 8:25 PM
To: Kerry Brown <kbrown@co.slo.ca.us>
Subject: [EXT]Los Osos Community Plan Update

Letter 35

Hi Kerry,

Please consider my comments regarding the Community Plan Update and include them for consideration.

Specifically addressing Planning Area Standards on Page 7-44, Paragraph 3A-Martin Tract. The draft calls for new minimum parcel size of one acre within the tract. While I would agree that one acre lot size may be appropriate for parcels served by on site septic systems, I would like to see a provision included that would allow for a minimum lot size of 10,000 SF, if the parcels are able to be served by the community wastewater system.

The parcel that I own at the corner of Pine and Skyline has sewer trunk lines in both of those streets. Eventually annexing the property to the wastewater system would make sense and would allow for additional needed housing on lots consistent with surrounding areas. This would also contribute additional funding to the Capital Costs and the Operation and Maintenance costs of the system. As you are aware the system has significant excess capacity.

The verbiage could be amended as follows: "The minimum parcel size for new land divisions is one acre, unless served by the community wastewater system, in which case the minimum parcel size is 10,000 square feet."

Thank you, Rick

RICK KIRK

35.1

Response to Letter 35

COMMENTER: Rick Kirk, Private Citizen

DATE: December 10, 2019

Response 35.1

The commenter suggests a change to the draft LOCP related to septic systems and land divisions. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP. No comments are made on the adequacy of the EIR or its related analysis and mitigation measures, so no response is possible as it relates to the EIR.



[EXTERNAL] My comments on the Draft EIR

1 message

Deborah Ross <deb@drfilmdesign.com>

Sat, Nov 16, 2019 at 3:26 PM

To: k.brown@slo.co.ca.ua

Cc: Leilani_takano@fws.gov

To Kerry Brown

I have a couple of serious concerns about the proposed EIR and it's impact on the LO Community Plan.

1) As quoted from the current draft EIR:

"With regard to water supply within Los Osos, the Draft EIR for the Los Osos Community Plan (County 2019a) determined impacts to water supply would be potentially significant, but mitigable, because development under the Community Plan would be limited to the sustainable capacity of the Groundwater Basin through the County's Growth Management Ordinance (County Municipal Code Title 26) and additional review standards tied to the Updated Basin Plan for the Los Osos Groundwater Basin (County et al. 2015). Implementation of the water supply mitigation measure from the Draft EIR for the Los Osos Community Plan would satisfy the requirement of the County to provide adequate groundwater supply to the community."

Problem: I simply don't see how the impacts to our general water supply will be "mitigable". Even if development is limited to what has been predetermined by the County to be sustainable capacity, the assessment it is based upon is way out of date. The realities of climate change and salt water intrusion have severely altered the course of future sustainability projects. The damages will be far greater than previously acknowledged or understood. At this moment in time, we simply don't have the infrastructure (or the money to create it) required to provide water for such a huge population growth spike.

Solution: This needs to be taken into consideration BEFORE **ANY NEW BUILDING PERMITS ARE CONSIDERED OR GRANTED**. We need smart, sustainable, green *development standards in place as guard rails*, before thousands of new units are built and the population of Los Osos expands by more than 1/3 on top of our current population of @15K.

2) As quoted from the current draft EIR:

"CAL FIRE/San Luis Obispo County Fire - Draft Community Wildfire Protection Plan A CWPP serves as a mechanism for community input and identification of areas presenting high fire hazard risk as well as identification of fire hazards potential projects intended to mitigate such risk.

A CWPP must be collaboratively developed with input from interested parties, federal, state, and local agencies managing land within the County, as well as local government representatives. The CWPP for San Luis Obispo County is currently under development and, when complete, would

address fire protection planning efforts occurring in the County to minimize wildfire risk to communities, assets, firefighters, and the public. The CWPP presents the County's physical and social characteristics, identifies and evaluates landscape-scale fire hazard variables, utilizes Priority

Landscape data sets for evaluating wildfire risk, identifies measures for reducing structural ignitability, and identifies potential fuel reduction projects and techniques for minimizing wildfire risk."

Problem: As I understand it, the most recent CWPP hasn't been updated since 2013. It is in a relatively unfinished state, and wouldn't be useable for our community plan in this state. (<https://www.wildfirelessons.net/HigherLogic/System/DownloadDocumentFile.aspx?DocumentFileKey=927bc270-5fd8-48ab-aab5-68a1b8c09ca4>). Additionally, many of the abatement tactics it discusses haven't even been undertaken in Los Osos up till this point in time (Wildfire Season 2019-20). There is still no proper fire line around the Urban Wilderness Interface, especially along Highland Ave. where dozens of 4' high piles of wood chips were left behind after a recent clearing of the area by Public Works. Shamefull!

Solution: The CWPP needs to be updated to current climate change predictions, a substantial budget must be created and set aside for this purpose, and the planners and community itself must begin **implementation and enforcement** of all the recommended tactics BEFORE **ANY NEW BUILDING PERMITS ARE CONSIDERED OR GRANTED**.

Thank you for your time!

Sincerely,

Deborah Ross and Robbie Conal

1347 6th Street, Los Osos 93402

Response to Letter 36

COMMENTER: Deborah Ross and Robbie Conal, Private Citizens

DATE: November 16, 2019

Response 36.1

The commenters believe there is not adequate water supply to serve future development under the LOCP. Please refer to Section 4.15 of the EIR for an analysis of this issue. Also refer to Master Response 1.

Response 36.2

The commenters believe that a Community Wildfire Protection Plan (CWPP) must be completed before any further development is allowed in Los Osos. This perspective will be considered by the Board of Supervisors as it contemplates potential approval of the LOCP. Please refer to pages 1-17 through 1-19 of the Draft EIR for a discussion of issues related to fire hazards, including the existing regulatory framework that addresses wildland fires at both the state and local level. Please refer to Master Response 4 for additional discussion related to this issue.

Kerry Brown

From: Marcie Begleiter <mdbegleiter@gmail.com>
Sent: Monday, November 18, 2019 1:48 PM
To: Kerry Brown
Subject: [EXT]Comment on Draft LOHCP and EIR

Letter 37

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

Dear Ms. Brown,

I attended the informational meeting regarding the EIR and LOHCP at Sea Pines on October 28th. Thank you for the presentation. I want to note that the **venue was not large enough** for the number of citizens eager to get the information - dozens came and left as there were not seats for them.

Also, given that the **comment period is 45 days, holding the informational meeting almost 30 days into that period was also is not the best plan** to get community response to these important documents. **37.1**

Finally, did you know that your **email was incorrectly listed** on the contact slide? Again, not optimal for getting the response that this comment period was supposed to elicit.

Given these issues, **I strongly suggest that you expand the comment period, at least until mid-December** to give more time for interested community members to respond to the large amount of information in the draft reports. **37.2**

All that aside, I have some serious concerns about the plan that encompasses the EIR and LOHCP. Protecting the greenspace is welcome and necessary to preserve the character of the town, but **the extent of development that is described in the report, at approximately 30% infill units by 2035 (15 years) is more than double the development rate of the state** in the past 10 years (9% from 2006 to 2016). Given that we need more housing, and affordable units at that, the upper end of this development plan is not within reasonable growth rates for a community of the size of Los Osos. **37.3**

And that is **before we begin to take account of the environmental strain that such development will bring to the fragile landscape of Los Osos**. We are a town built on sand dunes, facing rising sea levels and salt water intrusion. The LOHCP-EIR_Public-Review-Draft report does take this into account on page 214: **37.4**

" LOHCP-EIR_Public-Review-Draft_2019-0925

As noted in the Los Osos Community Plan, the community wishes to maintain its "small-town" atmosphere; rather than expanding the URL and USL, the community is focusing on infill development. A development constraint within Los Osos is the availability of resources. New growth must only occur when the community has sufficient capacity in its water supply and sewage disposal systems. In addition, new development should not be allowed to create significant impacts to the community's road system, local schools, parks, or libraries. **37.5**

Per the Draft EIR for the Los Osos Community Plan states that development under the Los Osos Community Plan could result in an additional 1,861 residential units and up to 364,000 square feet of commercial space, for a total of 8,182 residential units and 1,034,300 square feet of non- residential space (floor area) within the community within the 20-year plan horizon (by 2035)." **(NOTE - it is now 16 years, not twenty until 2035, and will be 15 by the time this plan instituted)**

The **data in this report is at least 5 years old**, taken from the 2014 origin of the draft, and therefore is not reliably applicable to today's situation in terms of climate change and water availability. For the sake of creating

a viable plan that takes into account realistic development for all the residents, current and future, I ask that you do the following:

1. **Keep the comment period open** until December 15
2. **Revise the data in these plans to reflect our current situation regarding sea level rise and salt water intrusion.**
3. **Revise the cap on developing residential units to be in line with state population growth, which would be 14% over the 15 years of the plan. This would allow for approximately 900 additional units by 2035.**
- 4 **Revise the plan to be more specific about necessary mitigation for water and other support systems** and make these hard and fast rules rather than soft recommendations. **37.6**

Thank you for your time and attention to this input. Your service to the community is much appreciated.

Best,

Marcie Begleiter

Los Osos

--

Marcie Begleiter
2005 9th St. Suite E
Los Osos, CA 93402

Response to Letter 37

COMMENTER: Marcie Begleiter, Private Citizen

DATE: November 18, 2019

Response 37.1 and 37.2

This comment relates to the Los Osos HCP (LOHCP) EIR, and not the LOCP EIR. Please refer to the responses to comments on the LOHCP EIR, which are included in the Final EIR for that project. The request to extend the comment period of the Draft EIR appears to refer to the LOCHP EIR, the public comment period of which closed on November 18, 2019.

Response 37.3

This commenter is concerned about growth that could occur in Los Osos as a result of approving the LOHCP and LOCP. The LOCP is a regulatory document like a General Plan; it does not propose development, but provides a framework for future development, the timing of which depends on market factors. Any growth rates described in planning documents are reasonable projections of what might happen, not necessarily of what will happen. These projections are intended to allow for a framework for analysis and mitigation, they are not prescriptive and may not occur at all. As noted in the Draft EIR, particularly within Section 4.15, there must be adequate water supply to serve the community as growth occurs, and various programs included in the Basin Plan and Annual Reports (which forms the basis for understanding water supply in the community) are intended to ensure that growth cannot get ahead of a safe and sustainable water supply. Please also refer to Master Response 1.

Response 37.4

For issues related to sea level rise and coastal hazards, please refer to Section 4.4 of the EIR.

Response 37.5

For issues related to growth and water supply, please refer to Response 37.2 and Master Response 1.

Response 37.6

The LOCP in its final form will incorporate policy related mitigation measures included in the Draft EIR, including those related to water supply. The LOCP is a programmatic document, which provides the framework for future growth, including policies and programs that related to future development, which is required to be consistent with those policies.

Kerry Brown

Letter 38

From: Rebecca McFarland <backbaybeck@icloud.com>
Sent: Monday, November 18, 2019 4:52 PM
To: Kerry Brown
Subject: [EXT]Los Osos HCP

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

Dear Ms. Brown,

I would like to submit the following comments on the Los Osos Habitat Conservation Plan:

1. As a citizen living adjacent to the Morro Dunes Ecological Reserve, I am greatly concerned with the lack of plan and oversight to patrol and maintain the area. There is abundant dead plant life ready to burn right up behind people's property lines. Dead Brush was trimmed to 50 feet recently, but left in large mounds at the 50 ft line. Just from Broderson to Ravenna there are 26. If this is the sort of maintenance we can look forward to it is unacceptable in our new age of year-round-fire season. From what I have been told. Fish and Wildlife have no monies to patrol or maintain the property. For us neighbors on Highland, fire is our greatest fear and now with homeless camping out in the reserve our concerns are even greater. **38.1**
2. While we are on the topic of homelessness, I think that part of the plan should be looking to the growth of our homeless population in our area. An area of the town should be set aside for facilities to deal with this and proper services should be in place to keep this population from further affecting our conservation areas. This would include trash and hazardous bio waste removal to include human feces and used hypodermic needles. **38.2**
3. Wildfire is a concern of everyone in our town. We currently do not have enough fire staff or equipment to fight a large wildfire in our area. Plans to "bulldoze" in the reserve area if a fire should start would be hampered by the fact that the bulldozers are parked at the SLO airport. **38.3**
4. In Figure 16 a new road is shown from Travis in Cabrillo Estates to Bayview Heights. I am hoping this is in error as it would pass right through some of the habitat to be conserved. In addition a Highland Dr. is shown to continue to Pecho - there are homes there now, so it seems to be drawn in error. **38.4**
5. I am in serious doubt that retrofitting and water recycling will ever conserve enough water to provide sufficient water supply for the buildout show in this Community Plan. Are we not still in Stage III Drought in Los Osos? **38.5**

Sincerely,

Rebecca McFarland
2455 Broderson Ave.
Los Osos, CA 93402
(805) 440-6643

Response to Letter 38

COMMENTER: Rebecca McFarland, Private Citizen

DATE: November 18, 2019

Response 38.1

This comment relates to patrolling and maintenance of the Morro Dunes Ecological Reserve. The comment does not address a specific issue in the Draft EIR, including any of the analysis or mitigation measures included in that document. This perspective will be considered by the Board of Supervisors.

Response 38.2

This comment relates to homelessness and how to address issues related to human waste disposal. The comment does not address a specific issues in the Draft EIR as it relates to the LOCP policy framework, including any of the analysis or mitigation measures included in that document. This perspective will be considered by the Board of Supervisors.

Response 38.3

This comment relates to wildfire impacts. Please refer to pages 1-17 through 1-19 of the Draft EIR for a discussion of issues related to fire hazards, including the existing regulatory framework that addresses wildland fires at both the state and local level. Please refer to Master Response 4 for additional discussion related to this issue.

Response 38.4

The figure in question (Figure 16 in the Draft LOHCP EIR and 4.13-1 in the LOCP Draft EIR) reflects the adopted planned roadway network under the existing Estero Area Plan. The extension of South Bay Boulevard is not proposed as part of the LOCP. Impacts related to biological resources are analyzed in Section 4.3 of the LOCP Draft EIR. These impacts address all future development in the community, including the potential extension of roadways that are contemplated under the LOCP.

Response 38.5

The commenter believes there is insufficient water supply to serve future development in the community. As noted in the LOCP Draft EIR, particularly within Section 4.15, there must be adequate water supply to serve the community as growth occurs, and various programs included in the Basin Plan and Annual Reports (which forms the basis for understanding water supply in the community) are intended to ensure that growth cannot get ahead of a safe and sustainable water supply. Please also refer to Master Response 1.



[EXTERNAL] Los Osos Habitat Conservation Plan

Letter 39

1 message

Roxanne Lee <leerox@gmail.com>
To: julie_vanderwier@fws.gov

Fri, Nov 15, 2019 at 9:30 AM

Dear Ms. Vanderwier,

As a resident of Los Osos, I would like to submit comments re: The Los Osos Habitat Conservation Plan (LOHCP). **The proposed land use and development identified in the LPHCP should maintain the rural character of Los Osos.** Specific comments re: the LOHCP include the following:

- Figure 2-2 Land Use Map: The undeveloped area along LOVR between Palisades St. and Broderson St. should be classified as open space or recreation. It is currently designated as a mix of commercial, office professional, and residential single family. However, commercial and office land uses should be clustered east along LOVR, where there are already existing commercial/office uses, e.g., there are already vacant commercial properties adjacent to Grocery Outlet, Chase Bank, and the US Postal Office. Don't sprawl these commercial uses; especially if there are already plenty of vacant commercial lots. Densify where they already exist to preserve the rural character of Los Osos. Single family residential should be set back from LOVR to make space for a large regional park that connects to the existing community park. There are no large regional parks that are walking distance for residents in Los Osos. The National Recreation and Parks Association states that importance of having easily accessible recreational parks of small, medium, and regional parks. The area along LOVR is the perfect location for a larger central regional park. It would also conserve important habitat area along LOVR and maintain the rural character. While there is Montana Del Oro State Park, it requires driving. The regional park could include to following facilities that currently have not been sited: aquatic center and library. **39.1**
- Figure 2-3 Existing Protected Lands: Notice how there are minimal protected lands within Los Osos. The undeveloped area along LOVR between Palisades St. and Broderson St. would make the perfect central gathering area and regional park for Los Osos. **39.2**
- Table 4-1: Take/Impacts Assessment Methods for Anticipated Covered Activities within the LOHCP Area:
 - Activity Items #1 and 2: New Park in Los Osos (10-acre) The new park location should be along LOVR to create a large regional park that includes the aquatic center and library. We need large grassy areas with large-shade trees for family barbecues/parties, outdoor amphitheater for events, native plant / water conservation demonstration garden, multiuse fields (e.g., soccer, kickball, disc sports), outdoor courts (basketball, pickleball, tennis), etc. The existing community park has picnic areas adjacent to LOVR, but they are loud and noisy from traffic. The park would act as the central community gathering area. It would also be safe location for families to walk to the library without high traffic volumes. **39.3**
 - Activity Item: Bike Lanes: More bike lanes! There needs to be a designated bike lane with cones or fencing between Los Osos and Morro Bay. This would be great for families and tourists.

Thank you,
Roxanne Lee

Response to Letter 39

COMMENTER: Roxanne Lee, Private Citizen

DATE: November 18, 2019

Response 39.1

The commenter does not support development within the Morro Shores area as shown in Figures 2-4 and 2-6 of the Draft EIR, and believes it should be left as undeveloped open space or as a park. Note that this site is already currently designated for development under the existing Estero Area Plan, which envisions future residential and commercial development at this location. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP. Please also refer to Master Response 3 for additional discussion of this topic.

Response 39.2

This comment more directly references the LOHCP EIR, but the intent of the comment is support for the idea to create a park in the existing undeveloped parcel adjacent to LOVR. Please refer to Response 39.1.

Response 39.3

The commenter supports more bike lanes in the community. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP.



[EXTERNAL] Proposed additional thousands of people in Los Osos - especially around Morro Shores Mobil Home Park

1 message

Stephanie M. Raphael <[REDACTED]>
To: Leilani_Takano@fws.gov

Mon, Nov 18, 2019 at 3:34 PM

Dear Mz. Nagano:

I am a resident of Morro Shores Mobile Home Park, [REDACTED]. I am also a senior citizen about to have my 78 birthday. I am very much against the proposed housing/multi apartment complexes that have been proposed for Los Osos and particularly in the areas around our Park. 40.1

First, of course, is the water issue. Despite having a rainy year last year, we are a community that is mostly in drought and mandated water restrictions. It's only been a year since people were being reported to the authorities for excessive water use. According to predictions, we are not going to have much rain this year. So, where are all these additional thousands of people going to get their water. There has been a mention of recycled water from the new Morro Bay sewer plant (if it ever gets built). Please! No thank you. 40.2

Second, the ecology of Los Osos is extremely fragile as I'm sure you are aware. Many of us have been working for years to help in this regard. A massive amount of construction would be a tremendous strain on the animals, insects and plants of this area. 40.3

Finally, there are many elderly living in Los Osos. All of us in Morro Shores Mobil Home Park are elderly. A few of us are in our 60s, but most of us are in or 70s, 80s and 90s. Our health is fragile and one of the reasons we live here is for quiet, clean air and a gentle life. We've paid for it. It would be a major strain on my health, for example, to have massive development here. My husband has COPD and already has trouble breathing. Our home is 15 feet from the open land that is in the proposed development and the dust raised would be terrible for both of us 40.4

While we realize that there must be growth, it should not be more than a few small buildings at a time here in Los Osos. We also need parks and green areas for ourselves and for the abundant wildlife here. 40.5

Thank you,

Stephanie Raphael

[REDACTED]

Response to Letter 40

COMMENTER: Stephanie Raphael, Private Citizen

DATE: November 18, 2019

Response 40.1

The commenter does not support development within the Morro Shores area as shown in Figures 2-4 and 2-6 of the Draft EIR, and believes it should be left as undeveloped open space or as a park. Note that this site is already currently designated for development under the existing Estero Area Plan, which envisions future residential and commercial development at this location. The Board of Supervisors will consider this perspective as it considers potential approval of the LOCP. Please also refer to Master Response 3 for additional discussion of this topic.

Response 40.2

The commenter expresses the concern that there will be insufficient water to support population growth as envisioned in the LOCP. Section 4.15 of the EIR discusses potential impacts with respect to water supply. Please also refer to Master Response 1.

Response 40.3

The commenter is concerned about potential impacts to ecosystems within the community that could result from future development. Please refer to Section 4.3 of the EIR, which discusses, analyzes, and requires mitigation measures related to the protection of biological resources.

Response 40.4

The commenter is concerned about potential air quality impacts associated with new development, and their effect on human health. Please refer to Section 4.2 of the EIR, which addresses issues related to air quality.

Response 40.5

The commenter believes that growth in Los Osos should be limited to “a few small buildings at a time” in order to preserve the quality of life in the community. This perspective will be considered by the Board of Supervisors as it contemplates possible approval of the LOCP.