

Los Osos Community Plan

Draft Environmental Impact Report

State Clearinghouse Number 2015031090



Volume 1: EIR Analysis

Prepared for:
County of San Luis Obispo
Department of Planning and Building

July 2019



John F. Rickenbach Consulting
7675 Bella Vista Road
Atascadero, California 93422

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Table of Contents

	Page
Executive Summary	ES-1
1.0 Introduction	
1.1 Purpose and Legal Authority.....	1-1
1.2 Use of this EIR for Future Projects	1-2
1.3 Scope and Content.....	1-5
1.4 Lead and Responsible Agencies	1-6
1.5 Areas of Controversy	1-7
1.6 Effects Found Not to be Significant	1-7
1.7 Environmental Impact Review Process.....	1-21
2.0 Project Description	2-1
2.1 Summary.....	2-1
2.2 Project Proponent.....	2-2
2.3 Project Location	2-2
2.4 Existing Community Characteristics.....	2-6
2.5 Project Objectives	2-8
2.6 Project Characteristics	2-10
2.7 Required Approvals	2-32
2.8 Alternatives.....	2-33
3.0 Environmental Setting	3-1
3.1 Regional and Local Setting	3-1
3.2 Cumulative Projects Setting.....	3-4
4.0 Environmental Impact Analysis.....	4-1
4.1 Aesthetics	4.1-1
4.2 Air Quality.....	4.2-1
4.3 Biological Resources	4.3-1
4.4 Coastal Hazards	4.4-1
4.5 Cultural and Paleontological Resources	4.5-1
4.6 Greenhouse Gas Emissions.....	4.6-1
4.7 Hydrology and Water Quality.....	4.7-1
4.8 Land Use and Policy Consistency	4.8-1

Table of Contents

4.9 Noise	4.9-1
4.10 Population and Housing	4.10-1
4.11 Public Services	4.11-1
4.12 Recreation	4.12-1
4.13 Transportation and Circulation.....	4.13-1
4.14 Wastewater	4.14-1
4.15 Water Supply	4.15-1
5.0 Long-Term Impacts.....	5-1
5.1 Growth Inducing Impacts	5-1
5.2 Significant Irreversible Changes to the Environment.....	5-5
5.3 Energy Conservation	5-5
6.0 Alternatives.....	6-1
6.1 Project Objectives	6-1
6.2 Description of Project Alternatives	6-3
6.3 Impact Analysis	6-39
6.4 Environmentally Superior Alternative.....	6-45
7.0 References and Preparers.....	7-1
7.1 References	7-1
7.2 Agencies and Individuals Contacted	7-14
7.3 List of Preparers	7-14

Appendices (see Volume 2)

Appendix A:	Notice of Preparation (NOP) and Responses
Appendix B:	Air Quality and Greenhouse Gas Emissions – Technical Reports
Appendix C:	Coastal Hazards – Technical Report
Appendix D:	Noise Analysis – Technical Report
Appendix E:	Transportation Impact Analysis – Technical Report
Appendix F:	Proposed Archaeological Standards in the LOCP

List of Figures

Figure 2-1	Los Osos Community Plan Area Location Map	2-3
Figure 2-2	Existing and Proposed Urban Reserve Line (URL)	2-4
Figure 2-3	Existing and Proposed Urban Services Line (USL)	2-5
Figure 2-4	Proposed Land Use Changes by Parcel	2-12
Figure 2-5	Los Osos Neighborhoods	2-13
Figure 2-6	Proposed Land Use Plan	2-14
Figure 2-7	Proposed Residentially-Designated Areas	2-19
Figure 2-8	Proposed Commercially-Designated Areas.....	2-20
Figure 2-9	Proposed Morro Shores Mixed Use.....	2-21
Figure 2-10	Proposed Mixed Use Areas in Los Osos	2-22
Figure 2-11	Proposed Circulation Plan.....	2-26
Figure 2-12	Conceptual Improvements to Los Osos Valley Road	2-27
Figure 2-13	Proposed Bikeways Plan	2-29
Figure 2-14	Proposed Trails and Trail Corridors	2-30
Figure 2-15	Coastal Access Points.....	2-31
Figure 4.3-1	Vegetation Communities	4.3-2
Figure 4.3-2	Wetland Habitat Areas	4.3-3
Figure 4.3-3	CNDDDB Flora Occurrence.....	4.3-11
Figure 4.3-4	CNDDDB Fauna Occurrence	4.3-12
Figure 4.3-5	ESHA Map	4.3-43
Figure 4.4-1	Coastal Hazards in the Community Plan Area	4.4-16
Figure 4.4-2	Coastal Hazard Impacts to Planned Land Uses	4.3-17
Figure 4.4-3	Significantly Impacted Parcels by Coastal Hazards	4.3-29
Figure 4.5-1	Geologic Units Underlying the Project Area	4.5-3
Figure 4.5-2	Cover of <i>Baywood Park Estates</i> , circa 1930.....	4.5-11
Figure 4.5-3	Demolition of the Richard Otto House in 1983	4.5-13
Figure 4.8-1	Proposed Land Use Changes by Parcel	4.8-7
Figure 4.9-1	Noise Measurement Locations	4.9-4
Figure 4.9-2	Existing Vehicle Traffic Noise Contours	4.9-5
Figure 4.9-3	Future Vehicle Traffic Noise Contours	4.9-19
Figure 4.13-1	Adopted Estero Area Plan Lane Geometrics and Control	4.13-16
Figure 4.13-2	Adopted Estero Area Plan Buildout ADT.....	4.13-17
Figure 4.13-3	Adopted Estero Area Plan Buildout Peak Hour Trip Volumes	4.13-20
Figure 4.13-4	Proposed Estero Area Plan Lane Geometrics and Control	4.13-21
Figure 4.13-5	Proposed Estero Area Plan Buildout ADT	4.13-22
Figure 4.13-6	Proposed Estero Area Plan Buildout Peak Hour Trip Volumes	4.13-25
Figure 4.14-1	Los Osos Prohibition Zone and Wastewater Service Area	4.14-1

Table of Contents

Figure 4.15-1	Los Osos Groundwater Basin	4.15-2
Figure 4.15-2	Los Osos Groundwater Basin Uses	4.15-3

List of Tables

Table ES-1	Class I, Significant and Unavoidable Project-Specific Environmental Impacts .	ES-8
Table ES-2	Class II, Significant but Mitigable Project-Specific Environmental Impacts	ES-10
Table ES-3	Class III, Less Than Significant Project-Specific Environmental Impacts	ES-52
Table ES-4	Class IV, Beneficial Project-Specific Environmental Impacts	ES-62
Table 1-1	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	1-3
Table 1-2	Where NOP Issues are Addressed in the EIR	1-5
Table 2-1	Proposed Land Use Designation Changes.....	2-15
Table 2-2	Los Osos Community Plan Land Use and Buildout Potential.....	2-16
Table 2-3	Residential and Population Buildout Summary	2-23
Table 2-4	Non-Residential Buildout Summary.....	2-24
Table 2-5	Proposed Circulation Improvements	2-24
Table 4.1-1	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.1-30
Table 4.2-1	Ambient Air Quality Standards	4.2-3
Table 4.2-2	Summary of Air Quality Measurements Recorded at the Morro Bay Monitoring Station.....	4.2-4
Table 4.2-3	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.2-18
Table 4.3-1	CDFW Natural Communities of Special Concern in the Plan Area.....	4.3-13
Table 4.3-2	Critical Habitats in the Regional Vicinity of the Plan Area	4.3-14
Table 4.3-3	Special Status Species Plants in the Regional Vicinity of the Plan Area	4.3-14
Table 4.3-4	Special Status Wildlife in the Regional Vicinity of the Plan Area	4.3-19
Table 4.3-5	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.3-50
Table 4.4-1	Estimated Sea Level Rise by Planning Horizon for Los Osos	4.4-15
Table 4.4-2	Results of Coastal Flooding Analysis and Tidal Inundation	4.4-15
Table 4.4-3	Summary Results of Vulnerability Assessment.....	4.4-18
Table 4.4-4	Summary Results of Level of Impact for Coastal Hazards Impacts	4.4-30
Table 4.4-5	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.4-31
Table 4.5-1	Vertebrate Localities in the Vicinity of the Project Area	4.5-13
Table 4.5-2	Selected Potentially Significant Historic-Era Buildings and Landscapes	4.5-16
Table 4.5-3	SVP Paleontological Resource Sensitivity Categories	4.5-24

Table of Contents

Table 4.5-4	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.5-41
Table 4.6-1	Global Warming Potentials and Atmospheric Lifetimes (<i>in years</i>)	4.6-2
Table 4.6-2	California GHG Emissions by Sector in 1990, 2008, and 2012	4.6-3
Table 4.6-3	San Luis Obispo County GHG Emissions in 2006.....	4.6-4
Table 4.6-4	Existing (2016) Annual GHG Emissions (<i>in MT CO₂E</i>)	4.6-5
Table 4.6-5	Year 2020 and Year 2035 Annual GHG Emissions (<i>in MT CO₂E</i>)	4.6-14
Table 4.6-6	Service Population Calculations.....	4.6-14
Table 4.6-7	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.6-20
Table 4.7-1	Areas Subject to 100-Year Flood Hazard	4.7-20
Table 4.7-2	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.7-24
Table 4.8-1	Evaluation of Potential Conflicts from Land Use Designation Changes	4.8-8
Table 4.8-2	LOCP Policy Consistency Analysis with Estero Area Plan	4.8-15
Table 4.8-3	LOCP Combining Designations – Consistency Analysis with Estero Area Plan	4.8-18
Table 4.8-4	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.8-21
Table 4.9-1	Noise Measurements.....	4.9-2
Table 4.9-2	County of San Luis Obispo General Plan Land Use Compatibility	4.9-6
Table 4.9-3	Maximum Allowable Noise Exposure – Transportation Noise Sources	4.9-8
Table 4.9-4	Maximum Allowable Noise Exposure – Stationary Noise Sources	4.9-8
Table 4.9-5	County of San Luis Obispo Code Exterior/Interior Noise Level Standards.....	4.9-9
Table 4.9-6	Typical Construction Equipment Noise Levels.....	4.9-12
Table 4.9-7	Vibration Source Levels for Construction Equipment.....	4.9-13
Table 4.9-8	Increase in Ambient Noise.....	4.9-16
Table 4.9-9	Contour Distances for Los Osos Valley Road and South Bay Boulevard	4.9-18
Table 4.9-10	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.9-25
Table 4.10-1	Unincorporated County Share of Housing Needs, 2014-19.....	4.10-4
Table 4.10-2	Remaining Unincorporated Countywide Housing Need, 2014-19.....	4.10-4
Table 4.10-3	County Policies Concerning Population and Growth in the LOCP	4.10-11
Table 4.10-4	Residential and Population Buildout Summary	4.10-15
Table 4.10-5	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.10-18
Table 4.11-1	Enrollment and Capacity at Public Schools Serving Los Osos	4.11-2
Table 4.11-2	Projected Student Generation from Additional Development Under LOCP.	4.11-9
Table 4.11-3	Existing and Projected Student Enrollment	4.11-9
Table 4.11-4	Existing and Projected Solid Waste Generation in Los Osos (tons/day)	4.11-11

Table of Contents

Table 4.11-5	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.11-12
Table 4.12-1	Proposed Land Use Designation Changes involving Open Space or Recreation.....	4.12-7
Table 4.12-2	Summary of Recreation and Open Space Land under the LOCP	4.12-8
Table 4.12-3	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.12-11
Table 4.13-1	LOS Criteria for Roadways	4.13-3
Table 4.13-2	Intersection Level of Service.....	4.13-3
Table 4.13-3	Existing Roadway Analysis and LOS	4.13-7
Table 4.13-4	Existing Intersection LOS	4.13-8
Table 4.13-5	Proposed Community Plan Circulation Improvements	4.13-13
Table 4.13-6	Future Development Potential (Existing and Proposed Plans)	4.13-15
Table 4.13-7	Adopted Estero Area Plan Buildout Scenario Roadway LOS.....	4.13-18
Table 4.13-8	Adopted Estero Area Plan Buildout Scenario Intersection LOS	4.13-19
Table 4.13-9	Proposed Community Plan Buildout Scenario Roadway LOS	4.13-23
Table 4.13-10	Proposed Community Plan Buildout Scenario Intersection LOS.....	4.13-24
Table 4.13-11	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.13-33
Table 4.14-11	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.14-6
Table 4.15-1	Total Estimated Historical Groundwater Production (2006 - 2015)	4.15-8
Table 4.15-2	Residential Development and Population Buildout Summary	4.15-9
Table 4.15-3	Estimated Population Based on Standard D3 from LOCP Section 7-3	4.15-13
Table 4.15-4	Summary of Sustainable Population for Proposed Programs (Basin Plan) .	4.15-14
Table 4.15-5	Evaluation of Proposed Project	4.15-14
Table 4.15-6	Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	4.15-16
Table 6-1	Residential and Population Buildout Summary – Existing Estero Area Plan....	6-6
Table 6-2	Non-Residential Buildout Summary – Existing Estero Area Plan	6-6
Table 6-3	Residential and Population Comparison – Existing Estero Area Plan to Proposed LOCP	6-7
Table 6-4	Non-Residential Comparison – Existing Estero Area Plan to Proposed LOCP..	6-7
Table 6-5	Alternative 3 Residential Development Potential Summary	6-11
Table 6-6	Comparison of Alternatives to the Proposed Project	6-45

EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed Los Osos Community Plan, alternatives to the proposed project, as well as environmental impacts, mitigation measures, and residual impacts associated with the project.

PROJECT SYNOPSIS

Lead Agency/Project Applicant

San Luis Obispo County
Department of Planning and Building
County Government Center, Room 300
San Luis Obispo, California 93408

Contact:

Kerry Brown, Project Manager
Rob Fitzroy, Deputy Director, Policies and Programs

Project Description

The proposed project is a regulatory document that guides future development within the Los Osos community. It is similar to a General Plan, and includes a policy framework and accompanying maps that provide guidance for development projects in Los Osos. Thus, this EIR is appropriately framed as a Program EIR pursuant to CEQA Guidelines Section 15168. The proposed LOCP will also function as the 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 approved communitywide sewer project, which underwent separate environmental review.

The Plan Area (also referred to in this document as the “project area”, or “proposed project area”) encompasses roughly 3,041 net acres, and includes the anticipated 20-year growth boundary (URL). This area also encompasses the proposed Urban Services Line (USL), as well as some additional surrounding properties in order to provide the context for a comprehensive analysis of potential environmental impacts under the Community Plan.

There are no expansion areas planned outside the URL, although as noted above, there will be minor adjustments to the existing URL, largely for administrative purposes so that certain parcels better coincide with existing property lines and ownership. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas.

The key components of the draft LOCP include:

- *Updating data and information from the approved Estero Area Plan with respect to the Los Osos urban area;*
- *Incorporating strategic growth policies;*
- *Incorporating conditions of approval from the Coastal Development Permit for the Los Osos Wastewater Project, including*
 - ✓ *Development of a sustainable buildout target supported by the safe yield of the groundwater basin; and*
 - ✓ *Integration of conservation strategies from the HCP currently under preparation*
- *Considering Coastal Commission issues identified during the 2004 and 2009 Estero Area Plan update; and*
- *Developing a Public Facilities Financing Plan for new development.*

The specific location and characteristics of the project are described in greater detail in Section 2.0, *Project Description*.

USE OF THIS EIR FOR FUTURE PROJECTS

In practice, this program EIR will be used as a first tier of environmental review for development projects proposed in accordance with the Los Osos Community Plan. This EIR has been developed specifically to comply with CEQA Section 15183 in order to minimize future environmental review of proposed projects. This section of CEQA provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its location.

Consistent with CEQA Guidelines Section 15183, future development projects in the Community Plan Area would not require subsequent environmental review if it can be shown that:

- The proposed development is consistent with General Plan and zoning designations;
- The proposed development is consistent with Community Plan policies; and
- The proposed development would not result in environmental effects that:
 - are peculiar to the project or parcel;
 - were not analyzed in this EIR; or
 - would be more severe than what was analyzed in this EIR.

ALTERNATIVES

As required by Section 15126(d) of the *State CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the project that could feasibly achieve similar objectives. This includes the following four alternatives:

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

These are summarized below:

Alternative 1: No Project (No Development)

This alternative considers the consequences of not approving the proposed LOCP, and not allowing further development in the plan area beyond already exists. In some respects, this represents a continuation of the 1988 growth moratorium, but to an even greater degree, in that no further development of any kind would be considered.

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

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

This alternative considers the consequences of not approving the proposed LOCP, but assumes that development would resume under the existing Estero Area Plan, based on the land use pattern and regulatory framework included in the current plan. There would be no growth restrictions based on water availability, such as are included in the proposed LOCP, so there would be no certainty that development would proceed commensurate with the availability of water.

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

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

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

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

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

Alternative 3: Reduced Development Based on Water Availability

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

Alternative 4: Mitigated Project

This alternative assumes the same development pattern, buildout potential and policy framework as under the proposed LOCP, except that it includes the policy-related mitigation measures prescribed to address potentially significant impacts previously identified with respect to implementation of the proposed LOCP.

Environmentally Superior Alternative

The No Project/No Development Alternative (Alternative 1) is considered environmentally superior overall, since no development that could result in significant environmental impacts would occur. However, this alternative would not meet project objectives included in the proposed LOCP. Among the other alternatives, the Reduced Development scenario (Alternative 3) would reduce many impacts related to population and growth compared to the LOCP, but would otherwise be similar. Overall, however, the Mitigated Project is considered the Environmentally Superior Alternative, because it achieves all of the project objectives of the LOCP while directly mitigating all identified impacts associated with implementation of the proposed project.

The complete alternatives analysis is included in Section 6.0, *Alternatives*.

AREAS OF CONCERN

Pursuant to State CEQA Guidelines § 15123(b)(2), this EIR acknowledges the areas of controversy and issues to be resolved which are known to the County of San Luis Obispo or were raised during the scoping process. A Notice of Preparation (NOP) was prepared and circulated for a 30-day public review period that began on March 20, 2015 and ended April 20, 2015. Several comment letters from the public, and comment letters from public agencies (i.e., California Coastal Commission; San Luis Obispo Council of Governments; San Luis Obispo County Air Pollution Control District; San Luis Obispo County Parks), were received in response to the NOP. The NOP and associated comment letters are included in **Appendix A** of this EIR.

Primary environmental areas of concern raised by the commenting agencies and public include:

- Environmentally Sensitive Habitat Area
- Habitat Conservation Plan
- Water Supply in the context of the Basin Plan
- Recycled Water
- Preservation of Groundwater Basin
- Wastewater Service
- Growth Management
- Coastal Access
- Shoreline Development
- Night Sky Preservation
- Oak Tree Protection
- Estuary Habitat Protection
- Global Climate Change
- Park Planning
- Bike Planning
- Public Safety (adequate lighting)
- Jobs/Housing Balance
- Alternative Transportation Modes
- Smart Growth
- Removing Invasive Species
- Aesthetics
- Roadway Safety

SUMMARY OF PROJECT-SPECIFIC IMPACTS AND MITIGATION MEASURES

Tables ES-1 through ES-4 summarize the potential project-specific environmental impacts of the project. The mitigation measures associated with each impact, which are to be implemented in order to reduce the environmental impacts to the maximum extent feasible, are also summarized therein. In accordance with the *State CEQA Guidelines*, the tables identify the following types of potential impacts associated with the project:

- Class I, Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a 'Statement of Overriding Considerations' to be issued if the project is approved per §15093 of the *State CEQA Guidelines*.
- Class II, Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires 'Findings' to be made under §15091 of the *State CEQA Guidelines*.
- Class III, Not Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.

Class IV, Beneficial. An effect that would reduce existing environmental problems or hazards.

Significant and Unavoidable Impacts

Significant and Unavoidable (Class I) project-specific impacts were identified, within the following area as shown on **Table ES-1**:

- Cultural Resources (tribal cultural resources and cumulative impacts)

Significant But Mitigable Impacts

Significant but Mitigable (Class II) project-specific impacts were identified within the following issue areas, as described in **Table ES-2**:

- Aesthetics
- Air Quality
- Biological Resources
- Coastal Hazards
- Cultural Resources
- Hydrology and Water Quality
- Land Use
- Noise (project and cumulative impacts)
- Transportation and Circulation (project and cumulative impacts)
- Water Supply

Less Than Significant Impacts

Less than Significant (Class III) project-specific impacts were identified within the following issue areas, as described in **Table ES-3**:

- Aesthetics
- Air Quality

Executive Summary

- Biological Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Circulation
- Wastewater
- Cumulative impacts (all issues except Biological Resources, Cultural Resources, Noise, and Transportation)

Beneficial Impacts

Beneficial (Class IV) project-specific impacts were identified within the following issue area, as described in **Table ES-4**:

- Population and Housing

Table ES-1.
Class I, Significant and Unavoidable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
CULTURAL RESOURCES		
<p>Impact CR-3. Development under the Community Plan could directly or indirectly impact Native American Tribal Cultural Resources (Class I impact; significant and unavoidable).</p>	<p>CR-3(a) Tribal Consultation Policy. The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:</p> <p><i>CR-3: Continue County engagement with Native American tribes to ensure effective consultation under AB 52 and SB18.</i></p> <p><i>A. Identify Tribal Cultural Resources prior to any proposed development and develop a plan for their preservation.</i></p> <p><i>B. Encourage acquisition, preservation, and management of Tribal Cultural Resources. Allow passive recreation where compatible with resource protection confidentiality. After acquisition, change the Land Use categories of these areas to Open Space.</i></p> <p>CR-3(b) Community Plan Tribal Cultural Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:</p> <p>Government-to-Government Consultation. Consistent with AB52 and SB18, the County shall continue its government-to-government consultations with local Tribal representatives to ensure that resources of concern to the Tribes are identified and taken into account in future development planning. Traditional cultural, historical, and spiritual properties of concern to the Tribes shall be protected and preserved to the maximum extent feasible. The County shall ensure the confidentiality of information regarding cultural, historical, and spiritual properties shared by the Tribes, and the County, Tribes, and community should work together to ensure appropriate Tribal access to such properties while still respecting the rights and privileges of private property owners.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the</p>	<p>With proposed mitigation, impacts would be reduced, but not to a less than significant level because the outcome of tribal consultations on individual projects is not known and cannot be determined at this time.</p>

Table ES-1.
Class I, Significant and Unavoidable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	recommended policies, guidelines, and standards LOCP prior to Plan adoption. <u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
AESTHETICS		
<p>Impact AES-3. Buildout under the LOCP would not impair views from currently designated scenic corridors. However, the LOCP does not address the evaluation of Pecho Valley Road, which is identified in the COSE as a potentially scenic corridor. In addition, both Los Osos Valley Road and South Bay Boulevard could potentially qualify as critical viewsheds, which should be considered in the LOCP. This is a significant but mitigable (Class II) impact.</p>	<p>AES-3(a). Pecho Valley Road Scenic Corridor Policy. The table under Section 2.4.1 of the LOCP shall be modified to include the following under the heading “Conservation and Open Space Element”:</p> <p><i>Policy VR 4.1 Designation of Scenic Corridors. Designate scenic corridors based on the recommendations for Scenic Corridor Studies, for the candidate roads and highways listed in Table VR-2. Pecho Valley Road from Rodman Drive through Montana de Oro State Park is identified as a candidate scenic corridor.</i></p> <p>In addition, the following language shall be added as a new policy in Section 2.5.5 of the LOCP:</p> <p><i>Pecho Valley Road from Rodman Drive to the boundary of Montana de Oro State Park shall be designated as a Critical Viewshed. Development along this corridor shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.</i></p> <p>Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p>Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p> <p>AES-3(b). Los Osos Valley Road and South Bay Boulevard Policy Modification. The following language shall be added as a new policy in Section 2.5.5 of the LOCP:</p> <p><i>South Bay Boulevard, and Los Osos Valley Road east of South Bay Boulevard, shall be designated as a Critical Viewshed. Development along these corridors shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.</i></p>	<p>Due to the temporary nature of construction activities and implementation of the above mitigation measures, construction air quality impacts would be reduced to a less than significant level.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
AIR QUALITY		
<p>Impact AQ-2. Construction activity within the Community Plan area would generate temporary increases in localized air pollutant emissions. These emissions would occur in proximity to existing and future residents within the community. Construction-related impacts would be Class II, significant but mitigable.</p>	<p>AQ-2(a). Community Plan Equipment Emission Reductions. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:</p> <p><i>Construction Equipment Emissions Reductions. Construction projects shall implement the following emissions control measures so as to reduce diesel particulate matter in accordance with SLOAPCD requirements:</i></p> <ul style="list-style-type: none"> • <i>Maintain all construction equipment in proper tune according to manufacturer's specifications;</i> • <i>Fuel all off-road and portable diesel powered equipment with a CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);</i> • <i>Use diesel construction equipment meeting the CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;</i> • <i>Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;</i> • <i>Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standard identified in the above two measures (e.g., captive or NO_x exempt area fleets) may be eligible by providing alternative compliance;</i> • <i>All on and off-road diesel equipment shall not idle for more than 5</i> 	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>minutes. Signs shall be posted in the designated queuing areas and or jobs sites to remind drivers and operators of the 5 minute idling limit;</i></p> <ul style="list-style-type: none"> <i>• Diesel idling within 1,000 feet of sensitive receptors is not permitted;</i> <i>• Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;</i> <i>• Electrify equipment when feasible;</i> <i>• Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and</i> <i>• Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.</p> <p>AQ-2(b). Community Plan Fugitive Dust Control Measures. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:</p> <p><u>Fugitive Dust Control Measures.</u> <i>Construction projects shall implement the following dust control measures so as to reduce PM₁₀ emissions in accordance with SLOAPCD requirements:</i></p> <ul style="list-style-type: none"> <i>• Reduce the amount of the disturbed area where possible;</i> <i>• Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>(nonpotable) water should be used whenever possible;</i></p> <ul style="list-style-type: none"> <i>• All dirt-stock-pile areas shall be sprayed daily as needed;</i> <i>• Permanent dust control measures shall be identified in the approved project revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities;</i> <i>• Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established;</i> <i>• All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;</i> <i>• All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;</i> <i>• Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;</i> <i>• All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;</i> <i>• Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and</i> <i>• Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.</i> <i>• All of these fugitive dust mitigation measures shall be shown on grading and building plans; and</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<ul style="list-style-type: none"> <i>The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.</p>	
BIOLOGICAL RESOURCES		
<p>Impact BIO-1. Development under the Community Plan could have a substantial adverse effect on candidate, sensitive, or special-status species. This impact would be Class II, <i>Significant but Mitigable</i>.</p>	<p>BIO-1(a). LOCP Natural Resource Policies. The following language shall be added as a new policy in the LOCP:</p> <p><i>Special Status Species Habitat Preservation and Enhancement. During the project permitting process, the County, including the entity overseeing LOHCP compliance, shall work with future applicants to encourage preservation or enhancement of habitat for special status species on parcels greater than 20,000 square feet that contain suitable habitat. This would be done in concert with LOHCP requirements to promote habitat preservation and enhancement efforts and regional habitat connectivity by ensuring that preserved or enhanced areas are connected to other preserved or enhanced areas and/or to other suitable habitat occurrences. Preservation of or enhancement of areas that are isolated should be discouraged unless they are determined to provide unique or unusually valuable habitat attributes. Isolated patches of native habitat on smaller lots less than 20,000 square feet are not expected to provide high quality habitat for special status</i></p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>CEQA species that is sustainable. Impacts to small patches of native habitat that could support low numbers of CEQA special status species such as CRPR plants or species of concern wildlife will be further mitigated through implementation of the LOHCP and payment of the mitigation fee. Habitat set aside outside urban areas will promote sustainable habitat for the range of special status species known to occur in the Plan area.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall include recommended policy to the LOCP prior to Plan adoption that states habitat preservation and enhancement opportunities will be evaluated during the initial phases of the building permit review process for lots greater than 20,000 square feet. Lots less than 20,000 square feet shall be adequately mitigated by payment of the mitigation fee associated with LOHCP implementation and no further biology study will be required.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan. If habitat preservation and enhancement is incorporated as a project permit requirement, the Planning and Building Department shall ensure that the requirement is properly implemented during the normal building inspection and final review process. If subsequent monitoring of restoration areas is required, the County may require Applicants to retain an approved biologist to monitor and document restoration activities until the success criteria are met.</p> <p>BIO-1(b). LOCP Natural Resources Implementing Programs. Because of the programmatic structure of the LOCP, and specific impacts for a given private or public project cannot be determined at this time. It is possible that both private and public projects could potentially impact federal and/or state listed species. As such, the following language shall be added as a new program in the LOCP:</p> <p><i><u>Los Osos Habitat Conservation Plan Compliance.</u> To address the specific requirements for special status species and habitat identification, protection, preservation, enhancement, and mitigation that would apply to a given private or public project subject to the LOHCP, the County shall incorporate the final LOHCP into the LOCP, to ensure those requirements are fully addressed during development under the LOCP.</i></p> <p><u>Plan Requirements and Timing.</u> The County shall incorporate the LOHCP into the LOCP</p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>immediately after the LOHCP is finalized and approved.</p> <p><u>Monitoring.</u> The Planning and Building Department shall ensure that all applicable LOHCP requirements are properly implemented during the normal building inspection and final review process for all development projects within the LOCP.</p> <p>BIO-1(c). Biological Resources Assessment, and Focused or Protocol-level Survey Requirements on Parcels Greater Than 20,000 Square Feet. The following language shall be added as a new policy in the LOCP:</p> <p><i>For all projects on undeveloped lots greater than 20,000 square feet in size that require issuance of a County land use development permit, project applicants shall retain a County-approved biologist to conduct a project-specific biological resources assessment (BRA) to document the existing biological resources within the project footprint on which development is proposed, as well as an appropriate buffer, to determine the potential impacts to those resources as part of the environmental review process. The BRA shall conform to the requirements presented in the County guidance document, Guidelines for Biological Resources Assessments - Guidelines for Biological Consultants.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption, and ensure that project-specific biological resources are evaluated during the initial phases of the building permit review process.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the policy requirements are properly implemented during the normal building inspection and final review process.</p> <p>BIO-1(d) Special Status Plant Species Avoidance, Minimization, and Mitigation. The following language shall be added as a new policy in the LOCP:</p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>If a BRA pursuant to Mitigation Measure BIO-1(c) conducted on undeveloped lots greater than 20,000 square feet in size identifies potentially suitable habitat for any federal listed, state listed or California Rare Plant Rank 1B species plant species, focused floristic surveys that are seasonally timed to coincide with the blooming period of all species identified as potentially present in the project-specific BRA shall be conducted. Surveys shall follow current USFWS and CDFW protocols. If special status plants are identified on a site, the project shall be re-designed to avoid impacting these plant species, to the maximum extent feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of proposed disturbance limits shall be protected such as having bright orange protective fencing installed at least 30 feet beyond their extent, or other appropriate distance as determined by a County-approved biologist, to protect them from direct and indirect impacts.</i></p> <p><i>If special status plant species cannot be completely avoided, and will be impacted by development, all impacts shall be mitigated at the current County-required ratio for the species (number of acres of habitat/individuals restored to number of acres of habitat/individuals impacted). A habitat restoration plan (also referred to as a mitigation and monitoring plan) shall be prepared and submitted to the County, and to other state or federal agencies as appropriate. The restoration/mitigation plan shall include, at a minimum, the following components:</i></p> <ul style="list-style-type: none"> <i>• Description of the responsible party(-ies), project site and impact area (by habitat type);</i> <i>• Goal(s) of the mitigation or restoration project including the types and area of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved;</i> <i>• Description of the proposed mitigation/restoration site (e.g., location, size, ownership status, existing functions and values, etc.);</i> <i>• Implementation plan for the mitigation/restoration site including rationale for expected success, responsible parties, schedule, site preparation and planting plan;</i> <i>• Maintenance activities during plan implementation and monitoring, including but not limited to weed abatement and adaptive management;</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<ul style="list-style-type: none"> • <i>Monitoring plan for the mitigation/restoration site including no less than quarterly monitoring visits for the first year, and preparation of annual monitoring reports;</i> • <i>Success criteria based on goals and measurable objectives, target functions and values, target areas to be established, restored, enhanced, and/or preserved; and</i> • <i>An adaptive management program and contingency measures to address shortcomings and the overall effort in meeting success criteria.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption. In addition, applicants with future projects on parcels greater than 20,000 square feet impacting special status plants or habitats shall submit the mitigation/restoration plan to Planning and Building Department for review and approval prior to issuance of grading permits.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the policy requirements are properly implemented during the normal building inspection and final review process.</p> <p>BIO-1(e). Special Status Wildlife Species Habitat Assessment, Surveys, Avoidance and Minimization. The following language shall be added as a new policy in the LOCP:</p> <p><i>If a BRA pursuant to Mitigation Measure BIO-1(c) identifies potentially suitable habitat for a special status wildlife species on a parcel larger than 20,000 square feet, appropriate levels of surveys to determine the presence or absence of the species shall be conducted. For federal listed species such as the Morro shoulderband snail, protocol level surveys or the appropriate compliance requirements of the future LOHCP shall be conducted.</i></p> <p><i>Specific habitat assessments and protocol surveys have been established for several special status species (i.e., California red-legged frog and Morro shoulderband snail) found within the Plan Area. If the results of the BRA determine that suitable habitat may be present for any such species, protocol habitat assessments or surveys shall be completed in accordance with applicable CDFW, USFWS, and County protocols prior to issuance of any construction permits.</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>If consultation with the CDFW and/or USFWS determines that protocol habitat assessments or surveys are not required, such consultation shall be documented in writing by the agency prior to issuance of any construction permits. The project applicant shall be responsible for retaining a biological consultant that is qualified to conduct any required protocol habitat assessments or surveys.</i></p> <p><i>Other special status wildlife that are not listed under CESA or FESA or covered in the LOHCP, shall have current mitigation requirements included in the developer's statement. For the Monarch butterfly, for instance, and projects located in eucalyptus woodland (including tree removal), a County-approved biologist shall conduct a habitat assessment to determine if suitable habitat for this species is present. If suitable habitat is present, then the biologist shall conduct seasonally-timed surveys to determine if Monarch butterflies currently use the site for overwintering activities. If an overwintering site is located, the County shall work with the applicant to protect the site and provide a sufficient buffer to avoid impacts to the species.</i></p> <p><i>As part of a project's conditions of approval, the County-approved biologist shall conduct pre-construction clearance survey(s) of the site to avoid impacts to special status wildlife. The biologist shall be present during all initial ground disturbing and vegetation clearing activities. Ground disturbance shall be limited to the minimum necessary to complete the project, and the limits of disturbance shall be flagged for identification. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. Once initial ground disturbing and vegetation clearing activities have been completed, the biologist shall conduct additional surveys as appropriate during project construction activities, based on species habits, weather conditions, and LOHCP or protocol survey requirements.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the proposed development avoids impacts to special status species and habitats to the greatest</p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>extent feasible and that the policy requirements are properly implemented during the normal building inspection and final review process.</p> <p>BIO-1(f). Preconstruction Surveys for Nesting Birds. The following language shall be added as a new policy in the LOCP:</p> <p><i>For construction activities occurring during the nesting season (generally February 1 to September 15), where tree, grassland or shrub removal or disturbance would be considered, focused surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved biologist no more than 14 days prior to vegetation removal. Vegetation is defined as trees, shrubs, or grasslands. Dependent on the size of the parcel and proposed development footprint, the surveys shall include the entire disturbance footprint plus observation of any large trees within a 300-foot buffer around the lot with binoculars. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and up to 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. The results of the pre-construction survey shall be submitted to the County and construction shall not commence without authorization from the County.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.</p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>Impact BIO-2. Development under the Community Plan could have a substantial adverse effect on sensitive habitats, including riparian areas and wetlands not subject to Clean Water Act Section 404 jurisdiction. This is a Class II, <i>Significant but Mitigable</i>, impact.</p>	<p>The following mitigation measures shall be included in the LOCP:</p> <ul style="list-style-type: none"> • BIO-1(a). Special Status Species Habitat Preservation and Enhancement (see Impact BIO-1) • BIO-1(b). Los Osos Community Habitat Conservation Plan Compliance (see Impact BIO-1) <p>In addition, mitigation measures identified below would also further reduce impacts to special status vegetation communities including those meeting the definition as ESHA:</p> <ul style="list-style-type: none"> • BIO-3(a). Jurisdictional Waters Identification, Avoidance, Permitting, and Mitigation (see Impact BIO-3) • BIO-3(b). Construction Best Management Practices (see Impact BIO-3) • BIO-4(a). Lighting Design (See Impact BIO-4) 	<p>With proposed mitigation, impacts would be less than significant.</p>
<p>Impact BIO-3. Development under the Community Plan could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. Impacts would be Class II, <i>significant but mitigable</i>.</p>	<p>BIO-3(a). Jurisdictional Waters Identification, Avoidance, Permitting, and Mitigation. The following language shall be added as a new policy in the LOCP:</p> <p><i>If future development in the Plan Area is proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, Los Osos Creek, unnamed tributary drainages, the Morro Bay estuary, or other areas that may fall under the jurisdiction of the Corps, CDFW, RWQCB, and California Coastal Commission, a County-approved biologist shall complete a jurisdictional delineation using the most current state and federal methodologies. The jurisdictional delineation shall determine the extent of wetlands or non-wetland waters subject to each of these agencies and shall be conducted in accordance with the requirements set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the County, Corps, RWQCB, CDFW, and CCC as appropriate, for review and approval. If jurisdictional areas are identified on a site, the project shall be designed to avoid impacting those areas. All unavoidable impacts to Corps jurisdictional waters and wetlands shall be mitigated at the ratio (area restored / created / enhanced to area lost), approved in the final Section 404 permit for the project. Additional mitigation at different ratios may be required to meet CDFW, RWQCB, or California Coastal Commission regulations. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and</i></p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>monitoring plan consistent with current state and federal requirements shall be developed by a County-approved biologist.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.</p> <p>BIO-3(b). Construction Best Management Practices. The following language shall be added as a new policy in the LOCP:</p> <p><i>All development in the Plan Area proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, the Morro Bay estuary, Los Osos Creek and unnamed tributaries, or other jurisdictional areas must implement standard practices and measures to control and prevent erosion, sedimentation, or contamination of these areas. Best management practices shall follow current County requirements, and must include the following measures:</i></p> <ul style="list-style-type: none"> <i>Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and construction areas outside of jurisdictional areas to the maximum extent feasible.</i> <i>To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.</i> <i>Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year to the extent practicable, or as otherwise directed by the regulatory agencies.</i> <i>During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<ul style="list-style-type: none"> <i>All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.</i> <i>Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.</i> <i>All refueling, maintenance, and staging of equipment and vehicles shall occur at least 50 feet from bodies of water where possible, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Reduced distances shall be approved by the County. Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.</p>	
<p>Impact BIO-4. Development under the Community Plan would not interfere substantially with the movement of resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Still, indirect impacts could potentially</p>	<p>BIO-4(a). Lighting Design. The following Policy shall be added to the LOCP.</p> <p><i>Outdoor lighting installed as part of any project shall be designed to be minimally disruptive to wildlife. This may be accomplished through the use of hoods to direct light away from natural habitat areas within or adjacent to the Plan Area, using low intensity lighting and as few lights as possible to achieve the goals of a project.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the</p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>occur with proposed buildout of the LOCP area. Impacts would be Class II, <i>significant but mitigable</i>.</p>	<p>recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.</p>	
COASTAL HAZARDS		
<p>Impact CH-1. Development under the Los Osos Community Plan would potentially conflict with the Coastal Act and applicable plans, policies, regulations and guidance approved by the California Coastal Commission for the purpose of protecting coastal resources and reducing the impacts of sea level rise (i.e. coastal hazards). Therefore, projected impacts of coastal hazards represent a Class II significant but mitigable impact.</p>	<p>CH-1(a). Additional Plan Framework Text. The following text shall be incorporated within the updated LOCP to address Coastal Act requirements and ensure that impacts would be reduced to the extent possible (proposed new language is <i>italicized</i>):</p> <ol style="list-style-type: none"> 1. Add the following sentence at the end of the second paragraph of section 2.2.3 (Environmental Resources, p. 2-4) that addresses Coastal Act sections 30230 and 30231 requirement to maintain, enhance and where feasible restore marine, wetland and estuary resources: <i>“Planning and development decisions, and new programs, should be implemented to assure the protection and maintenance of the Morro Bay estuary as sea level rises.”</i> 2. Add Coastal Plan Hazards 1-7, 11 and 12; and ESH Policies 7-10, 13 and 16 to policy summaries in section 2.4. 3. On page 2-16, add new subsection (B) to PS-3 to require consideration of future vulnerability in public services planning and development: <i>“PS-3(B): Address future vulnerability to sea level rise in planning and development of new public services and adaptive redevelopment of existing services.”</i> 4. Amend LU-1, to maintain hard <i>inland</i> edge and a soft <i>bayside</i> edge to protect future wetland and estuary function in light of sea level rise, and add a requirement to monitor sea level rise. Add a new program (LU-1.2 and reiterate as EN 1.7), to provide for no net loss of wetland acreage or biological and recreational function in Morro Bay Estuary in light of projected sea level rise: <p style="padding-left: 40px;">LU-1. Maintain a hard inland urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt, <i>and a soft bayside edge to protect future wetland and estuary function in light of sea level rise.</i></p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>A. Prevent the net loss of wetland acreage or biological and recreational function of Morro Bay Estuary in Los Osos due to sea level rise by providing for natural inland migration of wetlands and protection and restoration of wetlands.</i></p> <p><i>B. Monitor the trends in sea level rise at the Port San Luis tide gauge (NOAA ID #9412110, https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?stnid=9412110)</i></p> <p>Program LU-1.1: Los Osos Greenbelt.</p> <p><i>Program LU-1.2: Morro Bay Estuary Protection. The County should support the protection of wetland resources, which may become increasingly vulnerable to hard shoreline coastal hazard protection measures in light of sea level rise, by developing and implementing a strategy for achieving no net loss of wetland acreage or biological and recreational function along the Los Osos shoreline. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee along the shoreline, as well as the use of redevelopment/planned retreat strategies, and adaptive public access and recreation management plans to achieve wetland protection and hazard mitigation goals.</i></p> <p>5. Add the Morro Bay Estuary to LU-2 as resource protection reason for concentrating and clustering development as follows:</p> <p><i>LU-2. Concentrate or cluster development to protect contiguous environmentally sensitive areas and the Morro Bay Estuary, including the habitat of rare, endangered and other sensitive species, and other biologically important communities.</i></p> <p>6. Add new program/language to assess and plan for vulnerability of public access</p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>resources in light of sea level rise (add new program 1.5 to follow policy CIR-1):</p> <p><i>Program CIR-1.5. Sea Level Rise and Public Access. The County should protect public access resources by assessing their vulnerability to sea level rise and planning for their protection, including through planned retreat as necessary.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies and language to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above changes are included in the LOCP prior to adopting the plan.</p> <p>CH-1(b). New Text and Combining Designations to address Sea Level Rise. The following changes to Chapter 4 of the updated LOCP should be made to address Coastal Act requirements and ensure that impacts would be reduced to the extent possible:</p> <ol style="list-style-type: none"> 1. Add mapped projected sea level rise zone to 4.5.3 FH designation: <p>4.5.3 Flood Hazard (FH)</p> <p>Los Osos Creek. The flood-prone natural drainage course should be maintained in its natural state to protect native vegetation and wildlife habitats.</p> <p><i>Sea Level Rise Flooding and Inundation Zone. This zone may be subject to increased flooding and inundation due to future sea level rise. New development and redevelopment within this zone should carefully assess and minimize potential hazards for the life of the development through siting, design consistent with CLZUO 23.07.060-066, and where necessary or appropriate, relocation of development. Intensification of development should be avoided.</i></p> <ol style="list-style-type: none"> 2. Add text to 4.5.6(A) discussion of Morro Bay Estuary and Shoreline to recognize 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>future vulnerability of wetland resources to rising sea levels.:</p> <p>4.5.6. Sensitive Resource Area (SRA)</p> <p>The following SRAs ...</p> <p>Morro Bay Estuary and Shoreline</p> <p>The purpose of the SRA standards for the following SRAs is to protect wetlands, riparian, and other sensitive habitat, and to provide required public access. <i>This SRA protection is even more important given projected sea level rise and the associated potential vulnerability of these resources.</i> The estuary and shoreline support...</p> <p>3. Add SLR flooding and inundation projection map to Chapter 4.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies, language and maps to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above changes are included in the LOCP prior to adopting the plan.</p> <p>CH-1(c). New Text to Address Circulation Vulnerability. Add New Section 5.4 to Chapter 5 and new Program CIR-5 to Chapter 2 to address vulnerability of circulation network to sea level rise:</p> <p><i>5.4 Sea Level Rise and Circulation.</i></p> <p><i>The circulation system of Los Osos, including roads, bicycle facilities, and pedestrian and public accessways may be increasingly vulnerable as sea level rises. The County should pursue the assessment of the vulnerability of the circulation system to support the development of new strategies and public works investments to minimize impacts to circulation due to projected sea level rise (see Program CIR-5).</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>Program CIR-5. Assess the vulnerability of the Los Osos circulation system to sea level rise, including potential impacts to public access resources under CIR-1.5, to assure the maintenance of adequate community circulation and protection of public access to and along the shoreline through future planning and development decisions. Update the Community Plan to provide for continued public access, taking into account projected sea level rise for 100 years. Coordinate with transportation agencies to plan for and phase implementation of new road projects.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies and language to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above changes are included in the LOCP prior to adopting the plan.</p> <p>CH-1(d). Sea Level Rise Standards. Amend LOCP Planning Area Standards to address future sea level rise.</p> <p>1. Amend Communitywide Standard 7.3 E(1) as follows:</p> <p>Applicability. In the following locations or circumstances, development shall be clustered, or concentrated <i>or setback</i> as described below ...</p> <p>2. Add language to Communitywide Standard 7.3E(2)(a) requiring an evaluation of projected sea level rise and impacts on a site for areas located within the Sea Level Rise Flooding and Inundation Zone FH overlay (Ch-1(b), based on the best available science, for the life of a project:</p> <p>a. Application Content. In addition to the application requirements of the Coastal Zone Land Use Ordinance or other sections of this Chapter, <i>the applicant shall submit an evaluation of projected sea level rise and impacts on a site for areas located within the Sea Level Rise Flooding and Inundation Zone FH overlay, based on the best available science, for the life of a project. In addition, the</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>applicant shall submit, ...</p> <p>3. Add language to Communitywide Standard 7.3E(2)(c) requiring development to be setback from wetland vegetation as required by CZLUO or other sections of the LCP, plus an additional distance to provide for inland migration of wetland resources based on a professional assessment of projected sea level rise:</p> <p>c. Setbacks. In order to comply with Subsection 5.b above, structures may need to be set back a distance greater than the applicable minimum setbacks required by the Coastal Zone Land Use Ordinance or other sections of this Chapter. <i>In addition, development should meet all required wetland vegetation setbacks, plus an additional distance to provide for inland migration of wetland resources based on a professional assessment of projected sea level rise, using best available science.</i></p> <p>4. Add language to Standard 7.3E(2) to prohibit creation of new parcels that could not be developed consistent with required wetland setbacks taking into account projected sea level rise for 100 years:</p> <p><i>Extent and Intensity of Development.</i> <i>If required by the Review Authority, the number of dwelling units, intensity of development and site coverage shall be reduced to protection of identified sensitive features on or adjacent to the site. Creation of new lots that would be undevelopable with applicable wetland setbacks, taking into account 100 years of projected sea level rise, are prohibited unless the purpose is to put them into open space.</i></p> <p>5. Add language to Standard 7.3E(2) required finding that development shall not diminish the long-term sustainability of the biological resources, including taking into account projected sea level rise and related wetland retreat for the life of the project:</p> <p><i>Required Finding.</i> <i>The land division or discretionary land use permit shall not be approved unless the Review Authority first finds, in addition to other required findings, that development shall not significantly disrupt or cause significant adverse environmental impacts to the preceding sensitive features, and shall not diminish</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>the long - term sustainability of the biological resources, including taking into account projected sea level rise and related wetland retreat for the life of the project.</i></p> <p>6. Add additional criteria to Communitywide Standard 7.3F to require that the maintenance, design and provision of public accessways consider projected sea level rise for at least 50 years:</p> <p>F. Coastal Access and Recreation. Opportunities for public access to and along the coast shall be maximized as follows:</p> <ol style="list-style-type: none"> 1. New development shall be required to provide public access and improvements to and along the coast, and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization. 2. Public access and improvements to and along the coast shall be consistent with the Circulation Element, Chapter 5 (and corresponding policies in Chapter 2) of this plan, and the coastal access policies in Chapter 2, Section 2.5.4 of this plan. 3. Public access shall be consistent with protection of sensitive habitat and agriculture. 4. Any existing free public access to recreational areas shall be maintained. 5. New publicly-developed coastal access and recreation shall include requirements for resource monitoring and management, and provision of interpretive facilities at points of attraction, consistent with Chapter 23.04 of the Coastal Zone Land Use Ordinance. 6. <i>The design, provision and maintenance of public accessways shall take into account projected sea level rise for at least 50 years.</i> 7. <i>Existing accessways vulnerable to coastal hazards shall be maintained through planned retreat or other appropriate measures.</i> <p>7. Amend Standard 7.3(H) as follows:</p> <p>H. Shoreline Development. New development or expansion of existing uses proposed to be located on or adjacent to a <u>shoreline</u>, beach or coastal bluff are subject to the following standards:</p> <ol style="list-style-type: none"> 1. Application Content. In addition to the application requirements of the Coastal 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>Zone Land Use Ordinance and other Estero Urban Area Plan Standards, applications for new development or expansion of existing uses proposed to be located on or adjacent to a <u>shoreline</u>, beach or coastal bluff, <i>or in the Sea Level Rise Flooding and Inundation Zone FH as applicable</i>, shall include the following:</p> <ul style="list-style-type: none"> a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. <i>In addition, the report shall assess the impact of projected sea level rise on these hazards, for the life of the project, based on the best available science.</i> The report shall include an alternatives analysis to avoid or minimize impacts to public access. b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device, <i>taking into account projected sea level rise.</i> d. Surveyed location of all property lines and the mean high tide line, <i>and projected MHT based on projected sea level rise for the life of the project</i>, by a licensed surveyor <i>familiar with coastal processes and tidal boundaries</i> along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission. <i>Upon encroachment, developments shall be required to be removed from public tidelands unless otherwise allowed to remain by an amendment to the original coastal permit and authorization by the California State Lands Commission.</i></p> <p>2. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in Subsection I.1.a. above and shall be adequate to withstand bluff erosion and wave action for a period of 100 years, <i>taking into account projected sea level rise</i>. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is nonconforming with respect to bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2008, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.</p> <p>3. Seawall Prohibition. Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP. <i>The restriction shall also provide for the removal of the development if it is deemed uninhabitable by a public official due to coastal hazard risks, or if the development is otherwise in imminent danger. These restrictions shall be specifically disclosed in all real estate transactions.</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>4. Liability. As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a <i>shoreline</i>, beach or bluff, <i>taking into account projected sea level rise</i>, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.</p> <p>CH-1(e). Saltwater Intrusion Policies. Include policies that are outlined in the 2015 Updated Basin Plan for The Los Osos Groundwater Basin that establish a long-term strategy for addressing saltwater intrusion into aquifers, including limiting development or groundwater extraction that would use sensitive aquifers, as applicable.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall evaluate and include Basin Plan policies as appropriate to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above changes are included in the LOCP prior to adopting the plan.</p>	
<p>Impact CH-2. Development under the Los Osos Community Plan would create a substantial, or potentially substantial, adverse change in the environment, including an adverse change in exposure of people by a proposed project to a substantial, existing or reasonably foreseeable, natural</p>	<p>CH-2(a). Parcels 4, 5 and 9 Development Limitations. Development of Community Parcels #4, 5 and 9 should follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protection devices.</p> <p><u>Plan Requirements and Timing.</u> Prior to occupancy clearance, future applicants for the development of parcels 5 and 9, in consultation with the Planning and Building Department, shall plan and design recreation and public facilities to be coastal-dependent, per the definition contained in the CCA. This can take the form of development restrictions placed</p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
hazard or adverse physical environmental condition. Therefore, coastal hazard locations represent a Class II impact, as the impact is significant but mitigable.	on these two parcels via the implementing regulations.	
CULTURAL RESOURCES		
Impact CR-1. Development under the Community Plan could directly or indirectly impact significant prehistoric or historic archaeological sites (Class II impact; less than significant with mitigation).	<p>CR-1(a). Cultural Resource Management Policy. The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:</p> <p><i>CR-1: Effectively manage significant archaeological and historical resources in and around the community of Los Osos.</i></p> <p><i>A. Identify the locations of sensitive archaeological and historical sites prior to any proposed development, and preserve them in place and avoid damaging impacts whenever feasible.</i></p> <p><i>B. Evaluate site significance and mitigate unavoidable impacts on archaeological sites using current professional standards and best management practices, in consultation with Native American tribal representatives and other affected communities of interest.</i></p> <p><i>C. Encourage acquisition, preservation, and management of sensitive archaeological and historical sites. Allow passive recreation where compatible with resource protection. After acquisition, change the Land Use categories of these areas to Open Space.</i></p> <p>CR-1(b). Archaeologically Sensitive Area Combining Designation. The County shall refine its current Archaeologically Sensitive (AS) Area combining designation so it shall apply only to the areas of high and moderate sensitivity within the Plan area, per Figure 4.5-4. Individual project applicants shall consult with the County to determine whether their projects fall within the AS zone. If so, the County shall require a field inspection by a</p>	With proposed mitigation, impacts would be less than significant.

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>Registered Professional Archaeologist to determine the locations of archaeological resources vis-à-vis the proposed development.</p> <p>CR-1(c). Community Plan Archaeological Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:</p> <p><i>Archaeological and Historical Resource Surveys. For any proposed development in areas of high and moderate archaeological sensitivity within the Plan area, per Figure 4.5-4, the County shall require a field inspection by a Registered Professional Archaeologist to determine the locations of archaeological resources vis-à-vis the proposed development. If archaeological resources are present, the County shall assist the applicant in designing a project that allows the archaeological resource to be preserved in place if feasible. Project applicants shall demonstrate that methods proposed for construction with the AS Area can successfully avoid impacts to known or suspected archaeological resources.</i></p> <p><i>For development outside of the AS area, or if archaeological resources are not identified during a survey, the County may require archaeological surveys or monitoring during construction to ensure that unidentified resources are not inadvertently damaged by development. If archaeological or historical sites are discovered outside of the AS area, the standards and guidelines described below shall apply.</i></p> <p><i>Siting of Public Amenities and New Development. New residential and commercial development shall be sited to avoid archaeological and historical resources to the greatest extent feasible. Avoidance means that ground disturbance for new development does not overlap the boundaries of identified archaeological and historical sites. In circumstances where complete avoidance is not feasible, applicants shall demonstrate that construction methods will not create direct or indirect impacts on archaeological remains.</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>Recreational sites such as public trails and trail corridors, parks, and related developments also shall be sited and designed to avoid or minimize impacts to archaeological or historical resources. Trails should follow existing road and trail alignments and use existing bridges to the greatest extent feasible. Where this is not possible, prior to final trail alignment, proposed trail routes shall be surveyed for archaeological and historical sites and re-routed where necessary to avoid sensitive resources. Trailhead parking shall be sited and designed to avoid archaeological and historical sites.</i></p> <p><i>Careful selection and planning of coastal access points must be a priority since they are all within the zone of highest archaeological sensitivity. These shall be sited and designed to avoid or minimize impacts to archaeological or historical resources to the greatest extent feasible.</i></p> <p>Previously Evaluated Resources. <i>As discussed above, a small number of archaeological sites in the Plan area have been evaluated formally for significance, and others may be evaluated in the future pursuant to these Guidelines and Standards. If archaeological and historical surveys identify previously evaluated sites within a proposed development area, Project applicants shall consult with the County and the Tribes to identify methods to avoid impacts to the resource. Applicants shall demonstrate that methods proposed for construction can successfully avoid impacts. If complete avoidance is not feasible, a Registered Professional Archaeologist shall assess the integrity of remains within the specific project area and the nature of proposed development to determine whether significant impacts will occur as a result of development. Such assessment may require subsurface archaeological testing, which shall be carried out according to the standards and procedures in the following section.</i></p> <p>Archaeological Testing and Impact Mitigation. <i>If previously unevaluated archaeological remains are identified and cannot be avoided through project redesign or otherwise preserved in place, or if previously evaluated sites must be sampled to assess integrity and potential impacts per the section above, the proponent shall fund a</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>Phase 2 study to determine the significance of the resource and the extent of the impacts prior to issuance of any permit for development. The following requirements shall apply:</i></p> <ul style="list-style-type: none"> <i>Phase 2 testing shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the site.</i> <i>Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures.</i> <i>The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.</i> <i>The significance of the site and the extent of impacts shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf).</i> <i>Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.</i> <i>All work shall be completed by a County-approved Registered Professional Archaeologist; a Chumash tribal representative shall monitor all excavation in Native American sites.</i> <i>All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.</i> <i>For archaeological sites that are judged to be significant historical resources, the Phase 2 report shall offer mitigation recommendations as necessary and</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>appropriate. All feasible mitigation recommendations shall be incorporated into any permit issued for development.</i></p> <p>Archaeological Site Capping. <i>If complete avoidance of archaeological sites cannot be accomplished, a site may be buried under a layer of clean, culturally sterile, chemically neutral fill. Site capping is not a preferred alternative and should only be employed after the Applicant has demonstrated to the County that no other preservation options are feasible. In that case, fill shall be placed on the site beginning at the edge and working in toward the center, so that equipment used to deposit the fill drives across the site only on the fill material and not on the exposed cultural deposit. It is important to note here that capping may effect preservation in place but does not constitute avoidance of impacts to the site. To mitigate the residual impacts of capping, the following requirements shall apply:</i></p> <ul style="list-style-type: none"> <i>a data collection program shall be implemented prior to placement of the fill cap, including mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled as well as adjacent site areas for comparative purposes.</i> <i>Cultural materials collected from the site shall be processed and analyzed in an archaeological laboratory according to standard procedures.</i> <i>The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.</i> <i>The significance of the site shall be evaluated according to the criteria of the CRHR [CEQA Guidelines Section 15064.5(a)(3)], and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>Management Reports: Recommended Content and Format</i> (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf).</p> <ul style="list-style-type: none"> • <i>Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.</i> • <i>All work shall be conducted by a County-approved Registered Professional Archaeologist; a Chumash tribal representative shall monitor all excavation in Native American sites.</i> • <i>All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies, guidelines, and standards LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
<p>Impact CR-2. Development under the Community Plan could directly or indirectly impact significant historic buildings, structures, or districts (Class II impact; less than significant with mitigation).</p>	<p>CR-2(a). The following language shall be added as a subsection to Community Plan Policies Section 2.5.5, Environmental Resources:</p> <p><i>CR-2: Effectively manage significant historical buildings, structures, and districts in and around the community of Los Osos.</i></p> <p><i>A. Identify significant historical buildings and structures prior to any proposed development.</i></p> <p><i>B. Identify and evaluate potential historic districts and develop a plan for their preservation and enhancement.</i></p> <p><i>C. Encourage adaptive reuse that is compatible with resource protection.</i></p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>Follow the Secretary of the Interior's Standards and Guidelines to ensure preservation, rehabilitation, restoration, and/or reconstruction of significant buildings and structures.</i></p> <p><i><u>Program CR-2.1: Historic Resource Inventory.</u> The County should conduct an inventory of historical resources within the Baywood Park neighborhood to determine whether the core area qualifies as a historic district, define the boundaries of any such district, and determine which resources contribute to its significance.</i></p> <p><i><u>Program CR-2.2: Protection and Management of Historical Resources.</u> The County should work closely with property owners, other public agencies, and conservation organizations to protect and manage historical buildings, structures, and districts.</i></p> <p>CR-2(b). Community Plan Historical Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:</p> <p><i>Historical Resource Evaluation. Prior to issuance of permits for demolition or development, the County shall ensure that buildings or structures erected prior to 1970 on the subject parcel or any adjoining parcel are documented according to professional standards and their historical significance is evaluated. No permits shall be issued for any demolition, development, or other activity that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical districts.</i></p> <p><i>Historical Resource Survey. The County should work with the History Center of San Luis Obispo County, property owners, and other local stakeholders to conduct an inventory of historical resources within the Baywood Park neighborhood to document the historical significance of buildings and structures in the</i></p>	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>neighborhood, determine whether the core area qualifies as a historic district, define the boundaries of any such district, and determine which resources contribute to its significance. Such an inventory should be initiated within five years of adoption of the LOCP.</i></p> <p>Secretary of Interior' Standards and Guidelines. Projects that that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical district shall be designed to comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The applicant shall retain a qualified professional architectural historian to conduct design review and ensure compliance with the Standards and Guidelines.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies, guidelines, and standards LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
<p>Impact CR-4. Development under the Community Plan could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Class II impact; less than significant with mitigation).</p>	<p>CR-4(a). Community Plan Paleontological Resource Guidelines and Standards. The following Planning Area Standards shall be added to Section 7.3 of LOCP, Communitywide Standards:</p> <p>Paleontological Surveys. <i>If individual projects in areas of high paleontological sensitivity (i.e., the Pismo Formation; Figure 4.5-5) require grading, excavation, or trenching that would result in ground disturbance within previously undisturbed sediments, the following measures shall apply:</i></p> <ul style="list-style-type: none"> the applicant shall retain a qualified professional paleontologist to perform a pre-construction paleontological survey to visually inspect the 	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>ground surface for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface.</i></p> <ul style="list-style-type: none"> <i>The qualified Paleontologist shall have a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local geology and paleontology, and shall be familiar with paleontological procedures and techniques.</i> <i>All fossil occurrences observed during the course of fieldwork shall be adequately documented and recorded during the survey. The data collected for each fossil occurrence shall include, at minimum, the following information: Universal Transverse Mercator (UTM) coordinates, approximate elevation, description of taxa, lithologic description, and stratigraphic context (if known). In addition, each locality shall be photographically documented with a digital camera.</i> <i>The paleontologist shall assess the significance of any identified fossil resources, and all significant or potentially significant fossils shall be collected at the time they are observed in the field.</i> <i>If the fossil discovery is too large to collect during the survey (e.g., a whale skeleton or bone bed) and requires a large-scale salvage effort, then it shall be documented immediately and the paleontologist shall consult with the County regarding a strategy for preservation or recovery.</i> <p>Paleontological Monitoring. <i>If a pre-construction survey identifies significant fossil resources, or if a qualified paleontologist determines the need for monitoring during construction, the following measures shall apply:</i></p> <ul style="list-style-type: none"> <i>a qualified paleontologist shall observe excavation, grading, and/or trenching.</i> <i>If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the</i> 	

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p><i>construction equipment around the find until it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.</i></p> <ul style="list-style-type: none"> <i>All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.</i> <i>Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.</i> <i>The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.</i> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policies, guidelines, and standards LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
HYDROLOGY AND WATER QUALITY		
Impact HYD-2. Buildout under the LOCP could expose structures and	HYD-2(a). Communitywide Drainage Improvements. Proposed LOCP Program EN-2.2 shall be followed with a new program as follows to more directly link the proposed watershed	With proposed mitigation, impacts would be less than significant.

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>people to flood hazards. While the existing regulatory framework to address these issues generally provides sufficient protection, drainage improvement recommendations from the County's 1998 Engineering Evaluation for community drainage improvements should be included in the proposed LOCP policy framework, but are not. This is considered a significant but mitigable (Class II) impact.</p>	<p>management study in Program EN-2.2 with future drainage improvements and new development:</p> <p><i>New LOCP Program EN-2.3. Community Drainage Improvements. Based on the outcome of the Urban Watershed Management study identified in Program EN-2.2, the County shall implement its recommendations, as well as those included in the 1998 Preliminary Engineering Evaluation. These may include drainage improvements at various locations in the community, as well as other related measures. These improvements shall be completed prior to, or as conditions of, new development in the community that may be impacted by flooding or drainage impacts identified in either the 1998 study of the Urban Watershed Management Program EN-2.2.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
LAND USE		
<p>Impact LU-1. 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 (Class II).</p>	<p>LU-1(a). Standards to Minimize Land Use Conflicts. The LOCP shall be modified to include design and/or planning area standards for the Tri-W/Midtown and Fairchild/Los Olivos parcels (Areas 26 and 27), in order to address and minimize potential land use conflicts with neighboring uses. Standards should address the specific types of allowed uses, and address design considerations such as setbacks, building heights, lighting, landscaping, and architecture. These standards shall be implemented in project design, when development applications in these areas are considered.</p> <p>The following restrictions on future land uses in these areas would ensure compatibility with neighboring uses:</p> <ul style="list-style-type: none"> • <u>Tri-W/Midtown (Area 26).</u> Consistent with LOCP Mixed Use Policy 3.4.2, the 	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>County's intent is to allow for additional park and community facilities in this area, compatible with the adjacent library and park. Expanding this policy to address appropriate design standards that relate to lighting and noise would ensure compatibility with nearby residential uses. New policy language shall be added as follows: <u>"Future park and community facilities at this location must include appropriately-scaled lighting that does not adversely affect nearby residents. The site shall be primarily for daytime use."</u></p> <ul style="list-style-type: none"> • <u>Los Olivos and Fairchild (Area 27).</u> 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: <u>"...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."</u> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
<p>Impact LU-2. The proposed policy framework under the LOCP is generally consistent with the policy</p>	<p>LU-2(a). Combining Designation Consistency. The LOCP shall be modified either to include additional standards for identified Combining Designations for which no standards have been included in the plan, or references to existing applicable standards in the CZLUO shall</p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>framework and intent of the Estero Area Plan, and therefore with all other regulatory documents from which the Estero Area Plan is derived. However, certain policies in the Estero Area Plan do not have a corresponding implementation framework in the LOCP. This is considered a significant but mitigable (Class II) impact.</p>	<p>be included where appropriate, as shown on Table 4.8-3 of the EIR. In addition, some existing Combining Designations in the Estero Area Plan as they apply to Los Osos are not included or described in the proposed LOCP. These potential inconsistencies must be resolved in both documents, based on direction provided in Table 4.8-3.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended language to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	
NOISE		
<p>Impact NOS-1. Construction of individual projects that could be facilitated under the proposed Community Plan Update would generate noise and groundborne vibration that could exceed County of San Luis Obispo standards at existing residential uses. Future residential uses and other sensitive receptors may also be exposed to noise and vibration levels that exceed County standards. This is a Class II, <i>significant but mitigable</i>, impact.</p>	<p>NOS-1(a). Planning Area Standards. The following language shall be added to Section 7.3: Communitywide Standards of the Community Plan:</p> <p><i>Noise and Vibration Reduction Plan. Projects that involve grading, demolition, and/or construction on lots adjacent to occupied residential structures shall implement the following applicable performance standards to ensure that sensitive receptors are not adversely impacted by construction related noise:</i></p> <ul style="list-style-type: none"> <i>a) Notify existing residences within 1,000 feet of the site boundary concerning the construction schedule;</i> <i>b) Shield especially loud pieces of stationary construction equipment;</i> <i>c) Locate portable generators, air compressors, etc. away from sensitive noise receptors;</i> <i>d) Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; and</i> <i>e) Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration</i> 	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact																														
	<p><i>isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended language to the Community Plan prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to Plan adoption.</p>																															
<p>Impact NOS-3. The Community Plan would place future sensitive receptors in areas that would be exposed to future transportation noise levels that exceed General Plan noise standards. This would be a Class II, <i>significant but mitigable</i>, impact.</p>	<p>NOS-3(a). Planning Area Standards. The following language shall be added to Section 7.3: Communitywide Standards of the Community Plan:</p> <p>Noise Compatibility: <i>Where noise sensitive development such as residential uses is proposed within the projected 60 CNEL noise contours distances for Los Osos Valley Road and South Bay Boulevard, a site-specific noise study shall be conducted to demonstrate compliance with the County's noise and land use compatibility standards (60 CNEL). This study shall be completed for noise sensitive uses located within the following distances of the identified segments of Los Osos Valley Road and South Bay Boulevard:</i></p> <table border="1"> <thead> <tr> <th>Roadway</th><th>Segment</th><th>Distance to (feet) 60 CNEL</th></tr> </thead> <tbody> <tr> <td>Los Osos Valley Road</td><td>east of Los Osos Creek</td><td>175</td></tr> <tr> <td>Los Osos Valley Road</td><td>east of South Bay Boulevard</td><td>127</td></tr> <tr> <td>Los Osos Valley Road</td><td>west of South Bay Boulevard</td><td>83</td></tr> <tr> <td>Los Osos Valley Road</td><td>east of 9th Street</td><td>77</td></tr> <tr> <td>Los Osos Valley Road</td><td>west of Bush Drive</td><td>69</td></tr> <tr> <td>Los Osos Valley Road</td><td>west of Palisades Avenue</td><td>66</td></tr> <tr> <td>Los Osos Valley Road</td><td>east of Doris Avenue</td><td>63</td></tr> <tr> <td>Los Osos Valley Road</td><td>east of Pecho Drive</td><td>62</td></tr> <tr> <td>South Bay Boulevard</td><td>north of Los Osos Valley Road</td><td>171</td></tr> </tbody> </table>	Roadway	Segment	Distance to (feet) 60 CNEL	Los Osos Valley Road	east of Los Osos Creek	175	Los Osos Valley Road	east of South Bay Boulevard	127	Los Osos Valley Road	west of South Bay Boulevard	83	Los Osos Valley Road	east of 9th Street	77	Los Osos Valley Road	west of Bush Drive	69	Los Osos Valley Road	west of Palisades Avenue	66	Los Osos Valley Road	east of Doris Avenue	63	Los Osos Valley Road	east of Pecho Drive	62	South Bay Boulevard	north of Los Osos Valley Road	171	<p>With proposed mitigation, impacts would be less than significant.</p>
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Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact						
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<i>South Bay Boulevard</i>	<i>north of Santa Ysabel Avenue</i>	<i>156</i>						
<p>Impact NOS-4. Future on-site generated noise sources have the potential to exceed to property line noise levels limits established in the County's Code. This would be a Class II, <i>significant but mitigable</i>, impact.</p>	<p>NOS-4(a). Community Plan Safety/Health Guidelines and Standards. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:</p> <p>Noise Study. Where new commercial and industrial development would be located adjacent to residential uses, a site-specific noise study should be conducted to demonstrate compliance with the County noise standards in the Land Use Ordinance (Section 22.10.120).For the purpose of this measure,</p>	<p>With proposed mitigation, impacts would be less than significant.</p>						

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
	<p>“adjacent” is assumed to include properties immediately bordering the existing use where the existing structures are within 50 feet of the project site. This study shall determine the area of impact and present appropriate mitigation measures. The mitigation measures required as a result of the noise study may include, but are not limited to the following:</p> <ul style="list-style-type: none"> • For new commercial uses, require the placement of loading and unloading areas so that buildings shield nearby residential land uses from noise generated by loading dock and delivery activities or such that there is an open space separation large enough to attenuate noise levels below the threshold. • Require the placement of all commercial HVAC machinery to be placed within mechanical equipment rooms wherever feasible. If such mechanical equipment is to be outdoors and would expose adjacent residences to equipment noise, provide a noise study to confirm that standards applicable to stationary noise sources in the County Noise Element and Land Use Ordinance will be met. <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.</p>	
TRANSPORTATION AND CIRCULATION		
<p>Impact TC-1. The proposed Circulation Plan would result in potential impacts, without additional mitigation, to the transportation network, taking into account all modes of transportation including mass transit and non-</p>	<p>TC-1(a). Intersection 8 - Los Osos Valley Road at Sunset Drive. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions, and at LOS E and LOS F during AM and PM peak hours under Cumulative Plus Project conditions, respectively. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.</p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. (<i>Class II, Significant but Mitigable</i>).</p>	<p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the required improvement to the Community Plan prior to adoption. The improvement will be programmed into the County's Estero Area Plan, and ultimately constructed when funding is available, either through development fees or other outside sources.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.</p> <p>TC-1(b). Intersection 16 – South Bay Boulevard at Pismo Avenue. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions and Cumulative Plus Project conditions. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.</p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the required improvement to the Community Plan prior to adoption. The improvement will be programmed into the County's Estero Area Plan, and ultimately constructed when funding is available, either through development fees or other outside sources.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.</p>	
WATER SUPPLY		
<p>Impact W-1. Development under the Community Plan is limited to the sustainable capacity of the Groundwater Basin through the Growth Management Ordinance and additional review standards tied to the Basin Plan. Project</p>	<p>W-1(a). Modifications to LOCP Growth Management Provisions. The first paragraph of Standard D.3, Growth limitation standards, shall be modified to include biannual review of Title 26 and the Basin Plan Reports by Planning and Building Department to help ensure consistency with findings from the Basin Plan, as follows:</p> <p style="text-align: center;"><i>Development of new residential units that use water from the Los Osos Groundwater Basin shall be limited to be consistent with the findings of the Los</i></p>	<p>With proposed mitigation, impacts would be less than significant.</p>

Table ES-2.
Class II, Significant but Mitigable Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
<p>standards and policies require close coordination with the Basin Plan and the standards are in line with the Basin Plan. However, 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. Therefore, water use for the project is considered a <i>Class II, significant but mitigable impact</i>.</p>	<p><i>Osos Groundwater Basin Plan and annual reports. After successful implementation of all programs identified in Subsection D.1, Section 26.01.070.k of the Growth Management Ordinance may be modified to allow development of new residential units as described in the following sections. The Growth Management Ordinance, status of development, and availability of water supply shall be reviewed on a biannual basis by the San Luis Obispo County Department of Planning and Building through the Resource Management System. The Growth Management Ordinance shall be modified as required to be consistent with the findings of the Los Osos Groundwater Basin Plan and Annual Reports.</i></p> <p><u>Plan Requirements and Timing.</u> The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.</p> <p><u>Monitoring.</u> Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan.</p>	

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
AESTHETICS		
Impact AES-1. Development under the Community Plan would not result in aesthetically incompatible site open to public views. Development would be required to comply with Community Plan design standards, which would reduce impacts to a Class III, less than significant, level.	No mitigation measures are required.	Impacts would be less than significant.
Impact AES-2. The Community Plan would introduce development within a scenic public view. However, design guidelines and standards included in the Community Plan that address the appearance of future development projects in these areas would ensure that impacts would be less than significant (Class III).	No mitigation measures are required.	Impacts would be less than significant.
Impact AES-4. Buildout under the LOCP would not degrade the visual character of the Community Plan area and its surroundings, because the proposed LOCP provides adequate protection of these resources in its policy framework. This is a less than significant (Class III) impact.	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Impact AES-5. Buildout under the LOCP could introduce new sources of light and glare, but potential impacts would be generally addressed by the proposed policy framework set forth in the LOCP. This is considered a less than significant (Class III) impact.	No mitigation measures are required.	Impacts would be less than significant.
Impact AES-6. Buildout under the LOCP would not damage any identified unique geologic or physical feature. Potential impacts would be adequately addressed by the proposed policy framework set forth in the LOCP. This is considered a less than significant (Class III) impact.	No mitigation measures are required.	Impacts would be less than significant.
AIR QUALITY		
Impact AQ-1. The Community Plan would generally be consistent with the transportation control measures and land use and circulation management programs in the 2001 CAP. Consistency with the Clean Air Plan ensures that long-term operational impacts associated with future buildout under the Community Plan are adequately addressed. This impact would be Class III, less than	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
significant.		
Impact AQ-3. Sensitive receptors sited next to roadways in the Community Plan area would not be exposed to a significant source of diesel particulate matter. Additionally, no CO hot spots would occur as a result of the Community Plan. Implementation of the Community Plan would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be Class III, <i>less than significant</i> .	No mitigation measures are required.	Impacts would be less than significant.
Impact AQ-4. Implementation of the Community Plan would not create operational-related objectionable odors affecting a substantial number of people. Impacts would be Class III, <i>less than significant</i> .	No mitigation measures are required.	Impacts would be less than significant.
BIOLOGICAL RESOURCES		
Impact BIO-5. Development under the Community Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There would be no impact.	No mitigation measures are required.	There would be no impact.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Impact BIO-6. Development under the Community Plan would not conflict with any provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. Impacts would be <i>Less than Significant</i> (Class III).	No mitigation measures are required.	Impacts would be less than significant.
GREENHOUSE GAS EMISSIONS		
Impact GHG-1. The Community Plan would generate GHG emissions from construction and operation. GHG emissions would be less than the emission threshold of 4.9 MT CO ₂ E per service population. The Community Plan's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, impacts related to GHG emissions from development under the Community Plan are Class III, <i>less than significant</i> .	No mitigation measures are required.	Impacts would be less than significant.
Impact GHG-2. The Community Plan would not conflict with any local or state plan, policy, or regulation aimed at reducing GHG emissions from land use and development. Thus, impacts would	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
be Class III, <i>less than significant</i> .		
HYDROLOGY AND WATER QUALITY		
Impact HYD-1. Construction and operational activities associated with future development under the proposed project has the potential to degrade water quality. However, because the existing regulatory framework to address these issues provides sufficient protection, this is considered a less than significant (Class III) impact	No mitigation measures are required.	Impacts would be less than significant.
NOISE		
Impact NOS-2. Traffic generated by the Community Plan is not anticipated to result in a significant ambient noise level increase at existing sensitive receivers. The increase in ambient noise would be a Class III, <i>less than significant</i> , impact.	No mitigation measures are required.	Impacts would be less than significant.
POPULATION AND HOUSING		
Impact PH-1. Residential development and associated population growth resulting from future development under the LOCP would not exceed the community's capacity to handle that growth, nor would it induce	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
unanticipated growth because of the extension of public infrastructure or roadways. This is a Less than Significant (Class III) impact.		
Impact PH-3. The project will likely exacerbate an existing jobs-housing imbalance that exists in the Los Osos community. While potentially adverse, this is not considered a significant impact (Class III) because the community is not intended to function as a jobs center in the County, based on goals included in the Housing Element, Estero Area Plan and proposed LOCP.	No mitigation measures are required.	Impacts would be less than significant.
PUBLIC SERVICES		
Impact PS-1. Residential development and associated population growth resulting from future development under the LOCP would increase the demand for fire protection services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are <i>Less Than Significant</i> (Class III).	No mitigation measures are required.	Impacts would be less than significant.
Impact PS-2. Residential development and associated	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
population growth resulting from future development under the LOCP would increase the demand for law enforcement services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are <i>Less Than Significant</i> (Class III).		
Impact PS-3. Residential development and associated population growth resulting from future development under the LOCP would increase the demand for public school facilities. However, in accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees is considered to be full and complete mitigation of potential school-related impacts. For this reason, impacts are considered <i>Less than Significant</i> (Class III).	No mitigation measures are required.	Impacts would be less than significant.
Impact PS-4. Residential development and associated population growth resulting from future development under the LOCP would increase the demand	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
for solid waste disposal services. However, existing regional landfills that serve Los Osos have sufficient long-term capacity to accommodate buildout under the LOCP, so impacts are considered Less than Significant (Class III).		
RECREATION		
Impact REC-1. Residential development and associated population growth resulting from future development under the LOCP would increase the demand for parks and recreational facilities. However, existing parks, in combination with planned recreational facilities and supporting policies in the LOCP, would ensure that programmatic impacts are <i>Less than Significant (Class III)</i> .	No mitigation measures are required.	Impacts would be less than significant.
TRANSPORTATION AND CIRCULATION		
Impact TC-2. The proposed Circulation Plan would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (<i>Class III, Less than Significant</i>).	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Impact TC-3. The proposed Circulation Plan would not increase risks due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (<i>Class III, Less Than Significant</i>).	No mitigation measures are required.	Impacts would be less than significant.
Impact TC-4. The proposed Circulation Plan would not result in inadequate emergency access (<i>Class III, Less Than Significant</i>).	No mitigation measures are required.	Impacts would be less than significant.
Impact TC-5. The proposed Circulation Plan would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (<i>Class III, Less Than Significant</i>).	No mitigation measures are required.	Impacts would be less than significant.
WASTEWATER		
Impact WW-1. Because the LOWRF has sufficient capacity to accommodate the projected buildout population of 18,000 under the LOCP and onsite systems outside the sewer service area will be regulated through the SCRWCW OWTS Policy, program-level impacts related to wastewater	No mitigation measures are required.	Impacts would be less than significant.

Table ES-3.
Class III, Less Than Significant Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
production are consider to be <i>Class III, less than significant</i> .		

Table ES-4.
Class IV, Beneficial Project-Specific Environmental Impacts

Impact	Mitigation Measures	Residual Impact
POPULATION AND HOUSING		
Impact PH-2. Future development under the LOCP would provide substantial opportunities for affordable housing, which will be necessary in order to meet Countywide Housing Element goals related to this issue. This is a Class IV, beneficial impact.	No mitigation measures are required, because impacts are beneficial.	Impacts would be beneficial.

Cumulative Impacts

Aesthetics. The evaluation of the LOCP in this EIR accounts for all of the expected and foreseeable growth in the Los Osos area. Regional growth in the project vicinity, including in the City of Morro Bay and nearby rural areas between Los Osos and the City of San Luis Obispo, while expected to be relatively minor over the life of the proposed LOCP, may impact regional aesthetics and visual resources. However, buildout of the proposed LOCP would not contribute to these cumulative impacts, and prescribed project-specific mitigation to address potential impacts within the LOCP would ensure that cumulative impacts would be ***less than significant (Class III)***.

Air Quality. A project that does not exceed the SLOAPCD thresholds and is consistent with the CAP would have a less than significant cumulative impact. Conversely, a project that exceeds the SLOAPCD significance thresholds or is found to be inconsistent with the CAP would result in significant cumulative impacts. As discussed, the Community Plan would be consistent with the SLOCOG growth projections. Additionally, the Community Plan would decrease the development potential when compared to the adopted Estero Area Plan. Because the Community Plan would be consistent with the growth assumed in the CAP and would incorporate TCMs and land use strategies from the CAP, the Community Plan is considered consistent with the CAP. The evaluation of the Community Plan in this EIR accounts for expected population growth and associated development in the Community Plan area. Therefore, cumulative air quality impacts from buildout of the Community Plan have been addressed in this impact analysis. Cumulative impacts on air quality would be ***less than significant (Class III)***.

Biological Resources. Full implementation of the proposed LOCP would include build out of areas within existing development boundaries and additional development in the Plan Area. This overall increase in developed area is the basis for the biological resource impacts identified in this section. The development identified under the LOCP would further reduce natural habitat acreages within the Los Osos area, and convert adjacent sparsely developed or undeveloped areas to more intensive uses, thereby altering the fundamental ability of the Plan Area to support natural habitats and species. In general, implementation could result in the removal of natural habitat, a decrease in native plant and wildlife occurrences, and increase the urban/wildland interface resulting in an increase of disturbed habitat adjacent to the URL.

This assessment of the significance of cumulative impacts to biological resources is based upon:

- *The cumulative contribution of the impacts from other approved and proposed development to biological resources in general in the Plan Area vicinity;*
- *The loss of special status habitats and species;*
- *Contribution of the Plan to urban and suburban expansion into natural areas; and,*
- *Fragmentation and isolation of natural habitats and plant and animal populations within the Plan Area by future projects in the vicinity.*

The identified impacts to biological resources resulting from LOCP implementation have been addressed individually in the discussion above. When combined, these impacts reflect the cumulative impact of the

proposed LOCP. As noted in the individual impact discussions, implementation of both the existing General Plan policies and those proposed under the LOCP, as well as compliance with state and federal regulations, will ensure that the biological impacts associated with the LOCP are cumulatively less than significant.

Coastal Hazards. The evaluation of the LOCP in this EIR, which includes buildout of the Los Osos community, accounts for all of the expected and foreseeable growth in the Los Osos area. For that reason, project-specific impacts are considered the same as cumulative impacts. This includes significant but mitigation impacts related to coastal hazards and sea level rise. Impacts related to coastal hazards are expected to be less than significant through the implementation of proposed policies, including those included in the proposed LOCP. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level environmental review as appropriate.

Cultural Resources. Cumulative impacts on archaeological, historical, and paleontological resources would result from the increases in population, increased recreational use, and increased development and construction (including in-fill development) throughout the Plan area. For these resources, the geographic extent of cumulative impacts encompasses a relatively broad area because the importance of any individual resource can only be judged in terms of its regional context and relationship to other resources. Thus, the significance of impacts on any given resource or group of resources must be examined in light of the integrity of the regional resource base. Because the number of cultural resources is finite, limited, and non-renewable, any assessment of cumulative impacts must take into consideration the impacts of the proposed project on resources within the project area; the extent to which those impacts degrade the integrity of the regional resource base; and impacts other projects may have on the regional resource base. If these effects, taken together, result in a collective degradation of the resource base, then those impacts are considered cumulatively considerable.

The regional resource base is defined geographically, ethnographically, and with reference to the specific relevant administrative and management units. The geographic scope of the cumulative impact analysis takes in a broad region encompassing the entire Estero Bay coastal zone, which is generally bounded by Point Buchon and Montaña de Oro State Park to the south, the Pacific Ocean to the west, the crest of the coast range to the east, and Point Estero to the north. The analysis also takes into consideration the cultural geography of the Obispeño Chumash people who occupied the region prehistorically, considering the integrity of the entire suite of resources that make up the cultural patrimony of this group. Finally, the cumulative impact analysis takes into account the resource base under the direct management and care of San Luis Obispo County.

The classes of resources found within the project area reflect the types of sites expected to be found within the broader geographic, cultural, and administrative region considered for the cumulative

analysis. Trends that have led to degradation of the regional cultural resource base, and are expected to continue in the future, include continuing population growth and the concomitant demand for new housing and infrastructure; continuing and increasing recreational use of the regional landscape; continued ranching, agricultural, and industrial activities; and on-going transportation development and improvement.

Based on the current analysis, several prehistoric and historical sites in the Plan area may be adversely affected by the proposed project. Several of these sites are presumed to be significant resources, though most have not been evaluated formally. Although the extent of impacts to these sites may be minor relative to the nature and extent of the individual sites, and most impacts to individual sites can be mitigated to less than significant through application of the proposed mitigation measures, certain of these sites are not typical for the region and are unusually important scientifically and to the local Chumash tribes. When combined with other past, present, and future projects, particularly the Los Osos Wastewater Project, the overall loss of cultural resources and cumulative degradation of the regional resource base is significant and would not be mitigated to less than significant by application of the proposed mitigation measures. Preparation of regional cultural resources overviews and research designs, synthetic analysis and interpretation of cultural resources in regional perspective, and expanded public interpretation of resources would lessen the proposed project's contribution to cumulative degradation of the regional resource base. However, there is no feasible additional mitigation to reduce the project's contribution to cumulative effects on Native American Tribal Cultural Resources. As a result, cumulative impacts on archaeological and historical sites would be **Class I, significant and unavoidable**.

Based on the overall low paleontological potential of the Los Osos Community Plan area, the Project would have a low potential to combine with the paleontological impacts of other projects. Adverse impacts to paleontological resources as the result of development under the Los Osos Community Plan would be less than significant with mitigation. With the implementation of resource protection measures described herein, cumulative impacts on paleontological resources can be reduced or avoided. Therefore, the Project has a negligible potential for contribution to cumulative impacts to paleontological resources and the cumulative impacts of the Project on paleontological resources would be *less than significant*.

Greenhouse Gas Emissions. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. It is generally the case that an individual project is not of sufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. As the Community Plan would comply with the SLOAPCD thresholds, the additive effect of the Community Plan's GHG emissions would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the Community Plan as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would also reduce the statewide GHG emissions. Therefore,

the Community Plan's cumulative GHG emissions would have a **Class III, less than significant**, impact on the environment.

Hydrology and Water Quality. The evaluation of the LOCP in this EIR, which includes buildout of the Los Osos community, accounts for all of the expected and foreseeable growth in the Los Osos area. For that reason, project-specific impacts are considered the same as cumulative impacts. As described in the project-specific analysis, this includes impacts related to flooding and drainage. Impacts related to water quality are expected to be **Class III, less than significant**, through the implementation of existing and proposed policies, including those included in the proposed LOCP. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level environmental review as appropriate.

Land Use. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For land use and policy issues, project-specific impacts are considered the same as cumulative impacts. This includes impacts related to land use and policy consistency. With prescribed policy-level mitigation to be included in the proposed LOCP, cumulative impacts would be considered **Class III, less than significant**. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review as appropriate.

Noise. Cumulative development in the Community Plan area would gradually increase population over the existing conditions and would therefore increase noise. The current residential population of the Community Plan area is 13,906. Buildout of the Community Plan would accommodate an additional 4,094 residents for a total of 18,000 residents. The analysis of the increase in noise levels in the Community Plan area is based on the transportation impact analysis, which accounts for future growth at buildout of the Community Plan. Therefore, cumulative noise impacts associated with buildout of the Community Plan were addressed in the project-specific impact analysis. As discussed, impacts to existing uses due to the increase in vehicle traffic in the Community Plan area would be **Class III, less than significant**, while impacts to future development located within the 60 CNEL contours for Los Osos Valley Road and South Bay Boulevard would be **Class II, significant but mitigable**.

Due to the temporary nature of construction activities and the implementation of project-specific mitigation measure **NOS-1(a)**, cumulative impacts associated with construction noise would be **Class III, less than significant**. Additionally, County policies in the General Plan and regulations in the County Code are in place to control noise and reduce on-site generated noise impacts between various land uses. With implementation of project-specific mitigation, cumulative impacts associated with stationary noise sources would be **Class III, less than significant**.

Population and Housing. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For this issue, project-specific impacts are considered the same as cumulative impacts. Cumulative impacts would be **Class III, less than significant**.

Public Services. Impacts to police protection, fire protection, and public schools would be less than significant upon payment of impact mitigation fees, while impacts related to solid waste would be less than significant due to adequate capacity of an area landfill. Regional growth in the project vicinity, while expected to be relatively minor over the life of the proposed LOCP, may also increase demand for public services. Thus, the public services impacts from buildout of the proposed LOCP would incrementally contribute to these cumulative impacts. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. Cumulative impacts would be **Class III, less than significant**. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review as appropriate.

Recreation. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For this issue, project-specific impacts are considered the same as cumulative impacts. Cumulative impacts would be **Class III, less than significant**.

Transportation and Circulation. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For this issue, project-specific impacts are considered the same as cumulative impacts. Cumulative impacts are considered **Class II, significant but mitigable**. Prescribed project-specific mitigation would reduce impacts to a less than significant level.

Wastewater. 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 wastewater impacts are addressed in the project-specific evaluation. As future applications for individual Community Plan projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level development and environmental review. Cumulative impacts would be **Class III, less than significant**.

Water Supply. 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 the project-specific evaluation. As future applications for individual Community Plan projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level development and environmental review. With the proposed LOCP policy framework as modified through project-specific mitigation, cumulative impacts would be **Class III, less than significant**.

1.0 INTRODUCTION

This document is a program Environmental Impact Report (EIR) for the Los Osos Community Plan (LOCP). The EIR evaluates the policy and buildout ramifications of implementing the LOCP, which is a regulatory document that implements and updates the portion of the Estero Area Plan centered on the unincorporated community of Los Osos. The Plan Area (also referred to in this document as the “project area”, or “proposed project area”) encompasses roughly 3,041 net acres, and includes the anticipated 20-year growth boundary (URL). This area also encompasses the proposed Urban Services Line (USL). The Plan Area also encompasses some additional surrounding properties in order to provide the context for a comprehensive analysis of potential environmental impacts under the Community Plan.

There are no expansion areas planned outside the URL, although as noted above, there will be minor adjustments to the existing URL, largely for administrative purposes so that certain parcels better coincide with existing property lines and ownership. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas.

The project’s background, as well as the legal basis for preparing an EIR, is described below. Additional detail regarding the project components can be found in Section 2.0, *Project Description*.

1.1 PURPOSE AND LEGAL AUTHORITY

This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), and the State CEQA Guidelines. In accordance with Section 15121(a) of the State CEQA Guidelines, the purpose of this EIR is to serve as an informational document that:

“...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project...”.

The proposed project is a regulatory document that guides future development within the Los Osos community. It is similar to a General Plan, and includes a policy framework and accompanying maps that provide guidance for development projects in Los Osos. Thus, this EIR is appropriately framed as a Program EIR pursuant to CEQA Guidelines Section 15168, and any mitigation that arises from potential impacts associated with the plan will be programmatic in nature. To a large extent, mitigation measures will be policy-oriented, and intended to provide general guidance for future projects. Individual projects that are proposed within the Plan Area may need to undergo separate CEQA review, but that review may tier from the analysis contained in this Program EIR.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the County (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the County with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis.

Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program, or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways.

This EIR evaluates and mitigates a reasonable worst-case scenario of potential impacts associated with projected buildout under the LOCP. The design and planning of specific future development projects and/or infrastructure improvements is beyond the scope of this EIR.

This report is to serve as an informational document for the public and County of San Luis Obispo decision-makers. The process will culminate with public hearings, starting with consideration by the Planning Commission. A Planning Commission recommended plan will be considered by the Board of Supervisors. The Board of supervisors will consider certification of a Final EIR and a decision whether to approve the proposed plan, possibly with modifications. A Board of Supervisors approved plan will be submitted to the California Coastal Commission for their review and adoption.

1.2 USE OF THIS EIR FOR FUTURE PROJECTS

In practice, this program EIR will be used as a first tier of environmental review for development projects proposed in accordance with the Los Osos Community Plan. This EIR has been developed specifically to comply with CEQA Section 15183 in order to minimize future environmental review of proposed projects. This section of CEQA provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects for such projects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact. Pursuant to Section 15183(f), an effect is not

considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect. Examples of uniformly applied development policies or standards include, but are not limited to: parking ordinances, flood plain ordinances, habitat protection or conservation ordinances, view protection ordinances, and requirements for reducing greenhouse gas emissions [Section 15183(g)].

Consistent with CEQA Guidelines Section 15183, future development projects in the Community Plan Area would not require subsequent environmental review if it can be shown that:

- The proposed development is consistent with General Plan and zoning designations;
- The proposed development is consistent with Community Plan policies; and
- The proposed development would not result in environmental effects that:
 - are peculiar to the project or parcel;
 - were not analyzed in this EIR; or
 - would be more severe than what was analyzed in this EIR.

Each section of this EIR describes specific issue-area conditions under which future development in the Community Plan Area would require additional review, pursuant to Section 15183. These situations are summarized in **Table 1-1** below. If these conditions are met, subsequent environmental review may be required for the specific future projects in the Community Plan Area.

Table 1-1. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	AES-1 through AES-5; AQ-1 through AQ-4; BIO-1 through BIO-6, CH-1 and CH-2; CR-1 through CR-4; GHG-1 and GHG-2; HYD-1 and HYD-2; LU-1 and LU-2; NOS-1 through NOS-4; PH-1 through PH-3; PS-1 through PS-4; REC-1; TC-1 through TC-5; WW-1; and W-1
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	AES-1 through AES-5; AQ-1 through AQ-4; BIO-1 through BIO-6, CH-1 and CH-2; CR-1 through CR-4; GHG-1 and GHG-2; HYD-1 and HYD-2; LU-1 and LU-2; NOS-1 through NOS-4; PH-1 through PH-3; PS-1 through PS-4; REC-1; TC-1 through TC-5; WW-1; and W-1
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative</i>	Impact other than AES-1 through AES-5; AQ-1 through AQ-4; BIO-1 through BIO-6, CH-1 and CH-

Table 1-1. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>effects. This may include if the project would result in operational emissions that exceed project-level APCD thresholds and cannot be mitigated to a less than significant level.</i>	2; CR-1 through CR-4; GHG-1 and GHG-2; HYD-1 and HYD-2; LU-1 and LU-2; NOS-1 through NOS-4; PH-1 through PH-3; PS-1 through PS-4; REC-1; TC-1 through TC-5; WW-1; and W-1
<p><i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified. This may include the following circumstances:</i></p> <ul style="list-style-type: none"> <i>If areas not currently under agricultural production or Williamson Act contract were converted to agricultural use or placed under contract, and then later converted back to non-agricultural use.</i> <i>If future APCD standards have changed such that the future project would result in a significant effect;</i> <i>If pollutants other than PM10 and ozone have received non-attainment status;</i> <i>If the future project would generate toxic air contaminants;</i> <i>If the future project would be more appropriately analyzed based on quantitative thresholds;</i> <i>If new or additional hazardous materials sites are identified on or adjacent to the future project site that require abatement prior to project implementation;</i> <i>If new special status species are listed or a more protective listing status is established for currently listed species under the state or federal Endangered Species Acts and would be affected by the project;</i> <i>If NPDES permitting regulations or Sections 19.07.042, 22.10.155, or 22.14.060 of the County Code were updated from the time of Community Plan adoption in such a way that they identify the need for additional measures to reduce significant effects;</i> <i>If the County General Plan or another County land use and/or environmental policy document, including CEQA thresholds, is updated resulting in new policies or standards for which the project may be inconsistent;</i> <i>If additional local or regional growth beyond that described in this EIR increases baseline environmental effects such that project contributions to cumulative impacts are at a higher level of severity (e.g., traffic, noise).</i> 	Worsened AES-1 through AES-5; AQ-1 through AQ-4; BIO-1 through BIO-6, CH-1 and CH-2; CR-1 through CR-4; GHG-1 and GHG-2; HYD-1 and HYD-2; LU-1 and LU-2; NOS-1 through NOS-4; PH-1 through PH-3; PS-1 through PS-4; REC-1; TC-1 through TC-5; WW-1; and W-1

1.3 SCOPE AND CONTENT

In accordance with the State CEQA Guidelines, a Notice of Preparation (NOP) was distributed for review by affected agencies and the public. The NOP and responses to the NOP are presented in Appendix A of this report.

This EIR addresses the issues determined to be potentially significant by the responses to the NOP, and scoping discussions among the public, consulting staff, and the County. **Table 1-2** summarizes the issues identified in the NOP, and where they are addressed in the EIR:

Table 1-2. Where NOP Issues are Addressed in the EIR	
Issue Identified in the Notice of Preparation	Where the Issue is Addressed in the EIR
Aesthetics	Section 4.1 – Aesthetics
Agricultural Resources	Section 1.5 – Effects Found to be Less Than Significant
Air Quality	Section 4.2 – Air Quality
Biological Resources	Section 4.3 – Biological Resources
Cultural Resources	Section 4.5 – Cultural Resources
Geology and Soils	Section 1.5 – Effects Found to be Less Than Significant
Greenhouse Gas Emissions	Section 4.6 – Greenhouse Gas Emissions
Hazards and Hazardous Materials	Section 1.5 – Effects Found to be Less Than Significant Section 4.4 – Coastal Hazards
Hydrology and Water Quality	Section 4.7 – Effects Found to be Less Than Significant
Land Use and Zoning	Section 4.8 – Land Use and Policy Consistency
Mineral Resources	Section 1.5 – Effects Found to be Less Than Significant
Noise	Section 4.9 – Noise
Population and Housing	Section 4.10 – Population and Housing Section 1.5 – Effects Found to be Less Than Significant
Public Services	Section 4.11 – Public Services Section 4.13 – Recreation
Socioeconomic and Environmental Justice	Section 1.5 – Effects Found to be Less Than Significant
Transportation and Circulation	Section 4.12 – Transportation and Circulation
Utilities and Service Systems	Section 4.11 – Public Services (Solid Waste) Section 4.14 – Wastewater Section 4.15 – Water Supply

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in the *CEQA Guidelines*. In addition, the EIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

In preparing the EIR, use was made of pertinent County policies and guidelines, existing EIRs and background documents prepared by the County. A full reference list is contained in Section 7.0, *References and Preparers*, of this EIR.

The Alternatives section of the EIR was prepared in accordance with Section 15126(d) of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic objectives of the project. In addition, the EIR identifies the "environmentally superior" alternative from the alternatives assessed. The alternatives evaluated include the CEQA-required "No Project" Alternative (both No Development and Buildout under the Existing Estero Area Plan), a "Reduced Development Based on Water Availability" Alternative, and a "Mitigated Project" Alternative.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The Guidelines state:

"An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."(Section 15151).

1.4 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. CEQA Guidelines Section 15367 defines the lead agency as ". . . the public agency, which has the principal responsibility for carrying out or approving a project." Other public agencies may use this Draft EIR in the decision-making or permit process and consider the information in this Draft EIR along with other information that may be presented during the CEQA process. The County of San Luis Obispo is the lead agency for the project because it has the principal responsibility for approving the proposed project, which is a County-adopted regulatory document ("Community Plan") that guides future development in the Los Osos community.

A "responsible agency" refers to public agencies other than the "lead agency" that has discretionary approval over the project. Responsible agencies for this project would include the California Coastal Commission, which needs to approve an update of the Local Coastal Plan associated with the adoption of the Community Plan.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project. The California Department of Fish and Wildlife (CDFW) has jurisdiction over biological resources, including drainages that may be impacted by project development. The CDFW is therefore a trustee agency.

1.5 AREAS OF CONTROVERSY

Pursuant to State CEQA Guidelines § 15123(b)(2), this EIR acknowledges the areas of controversy and issues to be resolved which are known to the County of San Luis Obispo or were raised during the scoping process. A Notice of Preparation (NOP) was prepared and circulated for a 30-day public review period that began on March 20, 2015 and ended April 20, 2015. Several comment letters from the public, and comment letters from public agencies (i.e., California Coastal Commission; San Luis Obispo Council of Governments; San Luis Obispo County Air Pollution Control District; San Luis Obispo County Parks), were received in response to the NOP. The NOP and associated comment letters are included in Appendix A of this EIR.

Primary environmental areas of concern raised by the commenting agencies and public include:

- Environmentally Sensitive Habitat Area
- Habitat Conservation Plan
- Water Supply in the context of the Basin Plan
- Recycled Water
- Preservation of Groundwater Basin
- Wastewater Service
- Growth Management
- Coastal Access
- Shoreline Development
- Night Sky Preservation
- Oak Tree Protection
- Estuary Habitat Protection
- Global Climate Change
- Park Planning
- Bike Planning
- Public Safety (adequate lighting)
- Jobs/Housing Balance
- Alternative Transportation Modes
- Smart Growth
- Removing Invasive Species
- Aesthetics
- Roadway Safety

1.6 EFFECTS FOUND NOT TO BE SIGNIFICANT

Based on the scoping process for the proposed project, the County of San Luis Obispo determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the resource areas discussed below. As indicated in the State CEQA Guidelines,

no further environmental review of these issues is necessary for the reasons summarized in the following discussion.

No Initial Study was prepared for the LOCP, but the NOP (Appendix A) identified issues that would potentially be addressed in the EIR. This section analyzes the presumed EIR scope set forth in the NOP in greater detail, based on the key questions included in a CEQA Initial Study. For some issues, this process leads to the conclusion that certain issues would be less than significant. The basis for that determination follows. The specific issues or questions discussed below will not be analyzed further in the EIR.

Agricultural Resources

- ❖ *Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

According to the NRCS, nearly the entire Plan Area is urbanized, and is not designated as either Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The margins of Los Osos Creek along the eastern boundary of the Plan Area includes some Prime Farmland Soils (if irrigated) or Farmland of Statewide Importance. However, these areas are either designated as Open Space, or on the margins of designated Residential Suburban land that is already developed. The one exception to this is APN 074-222-013, which is an undeveloped 67.8-acre parcel designated Residential Suburban north of Palomino Drive, and directly west of Los Osos Creek. However, the prime farmland area is within 100 or feet or less of the creek, and thus within an area that could not be developed in any case as a matter of existing creek setback and habitat protection policies. The LOCP would not change any existing Open Space land use designations in these areas, nor would it facilitate the conversion of any undeveloped prime farmland soils, since such areas are already developed, or designated for development. Conversely, the LOCP would redesignate lands in the northeastern part of the Plan Area from Residential Suburban to Open Space, and in so doing provide protection for prime soils along Los Osos Creek that are found within that portion of the Plan Area. In addition, there is currently no designated AG land within the Community Plan Area, so there would be no potential loss of designated agricultural land. No impacts to farmland resources would result from Plan implementation.

- ❖ *Would the Project conflict with existing zoning for agricultural use or a Williamson Act contract?*

There are no parcels under Williamson Act contract within the Plan Area. No impacts related to this issue would result.

- ❖ *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The Community Plan would not convert active farmland to non-agricultural use. There is currently no designated AG land within the Community Plan Area, so there would be no potential loss of designated agricultural land. No impacts would result.

Because there would be no potential impacts related to Agricultural Resources that would result from implementation of the proposed LOCP, this issue will not be studied further in the EIR.

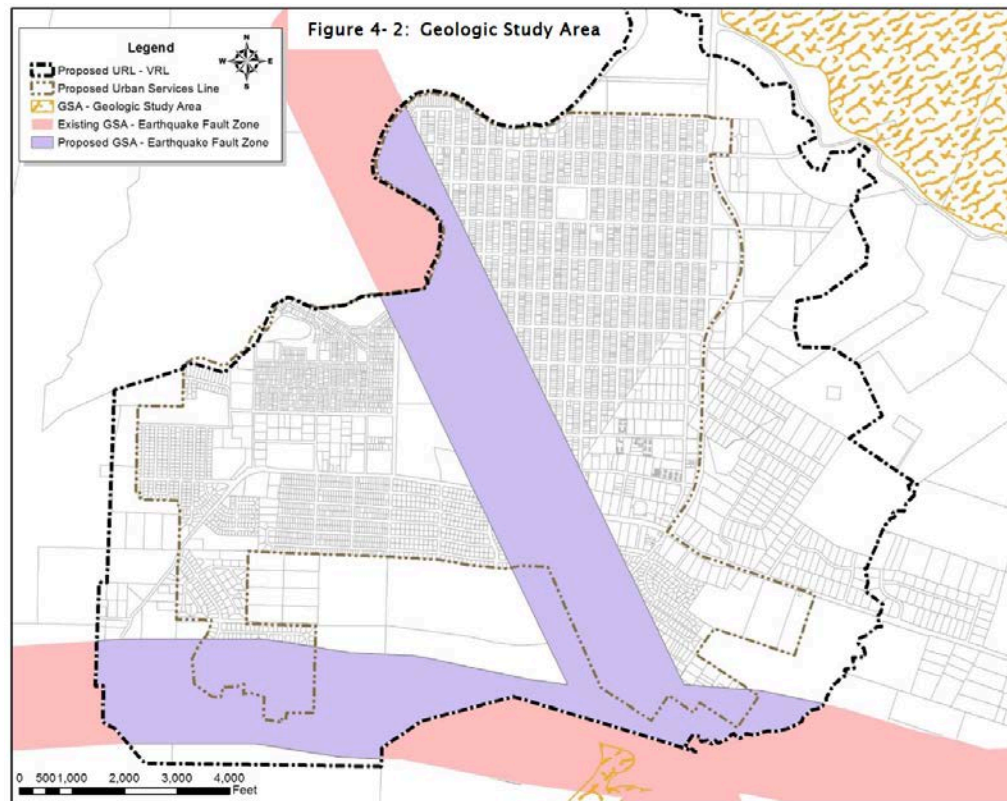
Geology and Soils

❖ *Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:*

- *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
- *Strong seismic ground shaking?*
- *Seismic-related ground failure, including liquefaction?*
- *Landslides?*

The project is a Community Plan, which provides a framework for long-range planning within the Los Osos community. Development is already contemplated within the Plan area under the Estero Area Plan, and in general, the LOCP will result in a similar level of development, although in some cases, will be even more restrictive than anticipated under the Estero Area Plan.

The Plan area is in a seismically-active region, and the nearest active fault is the Los Osos Fault, located along the base of the Los Osos Hills at the southern edge of the Plan area. The Los Osos fault zone is described as a series of discontinuous, sub parallel and en echelon fault traces that extend from the offshore Hosgri fault zone to Lopez Reservoir, a distance of about 35 miles. The fault zone is subdivided into the following four segments: Estero Bay, Irish Hills, Lopez Reservoir, and Newsom Ridge. The Irish Hills segment of the Los Osos Fault is about 10 to 12 miles long and extends from the Pacific Ocean near Los Osos eastward to San Luis Creek. This segment of the fault forms the boundary between the Los Osos Valley and the Irish Hills, has documented Holocene offset, is considered potentially active in the area near Los Osos, and considered active near the City of San Luis Obispo. The Los Osos fault zone is located along the southern boundary of the community at the base of the Irish Hills. An additional branch of the Los Osos fault extends northwesterward through the community, as shown on the following map included as Figure 4-2 in the draft LOCP:



Portions of the fault east of Los Osos (east of the Community Plan area) near the City of San Luis Obispo have been zoned active and designated as an Alquist-Priolo earthquake fault hazard zone by the CGS. The entire length of the Los Osos fault is a potential source of high ground motion.

New development under the LOCP could be susceptible to impacts from future seismic events, creating the potential for structural damage or health and safety risks.

The State of California has enacted many regulations to reduce the potential risk from seismic events, including impacts related seismically-induced motion and liquefaction. The two most important of these are the following:

- Earthquake Fault Zoning Act. In response to the severe fault rupture damage of structures by the 1971 San Fernando earthquake, the State of California enacted the Alquist-Priolo Earthquake Fault Zoning Act in 1972. This act required the State Geologist to delineate Earthquake Fault Zones along known active faults that have a relatively high potential for ground rupture. Faults that are zoned under the Alquist-Priolo Act must meet the strict definition of being “sufficiently active” and “well-defined” for inclusion as an Earthquake Fault Zones. The Earthquake Fault Zones are revised periodically, and they extend 200 to 500 feet on either side of identified fault traces. No structures for human occupancy may be built across an identified active fault trace. An area of 50 feet on either side of an active fault trace

is assumed to be underlain by the fault, unless proven otherwise. Proposed construction in an Earthquake Fault Zone is permitted only following the completion of a fault location report prepared by a California Registered Geologist.

- California Building Standards Code. The California Building Standards Code establishes building requirements for construction and renovation. The most recent version of the California Building Standards Code was adopted in 2013 by the California Building Standards Commission, and is based on the National Fire Protection Association, International Association of Plumbing and Mechanical Officials, and the International Code Council's Building and Fire Codes. Included in the California Building Standards Code are the Electrical Code, Mechanical Code, Plumbing Code, Energy Code, and Fire Code.

The State of California provides minimum standards for building design through the California Building Standards Code (California Code of Regulations, Title 24). Where no other building codes apply, Chapter 29 regulates excavation, foundations, and retaining walls. Finally, the California Building Standards Code regulates grading activities, including drainage and erosion control and construction on unstable soils, such as expansive soils and areas subject to liquefaction.

All new development under the LOCP (or the existing Estero Area Plan) would be required to conform to these laws, adherence to which would reduce potential impacts to a less than significant level.

The County's Safety Element includes additional policies that further implement these state laws. Specifically, it includes the following policies and standards:

- Policy S-18 Fault Rupture Hazards. *Locate new development away from active and potentially active faults to reduce damage from fault rupture. Fault studies may need to include mapping and exploration beyond project limits to provide a relatively accurate assessment of a fault's activity. The County will enforce applicable regulations of the Alquist-Priolo Earthquake Fault Zoning Act pertaining to fault zones to avoid development on active faults.*
- Standard S-49. *The County will continue to enforce elements of the General Plan, based on the Alquist Priolo Earthquake Fault Zoning Act, that require geologic studies to be performed so that habitable structures and essential facilities will be sited away from active and potentially active faults.*

It should be noted that the portion of the Los Osos Fault in and near the community have not been formally designated as an Alquist-Priolo Earthquake Fault Zone. However, in recognition of the presence of the Los Osos Fault's proximity to the community, the draft LOCP identifies the two Geological Study Areas (GSAs) as Combining Designations, which are intended to form the basis for more stringent development guidelines within these areas. These include the following:

- Los Osos Liquefaction (GSA). Portions of the Los Osos urban area are subject to a high potential for liquefaction, as identified in the Safety Element of the general plan.
- Ground Rupture (GSA). Based on information contained in a Fault Evaluation Report prepared by the California Department of Mines and Geology (FER-200, 1989), the Los Osos fault zone traverses the southern portion of the Los Osos Valley, extending from the eastern boundary of the Estero Planning Area through Los Osos. A 1,000-foot wide zone on either side of the fault trace has a higher potential for ground rupture during an earthquake.

These new GSAs are not included in the existing Estero Area Plan. There is no map in the LOCP showing the extent of the Los Osos Liquefaction GSA, although it is intended to correspond to the Safety Element Map showing areas of high liquefaction. In general, this includes a large area along Los Osos Creek east of South Bay Boulevard, and some areas immediately adjacent to Morro Bay and its associated estuary.

The Ground Rupture GSA apparently corresponds to the purple areas shown in proposed LOCP Figure 4-2 (above), identified as “Proposed GSA – Earthquake Fault Zone.”

Section 7.4 of the draft LOCP is where standards related to these GSAs would be described. The intent is to use existing standards already in place pursuant to Title 23 of the Coastal Zone Land Use Ordinance.. This is discussed further in this EIR in *Section 4.8, Land Use Policy Consistency*.

Even without these clarifications, potential impacts related to geologic hazards would be less than significant, 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. As such, program level impacts to new development from seismic hazards would therefore be less than significant.

This issue will not be evaluated further in the EIR.

❖ *Would the Project result in substantial soil erosion or the loss of topsoil?*

The project is a Community Plan, which provides a framework for long-range planning within the Los Osos community. Development is already contemplated within the Plan area under the Estero Area Plan, and in general, the LOCP will result in a similar level of development, although in some cases, will be even more restrictive than anticipated under the Estero Area Plan.

Future development under the LOCP is not anticipated to result in substantial soil erosion or the loss of topsoil. As noted in the discussion of groundshaking and seismically-related impacts, future development would be required to conform to the California Building Code (CBC). Proper engineering, including compliance with the CBC, San Luis Obispo County Building Code, and existing General Plan Safety Element policies would minimize the risk to life and property. As such, program level impacts related to the loss of topsoil would therefore be less than significant.

This issue will not be evaluated further in the EIR.

- ❖ *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? Result in substantial soil erosion or the loss of topsoil?*

The project is a Community Plan, which provides a framework for long-range planning within the Los Osos community. Development is already contemplated within the Plan area under the Estero Area Plan, and in general, the LOCP will result in a similar level of development, although in some cases, will be even more restrictive than anticipated under the Estero Area Plan.

The following evaluates program-level impacts that might be anticipated under the implementation of the proposed LOCP.

Landslides. The County Safety Element identifies the entire Community Plan area as having low landslide potential. No impacts are anticipated.

Liquefaction. Liquefaction is a temporary, but substantial, loss of shear strength in granular solids, such as sand, silt, and gravel, usually occurring during or after a major earthquake. Portions of the community are identified as having high liquefaction potential. In general, this includes a large area along Los Osos Creek east of South Bay Boulevard, and some areas immediately adjacent to Morro Bay and its associated estuary. Refer to the discussion of seismic hazards. Programmatic impacts of implementing the LOCP would be less than significant because individual future development projects would be required to comply with State and County building codes.

Soil Hazards. Geologic hazards of concern that are not seismically induced events at the site include soils hazards such as settlement, expansive soils, and subsidence. Programmatic impacts of implementing the LOCP would be less than significant because individual future development projects would be required to comply with State and County building codes.

These issues will not be evaluated further in the EIR.

- ❖ *Would the Project be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property?*

Expansive soils are soils that are generally clayey, swell when wetted and shrink when dried. Wetting can occur in a number of ways (i.e., absorption from the air, rainfall, groundwater fluctuations, lawn watering, broken water or sewer lines, etc.). Soil expansion can cause subtle damage that can reduce structural integrity. Expansive soils generally consists of fine-grained soil of high plasticity (clay) that can damage near surface improvements in response to shrinking and swelling associated with changes in soil moisture content.

Portions of the Plan Area underlain by alluvial sediments could have a high potential for expansion, while areas overlain by dune sands have a generally low potential for expansion.

Future development under the LOCP has the potential to be subject to expansive soils. However, future projects in the Plan Area will be required to comply the California Building Code, as adopted by the County, which addresses project specific requirements for development on expansive soils. In such cases, if the project implements the recommendations of a geotechnical report prepared for that development, impacts would be reduced to a less than significant level.

This issue will not be evaluated further in the EIR.

- ❖ *Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

A communitywide wastewater treatment plant and collection system was approved in 2008 and is nearly completed. Once online, it will remove most of Los Osos from its historic reliance on septic systems, which were found to cause adverse impacts to the groundwater and bay/estuary. Portions of the community, however, will be allowed to remain on septic systems, which are shown on Exhibit 3-2 of the Los Osos Wastewater Project Final EIR (San Luis Obispo County, 2009). When the County approved the wastewater project, CEQA Findings in support of that approval determined that the service area for the wastewater project was appropriate, and that septic systems in the remaining areas would be suitable. Therefore, no impacts related to septic suitability are anticipated, and this issue will not be evaluated further in the EIR.

Hazards and Hazardous Materials

- ❖ *Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project is a Community Plan that provides General Plan-level guidance for long-term development within the Los Osos area. The proposed land use pattern within the community includes a mixture of residential, commercial, office, public facility, recreation, and open space uses, similar to, but less intensive than, what is currently

anticipated under the Estero Area Plan. It is an extension and continuation of the existing land use pattern in Los Osos. No industrially-designated land uses are anticipated in the Community Plan.

According to the San Luis Obispo County Safety Element, the major hazardous materials transport routes in the County include U.S. Highway 101; State Routes 41, 46 and 166; and the Union Pacific Railroad. None of these facilities is in or near the Los Osos Community Plan area.

Various regulations set forth criteria and specific requirements for the benefit of public health and safety from hazardous materials, including (but not limited to): the Federal Hazardous Materials Transportation Act; the Federal Resource Conservation and Recovery Act; the California Hazardous Substance Control Law; the State Emergency Response Act; the State Hazardous Materials Management Act; the California Health and Safety Code § 25550; the San Luis Obispo County Hazardous Materials Emergency Response Plan; and the San Luis Obispo County General Plan Safety Element.

The routine transport of hazardous materials for new commercial projects that may be allowed under this or any other plan within the County is addressed in the County's Safety Element Standard S-68, which requires the review of individual "commercial projects which use, store, or transport hazardous materials to ensure necessary measures are taken to protect public health and safety."

The USEPA is the lead agency responsible for enforcing federal laws and regulations pertaining to hazardous materials that affect public health and the environment. The major federal laws and regulations enforced by the USEPA that could potentially relate to the Proposed Project include the: Resource Conservation and Recovery Act (RCRA); Toxic Substances Control Act (TSCA); the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Superfund Amendments and Reauthorization Act (SARA); and, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

In California, the federal USEPA has granted most enforcement authority of federal hazardous materials regulations to the California Environmental Protection Agency (Cal/EPA). Under the authority of Cal/EPA, the SWRCB and DTSC are responsible for overseeing the remediation of contaminated sites. The provisions of Government Code Section 65962.5 require the SWRCB, DTSC, the California Department of Health Services, and the California Integrated Waste Management Board to submit information pertaining to sites associated with solid waste disposal, hazardous waste disposal, and/or hazardous materials releases to the Secretary of Cal/EPA.

The routine management of hazardous materials in California is administered under the Unified Program (California Health and Safety Code, Chapter 6.11, Sections 25404 through 25404.8). The Cal/EPA has granted responsibilities to the County's Environmental Health Services Division for implementation and enforcement of hazardous materials regulations in all areas of the County under the Unified Program as a Certified Unified Program Agency (CUPA). The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits,

inspections, and enforcement activities of the following environmental and emergency response programs for hazardous materials:

- Hazardous Materials Business Plan Program;
- California Accidental Release Prevention Program;
- Underground Storage Tank Program;
- Aboveground Storage Tank Program; and
- Hazardous Waste Tiered-Permitting Program

Because projects under the LOCP must adhere to federal, state and local requirements that pertain to the use and transport of hazardous materials, no significant impacts related to their use and transport are anticipated. This issue will not be examined further in the EIR.

- ❖ *Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

In addition to the potential for transportation-related releases of hazardous materials, potential exposure of the public to hazardous materials can result from their use by industry, agriculture, commercial, and service establishments. Household use of hazardous materials also has the potential to result in their release into the environment. However, the potential for such hazards to occur within Los Osos are not any greater than any other community in the County.

Refer to the response to the previous question related to the use and transport of hazardous materials. Because projects under the LOCP must adhere to federal, state and local requirements that pertain to the use and transport of hazardous materials, no significant impacts related to their use and transport are anticipated. This issue will not be examined further in the EIR.

- ❖ *Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Several schools are located in Los Osos, including Monarch Grove Elementary School, Baywood Elementary School, Los Osos Middle School, and Bay Osos Montessori School, all of which are within one-quarter mile of existing and potential development that could occur under the LOCP. However, no projects are currently proposed that are anticipated to use or release hazardous materials, so these schools are not considered to be at any elevated risk.

Refer to the response to the previous question related to the use and transport of hazardous materials. Because projects under the LOCP must adhere to federal, state and local requirements that pertain to the use and transport of hazardous materials, no significant impacts related to their use and transport are anticipated. This issue will not be examined further in the EIR.

- ❖ *Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The project is a Community Plan that provides General Plan-level guidance for long-term development within the Los Osos area. It is not a development plan, and no specific development is proposed pursuant to the LOCP at this time. There are no listed hazardous materials sites within the community, so implementation of the LOCP would not create a significant hazard to the public or the environment related to development in the community. This issue will not be examined further in the EIR.

- ❖ *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

There are no airports within two miles of the LOCP area. The nearest airport is the San Luis Obispo County Regional Airport in San Luis Obispo, about 11 miles to the southeast. No impacts would occur.

- ❖ *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

There are no private airstrips in or near Los Osos. No impacts would occur.

- ❖ *Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

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 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 evaluation because of improvements to the roadways network that would be called for under the plan. No impacts would occur, and this issue will not be examined further in the EIR.

- ❖ *Would the Project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

Fire suppression, fire prevention, and paramedic services within the community of Los Osos are provided by the Los Osos Community Services District Fire Department. The

fire station is located at 2315 Bayview Heights Drive and is centrally located within the community.

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

The Safety Element also includes the following programs that are applicable to all development within the County, including Los Osos:

- *Standard S-29. Identify high value and high risk areas, including urban/wildland interface areas, and develop and implement mitigation efforts to reduce the threat of fire.*
- *Standard S-30. Site homes near one another to the extent practicable to reduce the need for multiple response teams during fires. Require that the subdivision design be reviewed by fire safety personnel. Require the clustering of lots or buildings in high and very high fire hazard areas as appropriate. New developments in high and very high fire hazard areas should maintain open areas large enough to allow for control burns and other vegetation management programs.*
- *Program S-31. Encourage applicants for subdivisions in fire hazard areas to cluster development to allow for a wild fire protection zone. Consider the voluntary use of transfer of development credits to bring development out of high and very high fire hazard areas.*
- *Standard S-32. Require fire resistant material to be used for building construction in fire hazard areas.*
- *Program S-33. Work with homeowners to improve fire safety and defensibility on developed parcels. Defensible space should be required around all structures in high and very high fire hazard areas.*

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.

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, and will not be analyzed further in the EIR.

It is also notable that in addition to these existing regulatory requirements, the proposed LOCP includes the following Planning Area Standard, which will further minimize potential fire risk related to new development:

E.2.d. Resource Protection – Concentration of Development Required; Development Requirements; Setbacks for Fire Safety. Where setbacks are required by the fire protection agency for fuel-breaks and vegetation or fuel modification, they shall be located adjacent to development and be in addition to the required setbacks for protection of the identified sensitive features.

Mineral Resources

- ❖ *Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The project is a Community Plan in an area that is mostly built out with various urban land uses and open space areas. There is no mineral extraction within the Plan Area, nor any sites designated for mineral extraction. No impacts would result.

Because there would be no potential impacts related to Mineral Resources that would result from implementation of the proposed LOCP, this issue will not be studied further in the EIR.

According to the NRCS, nearly the entire Plan Area is urbanized, and is not designated as either Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The margins of Los Osos Creek along the eastern boundary of the Plan Area includes some Prime Farmland Soils (if irrigated) or Farmland of Statewide Importance. However,

these areas are either designated as Open Space, or on the margins of designated Residential Suburban land that is already developed. The one exception to this is APN

Population and Housing

- ❖ *Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

The LOCP is a long-range planning document that sets forth a proposed land use pattern, and provides a regulatory framework to ensure orderly growth. By its nature, it is not intended to displace housing, but rather, facilitate its construction through a set of policies and development guidelines. No impacts would result.

This issue will not be examined further in the EIR.

- ❖ *Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The LOCP is a long-range planning document that sets forth a proposed land use pattern, and provides a regulatory framework to ensure orderly growth. By its nature, it is not intended to displace housing, but rather, facilitate its construction through a set of policies and development guidelines. No impacts would result.

This issue will not be examined further in the EIR.

Socioeconomic and Environmental Justice

- ❖ *Would the Project expose minority or disadvantaged populations to proportionately greater risks or impacts compared to those borne by other individuals?*

Environmental justice addresses issues concerning whether a proposed project would expose minority or disadvantaged populations to proportionately greater risks or impacts compared to those borne by other individuals. Environmental Justice is defined in California law (Government Code § 65040.12) as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws and policies.”

The proposed project is a Community Plan that provides a regulatory framework for future development within Los Osos, and a corresponding Land Use Map that establishes the future location of potential development. It is not a development plan, and no physical development is proposed at this time. The proposed Community Plan is an extension and refinement of the existing adopted Estero Area Plan, and the proposed

land use pattern is substantially similar to what is in the currently adopted Area Plan. Land use redesignations that would occur under the Community Plan are intended either to protect known sensitive environmental resources, to provide a more logical framework for future development, or to address known land use incompatibilities. The land use pattern does not displace housing or populations, and maintains opportunities for new housing and economic growth. Planned growth will not adversely affect any socioeconomic group, or put one group at a relative advantage over another to attain new housing or develop new businesses in the community. Constraints to development, such as they are, would be based on environmental considerations, including the availability of water and the protection of sensitive resources.

No adverse impacts related to socioeconomic and environmental justice would occur as a result of potential Community Plan adoption, and this issue is not considered further in the EIR.

1.7 ENVIRONMENTAL IMPACT REVIEW PROCESS

The environmental impact review process, as required under CEQA, is outlined below. The steps are presented in sequential order.

1. **Notice of Preparation (NOP) Distributed.** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required, but may be conducted by the lead agency.
2. **Draft Environmental Impact Report (DEIR) Prepared.** The DEIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.
3. **Public Notice and Review.** A lead agency must prepare a Public Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092). The lead agency must send a copy of its Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the DEIR from responsible and trustee agencies, and adjacent cities and counties (Public Resources Code Sections 21104 and 21253). The minimum public review period for a DEIR is 30 days. When a DEIR is sent to the State

Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091). Distribution of the DEIR may be required through the State Clearinghouse (*CEQA Guidelines* Section 15305).

- 4. Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse as soon as it completes a DEIR.
- 5. Final EIR (FEIR).** A FEIR must include: a) the DEIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
- 6. Certification of FEIR.** The lead agency shall certify: a) the FEIR has been completed in compliance with CEQA; b) the FEIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the FEIR prior to approving a project (*CEQA Guidelines* Section 15090).
- 7. Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
- 8. Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.
- 9. Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
- 10. Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges (Public Resources Code Section 21167[c]).

2.0 PROJECT DESCRIPTION

2.1 SUMMARY

The Los Osos Community Plan (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. The sewer project has been a prerequisite to growth in Los Osos, and the effects of that project were examined in a separate certified EIR. 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.

The key components of the draft LOCP include:

- *Updating data and information from the approved Estero Area Plan with respect to the Los Osos urban area;*
- *Incorporating strategic growth policies;*
- *Incorporating conditions of approval from the Coastal Development Permit for the Los Osos Wastewater Project, including*
 - ✓ *Development of a sustainable buildout target supported by the safe yield of the groundwater basin; and*
 - ✓ *Integration of conservation strategies from the HCP currently under preparation*
- *Considering Coastal Commission issues identified during the 2004 and 2009 Estero Area Plan update; and*
- *Developing a Public Facilities Financing Plan for new development.*

As a regulatory document, the draft LOCP is organized as follows:

- *Chapter 1: Introduction*
- *Chapter 2: Community Plan Framework*
- *Chapter 3: Land Use Descriptions and Setting*
- *Chapter 4: Environmental Resources*
- *Chapter 5: Circulation Element*
- *Chapter 6: Coastal Access*
- *Chapter 7: Planning Area Standards*
- *Chapter 8: Public Facilities Financing Plan*

The LOCP also includes several technical appendices that provide information supporting the policy framework of the document. As appropriate, much of this information will be used in the EIR for the LOCP, and critically evaluated as appropriate. The specific characteristics of the proposed Community Plan are described in greater detail below.

2.2 PROJECT PROPONENT

San Luis Obispo County
Department of Planning and Building
County Government Center, Room 300
San Luis Obispo, California 93408

Contacts: Kerry Brown, Project Manager
Rob Fitzroy, Deputy Director, Policies and Programs

2.3 PROJECT LOCATION

The unincorporated community of Los Osos is located along the coast in the central portion of San Luis Obispo County, generally south of and adjacent to Morro Bay and its associated estuary. Los Osos is approximately 4 miles south of the City of Morro Bay, across the bay/estuary, and approximately 10 miles west of the City of San Luis Obispo, at the western end of Los Osos Valley, a broad, relatively flat agricultural area formed by Los Osos Creek (refer to **Figure 2-1**). However, the Los Osos Community Plan does not include all land or development within the U.S. Census-defined Los Osos (CDP), but only encompasses the land within the identified Urban Reserve Line (URL). The area within the existing URL includes about 3,087 acres (4.8 square miles). The proposed project envisions minor changes to the URL boundary, including 17 acres added along Turri Road beyond the end of the eastern terminus of Santa Ysabel Avenue, but another 65-acre area adjacent to Montana de Oro State Park removed, resulting in a net decrease of about 48 acres overall.

The existing Urban Services Line (USL) is smaller than, and completely within the URL, and with some exceptions, is generally focused on the urbanized portions of the community west of South Bay Boulevard. Under the LOCP, the USL will be contracted to some extent in certain areas, so the proposed USL will be smaller than the existing boundary. **Figures 2-2 and 2-3** show the existing and proposed URL and USL.



Figure 2-1. Los Osos Community Plan Area Location Map

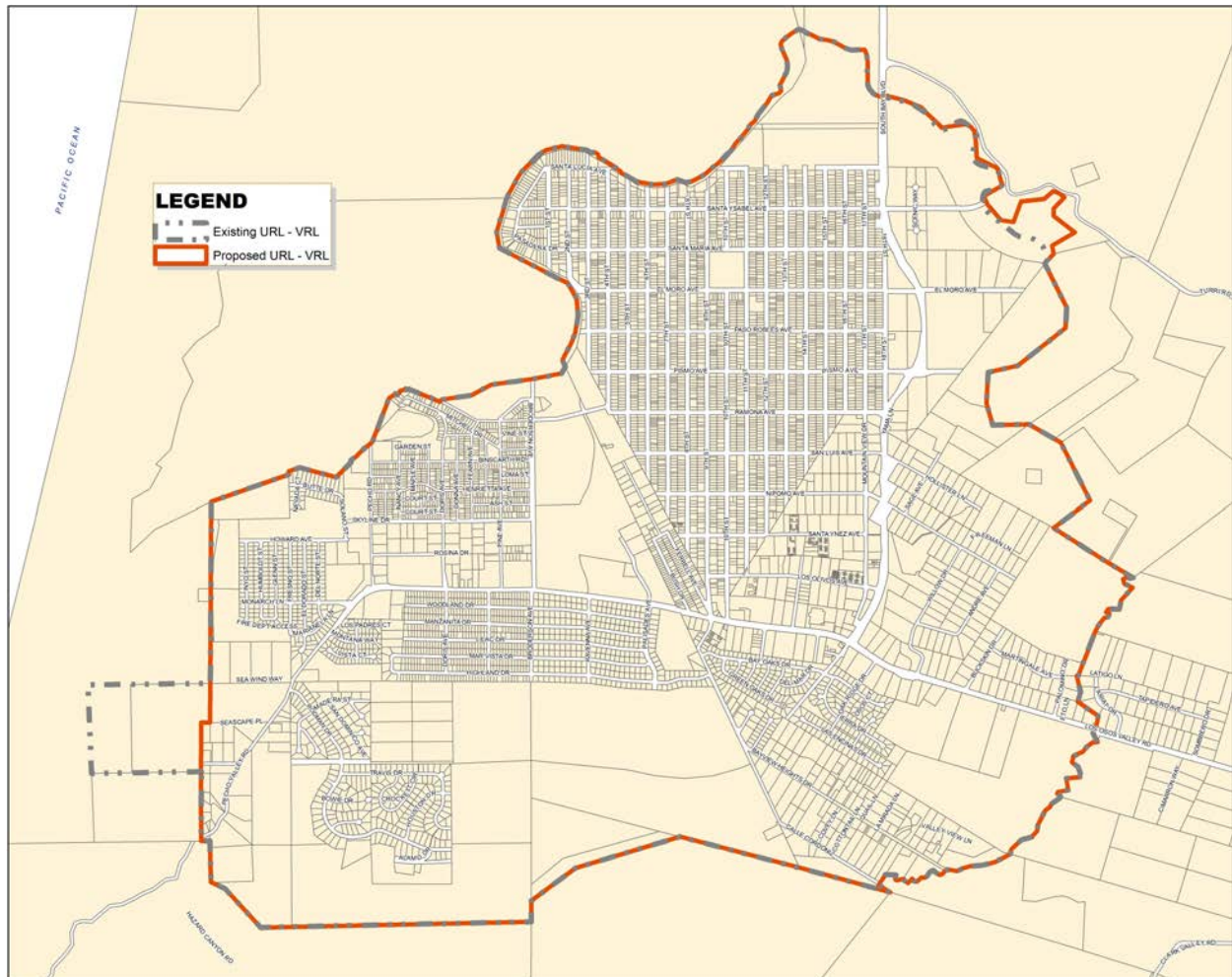


Figure 2-2. Existing and Proposed Urban Reserve Line (URL)

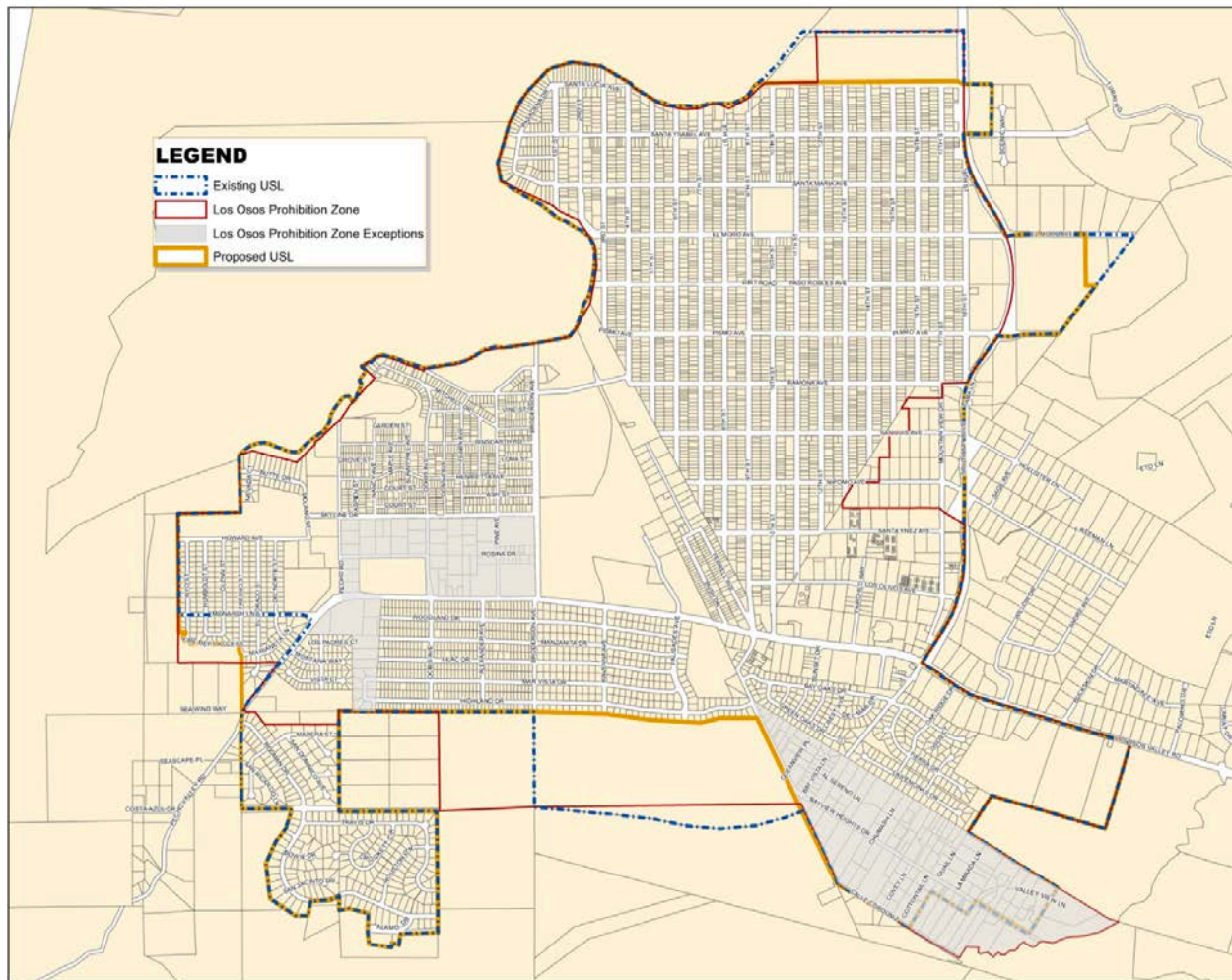


Figure 2-3. Existing and Proposed Urban Services Line (USL)

2.4 EXISTING COMMUNITY CHARACTERISTICS

2.4.1 Demographics and Development Pattern

The unincorporated community of Los Osos is home to about 14,300 residents (2010 U.S. Census), most of whom live within the community's designated Urban Reserve Line (**Figure 2-2**). As noted above, however, the Los Osos Community Plan area is a subset of the Census-defined CDP, and has an existing population of 13,906 (San Luis Obispo County Department of Planning and Building, 2015). This smaller population figure will be used as the basis of analysis within this EIR. Overall, the community is a semi-urban enclave within a relative rural portion of San Luis Obispo County.

Los Osos is primarily residential in nature, and there are few head-of-household employment opportunities within the community. Population growth has been relatively flat since the early 1990s, primarily due to the fact that there had been a growth moratorium pending resolution of the long-standing need to provide community wastewater treatment service. With the recent approval and construction of the new wastewater facility, this constraint to future development within the community has been removed, and for that reason, the Los Osos Community Plan will be an important tool to guide that future growth. In order to now allow development on presently undeveloped parcels within the Los Osos Wastewater Project service area, the County is required to amend the Estero Area Plan to incorporate a sustainable buildout target that demonstrates there is sufficient water available to support such development without impacts to wetland and habitats (condition number 86 of CDP A-3-SLO-09-055/069).

There are two primary commercial areas, the downtown area or Central Business District centered around Los Osos Valley Road and the Baywood Commercial Area centered along Second Street. These areas are focused either on local community-servicing businesses and office space, or on supporting the regional tourist economy. The downtown area is more locally focused, with grocery stores, restaurants, banks, and offices, while the Baywood community is more tourist-oriented, with some hotels, and recreational businesses along with other businesses that serve the local neighborhoods.

2.4.2 Environmental Character

The Los Osos urban area lies at the westerly end of the agriculturally productive Los Osos Valley. The community contains a variety of natural resources and environmental assets that define its character and contribute to its high quality of life.

The eastern fringe of Los Osos near Los Osos Creek is an environmentally sensitive area. The creek and its riparian corridor are habitat to rare and endangered species, and land uses next to the creek affect the Morro Bay Estuary. Pygmy oak groves are also found here. The more agriculturally-oriented

Creekside area provides a visual contrast to the more intensively developed areas to the west and forms the urban edge of Los Osos. This neighborhood with larger lot sizes complements the greenbelt, and helps protect the valuable habitat and visual quality of the area.

Local features include the marshes and mud flats of the Morro Bay estuary and freshwater springs and creeks such as Los Osos Creek. Varied topography includes the massive volcanic rock formations of the Morros, the rolling to rugged terrain of the Irish Hills and San Luis Range and the relatively flat terrain of the narrow east-west-trending Los Osos Valley. Los Osos Creek runs south to north across the eastern portion of the community; it enters Morro Bay via the Morro Bay Salt Marsh.

2.4.3 Public Services

a. Water Service. Services in Los Osos are provided primarily through two purveyors, the Los Osos Community Services District (LOCSD) and Golden State Water Company. A small mutual water company, S&T Mutual Water Company serves the neighborhood of Sunset Terrace. Some properties in the URL are served by private, individual wells. Irrigated agriculture just outside the URL also use private wells that use the groundwater basin as their source.

b. Wastewater Disposal. Los Osos currently relies solely on septic tanks for sewage disposal. According to the Regional Water Quality Control Board (RWQCB), percolation from septic tank leach fields is high in nitrates. As population has grown, nitrate levels in groundwater have gradually increased to the point where they have exceeded the State's maximum level allowable for drinking water in the upper aquifer. In response to this condition, the RWQCB established a prohibition zone in 1988 that covers much of the urban area, within which discharge from septic systems is not allowed, with limited exceptions.

The County of San Luis Obispo recently completed a community sewer system that will serve most of the area within the prohibition zone. It is intended to remedy the water quality problem identified by the RWQCB. An assessment district has already been approved by local voters to help fund the sewer project.

The sewer project includes construction and operation of a community sewer, including a treatment plant, collection/disposal/reuse facilities, and all associated development and infrastructure. The treatment plant site, known locally as the Giacomazzi site, is located outside of the Los Osos Urban Reserve Line on Los Osos Valley Road behind the Los Osos Mortuary and Memorial Park. Collection, disposal, and reuse infrastructure is located throughout the community of Los Osos, with the primary effluent disposal leach field located above Highland Drive at the site known as the Broderson site. The project treats wastewater to a tertiary level, and will reuse as much of the treated effluent as possible for urban and agricultural irrigation. Disposal of effluent will be prioritized to reduce seawater intrusion and otherwise improve the health and sustainability of the underlying Los Osos Groundwater Basin.

Besides meeting State water quality standards, the project is intended to provide several benefits, such as reducing seawater intrusion, minimizing septic tank discharge to the Morro Bay Estuary, recharging groundwater to increase the sustainable yield of the groundwater basin, and making recycled water available for irrigation. The wastewater treatment plant is designed to have a capacity to treat an average daily dry weather flow of about 1.2 million gallons per day (mgd), as adjusted to account for a planned water conservation program. This capacity could serve a population of about 18,400 residents within the area to be served by the sewer system. As noted above, the Los Osos planning area has an existing population of 13,906 (San Luis Obispo County Department of Planning and Building, 2015). Therefore, as currently planned, the capacity of the sewer system could accommodate, but not exceed the needs of the projected future population within the sewer service area.

c. Other Public Services. Police protection is provided by the County Sheriff and California Highway Patrol. Education is provided by the San Luis Coastal Unified School District, with K-8 schools within the community. High school students attend Morro Bay High School.

2.5 PROJECT OBJECTIVES

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

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

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

1. Environment

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

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

3. **Air Quality.** *Minimize the amount and length of automobile trips through planning decisions and land use practices.*
4. **Population Growth.** *Establish a maximum rate of growth within the Los Osos Urban Reserve Line, consistent with available resources, services and infrastructure.*
5. **Distribution of Land Uses, Location and Timing of Urban Development.** *Focus on infill and mixed use development consistent with the County's Strategic Growth Policies and Framework for Planning.*
6. **Residential, Commercial and Industrial Land Uses**
 - a. *Maintain a small-town atmosphere.*
 - b. *Provide zoning that enables businesses to expand and remain in the community, and establish incentives to encourage good design of commercial development.*
7. **Visitor-Serving, Recreation and Industrial Land Uses**
 - a. *Encourage improvement of tourist-oriented facilities, with an emphasis on eco-tourism.*
 - b. *Develop additional neighborhood and community parks and recreation facilities for existing and future populations.*
 - c. *Provide maximum public access, and protect existing public access, to the coast, the shoreline, the bay, and public recreation areas, consistent with the need to protect natural and agricultural resources and private property rights.*
8. **Public Services and Facilities**
 - a. *Base all land use policies and plans on sustainable development that meets the needs of current population and visitors without endangering the ability of future population to meet its needs.*
 - b. *Carefully manage water resources to provide a clean, sustainable resource for the community.*
 - c. *Provide needed local services, such as urgent care facilities, senior care facilities, etc.*
9. **Circulation**
 - a. *Establish an efficient circulation system and pattern of land uses that minimize the number of automobile trips.*
 - b. *Encourage alternatives to single-occupant and automobile travel, such as pedestrian and bicycle travel, transit, carpooling, and telecommuting.*
 - c. *Complete and pave the community's grid system where feasible.*
10. **Implementation and Administration.** *Promote a high level of community participation and voice in land use planning decisions.*

2.6 PROJECT CHARACTERISTICS

2.6.1 Land Use and Population

The Los Osos Community Plan Area (also referred to in this document as the “project area”, or “proposed project area”) encompasses roughly 3,469 acres, and includes the anticipated 20-year growth boundary (URL). This area also encompasses the proposed Urban Services Line (USL). **Figures 2-2 and 2-3** show the existing and proposed URL and USL. The Study Area also encompasses some additional surrounding properties in order to provide the context for a comprehensive analysis of potential environmental impacts under the Community Plan.

There are no expansion areas planned outside the URL, although as noted above, there will be minor adjustments to the existing URL, largely for administrative purposes so that certain parcels better coincide with existing property lines and ownership. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas. In general, these areas include the following:

- Central Business District
- Baywood Commercial Area
- West Side of 7th Street, between El Moro and Santa Maria Avenue
- Sweet Springs Area
- Broderon Site
- Midtown Site (Los Osos Valley Road at Palisades Avenue)
- Golf Course north of Howard Avenue
- Santa Ysabel Avenue Coastal Access
- Creekside Area (Rural Residential)
- West of Pecho Road Area
- Northwest corner of Mountain View Drive and Santa Ynez Avenue
- Morro Shores Area
- Bayview Heights
- Cuesta-by-the-Sea; Martin Tract
- Baywood Park Area
- Cabrillo Estates
- Highlands Neighborhood
- Los Osos Creek/Eto Lake Corridor
- Southwestern Hillsides

Within these areas, most existing land use designations will remain the same as they currently are. In some cases, minor land used designation changes are contemplated. In general, however, future growth will be a function of developing on currently vacant parcels.

Parcels within the proposed project area where existing land use categories would change under the LOCP are listed in **Table 2-1**. In all, these parcels encompass 755 acres, or about 21% of the entire planning area. These parcels are shown on **Figure 2-4**, while **Figure 2-5** identifies the various neighborhoods in Los Osos, providing context for many of the references in **Table 2-1**.

Figure 2-6 shows the resulting proposed Land Use Plan once the changes identified in **Table 2-1** and **Figure 2-4** are made.

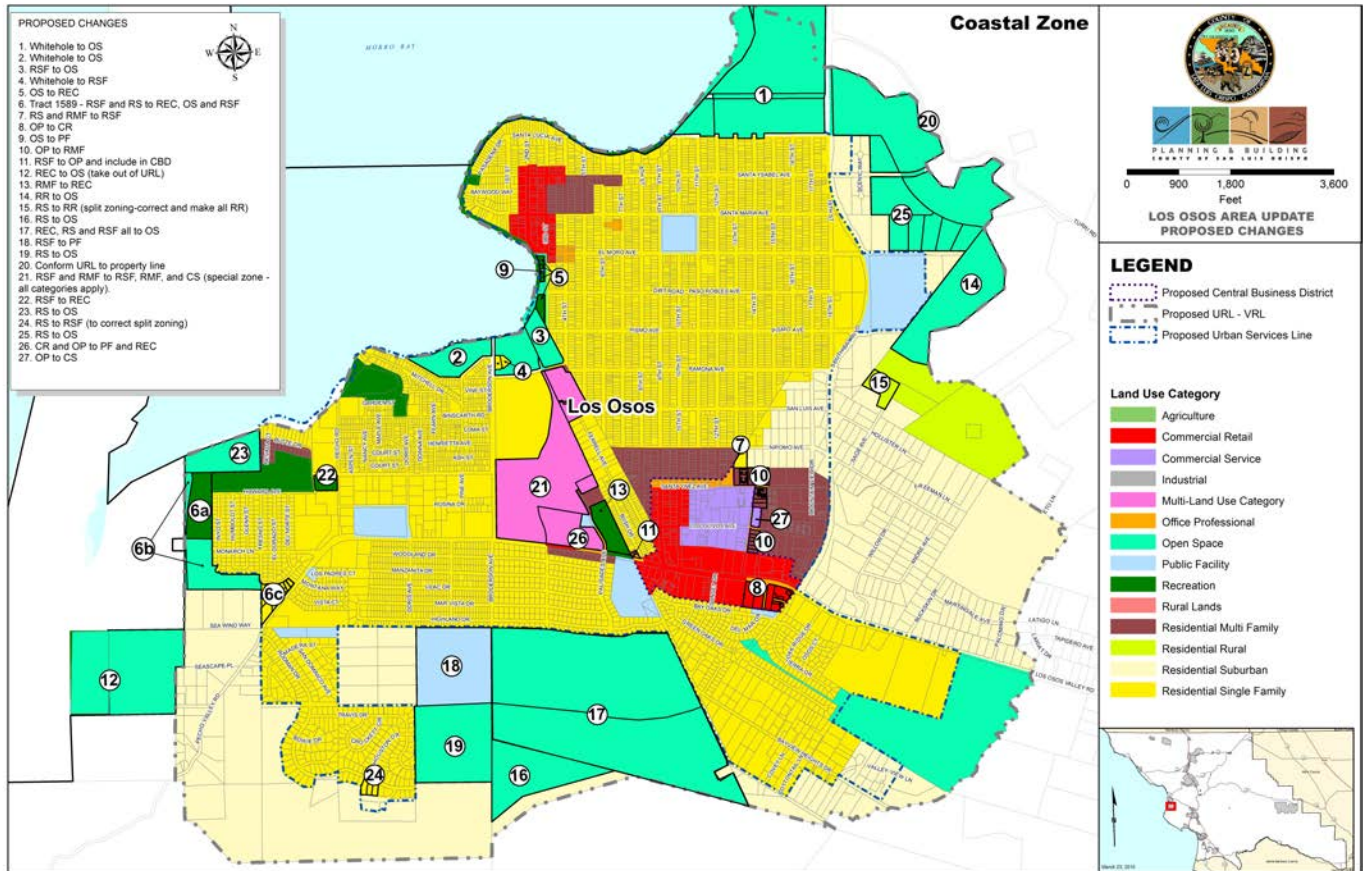


Figure 2-4. Proposed Land Use Changes by Parcel

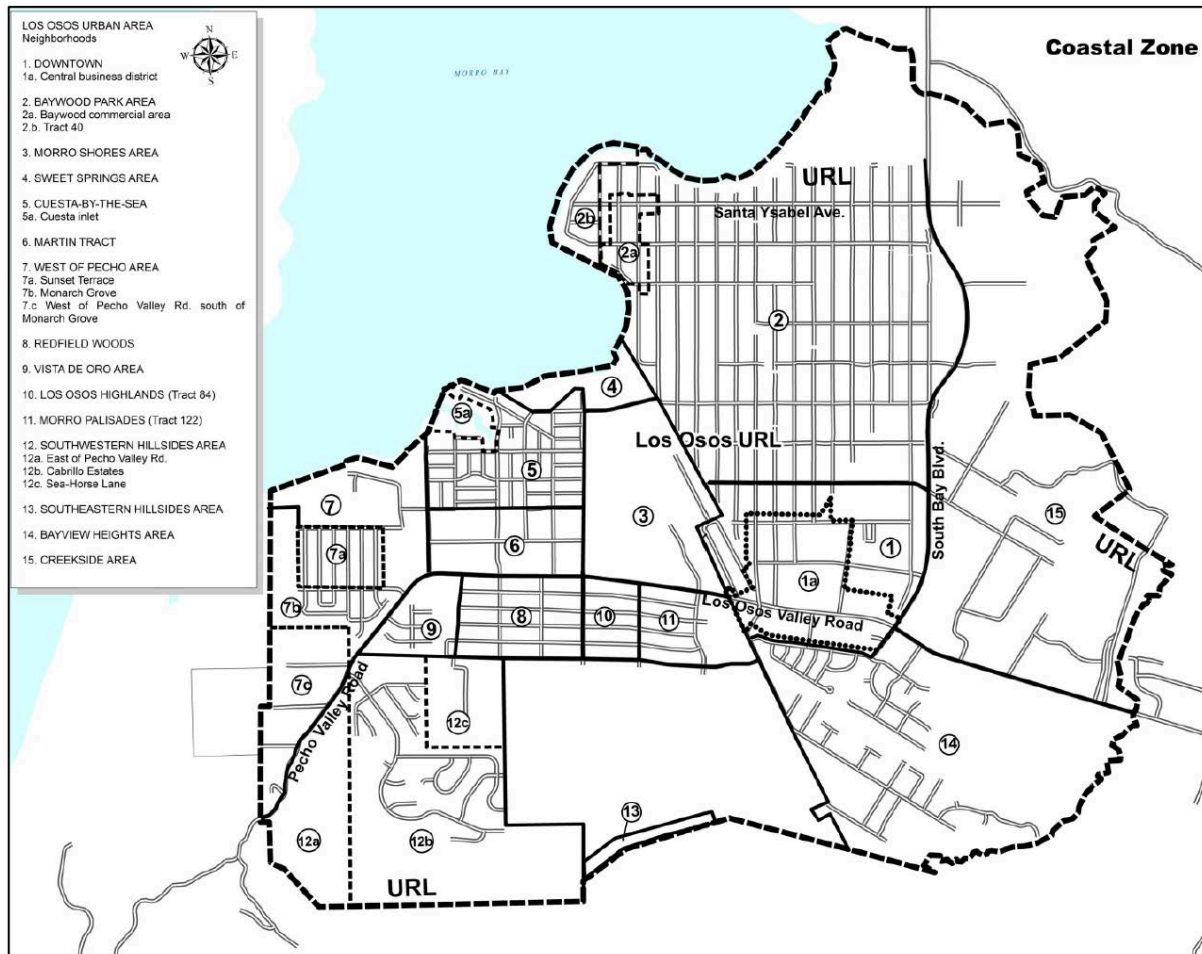


Figure 2-5. Los Osos Neighborhoods

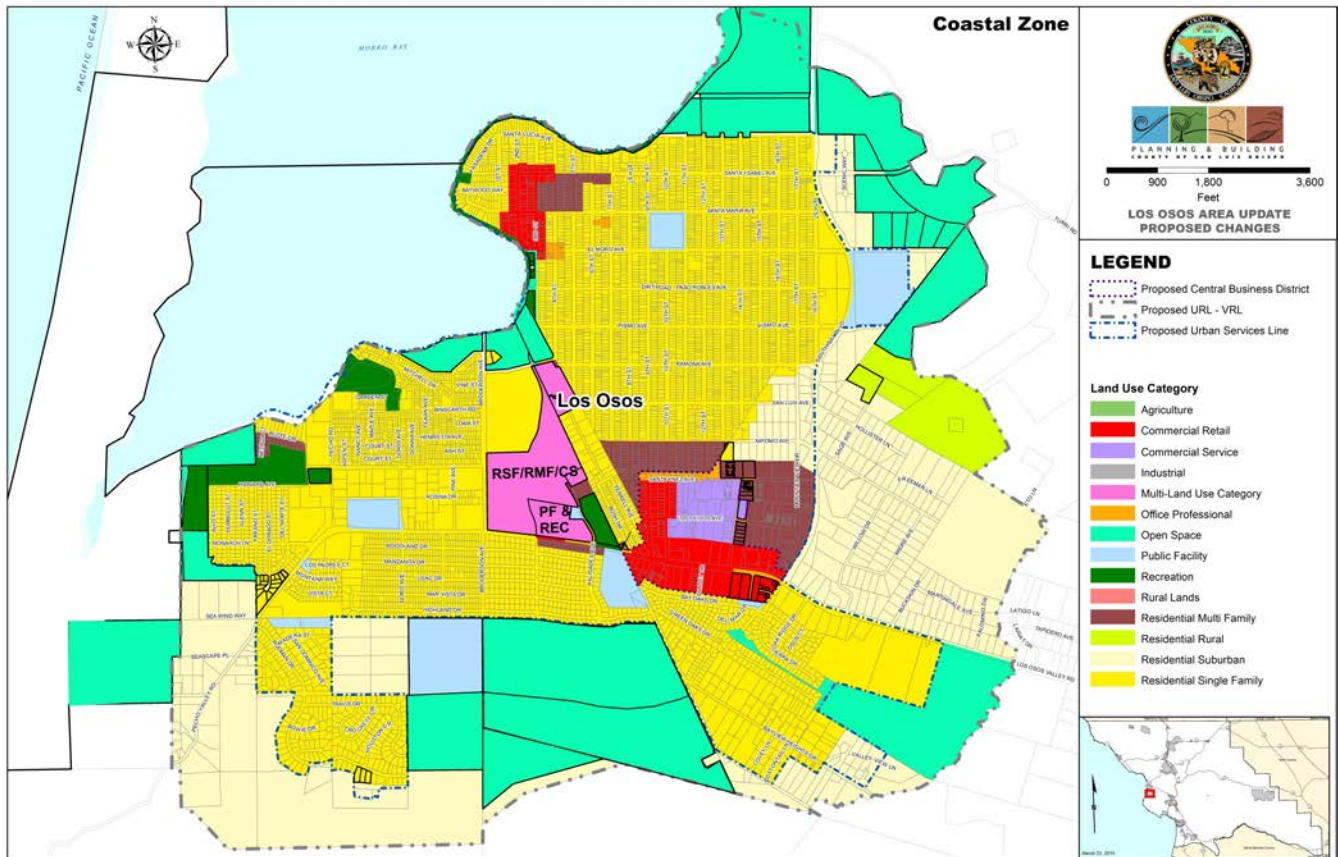


Figure 2-6. Proposed Land Use Plan

Table 2-1. Proposed Land Use Designation Changes

Reference Code Shown in Figure 2-4	Description of Area	APN	Existing Designation	Proposed Designation	Acreage
1	Elfin Forest	038-701-004, 008, 012, and 016	Uncertified ¹	OS	84.0
2	Sweet Springs	074-229-010 074-101-004	Uncertified	OS	24.9
3	Sweet Springs East	074-229-009	RSF	OS	2.5
4	Sweet Springs (Morro Palisades Co.)	074-229-014 074-229-015	Uncertified	REC	1.15
5	West of 3rd between Pismo and El Moro Aves.	038-262-001, 007, and 004; 038-341-001	OS	REC	3.81
6	Tract 1589 (Monarch Grove)	074-026-002; 074-026-003; 074-029-001 thru 015	RS (4.0 ac) RSF (22.65 ac)	OS (16.31 ac) REC (10.34 ac)	26.65
7	Nipomo/13th (Kesner GPA)	074-273-001 and 038-642-001	RS (1.26 ac) RMF (0.06 ac)	RSF	1.32
8	S/side LOVR from w/o Chaparral to near South Bay Blvd.	074-304-004; 005; and 007; 074-314-015 thru 020	OP	CR	9.2
9	LOCSD well site west of 3rd St., s/o El Moro Ave.	038-262-008	OS	PF	0.19
10	East side Fairchild Way; north side Santa Ynez Ave. west of 12th	074-226-030-039; 074-294-014, 020, 021, 011, 013, 012; 074-223-017, 025; 074-227-001 thru 012 and 015	OP	RMF	8.25
11	Northwest corner Los Osos Valley Rd/Bush Dr.	074-243-013 thru 015	RSF	OP	0.5
12	West of Western Fringe of West of Pecho area and Hotel site (State-owned)	074-011-010 and 074-011-012	REC	OS (Rural Estero)	64.7
13	East side Palisades Ave. adjacent to community park (county)	074-229-027	RMF	REC	1.65
14	Powell Property Adjacent to Los Osos Creek (State owned)	067-012-011	RR	OS	40.0
15	Southerly Ptn. Parcel B, COAL 01-0203 (Powell)	067-012-017	RS	RR	0.83
16	Ptn. former Tr. 1976 (Southeastern Hillside)	067-131-006	RS	OS	30.0
17	Eastern Hillside, Morro Palisades	073-023-004, and 005	REC (32.0 ac) RS (79.0 ac) RSF (109.5 ac)	OS	220.5
18	Upper Broderson	074-022-074	RS	PF	40.0
19	Lower Broderson	074-022-073	RSF	OS	41.5
20	URL to conform to property boundary	038-711-011	OS (Rural Estero)	OS	17.0
21	Morro Shores Mixed Use Area	074-229-024, 026	RSF (23.3 ac) RMF (38.0 ac)	Morro Shores Mixed Use	62.65

Table 2-1. Proposed Land Use Designation Changes					
Reference Code Shown in Figure 2-4	Description of Area	APN	Existing Designation	Proposed Designation	Acreage
22	Ptn. Tract 1646 west of Pecho Road, s/o Skyline	074-026-010	RSF	REC	2.4
23	Terminus Butte Dr.	074-011-014	RS	OS	15.2
24	Cabrillo RS to RSF correct split zoning	074-457-030, 031, and 032	RS	RSF	1.0
25	Northeast properties RS to OS (State owned)	038-711-004, 041, 015, 016, 035, 036, 037, 038	RS	OS	40.0
26	TRI-W / Midtown	074-229-017	CR/OP	PF/REC	13.7
27	Los Olivos and Fairchild	074-293-015	OP	CS	1.5
TOTAL ACREAGE SUBJECT TO LAND USE REDESIGNATION					755.1
1. "Uncertified" refers to areas where the Coastal Commission currently has retained jurisdiction, because the County and the Coastal Commission could not agree on land use designations and standards. These areas would be redesignated as shown in the table.					

Based on the proposed changes shown above, **Table 2-2** summarizes the existing and proposed land use distribution and development potential within each land use category under the proposed Los Osos Community Plan.

Table 2-2. Los Osos Community Plan Land Use and Buildout Potential								
Existing (2015)			Proposed (2035 Plan Horizon) ⁷					
Land Use Category	Acreage (Gross)	Acreage (Net) ⁴		Acreage (Gross)	Land Use Distribution (%)	Dwellings at Buildout	Population at Buildout ¹	Maximum Non-Residential Square Feet at Buildout ²
Residential Rural	107	107		68	2.2	10	22	-
Residential Suburban	1,000	927		789	22.7	279	614	-
Residential Single-Family	1,640	1,640		1,440	41.5	5,806	12,773	-
Residential Multi-Family	135	110		104	3.0	1,430	2,605	-
Commercial Retail	92	77		92	2.6	200	440	668,100
Commercial Service	27	23		29	0.8	23	51	186,600

Table 2-2. Los Osos Community Plan Land Use and Buildout Potential

Existing (2015)				Proposed (2035 Plan Horizon) ⁷				
Land Use Category	Acreage (Gross)	Acreage (Net) ⁴		Acreage (Gross)	Land Use Distribution (%)	Dwellings at Buildout	Population at Buildout ¹	Maximum Non-Residential Square Feet at Buildout ²
Office and Professional ³	44	35		9	0.3	10	22	61,600
Open Space	168	168		696	20.1	0	0	-
Recreation	129	129		52	1.5	10	22	10,000
Public Facilities	75	66		115	3.3	0	0	-
Public Facilities and Recreation	0	0		14	0.4	0	0	10,000
Morro Shores Mixed Use (RMF, RSF, CS) ³	0	0		63	2.1	414	803	98,000
Uncertified ⁵ (Sweet Springs and Elfin Forest)	110	110		0	0	-	-	-
TOTAL:	3,515	3,392		3,469	100%	8,182	18,000	1,034,300

Notes:

- (1) Population estimates are based on 2.2 persons per occupied dwelling unit and 0% vacancy.
- (2) The maximum non-residential floor area is based on floor area averages for each land use category; does not include potential lodging units.
- (3) Morro Shores Mixed Use categories: RMF, RSF, CS: 63 acres
- (4) Existing net acreage excludes road rights-of-way; net acreage unknown for future development, so gross acreage is used.
- (5) Uncertified refers to areas where the Coastal Commission currently has retained jurisdiction, because the County and the Coastal Commission could not agree on land use designations and standards. This would be resolved under the LOCP.

Development under the LOCP 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 Study Area within the 20-year plan horizon (by 2035).

In general, the LOCP envisions substantial decreases in land designated for residential and non-residential development, and corresponding increases in land designated for Open Space. Overall, the LOCP accommodates the potential for notable residential and non-residential growth, as detailed below. Key findings from the table include the following:

- **Substantial Decrease in Overall Residential Area.** There would be a net decrease in residential land use categories of nearly 419 acres, or about 15% less land area than is currently devoted to these categories. This even accounts for the addition of the 65-acre Morro Shores Mixed Use category. This would result a commensurate decrease in residential development potential compared to the existing land use designations, a concept that is explored in greater detail in the Alternatives section of this EIR. **Figure 2-7** shows proposed residentially-designated areas in Los Osos.
- **Decrease in Overall Non-Residential Area.** There would be a 21-acre (or 14%) net decrease in non-residential (commercial and office) land use categories, although the proposed Morro Shore Mixed Use would provide some non-residential development potential to offset some of this decrease. Overall, this would result a commensurate decrease in non-residential development potential compared to the existing land use designations, a concept that is explored in greater detail in the Alternatives section of this EIR. **Figure 2-8** shows proposed commercially-designated areas in Los Osos.
- **Substantial Increase in Open Space.** The proposed LOCP would include a 418-acre increase in Open Space within the plan area, which is over twice the amount currently designated for that purpose. Most of this change comes from decrease in both residential and non-residential area, and is shown on parcels throughout the community.
- **MSMU Category Provides Mixed Use Potential.** The Morro Shores Mixed Use category converts previously-designed RMF and RSF land into a 63-acre site that can take advantage of potential designs that incorporate a range of residential development, while also allowing a commercial service component. The intent is to allow flexibility in design to achieve a mixed-use community that addresses a variety of regional and County land use, air quality, and transportation goals. **Figure 2-9** shores the Morro Shore Mixed Use area in more detail, while **Figure 2-10** shows all potential mixed use areas in the community.

Table 2-2 also reflects a proposed land use distribution based on the concept that the LOCP would modify the existing Los Osos Urban Reserve Line (URL) in two places to provide more logical boundaries, resulting in a net decrease of 46 acres within the URL. This includes removing a portion of the URL along the western side of the community abutting Montana de Oro State Park, which is now State-owned and part of the State Park. The other modification would be to add a small area to the URL in the northeastern part of the community (which is also State-owned) in order to have the URL follow an existing property boundary.

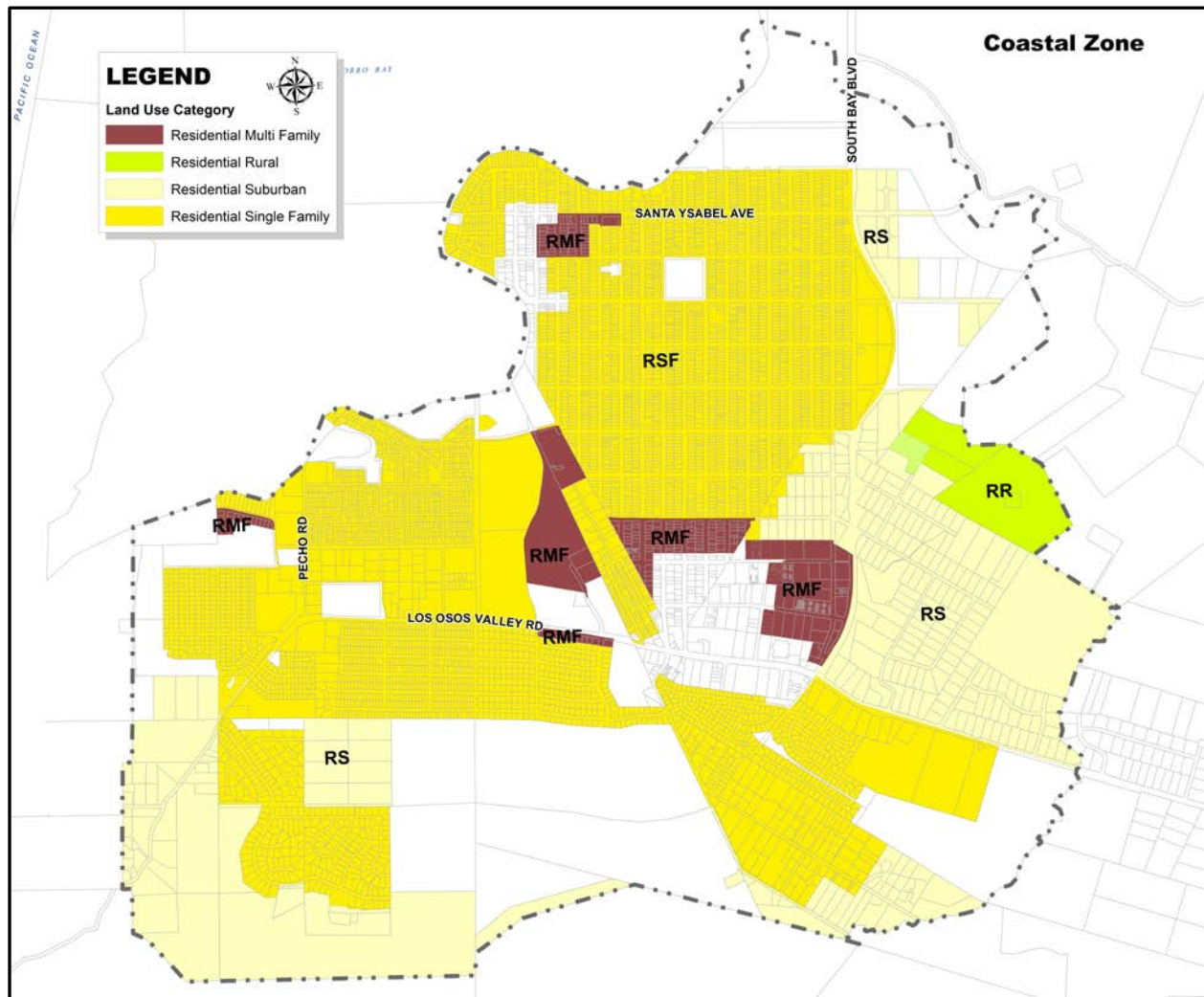


Figure 2-7. Proposed Residentially-Designated Areas

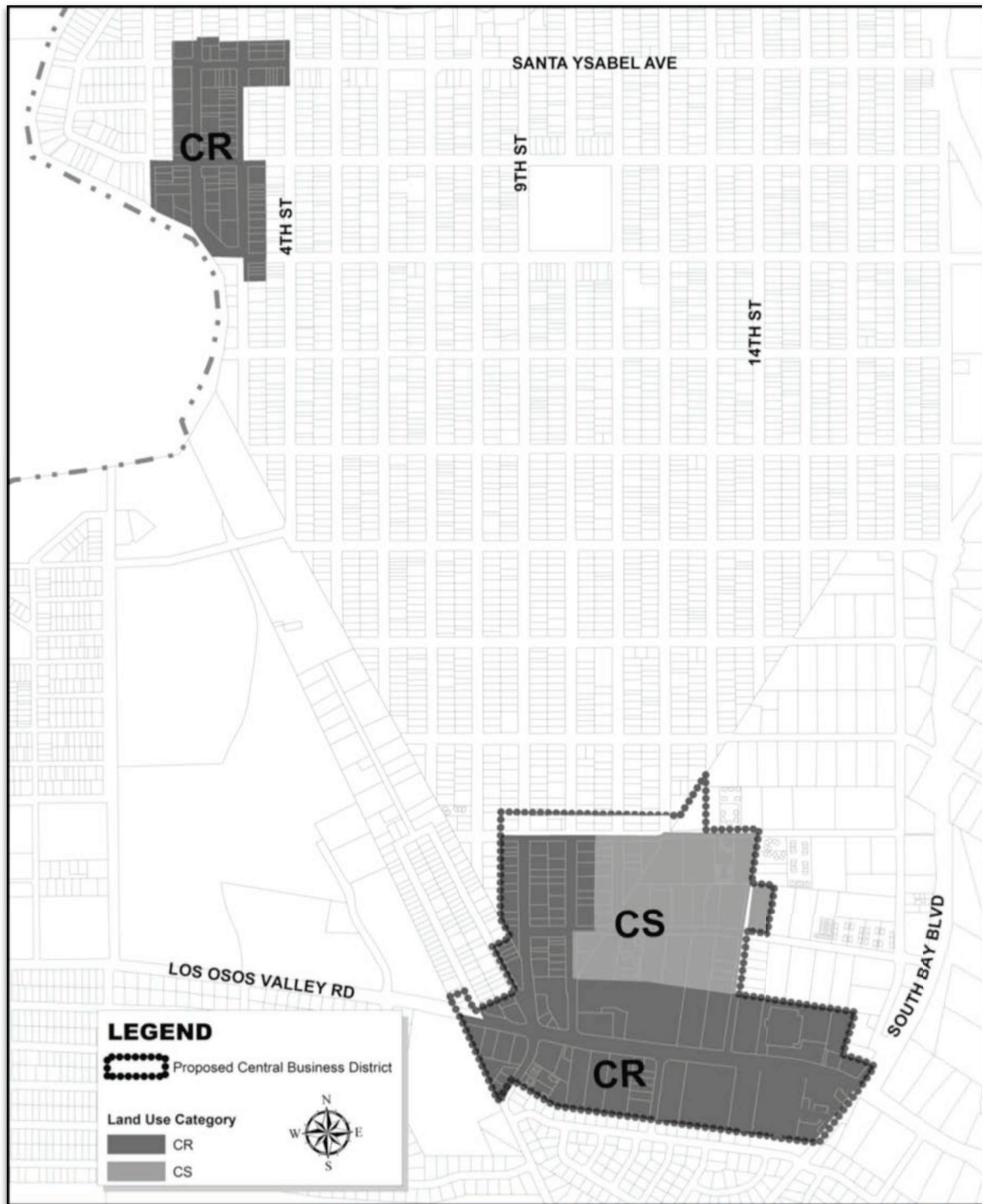


Figure 2-8. Proposed Commercially-Designated Areas



Figure 2-9. Proposed Morro Shores Mixed Use



Figure 2-10. Proposed Mixed Use Areas in Los Osos

a. Summary of Residential Development Potential. Table 2-3 shows existing and potential residential development and population within the planning area based on the proposed land use designations under the Los Osos Community Plan.

Table 2-3. Residential and Population Buildout Summary			
	Existing¹	Buildout Capacity³	Potential Increase
Dwelling Units²			
<i>Single-Family</i>	5,426	6,487	1,061
<i>Multi-Family</i>	895	1,695	800
Total Dwelling Units	6,321	8,182	1,861
Population⁴	13,906	18,000	4,094
¹ County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP ² All dwellings in all land use categories ³ Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes. ⁴ Based on 2.2 persons per household, consistent with the 2010 U.S. Census			

Buildout within the community would result in a potential population of 18,000, which is based on a potential capacity of 8,182 dwelling units. This is a 30% increase over the existing population and number of households currently in the planning area. New residential development under the LOCP would be more heavily multi-family oriented than the current mix of development, which is now about 85% single-family residential. New development potential would be about 75% single-family, resulting in an overall mix of 79% single-family communitywide at buildout.

Differences in development potential and resulting impacts between the proposed LOCP and existing land use categories are explored in detail in the Alternatives section of this EIR.

b. Summary of Non-Residential Development Potential. Table 2-4 shows existing and potential non-residential development within the planning area based on the proposed land use designations under the Los Osos Community Plan.

Table 2-4. Non-Residential Buildout Summary (in square feet)			
Land Use Category	Existing¹	Buildout Capacity²	Potential Increase
Commercial Retail	439,200	668,100	228,900
Commercial Service	221,100	284,600 ³	63,600
Office and Professional	10,100	61,600	51,500
Recreation	0	10,000	10,000
Public Facility/ Recreation	0	10,000	10,000
Total	670,300	1,034,300	364,000
¹ County of San Luis Obispo Department of Planning and Building estimates ² County of San Luis Obispo Department of Planning and Building projections ³ Assumes 186,600 SF in CS category; 98,000 SF in Morro Shores Mixed Use			

The overall development potential of 364,000 square feet in all categories represents a 54% increase over existing non-residential development in the community. About 63% of non-residential development potential would be in the Commercial Retail category, which is similar to the existing mix of non-residential development within the community.

Differences in development potential and resulting impacts between the proposed LOCP and existing land use categories are explored in detail in the Alternatives section of this EIR.

2.6.2 Transportation and Circulation

a. Roadways. Chapter 5 of the draft LOCP includes the Circulation Plan for the community. It describes existing deficiencies, future needs and proposed roadway improvements that would be included in the LOCP. The existing deficiencies and future needs were identified by both County staff and the community in general through a series of workshops that led to the creation of the draft Plan. Please refer to Chapter 5 of the draft LOCP for a full discussion of these issues. **Table 2-5** shows the circulation improvements proposed under the Plan that resulted from this needs assessment.

Table 2-5. Proposed Circulation Improvements	
Arterial Roads	
Los Osos Valley Road	
- Corridorwide	<ul style="list-style-type: none"> Center medians in the downtown corridor Traffic calming measures
- Doris Avenue to Palisades Avenue	<ul style="list-style-type: none"> Widen and provide a continuous center left turn lane Multi-use trail (north side)
- Bush Drive to Sunset Drive	<ul style="list-style-type: none"> Raised median Right turn deceleration lane at Bush Drive Traffic median to restrict left turn lanes at Bush Drive Synchronize traffic signals

Table 2-5. Proposed Circulation Improvements	
	<ul style="list-style-type: none"> • Pedestrian striping/pavers at Bayview Heights Drive and 10th St.
- <i>Sunset Drive to South Bay Boulevard</i>	<ul style="list-style-type: none"> • Traffic signal and intersection improvements at Fairchild Way • Synchronize traffic signals • Pedestrian striping/pavers at South Bay Boulevard • “Gateway feature” at South Bay Boulevard
- <i>South Bay Boulevard to Los Osos Creek</i>	<ul style="list-style-type: none"> • Pedestrian trail
- <i>Within the CBD</i>	<ul style="list-style-type: none"> • Streetscape improvements
South Bay Boulevard	<ul style="list-style-type: none"> • Intersection improvements at Los Osos Valley Road • Future intersection with Ramona Avenue extension • Multi-use trail (east side)
Collector Roads	
Ramona Avenue	<ul style="list-style-type: none"> • Realign intersection at 4th Street • Complete roadway from 10th Street to South Bay Boulevard
Ravenna Avenue	<ul style="list-style-type: none"> • Extend between Los Osos Valley Road and Ramona as development occurs
Skyline Drive	<ul style="list-style-type: none"> • Complete roadway between Doris and Pine Avenues • Extend the street eastward to Palisades Avenue • Acquire ROW and extend eastward from Palisades Avenue to Nipomo Avenue (at 7th Street) as development occurs
Doris Avenue	<ul style="list-style-type: none"> • Complete roadway from Rosina Avenue to South Court
Fairchild Way	<ul style="list-style-type: none"> • Signalize intersection with Los Osos Valley Road • Extend the street northward to Nipomo Avenue
Local Roads	
Van Beurden Drive	<ul style="list-style-type: none"> • Extend the street westerly to provide access for nearby parcels
Baywood Park grid	<ul style="list-style-type: none"> • Improve local roads to complete the established grid system

Figure 2-11 shows the overall Circulation Plan included in the draft LOCP, which conceptually shows many of the improvements described in **Table 2-5**. **Figure 2-12** shows the conceptual improvements to the Los Osos Valley Road corridor as illustrated in the draft LOCP.



Figure 2-11. Proposed Circulation Plan

Western Segment – Bush Drive to Sunset Drive



Eastern Segment – Sunset Drive to South Bay Boulevard



Figure 2-12. Conceptual Improvements to Los Osos Valley Road

b. Bicycles, Pedestrians, and Equestrians. The draft LOCP identifies the importance of developing alternatives means of travel as a way of providing “complete streets” for all users of public roadways. To that end, it conceptually discusses potential bikeways, pedestrian facilities, and multi-use trails that could be developed under the Plan. **Figure 2-13** shows the proposed Bikeway Plan under the LOCP, while **Figure 2-14** existing and proposed trails.

c. Transit. The draft LOCP identifies that public transit is an essential part of the transportation system, and includes the following recommended improvements to the transit system:

- Increase the frequency and hours of service, areas served and destinations served;
- Provide a more appropriately-located, well-designed and easily accessible park-and-ride lot;
- Improve the performance of transit service, examples of which might include:
 - *Identify key focus points for regional transit access for large buses;*
 - *Provide a permanent park-and-ride lot, mostly for ridesharing;*
 - *Provide a future transfer node between South Bay and Morro Bay Dial-A-Ride vans;*
 - *Integrate local transit with school buses*
- Assure safe and convenient access to ADA-compliant bus stops
- Improve public awareness and education
- Improve passenger comfort and convenience
- Improve reliability

d. Transportation Demand Management (TDM). The LOCP identifies several TDM strategies intended to reduce dependency on the automobile. These are summarized below:

- Marketing and consumer information programs
- Transit and ridesharing incentives
- Transit service improvements
- Parking management programs
- Alternative work schedules
- Land use and circulation policies in the LOCP intended to help reduce auto dependency and offer more transportation choices. The LOCP specially identifies the following approaches as worthy of consideration:
 - *Reducing parking requirements and establishing a maximum amount of parking in new developments;*
 - *Increasing opportunities for neighborhood shopping by creating neighborhood-serving retail commercial in convenient locations*

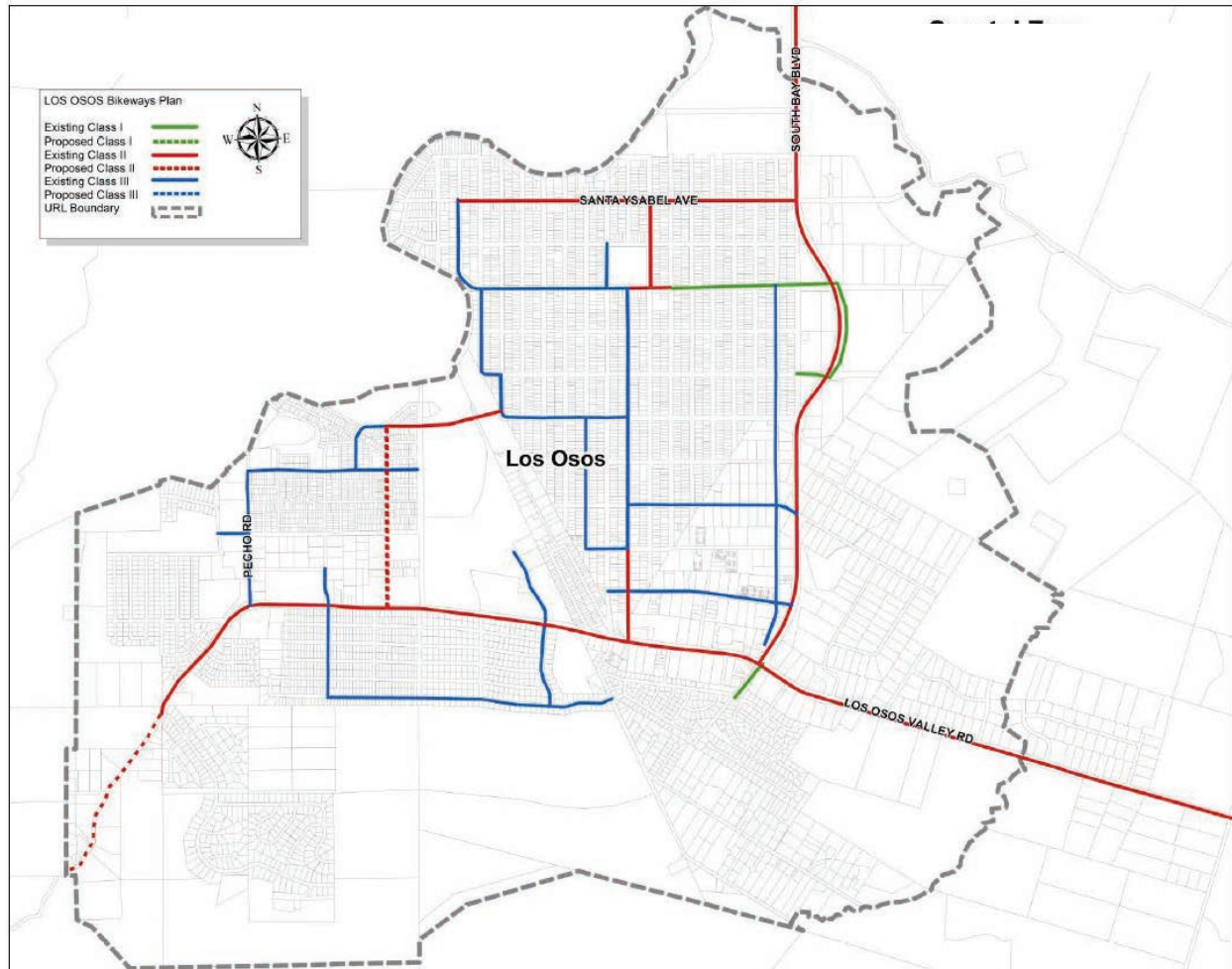


Figure 2-13. Proposed Bikeways Plan

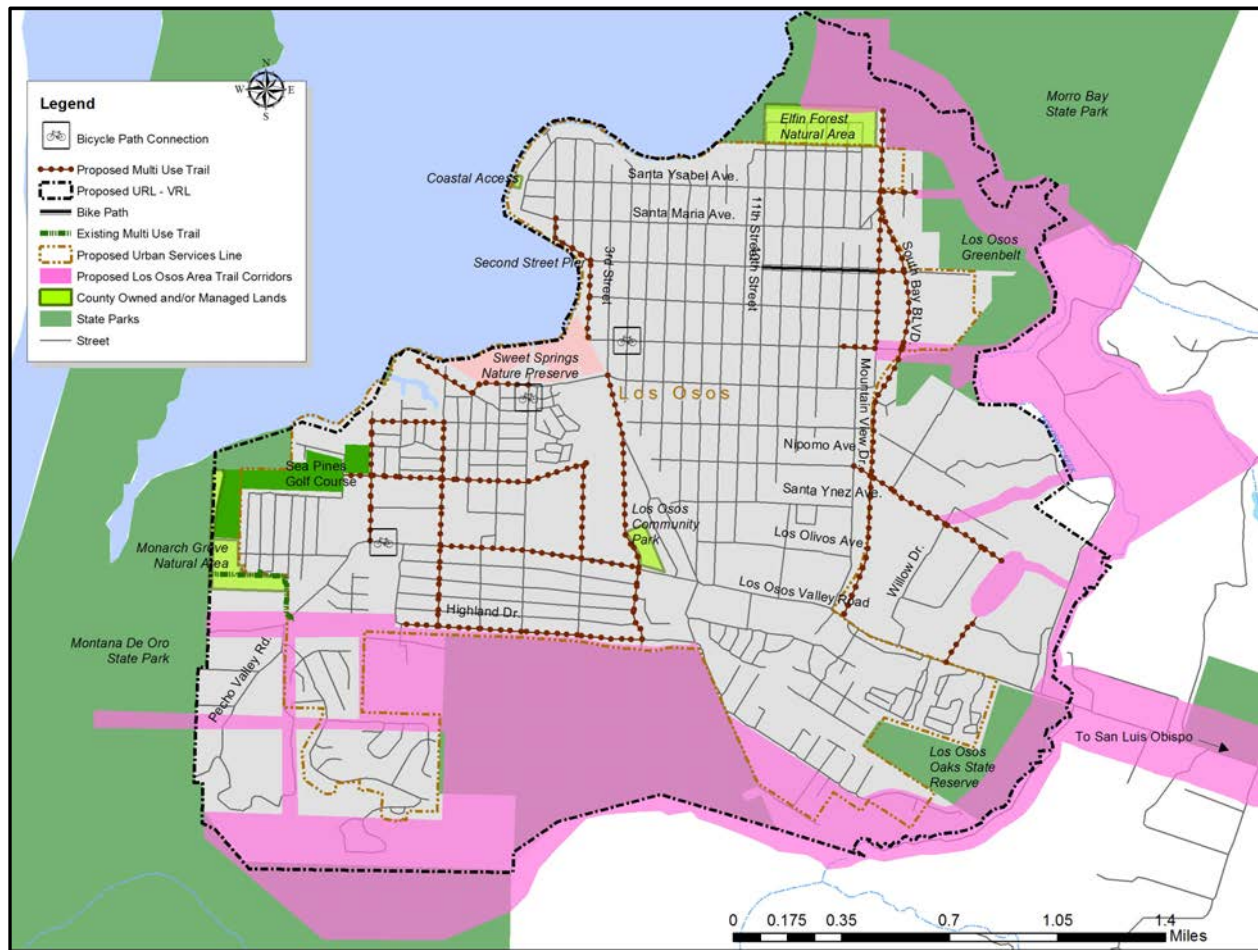
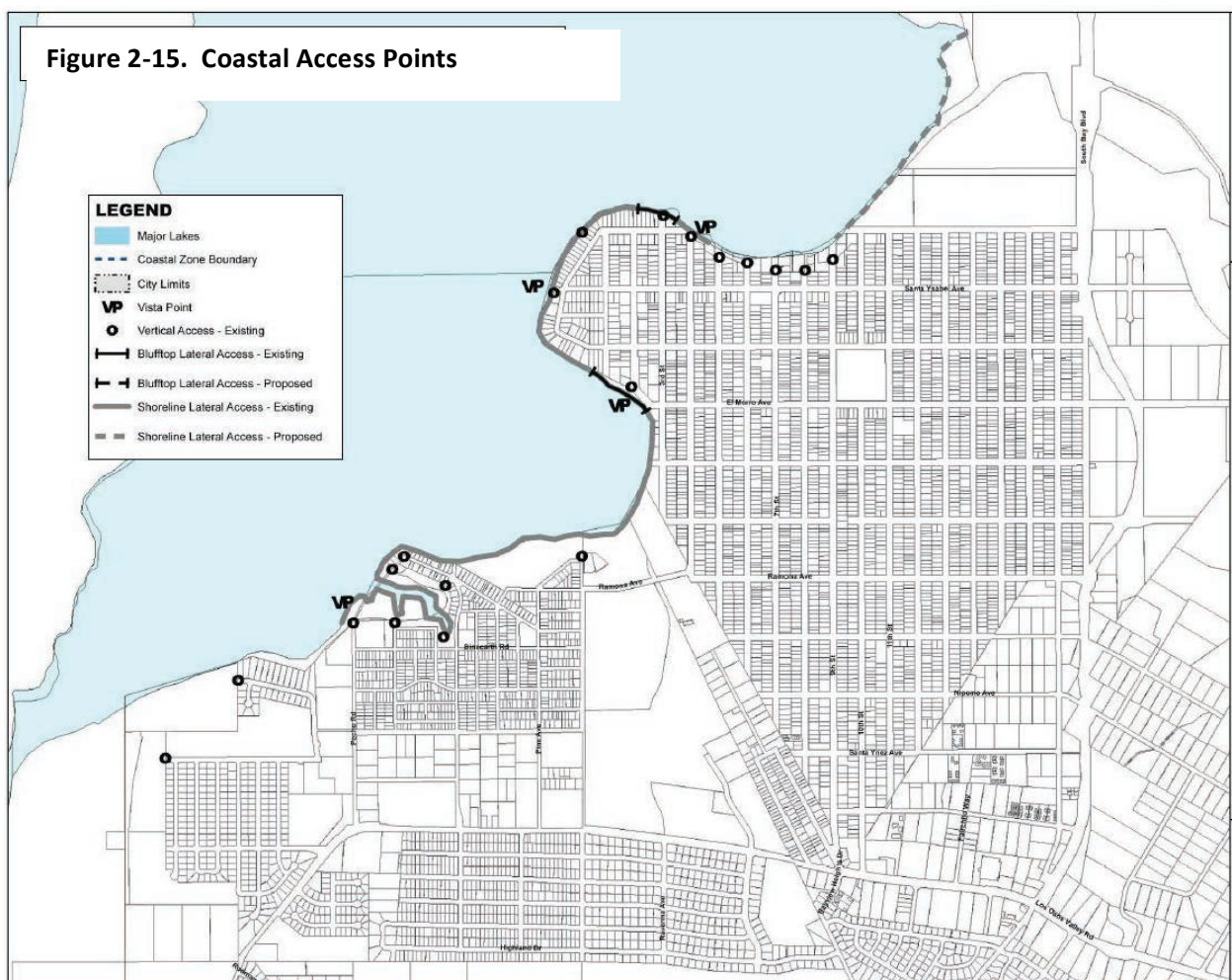


Figure 2-14. Proposed Trails and Trail Corridors

2.6.3 Coastal Access

Coastal access is recognized as an important consideration under the LOCP. Chapter 6 of the draft Plan describes policies and strategies intended to support this concept, which is consistent with and required by the California Coastal Commission as part of approving a Local Coastal Plan and development within the Coastal Zone.

The LOCP identifies all parcels with the area that have lateral and vertical access to coastal amenities, including the estuary and bay, as well as trails that would facilitate that access. **Figure 2-15** shows proposed coastal access opportunities within the LOCP.



2.6.4 Parks, Recreation and Open Space

Los Osos includes a variety of recreational opportunities, which are generally located within areas designated as Recreation or Open Space. In all, there are currently 129 acres within the community designated as Recreation, which includes areas for parks, special recreation activities and lodging facilities. There are an additional 168 acres designated as Open Space. Both designations include environmentally sensitive areas, which in some cases are used for passive recreation. One intent of the LOCP is to protect more environmentally sensitive areas by redesignating such areas to Open Space wherever appropriate. In all, the proposed LOCP would include 695 acres of Open Space, or 427 more than under the current plan.

Los Osos has one community park, the 6.2-acre Los Osos Community Park. In addition, Los Osos residents have convenient access to Montana de Oro State Park, and other "special" recreation facilities, including Sweet Springs Nature Preserve, Elfin Forest Natural Area, Morro Bay State Park and Golf Course, and Los Osos Oaks State Reserve. Public schools augment the community's recreational facilities. The California Education Code allows community use of public school facilities and grounds, including supervised recreation activities. Although the County has no joint-use agreements with the school district, school sites are extensively used by local neighborhoods for recreational purposes.

The County's Parks and Recreation Element states that a reasonable goal for the amount of parkland needed is a minimum of three acres of parkland per 1,000 people. Based on this measure, new parkland is needed for the current population of Los Osos. To address this, the LOCP proposes to redesignate a 13.7-acre site in Midtown from Office Professional and Commercial Retail to Public Facilities/Recreation, for the purpose of providing additional parkland (see Item 26 in **Table 2-1**).

2.7 REQUIRED APPROVALS

In order for this plan to become effective, the County will need to take the following actions:

- **Certify an Environmental Impact Report.** As lead agency, the County will certify an Environmental Impact Report (EIR) and adopt a mitigation monitoring and reporting program.
- **Adopt the Community Plan.** The County will adopt the Los Osos Community Plan as a component of the Land Use and Circulation Element of the County General Plan.
- **Amend the Estero Area Plan.** Adopting the Los Osos Community Plan as a separate document will necessitate making revisions to the Estero Area Plan, a component of the Land Use and Circulation Element of the County's General Plan.

- **Amend Official Maps of the Land Use Element.** Land use category maps (i.e. zoning maps) will be amended to reflect changes in land use categories proposed under the Los Osos Community Plan.
- **Coastal Commission Certification.** The California Coastal Commission will certify the Los Osos Community Plan and the amendments to the Estero Area Plan.

The above actions will be taken by the County Board of Supervisors and the California Coastal Commission, based upon a recommendation provided by the County Planning Commission.

In addition to the County actions reference above, a number of other County Departments, and local, state, and federal agencies may have permitting authority over individual development proposals, implementation actions, or mitigation measures prescribed by the Community Plan. These agencies include, but are not limited to, the following:

- **County Public Works Department** – Stormwater drainage, public roads, flood control, assessment districts
- **County Parks** – Parks and trails
- **County Central Services** – acquisition of land
- **County Environmental Health Department** – Public health, water systems, wastewater treatment
- **California Department of Fish and Wildlife** – Streambed alteration, special-status species
- **Central Coast Regional Water Quality Control Board (RWQCB)** – Stormwater management, wastewater discharges, site disturbance activities
- **Local Agency Formation Commission (LAFCo)** – Changes to the URL/USL
- **Los Osos Community Services District** – Fire safety, water and sewer service
- **US Army Corps of Engineers** – Wetlands and waterways
- **US Fish and Wildlife Service** – Special-status species

2.8 ALTERNATIVES

As required by Section 15126(d) of the State CEQA Guidelines, this EIR examines several alternatives to the proposed Los Osos Community Plan. These alternatives examine a range of buildout scenarios for the community, and are described in **Chapter 6.0 Alternatives**.

3.0 ENVIRONMENTAL SETTING

This section provides a brief description of the current environmental conditions in the Los Osos Community Plan area.

3.1 REGIONAL AND LOCAL SETTING

The community of Los Osos is located in west-central San Luis Obispo County about midway between the San Francisco and Los Angeles metropolitan areas. The County includes a diversity of landscapes, from fertile coastal plains and valleys, to rolling hills and mountain ranges rising to over 4,000 feet. The mediterranean climate of the region produces moderate temperatures year round, with rainfall concentrated in the winter months. The region is subject to various natural hazards, including earthquakes, landslides, and wildfires.

Los Osos is approximately 4 miles south of the City of Morro Bay, across the bay/estuary, and approximately 10 miles west of the City of San Luis Obispo, at the western end of Los Osos Valley, a broad, relatively flat agricultural area formed by Los Osos Creek. The Los Osos urban area lies at the westerly end of the agriculturally productive Los Osos Valley. Los Osos is located at the south end of the Morro Bay estuary, recognized as one of the most important biological resources on the entire west coast of the United States. In addition to providing a resting place for dozens of species of migratory waterfowl, the Bay is a nursery to both marine and anadromous fish, and provides a forage and resting area for marine mammals. The coastal dunes that surround the community to the west (and upon which the community has developed) are one of the most sensitive—and threatened—environments in California. Species of plants that have adapted to the harsh coastal dune environment are among the most rare, with many occurring nowhere else on earth. The biological richness and sensitivity of the Morro Bay estuary have given rise to a number of conservation efforts. The Bay achieved Natural Estuary status, which affords a higher level of protection at the Federal, State and local levels.

The Morro Bay watershed stretches inland to the foothills of the Santa Lucia Range. Coastal creeks and their tributaries, including Los Osos, Warden, Chorro and Morro Creeks, support rich riparian plant and animal communities.

Los Osos is located on a series of ancient sand dunes in close proximity to the ocean. Development in Los Osos began in the late 19th century with the division of land into small residential lots intended for summer homes and retreats. The physical development pattern in much of Los Osos consists of long, narrow (25 to 50 feet by 125 feet) residential lots located on wide (40 to 80 feet) streets arranged generally in a grid.

3.1.1 Topographic Setting

Los Osos sits on a series of ancient dunes formed by centuries of wind-driven sand that accumulated at the south end of Morro Bay. The resulting topography is a series of gently-rolling hills stretching eastward from the Bay to the foothills of the Irish Hills. Although present day urban development masks the dynamic processes associated with dune formation; today the process continues, albeit at a much more arrested rate.

Stretching to the east from Morro Bay is a series of small peaks of volcanic origin, called Morros, which provide a unique scenic backdrop of regional significance. The westernmost morro, Morro Rock, guards the entrance to Morro Bay. The fertile soils of the Los Osos Valley, formed by the Morros to the north and the Irish Hills to the south, supports productive agricultural operations.

3.1.2 Hydrology, Water Quality and Water Resources

The community contains a variety of natural resources and environmental assets that define its character and contribute to its high quality of life. The eastern fringe of Los Osos near Los Osos Creek is an environmentally sensitive area. The creek and its riparian corridor are habitat to rare and endangered species, and land uses next to the creek affect the Morro Bay Estuary. Local features include the marshes and mud flats of the Morro Bay estuary and freshwater springs and creeks such as Los Osos Creek. Varied topography includes the massive volcanic rock formations of the Morros, the rolling to rugged terrain of the Irish Hills and San Luis Range and the relatively flat terrain of the narrow east-west-trending Los Osos Valley. Los Osos Creek runs south to north across the eastern portion of the community; it enters Morro Bay via the Morro Bay Salt Marsh.

Surface water features in the area include the Pacific Ocean, Morro Bay Estuary and Sweet Springs Marsh. Other surface water systems drain the hillsides and the surrounding farmland, namely Los Osos Creek, Warden Creek, Eto Creek, and several other unnamed, smaller tributaries. Warden Creek drains Los Osos Valley through Warden Lake, a marshy depression to the east of the community. Eto Creek is a well-defined waterway within the dune sands that drains to Eto Lake before reaching the ocean. Los Osos derives all of its drinking water from groundwater supplies. The nature of the groundwater system in the Los Osos area has been studied extensively since the Regional Board acted in 1988 to prohibit new septic systems. Generally, there are two distinct aquifers underlying the area, a more shallow aquifer that ranges in depth from 30 to 200 feet, and a deep aquifer, some 500 feet below the surface. The exact depth and shape of each aquifer is still under investigation.

Drainage which does not flow into Morro Bay and which does not evaporate is left to infiltrate into underlying aquifers. Near Morro Bay, these include a shallower aquifer located from approximately 30 feet to 200 feet below ground level, and a deeper aquifer located approximately 500 feet below the earth's surface.

The water quality of the shallow aquifer has been compromised by the historical presence of septic tank systems and other sources of nitrogen. The community has recently implemented a new communitywide wastewater treatment facility and collection system to address these issues.

3.1.3 Cultural Resources

The combination of mild coastal climate and abundant food and water resources made the Los Osos area an attractive location for native peoples. As a result, the entire Los Osos area is rich in artifacts of archaeological importance.

The Native American groups inhabiting the Morro Bay region during the ethnographic, or contact, period were speakers of the Obispeño language of the Chumash language family. These people apparently shared a greater number of cultural traits with their Salinan neighbors to the north than with their Chumash language-group relatives of the Santa Barbara Channel region to the south. Obispeño Chumash hunter-gatherers made a variety of stone, bone, and shell tools and used vegetal materials such as tule balsa for canoes, and various grasses and thatch for construction of houses and sweat-lodges. Population densities for the Morro Bay area were apparently relatively low, with native settlements consisting of seasonal settlement shifts from temporary camps to more centralized hamlets or villages. During the Mission Period, Native Americans from 19 coastal villages within a 20-mile radius of Morro Bay were relocated to the more interior Mission San Luis Obispo established in 1772.

3.1.4 Agricultural Resources

Although the Los Osos Community Plan Area does not include any lands designated for agricultural use, it is located within a productive agricultural region. Approximately 77 percent of the Estero Planning Area is designated for Agriculture and of that, an estimated 65 percent are in agricultural preserves and subject to land conservation contracts. Mixed irrigated and dry farm croplands occupy most of the valley lowlands, while grazing use predominates in the extensive hilly and mountainous areas. These uses are largely interrelated because much of the farmland produces irrigated and dry farm grain and hay for supplemental livestock feed. Substantial acreage of row crops, orchards, and garbanzo beans also occur in the area.

Agriculture in the San Luis Obispo area including Los Osos has been extensive since the introduction of livestock in the 1860s. Raising livestock on large land grants and some production of grain under dry-farming methods were the chief agricultural pursuits until about 1880. Rapid agricultural development occurred after 1880 due to the development of irrigation, affordable land, favorable crop yields, the advent of two railroads, and access to markets.

The broad, flat valley known as the Los Osos Valley is mostly devoted to dry farm barley and garbanzo bean production and includes the Coastal Zone for the western half of the valley. Flatlands subject to

poor drainage are commonly used as dry pasture. Row crops are grown in the Los Osos Valley bottomlands just east of the community of Los Osos.

3.2 CUMULATIVE PROJECTS SETTING

The State CEQA Guidelines require the analysis of the cumulative effects of a project in combination with other foreseeable development in the area.

CEQA Guidelines Section 15130 requires the consideration of cumulative impacts within an EIR when a project's incremental effects are cumulatively considerable. CEQA defines "cumulative impacts" as two or more individual events that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together.

As allowed under Section 15130 of the State CEQA Guidelines, this EIR uses a summary of growth projections to analyze cumulative impacts. The evaluation of buildout under the LOCP in this EIR accounts for all of the expected growth in the Los Osos area, as it represents a growth blueprint for the entire Los Osos community in the context of the Estero Area Plan. Therefore, in general cumulative impacts evaluated in this EIR are considered the same as project-specific impacts. For certain issues, such as traffic and air quality, the cumulative condition accounts for regional growth and development that may affect the Los Osos community.

Cumulative impacts are discussed within each of the specific impact analysis discussions in Section 4.0, *Environmental Impact Analysis*.

4.0 ENVIRONMENTAL IMPACT ANALYSIS

This Draft Environmental Impact Report (Draft EIR) provides analysis of impacts for those environmental topics where it was determined in the Notice of Preparation, or through subsequent analysis that the proposed project would result in “potentially significant impacts.” Sections 4.1 through 4.15 discuss the environmental impacts that may result with approval and implementation of the proposed project.

“Significant effect” is defined by the State CEQA Guidelines §15382 as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

Determining the severity of project impacts is fundamental to achieving the objectives of CEQA. CEQA Guidelines Section 15091 requires that decision makers mitigate, as completely as is feasible, the significant impacts identified in the Final EIR. If the EIR identifies any significant unmitigated impacts, CEQA Guidelines Section 15093 requires decision makers in approving a project to adopt a statement of overriding considerations that explains why the benefits of the project outweigh the adverse environmental consequences identified in the EIR.

The level of significance for each impact examined in this Draft EIR was determined by considering the predicted magnitude of the impact against the applicable threshold. Thresholds were developed using criteria from the CEQA Guidelines and checklist; state, federal, and local schemes; local/regional plans and ordinances; accepted practice; consultation with recognized experts; and other professional opinions.

The assessment of each issue area begins with any relevant setting information that is needed to provide context for the impact analysis that follows. Extraneous setting information that does not shed light on the impact analysis is not included in the EIR.

Within the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds”, which are those criteria adopted by the State, County, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

Class I. Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a

Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.

Class II. Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.

Class III. Not Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.

Class IV. Beneficial: An effect that would reduce existing environmental problems or hazards.

Following each environmental effect discussion is a list of programmatic mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other future development in the area.

It should be noted that the environmental impacts are assessed at a “program” level of detail that is more conceptual and general than for a development project, and mitigation measures, if required, are more programmatic and policy-oriented. These are intended to augment the regulatory framework of the proposed Community Plan, not provide development-specific direction, which is not appropriate for this level of analysis. Individual development projects that are within the Plan Area would need to undergo project-specific CEQA review if they are discretionary in nature. The environmental determination and analysis for those projects may refer to and use information from this program level EIR as appropriate.

Please refer to the *Executive Summary* for this EIR, which clearly summarizes all impacts and mitigation measures that apply to the project.

4.1 AESTHETICS

Development under the LOCP would introduce new housing and commercial opportunities, and introduce new sources of light and glare in a high quality rural setting. Although the intensity of development would be less than currently envisioned under the Estero Area Plan, impacts to visual resources are still possible. However, the LOCP includes a robust policy framework intended to guide future development, and mitigate potential visual impacts, not only to offsite views of scenic resources, but to improve and enhance the existing urban design character of the community. With the policy framework, most programmatic impacts would be considered less than significant. Impacts related to the protection of scenic corridors are potentially significant but mitigable if more stringent policy language is included in the LOCP.

4.1.1 Setting

a. Physical Setting. The natural setting of Los Osos is a place of unique beauty. The Los Osos urban area is located at the westerly end of the picturesque and agriculturally productive Los Osos Valley and is bound by the environmentally important Los Osos Creek and riparian corridor on the east and southeast, and the older coastal dunes to the north, south, and southwest. The creek and dune-covered hills form a natural edge and greenbelt for the community. Morro Bay and its tidelands towards the north, the scenic Irish Hills towards the south, Montaña de Oro State Park towards the southwest, and Morro Bay State Park towards the northwest form natural, scenic backdrops.

b. Regulatory Setting. Various local regulations set forth criteria and specific requirements for the definition and preservation of visual resources, including (but not limited to) the County of San Luis Obispo General Plan, the Estero Area Plan, the Local Coastal Plan, and the Coastal Zone Land Use Ordinance.

Federal. There are no federal regulations pertaining to aesthetic resources.

State. The California Department of Transportation (DOT) is responsible for designating and inventorying scenic highways. A highway may be designated scenic based on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. State laws governing the State Scenic Highway program are found in the Streets and Highways Code, Section 260 through 263. Nomination of a highway occurs by a city or county. These entities must define the scenic corridor for the candidate highway, and must adopt ordinances, zoning or planning policies to preserve the scenic quality of the corridor. There are five required elements for scenic corridor protection.

1. Regulation of land use and density of development;
2. Detailed land and site planning;

3. *Control of outdoor advertising;*
4. *Careful attention to and control of earth moving and landscaping; and*
5. *The design and appearance of structures and equipment.*

Highway 1 is designated as a state scenic highway from the City of San Luis Obispo to the Monterey County line and is referred to as the North Coast Scenic Byway. Its designation is based on views from the highway of rocky headlands that appear to tumble into the Pacific Ocean and views of the mountainous coast. There are no discernible views of Highway 1 from the LOCP area.

Local. Local regulations pertaining to protection and management of visual resources are found in the San Luis County General Plan, the Estero Area Plan (updated 2009), the Local Coastal Plan, the Coastal Zone Framework for Planning, and the Coastal Zone Land Use Ordinance.

Also note that the proposed Los Osos Community Plan is a regulatory document that is intended to expand upon the policy framework of the Estero Area Plan. Because this is not an existing document, but the subject of the EIR analysis, it is not included in the existing Regulatory Setting. However, its policies are analyzed in the Impact Analysis section relative to their adequacy to provide sufficient regulatory protections for visual resources, when considered in combination with the existing regulations described below.

County of San Luis Obispo Conservation and Open Space Element, San Luis Obispo County General Plan (2010)

Scenic Resources

Policy VR 1.1 Adopt Scenic Protection Standards

Protect scenic views and landscapes, especially visual Sensitive Resource Areas (SRAs) from incompatible development and land uses

Implementation Strategy VR 1.1.1 Identify and Designate Scenic Landmarks and Landscapes

After extensive public participation, identify and designate scenic landscapes and important scenic landmarks that define the image of the county in order to conserve highly sensitive areas. This effort will refine and supplement the existing designated scenic areas, such as Sensitive Resource Area combining designations for visual resources, using recognized methods.

Implementation Strategy VR 1.1.2 Amend Plans and Ordinances

Amend the Land Use Ordinance, Coastal Zone Land Use Ordinance, and/or Area Plans, as applicable to enact or revise ordinance standards to protect scenic resources. Adoption and implementation of scenic protection standards shall not interfere with agricultural uses on private lands consistent with AGP30. Standards for land use permits, including industrial and processing uses, and subdivisions should include visual assessments by qualified experts; visually effective setbacks near highways and roadways; siting in unobtrusive locations; and standards for height, architectural design, landscaping, lighting, and signs. The standards should

emphasize avoiding visual impacts through alternative locations and designs where feasible. Establish consistent Countywide Viewshed Protection Standards.

Policy VR 2.1 Develop in a manner compatible with Historical and Visual Resources

Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas.

Policy VR 2.2 Site Development and Landscaping Sensitive

Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats.

Policy VR 3.1 Identify and Protect Community Separators

Identify Community Separators and propose land use strategies and development standards to maintain separate, identifiable cities and communities with intervening rural land. Involve landowners and communities in this process. Identification and designation of Community Separators shall not interfere with agricultural uses on private lands consistent with AGP 30.

Policy VR 3.2 Community Involvement

Encourage communities adjacent to Community Separators to maintain a sense of place and separation through education about the importance of separators. Community advisory groups or nonprofit organizations could lead these efforts.

Policy VR 3.3 Conservation Tools

Collaborate with community advisory councils, cities, landowners, and non-profit conservation organizations to propose voluntary scenic, agricultural, or conservation easements and/or greenbelt programs that support private landownership while retaining the visual resources within Community Separators.

Policy VR 3.4 Community Edges

Maintain clear community edges for urban and village areas with appropriate plan designations when updating community and area plans. Avoid suburban or low-density sprawl at the edges of communities.

Policy VR 4.1 Designation of Scenic Corridors

Designate scenic corridors based on the recommendations for Scenic Corridor Studies, for the candidate roads and highways listed in the Conservation and Open Space Element.

Implementation Strategy VR 4.1.1 Scenic Corridor: Work Plan

Propose a priority list and work program for consideration by the Board of Supervisors to conduct corridor studies and designate the candidate roads and highways listed in this Element. At a minimum, the corridor studies should (a) specify the features that need to be protected through a site-specific analysis of each viewshed; (b) state why it is important to protect those

features; (c) where applicable, establish specific mapped boundaries that define the minimum area necessary to protect the identified features; (d) identify the type of inappropriate development that should be regulated; (e) Involve area property owners; and (f) be accompanied by an economic assessment.

Implementation Strategy VR 4.1.2 Scenic Corridor: Design Standards

Establish scenic corridor design standards in conjunction with scenic corridor and highway designations. Regulations should be modeled after the Highway Corridor Design Standards in place in the Land Use Element. Guidelines and standards should require sensitive siting of development and visually effective setbacks. In addition, the guidelines and standards should address siting and building design below ridgetops, access roads, landscaping, building height, signs, lighting, and outdoor advertising. Any regulations should ensure that there would not be undue restrictions on private property or agricultural operations. In addition, design standards for projects subject to discretionary review should balance the protection of scenic resources with protection of agricultural resources and facilities. Industrial, processing and similar uses should be located outside of scenic viewsheds as the first priority, or if not feasible, requiring unobtrusive designs.

Policy VR 4.2 Balanced Protection

Balance the protection of scenic resources with the protection of biological and agricultural resources that may co-exist within the scenic corridor.

Policy VR 5.1 Retain Existing Scenic Access

Encourage Caltrans to maintain existing scenic vista points. Where vista points and turnouts must be eliminated due to bluff erosion, other hazards, or operational needs, they should be replaced in reasonable proximity if feasible.

Policy VR 5.2 Create New Scenic Access

The County and Caltrans, as applicable, should identify, construct, and maintain additional scenic overlooks, turnouts, or vista points along designated scenic corridors. Vista points, overlooks, and turnouts should include parking, support facilities, and interpretive features as appropriate.

Policy VR 5.3 Sale of Public Lands

Seek to assure, through required General Plan conformity reports and the disposal of County-owned lands, that the sale of publicly owned land is consistent with the goals and policies in this Element to protect the county's visual resources.

Policy VR 6.1 Urban Design

Ensure that new multi-family residential, mixed-use, and commercial or other non-residential development in the urban and village areas is consistent with local character, identity, and sense of place.

Policy VR 7.1 Nighttime Light Pollution

Protect the clarity and visibility of the night sky within communities and rural areas, by ensuring that exterior lighting, including streetlight projects, is designed to minimize nighttime light pollution.

Policy VR 9.1 Underground Utilities

Encourage all existing areas with overhead lines, particularly the candidate Scenic Corridors listed in this Element, to be placed underground through special districts, supplementing existing funding through Rule 20A utility fees. The County Undergrounding Coordinating Committee should give high priority to these critical areas, as well as central business districts and urban corridors. Government agencies should set an example by ensuring that utilities serving public properties are relocated underground as part of the construction or remodeling of public facilities.

Policy VR 9.2 Utility Service Lines

Utility companies should prepare long-range corridor plans for service lines in consultation with local organizations and government agencies. New transmission lines that would be visually damaging should be designed to minimize visual effects. In addition, access roads and right-of-way clearing should be kept to the minimum necessary where new installation or repair of existing installations occurs.

Open Space Policies (OSP)

Policy OS 1.1 Future Open Space Protection

Continue to identify and protect open space resources with the following characteristics:

- Recreation areas*
- Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities; significant marine resources*
- Archaeological, cultural, and historical resources*
- Scenic areas*
- Hazard areas*
- Rural character*

Policy OS 1.8 Land Divisions and Development

Encourage the use of cluster land divisions and cluster development that will locate residential clusters on the least environmentally sensitive portions of properties.

OSP25 Development and Land Divisions Within Scenic Corridors

- a. Proposed discretionary development and land divisions within scenic corridors shall address the protection of scenic vistas as follows:*
 - 1. Balance the protection of the scenic resources with the protection of biological resources that may co-exist within the scenic corridor.*
 - 2. Locate structures, roads, and grading on portions of a site that minimize visual impact. Locate structures below prominent ridgelines and hilltops so they are not silhouetted against the sky. Encourage architectural/structural solutions that achieve in the least obtrusive manner the property owner's desire to enjoy scenic views.*

County of San Luis Obispo Agriculture Element, San Luis Obispo County General Plan (1998)

Agriculture Policies (AGP)

AGP30 Scenic Resources

- a. *Designation of a scenic corridor through the public hearing process as described under OSP24, and its subsequent management as described in OSP25, shall not interfere with agricultural uses on private lands.*
- b. *In designated scenic corridors, new development requiring a discretionary permit and land divisions shall address the protection of scenic vistas as follows:*
 1. *Balance the protection of the scenic resources with the protection of agricultural resources and facilities. When selecting locations for structures, access roads, or grading, the preferred locations will minimize visibility from the scenic corridor and be compatible with agricultural operations.*
 3. *Use natural landforms and vegetation to screen development whenever possible.*
 4. *In prominent locations, encourage structures that blend with the natural landscape or are traditional for agriculture.*

Estero Area Plan, Revised 2009

Chapter 6 Environmental and Cultural Resource Protection Policies and Programs *Section III, Combining and Other Designations*

E. Sensitive Resources Areas (SRA)

Although no SRAs are identified within the Los Osos urban area relative to the protection of visually sensitive areas, the Morros are designated as an SRA with the rural portion of the Estero Area. Portions of these, including Hollister Peak and Cerro Cabrillo are visible from within the Los Osos Community Plan area. For this reason, the applicable SRA is included here:

Other Rural Areas

16. The Morros SRA and Critical Viewshed, Including Cerro Cabrillo, Hollister Peak and Associated Hills (SRA). *These unique volcanic peaks stretch from San Luis Obispo to Morro Bay and separate the Chorro and Los Osos Valleys. This chain of peaks forms spectacular scenic backdrops and natural landmarks that rise above the valley floor and help define the character of the area.*

The SRA covers Cerro Cabrillo, Hollister Peak and associated hills from the tops of these peaks, hills and connecting ridges down to the 300-foot elevation. These areas correspond to the visually prominent peaks and backdrops that are visible from Highway 1, Los Osos Valley Road, Turri Road, and South Bay Blvd. The SRA standards in this plan are intended to protect scenic vistas from those roads.

Chapter 7 Planning Area Standards

Section IV, Rural Area Standards, Areawide

Although the Los Osos Community Plan is not within the rural portion of the Estero Area Plan, there are protected scenic views within the rural area that are visible from portions of Los Osos. For that reason, these resources are sensitive to development within Los Osos, and are described below.

B. Irish Hills Scenic Backdrop Critical Viewshed and Los Osos Valley Road Scenic Corridor. The Irish Hills Scenic Backdrop Critical Viewshed and the Los Osos Valley Road Scenic Corridor (see Figure 7-8 of the Estero Area Plan) are established with the primary purpose of protecting the following: important views of scenic backdrops, background vistas and foreground areas from Los Osos Valley Road; important plant and animal habitats; and watershed resources. All applicable standards in the Coastal Zone Land Use Ordinance apply within this area (e.g., those in Chapter 23.04).

Section VI, Los Osos Urban Area Standards

This section of the Estero Area Plan includes a variety of zoning standards that pertain to new development in each land use designation within the Los Osos Urban Area. These related to building heights, setbacks, and urban design, including the form and massing of commercial and residential development. There are also sign regulations, and other provisions to minimize visual impacts, such as the requirement to underground utilities within the Baywood Village area. Key highlights from this section are described below:

Communitywide

D. Bayfront Development

- 1. Height. Proposed structures are limited to the maximum heights shown on Figures 7-41 and 7-42. [ranges from 14 to 22 feet, depending on location]*
- 2. Fences. Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access.*
- 3. Vegetation Protection. On-site vegetation shall be preserved whenever possible. Grading shall be minimized and limited to the building pad and driveway, road and other required improvements.*

Commercial Retail

A. Baywood Park Commercial Area

- 2. Baywood Village. New commercial development shall meet the following standards:*
 - a. Height shall be limited to 25-feet.*
 - b. Low monument signs (maximum 8 feet in height not to exceed 20 square feet) shall be used.*
 - c. All utility lines shall be undergrounded from property lines to the commercial structure.*

Residential Multi-Family

The following standards apply only to lands within the Residential Multi-Family land use category.

B. Height Limitation. Maximum height shall be 28 feet except for bayfront areas (see Figures 7-41 and 7-42).

Residential Single Family

The following standards apply only to lands within the Residential Single Family land use category.

A. Height Limitations. Maximum height shall be 28 feet except where other applicable planning area standards establish other specific height limits (see Figures 7-41 and 7-42).

F. Highland Area - Cabrillo Estates

1. Architectural Control Committee. No grading or building permit is to be issued until the applicant has filed with the Planning Department certification that the Architectural Control Committee for Cabrillo Estates, as it then exists and functions: 1) has reviewed pertinent plans and specifications and any applicable land use permit and 2) recommends approval or disapproval of such plans and specifications. If the Architectural Control Committee recommends disapproval of the plans and specifications, the certification is to set forth the reasons for such disapproval. The county approval body (as determined by Sections 23.02.030 through 23.02.034 of the Coastal Zone Land Use Ordinance) is to review the reasons for disapproval of the plans and specifications by the committee. In the event the committee fails to make its recommendation within thirty (30) days after the plans and specifications have been submitted to it, no recommendations will be required and the proposed plans and specifications shall be deemed to be favorably recommended. The approval body is not bound by any decision of the committee, and may grant permits and approvals under these provisions.

6. Height Limitation. The maximum height of all buildings and structures shall be 15 feet above the highest point of the lot when measured from the highest point of the roof.

Residential Suburban

The following standards apply only to lands within the Residential Suburban land use category.

G. Heights - West of Pecho Valley Road. Maximum height shall be 22 feet.

K. Highland Area - Design. The following shall apply to development within this area: (This does not include the Morro Palisades property.)

1. Site selection shall be such as to preserve significant areas of ecological or public visual importance. All development shall be clustered to preserve a maximum of 60 percent of each parcel in undeveloped open space.

2. No development shall be permitted on slopes exceeding 20%.

3. Building exteriors shall be principally composed of native materials and textures (such as wood siding and shingles). Extensions, including roofs, shall be of subdued natural hues and tones harmonizing with the colors of the natural environment.

Chapter 8: Coastal Access

Section VI. Estero Area Plan Goals; Policies And Standards

C. Standards: Los Osos

3. Fences. Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. (Chapter 7: VI., Los Osos Urban Area Standards, Communitywide, Bayfront Development)

Local Coastal Plan: Coastal Plan Policy Document

Chapter 4. Energy & Industrial Development

Policy 16: Siting within Viewsheds

Transmission line rights-of-way shall be routed to minimize impacts on viewsheds in the coastal zone, especially in scenic rural areas, and to avoid locations in or adjacent to significant or unique habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetation removal shall be minimized and disturbed areas shall be revegetated with plants similar to those in the area. [This policy shall be implemented as a standard.]

Policy 17: Undergrounding Requirements

Where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Above-ground pipeline or transmission facilities should be sited outside view corridors of scenic areas where alternate corridors are feasible.

Where above-ground pipeline or transmission facilities must be sited within a scenic corridor, the pipelines and/or utility lines should not be located along the road right-of-way for continuous extended distances unless the alternative routes are technically or economically infeasible.

Siting of transmission lines should avoid the crests of roadways to minimize their visibility on distant views. Lines should cross roadways at a downhill low elevation site or a curve in the road unless the alternative routes are technically or economically infeasible.

Chapter 10. Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources

Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible. [Also referenced in the Draft LOCP]

Policy 2: Site Selection for New Development

Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created “pockets” to shield development and minimize visual intrusion.

Policy 6: Visual Compatibility

Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community. [Also referenced in the Draft LOCP]

Policy 8: Utility Lines within View Corridors

Where feasible, utility lines within public view corridors should be placed underground whenever their aboveground placement would inhibit or detract from ocean views. In all other cases, where feasible, they shall be placed in such a manner as to minimize their visibility from the road.

Coastal Zone Framework for Planning

Several portions of the Coastal Zone Framework for Planning apply to visual resources.

Chapter 5: Circulation Element

C. Goals and Objectives for Circulation

1. Developing and enhancing a system of scenic roads and highways through areas of scenic beauty without imposing undue restrictions on private property, or unnecessarily restricting the placement of agricultural support facilities.

G. Scenic Highways

1. Identify scenic areas and features within view of state highways, city streets, and county roads in the open space plan and incorporate them into the applicable Land Use Element Area plan, designating them within sensitive resource areas.
2. Adopt programs and standards in the Land Use Element Area Plans to protect scenic quality of identified areas and to maintain views from designated scenic roads and highways. Provide special attention to the location, siting, and design of visible structures, access roads, and outdoor advertising, while ensuring that there will not be undue restriction on

- private property or agricultural operations. Encourage area native plants in landscaping. Promote placing utilities underground where feasible.
3. Ensure that the location, design, and construction of each scenic road or highway blends into and complements the scenic corridor, by coordinating among involved agencies for the integrated design of the project.
 4. Promote special scenic treatment and design within scenic road and highway rights-of-way, to include highway directional signs, guardrails and fences, lighting, provisions of scenic outlooks, frontage roads, grading vegetation and highway structures.

Coastal Zone Land Use Ordinance

Applicable sections include the following: 23.03.186-Landscape plans, 23.04.021-Parcel size standards, 23.05.034-Grading standards, and 23.05.064-Tree Removal standards and 23.04.210 Visual Resources.

The proposed LOCP is not part of the existing regulatory framework. Applicable policies, programs and standards included in the proposed LOCP are evaluated in the Impact Analysis, to the extent they would adequately guide future development, and thus mitigate potential programmatic impacts related to this issue.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on an evaluation of whether the LOCP would accommodate new development in visually sensitive areas, and the extent to which its policy framework would adequately address potential impacts from specific development projects that might occur under the LOCP.

The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. This evaluation measures the existing visual environment against the anticipated level of development under the proposed LOCP. For this analysis, the community has been observed and photographically documented in the surrounding context. Primary view corridors, typically major public roadways, were used as a basis for classifying impacts, because they define the primary public vantage points for the largest number of viewers within the community.

It should be noted that project-level details for individual development projects are not known at this time. Therefore, this analysis is programmatic in nature and uses a “reasonable worst case scenario” to assess potential impacts regarding the appearance of future development in the context of existing regulations and design standards pertaining to aesthetics.

Significance Thresholds. The following criteria are based on the County’s Initial Study and Initial Study checklist, and Appendix G of the State CEQA Guidelines. An impact is considered significant if development facilitated by the Community Plan would:

- *Create an aesthetically incompatible site open to public view;*
- *Introduce a use within a scenic view open to public view;*
- *Change the visual character of an area;*
- *Create glare or night lighting, which may affect surrounding areas; or*
- *Impact unique geologic or physical features.*

b. Impacts and Mitigation Measures.

Threshold: Would the Community Plan create an aesthetically incompatible site open to public view?

Impact AES-1 Development under the Community Plan would not result in aesthetically incompatible site open to public views. Development would be required to comply with Community Plan design standards, which would reduce impacts to a Class III, less than significant, level.

As part of the Community Plan, design guidelines and standards were established for the community as a whole, as well as for new commercial, industrial, mixed-use, and multi-family residential projects. Guidelines are measures that projects should endeavor to undertake, where possible. Standards are requirements that must be met. Together, the guidelines and standards are meant to cultivate aesthetically compatible development in the community of Los Osos. Applicable guidelines and standards include, but are not limited to: height restrictions, prohibition of certain building materials and encouragement for others, tree planting requirements, use of compatible building massing and architectural style, inclusion of pedestrian-scale details, and massing to avoid the appearance of large, continuous building facades.

Compliance with proposed design guidelines and standards would ensure that future development would not be aesthetically incompatible with the existing community. Impacts would be less than significant.

Mitigation Measures. No mitigation measures would be required.

Residual Impacts. Impacts would be less than significant.

Threshold: *Would the Community Plan introduce a use within a scenic vista open to public view?*

Impact AES-2 The Community Plan would introduce development within a scenic public view. However, design guidelines and standards included in the Community Plan that address the appearance of future development projects in these areas would ensure that impacts would be less than significant (Class III).

A scenic vista for purposes of CEQA can be defined as a viewing point that provides expansive views of a highly valued landscape available to the general public. Although the proposed LOCP does not define “scenic vista”, for the purposes of this analysis, a scenic vista will be views of these features from public places (e.g., roadways) that may be altered by future development within the LOCP. The Estero Area Plan identifies several scenic vistas outside the LOCP area that are visible from within the Los Osos Community area, which should therefore be considered in the project analysis. These include:

- Irish Hills Scenic Backdrop Critical Viewshed and Los Osos Valley Road Scenic Corridor. These are established to protect important views of scenic backdrops, background vistas and foreground areas from Los Osos Valley Road. Note that the protected portion of Los Osos Valley Road begins eastward from the eastern boundary of the Los Osos Valley Memorial Park, and is thus outside the LOCP area.
- The Morros SRA. The SRA covers Cerro Cabrillo, Hollister Peak and associated hills from the tops of these peaks, hills and connecting ridges down to the 300-foot elevation. These areas correspond to the visually prominent peaks and backdrops that are visible from Highway 1, Los Osos Valley Road, Turri Road, and South Bay Blvd. The SRA standards are intended to protect scenic vistas from those roads.

The Estero Area Plan also contains policies and programs regarding the protection of scenic hillsides, ridgelines, native trees, coastal views and open space. The degree to which the existing regulatory framework, in combination with the proposed LOCP policy framework, provides adequate protection of these resources will be the basis for determining the significance of the potential impact.

The proposed LOCP envisions urban development throughout the community, generally similar to what is currently allowed in the Estero Area Plan, but with important differences, in that some areas previously designated for development will now remain in Open Space. Other areas will still be developed, but with less intensive land uses, or at lower residential densities. In general, these changes will reduce potential long-term impacts on nearby scenic vistas compared to what might have otherwise occurred under the existing Estero Area Plan. Nevertheless, future development in currently undeveloped areas could have an adverse effect on scenic vistas, if not properly designed, especially with respect to setbacks and building heights as visible from public roadways, including South Bay Boulevard and Los Osos Valley Road, which are identified as important view corridors.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential impacts, which would be applied to future development within the area as appropriate:

2.5.3 Land Use

LU-1. Maintain a hard urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt.

- A. Do not expand the Urban Reserve Line (URL) beyond what has been delineated in this plan.*
- B. Do not expand existing Residential land use categories or increase residential densities outside the Urban Service Line beyond what is delineated in this plan.*

Program LU-1.1. Los Osos Greenbelt. The County should support expansion, conservation, maintenance, and enhancement of the greenbelt as shown in Figure 4-1. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee within and outside of the URL to expand the greenbelt along the eastern and southern fringe of the community. Easements could be acquired through means such as purchase, approval of land use permits for development projects, and mitigation banking.

LU-3. Maintain a small-town atmosphere, while increasing opportunities for businesses and employment.

- A. Encourage new development to provide variety in appearance of housing in new neighborhoods and street-facing entrances that are less dominated by garages.*

Program LU-3.1. Gateways. The County should work with the community to enhance and landscape entryways to the community along Los Osos Valley Road and South Bay Boulevard in a way that reflects community identity. One preferred location for an entryway is a portion of the right-of-way at the northeast corner of Los Osos Valley Road and South Bay Boulevard.

Chapter 7, Planning Area Standards.

7.3 Communitywide Standards

E.2.c. Visual Resources. If applicable, building sites shall not be located on slopes or ridgetops so that structures are silhouetted against the night sky as viewed from public roads, public beaches, the ocean, or the Morro Bay estuary.

M. Coastal Access and Bayfront Development.

1. *Height.* Proposed structures on sites that are bayward of a line shown in Figure 7.3 [of the LOCP] are limited to a maximum height of 14 feet, except where a greater height is noted.

3. *Fences.* Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. Fences on the bayfront side of development shall not interfere with movement or migration of native wildlife.

N. *Building Height.* Exceptions to height limitation pursuant to Chapter 23.04 of the Coastal Zone Land Use Ordinance shall not apply to any planning area standards that specify maximum building height or building face height. Solar panels may extend 2 feet above the ridgeline.

Q. *Residential Development and Design Guidelines.* [This section provides a variety of guidelines intended to encourage diversity of appearance, discourage gated communities, provide for visually compatible fencing, and appropriate setback requirements. Refer to the Draft LOCP for a complete description of standards.]

7.5 Land Use Category Standards

A.5. Baywood Commercial Area (Special Community)

b. *Height.* Maximum building height shall be 25 feet, except where a lower height limit is established.

j. *Baywood Design Guidelines.* [This section provides a variety of standards intended to improve the architectural character of development within the CBD. Refer to the Draft LOCP for a complete description of standards.]

G. Recreation (REC)

4.b. *Portion of Tract 16436 West of Pecho Road, Lodging Design and Height Limitation.* All buildings shall be residential in scale and have a maximum height of 28 feet.

I. Residential Multi-Family (RMF)

1.b.2. *Height Limitation.* Maximum height shall be 28 feet, except for bayfront areas [which are less, per LOCP Figure 7-3].

J. Morro Shores Mixed Use Area (RMF, RSF, CS)

1. *Height.* Maximum height for residential, transient lodgings, and accessory uses shall be 28 feet.

5. Multi-Use Business/Commerce Park Standards

b. *Character.* The multi-use business park shall have landscaped open spaces in a campus-like character that provides an attractive environment and respects the natural environment. It shall be compatible with surrounding neighborhoods and the community.

j. Height. Maximum building height shall be 30 feet.

k. Other Criteria. [This section includes a variety of design criteria intended to address potential compatibility and visual impacts. Refer to the draft LOCP for the complete description.]

8.a.(iii). Low Density Residential, Area 2: 8.8-acre property fronting on Ramona Avenue. Compatibility. Non-residential development shall be sited, designed, and landscaped to be compatible with surrounding residential areas. Several smaller buildings are preferred to fewer, more massive ones.

K. West of South Bay Boulevard RMF, REC

4. Design Guidelines. [This section provides a variety of guidelines intended to improve the character of development that recognize the visual sensitivity of this area. Refer to the Draft LOCP for a complete description of standards.]

L. Residential Single-Family (RSF)

1. Height. Maximum height shall be 28 feet, except where other applicable planning area standards establish other specific height limits. [Draft LOCP describes modified limits within Cabrillo Estates]

M. Residential Suburban (RS)

3.b.(i). West of Pecho Area, South of Monarch Grove. Height. Maximum building height shall be 22 feet.

These policies and standards address a variety of design-related issues throughout the community, especially as they relate to building heights, setbacks, and land use compatibility. In the aggregate, they build on the existing framework of the Estero Area Plan, and protect visual resources, including those associated with the nearby Irish Hills and Morros, as well as those associated with the bay and estuary. In the aggregate, they provide a high level of programmatic protection, and serve as a clear basis for protecting these resources when applied to future development through the entitlement process associated with that development.

Impacts to nearby scenic vistas are therefore considered to be **less than significant (Class III)**.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant. Although not identified as an impact, it is recommended that the LOCP identify the Morros and Irish Hills as protected resources within its policy framework (carried forward from the Estero Area Plan), in order to provide a clear basis for their protection. It is also recommended that views of the bay and across the bay be identified as potentially scenic resources in the LOCP, again to provide the basis for the policies already included in the plan to protect those resources.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: *Would the Community Plan introduce a use within a scenic vista open to public view?*

Impact AES-3 Buildout under the LOCP would not impair views from currently designated scenic corridors. However, the LOCP does not address the evaluation of Pecho Valley Road, which is identified in the COSE as a potentially scenic corridor. In addition, both Los Osos Valley Road and South Bay Boulevard could potentially qualify as critical viewsheds, which should be considered in the LOCP. This is a significant but mitigable (Class II) impact.

There are no designated scenic roadways within the Community Plan area. Los Osos Valley Road outside the LOCP area is designated as a scenic corridor, eastward of the Los Osos Valley Memorial Park. Within this corridor, there are views of the Irish Hills critical viewshed to the south, and views of hills subject to agricultural land uses to the north.

Although not designated as scenic corridors within the LOCP area, Los Osos Valley Road and South Bay Boulevard provide scenic views of nearby natural resources, as described in Impact AES-2. Similarly, these corridors are also not identified in the Conservation and Open Space Element as “suggested scenic corridors” pursuant to COSE Policy VR 4.1. Although the proposed policy framework included in the LOCP to address potential aesthetic impacts is generally considered sufficient to address potential visual impacts along these corridors, they may warrant special protection under the County’s Coastal Zone Land Use Ordinance.

Similarly, views from many other roadways within the community, including Pecho Road, Bayview Heights Drive and other collectors and/or local roads, may be considered to be generally scenic, largely because the overall setting of the community itself, in its location adjacent to the Morro Bay estuary, Pacific Ocean, Morro Bay sandspit, and nearby hillsides. The regulations included in the LOCP recognize this fact, and place adequate protections to protect public views of these resources from community roadways. However, because these roads are not as heavily used as the two major arterials identified above, it is not recommended that additional scenic roadways be identified in the LOCP for the purpose of putting additional regulations in place.

The County’s Conservation and Open Space Element designates Pecho Valley Road west of Rodman Drive through Montana de Oro State Park as a “suggested scenic corridor”, which means it is a candidate for potential evaluation under that document’s Policy VR 4.1, Designation of Scenic Corridors. Pursuant to that policy, a corridor study would include the following components:

- (a) specify the features that need to be protected through a site-specific analysis of each viewshed;

- (b) state why it is important to protect those features;
- (c) where applicable, establish specific mapped boundaries that define the minimum area necessary to protect the identified features;
- (d) identify the type of inappropriate development that should be regulated;
- (e) involve area property owners; and
- (f) be accompanied by an economic assessment.

The proposed LOCP does not include policies or programs to address the evaluation of this potentially scenic roadway.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential impacts, which would be applied to future development within the area as appropriate:

2.5.3 Land Use

LU-1. Maintain a hard urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt.

- C. Do not expand the Urban Reserve Line (URL) beyond what has been delineated in this plan.*
- D. Do not expand existing Residential land use categories or increase residential densities outside the Urban Service Line beyond what is delineated in this plan.*

Program LU-1.1. Los Osos Greenbelt. The County should support expansion, conservation, maintenance, and enhancement of the greenbelt as shown in Figure 4-1. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee within and outside of the URL to expand the greenbelt along the eastern and southern fringe of the community. Easements could be acquired through means such as purchase, approval of land use permits for development projects, and mitigation banking.

These policies and standards require a hard urban edge and protective greenbelt around the community. This will collectively have the effect of protecting the designated scenic corridor of Los Osos Valley Road outside the community. However, the proposed LOCP does not include policies or programs to address the evaluation of Pecho Valley Road, which is identified as a potentially scenic roadway under the Conservation and Open Space Element. Similarly, neither the COSE nor the LOCP include similarly protective policies for Los Osos Valley Road and South Bay Boulevard where they traverse the community. This is considered a potentially **significant (Class II) impact** requiring mitigation.

Mitigation Measures. In addition to the policies discussed above, the following mitigation measures are required to reduce Impact AES-3 to a less than significant level.

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

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: Would the Community Plan change the visual character of the area?

Impact AES-4 Buildout under the LOCP would not degrade the visual character of the Community Plan area and its surroundings, because the proposed LOCP provides adequate protection of these resources in its policy framework. This is a less than significant (Class III) impact.

This impact addresses the potential for development under the proposed LOCP to substantially degrade the visual character within the community and the surrounding area.

Within the community itself, the urban design quality is highly variable. Residential buildings vary in age and style, and lack architectural cohesiveness. The visual quality of homes varies greatly, although many would regard this characteristic as a distinctive part of the Los Osos community character, which in the aggregate is recognizable as a semi-rural coastal community, similar to what might be found elsewhere in rural coastal California or on the Pacific coast in general.

The commercial core of the community west of South Bay Boulevard on Los Osos Valley Road is recognizable as such, but not visually distinctive. With large building setbacks and parking lots between the road and buildings, it tends to provide the feeling it is auto-oriented, and not conducive to pedestrian circulation. Visually, it tends to lack cohesiveness that are essential to developing and enhancing a community's character.

The community's partially-paved circulation system is part of the distinctive character of the community. While most roadways are paved, some are not, and many lack curbs gutters and sidewalks. Again, many people feel these features contribute to the overall character of the community, but others might feel that roadway improvements would be warranted to improve the overall visual quality of the town.

In contrast to the variable urban design quality of Los Osos, the edges of the community are visually striking. The existing visual character of the surrounding area is generally considered to be of very high quality, in a semi-rural setting, surrounded by distinctive visual resources such as the bay, estuary, Irish Hills and the Morros. The Estero Area Plan recognizes the value of these resources through extensive resource protection policies.

The Estero Area Plan also contains policies and programs regarding the community's overall character, including the protection of scenic hillsides, ridgelines, native trees, coastal views and open space. The degree to which the existing regulatory framework, in combination with the proposed LOCP policy framework, provides adequately protection of these resources will be the basis for determining the significance of the potential impact.

The proposed LOCP envisions urban development throughout the community, generally similar to what is currently allowed in the Estero Area Plan, but with important differences, in that some areas

previously designated for development will now remain in Open Space. Other areas will still be developed, but with less intensive land uses, or at lower residential densities.

With respect to community character, the proposed LOCP includes many policies that focus not only on the protection of scenic resources, but also on urban design. These include creating a more inviting commercial core (Central Business District) that enhances the existing community character.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential community character related impacts, which would be applied to future development within the area as appropriate:

2.5.3 Land Use

LU-1. Maintain a hard urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt.

- E. Do not expand the Urban Reserve Line (URL) beyond what has been delineated in this plan.*
- F. Do not expand existing Residential land use categories or increase residential densities outside the Urban Service Line beyond what is delineated in this plan.*

Program LU-1.1. Los Osos Greenbelt. The County should support expansion, conservation, maintenance, and enhancement of the greenbelt as shown in Figure 4-1. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee within and outside of the URL to expand the greenbelt along the eastern and southern fringe of the community. Easements could be acquired through means such as purchase, approval of land use permits for development projects, and mitigation banking.

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

LU-3. Maintain a small-town atmosphere, while increasing opportunities for businesses and employment.

- B. Encourage new development to provide variety in appearance of housing in new neighborhoods and street-facing entrances that are less dominated by garages.*
- C. Street trees and landscaping. Require street tree planting and substantial native, drought-tolerant landscaping with new development.*
- D. Consider neighborhood compatibility when reviewing discretionary development proposals. In particular, ensure consistency with the following principles:*
 - Integrate new development with the adjacent neighborhood*
 - Prevent development that is isolated by perimeter walls and fences*

- *Design new development to conserve energy and consider use of passive solar energy design.*
- *Protect sensitive habitat areas by locating development away from environmentally sensitive areas. Provide options, incentives and flexibility to accomplish this.*

Program LU-3.1. Gateways. The County should work with the community to enhance and landscape entryways to the community along Los Osos Valley Road and South Bay Boulevard in a way that reflects community identity. One preferred location for an entryway is a portion of the right-of-way at the northeast corner of Los Osos Valley Road and South Bay Boulevard.

Program LU-3.2. CBD Design and Enhancement. If there is property owner interest, the County should facilitate development of a design plan and possible accompanying standards and guidelines for the central business district the implement the following design principles, in addition to the design standards and guidelines listed for the central business district in Chapter 7, Planning Area Standards.

- A. Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities.*
- B. Promote a mixture of commercial and residential uses.*
- C. Emphasize the importance of public spaces.*

The design plan should be developed together with property and business owners, with participation by surrounding neighborhoods. Also, if there is property owner interest, facilitate formation of a business improvement district or other entity in order to finance, implement and maintain improvements.

LU-6. Maintain and enhance the unique character of the Baywood Commercial area.

Program LU-6.1. Baywood Commercial Area Design and Enhancement. If there is property owner interest, the County should facilitate development of a design plan and possible accompanying standards and guidelines for the central business district the implement the following design principles, in addition to the design standards and guidelines listed for the Baywood Commercial in Chapter 7, Planning Area Standards.

- A. Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities.*
- B. Emphasize the importance of public spaces.*
- C. Provide landscaped pedestrian spaces that are inter-connected by a network of walkways and plazas.*
- D. Provide traffic calming measures on 2nd Street.*
- E. Provide for a balance of neighborhood and visitor-serving uses.*

- F. Provide access to the bay, and promote visitor-serving or tourist-oriented recreation focused on the bay.*
- G. Encourage use of sidewalks and public spaces for restaurant seating, arts and crafts displays and other uses that encourage pedestrian activity.*
- H. Encourage mixed residential and commercial/office uses throughout the Baywood Commercial area, as well as bed and breakfast accommodations on 3rd Street.*

The design plan should be developed together with property and business owners, with participation by surrounding neighborhoods. Also, if there is property owner interest, facilitate formation of a business improvement district or other entity in order to finance, implement and maintain improvements.

LU-8. Maintain a suburban character for specific Residential Single Family projects that will not be served by the communitywide wastewater project.

- A. Retain a more suburban character in the Martin Tract and minimize removal of trees in the eucalyptus grove.*
- B. Maintain a more suburban character in a portion of the Vista de Oro Area between the Vista de Oro development and Redfield Woods.*

2.5.4 Circulation

CIR-4. Design the Los Osos community circulation system to be compatible with the community's character and responsive to local environmental needs.

Program CIR-4.3. Commercial Streetscape. In commercial areas, require curbs, gutters, wide sidewalks, street lights, gathering areas, and undergrounded utilities. Maintenance responsibility for improvements in gathering areas, including tree planters, street lights and pedestrian amenities, rest with the fronting property owner, an established maintenance entity or as defined with the encroachment permit.

Chapter 7, Planning Area Standards

7.3 Communitywide Standards

E.2.h. Visual Resources. If applicable, building sites shall not be located on slopes or ridgetops so that structures are silhouetted against the night sky as viewed from public roads, public beaches, the ocean, or the Morro Bay estuary.

G. Light and Glare. At the time of application for any land divisions, land use permit or coastal development permit, the applicant shall provide details on any proposed exterior lighting, if applicable. Except as necessary to support agricultural operations, all lighting fixtures shall be

shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.

L.1.d. Streets and Circulation, Trees, Characteristics [relevant portion]. Trees [for planting in the streetscape] shall meet the following requirements...: Drought tolerant, appropriate to the climate, resistant to disease, compatible with the character of the area, consistent with the scale of the roadway, and of a size that will not impair major public view corridors to and along the coast.

M. Coastal Access and Bayfront Development.

1. Height. Proposed structures on sites that are bayward of a line shown in Figure 7.3 [of the LOCP] are limited to a maximum height of 14 feet, except where a greater height is noted.

3. Fences. Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. Fences on the bayfront side of development shall not interfere with movement or migration of native wildlife.

N. Building Height. Exceptions to height limitation pursuant to Chapter 23.04 of the Coastal Zone Land Use Ordinance shall not apply to any planning area standards that specify maximum building height or building face height. Solar panels may extend 2 feet above the ridgeline.

Q. Residential Development and Design Guidelines. [This section provides a variety of guidelines intended to encourage diversity of appearance, discourage gated communities, provide for visually compatible fencing, and appropriate setback requirements. Refer to the Draft LOCP for a complete description of standards.]

7.5 Land Use Category Standards

A.4. Commercial Retail, Central Business District

a. Height. Maximum building height shall be 30 feet.

b.(vii). Mixed Use Development, Site Design. [This section provides a variety of standards intended to promote appropriate scale and enhance the visual quality of the CBD. Refer to the Draft LOCP for a complete description of standards.]

c. Design Guidelines. [This section provides a variety of standards intended to improve the architectural character of development within the CBD. Refer to the Draft LOCP for a complete description of standards.]

A.5. Baywood Commercial Area (Special Community)

b. Height. Maximum building height shall be 25 feet, except where a lower height limit is established.

j. Baywood Design Guidelines. [This section provides a variety of standards intended to improve the architectural character of development within the CBD. Refer to the Draft LOCP for a complete description of standards.]

B. Commercial Service (CS)

- 1. Height. Maximum building height shall be 30 feet.*
- 2. Compatibility. All commercial development subject to discretionary approval shall incorporate measures to assure compatibility with nearby residences (including onsite caretaker units), with regard to impacts associated with, but not limited to, noise, vibration, odor, light, glare, hazardous materials, truck traffic, exhaust, unsightliness, or hours of operation. Land use permit applications shall include a description of activities that may be incompatible with residential neighbors and measures to avoid or mitigate those incompatibilities. This may require the applicant to submit special studies, such as a noise study, to address these issues.*

C. Office and Professional (OP)

- 2. Height, Central Business District. Maximum building height in the CBD shall be 30 feet.*
- 3.b. Site Design Criteria. All new development shall resemble the size, character and scale of the surrounding residences, and shall provide landscaping between new development and the frontage of the nearest public road. Pedestrian sidewalks shall be provided between new development and the nearest public road. All outdoor lighting, play areas, and new parking spaces shall be located away from residential property lines or shall be separated by a minimum 10-foot wide landscaping screen.*

G. Recreation (REC)

- 4.b. Portion of Tract 1646 West of Pecho Road, Lodging Design and Height Limitation. All buildings shall be residential in scale and have a maximum height of 28 feet.*

I. Residential Multi-Family (RMF)

- 1.b.2. Height Limitation. Maximum height shall be 28 feet, except for bayfront areas [which are less, per LOCP Figure 7-3].*

J. Morro Shores Mixed Use Area (RMF, RSF, CS)

- 1. Height. Maximum height for residential, transient lodgings, and accessory uses shall be 28 feet.*
- 5. Multi-Use Business/Commerce Park Standards*
 - b. Character. The multi-use business park shall have landscaped open spaces in a campus-like character that provides an attractive environment and respects the natural*

environment. It shall be compatible with surrounding neighborhoods and the community.

j. Height. Maximum building height shall be 30 feet.

k. Other Criteria. [This section includes a variety of design criteria intended to address potential compatibility and visual impacts. Refer to the draft LOCP for the complete description.]

8.a.(iii). Low Density Residential, Area 2: 8.8-acre property fronting on Ramona Avenue. Compatibility. Non-residential development shall be sited, designed, and landscaped to be compatible with surrounding residential areas. Several smaller buildings are preferred to fewer, more massive ones.

L. Residential Single-Family (RSF)

1. Height. Maximum height shall be 28 feet, except where other applicable planning area standards establish other specific height limits. [Draft LOCP describes modified limits within Cabrillo Estates]

M. Residential Suburban (RS)

3.b.(i). West of Pecho Area, South of Monarch Grove. Height. Maximum building height shall be 22 feet.

3.c.(i). West of Pecho Area, 17-acre Property North of Seascape Plan. Building Design, All Areas. In the entire Southwestern Hillsides [as shown on Figure 7-34 of the LOCP], all buildings shall have 1) low profiles that architecturally follow and adapt to the natural slope and 2) subdued colors that blend with the natural environment.

These policies and standards address a variety of design-related and character-related issues throughout the community, especially as they relate to building heights, setbacks, and land use compatibility. In the aggregate, they build on the existing framework of the Estero Area Plan, and protect and enhance the community's character, especially as it relates to enhancing the community's urban center, and providing a more visually attractive setting for future urban development in its high quality rural setting.

Impacts to the community's overall visual character are therefore considered to be **less than significant (Class III)**.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: Would the Community Plan create glare or night lighting, which may affect surrounding areas?

Impact AES-5 Buildout under the LOCP could introduce new sources of light and glare, but potential impacts would be generally addressed by the proposed policy framework set forth in the LOCP. This is considered a less than significant (Class III) impact.

The Los Osos community is in a rural setting, and apart from existing low intensity lighting of its streets, businesses and homes, is a relatively dark place at night, with little light spillover into the surrounding rural area.

Future development within the LOCP area would introduce new housing and commercial uses, which will increase the opportunities for new lighting and glare that could potentially result in impacts. Street improvements will also include new street lights. Overall, continued development would gradually increase the potential for new sources of light and glare throughout the community. This is especially important, not only in the context of land use compatibility and community character, but from a habitat protection perspective. Without proper regulatory protections, new lighting could result in potential impacts.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential light and glare related impacts, which would be applied to future development within the area as appropriate:

Chapter 7, Planning Area Standards

7.3 Communitywide Standards

G. Light and Glare. At the time of application for any land divisions, land use permit or coastal development permit, the applicant shall provide details on any proposed exterior lighting, if applicable. Except as necessary to support agricultural operations, all lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.

7.5 Land Use Category Standards

A.4. Commercial Retail, Central Business District

b.(vii). Mixed Use Development, Site Design. [This section provides a variety of standards intended to promote appropriate scale and enhance the visual quality of the CBD. Refer to the Draft LOCP for a complete description of standards.]

c. Design Guidelines. [This section provides a variety of standards intended to improve the architectural character of development within the CBD. Refer to the Draft LOCP for a complete description of standards.]

B. Commercial Service (CS)

2. Compatibility. All commercial development subject to discretionary approval shall incorporate measures to assure compatibility with nearby residences (including onsite caretaker units), with regard to impacts associated with, but not limited to, noise, vibration, odor, light, glare, hazardous materials, truck traffic, exhaust, unsightliness, or hours of operation. Land use permit applications shall include a description of activities that may be incompatible with residential neighbors and measures to avoid or mitigate those incompatibilities. This may require the applicant to submit special studies, such as a noise study, to address these issues.

C. Office and Professional (OP)

3.b. Site Design Criteria. All new development shall resemble the size, character and scale of the surrounding residences, and shall provide landscaping between new development and the frontage of the nearest public road. Pedestrian sidewalks shall be provided between new development and the nearest public road. All outdoor lighting, play areas, and new parking spaces shall be located away from residential property lines or shall be separated by a minimum 10-foot wide landscaping screen.

These policies and standards address a variety of design-related throughout the community, especially as they relate to light and glare. In the aggregate, they build on the existing framework of the Estero Area Plan, and protect and enhance the community's character, especially as it relates to reducing potential impacts with respect to light and glare.

As the street lighting authority, Los Osos Community Services District could expand or increase the density of street lighting within the district. The community considers adequate exterior lighting to be desirable, as it helps to promote safety. However, the introduction of new lighting sources could reduce visibility of the nighttime views in the area. Additionally, new sources of glare may result from materials used for new development within the community. However, compliance with exterior lighting regulations in Section 23.04 of the Coastal Zone Land Use Ordinance and the proposed design-related guidelines included in the LOCP would ensure that impacts are **less than significant (Class III)**.

Mitigation Measures. Impacts would be less than significant.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: Would the Community Plan impact a unique geologic or physical feature?

Impact AES-6 Buildout under the LOCP would not damage any identified unique geologic or physical feature. Potential impacts would be adequately addressed by the proposed policy framework set forth in the LOCP. This is considered a less than significant (Class III) impact.

All development under the LOCP would occur either within previously identified or partially developed urban areas, or in certain cases, within undeveloped lands that are generally flat and suitable for development. There are no identified unique geologic or physical features that would be removed or damaged as a result of such development. Therefore, impacts to such features within Los Osos would be less than significant.

Mitigation Measures. Impacts would be less than significant.

Residual Impacts. Impacts would be less than significant without mitigation.

c. Cumulative Impacts. The evaluation of the LOCP in this EIR, which includes buildout of the Los Osos community, accounts for all of the expected and foreseeable growth in the Los Osos area. As described above, this includes less than significant impacts related to aesthetic compatibility, introducing a use within a scenic view open to public view, changes in visual character, glare and night lighting, and unique geologic or physical features. Regional growth in the project vicinity, including in the City of Morro Bay and nearby rural areas between Los Osos and the City of San Luis Obispo, while expected to be relatively minor over the life of the proposed LOCP, may impact regional aesthetics and visual resources. However, buildout of the proposed LOCP would not contribute to these cumulative impacts. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information, and are considered ***Class III, Less Than Significant***. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.1-1** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.1-1. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review

Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	AES-1 through AES-6
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	AES-1 through AES-6
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than AES-1 through AES-6
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened AES-1 through AES-6, as applicable

4.2 AIR QUALITY

This chapter summarizes the results of the Air Quality Analysis prepared for the Community Plan (Appendix B). Impacts were assessed in accordance with guidance provided by the San Luis Obispo Air Pollution Control District (SLOAPCD). The Community Plan would be consistent with the Clean Air Plan (CAP). Construction emissions associated with projects implemented under the Community Plan would be Class II, significant but mitigable. Impacts associated with sensitive receptors and odors would be Class III, less than significant.

4.2.1 Setting

a. Environmental Setting.

Air Basins. The State of California is divided geographically into 15 air basins for managing the air resources of the state on a regional basis. Areas within each air basin are considered to share the same air masses and, therefore, are expected to have similar ambient air quality. If an air basin is not in either federal or state attainment for a particular pollutant, the basin is classified as a moderate, serious, severe, or extreme non-attainment area for that pollutant (there is also a marginal classification for federal non-attainment areas). Once a non-attainment area has achieved the air quality standards for a particular pollutant, it may be redesignated as an attainment area for that pollutant. To be redesignated, the area must meet air quality standards and prepare a maintenance plan demonstrating the ability of the basin to in continuing to meet and maintain air quality standards, as well as satisfy other requirements of the Clean Air Act (CAA). Areas that are redesignated attainment are called maintenance areas. The project is located in San Luis Obispo County, which is within the South Central Coast Air Basin (Basin), which also includes Santa Barbara and Ventura Counties.

Geographic Setting. The unincorporated community of Los Osos is located along the coast in the central portion of San Luis Obispo County, generally south of and adjacent to Morro Bay and its associated estuary. Los Osos is approximately 4 miles south of the City of Morro Bay, across the bay/estuary, and approximately 10 miles west of the City of San Luis Obispo, at the western end of Los Osos Valley, a broad, relatively flat agricultural area formed by Los Osos Creek. The county can be divided into three general geographic regions including the Coastal Plateau, the Upper Salinas River Valley, and the East County Plain (SLOAPCD 2001). The Community Plan area is located with the Coastal Plateau region.

Climate. The climate of the County can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Along the coast, mild temperatures are the rule throughout the year due to the moderating influence of the Pacific Ocean. The mean annual temperature for the project area is 63 degrees Fahrenheit (°F). The average annual precipitation is

17 inches, falling primarily from November to April. Winter low temperatures in the project area average about 43°F, and summer high temperatures average about 66°F (Western Regional Climate Center 2016).

The dominant meteorological feature affecting the region is the Pacific High Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that which occurs at the base of the coastal mountain range.

Fluctuations in the strength and pattern of winds from the Pacific High Pressure Zone interacting with the daily local cycle produce periodic temperature inversions that influence the dispersal or containment of air pollutants in the county.

The prevailing westerly wind pattern is sometimes interrupted by regional “Santa Ana” conditions. A Santa Ana occurs when a strong high pressure develops over the Nevada-Utah area and overcomes the prevailing westerly coastal winds, sending strong, steady, hot, dry northeasterly winds over the mountains and out to sea.

Existing Air Quality.

National and California Ambient Air Quality Standards

In order to achieve the purposes of the Federal CAA and the California CAA, the United States Environmental Protection Agency (U.S. EPA) developed primary and secondary national ambient air quality standards (NAAQS) and the State developed California ambient air quality standards (CAAQS). Six criteria pollutants of primary concern have been designated: ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), lead (Pb) and respirable particulate matter (PM₁₀ and PM_{2.5}). The current NAAQS and CAAQS are presented in **Table 4.2-1**.

Table 4.2-1. Ambient Air Quality Standards

Table 4.2-1. Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards		National Standards		
		Concentration	Method	Primary	Secondary	Method
Ozone	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	–	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.07 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM ₁₀)	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		–		
Fine Particulate Matter (PM _{2.5})	24 Hour	No Separate State Standard		35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	12 µg/m³	15 µg/m³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-dispersive Infrared Photometry	35 ppm (40 mg/m³)	–	Non-dispersive Infrared Photometry
	8 Hour	9.0 ppm (10 mg/m³)		9 ppm (10 mg/m³)	–	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		–	–	
Nitrogen Dioxide (NO ₂)	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	–	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		0.053 ppm (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂)	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	–	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	–		–	0.5 ppm (1,300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas)	–	
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas)	–	
Lead	30 Day Average	1.5 µg/m³	Atomic Absorption	–	–	High Volume Sampler and Atomic Absorption
	Calendar Quarter	–		1.5 µg/m³ (for certain areas)	Same as Primary Standard	
	Rolling 3-Month Average	–		0.15 µg/m³		
Visibility Reducing Particles	8 Hour	Instrumental equivalents: -extinction of 0.23 per kilometer statewide -extinction of 0.07 per kilometer for Lake Tahoe Air Basin	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			
Source: State of California 2015. ppm = parts per million; ppb = parts per billion; µg/m³ = micrograms per cubic meter; – = not applicable.						

Source: State of California 2015.

ppm = parts per million; ppb = parts per billion; µg/m³ = micrograms per cubic meter; – = not applicable.

Air Quality Measurements

Air quality at a particular location is a function of the kinds, amounts, and dispersal rates of pollutants being emitted into the air locally and throughout the basin. The major factors affecting pollutant dispersion are wind speed and direction, the vertical dispersion of pollutants (which is affected by inversions), and the local topography.

Air quality is commonly expressed as the number of days in which air pollution levels exceed state standards set by the California Air Resources Board (CARB) or federal standards set by the U.S. EPA. There are currently ten air quality monitoring stations located in the county. Eight of these stations are maintained and operated as a part of the SLOAPCD network, and two stations are operated by the CARB (SLOAPCD 2015). Air pollutant concentrations and meteorological information are continuously recorded at these stations. Measurements are then used by scientists to help forecast daily air pollution levels.

The Morro Bay monitoring station located at 899 Morro Bay Boulevard, approximately 2.5 miles north of Los Osos is the nearest monitoring station to the Community Plan area. The Morro Bay monitoring station measures ozone and NO₂. **Table 4.2-2** provides a summary of measurements collected at the Morro Bay monitoring station for the years 2015 through 2019.

Table 4.2-2. Summary of Air Quality Measurements Recorded at the Morro Bay Monitoring Station					
Pollutant/Standard	2015	2016	2017	2018	2019
Ozone					
Days State 1-hour Standard Exceeded (0.09 ppm)	0	0	0	0	0
Days State 8-hour Standard Exceeded (0.07 ppm)	0	0	0	0	0
Days Federal 8-hour Standard Exceeded (0.075 ppm)	0	0	0	0	0
Max. 1-hr (ppm)	0.064	0.060	0.071	0.057	0.058
Max 8-hr (ppm)	0.057	0.057	0.062	0.055	0.051
Nitrogen Dioxide					
Days State 1-hour Standard Exceeded (0.18 ppm)	0	0	0	0	0
Days Federal 1-hour Standard Exceeded (0.100 ppm)	0	0	0	0	0
Max 1-hr (ppm)	0.043	0.036	N/A	N/A	N/A
Annual Average (ppm)	0.011	0.008	N/A	N/A	N/A
Source: CARB 2019.					

Ozone. Nitrogen oxides and hydrocarbons (reactive organic gases [ROG]) are known as the chief “precursors” of ozone. These compounds react in the presence of sunlight to produce ozone, which is the primary air pollution problem in the county. Because sunlight plays such an important role in its formation, ozone pollution—or smog—is mainly a concern during the daytime in summer months. A majority of the county, including the Community Plan area, have experienced relatively low levels of

ozone. However, ozone levels exceeding state and federal levels have been measured in the eastern portion of the county. The eastern portion of the county was designated as a nonattainment area for the federal ozone standard in May 2012.

Carbon Monoxide. CO is an odorless, colorless gas. It is produced as a result of incomplete combustion of carbon containing fuels such as coal, wood, charcoal, natural gas, and fuel oil. The county is classified as a state attainment area and as a federal unclassified area for CO. Small-scale, localized concentrations of CO above the state and national standards have the potential to occur at intersections with stagnation points such as those that occur on major highways and heavily traveled and congested roadways. Localized high concentrations of CO are referred to as “CO hot spots” and are a concern at congested intersections, where automobile engines burn fuel less efficiently and their exhaust contains more CO.

Particulate Matter. Particulate matter is a complex mixture of microscopic solid or liquid particles including chemicals, soot, and dust. Anthropogenic sources of direct particulate emissions include crushing or grinding operations, dust stirred up by vehicle traffic, and combustion sources such as motor vehicles, power plants, wood burning, forest fires, agricultural burning, and industrial processes. Additionally, indirect emissions may be formed when aerosols react with compounds found in the atmosphere. Health studies have shown a significant association between exposure to particulate matter and premature death in people with heart or lung diseases. Other important effects include aggravation of respiratory and cardiovascular disease, lung disease, decreased lung function, asthma attacks, and certain cardiovascular problems such as heart attacks and irregular heartbeat (U.S. EPA 2016). As its properties vary based on the size of suspended particles, particulate matter is generally categorized as particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) or particulate matter with an aerodynamic diameter of 2.5 microns or less (PM_{2.5}). PM₁₀, occasionally referred to as “inhalable coarse particles” has an aerodynamic diameter of about one-seventh of the diameter of a human hair. High concentrations of PM₁₀ are often found near roadways, construction, mining, or agricultural operations. PM_{2.5}, occasionally referred to as “inhalable fine particles” has an aerodynamic diameter of about one-thirtieth of the diameter of a human hair. PM_{2.5} is the main cause of haze in many parts of the United States. Federal standards applicable to PM_{2.5} were first adopted in 1997.

Other Criteria Pollutants. The national and state standards for NO₂, oxides of sulfur (SO_x), and the previous standard for lead are being met in the county, and the latest pollutant trends suggest that these standards will not be exceeded in the foreseeable future. The county is also in attainment of the state standards for vinyl chloride, H₂S, sulfates, and visibility-reducing particulates.

b. Regulatory Setting. Motor vehicles are leading source of air pollution in the county (SLOAPCD 2016). In addition to these sources, other mobile pollution sources include farming operations, construction equipment, trains, and airplanes. Emission standards for mobile sources are established by state and federal agencies, such as the CARB and the U.S. EPA. Reducing mobile source

emissions requires the technological improvement of existing mobile sources and the examination of future mobile sources, such as those associated with new or modification projects (e.g., retrofitting older vehicles with cleaner emission technologies). The state of California has developed statewide programs to encourage cleaner cars and cleaner fuels. The regulatory framework described below details the federal and state agencies that are in charge of monitoring and controlling mobile source air pollutants and the measures currently being taken to achieve and maintain healthful air quality in the county. In addition to mobile sources, stationary sources also contribute to air pollution in the county. Stationary sources include gasoline stations, power plants, dry cleaners, and other commercial and industrial uses. Stationary sources of air pollution are regulated by the local air pollution control or management district, in this case the SLOAPCD.

Federal Regulations. The Federal CAA was enacted in 1970 (and amended several times since) for the purpose of protecting and enhancing the quality of the nation's air resources. In 1971, in order to achieve the purposes of Section 109 of the CAA [42 United States Code 7409], the U.S. EPA developed primary and secondary NAAQS. Six criteria pollutants of primary concern have been designated: O₃, CO, SO₂, NO₂, lead and respirable particulate matter (PM₁₀ and PM_{2.5}). The current NAAQS are presented in **Table 4.2-1** and represent the maximum levels of background pollution considered safe, with an adequate margin of safety, to protect public health and welfare considering long-term exposure of the most sensitive groups in the general population (i.e., children, senior citizens, and people with breathing difficulties). The eastern portion of the county is also currently classified as a federal non-attainment area for ozone, however, the portion of the county containing the Community Plan area is classified as a federal attainment area for ozone.

State Regulations.

Criteria Pollutants

The U.S. EPA allowed states the option to develop different (stricter) air quality standards. Through the California CAA signed into law in 1988, the CARB has generally set more stringent limits on the criteria pollutants as shown in **Table 4.2-1**. The County is currently classified as a state non-attainment area for ozone and PM₁₀.

The California CAA additionally requires that air quality management districts implement regulations to reduce emissions from mobile sources through the adoption and enforcement of transportation control measures and:

- Demonstrate the overall effectiveness of the air quality program;
- Reduce non-attainment pollutants at a rate of 5 percent per year, or include all feasible measures and expeditious adoption schedule;
- Implement public education programs;
- Reduce per-capita population exposure to severe non-attainment pollutants according to a prescribed schedule;

- Include any other feasible controls that can be implemented, or for which implementation can begin, within 10 years of adoption of the most recent air quality plan; and
- Rank control measures by cost-effectiveness and implementation priority.

Toxic Air Contaminants

The public's exposure to toxic air contaminants (TACs) is a significant public health issue in California. In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health (Assembly Bill [AB] 1807). Diesel-exhaust particulate matter emissions have been established as TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles.

The California Air Toxics Program establishes the process for the identification and control of TACs and includes provisions to make the public aware of significant toxic exposures and for reducing risk. Additionally, the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) was enacted in 1987 and requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, to notify nearby residents of significant risks and to reduce those significant risks to acceptable levels. The Children's Environmental Health Protection Act (California Senate Bill 25) focuses on children's exposure to air pollutants. The act requires the CARB to review its air quality standards from a children's health perspective, evaluate the statewide air monitoring network and develop any additional air toxic control measures needed to protect children's health.

Following the identification of diesel particulate matter (DPM) as a TAC in 1998, the CARB has worked on developing strategies and regulations aimed at reducing the risk from DPM. The overall strategy for achieving these reductions is found in the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles* (CARB 2000). A stated goal of the plan is to reduce the statewide cancer risk arising from exposure to DPM by 85 percent by 2020.

In April 2005, the CARB published the *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB 2005). The handbook makes recommendations directed at protecting sensitive land uses from air pollutant emissions while balancing a myriad of other land use issues (e.g., housing, transportation needs, economics, etc.). It notes that the handbook is not regulatory or binding on local agencies and recognizes that application takes a qualitative approach. As reflected in the CARB Handbook, there is currently no adopted standard for the significance of health effects from mobile sources. Therefore, the CARB has provided guidelines for the siting of land uses near heavily traveled roadways. Of pertinence to this study, the CARB guidelines indicate that siting new sensitive land uses within 500 feet of a freeway or urban roads with 100,000 or more vehicles per day should be avoided when possible.

As an ongoing process, the CARB will continue to establish new programs and regulations for the control of diesel particulate and other air-toxics emissions as appropriate. The continued development and implementation of these programs and policies will ensure that the public's exposure to DPM will continue to decline.

State Implementation Plan

The State Implementation Plan (SIP) is a collection of documents that set forth the state's strategies for achieving the NAAQS. In California, the SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations, and federal controls. The CARB is the lead agency for all purposes related to the SIP under state law. Local air districts and other agencies, such as the Department of Pesticide Regulation and the Bureau of Automotive Repair, prepare SIP elements and submit them to the CARB for review and approval. The CARB then forwards SIP revisions to the U.S. EPA for approval and publication in the Federal Register. All of the items included in the California SIP are listed in the Code of Federal Regulations (CFR) at 40 CFR 52.220.

Local Regulations. The SLOAPCD is the agency that regulates air quality in the county. The SLOAPCD is responsible for preparing the CAP, which is the attainment plan for the county that addresses how State standards will be met. The Final 2001 CAP provides the framework for application of Best Available Control Technology and Best Available Retrofit Control Technology, implementation of transportation control measures, development of control programs for area sources and indirect sources of emissions, sufficient control strategies to achieve ROG and NO_x emissions reductions required by the CARB, and preparation of annual progress reports for submittal to the CARB.

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis of air quality impacts follows the guidance and methodologies recommended in the SLOAPCD's *CEQA Air Quality Handbook*. A program-level analysis was performed for the Community Plan, which, according to the SLOAPCD, does not require a quantitative air emissions analysis. Rather, a qualitative consistency analysis of air quality impacts is required. A qualified analysis of air quality impacts was conducted based on the Community Plan's consistency with the CAP. Additionally, although a quantified analysis is not required, for informational purposes, emissions due to operation of the existing land uses as well as buildout of the adopted Estero Area plan and the Community Plan were calculated using the California Emissions Estimator Model (CalEEMod) (California Air Pollution Control Officers Association 2013). In brief, the model estimates criteria air pollutants and GHG emissions by multiplying emission source intensity factors by estimated quantities of emission sources based on the land use information.

Significance Thresholds. Pursuant to the County's Initial Study Checklist and Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would:

- *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by the County Air Pollution Control District;*
- *Expose any sensitive receptors to substantial pollutant concentrations;*
- *Create or subject individuals to objectionable odors;*
- *Be inconsistent with the District's Clean Air Plan; and/or*
- *Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use.*

b. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan be inconsistent with the District's Clean Air Plan?*

Threshold: *Would actions under the Community Plan result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use*

Impact AQ-1 The Community Plan would generally be consistent with the transportation control measures and land use and circulation management programs in the 2001 CAP. Consistency with the Clean Air Plan ensures that long-term operational impacts associated with future buildout under the Community Plan are adequately addressed. This impact would be Class III, less than significant.

As described above, the California CAA requires air basins that are designated non-attainment of State AAQS for criteria pollutants prepare and implement plans to attain the standards by the earliest practicable date. The two pollutants addressed in the CAP are ROGs and NO_x, which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and by extension to maintaining and improving air quality. Operation emissions are long-term and include mobile and area sources. Sources of operational emissions associated with future projects developed under the Community Plan include:

- Traffic generated by the project; and,
- Area source emissions from the use of natural gas, fireplaces, and consumer products.

The SLOAPCD does not require quantified analysis of operational air contaminant emissions impacts for program-level evaluations, such as for the Community Plan. Rather, a qualitative consistency analysis of air quality impacts is required. Significant impacts are identified by determining whether applicable land use management strategies and transportation control measures from the CAP have been included in the Community Plan to the maximum extent feasible. If the Community Plan is consistent with the land use management strategies and transportation control measures, it is considered consistent with the CAP. Although a quantified analysis is not required, for informational purposes, emissions due to operation of the existing land uses as well as buildout of the adopted Estero Area plan and the Community Plan were calculated and are contained in Attachments 1 through 3 of the Air Quality Analysis (Appendix B).

The current residential population of the Community Plan area is 13,906. Buildout of the Community Plan would accommodate 18,000 residents consistent with the San Luis Obispo Council of Governments (SLOCOG) 2035 population estimates for Los Osos, and therefore consistent with the growth assumed in the CAP.

Project trip generation rates were obtained from the Transportation Impact Analysis Report prepared for the Community Plan (Omni Means 2016). The existing land uses generate 74,836 trips and future buildout of the Community Plan would generate 100,648 trips. A comparison of vehicle miles travelled (VMT) with and without implementation of the Community Plan was completed using average trip lengths in County (CARB 2014) and CalEEMod vehicle calculations. Based on data reported by SLOAPCD, the existing year 2016 and year 2035 average regional trip length trip lengths in the County are 5.56 and 5.20 miles, respectively (CARB 2014). Based on CalEEMod calculations, the existing land uses currently generate 105,487,960 annual VMT and future buildout of the Community Plan would generate 125,576,933 annual VMT. This increase in VMT is consistent with the anticipated population growth in Los Osos, and therefore consistent with the growth assumed in the CAP.

The following Transportation Control Measures (TCMs) contained in the CAP would apply to the Community Plan:

- *T-1C Voluntary Commute Options Program*
- *T-2A Local Transit System Improvements*
- *T-3 Bicycling and Bikeway Enhancements*
- *T-6 Traffic Flow Improvements*
- *T-8 Telecommuting, Teleconferencing, and Telelearning*

The Community Plan identifies deficiencies in the circulation network, proposes specific circulation improvements, and proposes a number of transportation and circulation goals and policies. Strategy growth goals and circulation policies include the following:

- *Strategic Growth Goal 4 – Create walkable neighborhoods and towns.*
- *Strategic Growth Goal 5 – Provide a variety of transportation choices.*
- *Policy CIR-1. Maximize public access to and along the coast.*
- *Policy CIR-2. Provide safe, convenient access to multiple transportation modes from shopping areas, schools, residential areas, and recreation facilities.*
- *Policy CIR-3. Responsibly finance and administer the community circulation system in Los Osos.*
- *Policy CIR-4. Design the Los Osos community circulation system to be compatible with the community's character and responsive to local environmental needs.*

In addition to these transportation and circulation goals and policies, the proposed Community Plan contains the following specific circulation improvements.

Los Osos Valley Road

- *Construct center medians in the downtown corridor intended to slow traffic, encourage pedestrian activity, attract economic activity, and make the area more attractive.*
- *Widen Los Osos Valley Road between Doris Avenue and Palisades Avenue to provide a continuous center left turn lane.*
- *Implement traffic calming measures where feasible to slow traffic and encourage safe pedestrian travel within the central business district, such as bulb- outs, medians and raised crosswalks at intersections and mid- block locations.*
- *Construct a multi- use trail on the northerly side of Los Osos Valley Road between Palisades Avenue and Doris Avenue.*

Los Osos Valley Road Corridor Improvements

- *A Los Osos Valley Road Corridor Study was prepared to define a specific set of guidelines and serve as an overall master plan that will guide future circulation improvements within the Los Osos Valley Road right-of-way between the Los Osos Creek Bridge and Bush Drive. The study includes a number of recommendations including raised medians, dedicated right turn lanes, intersection improvements, pedestrian crossings, new and synchronized signals, and pedestrian improvements.*
- *The Los Osos Valley Road Corridor Study also provides guidelines for amenities in the Central Business District. These amenities include on-site parking off of Los Osos*

Valley Road, street furnishings, sitting walls, benches, trash receptacles, pathways, perpendicular streets, bike racks, tree grates, in-ground planters, container planters, landscaped medians, and street lighting.

These goals, policies, and circulation improvements would be consistent with CAP TCMs. The CAP also identifies land use strategies that reduce VMT by planning compact communities, providing for a mix of land uses, creating a job and housing balance, and implementing circulation management policies. The Community Plan would provide a mixed-use area that would incorporate these land use strategies, the Morro Shores Mixed-Use Area. New development within this area would include efficient pedestrian, bicycle, and vehicular connections to other neighborhoods and important activity centers within the community including open space areas, the Central Business District, and the Baywood Commercial Area. The Community Plan would be consistent with CAP land use strategies.

In summary, because the Community Plan would be consistent with the growth assumed in the CAP and would incorporate TCMs and land use strategies from the CAP, the Community Plan is considered consistent with the CAP. Impacts would be **Class III, less than significant**.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts associated with odors would be **Class III, less than significant**.

Threshold: *Would actions under the Community Plan violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by the County Air Pollution Control District?*

Impact AQ-2 Construction activity within the Community Plan area would generate temporary increases in localized air pollutant emissions. These emissions would occur in proximity to existing and future residents within the community. Construction-related impacts would be **Class II, significant but mitigable**.

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include:

- Fugitive dust from grading activities;
- Construction equipment exhaust;
- Construction-related trips by workers, delivery trucks, and material-hauling trucks;
- and

- Construction-related power consumption.

Air pollutants generated by the construction of projects within the Community Plan area would vary depending upon the number of projects occurring simultaneously and the size of each individual project. The exact number and timing of all development projects that could occur under the Community Plan are unknown. The Community Plan would accommodate 1,861 residential units and 364,000 square feet of commercial space over the existing condition. Construction activities associated with individual projects are not generally considered to have significant air quality impacts because of their short-term and temporary nature. However, because the number, type, and size of construction projects that could occur at any given time is unknown and because the Community Plan would accommodate additional growth over the existing condition, it is reasonable to conclude that some major construction activity could be occurring at any given time over the buildout horizon of the Community Plan. Large construction projects or multiple construction projects occurring simultaneously would have the potential to exceed construction emission thresholds established by the SLOAPCD. In addition, because the SLOAPCD is in non-attainment with the state standard for PM₁₀, the amount of fugitive dust generated from construction activities is potentially significant. Therefore, construction-related impacts associated with development under the Community Plan are **Class II, significant but mitigable**.

Mitigation Measures. Implementation of standard SLOAPCD dust and emissions control measures would minimize construction-related air quality impacts and reduce them to a less than significant level. The specific measures that would be applied in accordance with standard requirements include the following:

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

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

- *Maintain all construction equipment in proper tune according to manufacturer's specifications;*
- *Fuel all off-road and portable diesel powered equipment with a CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);*
- *Use diesel construction equipment meeting the CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;*
- *Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;*

- *Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standard identified in the above two measures (e.g., captive or NO_x exempt area fleets) may be eligible by providing alternative compliance;*
- *All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or jobs sites to remind drivers and operators of the 5 minute idling limit;*
- *Diesel idling within 1,000 feet of sensitive receptors is not permitted;*
- *Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;*
- *Electrify equipment when feasible;*
- *Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and*
- *Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.*

Plan Requirements and Timing. The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

AQ-2(b)

Community Plan Fugitive Dust Control Measures. The following language shall be added as a subsection to 7.3 Communitywide Standards of the Community Plan:

Fugitive Dust Control Measures. Construction projects shall implement the following dust control measures so as to reduce PM₁₀ emissions in accordance with SLOAPCD requirements:

- *Reduce the amount of the disturbed area where possible;*
- *Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed (nonpotable) water should be used whenever possible;*
- *All dirt-stock-pile areas shall be sprayed daily as needed;*
- *Permanent dust control measures shall be identified in the approved project revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities;*
- *Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established;*

- *All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;*
- *All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;*
- *Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;*
- *All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;*
- *Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and*
- *Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.*
- *All of these fugitive dust mitigation measures shall be shown on grading and building plans; and*
- *The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.*

Plan Requirements and Timing. The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

Residual Impacts. Due to the temporary nature of construction activities and implementation of the above mitigation measures, construction air quality impacts would be reduced to a less than significant level.

Threshold: *Would actions under the Community Plan expose any sensitive receptors to substantial pollutant concentrations?*

Impact AQ-3 Sensitive receptors sited next to roadways in the Community Plan area would not be exposed to a significant source of diesel particulate matter. Additionally, no CO hot spots would occur as a result of the Community Plan. Implementation of the Community Plan would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be Class III, *less than significant*.

Localized Carbon Monoxide Hot Spots. Localized CO concentration is a direct function of motor vehicle activity at signalized intersections (e.g., idling time and traffic flow conditions), particularly during peak commute hours and meteorological conditions. Under specific meteorological conditions (e.g., stable conditions that result in poor dispersion), CO concentrations may reach unhealthy levels with respect to local sensitive land uses. Guidance for the evaluation of CO hot spots is provided in the *Transportation Project-level Carbon Monoxide Protocol* (CO protocol) (University of California, Davis 1997) prepared for the Environmental Program of the California Department of Transportation by the Institute of Transportation Studies, University of California Davis. According to the CO Protocol, projects that increase the percentage of vehicles in cold start modes by 2 percent or more significantly increase traffic volumes over existing volumes, worsen traffic flow, or have the potential to result in CO hotspots. The CO Protocol defines a significant increase in traffic as a 5 percent or greater increase in average daily trips (ADT) from all roadways. Worsening traffic flow is defined for signalized intersections as increasing average delay at intersections operating at level of service (LOS) E or F or causing an intersection that would operate at LOS D or better without the project to operate at LOS E or F with the project. CO hot-spots almost exclusively occur near intersections with LOS E or worse in combination with relatively high traffic volumes on all roadways (Garza et al. 1997). Unsignalized intersections are not considered as potential candidates for CO hot spots, as unsignalized intersections do not experience large traffic volumes and delays, and are typically signalized when significant delays in traffic are identified.

LOS projections were developed in the Transportation Impacts Analysis Report prepared for the project (Appendix E). Based on this analysis, the Community Plan would not result in any signalized intersections with LOS E or worse. Therefore, no CO hot spots would occur as a result of the Community Plan and localized air quality impacts would be **Class III, less than significant**.

Toxic Air Emissions. Diesel-fired particulate matter has been identified as a TAC. The health risks associated with diesel particulate matter are those related to long-term exposures (i.e., cancer and chronic effects). Long-term health risk effects are generally evaluated for an exposure period of 70 years (i.e., lifetime exposure).

CARB guidelines indicate that siting new sensitive land uses within 500 feet of a freeway or urban roads with 100,000 or more vehicles per day should be avoided when possible. Based on the Transportation Impacts Analysis Report, future traffic volumes on all roadways are projected to be less than 22,000 ADT

at buildout of the Community Plan. Sensitive receptors sited next to roadways in the Community Plan area would not be exposed to a significant source of diesel particulate matter. Impacts would be **Class III, less than significant**.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts associated with CO hot spots and TAC would be **Class III, less than significant**.

Threshold: *Would actions under the Community Plan create or subject individuals to objectionable odors?*

Impact AQ-4 Implementation of the Community Plan would not create operational-related objectionable odors affecting a substantial number of people. Impacts would be **Class III, less than significant**.

The potential for an odor impact is dependent on a number of variables including the nature of the odor source, distance between the receptor and odor source, and local meteorological conditions. During construction, potential odor sources associated with the project include diesel exhaust associated with construction equipment. Diesel exhaust may be noticeable temporarily; however, construction activities would be temporary. Therefore, the diesel exhaust odors would not result in significant impacts.

The SLOAPCD CEQA Air Quality Handbook identifies multiple odor-causing sources including but not limited to; wastewater treatment plants, landfills, composting facilities, petroleum refineries and chemical manufacturing. The Community Plan proposes single-family residential, multi-family residential, commercial (office and retail), recreational, and open space land uses, and would not introduce land uses that would generate substantial odor. Implementation of the Community Plan would not create operational-related objectionable odors affecting a substantial number of people. Program-level impacts associated with odor would be **Class III, less than significant**.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts associated with odors would be **Class III, less than significant**.

c. Cumulative Impacts. A project that does not exceed the SLOAPCD thresholds and is consistent with the CAP would have a less than significant cumulative impact. Conversely, a project that exceeds the SLOAPCD significance thresholds or is found to be inconsistent with the CAP would result in significant cumulative impacts. As discussed, the Community Plan would be consistent with the SLOCOG growth projections. Additionally, the Community Plan would decrease the development potential when

compared to the adopted Estero Area Plan. Because the Community Plan would be consistent with the growth assumed in the CAP and would incorporate TCMs and land use strategies from the CAP, the Community Plan is considered consistent with the CAP. The evaluation of the Community Plan in this EIR accounts for expected population growth and associated development in the Community Plan area. Therefore, cumulative air quality impacts from buildout of the Community Plan have been addressed in this impact analysis. Cumulative impacts on air quality would be ***less than significant (Class III)***.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.2-3** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.2-3. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	AQ-1 through AQ-4
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	AQ-1 through AQ-4
<i>The future project would result in an air quality impact peculiar to the project or parcel. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects. This may include if the project would result in operational emissions that exceed project level APCD thresholds and cannot be mitigated to a less than significant level.</i>	Impact other than AQ-1 through AQ-4
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified. This may include the following circumstances:</i> <ul style="list-style-type: none"> <i>If future APCD standards have changed such that the future project would result in a significant effect;</i> <i>If pollutants other than PM₁₀ and ozone have gained nonattainment status; and/or</i> <i>If the future project would generate toxic air contaminants</i> 	Worsened AQ-1 through AQ-4, as applicable

4.3 BIOLOGICAL RESOURCES

Implementation of the proposed LOCP would focus infill development in undeveloped areas within the Urban Reserve Line (URL, Plan Area) on small, primarily disturbed lots dominated by non-native vegetation. Still, future development in the URL could potentially impact special status biological resources including special status plants and wildlife, Sensitive Resource Areas, and Environmentally Sensitive Habitat Areas. The existing policies in the General Plan, Estero Area Plan, and Coastal Zone Land Use Ordinance, and those proposed in the LOCP are intended to avoid impacts to special status biological resources to the maximum extent feasible. The Los Osos Habitat Conservation Plan (LOHCP) is also anticipated to be completed within the near future. The LOHCP will provide a streamlined process for future development activities that could affect federal-listed threatened and endangered species within and adjacent to the URL and Plan Area, and will ensure compliance with federal Endangered Species Act requirements for those covered species. With the policy framework embodied in the General Plan, Estero Area Plan, Coastal Zone Land Use Ordinance, and those anticipated in the LOHCP, most programmatic impacts associated with implementation of the LOCP would be considered less than significant. Impacts related to the protection of special status species and habitats are potentially significant but mitigable through implementation of the measures included in the LOCP.

4.3.1 Setting

a. Physical Setting. The unincorporated community of Los Osos is located along the coast in the central portion of San Luis Obispo County, generally south of and adjacent to the Morro Bay estuary. Los Osos is approximately four (4) miles south of the City of Morro Bay, and approximately 10 miles west of the City of San Luis Obispo, at the western end of Los Osos Valley. The Irish Hills, a generally west to east trending mountain range, form the southern boundary of the community, and the Morro Bay estuary and Los Osos Creek form the northern and eastern boundaries, respectively. Los Osos is nestled along the southern shore of the Morro Bay estuary, a nationally significant resource that supports important plant communities, wildlife and recreational opportunities.

For the most part, the community of Los Osos was developed on old stabilized sand dunes, and the dominant vegetation communities originally consisted of an amalgamation of coastal scrub, maritime chaparral and oak woodlands growing on Baywood fine sand soils. Drainage features such as Los Osos Creek and the Morro Bay shoreline contain a mix of wetland types including freshwater emergent, salt and brackish marsh, and riparian vegetation communities. Other land cover types present include development, agricultural uses, and ruderal or disturbed areas. Figure 4.3-1 shows the aerial extent of the vegetation communities and land cover types identified within and adjacent to the Plan Area. Figure 4.3-2 provides an aerial overview map that illustrates the extent of wetland and riparian habitats in and adjacent to the Plan Area, as mapped in the National Wetland Inventory (NWI) maintained by the U.S. Fish and Wildlife Service.

Additional physical setting information related to land use may be found in both Section 2.0 (*Project Description*) and 3.0 (*Environmental Setting*) of this EIR. A detailed literature review of background environmental and biological reports coupled with field reconnaissance provided the basis for the analysis in this section.

Vegetation and Other Land Cover Types

Coastal Sage Scrub

- Coyote Brush
- California Sagebrush – Black Sage Series
- California Sagebrush – Black Sage Series Disturbed
- California Sagebrush – Black Sage Series Heavily Disturbed

Central Maritime Chaparral

- Morro Manzanita California Sagebrush Series
- Morro Manzanita Series
- Morro Manzanita Wedgeleaf Ceanothus Series
- Wedgeleaf Ceanothus - California Sagebrush Series

Woodland

- Bishop Pine Series
- Coast Live Oak Series
- Eucalyptus Series

Grassland

- California Annual Grassland Series
- Non-Native Grassland

Wetland

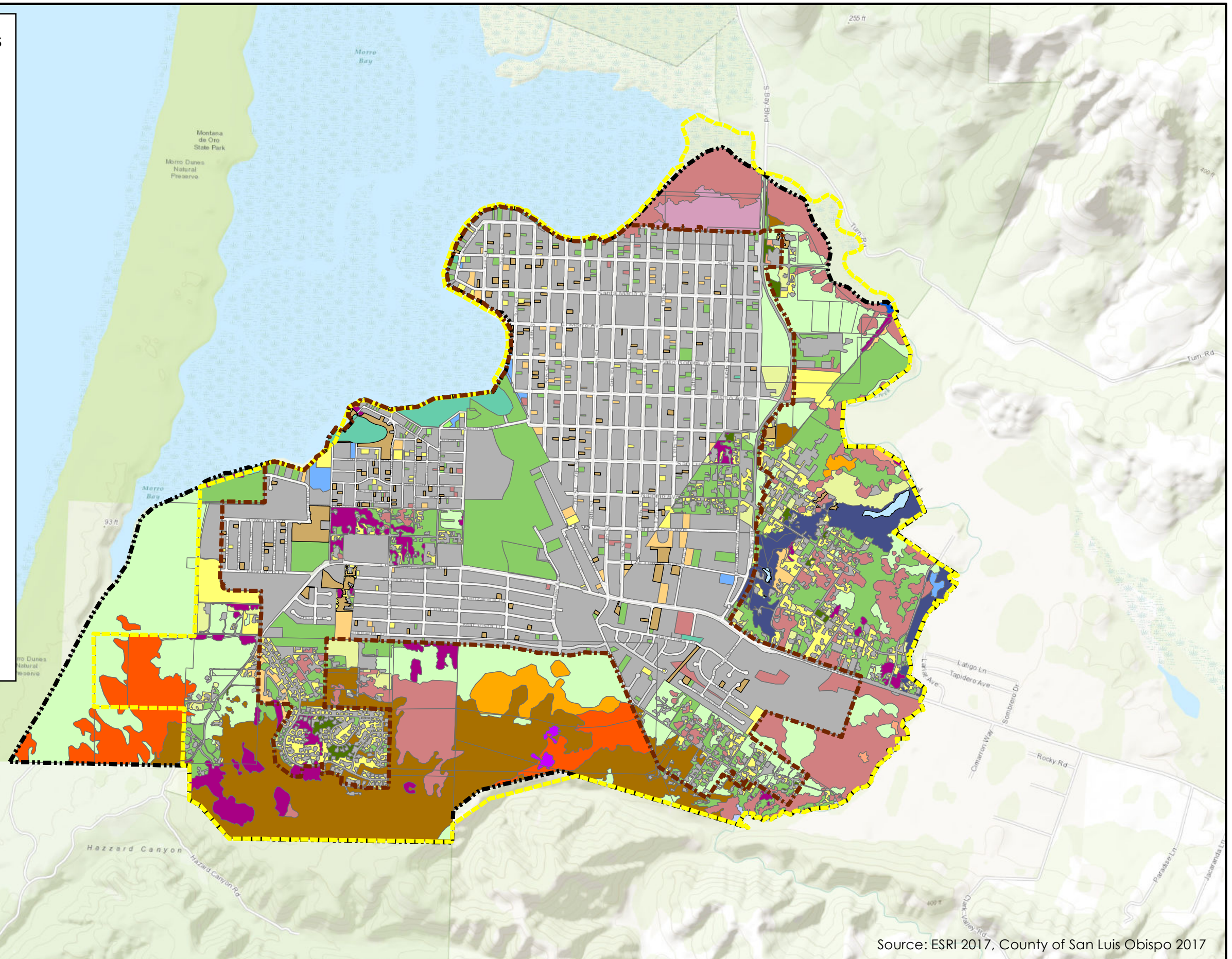
- Cattail Series
- Pickleweed Series
- Disturbed Wetland

Riparian

- Black Cottonwood Series
- Arroyo Willow Series
- Arroyo Willow Black Cottonwood Series
- Coast Live Oak - Arroyo Willow Series

Other Land Cover

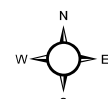
- Agricultural Land
- Ruderal Disturbed
- Landscaped Trees
- Open Water
- Developed
- Largely Developed
- Los Osos Urban Services Line
- Los Osos Urban Reserve Line
- Los Osos HCP Area



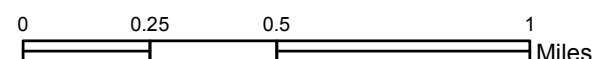
Source: ESRI 2017, County of San Luis Obispo 2017



Department of
Planning & Building



1 in = 2,000 ft



Los Osos Community Plan EIR

County of San Luis Obispo

Figure 4.3-1

Vegetation Communities

Los Osos Urban Services Line

Los Osos Urban Reserve Line

Los Osos HCP Area

National Wetlands Inventory (USFWS)

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

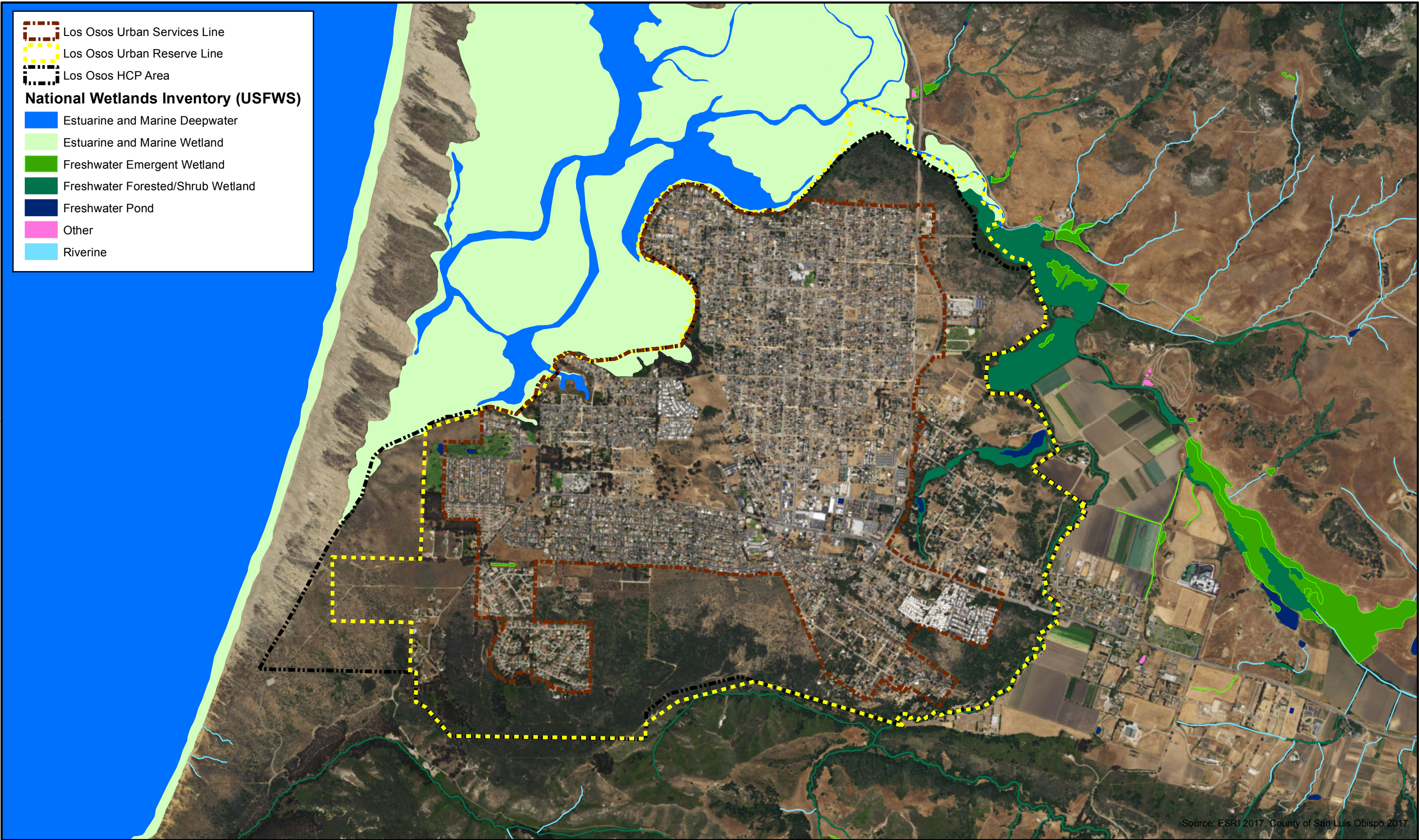
Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Other

Riverine



Source: ESRI 2017, County of San Luis Obispo 2017

Background information reviewed included:

- *California Natural Diversity Database (California Department of Fish and Wildlife, 2018);*
- *Coastal Zone Land Use Ordinance Title 23 of the San Luis Obispo County Code (revised 2014);*
- *Estero Area Plan (County of San Luis Obispo, revised 2009);*
- *Habitat Management Plan for the Los Osos Wastewater Project (SWCA, 2012); and*
- *Los Osos Wastewater Project DEIR and Expanded Biological Resources Analysis (MBA, 2008).*

b. Vegetation Communities. The discussion of natural vegetation communities or habitat types that occur within the Plan Area generally follow those described in standard vegetation classification systems (Holland, 1986; Sawyer, Keeler-Wolf and Evens, 2009). The vegetation maps prepared by the County as part of the LOHCP and countywide vegetation mapping effort (CMCA, 2003; AIS, 2009; McGraw, 2017) were used as the basis for the LOCP analysis. The primary vegetative communities present include Grasslands (both California Annual Grassland and Non-Native Grassland), Coastal Sage Scrub (including areas of Central Dune Scrub), Central Maritime Chaparral, Woodlands (including Coast Live Oak Woodland and Eucalyptus Woodland), Wetlands, and Riparian areas (please refer to **Figures 4.3-1 and 4.3-2**). Other land uses within the Plan Area include ruderal (or disturbed), agriculture, and developed areas.

Grasslands

Within the Plan Area, grasslands occur primarily where coastal sage scrub, chaparral, and oak woodlands were cleared for use in agriculture, grazing, or for development. As a result, grasslands occur primarily as patches and fringe areas around and intermixed with other vegetation communities, and are generally dominated by non-native species.

California Annual Grassland. This habitat as described by Holland (1986) is characterized by a mix of native and exotic grasses and forb species, and can include perennial tussock-forming grasses such as purple needlegrass (*Stipa pulchra*) even though they are perennial species. Other species that may occur in the Plan Area within this plant community include creeping wild rye (*Elymus triticoides*), giant wildrye (*Elymus condensatus*), and six weeks fescue (*Vulpia microstachys*). Other herbaceous species such as native wildflowers and non-native forbs are also present. Sawyer, Keeler-Wolf, and Evens (2009) describe this community as the Purple Needle grass grassland. This vegetation community occurs sporadically in the Plan Area.

Most native bunchgrasses have been displaced throughout California by European annual grass species, or in the case of the sandy soils in Los Osos, by veldt grass (*Ehrharta calycina*), which is described further below under Non-native Grassland. Native perennial grass species are present in the Plan Area in areas with minimal disturbance, such as open areas in coastal sage scrub, maritime chaparral, oak woodland, and bay margin habitats in undeveloped lots and along drainage features.

Larger swaths of grassland habitat (both native and non-native) provide foraging and/or breeding habitat and movement corridors for wildlife species in the area. Mammals including coyote (*Canis latrans*), black-tailed deer (*Odocoileus hemionus*), Botta's pocket gopher (*Thomomys bottae*), American badger (*Taxidea taxus*), and California ground squirrel (*Spermophilus beecheyi*) occur within this habitat

type. Several of these species, such as the American badger, California ground squirrel, Botta's pocket gopher, and deer mice (*Peromyscus* spp.), are known to breed within this habitat type. Birds including raptors ("birds of prey") such as red-tailed hawk (*Buteo jamaicensis*), and American kestrel (*Falco sparverius*), along with other common bird species such as western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), lark sparrow (*Chondestes grammacus*), black phoebe (*Sayornis nigricans*), Brewer's blackbird (*Euphagus cyanocephalus*), and goldfinches (*Carduelis* spp.) rely on open expanses of grasslands for foraging habitat and are common in the general area. Grasslands that are bordered by habitats containing trees are particularly important for raptors because the birds can use the large trees as nesting, roosting, and as observation points to locate potential prey within nearby grassland habitats.

Reptiles and amphibians common to California Annual Grasslands include the fence lizard (*Sceloporus occidentalis*), California alligator lizard (*Elgaria multicarinatus multicarinatus*), California kingsnake (*Lampropeltis getula*), ring-necked snake (*Diadophis punctatus*), and coast garter snake (*Thamnophis elegans terrestris*). In addition, in areas where California Annual Grasslands surround creeks or wetlands with seasonal pools of freshwater, amphibians including the western toad (*Bufo boreas*), Pacific tree frog (*Hyla regilla*) and reptiles including the southern Pacific pond turtle (*Actinemys marmorata pallida*) and two-striped garter snake (*Thamnophis hammondi*) may be present.

Non-native Grassland. The Non-native Grassland habitat type within the Plan Area, as described by Holland (1986), corresponds to the Annual Brome and Wild Oats Grasslands described by Sawyer, Keeler-Wolf, and Evens (2009). Included in this habitat discussion are extensive areas of veldt grass, an invasive perennial species that forms dense tussocks. Neither Holland or Sawyer et al. specifically describe veldt grass dominated areas, and thus are included as Non-native Grassland and heavily disturbed vegetation types shown on Figure 4.3-1. Non-native Grassland occurs throughout the Plan Area, including pastures and equestrian influenced areas. Non-irrigated pastures are comprised mainly of annual species that are described below, but also have extensive veldt grass cover. Non-native Grassland also forms the understory of many of the Oak Woodland areas in the Plan Area.

Non-native Grassland within the Plan Area is comprised primarily of non-native short to tall annual grasses and native and non-native broad-leaved forbs. Dominant grasses include soft chess (*Bromus hordeaceus*), ripgut grass (*Bromus diandrus*), slender wild oat (*Avena barbata*), and rat-tail fescue (*Vulpia myuros*). Extensive stands of veldt grass are also present, and are also included in the Coastal Sage Scrub habitats discussed below. Dominant forbs usually include red stem filaree (*Erodium cicutarium*), Italian thistle (*Carduus pycnocephalus*), and mustards (*Brassica nigra* and *Hirschfeldia incana*). Native flowering herbs include the California milkweed (*Asclepias californica*), turkey mullein (*Eremocarpus setigerus*), California poppy (*Eschscholzia californica*), and yarrow (*Achillea millefolium*). A few scattered coast live oak trees and coyote brush shrubs (*Baccharis pilularis*) can also be found within this vegetation community.

Although Non-native Grassland is comprised mainly of non-native plant species, it also includes assemblages of native species, and is an important habitat for many native animal species. The animal species described under the California Annual Grassland habitat type also occur in Non-native Grasslands. Special status species such as the Morro shoulderband snail (*Helminthoglypta walkeriana*) are often found in this vegetation community associated with veldt grass occurrences.

Coastal Sage Scrub. The Coastal Sage Scrub plant community within the Plan Area corresponds to a combination of the Central (Lucian) Coastal Scrub and Central Dune Scrub as described by Holland, and the California sagebrush community described by Sawyer, Keeler-Wolf and Evens (2009). The Habitat Map identifies four coastal sage scrub associations that are generally consistent with Holland's classification, including California Sagebrush-Black Sage Series (Disturbed and Heavily Disturbed) and the Coyote Brush Series. Within the Plan Area, this plant community is dominated by coyote brush and California sagebrush (*Artemisia californica*), and also includes other common associates such as mock heather (*Ericameria ericoides*), sticky monkey flower (*Diplacus* = *Mimulus aurantiacus*), and black sage (*Salvia mellifera*). Coastal Sage Scrub occurs primarily below 2,000 feet on the ocean side of the Santa Lucia Mountain Range. It occurs throughout the Plan Area as intact stands of dense shrub cover in the greenbelt, as scattered shrubs on undeveloped parcels, and undeveloped bay margin areas. In the western part of the Plan Area, Coastal Sage Scrub transitions into Central Dune Scrub comprised of dune lupine (*Lupinus chamissonis*), beach bur (*Ambrosia chamissonis*), mock heather, and deer weed (*Acmispon glaber*) with bare sand areas present around shrub occurrences. In many areas, Coastal Sage Scrub (including areas of Central Dune Scrub) is severely degraded due to the presence of veldt grass.

Coastal Sage Scrub communities provide foraging or breeding habitat and movement corridors for several wildlife species in the area. Mammals including coyote, woodrat (*Neotoma lepida intermedia*), California mouse (*Peromyscus californica*), and brush rabbit (*Sylvilagus bachmani*). Common birds including California thrasher (*Toxostoma redivivum*), scrub jay (*Aphelocoma californica*), blue-gray gnatcatcher (*Polioptila caerulea*), and Bewick's wren (*Thryomanes bewickii*) rely on the dense foliage for foraging and breeding habitat and are common in the region. Reptiles common to coastal scrub that have been observed in the region include fence lizard, California alligator lizard, gopher snake (*Pituophus catenifer*), common kingsnake, and western rattlesnake (*Crotalus viridis*). The Coastal Sage Scrub communities present can provide high habitat quality due to their relatively robust structure and connectivity with other native habitat types, as well as the potential to support special status species such as the Morro shoulderband snail.

Central Maritime Chaparral. Central Maritime Chaparral is described as a variable sclerophyll scrub habitat characterized by a moderate to high percent cover of native shrubs typically dominated by manzanita (*Arctostaphylos* spp.) or ceanothus (*Ceanothus* spp.) species (Sawyer, Keeler-Wolf and Evens, 2009; Holland 1986). This community is restricted to areas within the summer coastal fog incursion zone, on windward uplands and coastal lowlands that are supported by well-drained and nutrient poor sandy substrates. Other native species characteristic of this community may include coast live oak, chamise (*Adenostoma fasciculatum*), holly leaf cherry (*Prunus ilicifolia*), coffee berry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*), toyon (*Heteromeles arbutifolia*), and black sage, with scattered California sagebrush, coyote brush, mock heather, and sticky monkeyflower.

In the Plan Area, Central Maritime Chaparral is dominated by the federally endangered Morro manzanita (*Arctostaphylos morroensis*), a species endemic to the Los Osos ecosystem. Central Maritime Chaparral occurs primarily in the higher elevation portions of the Plan Area including on the north-facing slopes along the southern URL boundary. In relatively undisturbed areas such as on the Broderson Site and Morro Dunes Ecological Reserve, and undeveloped lots within the Plan Area, Morro manzanita, commingles with pygmy coast live oak trees (*Quercus agrifolia*) and coastal scrub habitat to form an

undulating vegetation mosaic of wind sculpted shrubs and trees. Individuals can also be found growing throughout the Plan Area on developed residential and commercial properties, roadside areas, and other unmaintained locations. Other species in Maritime Chaparral habitat include California sagebrush, black sage, wedge leaf ceanothus (*Ceanothus cuneatus*), mock heather, deerweed, and veldt grass, among others. The Central Maritime Chaparral habitat provides suitable habitat for common and sensitive plant and wildlife species associated with scrub-type communities in the local area.

Woodlands

The Plan Area contains remnant stands of native oak woodland, and large areas of planted non-native woodlands dominated by Eucalyptus. Also included on the vegetation communities map are landscaped trees and Bishop pine trees.

Coast Live Oak Woodland. The coast live oak is the dominant tree in this woodland habitat, and in the Los Osos Community Plan area, this community may also contain a mix of species more characteristic of coastal scrub or maritime chaparral. In many locations influenced by onshore winds and poorly developed sandy soils, the oak trees are dwarfed and form the pygmy oak forests, such as along the northern limits of the URL and USL along the Bay margin. Common understory species include non-native grasses, red-stem filaree, Italian thistle, and other non-native ornamentals such as garden nasturtium (*Tropaeolum majus*). Coast live oak woodland occurs primarily on north-facing slopes, but trees may also be interspersed with pockets of coastal scrub, maritime chaparral and Non-native (veldt grass) grassland in more level open areas.

Oak woodlands are inhabited by a large variety of animal species. Oaks provide nesting and roosting sites and cover for birds, bats, and many other mammals. Oak habitats offer shade in summer, shelter in winter, and provide food storage sites. Many bird species use dead and decaying oak trees as perches from which to search for prey and as resting spots. Decaying trees also contribute woody debris to the duff, which provides foraging areas for small mammals and microclimates suitable for amphibians, reptiles, and fungi. Acorns produced by oak trees are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivorus*), scrub jay, western gray squirrel (*Sciurus griseus*), and black-tailed deer. Other bird species that frequent oak woodlands include American kestrel, red-shouldered hawk (*Buteo lineatus*), Cooper's hawk (*Accipiter cooperii*), spotted towhee (*Pipilo maculatus*), Bewick's wren, western bluebird (*Sialia mexicana*), bushtit (*Psaltiriparus minimus*), California towhee (*Pipilo crissalis*), dark-eyed junco (*Junco hyemalis*), oak titmouse (*Baeolophus inornatus*), wrentit (*Chamaea fasciata*), western wood pewee (*Contopus sordidulus*), and California quail (*Callipepla californica*). Mammals expected to occur in oak woodland habitats include black-tailed deer, coyote, California ground squirrel, Botta's pocket gopher, big-eared woodrat, raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginianus*) and deer mice. Mountain lion (*Puma concolor*) and bobcat (*Lynx rufus*) may also utilize oak woodlands in the greenbelt areas for foraging and movements. Other representative animal species of oak woodlands that occur in the Plan Area include arboreal salamander (*Aneides lugubris*), black-bellied slender salamander (*Batrachoseps nigriventris*), western skink (*Eumeces skiltonianus*), and common kingsnake.

Eucalyptus Woodland. Eucalyptus Woodland is not a natural plant community described in Holland (1986). The eucalyptus woodland present in the Plan Area is dominated by blue gum (*Eucalyptus*

globulus) trees planted as windrows, and corresponds to Eucalyptus groves in Sawyer, Keeler-Wolf, and Evens (2009). In general Eucalyptus Woodland has lower species diversity than most other habitats and often occurs as a monoculture of tall, dense eucalyptus trees with dense tree litter (i.e., branches, bark, and leaves). The closed canopy and dense tree litter reduces sunlight to the soil surface, thereby reducing understory shrub and herb growth. In addition, allelopathic (growth inhibiting) chemicals leached from tree litter during precipitation further inhibit growth of other plants. Eucalyptus Woodland provides suitable nesting and foraging habitat for various birds listed in other habitat type descriptions, and in certain specific locales contain turkey vulture and heron roosts, as well as provides overwintering habitat for the monarch butterfly (*Danaus plexippus*). In select areas where eucalyptus groves (including pine and cypress trees) support overwintering monarchs or contain raptor nests, they may be considered SRA and ESHA.

Wetlands. The term wetlands includes several types of habitats that vary based upon hydrology, salinity, slope aspect, and soils, that ultimately affect the distribution and composition of vegetation. Wetlands are shown in combination with other plant communities on Figure 4.3-1, and as mapped by the National Wetland Inventory (NWI), on Figure 4.3-2. Each of the various wetland habitats present in the Plan area contain plant species that are adapted to saturated soil conditions that are present for at least part of the year. In the general region, ponded surface water or soils that are saturated for at least two weeks during the growing season may be sufficient to form wetland habitat. This category includes seasonal pools that hold rainwater for a few weeks to a few months; areas surrounding intermittent streams or seeps; marshes that can occur within or adjacent to floodplains; and emergent wetland plant species that occur along the margin of the Morro Bay estuary.

The Cattail, Disturbed Wetland, and Open Water habitats correspond to Coastal and Valley Freshwater Marsh community described by Holland (1986). The Pickleweed Series corresponds to the Northern Coastal Salt Marsh, Coastal Brackish Marsh, and Vernal Marsh communities described by Holland (1986) and the Bulrush-Cattail and various Rush and Sedge associations described by Sawyer, Keeler-Wolf, and Evens (2009). Coastal and Valley Freshwater Marsh is characterized by the presence of emergent monocots up to five (5) meters tall. Species include bulrushes (*Scirpus acutus*, *S. americanus*, and *S. californicus*), cattails (*Typha latifolia*), and sedges (*Carex* spp.). Seasonal pools and wetland areas surrounding intermittent streams have emergent wetland vegetation such as Mexican rush (*Juncus mexicanus*), common spikerush (*Eleocharis macrostachya*), curly dock (*Rumex crispus*), toad rush (*Juncus bufonius*), rabbitfoot grass (*Polypogon monspeliensis*), and hyssop loosestrife (*Lythrum hyssopifolium*). Northern Coastal Salt Marsh and Coastal Brackish Marsh habitats along the Morro Bay interface are dominated by saltgrass (*Distichlis spicata*), pickleweed (*Salicornia* spp.), fleshy jaumea (*Jaumea carnosa*), and a mix of rushes and sedges. The above described wetland plant communities are identified as special status Natural Communities by the CDFW in the CNDDb, and may be regulated by state and federal laws.

Wetlands provide habitat to a diverse group of wildlife, including those species described above in the grasslands discussion. Small ponded areas within these wetlands may provide habitat for aquatic invertebrates such as water striders (family Gerridae) and boatmen (family Carixidae), and more opportunistic amphibians such as the Pacific chorus frog (*Psuedacris regilla*). Seasonal ponded water would also be expected to be used as a drinking source for larger animals, and also a potential stop over or foraging site for ducks and great blue herons (*Ardea herodias*). The bay margins where salt and

brackish marshes are present provide foraging and overwintering habitat for numerous migratory birds such as black brant (*Branta bernicla nigricans*).

Riparian. The Riparian habitat types present within the Plan Area most closely corresponds to the Central Coast Arroyo Willow Riparian Scrub and Forest habitats described by Holland (1986). Riparian areas also contain elements of Central Coast Cottonwood-Sycamore Riparian Forest and Central Coast Live Oak Riparian Forest, and some areas are also consistent with the arroyo and red willow thickets and black cottonwood forest habitats described by Sawyer, Keeler-Wolf, and Evens (2009). Mature riparian vegetation occurs in a wide band along Los Osos Creek. Swaths of willow riparian habitat are also present scattered in swales, topographic depressions, and along bay margins. Understory vegetation in this community is usually an herbaceous cover of forbs, and broadleaved and emergent wetland plant species such as California mugwort (*Artemisia douglasiana*), California wild rose (*Rosa californica*), poison oak, California blackberry (*Rubus ursinus*), California man-root (*Marah fabaceus*), and non-native plants such as periwinkle (*Vinca minor*) and nasturtium. The CNDDB lists many of these riparian areas as plant communities of special concern following the community designations provided by Holland (1986). Since willow and cottonwood dominated habitats are a type of wetland community, they are also considered SRA and ESHA.

Riparian communities are important for many wildlife species since the abundance of moisture and associated vegetation provide structure, materials, and food sources for nesting and roosting animals. Many species forage within the understory and use riparian habitat as cover and as a corridor for movement along the edges of open areas. Common inhabitants of riparian woodland habitats include amphibians and reptiles such as the Pacific tree frog and Coast Range fence lizard, and mammals such as raccoon, opossum, striped skunk (*Mephitis mephitis*), woodrat, and shrews (*Sorex* spp.) Riparian woodland habitat also supports a diverse number of resident and migratory bird species including raptors, house wren (*Troglodytes aedon*), ruby-crowned kinglet (*Regulus calendula*), warbling vireo (*Vireo gilvus*), Wilson's warbler (*Wilsonia pusilla*), common yellowthroat (*Geothlypis trichas*), black phoebe, goldfinches, and turkey vulture (*Cathartes aura*). Riparian communities preserve water quality by filtering sediment and some pollutants from runoff before it enters streams. These areas also protect stream banks from erosion and shade water, keeping it cool.

Other Land Cover

Ruderal (or Disturbed). Ruderal habitat occurs in areas that are regularly disturbed by human activities such as along dirt roads and road shoulders. Since this is not a native habitat, it is not described by Holland (1986) or Sawyer, Keeler-Wolf, and Evens (2009). Typically these are bare soils areas with scattered occurrences of non-native species such as black mustard (*Brassica nigra*), filaree (*Erodium* spp.), fennel (*Foeniculum vulgare*) and non-native grasses including veldt grass. Ruderal areas provide poor habitat for animal species; however, these areas can be used during dispersal and for movement during foraging in adjacent habitats. Within the Plan Area, ruderal habitat also includes consistently disturbed areas such as equestrian facility and trail areas.

Developed. Developed areas include urban centers, residential areas, roadways, and landscaped areas. Within developed portions of the Plan Area, vegetation consists primarily of ornamental species. Developed habitat areas are utilized by species adapted to human occupation such as rodents, fence

lizards, house finches (*Carpodacus mexicanus*), and northern mockingbirds.

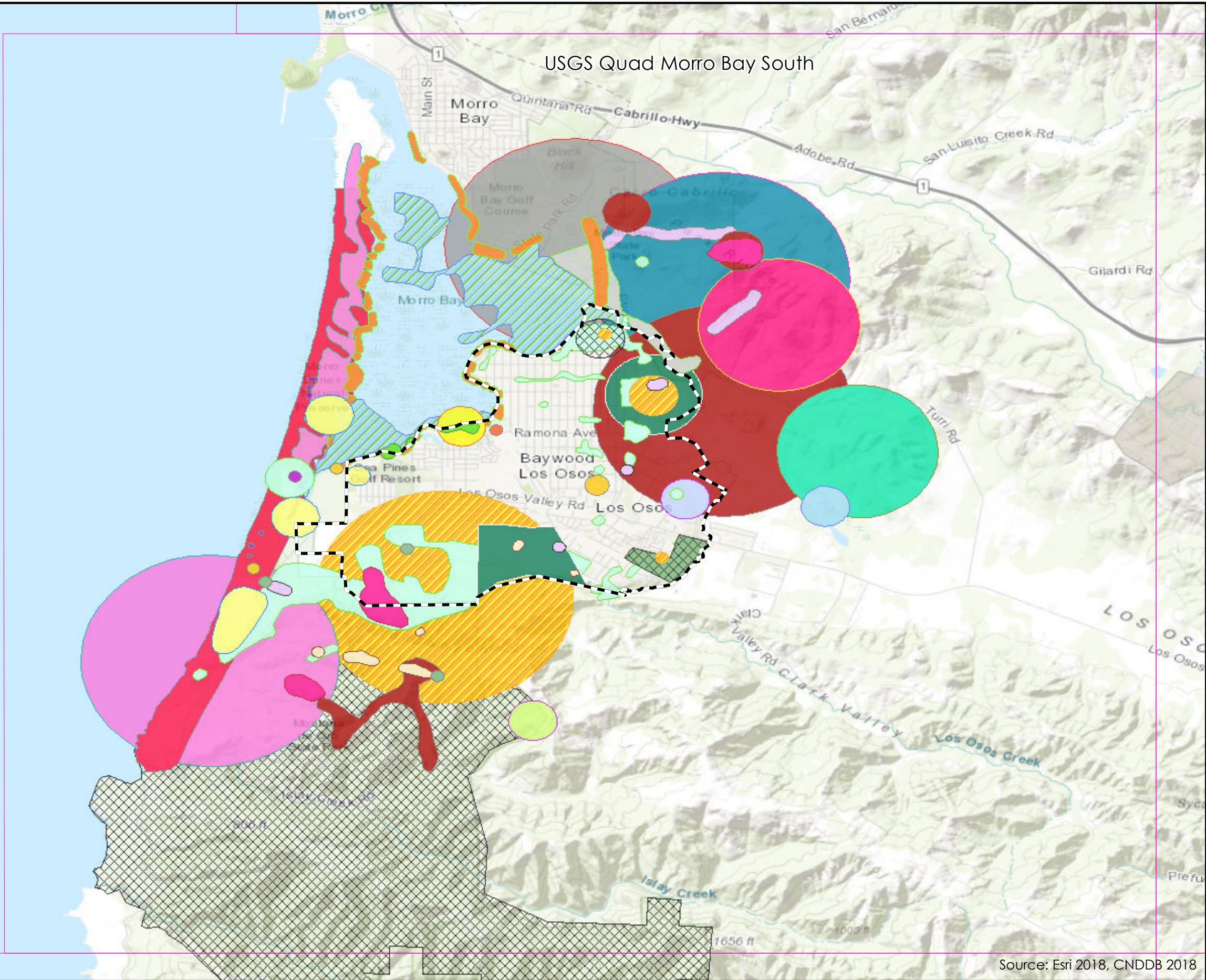
c. Natural Drainage Feature and Jurisdictional Wetlands and Waters. Los Osos Creek is the primary drainage feature in the LOCP area. It directs surface runoff from the San Luis Range with headwaters in the Clark Valley and surrounding areas through the plan area in a generally east to west direction. It ultimately connects with the Morro Bay estuary in the northern part of the plan area. Vegetation along the creek consists of riparian and wetland habitats. The creek and its smaller tributary drainages perform important hydrologic functions including transport of nutrients and sediment to wetlands and estuaries, flood flow conveyance, surface and subsurface water storage, groundwater recharge, and nutrient removal through plant uptake.

It is expected that the entire length of Los Osos Creek constitutes Waters of the U.S. It is also a coastal stream considered SRA and ESHA under current County policies. Clean Water Act and California Coastal Act policies pertaining to wetlands and coastal streams also would apply to the smaller drainage features and swales with riparian habitat scattered through the plan area. The outer extent of wetland habitat along the margin of Morro Bay would also be classified as a jurisdictional wetland habitat subject to Clean Water Act and California Coastal Act requirements.

d. Special Status Biological Resources. The Estero Bay and Morro Bay region supports numerous special status, or rare, plant communities, and species of plants and animals. Figures 4.3-3 and 4.3-4 illustrate the documented occurrences of these resources within and immediately surrounding the plan area. The following identifies those plant communities of special concern, U.S. Fish and Wildlife Service (USFWS) designated critical habitat, and special status plants and wildlife expected or potentially occurring within the plan area.

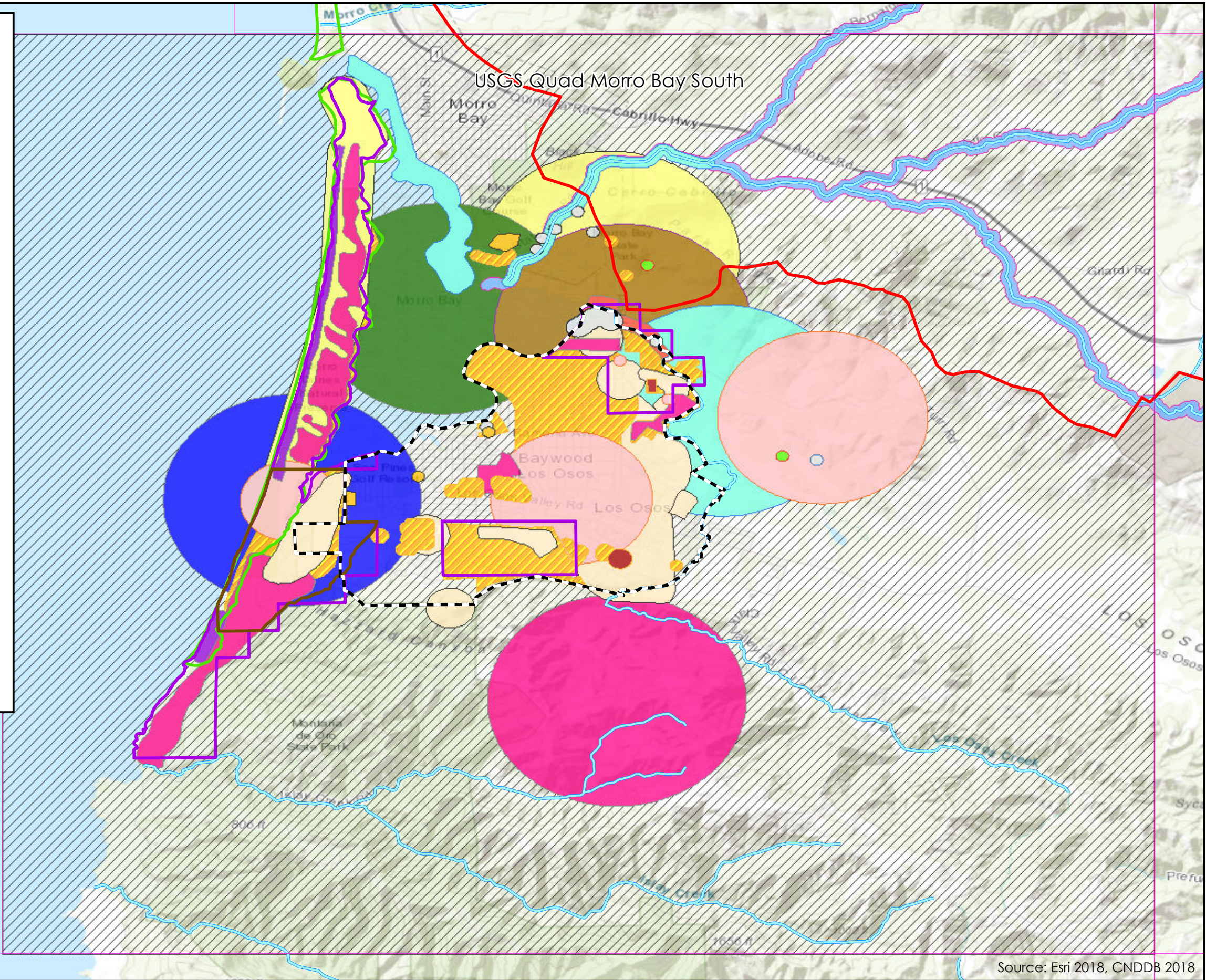
For the purpose of this report, special status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS under the federal Endangered Species Act (ESA); those listed or proposed for listing as Rare, Threatened, or Endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants occurring on California Rare Plant Rank lists 1, 2, 3 and 4 developed by the CDFW working in concert with the California Native Plant Society. The specific code definitions are as follows:

- 1A = *Plants presumed extinct in California;*
- 1B.1 = *Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);*
- 1B.2 = *Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);*
- 1B.3 = *Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known);*



- Los Osos URL

USGS 7.5' Quad
- Critical Habitat (USFWS 2018)
- California red-legged frog
- Morro Bay kangaroo rat
- Morro shoulderband snail
- Western snowy plover
- Steelhead Trout
- CNDDDB Fauna Occurrence (CDFW November 2018)
- American badger
- Big free-tailed bat
- Black legless lizard
- California black rail
- California brackishwater Snail
- California clapper rail
- California red-legged frog
- Coast horned lizard
- Cooper's hawk
- Globose dune beetle
- Monarch - California overwintering population
- Morro Bay blue butterfly
- Morro Bay kangaroo rat
- Morro shoulderband snail
- Obscure bumble bee
- Silvery legless lizard
- Steelhead - south-central California coast DPS
- Tidewater goby



Source: Esri 2018, CNDDDB 2018



Department of
Planning & Building



1 in = 5,000 ft
0 0.5 1 2 Miles

Los Osos Community Plan EIR
County of San Luis Obispo

Figure 4.3-4
CNDDDB Fauna Occurrence

- 2 = Rare, threatened or endangered in California, but more common elsewhere;
- 3 = Plants needing more information (mostly species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA); 4.2 = Plants of limited distribution (watch list), fairly endangered in California (20-80% occurrences threatened); and,
- 4.3 = Plants of limited distribution (watch list), not very endangered in California.

In addition, other state and global rankings are now used to identify special status species, and those resources with state rankings of S1-S3 or G1-G3 (including plant communities) may meet the special status species definition. Natural communities meeting the special status threshold are those listed in the CNDDDB (California Department of Fish and Wildlife, 2003; queried in 2016 and 2017).

The assessment of special status species occurrence within the plan area, and identification of habitat that could potentially support these species, was based on review of background reports and findings from previous studies conducted in the area, field observations of local experts coupled with our knowledge of the particular species' biology, as well as the CNDDDB data.

Natural Communities of Special Concern and USFWS Designated Critical Habitat. The CNDDDB search identified occurrences of six (6) special status plant communities within the Plan Area and included central dune scrub, central maritime chaparral, coastal brackish marsh, coastal and valley freshwater marsh, northern coastal salt marsh, and valley needlegrass grassland (Table 4.3-1). Five of these special status natural communities were documented in the Plan Area as shown on Figure 4.3-4. In addition, some riparian habitats discussed above are a form of woody shrub and tree wetland type, and therefore would meet the special status plant community definition for Central Coast Arroyo Willow Riparian Scrub, and therefore this habitat type has been included in Table 4.3-1. Moreover, any habitat type, including non-native habitats could potentially meet the special status plant community definition if it were to support a rare, threatened or endangered species. For example, the Morro shoulderband snail is known to occur in iceplant mats and veldt grass dominated areas. In these situations, policies pertaining to the avoidance and protection of special status species would apply.

Table 4.3-1. CDFW Natural Communities Of Special Concern in the Plan Area	
Natural Communities Of Special Concern	Occurrence in Plan Area
Central Dune Scrub	Yes
Central Maritime Chaparral	Yes
Coastal Brackish Marsh	Yes
Coastal and Valley Freshwater Marsh	Yes
Northern Coastal Salt Marsh	Yes
Valley Needlegrass Grassland	No
Central Coast Arroyo Willow Riparian Scrub	Yes

Pursuant to the County LCP and CZLUO policies, the plant communities described above constitute SRA and ESHA. Natural drainage features such as Los Osos Creek and the Morro Bay estuary are also

characterized as SRA and ESHA, and have additional regulatory protections constituting special status biological resources.

Critical habitat is designated by the USFWS as defined in Section 3 of the federal Endangered Species Act (FESA) as:

- (1) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features that are:
 - (a) Essential to the conservation of the species, and
 - (b) Which may require special management considerations or protection; and
- (2) Specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

USFWS Critical Habitat for the Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*), Morro shoulderband snail (*Helminthoglypta walkeriana*), and steelhead trout (*Oncorhynchus mykiss*) are present within the Los Osos URL (see Table 4.3-1). Just outside the URL boundaries, critical habitat is designated for the California red-legged frog (*Rana draytonii*) and western snowy plover (*Charadrius nivosus*). Please refer to Figures 4.3-3 and 4.3-4 illustrating the extent of special status species occurrence and USFWS designated critical habitat in the plan area.

Table 4.3-2. Critical Habitats in the Regional Vicinity of the Plan Area	
Species	Occurrence in LOCP Area
Steelhead – South/Central California ESU	Yes
California red-legged frog	Yes
Western snowy plover	Yes
Morro shoulderband snail	Yes
Morro Bay kangaroo rat	Yes

Special Status Plants. The CNDDDB contains records of 19 special status plants and three (3) lichens that are known to occur within the Plan Area. Species identified by the CNDDDB that are known to occur or could potentially occur in the Plan Area are shown in Table 4.3-3 below.

Table 4.3-3. Special Status Plants in the Regional Vicinity of the Plan Area			
Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential to Occur in Plan Area
LICHENS/BRYOPHYTES			
Popcorn lichen <i>Cladonia firma</i>	--/--/2B.1	Known in CA only from coastal dunes in the Morro Bay and Los Osos area. Often forms biological soil crusts with other lichens and mosses.	Yes. Potentially suitable coastal scrub, chaparral and oak woodland habitats present.
Splitting yarn lichen <i>Sulcaria isidiifera</i>	--/--/1B.1	Known from the Los Osos area growing on branches of coast live oak and maritime chaparral plants in sandy areas.	Yes. Potentially suitable coastal scrub, chaparral and oak woodland habitats present.

Table 4.3-3. Special Status Plants in the Regional Vicinity of the Plan Area

Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential to Occur in Plan Area
Twisted horsehair lichen <i>Bryoria spiralis</i>	--/--/1B.1	Largest known population is on the Samoa Peninsula in Humboldt Co. Usually on <i>Picea sitchensis</i> , <i>Pinus contorta</i> var. <i>contorta</i> , <i>Pseudotsuga menziesii</i> , <i>Abies grandis</i> , and <i>Tsuga heterophylla</i> .	Yes. Potentially suitable coastal scrub, chaparral and oak woodland habitats present.
PLANTS			
Arroyo de la Cruz manzanita <i>Arctostaphylos cruzensis</i>	--/--/1B.2	Perennial shrub; blooms from December to March; occurs between 60 and 310 meters on sandy soils; in broadleaved upland forest, coastal bluff scrub, closed-cone coniferous forest, chaparral, coastal scrub and valley and foothill grassland. Only found in Monterey and San Luis Obispo Counties.	Yes. Potentially suitable scrub, chaparral and grassland present.
Beach spectaclepod <i>Dithyrea maritima</i>	--/T/1B.1	Rhizomatous, perennial herb; blooms March through May; found in sandy soils, usually near shore, in coastal dunes and coastal scrub habitats; ranges from 3 to 50 meters in elevation.	No. No suitable habitat present.
Blochman's dudleya <i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	--/--/1B.1	Perennial herb; blooms April through June; found on rocky, often clay or serpentine soils in coastal bluff scrub, chaparral, coastal scrub, and valley and foothill grassland; ranges from 5 to 450 meters in elevation.	Yes. Potentially suitable grassland, coastal scrub and maritime chaparral habitats present.
Blochman's leafy daisy <i>Erigeron blochmaniae</i>	--/--/1B.2	Rhizomatous perennial herb; blooms July through August; ranges from 3 to 45 meters in elevation and occurs in coastal dunes and coastal scrub.	Yes. Potentially suitable coastal scrub habitat present.
California seablite <i>Suaeda californica</i>	E/--/1B.1	Perennial succulent shrub that grows along the margins of coastal salt marshes in a narrow elevational range from 0 to 5 meters; known to occur in the Morro Bay area	Yes. Potentially suitable salt marsh habitat present.
Cambria (San Luis Obispo County) morning-glory <i>Calystegia subacaulis</i> ssp. <i>episcopalis</i>	--/--/4.2	Rhizomatous, perennial herb; blooms from April to May; occurs in chaparral, cismontane woodland, and sparse to dense grassland covering sloped or flat areas in clay-rich soils; ranges from 60-500 meters; restricted to outer South Coast ranges in SLO and Santa Barbara Counties.	Yes. Potentially suitable grassland, chaparral and oak woodland habitat present.
Coast woolly threads <i>Nemacaulis denudata</i> var. <i>denudata</i>	--/--/1B.2	Annual herb that grows in coastal sand dunes in open spaces of the coastal strand; known to occur in the Montana de Oro area in sandy soils.	Yes. Potentially suitable coastal scrub and sand dune habitat present.

Table 4.3-3. Special Status Plants in the Regional Vicinity of the Plan Area

Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential to Occur in Plan Area
Coastal goosefoot <i>Chenopodium littoreum</i>	--/--/1B.2	Annual herb that grows on sandy flats in coastal dunes along wetland and salt marsh habitat. Typically found between 30 and 100 meters elevation, and is known from the Morro Bay estuary.	Yes. Potentially suitable coastal scrub and wetland habitat present.
Coulter's goldfields <i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	--/--/1B.1	Annual herb that grows in coastal salt marshes, playas, valley and foothill grassland, and vernal pools usually on alkaline soils from 1-1,400 meters.	Yes. Potentially suitable grassland, salt marsh and wetland habitat present.
Hardham's evening primrose <i>Camissoniopsis hardhamiae</i>	--/--/1B.2	Annual herb found in chaparral, cismontane woodland habitats on decomposed carbonate or recently burned soils; 330-500 meter elevation. Typically blooms March to May.	Yes. Potentially suitable scrub and woodland habitat present.
Indian Knob mountainbalm <i>Eriodictyon altissimum</i>	E/E/1B.1	Evergreen shrub; blooms March through June; ranges in elevation from 80 to 270 meters and occurs in maritime chaparral, cismontane woodland, and coastal scrub, usually on sandstone; often found in open disturbed areas.	Yes. Potentially suitable coastal scrub, maritime chaparral and oak woodland habitat present.
Marsh sandwort <i>Arenaria paludicola</i>	E/E/1B.1	Stoloniferous, perennial herb; blooms May to August; occurs in freshwater marshes and swamps, bogs and fens, and some coastal scrub, ranging from 3 to 170 meters in elevation; common associates include <i>Typha</i> , <i>Juncus</i> , and <i>Scirpus</i> .	Yes. Potentially suitable wetland habitat present.
Mesa horkelia <i>Horkelia cuneata</i> ssp. <i>puberula</i>	--/--/1B.1	Sandy or gravelly sites in chaparral, coastal scrub and cismontane woodland; 70 to 700 meter elevation range.	Yes. Potentially suitable scrub, chaparral and oak woodland habitat present.
Morro manzanita <i>Arctostaphylos morroensis</i>	T/--/1B.1	Evergreen shrub; blooms December through March; ranges in elevation from 5 to 205 meters; typically found on sandy-loam or Baywood sands in chaparral, woodlands, coastal dunes and coastal scrub.	Yes. Potentially suitable scrub, chaparral and oak woodland habitat present.
Oso manzanita <i>Arctostaphylos osoensis</i>	--/--/1B.2	Perennial shrub known to occur in chaparral and cismontane woodland on the porphyry buttes east of Morro Bay.	No. Suitable habitat not present.
Pecho manzanita <i>Arctostaphylos pechoensis</i>	--/--/1B.2	Perennial shrub; blooms November to March; occurs on siliceous shale in closed-cone coniferous forest, chaparral, and coastal scrub habitats, ranging from 170 to 1100 meters in elevation.	No. Suitable habitat not present.
Salt marsh bird's-beak <i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	E/E/1B.2	Annual herb known to occur along margins of salt marsh habitat and coastal dunes. Limited to the higher zones of the Morro Bay estuary.	Yes. Potentially suitable salt marsh and wetland habitat present.

Table 4.3-3. Special Status Plants in the Regional Vicinity of the Plan Area

Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential to Occur in Plan Area
San Luis Obispo owl's clover <i>Castilleja densiflora</i> ssp. <i>obispoensis</i>	--/--/1B.2	Annual herb; blooms in April; ranges from 10 to 400 meters in elevation and occurs in meadows, seeps, and valley and foothill grassland.	Yes. Potentially suitable grassland and seasonal wetland habitat present.
Southern curly-leaved monardella <i>Monardella undulata</i>	--/--/4.2	Annual herb; blooms May through September; occurs on dunes and sandy soils in coastal strand, chaparral, northern coastal scrub, coastal sage scrub, at elevations below 300 meters.	Yes. Suitable coastal scrub and chaparral habitats present.

*E = Endangered; T = Threatened; R = Rare CE = Candidate for Endangered Status; WL = Watch List; List 1B – Rare, threatened, or endangered in California and elsewhere; List 2 – Rare, threatened or endangered in California, but more common elsewhere; List 4 – Limited distribution (Watch List). Source: California Natural Diversity Database (California Department of Fish and Wildlife 2017); California Native Plant Society Online Inventory of Rare Plants, accessed 2017 and 2018 (online at www.cnps.org); Special Vascular Plants, Bryophytes, and Lichens List (California Department of Fish and Wildlife 2018).

To summarize the information above, the following special status plant species separated by habitat type could potentially occur within the Plan Area:

Grassland:

- Cambria morning glory (*Calystegia subacaulis* ssp. *episcopalis*; CRPR 4.2);
- Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*; CRPR 1B.1); and
- San Luis Obispo owl's clover (*Castilleja densiflora* ssp. *obispoensis*; CRPR 1B.2).

Coastal Scrub/Central Dune Scrub (including areas of Coastal Sage Scrub):

- Blochman's dudleya;
- Blochman's leafy daisy (*Erigeron blochmaniae*; CRPR 1B.2);
- Coast woolly heads (*Nemacaulis denudata* var. *denudata*, CRPR 1B.2);
- Coastal goosefoot (*Chenopodium littoreum*; CRPR 1B.2)
- Hardham's evening primrose (*Camissoniopsis hardhamiae*; CRPR 1B.2);
- Mesa horkelia (*Horkelia cuneata* ssp. *puberula*, CRPR 1B.2); and
- Southern curly-leaved monardella (*Monardella sinuata*, CRPR 4.2).

Central Maritime Chaparral:

- Arroyo de la Cruz manzanita (*Arctostaphylos cruzensis*; CRPR 1B.2)
- Indian Knob mountain balm (*Eriodictyon altissimum*; California/Federal Endangered and CRPR 1B.1)
- Mesa horkelia; and
- Morro manzanita (*Arctostaphylos morroensis*; Federal Endangered and CRPR 1B.1)

Wetland/Riparian:

- California seablite (*Suaeda californica*; Federal Endangered and CRPR 1B.1);
- Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*; CRPR 1B.1);

- Marsh sandwort (*Arenaria paludicola*, California/Federal Endangered and CRPR 1B.1); and
- Salt marsh bird's beak (*Chloropyron maritimum*, California/Federal Endangered and CRPR 1B.2).

Lichens:

- Popcorn lichen (*Cladonia firma*, CRPR 2B.1);
- Splitting yarn lichen (*Sulcaria isidiifera*; CRPR 1B.1); and
- Twisted horsehair lichen (*Bryoria spiralifera*, CRPR 1B.1).

While identified in the CNDDDB search for the Plan Area, coastal foredune species such as beach spectaclepod (*Dithyrea maritima*; California Threatened and CRPR 1B.1) are not expected to occur. The Plan Area does not extend westward into the active coastal dunes along the immediate coast, and therefore, the beach spectaclepod or other species found in the more active coastal dunes would not be expected to occur in the Plan Area. Similarly, other species such as Oso and Pecho manzanitas are unlikely to occur due to their known habitat requirements and documented occurrences located to the east outside the Plan Area. It is possible, however that an unrecorded occurrence of a particular species may be present within the Plan Area, but unlikely based on the known range and occurrence information. In addition, the CNDDDB does not contain recorded occurrences of all special status plants that could potentially occur within the Plan Area, including species such as sand almond (*Prunus fasciculata* var. *punctata*, CRPR 4.2). This is a watch list species that typically does not meet the rarity thresholds defined in CEQA. It may be identified as a special status plant that is a component of SRA or ESHA requiring mitigation for impacts that would be developed on a case-by-case basis.

Special Status Wildlife. The CNDDDB contained recorded occurrence data for 17 special status animal species in the Plan Area, including six (6) invertebrates, one (1) amphibian, two (2) reptiles, two (2) fish, three (3) birds, and three (3) mammals. The CNDDDB identifies one species of bat, and there could potentially be others that forage and/or roost within the Plan Area. Bat species, for example, specifically the pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and various species of *Myotis* are highly sensitive to disturbance and human presence and therefore would not be expected to roost in the densely developed areas of town. In addition, while there are numerous eucalyptus groves in the plan area, only select stands are known or could potentially support the Monarch butterfly (*Danaus plexippus*). While the butterfly itself is not a special status species, its overwintering behavior and the habitat that supports it is of special ecological value. This species requires specific autumnal and over-wintering habitat attributes such as stands of eucalyptus, pine and Monterey cypress forming protected microclimates with just the right amount of sun exposure and protection from winds. These conditions are present in select areas of the Plan Area. Nesting birds are also protected, and raptor nests in particular are afforded further protection under California Fish and Game Code.

Table 4.3.4. Special Status Wildlife in the Regional Vicinity of the Plan Area

Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential Occurrence in Plan Area
INVERTEBRATES			
California brackishwater snail <i>Tryonia imitator</i>	--/SA/--	Found only in permanently submerged areas in coastal lagoons.	No. Suitable habitat not present.
Globose dune beetle <i>Coelus globosus</i>	--/SA/--	Inhabits coastal sand dune habitat in foredunes and sand hummocks most common beneath dune vegetation.	No. Suitable habitat not present.
Monarch butterfly <i>Danaus plexippus</i>	--/SA/--	Wind-protected tree groves of eucalyptus, Monterey pine and cypress with nectar and water sources nearby.	No. Suitable overwintering habitat not present.
Morro Bay blue butterfly <i>Plebejus icarioides moroensis</i>	--/SA/--	Inhabits stabilized dunes and adjacent areas of coastal San Luis Obispo and NW Santa Barbara counties.	No. Suitable habitat not present.
Morro shoulderband snail <i>Helminthoglypta walkeriana</i>	E/--/--	Known to occur in coastal sage scrub and dune scrub habitats on Baywood fine sands near Morro Bay.	Yes. Potentially suitable grassland, coastal scrub, and landscape habitat present.
Obscure bumble bee <i>Bombus caliginosus</i>	--/ SA / --	The Pacific Coast from Santa Barbara County north to Washington state. Food plant genera include Baccharis, Cirsium, Lupinus, Lotus, Grindelia, and Phacelia.	Yes. Potentially suitable plant species are present.
FISH			
Steelhead – South/Central California ESU <i>Oncorhynchus mykiss irideus</i>	T/SSC/--	Fresh water, fast flowing, highly oxygenated, clear, cool stream where riffles tend to predominate pools.	Yes. Seasonal habitat present in Los Osos Creek.
Tidewater goby <i>Eucyclogobius newberryi</i>	E/SSC/--	Brackish water habitats along the California coast from San Diego county to Del Norte county.	Yes. Potentially suitable brackish water habitat present.
AMPHIBIANS/REPTILES			
California red-legged frog <i>Rana draytonii</i>	T/SSC/--	Lowland and foothills in or near permanent or semi-permanent sources of deep water (at least 0.5 meter) with emergent wetland / riparian vegetation. May use a variety of upland habitats during the year for refugia and dispersal.	Yes. Potentially suitable creek and wetland habitat present.
Coast horned lizard <i>Phrynosoma blainvillii</i>	--/SSC/--	Frequents a wide variety of habitat including sandy washes with scattered shrubs and open areas for sunning. Loose soils for burial.	Yes. Potentially suitable coastal scrub habitat with loose soils present.
Silvery/Black legless lizard <i>Anniella pulchra</i>	--/SSC/--	Sandy or loamy soils in valley and foothill woodlands, chaparral, coastal scrub and coastal dunes.	Yes. Potentially suitable coastal scrub habitat with loose soils present.

Table 4.3.4. Special Status Wildlife in the Regional Vicinity of the Plan Area			
Species	Status* Fed/CA/CDFW	Habitat Requirements	Potential Occurrence in Plan Area
BIRDS			
California black rail <i>Laterallus jamaicensis coturniculus</i>	--/T/--	Freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that does not fluctuate and dense vegetation for nesting.	Yes. Potentially suitable salt marsh habitat present.
California clapper rail <i>Rallus longirostris obsoletus</i>	E/E/--	Occurs in salt-water and brackish marshes traversed by tidal sloughs dominated by pickleweed.	Yes. Potentially suitable salt marsh habitat present.
Cooper's hawk <i>Accipiter cooperii</i>	--/WL/-- (nesting)	Wooded areas. Nests in tall trees and often hunts around human structures.	Yes. Potential roosting and nesting habitat present.
MAMMALS			
American badger <i>Taxidea taxus</i>	--/SSC/--	Friable soils and open, uncultivated ground for denning. Preys on burrowing rodents such as ground squirrels.	No. Suitable habitat not present.
Big free-tailed bat <i>Nyctinomops macrotis</i>	--/SSC/--	Occurs in low lying arid areas of Southern California. Needs high cliffs or rocky outcrops for roosting sites. Feeds primarily on large moths.	No. Suitable habitat not present.
Morro Bay kangaroo rat <i>Dipodomys heermanni morroensis</i>	E/E/--	Coastal sage scrub on the south side of Morro Bay. Needs sandy soil on stabilized dunes with open scrub vegetation.	Yes. Potentially suitable habitat present.

*E = Endangered; T = Threatened; R = Rare CE = Candidate for Endangered Status; SSC = California Species of Special Concern; FP = Fully Protected; WL = Watch List; SA = Special Animal; '--' = no status. Source: California Natural Diversity Database (California Department of Fish and Wildlife 2017); Special Animals List (California Department of Fish and Wildlife 2017).

To summarize the information presented above, the following special status wildlife separated by vegetation community could potentially occur within the Plan Area:

Grassland:

- American badger (*Taxidea taxus*, species of concern);
- Coast horned lizard (*Phrynosoma blainvilli*, species of concern);
- Morro shoulderband snail (*Helminthoglypta walkeriana*, Federal Endangered); and
- Obscure bumble bee (*Bombus caliginosus*, species of concern).

Coastal Sage Scrub

- American badger;
- Coast horned lizard;
- Globose dune beetle (*Coelus globosus*, species of concern);
- Morro Bay blue butterfly (*Icaricia icarioides morroensis*, species of concern);
- Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*);
- Morro shoulderband snail; and
- Silvery and black legless lizard (*Anniella pulchra*, species of concern).

Maritime Chaparral:

- American badger;
- Coast horned lizard;
- Morro Bay kangaroo rat;
- Silvery and black legless lizard; and to a lesser extent
- Morro shoulderband snail.

Wetland/Riparian:

- California black rail (*Laterallus jamaicensis coturniculus*, State Threatened);
- California clapper rail (*Rallus obsoletus*, Federal/State Endangered);
- California red-legged frog (*Rana draytonii*, Federal Threatened);
- California brackish water snail (*Tryonia imitator*, species of concern);
- Steelhead (*Oncorhynchus mykiss irideus*, Federal Threatened); and
- Tidewater goby (*Eucyclogobius newberryi*, Federal Threatened).

Woodland:

- Monarch butterfly; and
- Nesting birds and raptors such as Cooper's hawk (*Accipiter cooperii*).

Similar to the plant evaluation above, the majority of the rare animal species have highly specialized habitat requirements that are not expected to occur in the developed portions of the Plan Area, including small remnant lots surrounded by existing residential or urban development. Overall, the majority of the developed portions of the Plan Area are disturbed and do not provide appropriate habitat or vegetation structure to support these species. However, undeveloped lots supporting grassland, coastal scrub, oak woodland, maritime chaparral, eucalyptus, wetland or riparian habitats could potentially contain special status plant and wildlife species. Current LCP and CZLUO policies as well as those proposed in the LOHCP could in some circumstances require site-specific biological analysis for a proposed project to determine if special status species or potentially suitable habitat is present.

Morro shoulderband snail is a federally endangered mollusk found in coastal scrub habitats on Baywood fine sands throughout the Los Osos area, including within and adjacent to developed and ruderal areas. It also occurs in non-native grasslands where veldt grass has out-competed the coastal scrub habitat. The species is regularly observed in non-native habitats such as iceplant mats growing on sandy soils. It is currently not believed to occur on clay soils but could potentially occur at the interface between dune sands and clay/loam soil types. This species does not utilize open beach sands with patchy vegetation associated with foredune habitat along the immediate coast. Due to numerous documented occurrences in disturbed or previously developed locations that contain little or no native habitat, almost any action that would disturb vegetation or soil within the Plan Area has potential to result in take of this species.

Los Osos Creek and its various tributary drainages provide suitable aquatic habitat to support the California red-legged frog (*Rana draytonii*; CRLF), tidewater goby (*Eucyclogobius newberryi*), and southern steelhead (*Oncorhynchus mykiss irideus*). Also, other highly aquatic species not identified in the CNDDb such as the western pond turtle (*Emys marmorata*) and the two-striped garter snake

(*Thamnophis hammondi*) may occur in the Los Osos Creek corridor and other freshwater wetland habitats within the Plan Area.

A number of avian species including raptors are known from the general area and could potentially utilize the Plan Area as foraging and nesting habitat. Large trees including Eucalyptus would also be expected to support breeding activities of various raptors. Ground nesting birds are also expected to occur along the Morro Bay margin and larger expansive grasslands. Other special status avian species known from the region such as Cooper's hawk (*Accipiter cooperii*) and red-shouldered hawk (*Buteo lineatus*) could potentially occur in the Plan Area at some point during the year.

Special status animals known to occur along the coastal strand, such as the globose dune beetle (*Coelus globosus*) and western snowy plover (*Charadrius alexandrinus nivosus*), are unlikely to occur within Plan Area zones proposed for future development. The legless lizard (*Anniella pulchra*) could potentially occur in coastal scrub/central dune scrub and iceplant dominated locations, even on small undeveloped lots in urban areas.

As stated above, the evaluation of special status species occurrence was based on a habitat suitability analysis. It did not include definitive surveys to determine their presence or absence, but did include review of biological reports and the CNDDDB records documenting recorded occurrence data from the area to conclude whether or not a particular species could be expected to occur. Based on this analysis, the special status wildlife species identified above are expected to occur in the Plan Area.

e. Wildlife Movement Corridors. Wildlife movement corridors or habitat linkages are critical to maintaining populations of plant and animal species. The fragmentation of large habitat areas into small, isolated segments reduces biological diversity, eliminates disturbance sensitive species, restricts gene flow between populations, and may eventually lead to local extinctions of entire floral or faunal assemblages. Many land use planning guidelines now recognize the importance of protecting wildlife movement corridors and seek to retain major linkages wherever possible. However, defining precise corridor alignments and specific spatial and resource requirements can be problematic.

Depending on the species, wildlife movement corridors can vary from relatively narrow paths for movement between breeding and foraging areas to areas at the scale of mountain ranges or valleys for dispersal and migration. Movement corridors can also either be continuous or discontinuous patches of suitable habitat. For example, fish require relatively continuous riverine habitat while amphibians and aquatic reptiles can move between aquatic habitats traversing through upland areas. They may remain in suitable terrestrial habitats for periods of several months to years. Juvenile frogs disperse away from aquatic breeding sites in all directions, apparently without regard to habitat corridors such as riparian areas, when in undeveloped landscapes. Therefore, while aquatic breeding habitats have received the most attention for protection in the past with respect to wildlife movement, there is an increasing amount of evidence that the protection of terrestrial migration and dispersal habitats is of at least equal importance for the conservation of these species.

Contiguous upland habitats are needed for movement of smaller animals, whereas highly mobile species such as birds and large mammals can often utilize discontinuous habitat patches. The majority of the Plan Area is developed with undeveloped parcels littered throughout. In addition, the mid-town area

contains open tracts of lands that many common wildlife may utilize. The large extensive greenbelt abutting state parks lands to the south and north also provide ample wildlife movement corridors for common and special status species adjacent to the Plan Area.

f. Regulatory Setting. The following describes the federal, state and local regulatory framework that addresses biological resources.

Federal Laws and Regulations

Federal Endangered Species Act. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) are the agencies that oversee the Federal Endangered Species Act (FESA). Under the FESA, these agencies are required to provide and maintain a list of native species whose existence are imperiled, and are thus provided with legal protections. These species are known as “listed” species. The NMFS is responsible for the protection of marine mammals, marine fishes, and anadromous fishes, whereas all other species are regulated by the USFWS. Listed species are categorized by a ranking system that indicates a species’ status of survival as threatened or endangered.

The USFWS and NMFS may “list” a species if it is endangered (at risk of extinction throughout all or a significant portion of its range) or threatened (likely to become endangered within the foreseeable future). Section 9 of the FESA prohibits the “take” of any wildlife species listed as endangered and most species listed as threatened. Take, as defined by the FESA, means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Harm and harass are further defined as any act that kills or injures the species, including significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.

The FESA includes exceptions to Section 9 take prohibition that allow an action to be carried out, despite the fact that the action may result in the take of listed species, where conservation measures are included for the species as detailed in a Habitat Conservation Plan. Section 7 of the FESA provides an exception to the take prohibition for actions authorized permitted, funded, or otherwise carried out by a Federal agency (e.g., under the USACE Section 404 permit program). FESA Section 10 provides for permitting incidental take of listed species for actions by non-federal entities. To receive a FESA Section 10(a)(1)(B) incidental take permit (ITP) for a take of Federally listed fish and wildlife species “that is incidental to, but not the purpose of, otherwise lawful activities,” the permit applicant is required to provide:

- A complete description of the activity sought to be authorized;
- A Habitat Conservation Plan (HCP) that specifies:
 - The impact that will likely result from such taking;
 - What steps the applicant will take to monitor, minimize, and mitigate such impacts to the maximum extent practicable; the funding that will be available to implement such steps; and the procedures to be used to deal with unforeseen circumstances;
 - What alternative actions to such taking the applicant considered and the reasons why such alternatives are not proposed to be used; and,

- Such other measures that the Interior Secretary or Commerce Secretary may require as being necessary or appropriate for purposes of the HCP.

The USFWS or NMFS will issue an ITP if the Interior Secretary or Commerce Secretary, as the case may be, finds with respect to the ITP application and HCP that:

- the taking will be incidental;
- the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking;
- the applicant will ensure that adequate funding for the plan will be provided;
- the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and,
- the measures, if any, required by the Secretary of Interior or Commerce Secretary, will be met

Section 9 also prohibits the “removal or reduction to possession” of any listed plant species “under Federal jurisdiction” (i.e., on Federal land, where Federal funding is provided, or where Federal authorization is required). The FESA does not prohibit take of listed plants on non-federal land, other than prohibiting the removal, damage, or destruction of such species in violation of state law. Consistent with section 7 (a)(2) of the FESA, however, Section 10 prohibits the issuance of an ITP that would appreciably reduce the likelihood of the survival and recovery in the wild (i.e., “jeopardize”) of any endangered or threatened species, including plants.

Federal Clean Water Act, Section 404, Discharge of Dredged or Fill Material in Waters of the U.S. The Clean Water Act (CWA) is the primary Federal law that protects the quality of the nation’s waters, including wetlands, lakes, rivers, and coastal areas. Section 404 of the CWA regulates the discharge of dredged or fill material into the waters of the United States, including wetlands. The CWA holds that all discharges into the nation’s waters are unlawful unless specifically authorized by a permit; issuance of such permits constitutes its principal regulatory tool. The U.S. Army Corps of Engineers (USACE) is authorized to issue Section 404 permits, which allow the placement of dredged or fill materials into jurisdictional waters of the United States under certain circumstances. The USACE issues two types of permits under Section 404: general permits (either nationwide permits or regional permits) and standard permits (either letters of permission or individual permits). General permits are issued by the USACE to streamline the Section 404 permitting process for nationwide, statewide, or regional activities that have minimal direct or cumulative environmental impacts on the aquatic environment. Standard permits are issued for activities that do not qualify for a general permit (i.e., that may have more than a minimal adverse environmental impact).

Federal Clean Water Act, Section 401—Water Quality Certification. Under the CWA Section 401, applicants for a Federal license or permit to conduct activities that may result in the discharge of a pollutant (including dredged or fill material) into waters of the United States must obtain certification from the state in which the discharge would originate. Therefore, all projects that have a Federal component and may affect state water quality (including projects that require Federal agency approval, such as issuance of a Section 404 permit) must also comply with CWA Section 401 and the California Porter-Cologne Water Quality Control Act. In California Section 401 certification is handled by the Regional Water Quality Control Boards. San Luis Obispo falls under the jurisdiction of the Central Coast

Regional Water Quality Control Board (CCRWQCB). The CCRWQCB must certify that the discharge will comply with State water quality standards and other requirements of the CWA.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act of 1918, as amended (MBTA), implements various treaties and conventions between the U.S. and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. Under the MBTA, taking, killing, or possessing migratory birds is unlawful, as is taking of any parts, nests, or eggs of such birds (16 U.S. Government Code [USC] 703). Take is defined more narrowly under the MBTA than under FESA and includes only the death or injury of individuals of a migratory bird species or their eggs. As such, take under the MBTA does not include the concepts of harm and harassment as defined under FESA.

Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act prohibits the taking or possession of and commerce in bald and golden eagles, with limited exceptions. Under the Act it is a violation to “...take, possess, sell, purchase, barter, offer to sell, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or golden eagle, alive or dead, or any part, nest, or egg, thereof...”. Take is defined to include pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, and disturb. Disturb is further defined in 50 CFR Part 22.3 as “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

National Environmental Policy Act. The National Environmental Policy Act (NEPA) requires Federal agencies to include in their decision-making process appropriate and careful consideration of all environmental effects of a proposed action and of possible alternatives. However, NEPA applies only to proposed actions that are either on federal lands, involve federal funding, or for which a federal agency is acting as the lead agency. Otherwise, environmental review is addressed through the California Environmental Quality Act (CEQA) described in the next section. NEPA does not apply to the LOCP itself, because none of the above conditions apply. It is possible, however, that certain future projects under the LOCP could be subject to NEPA, if any of the above conditions apply.

If NEPA applies to a future project or projects under the LOCP, documentation of the environmental impact analysis and efforts to avoid or minimize the adverse effects of proposed actions must be made available for public notice and review. This analysis is documented in either an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). Project proponents must disclose in these documents whether their proposed action will adversely affect the human or natural environment. NEPA’s requirements are primarily procedural rather than substantive in that NEPA requires disclosure of environmental effects and mitigation possibilities, but includes no requirement to mitigate.

State Laws and Regulations

California Endangered Species Act. Administered by the California Department of Fish and Wildlife (CDFW), California ESA prohibits the take of listed species and also species formally under consideration for listing (“candidate” species) in California. Under CESA take means “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” (Fish and Game Code § 86.) Under this definition,

and in contrast to the ESA, CESA does not prohibit “harm” to a listed species where an action results in the loss or modification to habitat but does not result in mortality of a listed species. However, the killing of a listed species that is incidental to an otherwise lawful activity and not the primary purpose of the activity constitutes a take under CESA. CESA does not protect insects, but with certain exceptions prohibits the take of plants on private land.

Natural Community Conservation Planning Act (NCCP). The NCCP Act was enacted to implement broad-based planning to provide for effective protection and conservation of California’s wildlife heritage while continuing to allow appropriate development and growth. The NCCP Act does not focus only on listed species and is broader in its orientation and objectives than are the ESA or CESA. The NCCP Act encourages local, State, and Federal agencies to prepare comprehensive conservation plans that maintain the continued viability of species and biological communities impacted by human changes to the landscape. The NCCP Act provides for incidental take authorization, such that covered activities resulting in incidental take of listed species may be carried out without violating CESA. Permits issued under the NCCP Act can also be broad and may include both listed species and non-listed species.

California Fish and Game Code Sections 1600-1616—Master Streambed Alteration Agreement for Streambed Modifications. CDFW has jurisdictional authority over streams, lakes, and wetland resources associated with these aquatic systems under California Fish and Game Code Section 1600 et seq. CDFW has the authority to regulate work that will “substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris waste or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake” (Fish and Game Code § 1602.). An entity that proposes to carry out such an activity must first inform CDFW. Where CDFW concludes that the activity will “substantially adversely affect an existing fish or wildlife resource,” the entity proposing the activity must negotiate an agreement with CDFW that specifies terms under which the activity may be carried out in a way that protects the affected wildlife resource. CDFW can enter into programmatic agreements that cover recurring operation and maintenance activities or regional plans. These agreements are sometimes referred to as “master streambed alteration agreements.”

California Fully Protected Species. In the 1960s, before CESA was enacted, the California Legislature identified specific species for protection under the California Fish and Game Code. These fully protected species may not be taken or possessed at any time, and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of bird species for the protection of livestock. Fully protected species are described in Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code.

California Fish and Game Code 3503 (Bird Nests). Section 3503 of the California Fish and Game Code makes it “unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” Therefore, CDFW may issue permits authorizing take.

California Fish and Game Code 3503.5 (Birds of Prey). Section 3503.5 of the California Fish and Game Code prohibits the take, possession, or destruction of any birds of prey or their nests or eggs “except as

otherwise provided by this code or any regulation adopted pursuant thereto.” CDFW may issue permits authorizing take of birds of prey or their nests or eggs pursuant to CESA or the NCCP Act.

Native Plant Protection Act (NPPA). The NPPA was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

California Environmental Quality Act. The California Environmental Quality Act (CEQA) is similar to, but more extensive than NEPA in that it requires significant environmental impacts of proposed projects be reduced to a less-than-significant level through adoption of feasible avoidance, minimization, or mitigation measures unless overriding considerations are identified and documented that make the mitigation measures or alternative infeasible. CEQA applies to certain activities in California undertaken by either a public agency or a private entity that must receive some discretionary approval from a California government agency.

California Rare Plant Rank System. The California Native Plant Society (CNPS) is an organization, which evaluates the health of botanical resources in California and has developed a ranking system in conjunction with the CDFW to which differing degrees of sensitivity or rarity are assigned to different plant species. The plants with a California Rare Plant Rank of 1A are presumed extinct because they have not been seen or collected in the wild in California for many years. Plants with a California Rare Plant Rank of 1B are rare throughout their range with the majority of them endemic to California. California Rare Plant Rank 2 species are plants designated as rare, threatened, or endangered in California, but are more commonly found elsewhere. The plants that comprise California Rare Plant Rank 3 are united by one common theme; a lack of the necessary information to assign them to one of the other ranks or to reject them. California Rare Plant Rank 4 are plants of limited distribution where a watch list has been established to ensure their populations do not suffer further. The Threat Rank is an extension added onto the California Rare Plant Rank number and designates the level of endangerment by a 1 to 3 ranking with 1 being the most endangered and 3 being the least endangered; 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat), 0.2-Fairly threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat) and 0.3-Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

County of San Luis Obispo

General Plan. The San Luis Obispo County General Plan (General Plan) outlines the development goals of the county and provides a basis for government decision making, as well as for informing the public about the rules that guide development within the county. The County Plan includes both ordinances and elements. The key elements that are relative to the protection of biological resources include the Land Use Element, as well as the Conservation and Open Space Element.

Estero Area Plan. Information regarding biological resources is included in the Estero Area Plan Update

in Section 6: Land Use, Section 7: Combining Designations, and Section 8: Planning Area Standards. These sections include Area Land Use information, the Combining Designations for Sensitive Resource Areas and Environmentally Sensitive Habitat Areas, and Development Standards.

Land Use Ordinances. Land use ordinances contain standards for development based on what the effects of an action or project will be on specific land uses. Specific ordinances relevant to a discussion of biological resources include:

- Title 23 - Coastal Zone Land Use Ordinance (CZLUO) (revised in January, 2006)

Local Coastal Plan. The community of Los Osos uses the San Luis Obispo County Local Coastal Program (LCP) as a planning tool to guide development in the coastal zone, in partnership with the California Coastal Commission. The LCP contains the ground rules for future development and the protection of coastal resources. The elements of the General Plan include the LCP, which applies to those areas within the Coastal Zone. For the purposes of preparing the LCP, the County is divided into four segments. Los Osos is located within the region covered by the Estero Area Plan.

Coastal Plan Policies. The County of San Luis Obispo Coastal Plan Policies forms part of the San Luis Obispo County Land Use Element of the General Plan (revised April 2007). Relevant to biological resources, these policies address Environmentally Sensitive Habitats in Chapter 6 and Coastal Watersheds in Chapter 9. The Coastal Plan Policies are implemented through the County of San Luis Obispo Coastal Zone Land Use Ordinances.

Coastal Zone Land Use Ordinance. The County assumes permit authority in the Coastal Zone based on the adopted and certified Coastal Zone Land Use Element (CZLUE) and the Coastal Zone Land Use Ordinance (CZLUO). Relevant to the study area and the proposed project, the CZLUO provides policy protecting categorical sensitive biological resources that include; Sensitive Resource Areas (SRAs) and Environmentally Sensitive Habitat Areas (ESHAs); Wetlands, Streams, and Riparian Vegetation; Terrestrial Habitat Protection; and Marine Habitats. These areas are high-priority areas for preservation and developments requiring a land use permit within or adjacent to these areas and are subject to Section 23.07.160 – Section 23.07.176 of the CZLUO. Tree Removal Standards are presented in Section 23.05.060 – Section 23.05.064 of the CZLUO.

SRAs are subject to the provisions of Sections 23.07.160 – Section 23.07.166 of the CZLUO. The CZLUO combining designations for SRAs are applied by the official maps of the Land Use Element of the Estero Area Plan Update to identify areas “with special environmental qualities, or areas containing unique or endangered vegetation or habitat resources.” ESHAs are subject to the provisions of Section 23.07.170 of the CZLUO. According to the CZLUO, an ESHA is a “type of SRA where plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.” Figure 4.3-5 shows the current known distribution of ESHAs within the Plan Area, however not all ESHAs have been mapped to date.

Wetlands, streams, and riparian vegetation are subject to the provisions of Section 23.07.172 – Section 23.07.174 of the CZLUO. Provisions protecting wetlands are intended “to maintain the natural ecological

functioning and productivity of wetlands and estuaries and where feasible, to support restoration of degraded wetlands.” Provisions protecting streams and riparian vegetation are intended “to preserve and protect the natural hydrological system and ecological functions of coastal streams.”

Terrestrial habitat areas are subject to the provisions of Section 23.07.176 of the CZLUO. Provisions protecting terrestrial habitats are intended “to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats. Emphasis for protection is on the entire ecological community rather than only the identified plant or animal.” Tree removal is subject to the provisions of Sections 23.05.060 – 23.05.064 of the CZLUO. The purpose of tree removal standards is “to protect existing trees and other coastal vegetation from indiscriminate or unnecessary removal consistent with Local Coastal Plan policies and pursuant to Section 30251 of the Coastal Act which requires protection of scenic and visual qualities of coastal trees.

Proposed Los Osos Community Plan. The proposed LOCP is not yet part of the existing regulatory framework. It will become part of the regulatory framework when adopted. Applicable policies, programs and standards included in the proposed LOCP are evaluated in the following Impact Analysis, to the extent they would adequately guide future development, and thus mitigate potential programmatic impacts related to this issue.

The draft LOCP is intended to build on and provide a more detailed regulatory framework for the Los Osos planning area, tiering from the adopted Estero Area Plan, most recently updated in 2009. The Estero Area Plan is part of the County’s General Plan and its Local Coastal Plan. All elements of a general plan must be consistent. Data, assumptions and projections ideally should be the same in each element of the plan. At the same time it is recognized that documents are generally static once adopted, even if conditions that they describe are continually changing. For that reason, there may be differences in information between documents, even if they are consistent from a policy perspective.

The following plans or other related documents are relevant to the Estero Area Plan, and therefore to the Los Osos Community Plan. They were reviewed in the Final EIR for the Estero Area Plan Update, which was certified in December 2003, at which time they were found to be consistent with that plan, to the extent such policies were relevant to the Estero Area Plan. These documents included, but were not limited to the following:

- Land Use Element and Local Coastal Plan, Framework For Planning;
- Coastal Zone Land Use Ordinance (Title 23); and
- Open Space Plan.

Once adopted, the Estero Area Plan was determined to be consistent with its guiding regulatory framework, including various federal and state regulations, including but not limited to the following:

- California Coastal Act of 1976;
- Regional Water Quality Control Board, Central Coast Basin Plan;
- California Department of Fish and Wildlife policies;
- U.S. Fish and Wildlife Service policies; and

- Clean Water Act.

The Estero Area Plan has since been updated, most recently in 2009. At that time, it was found to still be consistent with the policy framework described above.

As noted in the introduction of the Estero Area Plan:

“This area plan is consistent with the intent and policies of the California Coastal Act and the San Luis Obispo County Local Coastal Program (LCP). All other county plans, policies and programs that involve the Estero Planning Area and are subject to the LCP are to be consistent with and implement this plan. In addition, where applicable, all public and private development in this planning area is to be consistent with this plan.”

The Los Osos Community Plan must be consistent with the policy framework for the Estero Area Plan, since it is a more detailed regulatory document for Los Osos, which is a portion of the Estero planning area. It follows that if the Los Osos Community Plan can be found to be consistent with the Estero Area Plan, it will be by definition consistent with the other regulations described above. Many of these regulations are discussed in more detail within other sections of this EIR, and used in part as the basis for determining whether or not there would be any potential impacts with respect to those issues that are evaluated. Thus, the LOCP’s consistency with the overall regulatory framework for various resources is included elsewhere in this EIR.

For the reasons described above, this section of the EIR will focus on the LOCP’s consistency with biological resources related policies included in the Estero Area Plan and those associated with Sensitive Resource Area/Environmentally Sensitive Habitat Area requirements included in the Coastal Zone Land Use Ordinance and the Coastal Plan Policy Document. It will also focus only on relevant policy provisions of the Estero Area Plan that relate to Los Osos, including any maps and diagrams that relate to those policies. For the most part, these are found in Chapter 7 of the Estero Area Plan, which are the Planning Area Standards, but are found elsewhere throughout the document.

The key aspects of the draft LOCP that will be evaluated in this section of the EIR include, but are not limited to:

- Chapter 2 – Community Plan Policies;
- Chapter 4 – Environmental Resources; and
- Chapter 7 – Planning Area Standards.

To the extent necessary, other aspects of the LOCP will be evaluated as well, but in general, these portions of the plan are either background or setting information, or a recitation of relevant existing coastal policies that provide the basis for protection of biological resources.

Also note that the proposed LOCP is a regulatory document that is intended to expand upon the policy framework described above. This section describes the regulatory framework with respect to biological resources in the LOCP area, and when coupled with the existing County policies, provides a series of rigorous protection measures for the natural resources in the Plan Area.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to result in land use conflicts, or to conflict with the existing policy framework of the Estero Area Plan found to be consistent with applicable regulatory documents, including Coastal Act polices. Because of the programmatic nature of the LOCP, project-level analysis of the specific impacts of development on biological resources cannot be provided in this document. The level of impact analysis is maintained at the plan-level.

Significance Thresholds. According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to biological resources are significant environmental effects, the following questions are analyzed and evaluated. An impact is considered significant if development facilitated by the Los Osos Community Plan would:

- *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.*
- *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.*
- *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*
- *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.*
- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*
- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

b. Impacts and Mitigation Measures

Threshold: *Would the Community Plan have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Impact BIO-1 Development under the Community Plan could have a substantial adverse effect on candidate, sensitive, or special-status species. This impact would be Class II, Significant but Mitigable.

Future development consistent with the General Plan has the potential to impact special-status plant and wildlife species present within the Plan Area. While the majority of special-status species occurrences are located in the open space, greenbelt and what will be identified in the Los Osos Habitat Conservation Plan (LOHCP) as Priority Conservation Areas surrounding urban uses, future development within grasslands, coastal sage scrub, maritime chaparral, oak woodland, wetland, riparian, as well as eucalyptus woodland, developed, and disturbed/ruderal habitats within the Plan Area would have the potential to impact a variety of special-status species that are protected under federal, state, and local laws and policies. Impacts to federal threatened or endangered species would ultimately be mitigated through participation in the LOHCP. Any impacts to state or federal listed species not covered in the LOHCP may require consultation with the applicable state and federal regulatory agencies such as CDFW, USFWS, and NOAA Fisheries, and additional mitigation may be required to offset specific project impacts.

The LOHCP is currently in preparation, and is expected to be finalized and approved in the near future. The LOHCP will cover four species that due to their small geographic range, narrow habitat specificity, and small and declining populations have been listed as either threatened or endangered under the federal Endangered Species Act (ESA). The species may also have special listing status under the California Endangered Species Act (CESA), and include: Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*); Morro shoulderband snail (*Helminthoglypta walkeriana*); Morro manzanita (*Arctostaphylos morroensis*); and Indian Knob mountainbalm (*Eriodictyon altissimum*). Of these four species, Morro manzanita and Morro shoulderband snail are known to be present within the Plan Area, and both species could be impacted by future development even in existing developed areas. The LOHCP is being designed to be consistent with local, state, and federal laws and regulations, in order to streamline permitting and meet the criteria for issuance of incidental take authorization. It is expected that species and habitat protection measures, and further land acquisition of high quality habitat required in the LOHCP will provide mitigation for impacts to the species above as well as special status CEQA species such as the legless lizard not formally listed under FESA or CESA.

Given the known presence of state and federally listed species, and those rare plants that are CRPR 1B species and wildlife that are species of concern within the Plan Area, LOCP development impacts to these species could be considered significant. However, incorporation of proposed LOCP policies,

LOHCP requirements, and compliance with state and federal laws and policies are expected to reduce impacts to less than significant levels.

Existing policy language that pertains to the preservation of special status species and habitats that support them in the Plan Area include the following:

Coastal Plan Policies:

Environmentally Sensitive Habitats Policy 1. New development within or adjacent to locations of environmentally sensitive habitats shall not significantly disrupt the resource.

Environmentally Sensitive Habitats Policy 4. No division of parcels having environmentally sensitive habitats within them shall be permitted unless it can be found that the buildable area(s) are entirely outside the maximum standard setback required for that habitat.

Environmentally Sensitive Habitats Policy 5. The County shall continue programs and policies that support greenbelt and open space areas on the urban fringe of coastal communities.

Environmentally Sensitive Habitats Policy 6. The County shall participate in creating a program that would allow development to occur on sites in urban areas that contain sensitive species habitat, but do not represent long-term viable habitat, in exchange for participation in an off-site mitigation program.

Coastal Zone Framework for Planning

Strategic Growth Goal 1. Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources.

Estero Area Plan:

Chapter 6, V.A.1. Slow the process of bay sedimentation. Keep Chorro and Los Osos Creeks and other watercourses free of excessive sediment.

Chapter 6, V.A.2. Implement provisions of the Total Maximum Daily Levels (TMDLs) as they are developed for Chorro Creek, Los Osos Creek, and the Morro Bay estuary consistent with Regional Board requirements.

Chapter 6, V.A.3. Support efforts to ensure a level of water quality in the bay that supports recreation, viable commercial fishing and shellfish mariculture industries, healthy eelgrass beds, and thriving fish and shellfish populations.

Chapter 6, V.A.4. Promote a voluntary, cooperative, educational, and incentive-based approach to protect Morro Bay and its watershed.

Chapter 6, V.A.5. Where feasible, implement applicable provisions of the Comprehensive Conservation and Management Plan for Morro Bay published by the Morro Bay National Estuary Program through special programs, land use planning strategies, review of development proposals, and public education.

Chapter 6, V.A.6. Where appropriate, continue to obtain open space easements for sensitive wetlands and bayfront areas, and encourage other agencies and conservation organizations to obtain open space and conservation easements and fee title to these areas.

Other relevant policies:

Policy BR 1.1. Protect sensitive biological resources such as wetlands and wildlife movement corridors.

EN-1. Effectively manage endangered, threatened, and sensitive biological resources in and around the community of Los Osos.

- A. Mitigate impacts to sensitive habitat on the site of development so that contiguous areas of environmentally valuable habitat are preserved or restored. On smaller sites where this aim cannot be accomplished, give priority to using off-site mitigation as part of a mitigation banking or other program that preserves or restores contiguous areas of environmentally valuable habitat.*
- B. Use an ecosystem approach whenever possible to preserve viable areas of sensitive habitat. Instead of focusing only on individual species, emphasize protection of highly sensitive biological communities, such as dune scrub, coastal sage scrub, and maritime chaparral.*
- C. Encourage acquisition, preservation and management of lands in the Sensitive Resource Area combining designation, as well as other sensitive habitat areas. Allow passive recreation where compatible with habitat and resource protection. Following acquisition, change the land use categories of these areas to Open Space.*
- D. Pursue protection and management of a greenbelt on either side of Los Osos Creek.*

Program EN-1.1: Habitat Conservation Plan. *The County should coordinate with the USFWS, CDFW, and the public to finalize the Habitat Conservation Plan for the Los Osos area. The HCP will preserve sensitive habitats in the Los Osos area using an ecosystem approach, while easing the regulatory burden on private landowners.*

- A. **Section 10 Permit.** Under Section 10 of the federal Endangered Species Act, the incidental take of a species may be allowed if a permit is obtained and a HCP is prepared. The HCP must specify what impacts will result from the taking and the measures the permit applicant will take to minimize and mitigate the impacts.
- B. **Streamlined Permitting.** In order to reduce the cost, time and difficulty for landowners seeding land use approvals, the County Planning and Building Department should create a streamlined permitting procedure for properties that lie within the Los Osos Ecosystem Sensitive Resource Area (SRA) combining designation. This should include establishment of an in-lieu fee for most future “infill” development in Los Osos. The fee would be used to acquire and manage sensitive habitat within the SRA.

Program EN-1.2: **Recovery Plan.** Facilitate implementation of the Recovery Plan developed by the USFWS for the Morro shoulderband snail, Morro manzanita, and Indian Knob mountainbalm. Encourage participation by landowners and conservation organizations.

Program EN-1.3: **Habitat Monitoring.** The County or another organization should monitor development and conservation activities in sensitive habitats in the Los Osos area in order to keep track of the cumulative effects of these activities.

Program EN-1.4: **Protection and management of sensitive habitats.** The County should work closely with public agencies and conservation organizations to protect and management sensitive habitat resources.

Program EN-1.5: **Support conservation organizations.** Support efforts of conservation organizations to protect sensitive habitats by means such as acquiring land or purchasing development rights.

Program EN-1.6: **Morro Bay shoreline wetlands mapping.** The County should review the accuracy of the mapped locations of the wetland designation along the Morro Bay shoreline, especially in the vicinity of Butte Drive, and initiate any needed general plan amendments to make revisions to the official maps.

EN-2. **Manage urban runoff to reduce discharge of pollutants from the community of Los Osos into Morro Bay.**

Program EN-2.1. **Los Osos runoff control.** The County Public Works Department should coordinate with and assist the Los Osos Community Services District in developing and implementing Best Management Practices to control runoff in Los Osos consistent with the State’s Nonpoint Source Pollution Plan and Phase II of the NPDES Storm Water Regulations.

***Program EN-2.2. Los Osos urban watershed management.** To facilitate a communitywide drainage system that allows for off-site treatment and retention of stormwater consistent with Central Coast Post Construction Requirements, the Los Osos CSD, the County Public Works Department and/or the County Flood Control and Water Conservation District should prepare an urban watershed management plan for Los Osos and vicinity.*

LU-1. Maintain a hard urban edge around the community of Los Osos, surrounded by a well-managed community greenbelt.

- A. Do not expand the Urban Reserve Line (URL) beyond what has been delineated in this plan.*
- B. Do not expand existing Residential land use categories or increase residential densities outside of the Urban Service Line that is delineated in this plan.*

*Program LU-1.1: **Los Osos Greenbelt.** The County should support expansion, conservation, maintenance, and enhancement of the greenbelt as shown on Figure 4-1. The County should support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee within and outside of the Urban Reserve Line to expand the greenbelt along the eastern and southern fringe of the community. Easements could be acquired through means such as purchase, approval of land use permits for development projects, and mitigation banking.*

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

LU-3.(C) Protect sensitive habitats by locating development away from environmentally sensitive areas. Provide options, incentives and flexibility to accomplish this.

CZLUO (Title 23):

- 23.02.035 Additional information required for discretionary projects.*
- 23.04.036 Cluster development on land subdivision projects.*
- 23.05.043 Environmental determination required.*
- 23.0.060 Tree removal (permit and standards).*
- 23.06.100 Water quality (standards for preventing impacts coastal streams and Morro Bay).*
- 23.06.102 Regional Water Quality Control Board review of projects and issuance of Waste Discharge Requirements.*
- 23.07.160 Significant Resource Areas are defined.*
- 23.07.170 Environmentally Sensitive Habitat Areas are defined*

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

Plan Requirements and Timing. The Planning and Building Department shall include recommended policy to the LOCP prior to Plan adoption that states habitat preservation and enhancement opportunities will be evaluated during the initial phases of the building permit review process for lots greater than 20,000 square feet. Lots less than 20,000 square feet shall be adequately mitigated by payment of the mitigation fee associated with LOHCP implementation and no further biology study will be required.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan. If habitat preservation and enhancement is incorporated as a project permit requirement, the Planning and Building Department shall ensure that the requirement is properly implemented during the normal building inspection and final review process. If subsequent monitoring of restoration areas is required, the County may require Applicants to retain an approved biologist to monitor and document restoration activities until the success criteria are met.

BIO-1(b) LOCP Natural Resources Implementing Programs. Because of the programmatic structure of the LOCP, and specific impacts for a given private or public project cannot be determined at this time. It is possible that both private and public

projects could potentially impact federal and/or state listed species. As such, the following language shall be added as a new program in the LOCP:

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

Plan Requirements and Timing. The County shall incorporate the LOHCP into the LOCP immediately after the LOHCP is finalized and approved.

Monitoring. The Planning and Building Department shall ensure that all applicable LOHCP requirements are properly implemented during the normal building inspection and final review process for all development projects within the LOCP.

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption, and ensure that project-specific biological resources are evaluated during the initial phases of the building permit review process.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the policy requirements are properly implemented during the normal building inspection and final review process.

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

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

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

- Description of the responsible party(-ies), project site and impact area (by habitat type);*
- Goal(s) of the mitigation or restoration project including the types and area of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved;*
- Description of the proposed mitigation/restoration site (e.g., location, size, ownership status, existing functions and values, etc.);*
- Implementation plan for the mitigation/restoration site including rationale for expected success, responsible parties, schedule, site preparation and planting plan;*
- Maintenance activities during plan implementation and monitoring, including but not limited to weed abatement and adaptive management;*
- Monitoring plan for the mitigation/restoration site including no less than quarterly monitoring visits for the first year, and preparation of annual monitoring reports;*
- Success criteria based on goals and measurable objectives, target functions and values, target areas to be established, restored, enhanced, and/or preserved; and*
- An adaptive management program and contingency measures to address shortcomings and the overall effort in meeting success criteria.*

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption. In addition, applicants with future projects on parcels greater than 20,000 square feet impacting special status plants or habitats shall submit the mitigation/restoration plan to Planning and Building Department for review and approval prior to issuance of grading permits.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the policy requirements are properly implemented during the normal building inspection and final review process.

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

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

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, Planning and Building shall ensure that the proposed development avoids impacts to special status species and habitats to the greatest extent feasible and that the policy requirements are properly implemented during the normal building inspection and final review process.

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: *Would development under the Community Plan have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Impact BIO-2 Development under the Community Plan could have a substantial adverse effect on sensitive habitats, including riparian areas and wetlands not subject to Clean Water Act Section 404 jurisdiction. This is a Class II, Significant but Mitigable, impact.

Buildout in accordance with the LOCP has the potential to result in loss of sensitive habitat types (also referred to as special status vegetation, habitat types or plant communities). Potential impacts would include the loss of remnant native dune scrub or maritime chaparral habitats supporting special status species on individual lots greater than 20,000 square feet or in larger tracts that may be proposed for development in the Plan area. In many instances, the native habitats on the small undeveloped parcels 20,000 square feet or less in size are isolated and fragmented from larger stands, and therefore, do not represent high quality habitat that meets the definition of ESHA pursuant to the Coastal Act.

Development activities within the Plan Area would likely include the direct removal of special status habitat types by grading or brush clearing, including thinning for fuel management, and construction of permanent roads and structures. The Plan and existing policies and development standards include protection measures for SRA and ESHA, which includes native grassland, coastal (sage) scrub, maritime chaparral, oak woodlands, wetland, and riparian habitats.

A variety of plant communities within the Coastal Zone meet the definition of ESHA (Coastal Act Section 30107.5), including riparian areas, wetlands, maritime chaparral and special status species habitat such as areas of coastal sage scrub supporting Morro shoulderband snail. The California Coastal Commission (CCC), with technical assistance from the CDFW, is responsible for protecting ESHA within the Coastal Zone, and has required local agencies such as the County of San Luis Obispo to develop policies aimed at protecting and preserving these areas. For wetland habitats, the CCC and CDFW rely on the USFWS wetland definition and classification system developed by Cowardin et al. (1979) titled, *Classification of Wetlands and Deep Water Habitats of the United States*, as the methodology for wetland determinations. The CCC requires the presence of only one wetland parameter (e.g., wetland hydrology, hydric soils, or predominance of hydrophytic vegetation) for an area to qualify as a coastal wetland. Section 30121 of the California Coastal Act, the statute governing the CCC, broadly defines wetlands as:

“Lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, or fens.”

The 1981 CCC Statewide Interpretive Guidelines define riparian habitats as areas of riparian vegetation. Riparian habitats may encompass wetland areas, but may also extend beyond those areas. Riparian vegetation is defined as:

“an association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water.”

Further protection is afforded to riparian and wetland vegetation communities whether or not they are subject to Section 404 of the Clean Water Act through a series of policies in the LOCP, including those that require setbacks from the Morro Bay margin and top-of-bank of creeks or existing edge of riparian vegetation, whichever is farther. Compliance with the Clean Water Act, state Porter Cologne Act and California Fish and Game Code 1600 et seq. provide another layer of protection for drainage features and wetland and riparian habitats.

Existing CZLUO policies and those referenced in the proposed LOCP call for consideration of potential additional biological resources and habitats for inclusion in the ESHA overlay if they meet the criteria of an ESHA. Please refer to Figure 4.3-5 illustrating the currently mapped ESHA within the Plan Area. This applies to certain vegetation communities that are not specifically proposed for ESHA designation in the proposed LOCP. Existing CZLUO policies call for this type of required project-by-project ESHA assessment, and will be applied to parcels larger than 20,000 square feet as detailed in BIO-1 mitigation measures associated with the BRA program. Inclusion of the above mitigation measures will require a biological investigation on larger parcels or those adjacent to the estuary or mapped drainage features to determine the presence of sensitive biological resources with respect to the existing ESHA Overlay. Therefore, successful implementation of the biological resources protection goals and objectives identified in the proposed LOCP and those requirements in the CZLUO and Estero Area Plan reduce potential impacts to special status habitat types including ESHA for new development in the Plan Area.

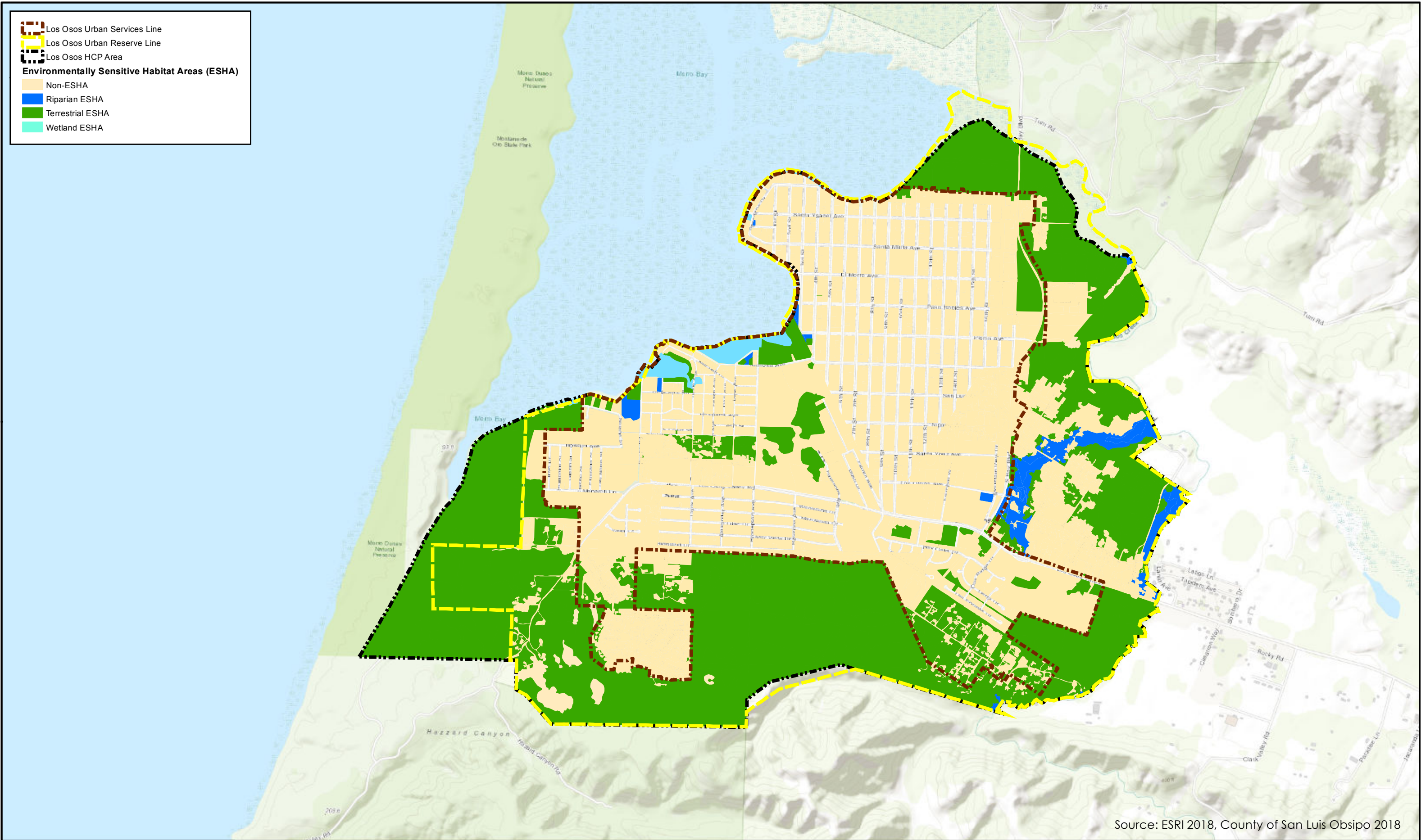
Mitigation Measures. In addition to the existing policies and regulations discussed above, the following mitigation measures shall be included in the LOCP to reduce Impact BIO-2 to a less than significant level:

- BIO-1(a). [Special Status Species Habitat Preservation and Enhancement \(see Impact BIO-1\)](#)
- BIO-1(b). [Los Osos Community Habitat Conservation Plan Compliance \(see Impact BIO-1\)](#)

In addition, mitigation measures identified below would also further reduce impacts to special status vegetation communities including those meeting the definition as ESHA:

- BIO-3(a). [Jurisdictional Waters Identification, Avoidance, Permitting, and Mitigation \(see Impact BIO-3\)](#)
- BIO-3(b). [Construction Best Management Practices \(see Impact BIO-3\)](#)
- BIO-4(a). [Lighting Design \(See Impact BIO-4\)](#)

- Los Osos Urban Services Line
 - Los Osos Urban Reserve Line
 - Los Osos HCP Area
- Environmentally Sensitive Habitat Areas (ESHA)**
- Non-ESHA
 - Riparian ESHA
 - Terrestrial ESHA
 - Wetland ESHA



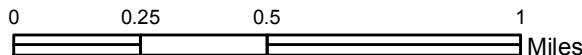
Source: ESRI 2018, County of San Luis Obsipo 2018



Department of
Planning & Building



1 in = 2,000 ft



Los Osos Community Plan EIR

County of San Luis Obispo

Figure 4.3-5

ESHA Map

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: *Would the Community Plan have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Impact BIO-3 Development under the Community Plan could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. Impacts would be Class II, significant but mitigable.

The U.S. Army Corps of Engineers (Corps), under provisions of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, has jurisdiction over “waters of the United States” and authorization to issue permits for the discharge of dredge or fill material into “waters of the U.S.” “Waters of the U.S.” are defined to include: all waters used in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide; all interstate waters and wetlands; all other waters such as intrastate lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, wet meadows, playa lakes, or natural ponds, that could affect interstate or foreign commerce; all impoundments of waters otherwise defined as “waters of the U.S.”; tributaries of waters otherwise defined as “waters of the U.S.”; territorial seas; and wetlands adjacent to “waters of the U.S.”

Waters generally not considered to be Corps-jurisdictional include non-tidal drainage and irrigation ditches excavated on dry land, artificially-irrigated areas, artificial lakes or ponds excavated on dry land used for irrigation or stock watering, small artificial water bodies such as swimming pools, and water filled depressions (51 Fed. Reg. 41, 217 1986).

The Plan Area borders the Morro Bay Estuary, and includes a portion of Los Osos Creek within its boundaries. The LOCP area also includes several small, unnamed seasonal or ephemeral drainages that direct runoff into Morro Bay, areas of coastal salt marsh habitat along bay edges, and several low-lying areas near the bay that become inundated during extremely high tides and storm conditions. Morro Bay is a tidal water of the U.S. that is directly connected to the Pacific Ocean, and all Plan Areas within the high tide line, all Plan Areas adjacent to the high tide line that support hydrophytic vegetation, and Los Osos Creek and all tributary channels within the Plan Area fall under the jurisdiction of the Corps as either wetlands or other waters of the U.S.

Mitigation Measures. In addition to the policies and laws discussed above, the following mitigation measures are required to reduce Impact BIO-3 to a less than significant level.

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

If future development in the Plan Area is proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, Los Osos Creek, unnamed tributary drainages, the Morro Bay estuary, or other areas that may fall under the jurisdiction of the Corps, CDFW, RWQCB, and California Coastal Commission, a County-approved biologist shall complete a jurisdictional delineation using the most current state and federal methodologies. The jurisdictional delineation shall determine the extent of wetlands or non-wetland waters subject to each of these agencies and shall be conducted in accordance with the requirements set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the County, Corps, RWQCB, CDFW, and CCC as appropriate, for review and approval. If jurisdictional areas are identified on a site, the project shall be designed to avoid impacting those areas. All unavoidable impacts to Corps jurisdictional waters and wetlands shall be mitigated at the ratio (area restored / created / enhanced to area lost), approved in the final Section 404 permit for the project. Additional mitigation at different ratios may be required to meet CDFW, RWQCB, or California Coastal Commission regulations. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan consistent with current state and federal requirements shall be developed by a County-approved biologist.

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.

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

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

- Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and construction areas outside of jurisdictional areas to the maximum extent feasible.*

- *To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.*
- *Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year to the extent practicable, or as otherwise directed by the regulatory agencies.*
- *During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.*
- *All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.*
- *Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.*
- *All refueling, maintenance, and staging of equipment and vehicles shall occur at least 50 feet from bodies of water where possible, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Reduced distances shall be approved by the County. Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.*

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to plan adoption. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: *Would the Community Plan interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Impact BIO-4 Development under the Community Plan would not interfere substantially with the movement of resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Still, indirect impacts could potentially occur with proposed buildout of the LOCP area. Impacts would be Class II, significant but mitigable.

Due to the urban nature of the Plan Area, new development will consist of infill within and immediately adjacent to existing commercial and residential uses. Animal species actively moving within the Plan Area would consist primarily of common nocturnal mammal species such as raccoon, skunk and opossum that inhabit urban areas due to the presence of readily available food sources. The Plan Area borders open space areas that provide wildlife movement opportunities and migratory corridors, but no impacts to those areas would occur. Development within portions of the Plan Area that are adjacent to natural habitats outside the Plan Area would have potential to impact wildlife species through an increase in noise, traffic, lighting, and human presence, but these incremental increases over currently existing conditions are unlikely to impede movement, migration, or other wildlife activity.

Mitigation Measures. With the incorporation of the mitigation measures outlined above for the protection of sensitive vegetation communities including riparian and wetland habitats, and proposed LOCP policies and programs for mid-town development, the following mitigation would reduce potential impacts to wildlife movement corridors to a less than significant level.

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the LOCP prior to adopting the plan. As applicable, the Planning and Building Department shall ensure that the policy is properly implemented during the normal building inspection and final review process.

Residual Impacts. In addition to the measures included under impacts BIO-1, -2, and -3 above, implementation of mitigation measure BIO-4 would reduce impacts to wildlife movement in the LOCP area to a less than significant level.

Threshold: *Would the Community Plan conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Impact BIO-5 Development under the Community Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There would be no impact.

The Los Osos Community Plan tiers from the adopted Estero Area Plan, most recently updated in 2009. The Estero Area Plan is part of the County's General Plan and Local Coastal Plan. The LOCP will be consistent with all local policies and ordinances protecting biological resources, and all state and federal policies and ordinances. Implementation of proposed and existing local policies, as well as compliance with state and federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, would be sufficient to ensure that no impacts would occur.

Mitigation Measures. No mitigation measures are required.

Threshold: *Would the Community Plan conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Impact BIO-6 Development under the Community Plan would not conflict with any provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. Impacts would be Less than Significant (Class III).

The LOCP does not fall within the jurisdiction of an adopted habitat conservation plan or natural community conservation plan, and therefore would not conflict with any such provisions. As discussed previously, the LOCP would be required to incorporate the relevant provisions of the proposed Los Osos Habitat Conservation Plan (LOHCP) into its regulatory framework once that document is adopted. Impacts would be less than significant (Class III) and no mitigation would be required.

Mitigation Measures. No mitigation measures are required.

c. Cumulative Impacts. Full implementation of the proposed LOCP would include build out of areas within existing development boundaries and additional development in the Plan Area. This overall increase in developed area is the basis for the biological resource impacts identified in this section. The development identified under the LOCP would further reduce natural habitat acreages within the Los Osos area, and convert adjacent sparsely developed or undeveloped areas to more intensive uses, thereby altering the fundamental ability of the Plan Area to support natural habitats and species. In general, implementation could result in the removal of natural habitat, a decrease in native plant and

wildlife occurrences, and increase the urban/wildland interface resulting in an increase of disturbed habitat adjacent to the URL.

This assessment of the significance of cumulative impacts to biological resources is based upon:

- *The cumulative contribution of the impacts from other approved and proposed development to biological resources in general in the Plan Area vicinity;*
- *The loss of special status habitats and species;*
- *Contribution of the Plan to urban and suburban expansion into natural areas; and,*
- *Fragmentation and isolation of natural habitats and plant and animal populations within the Plan Area by future projects in the vicinity.*

The identified impacts to biological resources resulting from LOCP implementation have been addressed individually in the discussion above. When combined, these impacts reflect the cumulative impact of the proposed LOCP. As noted in the individual impact discussions, implementation of both the existing General Plan policies and those proposed under the LOCP, as well as compliance with state and federal regulations, will ensure that the biological impacts associated with the LOCP are cumulatively less than significant.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.3-5** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.3-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	BIO-1 through BIO-6
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	BIO-1 through BIO-6
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than BIO-1 through BIO-6
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened BIO-1 through BIO-6, as applicable

4.4 COASTAL HAZARDS

Preparation of a coastal hazards vulnerability assessment was undertaken to aid the Los Osos community in better understanding the impacts of climate-induced coastal hazards for future planning and development. As discussed in this section, coastal processes such as tidal inundation and coastal flooding combined with human alterations to the shoreline play a role in the evolution of coastal hazards. The impacts of coastal hazards have resulted in intensified seawater intrusion, coastal and creek flooding, diminished beaches, impacted wetlands, and saltwater intrusion into groundwater basins.

This Chapter summarizes the findings and recommendations in the Los Osos Community Plan Coastal Hazards Technical Report (Revell Coastal, 2016) (Technical Report), included in Appendix C of the EIR. The Technical Report provides a science-based assessment based on a compilation of existing data and information provided by the County of San Luis Obispo (County).

Based on the “significant but mitigable community level impacts and impacts on parcels #5 and #9 and related findings in Section 4.4.3, “Impact Analysis”, the environmental effects of the project will cause substantial adverse impacts on human beings, either directly or indirectly, including effects resulting from the location of the project in relation to an existing or reasonably foreseeable natural hazard (i.e., coastal hazards) or adverse physical environmental condition. Therefore, appropriate mitigation for the two impacted parcels could be a revised land use change to decrease density (i.e. from Recreation and Public Facilities to Open Space). Furthermore, the Draft Community Plan, as proposed, is not fully consistent with the Coastal Act, County LCP and CCC’s Sea Level Rise Policy Guidance or the County’s EnergyWise Plan recommendations to effectively accommodate for coastal hazards. Incorporation of the proposed Mitigation Measures (MMs) and Project Design Features (PDFs), including additional policies, programs, and standards, into the design, policies and related Mitigation and Monitoring Reporting Program (MMRP) of the LOCP and LOCP EIR will address these inconsistencies.

4.4.1. Setting

a. Physical Setting. The setting for the coastal hazard vulnerability assessment provided by Revell Coastal is the entire coastal community of Los Osos.

Los Osos is situated in San Luis Obispo County along the south central coast of California adjacent to the Morro Bay Estuary. The Morro Bay Estuary is formed by a large sandspit made of substantial sand dunes connecting with an engineered breakwater and jettied entrance to Morro Bay. Sediment for the sandy beaches and dunes comes primarily from the coastal watersheds, brought to the coast during flood events at lower stands of sea level and then moved onto and along beaches by waves and currents. Dunes were built primarily from wind transport. Sediment transport on the outer open coast is primarily from north to south and driven by the dominant wind and wave directions from the northwest. Inside Morro Bay, tides dominate the coastal processes along the Los Osos shoreline (Revell Coastal, 2016).

The Morro Bay watershed is a network of streams and creeks that drains rainfall and other freshwater from 48,000 acres of land into Morro Bay. The bay itself is an estuary, a place where freshwater from the land mixes with the ocean’s salty tides. The close connection between the watershed and the

estuary means that what happens on land greatly affects the health of the estuary. Morro Bay is one of the largest and least disturbed estuaries remaining in central and southern California. Its sheltered waters, salt marshes, and eelgrass beds provide rare and important habitat for a diverse array of fishes, birds, shellfish, and other life. The estuary also contributes significantly to the community's local economy and way of life, supporting vibrant urban centers, commercial and recreational fishing, boating, kayaking, bird watching, and other recreation (Revell Coastal, 2016).

Geology and Geomorphology. Los Osos is developed mainly over old aeolian deposits from late to middle Pleistocene. The low-lying areas around the community are largely composed of very young and young surface deposits, except for Morro Rock, which guards the entrance to Morro Bay harbor and the inlet to the estuary. Morro Rock is a large 23-million-year-old volcanic plug located just seaward of the beach barrier bar at the mouth and attached to the mainland by artificial fill. Morro Rock is a more or less circular intrusive plug of Tertiary Age rhyolite that is part of a 20-mile-long, primarily straight line of 14 intrusive plugs of varying sizes. A 10-mile-long Holocene sand bar and Morro sand dune complex close the estuary off at the narrow, northwest-trending San Luis Valley from the open ocean to form Morro Bay.

The Morro sand dune complex is made of Holocene aeolian deposits, composed of well-sorted windblown sand. These dunes along the western edge of Morro Bay were created during lower sea level in the Holocene (greater than 12,000 years ago) when fluvial inputs transported massive amounts of material to the coast. Wind transport formed the dunes over time, and they continue to be kept in balance by the sediment budget. Los Osos lies along the Los Osos Fault Zone, a very complex set of fault segments of Late Quaternary. This fault zone is bounded by the San Andreas Fault to the east and offshore by the San Gregorio-San Simeon-Hosgri Fault. Although these fault zones are not recently active, the tectonic movements along the central California coast do generate varying levels of block uplift and subsidence (Revell Coastal, 2016).

The net southward littoral transport found along much of the California coast does not occur within Morro Bay. Instead, the sand primarily moves onshore and offshore, with a reversing longshore component. This sand transport pattern produces a littoral cell¹ within Estero Bay, even though there is no submarine canyon in the area. The primary sand sinks for this cell appear to be the sand spit south of Morro Rock and the entrance to Morro Bay itself (Dingler et. al. 1982). The sources appear to be onshore transport in addition to sediment inputs from local creeks, which are assumed to be limited given the relatively small watershed (172 square kilometers) (Revell Coastal, 2016).

Sea Level Rise (Coastal Hazards). Sea levels are rising because of two factors related to increasing temperature caused by human-induced climate change. The first factor is the thermal expansion of the oceans. As ocean temperatures warm, the water in the ocean expands and occupies more volume, resulting in a sea level rise. The second factor contributing to sea level rise is the additional volume of water added to the oceans from the melting of mountain glaciers and ice sheets. It is predicted that, if all of the ice on earth were to melt, ocean levels would rise by approximately 225 feet above present-day levels. The rate at which ocean levels rise largely depends on the feedback loop between the melting of the ice, which changes the land cover from a reflective ice surface, and the open ocean water, which absorbs more of the sun's energy and increases the rate of ice melt. The Intergovernmental Panel on Climate Change (IPCC) has published scientific evidence demonstrating that,

¹ A littoral cell is a coastal compartment that contains a complete cycle of sedimentation, including sources, transport paths, and sinks.

because of the greenhouse gases (GHGs) already released into the atmosphere, sea levels will be rising for the next several thousand years. Given this long-term perspective, it is not a question of *whether* sea level rise will happen but *when* and at *what* it will happen. Sea level rise can increase flood risks in low-lying coastal areas and areas bordering rivers.

Coastal Processes. Tides and coastal flooding primarily define the coastal processes of Morro Bay and the Los Osos community. The following information on coastal processes is derived from the Technical Report (Appendix C).

Federal Emergency Management Agency (FEMA) maps delineate coastal and creek flood hazards as part of the National Flood Insurance Program. This program requires specific technical analysis of watershed characteristics, topography, channel morphology, hydrology, and hydraulic modeling to map the extent of existing watershed-related, and wave run-up-related flood hazards. These maps represent existing 100-year and 500-year flood hazards (a 1-percent and 0.2-percent annual chance of flooding, respectively). The maps are known as FIRMs (Flood Insurance Rate Maps), and they determine the extents and elevations of floods across the landscape.

The tides in Morro Bay are predominantly mixed semi-diurnal² and are composed of two low and two high water levels of unequal heights per 24.8-hour tidal cycle. The tides have a mean range of tide (MN) of 3.58 feet.³ Mean higher high water (MHHW) is referenced to 5.25 feet North American Vertical Datum (NAVD), and mean lower-low water (MLLW) is referenced to -0.08 feet NAVD. Tidal currents in Morro Bay contain both ebb and flood velocities, contributing to sediment deposition and erosion. Typically, the largest tide ranges in a year occur in late December to early January during king tides. The closest tide recorder has been in operation at Port San Luis since 1933. On longer time scales, sea level rise becomes increasingly important as increasing tides leads to tidal inundation of shorelines and elevated water levels which allow coastal flooding to reach areas farther inland

Waves are one coastal process, which cause coastal hazards. Waves that approach the Morro Bay estuary are characterized by three dominant modes. The northern hemisphere waves typically are generated by cyclones in the north Pacific during winter and bring the largest waves (up to 25 feet). The southern hemisphere waves are generated in the Southern Ocean during summer months and produce smaller waves with longer wave periods (> 20 seconds). However, most of the waves discussed above occur outside of Morro Bay, inside the bay, local wind waves are generated throughout the year as a result of storms coming ashore during winter or strong sea breezes during spring and summer (Wingfield and Storlazzi, 2007). Strong sea breezes generating local wind waves are the main source of wave impacts inside the Morro Bay Estuary, although given the limited surface water distance; wind wave generation is likely a small impact (<3 feet at 3 seconds).

Other Influences. The shoreline along Los Osos has been slightly altered by various activities. These human alterations have changed the natural functioning of the system. The two primary human alterations that have affected the overall coastline within Morro Bay are construction of Morro Bay Harbor and coastal armoring. In 1933, a man-made causeway was built that closed the north entrance of Morro Bay and connected Morro Rock with the mainland. The current Embarcadero area for the City of

² An area has a semi-diurnal tidal cycle if it experiences two high and two low tides of unequal size every lunar day. Many areas on the eastern coast of North America experience these tidal cycles. A "mixed semidiurnal tide cycle" is the lower middle of the cycle.

³ Orthometric height is for practical purposes "height above sea level," but the current NAVD88 datum is tied to a defined elevation at one point rather than to any location's exact mean sea level. This height methodology is commonly used in a sea level rise analysis.

Morro Bay was formed from the dredged material. Coastal armoring is the practice of using physical structures to protect shorelines from coastal erosion. Coastal armoring is relatively sparse across the Los Osos waterfront, because the Back Bay is shallow and protected from ocean waves. Within the project area, five small craft piers extend into the marsh, a T-pier is located at the boat launch area, and currently there are no coastal armoring structures built along the coastline.

Rates of seawater intrusion are affected primarily by ocean water levels, groundwater extraction, and aquifer permeability. An aquifer is an underground layer of water-bearing permeable rock, rock fractures, or unconsolidated materials (gravel, sand, or silt) from which groundwater can be extracted. The permeability of the aquifer is dependent on geology and the size of pore spaces and to what degree the pore spaces are connected. Grain shape, grain packing, and cementation affect permeability.

According to the Los Osos Community Services District's *2014 Seawater Intrusion Monitoring, Los Osos Valley Groundwater Basin Technical Memorandum* by Cleath-Harris Geologists, Inc., the lower aquifer of the Los Osos groundwater basin is currently experiencing seawater intrusion. The position of the seawater front was mapped in April 2010 after water quality data were collected from a series of 15 wells and the data revealed that seawater intrusion was occurring at a much faster rate than previously anticipated. The 2014 monitoring report revealed that seawater intrusion was occurring at a rate of 200 to 250 feet (horizontally) per year. The rate of seawater intrusion could render the community's only water resource unusable in five years, according to a plan recently prepared at the request of the County due to concerns with diminished water levels (CHG, 2014).

b. Regulatory Framework. Federal, state, and local regulations are intended to guide development, reduce adverse effects on sensitive resources, or offer general guidance on the protection of such resources. The following discussion summarizes the key laws, rules, and regulations that may relate to climate-induced coastal hazards. These rules may also set the standards (significance criteria or thresholds of significance, as described below under "Impact Analysis") by which potential project impacts are evaluated.

The issue of coastal hazards was scoped as part of the LOCP DEIR process by the County in an effort to adequately address the issue of coastal hazards in preparation for an amendment to the County's Local Coastal Program (LCP). Incorporating the analysis of coastal hazards, specifically tidal inundation and coastal flooding, into the environmental impact analysis for the LOCP will assist the County in meeting the requirements contained in California Coastal Act (CCA) Section 30253 (minimization of adverse impacts), as well as existing policies and ordinances of the LCP. Managing development to avoid coastal hazards is a key component of the County's LCP. Policies in the CCA, and corresponding policies and ordinances in the LCP, direct new development to reduce risks to life and property and to avoid substantial changes to natural landforms.

Taken as a whole, the California Environmental Quality Act (CEQA) is concerned about direct and indirect environmental impacts caused by locating a project proximate to an existing or reasonably foreseeable environmental hazard (in addition to the effects of the project on the environment). To conclude otherwise (i.e., to exclude coverage of risks to people's health and safety from environmental conditions or not address reasonably foreseeable environmental impacts) would run counter to the legislative intent that CEQA should "*provide a high-quality environment that at all times is healthful and pleasing.*" For example, if the impacts of coastal hazards on the project in turn cause the project to change the environment outside the project, such as by increasing erosion or damaging coastal habitats,

those changes would constitute legitimate CEQA impacts. Recognizing this, the CEQA analysis of coastal hazards is supported by CEQA Guidelines Section 15126.2(a), which requires the consideration of significant environmental effects of the proposed project. **Any policy responses to coastal hazards identified in the LOCP should provide solutions with the least impacts on coastal resources.**

The California Coastal Act. In partnership with local governments, the California Coastal Commission (CCC) has planning, regulatory, and permitting responsibilities over all “development” taking place within the coastal zone (a 1.5-million-acre area stretching 1,100 miles along the state’s coastline from Oregon to Mexico and around nine offshore islands). The Commission’s enabling legislation, the California Coastal Act of 1976, created a comprehensive coastal protection program grounded in partnerships between the CCC and local government jurisdictions (15 counties and 60 cities) within the coastal zone. The CCC, coastal cities and counties, and other state and federal agencies that have authorities within California’s coastal areas are grappling with how to best prepare for the impacts of climate change, including sea level rise, increased storm frequency and intensity, coastal erosion, and flooding. These impacts could result in devastating damage to coastal and marine habitats, wetlands, and water quality; expensive disruptions or long-term damage to coastal recreation and public access, and commercial and residential developments; and inundation of public facilities and infrastructure, including highways, bridges, airports, commercial harbors, ports, and water treatment and wastewater facilities, particularly those uses or resources that are coastal-dependent. Under CCA Section 30101, *“Coastal-dependent development or use means any development or use, which requires a site on, or adjacent to, the sea to be able to function at all.”*

Coastal Act Policies Related to Coastal Hazards. Both marine and terrestrial coastal resources are adversely affected by climate change and the resulting coastal hazards. The following policies in the CCA that are intended to protect coastal resources require the CCC to develop technical expertise and take planning and regulatory steps aimed at addressing climate change:

- *Protection of Recreation Uses – Section 30220: “Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.”*
- *Protection of Public Access – Section 30211: “Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.”*
- *Protection of Marine Resources – Section 30230: “Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.”*
- *Protection of Biological Productivity – Section 30231: “The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with*

surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.”

- *Environmentally Sensitive Habitat Areas (ESHA) – Section 30240: “(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.”*
- *Prime Agricultural Land – Section 30241: Maintain prime agricultural land “(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses” and “(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.”*
- *Existing Development Location – Section 30250: “(a) New residential, commercial, or industrial development...shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...”*
- *Scenic and Visual Qualities – Section 30251: “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance.”*
- *Technical Advice and Recommendations – Section 30006.5: “The Legislature further finds and declares that sound and timely scientific recommendations are necessary for many coastal planning, conservation, and development decisions and that the commission should, in addition to developing its own expertise in significant applicable fields of science, interact with members of the scientific and academic communities in the social, physical, and natural sciences so that the commission may receive technical advice and recommendations with regard to its decision making, especially with regard to issues such as coastal erosion and geology, marine biodiversity, wetland restoration, the question of sea level rise, desalination plants, and the cumulative impact of coastal zone developments.”*

Local Coastal Program Update Guide. In 2013, the CCC published the *Local Coastal Program (LCP) Update Guide*. Section 8 in Part 1 addresses coastal hazards and states the following:

“Hazard Components of LCPs should be upgraded to address emerging issues related to adapting to climate change. Since this Guide was first published, government at all levels continues to address impacts from climate change pursuant to the requirements of AB 32, the Global Warming Solutions Act of 2006. Executive Order (EO) S-13-08 was issued on November 14, 2008. The EO called on state agencies to develop California’s first strategy to identify and prepare for these expected climate impacts. In 2009, the California Department of Natural Resources published The California Climate Adaptation Strategy. A first step for any LUP [land use plan] update may be a vulnerability analysis....

“The National Academy of Sciences published a study Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future that makes independent projections of sea-

level rise along California's coast for the years 2030, 2050, and 2100, taking into account regional factors that affect sea level. Such projections should be taken into account when requiring site-specific engineering and site analysis for development subject to sea level rise." (LCP Update Guide – Part I – Section 8, Coastal Hazards, 2013)

Sea Level Rise Policy Guidance. In August 2015, the CCC adopted the *Sea Level Rise Policy Guidance* (hereafter Guidance) to aid jurisdictions in preparing for sea level rise in LCPs, CDPs, and regional strategies. The Guidance outlines specific issues that policymakers and developers may face as a result of sea level rise, such as extreme events, challenges to public access, vulnerability and environmental justice issues, and consistency with the CCA. The document also lays out the recommended planning steps to incorporate sea level rise into the legal context and planning strategies in order to reduce vulnerabilities and inform adaptation planning.

The Guidance has a strong emphasis on incorporating coastal hazards and sea level rise into LCP planning and using soft or green adaptation strategies. The following specific steps are outlined in the document (on page 18):

- Step 1. Establish the projected sea level rise ranges;*
- Step 2. Identify potential impacts from sea level rise;*
- Step 3. Assess the risks and vulnerabilities to coastal resources and development;*
- Step 4. Identify adaptation measures;*
- Step 5. Draft new LCP for certification with the CCC; and*
- Step 6. Implement, monitor, and revise the LCP as necessary.*

The Technical Report completed by Revell Coastal provides the County with the initial four steps outlined in the Guidance document. However, it should be clear that the vulnerability assessment addresses the community land uses in general, but then focuses on which parcels are going to be re-designated for more intensive development through proposed land use changes as part of the LOCP. Other sectors, including as wastewater and stormwater infrastructure, , coastal access, and transportation, were also included in the vulnerability assessment which has been completed in support of the LCP amendment which will be required as part of the LOCP adoption process. The EIR is evaluating the impacts of new development/actions under the LOCP on the environment, not the environment's effect (i.e., sea level rise) on existing habitat or existing facilities . Some of these types of infrastructure impacts include stormwater, which will likely have reduced capacity to convey rainfall during high tides.. Low lying roads, the waterfront and piers and other shoreline amenities will likely face increasing storm closures and eventually predictable tidal inundation which may require relocation or elevation to maintain the service of these existing structures.

The newly completed wastewater infrastructure, particularly the maintenance access and manholes may also become vulnerable as coastal flooding and inundation may add substantial volumes of water into the system and cause problems related to salt content, as well as to potentially overwhelm the system. The natural resources and access to the bay and resources are an important part of the quality of life in Los Osos. Sensitive habitats and access points will likely be exposed to increasing frequency and duration of flood extents, while tidal flooding may cause some of the accesses to be lost or vulnerable over time. This may affect the kayak launch sites and beaches in particular. The ability of many of the habitats to advance landward and increase in elevation exists in Los Osos, so the vulnerability could be low as long as any adaptation strategies don't attempt to hold the line, but rather allow for the natural transgression.

The Guidance document provides the following principles for addressing coastal hazards in the coastal zone (on pages 15-16):

Use Science to Guide Decisions (Coastal Act Sections 30006.5, 30335.5)

- *Acknowledge and address sea level rise as necessary in planning and permitting decisions.*
- *Use the best available science to determine locally relevant and context-specific sea level rise projections for all stages of planning, project design, and permitting reviews.*
- *Recognize scientific uncertainty by using scenario planning and adaptive management techniques.*
- *Use a precautionary approach by planning and providing adaptive capacity for the highest amounts of possible sea level rise.*
- *Design adaptation strategies according to local conditions and existing development patterns, in accordance with the Coastal Act.*

Minimize Coastal Hazards through Planning and Development Standards (Coastal Act Sections 30253, 30235, 30001, 30001.5)

- *Avoid significant coastal hazard risks to new development where feasible.*
- *Minimize hazard risks to new development over the life of authorized structures.*
- *Minimize coastal hazard risks and resource impacts when making redevelopment decisions.*
- *Account for the social and economic needs of the people of the state; assure priority for coastal-dependent and coastal-related development over other development.*
- *Ensure that property owners understand and assume the risks, and mitigate the coastal resource impacts, of new development in hazardous areas.*

Maximize Protection of Public Access, Recreation, and Sensitive Coastal Resources (Coastal Act Chapter 3 policies)

- *Provide for maximum protection of coastal resources in all coastal planning and regulatory decisions.*
- *Maximize natural shoreline values and processes; avoid expansion and minimize the perpetuation of shoreline armoring.*
- *Recognize that sea level rise will cause the public trust boundary to move inland. Protect public trust lands and resources, including as sea level rises. New shoreline protective devices should not result in the loss of public trust lands.*
- *Address other potential coastal resource impacts (wetlands, habitat, agriculture, scenic, etc.) from hazard management decisions, consistent with the Coastal Act.*
- *Address the cumulative impacts and regional contexts of planning and permitting decisions.*
- *Require mitigation of unavoidable coastal resource impacts related to permitting and shoreline management decisions.*
- *Consider best available information on resource valuation when mitigating coastal resource impacts.*

Maximize Agency Coordination and Public Participation (Coastal Act Chapter 5 policies; Sections 30006, 30320, 30339, 30500, 30503, 30711)

- *Coordinate planning and regulatory decision making with other appropriate local, state, and federal agencies; support research and monitoring efforts.*
- *Consider conducting vulnerability assessments and adaptation planning at the regional level.*

- *Provide for maximum public participation in planning and regulatory processes.*

Legal and Regulatory Background.

Ballona Wetlands Land Trust, et al. v. City of Los Angeles

In an opinion published on December 2, 2011, the Second District Court of Appeal held that the City of Los Angeles was not required to discuss the impact of sea level rise as a result of global climate change on a proposed mixed-use development project. At issue in the *Ballona Wetlands* case was whether an EIR should address as a significant effect the potential for sea level rise to flood a coastal project. The court opined that effects of the environment *on a project and the people using the project* are “neither consistent with CEQA’s legislative purpose nor required by the CEQA statute.” Instead, the Court said that CEQA is only concerned with whether a project causes effects on the environment and excluded effects that may be caused by locating people in proximity to an environmental hazard. However, a close inspection of the full array of CEQA provisions indicates that effects of the environment on people are, indeed, within the purview of the statute. CEQA covers the people who would be exposed to environmental hazards associated with the location of a project, consistent with the statute’s legislative intent. Because there is ambiguity resulting from a lack of an explicitly worded mandate, court decisions have gone both ways (Ascent Environmental, 2012).

Environmental Justice at the Local and Regional Level

In 2012, the Office of Attorney General of the California Department of Justice released a report on environmental justice and CEQA, titled *Environmental Justice at the Local and Regional Level Legal Background*, which seemed to controvert the *Ballona Wetlands* decision. The report stated that both Section 15126(a) and Appendix G of the State CEQA Guidelines require a lead agency to examine existing environmental conditions in the CEQA review process, and that these components of the State CEQA Guidelines play an important role in legally required environmental justice evaluations (Office of the California Attorney General, 2012). Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects” (PRC Section 21002). CEQA does not use the term “environmental justice.” Rather, CEQA centers on whether a project may significantly affect the physical environment. Under CEQA, human beings are an integral part of the “environment.” An agency is required to find that a “project may have a ‘significant effect on the environment’” if, among other things, “[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly[.]” (PRC Section 21083, [b][3]; see also State CEQA Guidelines Section 15126.2 [noting that a project may cause a significant effect by bringing people to hazards]).

Sierra Club et al. v. City of Oxnard et al.

In June 2003, Hearthstone Homes Oxnard LLC filed a land use permit application with the City of Oxnard to amend the City's general plan specific plan. The application proposed to build a master planned residential/commercial mix of approximately 317 unincorporated acres north of Hueneme Road, in an area generally known as “Ormond Beach.” Among the objections from environmental groups to the environmental document were concerns regarding the sufficiency of consideration and mitigation of sea level rise. The City’s stated intention was to defer consideration of calculable sea level change impacts until individual FEMA-compliant building permits were sought and the possible future acquisition of part of the portions of the project. Unlike the *Ballona Wetlands Land Trust v. City of Los Angeles* (2011) case

where the City of Los Angeles rejected the Pacific Institute sea level rise findings in favor of the report of a local civil engineer, the Court in this case determined that the public and the City decision makers had a right to be informed of the expected location of average daily high tide over the life of this project (or at least within a scientifically expected range of average daily high tide), subject to the possible loss of the coastal wetlands entirely, because the wetlands will conceivably at some point have no further room to migrate in light of the construction and development of the project (Sierra Club et al. v. City of Oxnard et al., 2012).

California Building Industry Association v. Bay Area Air Quality Management District

CEQA requires an agency considering a project to evaluate and, if feasible, mitigate the project's significant adverse environmental impacts. Some agencies and advocates have argued that CEQA also requires the "reverse analysis," which is essentially examining the impacts of the environment on the project and mitigating potential effects on its new users and residents. The issue had been raised in several previous Court of Appeal decisions, each of which rejected requirements for reverse CEQA analysis.⁴ This decision reassures agencies conducting CEQA review of proposed projects (referred to as "lead agencies") that, except in limited circumstances, they may properly focus on the project's impacts on the environment and need not consider the reverse (Pillsbury, Winthrop, Shaw, Pittman, LLP, 2015). Despite this general rule, the Court cautioned that lead agencies must consider whether, by bringing project residents to a location where environmental hazards already exist, the project may exacerbate such conditions. The Court also noted that certain provisions in CEQA expressly require reverse CEQA analysis for specific types of projects. More specifically, the Court did not exclude all consideration of existing conditions from CEQA. An agency must "evaluate existing conditions in order to assess whether a project could exacerbate hazards that are already present." The Court went on to state, "In those specific instances, it is the project's impact on the environment—and not the environment's impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions." This is consistent with CEQA Section 15126.2[a]. In addition, in a footnote, the Court explained that CEQA does not prohibit an agency from considering as part of an environmental review how existing conditions might affect a project's future users or residents. However, it stopped short of suggesting that the agency should determine the significance of such impacts and requires mitigation (Pillsbury, Winthrop, Shaw, Pittman LLP, 2015).

County of San Luis Obispo Local Coastal Program Policy Document: Coastal Plan Policies. The County's LCP addresses coastal hazards in Chapter 11 of the Coastal Plan Policies, various sections of the CZLUO, and the Estero Area Plan. Appendix G of the Estero Plan addresses methods for determining slope stability and erosion rate estimates, including consideration of sea level rise. The LCP also includes mapped combining designations for flood and geologic hazards, as well as Sensitive Resource Areas (SRAs) such as identified wetlands and terrestrial habitats. And the LCP contains policies and ordinances to implement Coastal Act requirements to protect sensitive wetlands and other habitats.

More specifically for coastal hazards, the County's Coastal Plan Policies document includes the following policies, designed to address Coastal Act policies 30253 and 30235:

Policy 1: New Development

⁴ Baird v. County of Contra Costa (1995) 32 Cal. App. 4th 1464; City of Long Beach v. Los Angeles Unified School District (2009) 176 Cal. App. 4th 889; South Orange County Wastewater Authority v. City of Dana Point (2011) 196 Cal. App. 4th 1604; Ballona Wetlands Land Trust v. City of Los Angeles (2011) 201 Cal. App. 4th 455.

All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]

Policy 2: Erosion and Geologic Stability

New development shall ensure structural stability while not creating or contributing to erosion or geological instability. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.086 OF THE CZLUO.]

Policy 3: Development Review in Hazard Areas

The county shall require a detailed review of development proposed within the geologic study area and flood hazard combining designations as indicated on the Land Use Element maps for the coastal zone. The review shall be performed by a qualified registered and/or certified engineering geologist and shall be adequately detailed to provide recommendations and conclusions consistent with this plan. Residential, commercial and industrial development shall be prohibited within the 100 year floodplain (1% chance of inundation in any year) as delineated in the Flood Hazard combining designation except for those areas within an urban reserve line. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTIONS 23.07.082, 23.07.084, 23.07.062 AND 23.07.066 OF THE CZLUO.]

Policy 4: Limitations on the Construction of Shoreline Structures

Construction of shoreline structures that would substantially alter existing landforms shall be limited to projects necessary for:

- a. protection of existing development (new development must ensure stability without depending upon shoreline protection devices);*
- b. public beaches and recreation areas in danger of erosion;*
- c. coastal dependent uses;*
- d. existing public roadway facilities to public beaches and recreation areas where no alternative routes are feasible.*

These structures shall be permitted provided they are sited and designed to eliminate or mitigate adverse impacts on local shoreline sand supply, fish and wildlife provided that non-structural methods (e.g., artificial nourishment) have been proven to be infeasible or impracticable.

Shoreline structures include revetments, breakwaters, groins, harbor channels, seawalls, cliff-retaining walls and other such structures that alter natural shoreline processes. Retaining walls shall be permitted only where necessary to stabilize bluffs where no less environmentally

damaging alternative exists or where necessary for those projects defined above. Where shoreline structures are necessary to serve the above, siting shall not preclude public access to and along the shore and shall be sited to minimize the visual impacts, erosive impacts on adjacent unprotected property, encroachment onto the beach and to provide public overlooks where feasible and safe. The area seaward of the protective devices shall be dedicated for lateral public access. The protective devices shall utilize materials which require minimum maintenance and shall specify within the plans the agencies or persons responsible for maintenance.

In addition to county review, most shoreline structures require review by federal and state agencies. These may include permits required by the federal Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Department of Fish and Wildlife, California Regional Water Quality Control Board, State Lands Commission, California Coastal Commission, etc. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]

Policy 5: Design and Construction of Shoreline Structures

Shoreline structures developed consistent with Policy 4 (including projects for maintenance and repair) shall be designed and constructed to mitigate or eliminate effects on local shoreline sand movement and supply. Construction activities shall be carefully managed to minimize unnecessary effects on natural landforms and shoreline processes. Upland grading and drainage shall be designed and constructed to avoid adverse impacts on bluff lines by channeling drainage away from the bluff where feasible. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.05.090 OF THE CZLUO.]

Policy 6: Bluff Setbacks

New development or expansion of existing uses on bluffs shall be designed and set back adequately to assure stability and structural integrity and to withstand bluff erosion and wave action for a period of 75 years without construction of shoreline protection structures which would require substantial alterations to the natural landforms along bluffs and cliffs. A site stability evaluation report shall be prepared and submitted by a certified engineering geologist based upon an on-site evaluation that indicates that the bluff setback is adequate to allow for bluff erosion over the 75 year period. Specific standards for the content of geologic reports are contained in the Coastal Zone Land Use Ordinance. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.118 OF THE CZLUO.]

Policy 7: Geologic Study Area Combining Designation

The GSA combining designation in coastal areas of the county is amended to include all coastal bluffs and cliffs greater than 10 feet in vertical relief and that are identified in the Assessment and Atlas of Shoreline Erosion (DNOD, 1977) as being critical to future or present development. Maps clearly distinguish the different geologic and seismic hazards which the county covers by the GSA combining designation. These hazards shall include steep slopes, unstable slopes, expansive soils, coastal cliff and bluff instability, active faults, liquefaction and tsunamis. [THIS POLICY SHALL BE IMPLEMENTED BY DESIGNATING GSA AREAS ON THE COMBINING DESIGNATION MAPS AND PURSUANT TO SECTION 23.07.080 OF THE CZLUO.]

Hazards Policy 11: Areawide Shoreline Erosion and Bluff Retreat Management Plan

The County should seek grant funding and develop a program with a long-term comprehensive approach to avoid permanent armoring of the shoreline and to minimize impacts on the shoreline in existing developed areas. The program also should offer a means to address some area-specific constraints. This includes preparation of an Areawide Shoreline Erosion and Bluff Retreat Management Plan focusing on annual bluff erosion rates, bluff setbacks, emergency armoring procedures, shoreline protection standards, structural design, engineering, monitoring and maintenance. [THIS POLICY SHALL BE IMPLEMENTED AS A PROGRAM.]

Hazards Policy 12: Geologic Hazards Mapping

As part of the periodic update of an area plan, the draft plan shall include development of a dynamic Geologic Hazards Map consistent with the Safety Element and updated geologic information. [THIS POLICY SHALL BE IMPLEMENTED AS A PROGRAM.]

Title 23 of the CZLUO contains a variety of standards to implement these policies, including blufftop setbacks (23.04.118), shoreline structure requirements (23.05.090), and flood hazard and geologic study area standards (23.07.060-086).

ClimateWise: Integrated Climate Change Adaptation Planning in San Luis Obispo County. In 2010, key stakeholders, elected officials, city and county planners, land managers, public health officials, concerned citizens, scientists, and the Local Government Commission initiated a process to address climate change adaptation in San Luis Obispo County. As part of this process, scientists from the Geos Institute identified anticipated climate change impacts in the region and threats to socioeconomic and natural systems. The range of potential impacts presented was based on projections of climate change in the San Luis Obispo region using three of the best-available models and an emission scenario drawn from those used by the IPCC and downscaled to California. This resulted in a report entitled, *ClimateWise: Integrated Climate Change Adaptation Planning in San Luis Obispo County* (The GEOS Institute and Local Government Commission, 2010), which identified potential impacts specifically in the Morro Bay vicinity. The ClimateWise Report identifies the following potential impacts related to coastal hazards (on page 29):

Coastal storms can cause coastal flooding of low-lying areas—inundating economically important infrastructure such as the harbors of Morro Bay and Port San Luis. The erosive impact of storms could also cause severe damage to coastal developments and facilities. Both of these coastal hazards are expected to become greater threats to coastal areas as sea level rises. Beach erosion will increase in many areas and may require more frequent sand replenishment.

The ClimateWise Report recommends strategies for addressing coastal hazards, including identifying high-risk areas and mapping failing infrastructure to prioritize repairs and improvements, reassessing local land use policies, protecting habitats, and increasing monitoring.

County of San Luis Obispo EnergyWise Plan: Designing Energy and Climate Solutions for the Future. The County recognizes that global climate change will result in significant impacts locally and throughout California unless substantial steps are taken to reduce GHG emissions. In November 2011,

the County adopted the document titled, *EnergyWise Plan: Designing Energy and Climate Solutions for the Future* (PMC, 2011). According to the plan (on pages 7-4 and 7-11):

Areas in San Luis Obispo County most at risk for sea level rise include Cayucos, Morro Strand State Beach, Avila Beach/Port San Luis Harbor, the Pismo Dunes/Oceano area, and San Simeon State Beach. With nearly 100 miles of coastline in San Luis Obispo County, sea level rise is likely to have the following effects: Increased erosion of coastal bluffs and risk of additional cliff failures; higher storm surges and coastal flooding, making transportation and local infrastructure vulnerable to inundation during storms; increased infrastructure and maintenance costs to protect local harbors and ports from storm surges and sea level rise; loss of coastal wetlands due to permanent inundation; saltwater intrusion into coastal freshwater supplies that serve local residents and agricultural uses.

The *EnergyWise Plan* proposes near-term, mid-term, and long-term adaptation measures for sea level rise, including measures such as requiring all new coastal-fronting development to account for sea level rise, developing common metrics for communicating sea level rise to assist with development decisions, training staff and educating the general public, updating the LCP, and regional collaboration.

4.4.2 Vulnerability Assessment

A vulnerability assessment is the process of identifying, quantifying, and prioritizing (or ranking) the vulnerabilities in a system. Typically, there are a variety of vulnerable “sectors” within the City, ranging from land use types, building structures, utilities, oil and gas, coastal armoring, water supply, and transportation. The vulnerability assessment was conducted for the entire coastal community of Los Osos to assist in the evaluation of how the project may affect coastal resources over time. For purposes of this LOCP analysis, only parcel locations and land use types were analyzed. The vulnerability assessment found that, overall, coastal flood-related hazards would result in moderate risks to land use in the community of Los Osos. Longer-term tidal inundation may cause portions of Los Osos to be vulnerable and require substantial investment in adaptation measures to reduce those vulnerabilities. Coastal storm flooding would cause a larger impact on the community, but the impacts would be relatively short lived and would occur primarily during high tides and precipitation events.

a. Methodology. For the vulnerability assessment, the Technical Report analyzed the planning horizons of 2025, 2040, and 2100 using a high worst-case scenario. The worst-case scenario was determined in the National Research Council (NRC) 2012 report, *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future*. Specifically, the vulnerability assessment used projections from Table 5-3 in the NRC report for the San Francisco (Central Coast) region, which included the regional subsidence (-1.5 millimeters/year) for the area south of Cape Mendocino. Tectonics in this region change at Cape Mendocino, to the north is the Juan de Fuca subduction zone and to the south is the San Andreas transform fault zone. Using these planning horizons, equation B3 from Appendix B of the Guidance (California Coastal Commission 2015), and the findings of the NRC 2012 report for San Francisco region yields the following table of sea level rise elevations by planning horizon (**Table 4.4-1**).

Table 4.4-1. Estimated Sea Level Rise by Planning Horizon for Los Osos		
Planning Horizon	Sea Level Rise (inches)	Sea Level Rise (feet)
Existing conditions	0	0
2025	9.6	0.5
2040	17.6	1.5
2100	65.5	5.5

Source: Revell Coastal, 2016.

Coastal flooding was derived from FEMA flood mapping, which includes consideration of storm surges, wind waves, and creek flooding from Chorro and Los Osos Creeks. After modeling these processes, the coastal bay storm base flood elevation was mapped by FEMA at a 13-foot elevation. Using a linear superposition method, the coastal bay storm effective base flood elevation was escalated using the sea level rise results from **Table 4.4-1**. Per standard FEMA practices, all elevations were rounded to the nearest half-foot. Results are shown in **Table 4.4-2** (Coastal Flooding: FEMA 100-Year Flood) and mapped for the Los Osos community in **Figure 4.4-2**.

Tidal inundation levels were determined using the Port San Luis, California Tidal Gage. As a conservative approach, a 100-year tide level (1-percent annual chance of occurrence) was selected as the baseline to reference sea level rise elevations. This tide elevation then was escalated, using the results shown in **Table 4.4-1**, to raise the tidal elevation to each planning horizon. Results of this escalation are shown in **Table 4.4-2** (Tidal Inundation – Port of San Luis 100-Year Tide Level) and mapped for the Los Osos community in **Figure 4.4-2**.

Table 4.4-2. Results of Coastal Flooding Analysis and Tidal Inundation		
Horizon	Sea Level Rise Elevation (NAVD feet)	Hazard Elevation (NAVD feet)
Coastal Flooding: FEMA 100-Year Flood		
2012	0	13
2025	0.5	13.5
2040	1.5	14.5
2100	5.5	18.5
Tidal Inundation – Port San Luis 100-Year Tide Level		
2015	0	7.64
2025	0.5	8.44
2040	1.5	9.10
2100	5.5	13.14

Source: Revell Coastal, 2016.

The coastal flooding and tidal inundation hazard zones were then spatially analyzed with the land use and parcel data to identify vulnerabilities with the results summarized in as **Table 4.4-3**. Spatially explicit map results are shown in **Figures 4.4-1 and 4.4-2**.



Figure 4.4-1. Coastal Hazards in the Community Plan Area

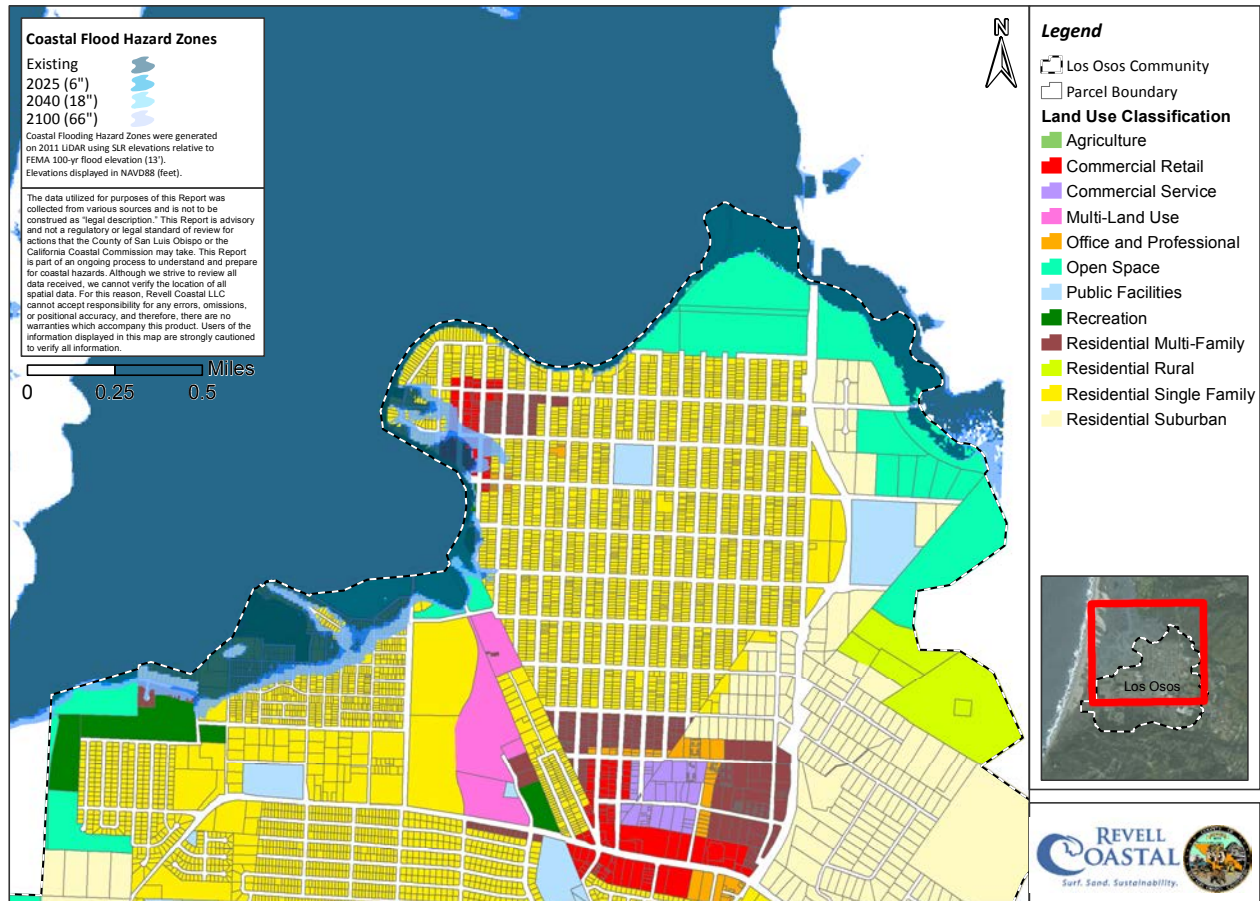


Figure 4.4-2. Coastal Hazard Impacts to Planned Land Uses

Table 4.4-3. Summary Results of Vulnerability Assessment

METRIC	# Parcels							Acreage						
TYPE	Residential	Open Space	Recreation	Commercial Retail	Whitehole	Public Facilities	Total	Residential	Open Space	Recreation	Commercial Retail	Whitehole	Public Facilities	Total
UNITS	count	count	count	count	count	count	count	Acres	Acres	Acres	Acres	Acres	Acres	Acres
Community Total	5698	23	15	196	9	11	5952	2888	168	129	92	110	75	3463
Coastal Flooding														
Existing conditions	263	15	7	17	5		307	31.2	36.7	24.9	2.9	35.0		130.7
2025	292	15	7	17	5		336	34.0	37.2	24.9	3.0	35.2		134.4
2040	322	15	8	25	7		377	40.5	38.4	24.9	3.5	35.6		143.0
2100	457	15	8	48	7		535	69.8	41.4	25.1	7.2	37.3		180.8
Tidal Inundation														
Existing conditions	102	14	6	1	5		128	5.7	18.1	17.8	0.0	28.9		70.5
2025	110	14	6	3	5		138	7.7	22.2	20.2	0.0	31.4		81.5
2040	124	14	7	4	5		154	9.7	25.8	22.4	0.2	32.4		90.5
2100	266	15	7	17	5		310	34.1	35.2	26.6	2.9	35.0		133.7

Source: Revell Coastal, 2016.

Findings. For purposes of the CEQA analysis, the vulnerability assessment analyzed land use acreages exposed to coastal flooding and tidal inundation. Coastal storm flooding will have a larger impact to the community, but the impacts are relatively short lived occurring primarily during high tides and precipitation events. For coastal storm flooding, damages could likely be cleaned up without having to implement more expensive adaptation measures. Under existing conditions, a total of 130.7 acres of existing land use is subject to coastal flooding. By 2040, with build out of the existing Community Plan, a total of 143 acres would be vulnerable to coastal flooding. Of this total acreage exposed to coastal flooding, 44 acres (or 30.7 percent) consists of developed land uses (either residential or commercial). By 2100 with 5 feet of sea level rise, the vulnerable acreage expands to 180.8 acres. Of those exposed, 77 acres (or 42.6 percent) affected would be residential or commercial development. Between 18 and 65.5 inches of sea level rise, the vulnerable acreage doubles. Regardless, the risk of coastal flooding to the community of Los Osos in 2100 is relatively small; potential impacts would affect only 2 percent of all residential development and 7.8 percent of commercial properties.

Tidal inundation would affect slightly fewer acres, particularly in the Open Space land use category, resulting in less intense impacts on passive recreational uses. Routine flooding of the salt marshes may actually enhance the overall wetland community if marshes are allowed to advance landward and accrete sediment. Under existing conditions, the highest numbers of acreages exposed to tidal inundation are in the land use categories of Whitehole (i.e. undefined land use), Open Space, and Recreation. By 2040 under build out for the existing Community Plan, a total of 90.6 acres would be exposed to tidal inundation, with 9.9 acres (10.9 percent) of this land affecting residential and commercial development. By 2100 with approximately 5 feet of sea level rise; 133.7 acres of land use would be affected, with 37 acres (or 27.7 percent) of tidal inundation affecting residential and commercial properties (Revell Coastal, 2016).

4.4.3 Impact Analysis

a. Methodology and Significance Thresholds. This impact analysis subsection presents the significance criteria against which potential impacts are evaluated and discusses potential impacts that would result from implementation of the proposed project. The significance criteria are based primarily on Appendix G of the State CEQA Guidelines. As defined by Section 15064.7(a) of the State CEQA

Guidelines, thresholds of significance are an identifiable quantitative, qualitative, or performance standard for a particular environmental effect.

Methodology. The significance criteria presented in this EIR provide the basis for determining whether the project would result in significant environmental effects, and as such are presented before the evaluation of potential impacts of coastal hazards.

In determining the significance of impacts, two levels of analysis were utilized. The first test was a policy (i.e. regulatory) comparison for consistency. This was accomplished by reviewing the proposed policies, programs, and standards of the LOCP for addressing coastal hazards against various Coastal Act policies and the Coastal Commission’s adopted *Sea Level Rise Policy Guidance* (2015); as well as existing LCP policies, programs, and ordinances. The second test was examining those parcels that would be re-designated for more intensive land uses than what is allowed under the Estero Area Plan, as agencies must evaluate existing environmental conditions in order to assess whether a project could exacerbate hazards that are already present.

“Significant effect on the environment” for purposes of this analysis is the substantial, or potentially substantial, adverse change in the environment, including an adverse change in exposure of people by a proposed project to a substantial, existing or reasonably foreseeable natural hazard or adverse physical environmental condition (State CEQA Guidelines Sections 15358 and §15002[g]). The “project” for purposes of this analysis is defined as the LOCP’s proposed policies that guide future development consistent with the land use pattern and buildout envisioned under the plan, and described more fully in Section 2.0 of this EIR. “Coastal hazards” for purposes of this analysis is a combination of coastal flooding and tidal inundation. The “environment” for purposes of this analysis is defined as both existing and future conditions of the study area.

Significance Thresholds. With respect to “coastal hazards,” there are no industry-standard quantifiable thresholds of significance in the state or for San Luis Obispo County specifically. Therefore (consistent with the CCC’s *Sea Level Rise Policy Guidance*), impacts generated by coastal hazards would be considered significant if build out of the LOCP would:

1. Conflict with the Coastal Act or an applicable plan, policy, or regulation adopted for the purpose of either implementing the Coastal Act, or reducing the impacts of sea level rise (i.e. coastal hazards)?
2. Place or adversely impact coastal resources and/or proposed development in the projected areas of coastal hazards exacerbated by sea level rise (i.e. coastal hazards)?

b. Impacts and Mitigation Measures

Impact CH-1 **Development under the Los Osos Community Plan would potentially conflict with the Coastal Act and applicable plans, policies, regulations and guidance approved by the California Coastal Commission for the purpose of protecting coastal resources and reducing the impacts of sea level rise (i.e. coastal hazards). Therefore, projected impacts of coastal hazards represent a Class II significant but mitigable impact.**

Consistent with the Coastal Act, the County's LCP requires that new development minimize risks to human life and property and be designed to avoid shoreline structures that would substantially alter landforms or natural shoreline processes (Policy 1). New development must also ensure structural stability and not contribute to geological instability (Policy 2; CZLUO 23.07.086(c)).

The proposed LOCP recognizes that climate change and sea level rise is a "major threat" to the Morro Bay estuary, and that sea level rise could impact residences and businesses, as well as infrastructure such as road and wells, along the bay (LOCP 2.2.3). The draft plan also recognizes some, but not all, of the LCP's existing policies that require the protection of sensitive coastal resources, such as terrestrial habitats and groundwater resources (Chapter 2). The plan does summarize the various combining designations relevant to Los Osos, including the Geologic Study Area (GSA), Flood Hazards (FH) and the Sensitive Resource Area (SRA) designation, especially that related to the Morro Bay Estuary and Shoreline (LOCP 4.5.6(A1)). Finally, the draft LOCP includes a proposed planning area standard 7.3(H) for shoreline development that mirrors the standard in the Estero Area Plan approved by the County and Coastal Commission in 2009. This standard addresses application requirements to address coastal hazards, bluff setbacks, seawalls and assumption of risk.

However, the proposed LOCP does not include sufficient policies, programs or standards to adequately implement the required coastal hazards or sensitive resource protection policies and standards of the Coastal Act and the LCP with respect to the projected impacts of sea level rise. In particular, other than brief discussion in section 2.2.3 and the reference to Appendix G of the Estero Area Plan, which does require consideration of sea level rise in calculating bluff retreat rates, there is no specific mention of sea level rise or requirements to account for its impacts, such as increased flooding and inundation, in the planning and design of new development. In addition, none of the suggested recommendations contained in the County's EnergyWise Plan are included in the draft LOCP, nor does the draft LOCP include adequate policies, standards or programs that directly address the CCC *Sea Level Rise Policy Guidance*, including the suggested approaches for addressing sea level rise in an LCP. Therefore, the project, as proposed, does not minimize coastal hazards and related environmental resource impacts through planning and development standards or adequately protect coastal resources, in light of projected sea level rise (CCA Sections 30253, 30235; 30200 et seq; 30001, 30001.5). For example, it cannot be demonstrated that the project adequately accomplishes the following:

- Avoids significant coastal hazard risks to new development where feasible.
- Minimizes hazard risks to new development over the life of authorized structures.
- Minimizes coastal hazard risks and resource impacts when making redevelopment decisions.
- Accounts for the social and economic needs of the people of the state; assures priority for coastal-dependent and coastal-related development over other development.
- Ensures that property owners understand and assume the risks, and mitigate the coastal resource impacts, of new development in hazardous areas (California Coastal Commission, 2015).
- Protects the wetland resources of the Morro Bay Estuary.
- Protects public access resources along the Los Osos shoreline.

Mitigation Measures. Implementation of the mitigation measures below which includes development of Coastal Hazards policies and implementation mechanisms consistent with the California

Coastal Act, the Coastal Commission’s SLR Guidance Document, and existing County LCP requirements, will mitigate the above deficiencies in the LOCP to a less than significant level.

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

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

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

- A. *Prevent the net loss of wetland acreage or biological and recreational function of Morro Bay Estuary in Los Osos due to sea level rise by providing for natural inland migration of wetlands and protection and restoration of wetlands.*
- B. *Monitor the trends in sea level rise at the Port San Luis tide gauge ((NOAA ID #9412110, https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?stnid=9412110)*

Program LU-1.1: Los Osos Greenbelt.

Program LU-1.2: Morro Bay Estuary Protection. The County should support the protection of wetland resources, which may become increasingly vulnerable to hard shoreline coastal hazard protection measures in light of sea level rise, by developing and implementing a strategy for achieving no net less of wetland acreage or biological and recreational function along the Los Osos shoreline. The County should

support efforts of public agencies, conservation organizations, and others to acquire easements and properties in fee along the shoreline, as well as the use of redevelopment/planned retreat strategies, and adaptive public access and recreation management plans to achieve wetland protection and hazard mitigation goals.

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

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

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

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

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

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

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

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

4.5.3 Flood Hazard (FH)

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

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

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

4.5.6. Sensitive Resource Area (SRA)

The following SRAs ...

Morro Bay Estuary and Shoreline

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

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

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

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

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

5.4 Sea Level Rise and Circulation.

The circulation system of Los Osos, including roads, bicycle facilities, and pedestrian and public accessways may be increasingly vulnerable as sea level rises. The County should pursue the assessment of the vulnerability of the circulation system to support the development of new strategies and public works investments to minimize impacts to circulation due to projected sea level rise (see Program CIR-5).

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

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

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

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

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

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

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

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

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

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

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

Extent and Intensity of Development. *If required by the Review Authority, the number of dwelling units, intensity of development and site coverage shall be reduced to protection of identified sensitive features on or adjacent to the site. Creation of new lots that would be undevelopable with applicable wetland setbacks, taking into account*

100 years of projected sea level rise, are prohibited unless the purpose is to put them into open space.

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

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

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

F. Coastal Access and Recreation. Opportunities for public access to and along the coast shall be maximized as follows:

1. New development shall be required to provide public access and improvements to and along the coast, and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization.
2. Public access and improvements to and along the coast shall be consistent with the Circulation Element, Chapter 5 (and corresponding policies in Chapter 2) of this plan, and the coastal access policies in Chapter 2, Section 2.5.4 of this plan.
3. Public access shall be consistent with protection of sensitive habitat and agriculture.
4. Any existing free public access to recreational areas shall be maintained.
5. New publicly - developed coastal access and recreation shall include requirements for resource monitoring and management, and provision of interpretive facilities at points of attraction, consistent with Chapter 23.04 of the Coastal Zone Land Use Ordinance.
6. *The design, provision and maintenance of public accessways shall take into account projected sea level rise for at least 50 years.*
7. *Existing accessways vulnerable to coastal hazards shall be maintained through planned retreat or other appropriate measures.*

7. Amend Standard 7.3(H) as follows:

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

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

- a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. *In addition, the report shall assess the impact of projected sea level rise on these hazards, for the life of the project, based on the best available science.* The report shall include an alternatives analysis to avoid or minimize impacts to public access.
- b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device, *taking into account projected sea level rise.*

....

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

coastal permit and authorization by the California State Lands Commission.

....

2. **Bluff Setbacks.** The bluff setback is to be determined by the engineering geology analysis required in Subsection I.1.a. above and shall be adequate to withstand bluff erosion and wave action for a period of 100 years, *taking into account projected sea level rise*. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is nonconforming with respect to bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2008, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.
3. **Seawall Prohibition.** Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP. *The restriction shall also provide for the removal of the development if it is deemed uninhabitable by a public official due to coastal hazard risks, or if the development is otherwise in imminent danger. These restrictions shall be specifically disclosed in all real estate transactions.*
4. **Liability.** As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a *shoreline*, beach or bluff, *taking into account projected sea level rise*, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

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

Plan Requirements and Timing. The Planning and Building Department shall evaluate and include Basin Plan policies as appropriate to the LOCP prior to Plan adoption.

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

Residual Impacts. Impacts will be reduced to a less than significant level after proposed mitigation.

Impact CH-2 Development under the Los Osos Community Plan would create a substantial, or potentially substantial, adverse change in the environment, including an adverse change in exposure of people by a proposed project to a substantial, existing or reasonably foreseeable, natural hazard or adverse physical environmental condition. Therefore, coastal hazard locations represent a Class II impact, as the impact is significant but mitigable.

According to *California Building Industry Association v. Bay Area Air Quality Management District (2015)*, lead agencies still must evaluate existing environmental conditions in order to assess whether a project could exacerbate hazards that are already present. At the same time, the Court upheld State CEQA Guidelines Section 15126.2(a), “Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas”). These portions of Section 15126.2(a), the Court concluded, are valid to the extent they call for evaluating impacts *that change the environment*, if introducing the project and its residents may exacerbate existing environmental hazards. In other words, by placing the project (i.e., placing future residents in harm’s way) within areas experiencing coastal flooding and tidal inundation, the project will have a significant effect on exacerbating those same coastal hazards now and into the future. Therefore, the project will have an effect on the environment. According to the Court, considering how a project might worsen existing conditions—including effects of such worsened conditions on a project’s future users or residents—is consistent with this focus and with CEQA as a whole (Pillsbury Winthrop Shaw Pittman LLP, 2015).

Only those LOCP parcels that are along the Los Osos coastline (as described in the Technical Report) were evaluated for purposes of CEQA, with a particular focus on those that would be re-designated for more intensive land uses than what is allowed under the Estero Area Plan (Figure 4.4-3). According to **Table 4.4-4**, LOCP Parcels #1, #2, #3, #5, #9, #20, and #23 are presently experiencing coastal hazards impacts because of existing conditions (i.e., coastal flooding and tidal inundation). This equates to approximately 60 percent of the coastal community parcels analyzed experiencing a potentially significant impact from the environment. However, only LOCP Parcels # 4, 5, and 9 are proposed for a change in land use, with an associated increase in development intensity (i.e., upzoning). Out of these

three parcels, LOCP Parcel #5 is experiencing both coastal flooding and tidal inundation; LOCP Parcel #9 is experiencing coastal flooding now and is expected to be within the tidal inundation hazard zone by 2100; and LOCP Parcel #4 is expected to be within the coastal flooding hazard zone by 2100. (Revell Coastal, 2016).

The combination of existing conditions and increase in development intensity meets the definition of “significant effect on the environment,” which is the substantial, or potentially substantial, adverse change in the environment, including an adverse change in exposure of people by a proposed project to a substantial, existing or reasonably foreseeable, natural hazard or adverse physical environmental condition (State CEQA Guidelines Sections 15358 and 15002[g]). This is further substantiated in PRC Section 21083(b)(3). Therefore, project impacts on LOCP Parcels #4, #5 and #9 are considered “significant but mitigable.” The remaining LOCP parcels were either “neutral” due to a lack of development intensity (i.e., Open Space, which does not put residents or structures in harm’s way) or “less than” because of a “downzone” in proposed development intensity.

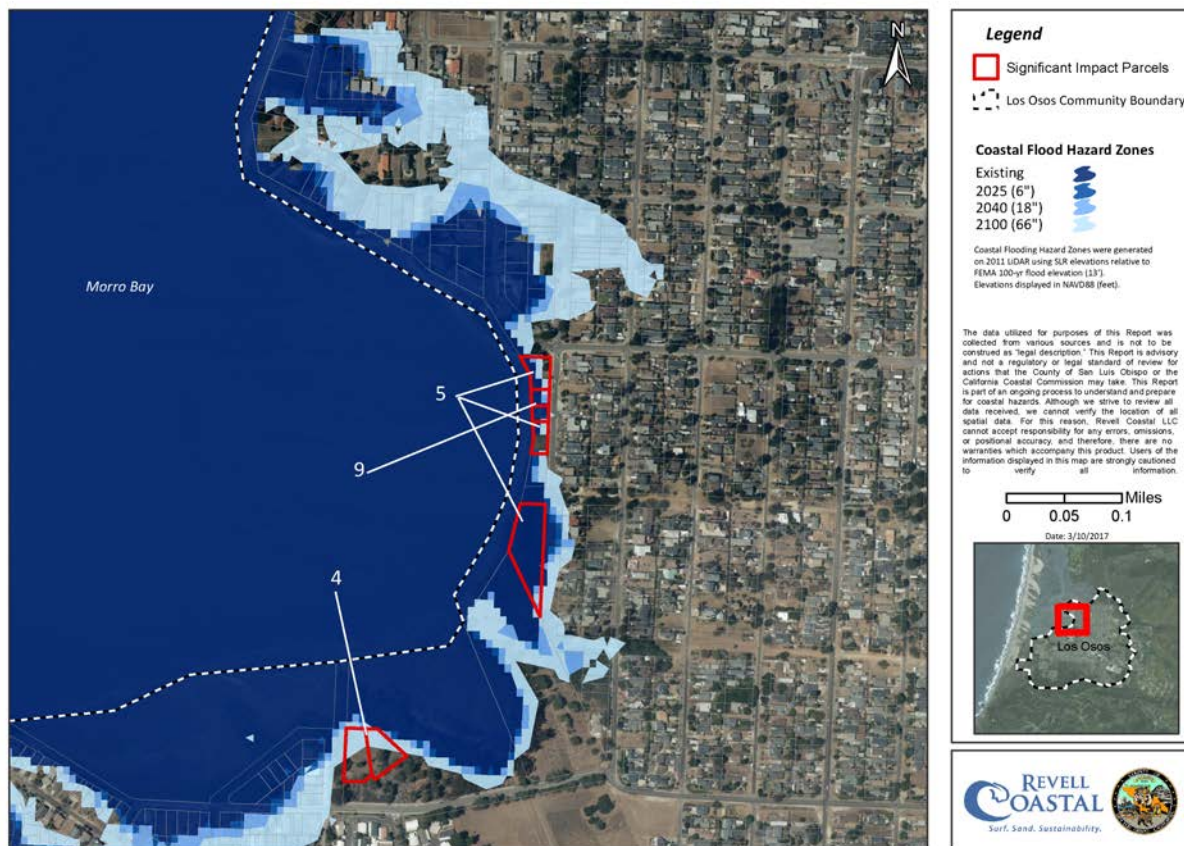


Figure 4.4-3. Significantly Impacted Parcels by Coastal Hazards

Table 4.4-4: Summary Results of Level of Impact (Significance) for Coastal Hazards Impacts

Community Plan Parcel #	Within Coastal Flood Hazard Zone	Within Coastal Tidal Hazard Zone	Impacted Within Project Buildout?	Existing Land Use	Proposed Land Use	Decreased/ Increased Intensity	Impacted Area and Increase in Density?	CEQA Level of Significance
1	Existing Conditions	Existing Conditions	Yes	No LU	OS	Neutral	No	Neutral
2	Existing Conditions	Existing Conditions	Yes	No LU	OS	Neutral	No	Neutral
3	Existing Conditions	Existing Conditions	Yes	RSF	OS	Decrease	No	Less Than
4	2100	No	Yes	No LU	RSF	Increase	Yes	Greater Than
5	Existing Conditions	Existing Conditions	Yes	OS	Rec	Increase	Yes	Greater Than
6a	No	No	No	RSF	Rec	Decrease	No	Less Than
9	Existing Conditions	2100	Yes	OS	PF	Increase	Yes	Greater Than
14	No	No	No	RR	OS	Decrease	No	Less Than
20	Existing Conditions	Existing Conditions	Yes	OS	OS	Neutral	No	Neutral
22	No	No	No	RSF	REC	Decrease	No	Less Than
23	Existing Conditions	Existing Conditions	Yes	RS	OS	Decrease	No	Less Than
25	No	No	No	RS	OS	Decrease	No	Less Than

Source: Revell Coastal, 2016.

Mitigation Measures. The following mitigation measure is required to ensure that impacts would be reduced to the extent possible:

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

Residual Impacts. Impacts will be reduced to a less than significant level after mitigation.

d. Cumulative Impacts. The evaluation of the LOCP in this EIR, which includes buildout of the Los Osos community, accounts for all of the expected and foreseeable growth in the Los Osos area. For that reason, project-specific impacts are considered the same as cumulative impacts. As described above, this includes significant but mitigation impacts related to coastal hazards and sea level rise. Impacts related to coastal hazards are expected to be less than significant through the implementation of proposed policies, including those included in the proposed LOCP. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level environmental review as appropriate.

e. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.4-5** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

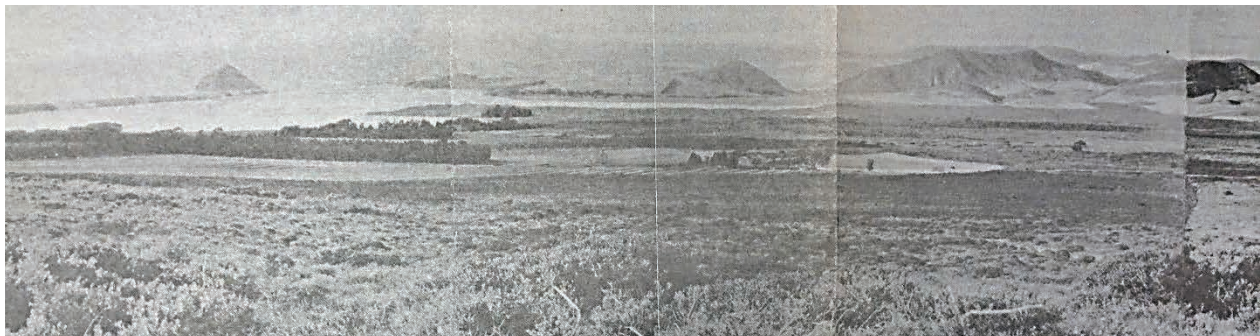
Table 4.4-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	CH-1 and CH-2
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	CH-1 and CH-2
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than CH-1 and CH-2
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened CH-1 and CH-2, as applicable
<i>The future project as proposed is within the Coastal Hazard Overlay</i>	CH-1 and CH-2

4.5 CULTURAL AND PALEONTOLOGICAL RESOURCES

The LOCP Area is richly endowed with Native American archaeological sites and historical buildings and structures. These resources are generally concentrated in discrete zones within the Plan area. Development of new housing, commercial, recreational, and infrastructure projects within these zones has the potential to impact significant properties. Although the LOCP recognizes the potential importance of the prehistoric and historic environment, it does not contain a robust policy framework to guide future development and mitigate potential impacts to these resources. Policies and development standards recommended in this section will help reduce potential impacts to less than significant levels in most cases.

A small percentage of the Plan area is also identified as a zone of high paleontological sensitivity. Recommended policies and standards will reduce any impacts on paleontological resources to less than significant levels.

4.5.1 Setting



An undeveloped Los Osos, looking towards Morro Rock, circa 1920. (Courtesy, History Center of San Luis Obispo)

Cultural resources provide both tangible and intangible links with the historic and prehistoric past. They are valued as symbols of our shared history and group identity, as memorials to historical events and individuals, and for their scientific, aesthetic, and economic importance. Cultural resources include but are not limited to buildings and structures, archaeological and historical sites, historical landscapes, and traditional cultural properties. Such resources amplify the local population's sense of community, enhance perceptions and enjoyment of the community by residents and visitors, provide an important measure of the physical quality of life in the community, and are a critically important element of the tourist economy.

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). In general, fossils are considered to be greater than 5,000 years old (Middle Holocene) and are typically

preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010).

a. Paleontological Setting. The Project area is situated within the Coast Ranges geomorphic province of California. A geomorphic province is a region of unique topography and geology that is readily distinguished from other regions based on its landforms and diastrophic history. The Coast Ranges extend about 600 miles from the Oregon border south to the Santa Ynez River in Santa Barbara County. The width of the range averages 50 miles and is bounded to the west and east by the Pacific Ocean and the Great Valley geomorphic provinces, respectively. The Coast Ranges are characterized by numerous north-south-trending peaks and valleys that range in elevation from approximately 500 feet above mean sea level (amsl) to 7,581 feet amsl at the highest summit, and often exhibit a high degree of relief where the highlands intersect the Pacific Ocean shore. The Coast Ranges are subdivided into the northern and southern ranges near their midpoint at San Francisco Bay (Norris and Webb 1976). Dominant geologic features of the southern Coast Ranges within the vicinity of the Project area include the San Luis Range and the Irish Hills; the northwest-trending Los Osos Fault Zone; and Morro Rock and the Nine Sisters, a series of Miocene volcanic peaks (Lettis and Hall 1994; Lettis et al. 1994; Surdham and Stanley 1984).

The basement rocks of the Coast Ranges include the Jurassic to Cretaceous Franciscan Assemblage, which consists of more than 55,000 feet of greywacke, greenstone, bluestone, metasedimentary rocks, and ophiolite sequences. The Franciscan rocks were primarily derived from erosion of a volcanic arc, subsequent deposition in a deep marine environment, and later accretion onto the continental margin of North America during the subduction of the Farallon Plate (Schemmann et al. 2008; Wakabayashi and Moores 1988). During the Mesozoic and into the Cenozoic, the present-day Coast Ranges were covered by marine waters, resulting in the thick accumulation of forearc marine and nonmarine shale, sandstone, and conglomerate on the Franciscan basement rock (Bartow and Nilsen, 1990). Later, these deposits were unconformably overlain by Paleocene to Pliocene marine continental shelf sedimentary rocks, including the fossiliferous rocks of the Miocene Monterey and Pismo formations (Barron 1989; Graymer et al. 1996). During the Late Miocene to the Late Pliocene, an orogenic (i.e., mountain-building) episode occurred in the vicinity of the present-day Coast Ranges, resulting in their uplift above sea level. Subsequently, from the Late Pliocene to Pleistocene, extensive deposits of terrestrial material, including alluvial fans and fluvial sediments, were deposited in the southern Coast Ranges (Norris and Webb 1976). Tectonic activity, faulting, and eustatic (global) events related to Pleistocene climate change continued to occur during the Quaternary Period, resulting in further uplift, deformation, and sea level fluctuations along the Coast Ranges (Jefferson et al. 1992).

The Los Osos Community Plan area is underlain by marine and terrestrial sedimentary deposits including the Late Miocene to Pliocene Pismo Formation (Tpm), Quaternary paralic (estuarine) deposits (Qpe), alluvial flood-plain sediments (Qal), and old eolian deposits (Qoe). The area is mapped at a scale of 1:24,000 by Hall (1973) and Weigers (2009). A general description of the underlying geology is provided below and depicted in **Figure 4.5-1**.

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

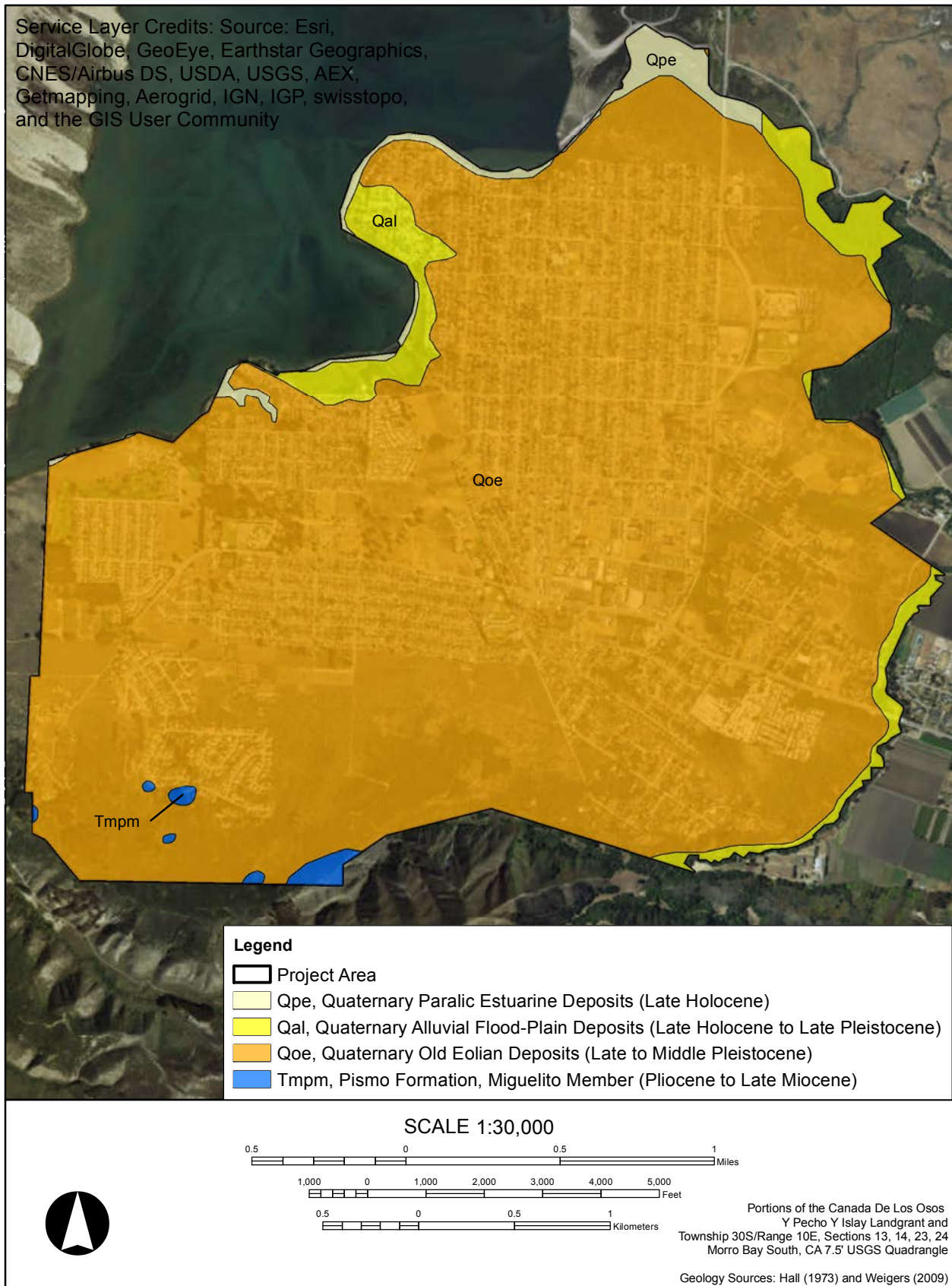


Figure 4.5-1 Geologic units underlying the Project area.

Pismo Formation. The Pliocene to Late Miocene Pismo Formation is exposed in the southern Plan area where it unconformably overlies the Miocene Monterey Formation (Hall 1973). The Pismo Formation was first described by Fairbanks (1904) for thick diatomaceous earth beds near Pismo Beach, and was redescribed by Hall (1973). The Pismo Formation is restricted to the Pismo Basin (Morro Bay-San Luis Obispo-Pismo Beach area) and may be as much as 3,000 feet thick in some locations (National Geologic Map Database [NGMDB] 2016; Surdham and Stanley 1984). Previous researchers have attributed the Pismo deposits to the Monterey Formation; however, based on lithologic characteristics of the unit and structural features within the nearby Pismo Syncline, Keller (1992) determined that the Pismo Formation should not be included in the Monterey Formation (Hall 2007). The Pismo Formation is composed of siliceous marine shale, diatomaceous shale, thickly bedded sandstone, and conglomerate deposits, and is subdivided into five members by Hall (1973): the basal Edna and Miguelito members (Miocene and Pliocene age) and the unconformably overlying Gragg, Bellevue, and Squire members (Pliocene age) (NGMDB 2016). The Miguelito member is exposed in the Plan area and is composed of siliceous and diatomaceous shale, siltstone, and friable sandstone. The shale and siltstone are brown to light tan, locally bituminous, moderately resistant, well-bedded (average thickness 10 centimeters), with dolomitic siltstone lenses and local tuffaceous deposits near the base (Hall 1973). The shale and siltstone grade laterally into the sandstone, which is locally conglomeratic near the base of the Miguelito member.

Numerous fossils have been recovered from vertebrate localities within the Pismo Formation in San Luis Obispo County, including specimens of seal, sea cow, whale, shark, horse, and bird. The Pismo Formation has also produced an invertebrate fauna and flora that includes clam, snail, sea urchin, and Ficus tree (Hall et al. 1966). The University of California Museum of Paleontology (UCMP) online database (2016) records a vertebrate locality within the Miguelito member approximately 10 miles southeast of the Plan area. The Miguelito locality yielded fossil teeth of *Isurus planus* (extinct mako shark) and *Desmostylus* sp. (extinct herbivorous mammal), recovered from an unknown depth.

Quaternary Deposits. Quaternary deposits of Late Pleistocene to Holocene age are exposed along Morro Bay and within the Los Osos Valley in the Plan area. Late Holocene paralic (estuarine) deposits (Qpe) are mapped along the coast of Morro Bay, and consist of salt marsh and tidal flat sediments of unconsolidated fine-grained sand and clay. Late Holocene to Late Pleistocene alluvial flood-plain deposits (Qal) are present along the eastern and western border of the Plan area near active and recently active floodplains; these deposits consist of unconsolidated sand, silt, and clay-bearing alluvium.

Most of the Plan area is underlain by Late to Middle Pleistocene old eolian deposits (Qoe). The old eolian deposits are old stabilized dunes dissected by Los Osos Creek and composed of moderately consolidated, well-sorted, white to brown, wind-blown sand capped with moderately to well-developed soil. The majority of these Quaternary sediments have been disturbed at the surface due to previous residential, business, agricultural, and industrial development in the Los Osos Community Plan Area.

Several vertebrate specimens have been recovered within Quaternary deposits in the vicinity of the Plan area. Jefferson et al. (1992) indicate that several vertebrate localities have been recorded in Quaternary marine terrace and near-shore alluvial deposits from the Morro Bay, Irish Hills, Point San Luis, and City of San Luis Obispo areas. These have yielded specimens of fish, whale, dolphin, sea cow, camel, bison, horse, mastodon, and rodent; however, these localities were identified in alluvial deposits, while most of the Plan area is underlain by eolian sediments which typically accumulate in depositional environments that are not generally favorable for fossil preservation.

b. Cultural Setting—Regional Prehistory. The prehistory of the Central Coast, including Los Osos, spans the entire Holocene and extends back into the late Pleistocene. Archaeological studies of the Central Coast began in earnest in the early 20th century. Early systematic studies conducted by Rogers (1929) and Olson (1930) sought to develop a regional chronology based upon artifact typology. These early studies sought to define broad patterns of technological and subsistence changes along the Central Coast, dividing prehistory into three periods. Since then the patterns have been further refined by numerous researchers (Arnold 1992; Erlandson 1991, 1994; Glassow 1996; Jones et al. 2007; King 1990; Lebow and Moratto 2005; Spanne 1975). This artifact-derived chronological sequence divides Central Coast prehistory into six different periods, as summarized below. For more detailed information on local prehistory and archaeology, refer to Jones et al. (2015).

Paleoindian/Paleocoastal Period (pre-8000 cal B.C.). The Paleoindian Period represents the earliest identified human occupation of North America, extending back more than 10,000 years to the terminal Pleistocene (Erlandson 1994, 2009). Moratto (1984) proposed that early sites along this portion of the California coast display a distinctively maritime cultural adaptation, which has been termed the Paleocoastal Tradition. This period is represented by at least two archaeological sites near Los Osos. Investigations by Greenwood (1972) at CA-SLO-2 produced two radiocarbon dates that fall within the terminal Pleistocene/early Holocene transition. A comparable occupation was found in the lowermost strata excavated at CA-SLO-585, which presents a trans-Holocene sequence comparable to that found at CA-SLO-2 (Jones et al. 2009).

Early Holocene (8000–3500 cal B.C.). More conclusive evidence of human occupation has been found at sites dating to the early Holocene, between 8000 and 5000 B.C. A growing number of Early Holocene components have been identified, most located in coastal or pericoastal settings. Two such components, at CA-SLO-2 (Diablo Canyon) and CA-SLO-1797 (the Cross Creek Site), are radiocarbon dated between 8300 and 6500 B.C., providing the earliest evidence for the widespread California Milling Stone adaptive pattern (Greenwood 1972; Jones et al. 2008). The appearance of well-developed shell middens, numerous milling implements, and fishing tools after 6500 B.C. suggest more intensive and settled human occupation of the area during the later portions of the period. Early Holocene faunal assemblages from sites along the Pecho Coast, south of Los Osos, suggest a heavy reliance on deer, marine birds, fish, and shellfish (Jones et al. 2008, 2009). The procurement of large terrestrial game by Pecho Coast populations is inconsistent with optimal foraging models developed for the Early Holocene (McGuire and Hildebrand 1994, 2005), which predict a subsistence regime focused on small ubiquitous species such as rabbits. Jones et al. (2008) suggest that throughout the Early Holocene, the inhabitants of the Pecho Coast had access to consistently reliable deer populations in the adjacent Irish Hills. This finding suggests regional variability in subsistence regimes during the Early Holocene that may relate to local environmental conditions.

Early Period (3500–600 cal B.C.). An important adaptive transition occurred along the Central Coast around 3500 B.C. (Jones et al. 2007; Price et al. 2012). Technological changes marking the transition into the Early Period include an abundance of large projectile points (Jones et al. 2007:138). Mortars and pestles were introduced and gradually replaced manos and milling slabs as the primary plant processing tools, indicating expansion of the subsistence base to include acorn (Glassow and Wilcoxon 1988). Shell beads and obsidian indicate that trade between regions expanded (Jones et al. 1994). Site occupants appear more settled with more limited mobility, and they increasingly used sites for resource procurement activities such as hunting, fishing, and plant material processing (Jones et al. 1994:62; Jones and Waugh 1995:132). The greater diversity of site types during this period reflects an increasing number of short-term occupations near labor-intensive resources. Trade and exchange also increased in importance as population mobility decreased, as evidenced by exotic shell beads and obsidian materials in midden deposits (Jones et al. 1994).

Middle Period (600 cal B.C.–cal A.D. 1000). Prehistoric technology and economy became markedly more complex after 600 B.C. Artifact assemblages from Middle Period sites contain shell fishhooks and other fishing gear, saucer-type *Olivella* beads, and contracting-stemmed projectile points, while square-stemmed and large side-notched variants disappeared (Rogers 1929). The use of mortars and pestles also increased. Additionally, expansion of trade is evident in the increased quantity of obsidian, beads, and sea otter bones (Farquhar et al. 2011:15; Jones and Waugh 1995:121). Circular shell fishhooks, which facilitated an increase in exploitation of fishes, appeared for the first time (Glassow and Wilcoxon 1988). The appearance of small leaf-shaped projectile points toward the end of the period is evidence for the arrival of bow and arrow technology (Jones et al. 2007:139).

In the Plan area, settlement patterns during the Middle Period were similar to those during the prior period. Sites were occupied on an extended basis but not as permanent settlements. These residential bases functioned in conjunction with smaller short-term occupations at specialized resource processing areas. One Middle Period site has been conclusively identified within the LOCP area, though many other sites likely date from this period (Jones et al. 2015). CA-SLO-14 is a complex habitation site with dense shell midden deposits and one identified burial.

Middle-Late Transition (cal A.D. 1000–1250). The Middle-Late Transitional Period represents a rapid change in artifact assemblages as large numbers of arrow points appeared and most stemmed points disappeared (Jones et al. 2007:139). Hopper mortars also made their first entry in the archaeological record (Farquhar et al. 2011:16). Social complexity became more noticeable during the transition, as craft specialization and social ranking developed (Arnold 1992). These changes may have been caused by an environmental shift that increased sea and air temperatures, resulting in decreased precipitation and overexploitation of resources (Arnold 1992; Graumlich 1993; Kennett et al. 1997; Pisias 1978; Stine 1990).

At the same time, some evidence points to population decline and interregional trade collapse. Jones et al. (1994) hypothesized that coastal areas were abandoned at this time in response to environmental perturbation resulting in warmer temperatures and changes in available resources (see also Jones 1995); however, a recent analysis of radiocarbon dates from Pecho Coast sites (Price and Jones 2013) calls this suggestion into question. Specifically, their analysis indicates several sites along the Pecho Coast, including CA-SLO-2 and CA-SLO-7, may have been occupied during the Middle-Late Transition. Generally, settled year-round occupation of the coast is likely to have persisted in highly favored locales such as south-facing embayments, ecotones where multiple environments converged, locations where sea surface temperatures were not elevated, and other favored settings (cf. Coddling and Jones 2006; Schinsing et al. 2016). In the interior, however, marine resources appear to have been largely dropped from the diet and instead people relied more on terrestrial resources such as small mammals and acorns (Farquhar et al. 2011:16).

Late Period (cal A.D. 1250–1769). Populations on the Central Coast expanded during the Late Period (Glassow 1996; Farquhar et al. 2011:17). More sites were occupied during this period than ever before (Jones et al. 2007:143). Artifact assemblages from the Late Period contain an abundance of arrow points, small bead drills, bedrock mortars, hopper mortars, and a variety of bead types (Price 2005). More shell and stone beads appeared in the Late Period and became a more standardized and common form of exchange (Jones et al. 2007:140, 145). The use of handstones and milling slabs continued during this period, but pestles and mortars occurred in greater proportions (Jones and Waugh 1995:121).

c. Chumash Cultural Setting. The Community Plan area lies in the ethnographic territory of the Chumash, one of the most populous and socially complex native groups in California. The Chumash homeland encompasses the coastal and inland areas from Malibu Canyon north some 250 miles to the

area around Paso Robles. The territorial boundary with their northern neighbors, the Salinans, is uncertain. The Chumash spoke at least six related languages, each corresponding to a regionally based group. The Northern (Obispeño) Chumash occupied San Luis Obispo County from the Santa Maria River watershed north to the Paso Robles region (Milliken and Johnson 2005). The Plan area contains at least one named Chumash village location, although it has not been linked to a specific archaeological site (Gibson 1983; Milliken and Johnson 2003, 2005; Jones et al. 2015).

The Northern Chumash appeared to have had lower population densities and greater seasonal mobility than their southern neighbors (Landberg 1965). Villages located north of Point Conception numbered approximately 100-200 individuals, in contrast to the 500-1,000 individuals that inhabited settlements along the Santa Barbara Channel (Glassow 1990:2-5). Subsistence focused on acorns and stored food during the winter, and tubers, grass seeds, and bulbs during the spring. Fish provided a high-quality food source in the late summer and early fall, while hunting was best in spring, summer and fall (Landberg 1965:102-114). Triangular side-notched points or leaf-shaped points with rounded bases were typically fashioned from chert or occasionally from imported obsidian (Grant 1978:515). Milling implements (e.g., mortars and pestles) were made from sandstone, and cooking vessels as well as artistic objects were produced from steatite. Asphaltum served as a natural caulk to seal baskets and other containers.

Chumash social organization was remarkably complex, with society stratified into three general levels: the elites, craft specialists, and commoners. Among the elites, the political leader of the village was the chief or *wot* (Gibson 1991:48). Leadership was hereditary, although the legitimacy of the chief required approval of the members of the village. The influence of some chiefs extended over several villages, indicating a simple chiefdom level of social organization (Arnold 1992; Johnson 1988; Parker 2005). The chief was assisted in his duties by a ceremonial leader or *paxa*, who presided over rites and other religious events (Gibson 1991:57). In addition, dances and ceremonies were performed by a powerful elite cult organization whose members were referred to as *'antap* (Blackburn 1975).

Exchange within Chumash society was based on differences in resource availability and abundance among the geographic regions of each community. There is evidence that trade resulted in the movement of marine resources to the interior (Colten 1994; Hildebrandt 1999; Macko 1983), while goods such as acorns and deer flowed from inland groups to coastal and island groups (Gibson 1991:43). As early as 1000 B.P., the Chumash economy had developed a shell bead monetary system and craft specialists produced beads, headdresses, tobacco, nets, baskets, canoes, and other products (Gibson 1991:43). The exchange network extended outside Chumash territory; traders bartered beads, fish, and other local goods for steatite from the neighboring Gabrieliño Indians and obsidian from the eastern Sierra Nevada (Gibson 1991:44).

d. Historical Setting. There are few records of Spanish encounters with the Chumash north of Point Conception (Glassow 1990). The first non-indigenous inhabitants arrived in Los Osos in 1769, when Gaspar de Portolá traveled through the San Luis Obispo area on his way north to Monterey Bay. Padre

Juan Crespi recorded in his diary that the name given the area by the expedition's soldiers was *Llano de los Osos*, or "plain of the bears." Pedro Fages, Portolá's military commander in Alta California, established a colony in San Francisco in 1772. He led a military party into Los Osos Valley and hunted grizzly bear to obtain food to supply the mission and presidio in Monterey when their supply ships became delayed that summer; the valley then became known as *La Cañada de Los Osos*, or "The Valley of the Bears" (Sullivan 2006).

The Anglo-Mexican Period (A.D. 1834-1870). Private land ownership began with granting of ranchos during the Anglo-Mexican Period. Thirty-five land grants were awarded within San Luis Obispo County, including *Rancho Cañada de Los Osos*, which Governor Juan Bautista Alvarado granted in 1842 to Victor Linares, a retired soldier and *alcalde* in San Luis Obispo. Los Osos and the area to the east along Los Osos Valley Road and Los Osos Creek are located on the former land of this ranch.

Captain John Wilson, a Scottish shipmaster who came to California in 1826, and his business partner James Scott bought the rancho from Linares in 1844. In 1845, the rancho was combined with *Rancho Pecho y Islay* to the south, thus forming the 32,430-acre *Rancho Cañada de Los Osos y Pecho y Islay*. That same year, Governor Pio Pico granted to Wilson and Scott the 3,167 acre *Rancho Cañada del Chorro*, bordering *Rancho Cañada de Los Osos* on the north. During Wilson's lifetime, it appears that Los Osos Valley was used for pasturing his long-horned Spanish cattle, which were reported to number as many as 12,000 to 14,000 head, and a large herd of Spanish horses (County of San Luis Obispo 2009).

Captain Wilson married Ramona Carrillo de Pacheco, widow of Jose Antonio Romualdo Pacheco, at Mission Santa Barbara in 1837 (Angel 1883). Owner of the 48,800 acre *Rancho Suey*, along the coast in present day San Luis Obispo and Santa Barbara counties, Ramona was the mother of two boys by her first marriage: Mariano Pacheco and Romualdo Pacheco (b. 1831), the first native Californian to serve as Governor of the State of California in 1875. Captain Wilson and Ramona had four children of their own, born between 1837 and 1848. The Wilson family originally resided at *Rancho Suey*, but later moved to San Luis Obispo. In about 1845, Wilson established the family residence on *Rancho Cañada de Los Osos*, building an adobe and setting up his headquarters there. This adobe still stands northeast of the intersection of Los Osos Valley Road and Turri Road, about three miles from Los Osos (JRP 2008).

Captain John Wilson died in San Luis Obispo in 1861 at the age of 65 (Angel 1883:55). After his death, the family met with misfortune when all its cattle and horses were lost to starvation during the great drought of 1863-64. Loss of their cattle was the beginning and the cause of the family's financial troubles and they gradually sold their landed estate to pay off their debts. Land was inexpensive in the post-drought years, but Romualdo Pacheco persuaded sheep and wool growers and dairymen that the nutritious grasses would return; he invited them to bring their livestock into the region and acquire land on *Rancho Cañada de Los Oso*. Among those who listened were brothers Lew and Horatio Moore, sheepmen and capitalists who not only purchased 3,100 acres of the former Los Osos rancho in 1871, including Captain Wilson's old ranch house, but also helped establish the first bank and shipping wharfs

in the county. Dairymen, cheese- and butter-makers followed their lead and soon dairy enterprises spread into adjacent Los Osos Valley (JRP 2008).

By the early 1870s, the remainder of the Wilson-Pacheco family's substantial Los Osos Valley land holdings had been subdivided for sale into more than one hundred rural parcels ranging in size from about 200 to more than 600 acres. The former rancho was incrementally sold off, primarily to cattle ranchers and dairy farmers, many of whom were Swiss-Italian or Portuguese immigrants; their small farms were scattered across the Los Osos Valley rural landscape by 1880. The first rural schoolhouse was constructed by the County in 1872 in Los Osos Valley to educate the children of these farm families (JRP 2008).

Development of Los Osos and Baywood Park. When dairy ranching developed along Los Osos Valley Road, a town was laid out in 1889 and named El Moro, which today is Baywood Park. In the 1880s, news reached San Luis Obispo County that the Southern Pacific Railroad was planning to build a coastal line that would connect the relatively isolated county to San Francisco and Los Angeles. The news prompted speculative land development, creating new towns in the hopes of capitalizing on the new rail line. El Moro was one such town. The developers anticipated that the railroad would bypass the Cuesta Grade and make its way along the coast. They built a handful of buildings on what is now Second Street in Baywood Park, and cleared land in the bay for a boat landing. Lots were surveyed, and a "hotel reserve" was staked off. The Southern Pacific did reach San Luis Obispo in 1894 but bypassed El Moro. The development failed, and the town remained virtually unused for another 30 years (Nicholson 1973).

Walter Redfield, a real estate agent for the Atascadero Colony, rediscovered and revived the subdivision in 1919. Three thousand 25' x 125' lots within the town were made available at \$1 apiece. Even though many investors considered the land unsuitable for agriculture or ranching because it was rough and overgrown with brush, he took options on all of the available lots and sought financing. His bid for a loan was turned down because, according to the bank, the area was "useless sagebrush land." Redfield disagreed, believing the area could be developed with small, residential parcels. He eventually raised the necessary funds on his own by advance selling 285 lots at \$10 each and gained control of the 3,000-lot subdivision (JRP 2008; Sullivan 2006).

Local author Joan Sullivan recounts that Redfield established a sales office in Los Angeles in the early 1920s and began selling parcels, and among his first customers was Richard Otto, who bought ten or twelve lots (Sullivan 2006). Redfield has been credited as the first significant real estate investor and agent to obtain lands from speculators—largely E.G. Lewis, the founder of Atascadero, who purchased land during the railroad development campaign—and then develop those lands to create Baywood Park. The wife of Richard Otto, the man who actually developed and named the village (ultimately obtaining 1000 acres) (Otto 1938), maintains that Redfield was just one of two major landowning entities that consisted of Redfield and a separate partnership of three regionally-local men, from whom Otto purchased the bulk of what today is known as Baywood Park. Further, she asserts that the railroad itself purchased and held most of the land from which Redfield and the partnership directly obtained their

landholding investments, and claims there is a map showing a subdivision proposed by the railroad itself to document her assertion. She credits Redfield with inspiring Otto by making the initial offering to him while he was seeking potential investment opportunities (Sullivan 2006).

Richard Stuart Otto was a prominent engineer from a wealthy New Jersey family who became well known for his work on the Norden Bombsight after World War I, as well as his more exotic exploits in foreign and domestic business and political affairs, including negotiations with a Chinese warlord and the management of author Upton Sinclair's unsuccessful campaign for governor of California in 1934 (Otto 1938, Sullivan 2006). In 1921 and 1922 Otto obtained financial backing from his father to begin purchasing lots in El Moro. "Otto bought his first ten lots from Walter Redfield for \$165" (Sullivan 2006). He changed the name to Baywood Park and began developing it in 1924 (Otto 1938).

Rental cabins were located from 2nd Street west to the Bay along Santa Maria Avenue and could be rented by the day, week, or month; cottage homes were built along planned roads elsewhere. Customers were shown the tract office and other homes already constructed in the area along El Morro Avenue and back down Santa Maria as enticement and inspiration (**Figure 4.5-2**).



Figure 4.5-2. Cover of *Baywood Park Estates*, promotional piece by Richard Otto, circa 1930.

In addition to his contributions to the built environment, Otto is said to have grown Monterey pines for the community from seedlings and “... personally planted hundreds of evergreen trees, pines, and cypress that line the streets of Baywood Park today” (Sullivan 2006:14). Otto’s sales booklet claimed 20,000 were planted (Otto 1938)

The Baywood Park area, and particularly the Baywood commercial area centered around 2nd Street, El Moro Avenue, and Santa Ysabel Avenue, remains the most important part of the Plan area from the historic period. Richard Otto’s own home at 7th Street and El Moro does not remain; in 1983, developer Cyrus Saidi of Whittier razed the building over the objections of many residents (**Figure 4.5-3**), including “historical activists,” claiming “I lost money trying to satisfy them,” according to the San Luis Obispo Tribune (2014). Most other buildings in the Plan area originated after World War II, many in the 1960s, 1970s, and 1980s.





Figure 4.5-3. Demolition of the Richard Otto house in 1983 (courtesy of the SLO Tribune)

e. Inventory of Known Cultural and Paleontological Resources.

Paleontological Localities. The UCMP on-line database revealed at least six vertebrate paleontological localities have been documented within San Luis Obispo County near the Plan area. All of these localities originated within the Pismo Formation. Records retrieved from the UCMP online database do not provide the exact location of recovered fossil specimens; only a rough description of the locality is given. The UCMP online database localities contain fossil specimen records for large marine and terrestrial mammals, bird, and shark (UCMP online database 2016). The University of California Museum of Paleontology and Paleobiology Database (PBDB) also revealed at least six additional vertebrate localities near the Plan area; however, these fossil localities were identified from within the Quaternary alluvial and near-shore marine terrace deposits described by Jefferson et al. (1992), not from the young alluvial deposits and eolian deposits that underlie the Plan area. The results of the museum records search are summarized below in **Table 4.5-1**.

Table 4.5-1. Vertebrate Localities in the Vicinity of the Project Area			
Locality Number¹	Geologic Unit	Age	Taxa
UCMP V6616	Pismo Formation (Squire Member)	Late Miocene to Pliocene	<i>Hydrodamalis cuestae</i> (extinct herbivorous marine mammal; Steller's sea cow)
UCMP V70148	Pismo Formation (Squire Member)	Late Miocene to Pliocene	<i>Hydrodamalis cuestae</i> , <i>Equus</i> sp. (horse), Otariidae (sea cow), Odontoceti (toothed whale), <i>Gaviaconcinna</i> sp. (loon), Pinnipedia (seal), Mysticeti (whale), Artiodactyla (even-toed

Section 4.5 – Cultural and Paleontological Resources

			ungulate)
UCMP V73143	Pismo Formation (Miguelito Member)	Late Miocene to Pliocene	<i>Desmostylus</i> sp.
UCMP V74087	Pismo Formation (Squire Member)	Late Miocene to Pliocene	<i>Isurus planus</i>
UCMP V75025	Pismo Formation (Edna Member)	Late Miocene to Pliocene	Mysticeti
UCMP V99650	Pismo Formation (Edna Member)	Late Miocene to Pliocene	Cetacea
1 Source: UCMP online database (2016).			

Archaeological Sites. The Los Osos Urban Reserve Area is richly endowed with properties of archaeological significance from both the prehistoric and historic periods. A substantial body of prior archaeological and historical research has been carried out in the Plan area. Much of that work was associated with the design and construction of the Los Osos Wastewater Project. Extensive records searches were conducted at the Central Coast Information Center of the California Historical Resources Information System (CHRIS) in connection with to the Wastewater Project; subsequently, the County sponsored field surveys, testing and data recovery excavations, and construction monitoring. Those records and the reports on those investigations have provided the primary data sources for this analysis.

Forty-nine prehistoric archaeological sites have been identified within the Plan area boundary (Jones and Mikkelsen 2008; Jones et al. 2010). Eight of these are identified as habitation sites, three of which contain human remains. Other sites include 15 shell middens, 11 shell and flake scatters, six shell scatters, eight lithic scatters, and one prehistoric quarry. All but eight of these sites are clustered along the edges of the bay and around Los Osos Creek and Eto Lake in the interior, defining a zone of highest archaeological sensitivity within the Plan area (Figure 4.5-4). Only three sites have identified historic period components. These consist of two 19th century homesteads and one historic shell scatter.

Of the 49 identified sites, nine have been evaluated formally for significance and are considered eligible for listing on the National Register of Historic Places (NRHP); they are therefore considered historical resources for the purposes of CEQA. One site is not eligible for listing on the NRHP and one site is identified as a non-contributing element of a larger resource. The remaining 38 sites have not been evaluated formally for listing on the NRHP or other registers.

Tribal Cultural Resources. The County contacted the Native American Heritage Commission (NAHC) on June 8, 2015, requesting a tribal consultation list for the proposed Los Osos Community Plan General Plan/Local Coastal Plan Amendment project per the requirements of SB 18. On June 24, 2015, the NAHC responded to the County's request and provided the following list of tribes with traditional lands or cultural places within the boundaries of the project: *yak tit^yu tit^yu yak tilhini* – Northern Chumash Tribe (Mona Olivas Tucker, Chairwoman); Northern Chumash Tribal Council (Fred Collins, Tribal Administrator); and Salinan Tribe of Monterey and San Luis Obispo Counties (Patti Dunton, Tribal Administrator). On July 6, 2015, the County invited (by letter) all three tribes to participate in consultation. None of the tribes responded to the invitation.

Historic Built Environment. The Los Osos Valley School District was created in 1872 and its Schoolhouse is the most prominent surviving historic-era resource in Los Osos. Originally located at the corner of Los Osos Valley Road and Turri Road, the schoolhouse was used until 1958; between 1973 and 1974 it was moved to the Community Park along Los Osos Valley Road (JRP 2008, Sullivan 1993). It is now identified as a San Luis Obispo County Historic Landmark.

Most of the few other intact historic buildings and structures in the Plan area exist in just one neighborhood: the commercial and multi-family-zoned district along 2nd Street, El Moro Avenue, and Santa Ysabel Avenue in Baywood Park. Most of Richard Otto's pre-War vacation cottages and cabins have disappeared, replaced by a variety of vernacular vacation, retirement, and single-family houses built primarily during the 1960s, '70s, and '80s. A handful of early residences and commercial buildings remain in good condition and readily express the historic character of the 1920s through 1960s. These include Otto's original Baywood Tract office and model home at 674 El Moro Avenue, a one-story, clapboarded, side-gabled cottage with a full-width attached front porch and a mirror-matching wing running parallel at the rear; an intact Otto-era residence at 670 Santa Ysabel Avenue that is an excellent example of the original, simple side-gabled style of the first (circa 1920s) Otto-era cottages; a probable 1930s-era property at the Los Osos Valley Nursery; and several others. While a thorough architectural survey was not conducted and individual buildings or structures were not evaluated formally, **Table 4.5-2** lists several potentially significant buildings in the Plan area.

Other precincts within the Plan area, such as the southwestern hillsides and other developments south of Los Osos Valley Road, include representative samples of larger and more recent architecture. A windshield survey of selected streets suggests that dozens of home builders and architects, along with home owners themselves, have contributed to the types, scales, and styles of residences in the town; the styles of commercial buildings are equally scattered and varied. Modern examples from 1950 to 1970 include tract-type one-story ranch styles and split levels, but also a few examples of higher styles such as Mid-Century Modern. The shingled, shed-roofed, clear-storied architectural style became popular in the late 1960s and 1970s due to the work of architects such as Robert Venturi and Charles Moore (McAlester 2013). Now that examples of residential architecture from these eras have reached or are nearing the 50-year age mark, it is important that they be assessed on their own merit as possible higher-style, architect-designed properties in Los Osos and Baywood Park.

Finally, notable agricultural landscapes in the Plan area include the Tonini Ranch, Branin Property, Giacomazzi Ranch, and Los Osos Memorial Park. JRP (2008) examined these properties and determined they all were greater than 50 years old could potentially qualify as significant historical resources.

Table 4.5-2. Selected Potentially Significant Historic-Era Buildings and Landscapes¹

Property Name	Location	Approximate Construction Date	Comment
Los Osos Valley School	Los Osos Community Park	1874	County Historic Landmark
Early Tract Office	674 El Moro Ave.	1925	
Surviving Cottage	670 Santa Ysabel	1925	
Cabin Motor Court	1266 Second St.	1925	
Baywood Market	1293 Second Street	1940	
Baywood Lounge	1301 Second Street	1940	
Lodge Restaurant	1346 Second St.	1955	
Tonini Ranch	3517 Turri Road	1900 – 1950s	Previously found significant
Branin Ranch	Turri Road	1930	Previously found significant
Giacomazzi Ranch	2198 Los Osos Valley Rd.	1930	Previously found significant
Memorial Park	2260 Los Osos Valley Rd.	1962	Previously found significant

¹Based on windshield survey and background research; historic architectural surveys were not conducted.

f. Regulatory Setting. Cultural and paleontological resources are considered nonrenewable scientific resources because once destroyed, they cannot be replaced. Cultural resources also have associative values because of the tangible and intangible links they provide between living people and the historic and prehistoric past. As such, cultural and paleontological resources are afforded protection under state and local laws and regulations, as summarized below.

State. The following discussion summarizes the key state regulations that relate to cultural resource issues.

California Environmental Quality Act

Section 15064.5 of the *CEQA Guidelines* states that a resource shall be considered “historically significant” if it meets one of the criteria for listing in the California Register of Historical Resources (CRHR) (Pub. Res. Code §§5024.1, Title 14 CCR, Section 4852). A resource may qualify for CRHR listing if it:

- (1) *Is associated with events that have made a significant contribution to the broad patterns of California’s history of cultural heritage;*
- (2) *Is associated with the lives of persons important in our past;*
- (3) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- (4) *Has yielded, or may be likely to yield, information important in prehistory or history.*

Cultural resources meeting one or more of these criteria are defined as “historical resources” under CEQA (Office of Historic Preservation 2000). Resources included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code [PRC]), or identified as significant in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC), also are considered “historical resources” for the purposes of CEQA.

If a property is not listed in the CRHR or determined eligible for listing, not included in a local register of historical resources, or identified in an historical survey, a lead agency may still determine that the property is an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

Significant paleontological resources are defined as identifiable vertebrate fossils or uncommon invertebrate, plant, and trace fossils that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, or biochronological data (SVP 2010). These data are important because they are used to examine evolutionary relationships, provide insight on the development of and interaction between biological communities, establish time scales for geologic studies, and for many other scientific purposes (Scott and Springer 2003; SVP 2010).

In Section V(c) of Appendix G of the CEQA Guidelines, the “Environmental Checklist Form,” the question is posed: “Will the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature” (Association of Environmental Professionals 2015). To determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged). Therefore, identification of adverse impacts to paleontological resources is mandated by CEQA.

Codes Governing Human Remains. Section 15064.5 of the CEQA Guidelines also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Section 7050.5 of the California Health and Safety Code and Sections 5097.94 and 5097.98 of the PRC, and falls within the jurisdiction of the Native American Heritage Commission (NAHC). If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

California Public Resources Code

California Public Resources Code (PRC) Section 5097.5 affirms that no person shall willingly or knowingly excavate, remove, or otherwise destroy an archaeological or vertebrate paleontological site or feature without the express permission of the overseeing public land agency. It further states that reasonable mitigation shall be required for any development that would adversely impact archaeological or paleontological resources (PRC 30244). These regulations apply to projects located on land owned by or under the jurisdiction of the state or city, county, district, or other public agency (California Office of Historic Preservation 2005).

Assembly Bill 52 (AB52)

California Assembly Bill 52 (AB52) amended Section 5097.94 of CEQA and added eight new sections to the Public Resource Code relating to Native Americans. It was passed and signed into law in 2014 and took effect on July 1, 2015. The law established a new category of resource called **tribal cultural resources** (PRC §21074) and established a process for consulting with Native American tribes and groups regarding those resources. Tribal cultural resources are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource. The bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” According to the legislative intent for AB 52, “tribes may have knowledge about land and cultural resources that should be included in the environmental analysis for projects that may have a significant impact on those resources.” The consultation process must be completed before a CEQA document can be certified. Native American tribes to be included in the process are identified through consultation with the Native American Heritage Commission (PRC §21080.3.1).

Assembly Bill 52 established that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC §21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC §21084.3).

Senate Bill 18 (SB18)

Passed in 2004, Senate Bill 18 (SB18) requires cities and counties to consult with Native American tribes to help protect traditional tribal cultural places through the land use planning process. Traditional tribal cultural places are defined in PRC §5097.9 and §5097.993 to include sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines, or any historic, cultural, or sacred site that is listed on or eligible for the California Register, including any historic or prehistoric ruins, burial grounds, or archaeological site.

Unlike AB52, SB18 is not an amendment to, or otherwise associated with, the CEQA. Instead, SB18 requires cities and counties to consult with Native American tribes early during broad land use planning efforts on both public and private lands, prior to site- and project-specific land use decisions. Simply put, SB18 applies to general plan adoption or amendments and to specific plan adoption or amendments (Governor’s Office of Planning and Research 2005). Most cities and counties have developed protocols for Native American consultation under SB18 and have incorporated the requirement into their permit processing procedures.

Under SB18, cities and counties must notify the appropriate Native American tribe(s) of intended adoption or amendments to general plans or specific plans, and offer the opportunity for the tribe(s) to consult regarding traditional tribal cultural places within the proposed plan area. Consultation is intended to encourage preservation and protection of traditional tribal cultural places by developing treatment and management plans that might include incorporating the cultural places into designated open spaces (Governor’s Office of Planning and Research 2005:15).

Local. County regulations pertaining to cultural resources issues are described below.

General Plan Conservation and Open Space Element

Cultural and paleontological resources are discussed in the Conservation and Open Space Element of the County General Plan (County of San Luis Obispo 2010), which declares County policy to preserve and protect known and potential Native American, archaeological, historical, and paleontological resources. Open Space and Conservation Element policies CR 4.1 through 4.5 specifically address the treatment of Native American, archaeological, and paleontological resources and set forth implementation policies which require resource inventories and assessments to identify significant paleontological, archaeological, and cultural properties and, in consultation with Native American representatives, protect and preserve such resources from the effects of development.

Coastal Zone Land Use Ordinance

The County Coastal Zone Land Use Ordinance (CZLUO) includes requirements for the protection of known cultural resources and for the implementation of mitigation measures to minimize potential impacts to known and unknown resources. In addition to General Plan and ordinance requirements, Coastal Plan Policies include policies for the protection of cultural resources consistent with the requirements of the California Coastal Act (PRC Section 30000, et seq.)

The CZLUO uses combining designations (i.e. zoning overlays), specifically the Historic Site (herein after referred to as “H”) designation, for areas of archaeological and/or historical significance. These combining designations are subject to special standards in the CZLUO. The Local Coastal Program also includes policies and standards to protect archaeological and paleontological resources. CZLUO sections 23.04.200 and 23.04.07 establish standards for review and design for development applications in archaeologically sensitive areas.

23.04.200 - Protection of Archaeological Resources Not Within the Archaeologically Sensitive Areas Combining Designation: All development applications that propose development that is not located within the Archaeologically Sensitive Areas combining designation and that meets the following location criteria shall be subject to the standards for the Archaeologically Sensitive Areas Combining Designation in Chapter 23.07: development that is either within 100 feet of the bank of a coastal stream (as defined in the Coastal Zone Land Use Ordinance), or development that is within 300 feet of such stream where the slope of the site is less than 10 percent.

23.07.104 - Archaeologically Sensitive Areas: *To protect and preserve archaeological resources, the following procedures and requirements apply to development within areas of the coastal zone identified as archaeologically sensitive.*

- a. **Archaeologically sensitive areas.** *The following areas are defined as archaeologically sensitive:*
 - (1) *Any parcel within a rural area which is identified on the rural parcel number list prepared by the California Archaeological Site Survey Office on file with the county Planning Department.*
 - (2) *Any parcel within an urban or village area which is located within an archaeologically sensitive area as delineated by the official maps (Part III) of the Land Use Element.*
 - (3) *Any other parcel containing a known archaeological site recorded by the California Archaeological Site Survey Office.*
- b. **Preliminary site survey required.** *Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. The County will provide pertinent project information to the Native American tribe(s).*
- c. **When a mitigation plan is required.** *If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist. The County will provide pertinent project information to the Native American tribe(s) as appropriate. The purpose of the plan is to protect the resource. The plan may recommend the need for further study, subsurface testing, monitoring during construction activities, project redesign, or other actions to mitigate the impacts on the resource. Highest priority shall be given to avoiding disturbance of sensitive resources. Lower priority mitigation measures may include use of fill to cap the sensitive resources. As a last resort, the review authority may permit excavation and recovery of those resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator, and considered in the evaluation of the development request by the Review Authority.*
- d. **Archeological resources discovery.** *In the event archeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 of this title shall apply. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist reviewed and approved by the Environmental Coordinator, is completed and implemented. The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable*

impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Environmental Coordinator prior to occupancy or final inspection, whichever occurs first. [Amended 1995, Ord. 2715; Amended 2004, Ord. 3048]

CZLUO Sections 23.07.100-23.07.104 require protection of historical and archaeological resources. The required findings are given as follows:

A land use permit within a Historic (H) combining designation shall be approved only where the review authority first makes all the following findings:

- 1. Historic structures, landmarks, and districts. Where an H combining designation is applied to identify historic structures, landmarks, or districts, project approval shall require the following findings:*
 - i. The height, bulk, location, structural materials, landscaping, and other aspects of the proposed use will not obstruct public views of the historic structure or its immediate setting;*
 - ii. Any proposed alteration or removal of structural elements, or clearing of landscaping or natural vegetation features will not damage or destroy the character of significant historical features or settings;*
 - iii. Any proposed remodeling or demolition is unavoidable because it is not structurally or economically feasible to restore or retain existing structures or features.*

Although not specified in the Coastal Zone Land Use Ordinance, the review authority makes the following findings for land use permits within an Archaeologically Sensitive Area combining designation:

- i. The site design and development as finally proposed incorporates adequate measures to ensure the archaeological resources will be acceptably and adequately protected; or*
- ii. Where site design and development proposals cannot feasibly be changed, and intrusion into or disturbance of historic or prehistoric archaeological resources will result, that construction will use appropriate methods to protect the integrity of the site, including possible relocation of graves and artifacts.*

Estero Area Plan

One objective of the LOCP is to preserve and protect important historical resources and the historic character and rural architectural style of the community. The Estero Area Plan notes that combining designations may be applied to archaeologically sensitive areas, but none are so identified in that plan. The LOCP applies the combining designation “Archaeologically Sensitive Area (AS)” to most of the Urban Services area, and requires development applicants to conduct archaeological inventories prior to project approval. This combining designation identifies areas of the community known for the potential to contain cultural resources. Applicants of development proposals in these areas are required to obtain

a records check and a surface search prior to approval. Standards to protect resources are described in the LCP Policy Document and in Section 23.07.104 of the Coastal Zone Land Use Ordinance.

Additionally, the Los Osos Urban Area Standards apply the following archaeological requirements to a small group of parcels east of South Bay Boulevard and south of El Moro Avenue:

m. Archaeological Resources. At the time of land use permit application, the applicant shall provide sub-surface testing conducted by a qualified archaeologist in order to determine the significance and possible mitigation measures for the resources on the project site. The applicant shall implement the recommendations of the archaeologist as determined appropriate by the Environmental Coordinator.

Proposed Los Osos Community Plan

The proposed LOCP is not yet part of the existing regulatory framework. It will become part of the regulatory framework when adopted. Applicable policies, programs and standards included in the proposed LOCP are evaluated in the following Impact Analysis, to the extent they would adequately guide future development, and thus mitigate potential programmatic impacts related to this issue.

The LOCP includes proposed standards that relate to the evaluation of projects within designated Archaeological Sensitive Areas (ASA). These standards address permit and processing requirements, requirements related to the preparation of required Archaeological Resource Reports, requirements for Phase I and II archaeological resource evaluations, monitoring requirements, CEQA determinations and required findings, development standards, consultation with Native American Tribal Groups, and procedures related to the possible discovery of human remains. In general, these standards are intended to provide the mitigation framework for future projects within the LOCP area. These proposed standards are included as Appendix F to this EIR.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds. This analysis evaluates programmatic impacts associated with the Los Osos Community Plan. Programmatic impacts include buildout of the Plan area, proposed land use and zoning changes, policy changes, and programs proposed as part of the Plan. Project-specific analysis would still be needed for any individual future projects proposed under the amended programs or policies. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Refer to Section 4.5.2(d) for conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Paleontological Resources

Methodology. Direct impacts on paleontological resources may result from activities related to construction, while indirect impacts could result from the normal ongoing operation and maintenance of facilities and infrastructure constructed within the Plan area. The potential for significant impacts on fossil resources is controlled by two factors: (1) the depth and lateral extent of disturbance of fossiliferous bedrock and/or surficial sediments; and (2) the depth and lateral extent of occurrence of fossiliferous bedrock and/or surficial sediments beneath the surface. Ground disturbance has the potential to adversely affect fossils that may occur on or underneath the surface in areas containing paleontologically sensitive geologic units. Examples of activities that could directly disturb or destroy paleontological resources include grading, excavation, drilling, or any other activity that disturbs the surface or subsurface geologic formations. Indirect disturbances or destruction of paleontological resources may result from increased erosion due to site clearance and preparation, or from inadvertent damage or outright vandalism to exposed resource components due to improved accessibility. Without mitigation, these fossils, as well as the paleontological data they could provide if properly salvaged and documented, could be destroyed or damaged, rendering them permanently unavailable for future scientific research.

Mitigation strategies could include surveys by qualified paleontologists to collect significant surface fossils, transfer them to a public museum, and identify locations of fossil localities in the nearby area which have the potential to yield additional fossils as erosion occurs. Protective fencing or other barriers may also be built around known paleontological sites.

To ascertain whether or not the Plan area has the potential to contain significant fossil resources at the surface or subsurface, Applied EarthWorks, Inc. reviewed relevant scientific literature and geologic mapping to define the geology and stratigraphy of the area. To delineate the boundaries of an area of paleontological sensitivity, the extent of the entire geologic unit was considered because paleontological sensitivity is not limited to surface exposures of fossil material. For this Project, as described above in Section 4.5.1a, the geologic units underlying the Plan area were identified using the *Geologic Map of the Morro Bay South and Port San Luis Quadrangles, San Luis Obispo County, California* (Hall 1973) and the *Geologic Map of the Morro Bay South Quadrangle, San Luis Obispo County, California: A Digital Database* (Wiegiers 2009). In addition, Applied EarthWorks consulted museum collections records maintained by the PBDB for the purposes of determining whether any museum fossil localities occur within or adjacent to the Project area and ascertaining the abundance and taxonomic diversity of fossils within each identified geologic stratum.

Absent specific agency guidelines, most professional paleontologists in California adhere to guidelines set forth by the Society for Vertebrate Paleontology (SVP) in “Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources” (SVP 2010). These guidelines establish detailed protocols for the assessment of the paleontological resource potential (i.e., “sensitivity”) of a project area and outline measures to follow in order to mitigate adverse impacts to known or unknown fossil resources during project development. Using baseline information gathered during a

paleontological resource assessment, the paleontological resource potential of the geologic unit(s) (or members thereof) underlying a project area can be assigned to one of four categories defined by SVP (2010). These categories include high, undetermined, low, and no paleontological sensitivity and are listed below in **Table 4.5-3** and are displayed graphically in **Figure 4.5-5**.

Table 4.5-3. SVP Paleontological Resource Sensitivity Categories	
Resource Sensitivity¹	Criteria for Establishing Sensitivity
High	Geologic units that have proven to yield vertebrate or significant invertebrate, plant, or trace fossils in the past or are likely to contain new vertebrate materials, traces, or trackways. Also may include rock units that contain datable organic remains older than late Holocene (e.g., animal nests or middens).
Undetermined	In some cases, available literature on a particular geologic unit will be scarce and a determination of whether or not it is fossiliferous or potentially fossiliferous will be difficult to make. Under these circumstances, further study is needed to determine the unit's paleontological resource potential (e.g., field survey or monitoring).
Low	Rocks units that have yielded few fossils in the past, based upon review of available literature and museum collections records. Also includes geologic units that yield fossils only on rare occasion and under unusual circumstances.
No	Rock units that are formed under or exposed to immense heat and pressure, such as high-grade metamorphic rocks and plutonic igneous rocks.
¹ Source: SVP (2010).	

Significance Thresholds. The loss of any identifiable fossil that could yield information important to prehistory, or that embodies the distinctive characteristics of a type of organism, environment, period of time, or geographic region, would be a significant environmental impact. Negative impacts on paleontological resources primarily concern their potential destruction and the loss of information associated with these resources. This includes the unauthorized collection of fossil remains. Disturbance of potentially fossiliferous bedrock or surficial sediments could result in the destruction of paleontological resources and subsequent loss of information (significant impact). At the project-specific level, impacts can be mitigated to below a significant level through the implementation of paleontological mitigation.

Archaeological and Historical Resources

Methodology. For cultural resources, impact assessment is based on a comparison of known site locations with the placement of potential ground disturbing activities that could remove, relocate, damage, or destroy the physical evidence of past cultural activities. If such ground disturbance overlaps recorded site locations, then a direct impact may occur. Historical buildings and structures may be directly impacted if the nearby setting and context is modified substantially, even if the building or structure itself is not physically affected. Indirect impacts may occur if activities occur near, but not directly on, known cultural resources.

The Los Osos Community Plan area is richly endowed with archaeological and historical sites, and although the entire area has not been inspected, surveys, excavations, and construction monitoring for the Los Osos Wastewater Project and other efforts have produced a reliable inventory of cultural resources whose distribution across the landscape is representative (Jones and Mikkelsen 2008; Jones et al. 2015). For this study, Applied EarthWorks, Inc. digitized County-provided hard-copy maps showing the locations of the known sites and performed a GIS-based impact analysis. The accuracy of the analysis is dependent on the accuracy of the original map data. AEC did not conduct field surveys or verify the locations of recorded archaeological sites.

A primary focus of this analysis was the definition of landscape zones where archaeological and historical sites are most likely to occur based on the distribution of known resources (highest sensitivity), and comparable zones where such resources are less likely to occur. Applied EarthWorks found that most prehistoric archaeological sites are concentrated in discrete locations along the edges of the bay and around Los Osos Creek, Eto Lake, and other select environmental settings. The findings define three zones of increasing sensitivity based on the density of known sites within those areas; these zones are shown on **Figure 4.5-4**. The County refined its AS (Archaeologically Sensitive Area) and H (Historic) combining designations based on these findings. To facilitate development planning and management of cultural resources, the boundary of the revised AS area has been drawn to follow existing roads and parcel lines to the greatest extent feasible.

Significance Thresholds. The significance of a historical resource, and consequently the significance of any impacts, is determined by whether or not that resource meets the significance criteria outlined in the CEQA Guidelines. A project is judged to have a significant effect on the environment if it may cause a substantial adverse change in the characteristics of a historical resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means (CEQA Guidelines, §15064.5(b)). Direct impacts may occur by:

1. *Physically damaging, destroying, or altering all or part of the resource;*
2. *Altering characteristics of the surrounding environment that contribute to the resource's significance;*
3. *Neglecting the resource to the extent that it deteriorates or is destroyed; or*
4. *The incidental discovery of cultural resources without proper notification.*

Removal, demolition, or alteration of historical resources can directly impact their significance by destroying the historic fabric of an archaeological site, structure, or historic district. Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the project area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation.

Indirect impacts result primarily from the effects of project-induced population growth. Such growth can result in increased construction as well as increased recreational activities that can disturb or destroy cultural resources. Due to their nature, indirect impacts are much harder to assess and quantify.

The CEQA Guidelines provide principles for mitigating impacts to historical resources in Section 15126.4. According to the Guidelines, public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered for a project involving such an archaeological site:

- (A) Preservation in place (avoidance) is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.
- (B) Preservation in place may be accomplished by, but is not limited to, the following:
 - Planning construction to avoid archaeological sites;
 - Incorporation of sites within parks, greenspace, or other open space;
 - Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
 - Deeding the site into a permanent conservation easement.
- (C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.
- (D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented and that the studies are deposited with the California Historical Resources Regional Information Center.

Typically, such measures will reduce impacts on archaeological resources to less-than-significant levels. In 2011, the California Fifth District Court of Appeals decided in *Madera Oversight Coalition, Inc. vs. County of Madera* (199 Cal. App. 4th 48) that “feasible preservation in place must be adopted to

mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of the impacts.” Further, the court stated that an EIR should include the justification for not adopting “preservation in place” as mitigation.

For historic buildings and structures, maintenance, repair, stabilization, restoration, preservation, conservation, or reconstruction in a manner consistent with the Secretary of the Interior’s Standards and Guidelines (Weeks and Grimmer 1995) generally will constitute mitigation of impacts to a less-than-significant level. Documentation of historic buildings and structures, including documentation to the standards of the Historic American Buildings Survey or Historic American Engineering Record (HABS/HAER), may lessen impacts but will not reduce them to less-than-significant levels.

The Secretary of the Interior’s Standards for the Treatment of Historic Properties (36 CFR 68) defines four options for the treatment of historic buildings: 1) preservation, 2) rehabilitation, 3) restoration, and 4) reconstruction. Generally:

1. Preservation involves the application of measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment [Weeks and Grimmer 1995:17].
2. Rehabilitation entails making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values [Weeks and Grimmer 1995:62].
3. Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period [Weeks and Grimmer 1995:118].
4. Reconstruction involves new construction to recreate the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location [Weeks and Grimmer 1995:166].

The Secretary’s Standards are not prescriptive, but instead provide general guidelines and are intended to be flexible and adaptable to specific project conditions, including aspects of adaptive use, functionality, and accessibility. The goal is to balance continuity and change and retain historic building fabric to the maximum extent feasible. The National Park Service has compiled a series of bulletins to provide guidance on specific historic preservation topics.

b. Impacts and Mitigation Measures.

Archaeological and Historical Resources.

Threshold: *Would the Community Plan cause a substantial adverse change in the characteristics of an archaeological resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register?*

Impact CR-1 **Development under the Community Plan could directly or indirectly impact significant prehistoric or historic archaeological sites (Class II impact; less than significant with mitigation).**

Existing data from the Los Osos Wastewater Project and other sources identify 49 prehistoric archaeological sites within the Plan area. Of these, 9 have been evaluated formally for significance and are considered eligible for listing on the NRHP; they are therefore considered historical resources for the purposes of CEQA. One site is not eligible for listing on the NRHP and one site is identified as a non-contributing element of a larger resource. The remaining 38 sites have not been evaluated formally for listing on the NRHP or other registers; however, many of these resources are likely to qualify if evaluated.

Implementation of the Community Plan Update would result in urban development through the growth horizon period (through 2035). Development under the LOCP could result in an additional 1,861 residential units and up to 364,000 square feet of commercial space within the Plan Area during the 20-year plan horizon (by 2035). Grading, excavation, utility trenching, and other ground disturbance associated with construction of homes and commercial buildings, along with the infrastructure necessary to support them, may produce significant impacts on archaeological sites through damage to or destruction of significant properties, or by diminishing the integrity of the context and setting of such properties. Trails and trail corridors, coastal access improvements, and other amenities are also planned. Some of these developments may be located within the zone of high or moderate archaeological sensitivity, and thus have the potential to impact significant archaeological resources. If not designed carefully to avoid known and potential site locations, installation of circulation networks, parks, coastal access points, sidewalks and gutters, and other community amenities also could produce significant impacts by diminishing the integrity of archaeological deposits.

The density and distribution of the 49 known prehistoric archaeological sites within the Plan area was used to define the three zones of sensitivity shown in **Figure 4.5-4**. Most of these sites are concentrated along the edges of Morro Bay, extending into the interior along Los Osos Creek, around Eto Lake, and in similar settings. The impacts described above are most likely to occur in the high sensitivity zone; impacts are less likely to occur in the moderate sensitivity zone and unlikely in the low sensitivity zone.

Proposed LOCP Policies to Address Potential Impacts. As currently proposed, the LOCP does not include policies beyond those in the State and County’s existing regulatory framework to address potential impacts associated with future development within the area. Although regulations included in the California Public Resources Code, consultation in accordance with AB 52 and SB 18, implementation of the County’s Estero Area Plan and requirements under the Coastal Zone LUO, would reduce potential programmatic impacts to a large extent, impacts would still remain without modification to the LOCP. Such impacts are considered **Class II, significant, but mitigable**.

Mitigation Measures. In addition to the policy framework discussed above, the following mitigation measures are required to reduce Impact CR-1 to a less than significant level.

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

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

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

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

C. Encourage acquisition, preservation, and management of sensitive archaeological and historical sites. Allow passive recreation where compatible with resource protection. After acquisition, change the Land Use categories of these areas to Open Space.

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

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

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

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

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

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

Careful selection and planning of coastal access points must be a priority since they are all within the zone of highest archaeological sensitivity. These shall be

sited and designed to avoid or minimize impacts to archaeological or historical resources to the greatest extent feasible.

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

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

- Phase 2 testing shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the site.*
- Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures.*
- The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.*
- The significance of the site and the extent of impacts shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological*

Resource Management Reports: Recommended Content and Format (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>).

- Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- All work shall be completed by a County-approved Registered Professional Archaeologist; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*
- For archaeological sites that are judged to be significant historical resources, the Phase 2 report shall offer mitigation recommendations as necessary and appropriate. All feasible mitigation recommendations shall be incorporated into any permit issued for development.*

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

- a data collection program shall be implemented prior to placement of the fill cap, including mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled as well as adjacent site areas for comparative purposes.*
- Cultural materials collected from the site shall be processed and analyzed in an archaeological laboratory according to standard procedures.*
- The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to*

current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.

- The significance of the site shall be evaluated according to the criteria of the CRHR [CEQA Guidelines Section 15064.5(a)(3)], and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>).*
- Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- A County-approved Registered Professional Archaeologist shall conduct all work; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*

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

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

<p>Threshold: <i>Would the Community Plan cause a substantial adverse change in the characteristics of an historical building or structure that convey its significance or justify its eligibility for inclusion in the CRHR or a local register?</i></p>
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Impact CR-2 Development under the Community Plan could directly or indirectly impact significant historic buildings, structures, or districts (Class II impact; less than significant with mitigation).

The Estero Area Plan includes a policy to “encourage conversion and renovation of historic or architecturally significant buildings” (Appendix D-9); however, except for a reference to handful of historic buildings and structures scattered throughout the document, that Plan includes no concrete policies to promote the identification or preservation of historical or archaeological sites. The Estero Area Plan applies the Historic Site Combining Designation to the Los Osos Schoolhouse, built in 1872 and moved to the site of the South Bay Community Park between 1973 and 1974. Similarly, the LOCP applies the H combining designation to the Schoolhouse.

Development within the historic neighborhood of Baywood Park and other older residential areas in the Plan area has the potential to impact significant historic buildings or structures. Demolition, conversion, renovation, remodeling, or other adaptive reuse could damage or destroy the historical fabric of the buildings or structures and their associated archaeological remains, diminishing the integrity of individual properties, the context and setting of neighboring properties, or the integrity of any potential historical district.

Proposed LOCP Policies to Address Potential Impacts. As currently proposed, the LOCP does not include policies beyond those in the State and County’s existing regulatory framework to address potential impacts associated with future development within the area. Although regulations included in the California Public Resources Code, implementation of the County’s Estero Area Plan and requirements under the Coastal Zone LUO, would reduce potential programmatic impacts to a large extent, impacts would still remain without modification to the LOCP. Such impacts are considered **Class II, significant, but mitigable**.

Mitigation Measures. The following mitigation measures would be required:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: *Would the Community Plan cause a substantial adverse change in the characteristics of a Tribal Cultural Resource that convey its significance or justify its eligibility for inclusion in the CRHR?*

Impact CR-3 **Development under the Community Plan could directly or indirectly impact Native American Tribal Cultural Resources (Class I impact; significant and unavoidable).**

AB52 defines Tribal Cultural Resources are “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” (PRC §21074.1). A tribal cultural resource must be on, or eligible for, the California Register of Historical Resources, or must be included in a local register of historical resources; however, this class of resources is separate from and more encompassing and comprehensive than archaeological sites or traditional cultural properties.

The Los Osos area is particularly rich in archaeologically resources. Site density and complexity are quite high in comparison with surrounding areas, particularly along the shore of the bay and in certain other zones. Although the entire Plan area has not been surveyed systematically, 49 Native American archaeological sites have been identified to date, and several are known to contain human remains. As a result, the area is particularly important to the Tribes, and the archaeological sites as well as other non-archaeological places may qualify as Tribal Cultural Resources. Plan buildout, rezoning, and related development may impact Native American Tribal Cultural Resources by diminishing the cultural character and integrity of the resource, limiting traditional uses of the area, permitting development on sacred sites, or breaching confidentiality.

Proposed LOCP Policies to Address Potential Impacts. As currently proposed, the LOCP does not include policies beyond those in the State and County’s existing regulatory framework to address potential impacts associated with future development within the area. Although regulations included in the California Public Resources Code, consultation in accordance with AB 52 and SB 18, implementation of the County’s Estero Area Plan and requirements under the Coastal Zone LUO, would reduce potential

programmatic impacts to a large extent, impacts would still remain without modification to the LOCP. Such impacts are considered **Class I, significant and unavoidable**.

Mitigation Measures. The following mitigation measures would be required:

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

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

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

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

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

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

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

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

Residual Impacts. With proposed mitigation, impacts would be reduced, but not to a less than significant level because the outcome of tribal consultations on individual projects is not known and cannot be determined at this time.

Threshold: Would the Community Plan directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact CR-4 Development under the Community Plan could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Class II impact; less than significant with mitigation).

Based on the review of local and regional geology and paleontology and the museum records search results, the geologic units underlying the Project area have a paleontological sensitivity ranging from low to high in accordance with the SVP (2010) guidelines. The Late Miocene to Pliocene Pismo Formation (Tm_{pm}) has yielded significant fossils in San Luis Obispo County. Therefore, the Pismo Formation deposits are assigned a high potential for buried paleontological resources. The Quaternary deposits (Q_{pe} and Q_{al}) are generally too young to contain fossilized remains and the Quaternary older eolian deposits (Q_{oe}) are unlikely to contain fossil resources due to slow sedimentation rates typical of eolian sedimentary environments. Therefore, the Quaternary deposits have been assigned a low potential for buried paleontological resources. The paleontological sensitivity ratings of the geologic units underlying the Project area are depicted in **Figure 4.5-5**.

In areas of high sensitivity (approximately 17 acres underlain by the Late Miocene to Pliocene Pismo Formation), Project-related ground disturbance could result in adverse impacts to paleontological resources, including:

- Disturbance, damage, or destruction of a significant fossil
- Destruction of a unique geologic feature associated with a paleontological site
- Disturbance or destruction of a paleontological site, which results in the loss of scientific context of fossil remains

The amount of Project-related ground disturbance would likely be greatest for activities such as grading, excavation, trenching, and wide-diameter auguring. These activities would directly impact and disturb the geologic strata at depth and have a high potential to impact buried paleontological resources. Indirect impacts of the Project include increased exposure of paleontological resources and unlawful collecting of fossils as a result of increased access to the area.

Proposed LOCP Policies to Address Potential Impacts. As currently proposed, the LOCP does not include policies beyond those in the State and County's existing regulatory framework to address potential impacts associated with future development within the area. Although regulations included in

the California Public Resources Code, implementation of the County's Estero Area Plan and requirements under the Coastal Zone LUO, would reduce potential programmatic impacts to a large extent, impacts would still remain without modification to the LOCP. Such impacts are considered **Class II, significant, but mitigable**.

Mitigation Measures. The following mitigation measures would be required:

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

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

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

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

- a qualified paleontologist shall observe excavation, grading, and/or trenching.*
- If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.*
- All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.*
- Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.*
- The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.*

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

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

Residual Impacts. Adverse impacts to paleontological resources as the result of any individual Project would be less than significant with mitigation (Class II). Therefore, no residual impacts are anticipated as a result of development under the Community Plan.

c. Cumulative Impacts. Cumulative impacts on archaeological, historical, and paleontological resources would result from the increases in population, increased recreational use, and increased

development and construction (including in-fill development) throughout the Plan area. For these resources, the geographic extent of cumulative impacts encompasses a relatively broad area because the importance of any individual resource can only be judged in terms of its regional context and relationship to other resources. Thus, the significance of impacts on any given resource or group of resources must be examined in light of the integrity of the regional resource base. Because the number of cultural resources is finite, limited, and non-renewable, any assessment of cumulative impacts must take into consideration the impacts of the proposed project on resources within the project area; the extent to which those impacts degrade the integrity of the regional resource base; and impacts other projects may have on the regional resource base. If these effects, taken together, result in a collective degradation of the resource base, then those impacts are considered cumulatively considerable.

The regional resource base is defined geographically, ethnographically, and with reference to the specific relevant administrative and management units. The geographic scope of the cumulative impact analysis takes in a broad region encompassing the entire Estero Bay coastal zone, which is generally bounded by Point Buchon and Montaña de Oro State Park to the south, the Pacific Ocean to the west, the crest of the coast range to the east, and Point Estero to the north. The analysis also takes into consideration the cultural geography of the Obispeño Chumash people who occupied the region prehistorically, considering the integrity of the entire suite of resources that make up the cultural patrimony of this group. Finally, the cumulative impact analysis takes into account the resource base under the direct management and care of San Luis Obispo County.

The classes of resources found within the project area reflect the types of sites expected to be found within the broader geographic, cultural, and administrative region considered for the cumulative analysis. Trends that have led to degradation of the regional cultural resource base, and are expected to continue in the future, include continuing population growth and the concomitant demand for new housing and infrastructure; continuing and increasing recreational use of the regional landscape; continued ranching, agricultural, and industrial activities; and on-going transportation development and improvement.

Based on the current analysis, several prehistoric and historical sites in the Plan area may be adversely affected by the proposed project. Several of these sites are presumed to be significant resources, though most have not been evaluated formally. Although the extent of impacts to these sites may be minor relative to the nature and extent of the individual sites, and most impacts to individual sites can be mitigated to less than significant through application of the proposed mitigation measures, certain of these sites are not typical for the region and are unusually important scientifically and to the local Chumash tribes. When combined with other past, present, and future projects, particularly the Los Osos Wastewater Project, the overall loss of cultural resources and cumulative degradation of the regional resource base is significant and would not be mitigated to less than significant by application of the proposed mitigation measures. Preparation of regional cultural resources overviews and research designs, synthetic analysis and interpretation of cultural resources in regional perspective, and expanded public interpretation of resources would lessen the proposed project's contribution to

cumulative degradation of the regional resource base. However, there is no feasible additional mitigation to reduce the project's contribution to cumulative effects on Native American Tribal Cultural Resources. As a result, cumulative impacts on archaeological and historical sites would be **Class I, significant and unavoidable**.

Based on the overall low paleontological potential of the Los Osos Community Plan area, the Project would have a low potential to combine with the paleontological impacts of other projects. Adverse impacts to paleontological resources as the result of development under the Los Osos Community Plan would be less than significant with mitigation. With the implementation of resource protection measures described herein, cumulative impacts on paleontological resources can be reduced or avoided. Therefore, the Project has a negligible potential for contribution to cumulative impacts to paleontological resources and the cumulative impacts of the Project on paleontological resources would be *less than significant*.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.5-4** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.5-4. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with Local Coastal Plan or Community Plan policies, design guidelines, or communitywide standards.</i>	CR-1 through CR-4
<i>The future project would result in an impact on archaeological, historical, paleontological or tribal cultural resources peculiar to the project or parcel. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than CR-1 through CR-4
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened CR-1 through CR-4, as applicable

4.6 GREENHOUSE GAS EMISSIONS

This chapter summarizes the results of the Greenhouse Gas Analysis prepared for the Community Plan (Appendix B). The County uses guidance from the San Luis Obispo Air Pollution Control District (SLOAPCD) for assessing the significance of GHG impacts. This analysis uses the recommended efficiency threshold of 4.9 metric tons of carbon dioxide equivalent (MT CO₂E) per service population for determining significance of GHG impacts.

The emission sources include construction (off-road vehicles); mobile (on-road vehicles); area sources (landscape maintenance equipment); water and wastewater; and solid waste. Emissions estimates in this report incorporate Community Plan compliance with applicable regulations, including the 2013 and 2016 Title 24 Part 6 (California Energy Code) and Part 11 (California Green Building Standards) requirements. The Community Plan would result in GHG emissions of 4.3 MT CO₂E per service population. By emitting less than 4.9 MT CO₂E per service population, the Community Plan's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, direct and indirect GHG emissions would have a less than significant impact on the environment. In addition, the Community Plan would not conflict with the goals and strategies of local and state plans, policies, and regulations adopted to reduce GHG emissions. Thus, impacts associated with applicable policies, plans, and regulations would be less than significant.

4.6.1 Setting

a. Climate Change and Greenhouse Gases.

Understanding Global Climate Change. To evaluate the incremental effect of the Community Plan on statewide GHG emissions and global climate change, it is important to have a basic understanding of the nature of the global climate change problem. Global climate change is a change in the average weather of the earth, which can be measured by wind patterns, storms, precipitation, and temperature. The earth's climate is in a state of constant flux with periodic warming and cooling cycles. Extreme periods of cooling are termed "ice ages," which may then be followed by extended periods of warmth. For most of the earth's geologic history, these periods of warming and cooling have been the result of many complicated interacting natural factors that include: volcanic eruptions that spew gases and particles (dust) into the atmosphere; the amount of water, vegetation and ice covering the earth's surface; subtle changes in the earth's orbit; and the amount of energy released by the sun (sun cycles). However, since the beginning of the Industrial Revolution around 1750, the average temperature of the earth has been increasing at a rate that is faster than can be explained by natural climate cycles alone.

With the Industrial Revolution came an increase in the combustion of carbon-based fuels such as wood, coal, oil, natural gas, and biomass. Industrial processes have also created emissions of substances not found in nature. This in turn has led to a marked increase in the emissions of gases shown to influence the world's climate. These gases, termed "greenhouse" gases (or GHG), influence the amount of heat

trapped in the earth's atmosphere. Because recently observed increased concentrations of GHGs in the atmosphere are related to increased emissions resulting from human activity, the current cycle of "global warming" is generally believed to be largely due to human activity. Of late, the issue of global warming or global climate change has arguably become the most important and widely debated environmental issue in the United States and the world. The effects of global warming or global climate change may impact ecosystems in a broad variety of ways, including rising surface temperatures, loss of snow pack, sea level rise, more extreme weather events, and more drought years. Even though there has been improvements over the past decade in understanding what is responsible for global climate change, scientific uncertainties remain regarding the response of the Earth's climate system to combinations of changes, particularly at a regional and local level. Because it is the collective of human actions taking place throughout the world that contributes to climate change, it is quintessentially a global or cumulative issue.

Greenhouse Gases of Primary Concern. There are numerous GHGs, both naturally occurring and manmade. Table 4.6-1 summarizes some of the most common. Each GHG has variable atmospheric lifetime and global warming potential (GWP).

Table 4.6-1. Global Warming Potentials and Atmospheric Lifetimes (<i>in years</i>)			
Gas	Atmospheric Lifetime	100-year GWP	20-year GWP
Carbon dioxide (CO ₂)	50–200	1	1
Methane (CH ₄) [*]	12.4	28	84
Nitrous oxide (N ₂ O)	121	265	264
HFC-23	222	12,400	10,800
HFC-32	5.2	677	2,430
HFC-125	28.2	3,170	6,090
HFC-134a	13.4	1,300	3,710
HFC-143a	47.1	4,800	6,940
HFC-152a	1.5	138	506
HFC-227ea	38.9	3,350	5,360
HFC-236fa	242	8,060	6,940
HFC-43-10mee	16.1	1,650	4,310
CF ₄	50,000	6,630	4,880
C ₂ F ₆	10,000	11,100	8,210
C ₃ F ₈	2,600	8,900	6,640
C ₄ F ₁₀	2,600	9,200	6,870
c-C ₄ F ₈	3,200	9,540	7,110
C ₅ F ₁₂	4,100	8,550	6,350
C ₆ F ₁₄	3,100	7,910	5,890
SF ₆	3,200	23,500	17,500
Source: Intergovernmental Panel on Climate Change (IPCC) 2013.			

The atmospheric lifetime of the gas is the average time a molecule stays stable in the atmosphere. Most GHGs have a long atmospheric lifetime, staying in the atmosphere hundreds or thousands of years. GWP is a measure of the potential for a gas to trap heat and warm the atmosphere. Although GWP is related

to its atmospheric lifetime, many other factors including chemical reactivity of the gas also influence GWP. GWP is reported as a unitless factor representing the potential for the gas to affect global climate relative to the potential of CO₂. Because CO₂ is the reference gas for establishing GWP, by definition its GWP is 1. Although methane (CH₄) has a shorter atmospheric lifetime than CO₂, it has a 100-year GWP of 25; this means that CH₄ has 25 times more effect on global warming than CO₂ on a molecule-by-molecule basis.

All of the gases in **Table 4.6-1** are produced by both biogenic (natural) and anthropogenic (human) sources. These are the GHGs of primary concern in this analysis. CO₂ would be emitted by the future land uses consistent with the Community Plan due to the combustion of fossil fuels in vehicles (including construction); from electricity generation and natural gas consumption; water use and from solid waste disposal. Smaller amounts of CH₄ and nitrous oxide (N₂O) also would be emitted from operations of future development.

State and Regional GHG Inventories. The California Air Resources Board (CARB) performs statewide GHG inventories. The inventory is divided into nine broad sectors of economic activity: agriculture, commercial, electricity generation, forestry, high GWP emitters, industrial, recycling and waste, residential and transportation. Emissions are quantified in million metric tons of CO₂ equivalent (MMT CO₂E). **Table 4.6-2** shows the estimated statewide GHG emissions for the years 1990, 2008 and 2012.

Table 4.6-2. California GHG Emissions by Sector in 1990, 2008, and 2012			
Sector	1990 Emissions in MMT CO₂E (% total)^{1,2}	2008 Emissions in MMT CO₂E (% total)^{2,3}	2012 Emissions in MMT CO₂E (% total)^{2,3}
Sources ⁴			
Agriculture	23.4 (5%)	37.99 (7%)	37.86 (7%)
Commercial	14.4 (3%)	13.37 (3%)	14.20 (3%)
Electricity Generation	110.6 (26%)	120.15 (25%)	95.09 (19%)
High GWP	--	12.87 (2%)	18.41 (3%)
Industrial	103.0 (24%)	87.54 (18%)	89.16 (21%)
Recycling and Waste	--	8.09 (1%)	8.49 (2%)
Residential	29.7 (7%)	29.07 (6%)	28.09 (7%)
Transportation	150.7 (35%)	178.02 (37%)	167.38 (38%)
Forestry (Net CO ₂ flux) ⁵	-6.5	--	--
Not Specified	1.3	--	--
Total	426.6	487.10	458.68
Source: CARB 2007 and 2014a. 1 1990 data was retrieved from the CARB 2007 source. 2 Percentages may not total 100 due to rounding. 3 2008 and 2012 data was retrieved from the CARB 2014a source. 4 Reported emissions for key sectors. The inventory totals for 2008 and 2012 did not include Forestry or Not Specified sources. 5 Forestry includes 6.69 MMT CO ₂ E sink from forests sequestration and a 0.19 MMT CO ₂ E source from forest and range management.			

As shown in **Table 4.6-2**, statewide GHG source emissions totaled about 427 MMT CO₂E in 1990, 487 MMT CO₂E in 2008, and 459 MMT CO₂E in 2012. Many factors affect year-to-year changes in GHG emissions, including economic activity, demographic influences, environmental conditions such as drought, and the impact of regulatory efforts to control GHG emissions. The CARB has adopted multiple GHG emission reduction measures, the effect of those which will be seen over the following years. According to the CARB, substantial reductions since 2008 have been driven by economic factors (recession), previous energy efficiency actions, and the renewable portfolio standard (CARB 2014a). Transportation-related emissions consistently contribute the most GHG emissions, followed by electricity generation and industrial emissions.

A 2006 baseline GHG inventory for the County was prepared as part of the County's update of the Conservation and Open Space Element of the General Plan. The inventory identifies the major sources of GHG emissions within the unincorporated county and from County government operations. **Table 4.6-3** summarizes the 2006 County inventory. As shown, transportation is the greatest source of community-wide and government operation emissions.

Table 4.6-3. San Luis Obispo County GHG Emissions in 2006		
Sector	2006 GHG Emissions (MT CO₂E)	Percent of Total
<i>Unincorporated San Luis Obispo County</i>		
Residential	136,360	15%
Commercial/Industrial	215,970	24%
Transportation	365,260	40%
Waste	30,540	3%
Other – Crops	22,630	2%
Other – Livestock	83,420	9%
Other – Off-Road Equipment	63,280	7%
Other – Aircraft	240	<0.1%
Total	917,710	100%
<i>San Luis Obispo County Operations</i>		
Buildings	4,970	30%
Vehicle Fleet	3,360	20%
Employee Commute	7,800	46%
Streetlights	60	0.4%
Water/Sewage	410	2%
Waste	270	2%
Other	<10	<0.1%
Total	16,870	100%
Source: County of San Luis Obispo 2011.		
Note: Totals may vary due to independent rounding.		

Existing Los Osos GHG Emissions. The Community Plan area is a current source of GHG emissions. Current sources of GHG emissions are associated with the vehicle use, energy use, water use, area sources (landscaping and other equipment use), and waste disposal practices with these existing land uses. Existing GHG emissions associated with the existing uses were calculated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2 released in September 2013 by the California Air Pollution Control Officers Association (CAPCOA 2013), and the results are summarized in **Table 4.6-4.**

Table 4.6-4. Existing (2016) Annual GHG Emissions (in MT CO₂E)	
Emission Source	Existing GHG Emissions
Vehicles	46,494
Energy Use	25,281
Area Sources	8,189
Water Use	1,530
Solid Waste Disposal	3,389
Total	84,883
<i>Service Population</i>	<i>16,676</i>
GHG Emissions per Service Population	5.0
Note: Totals may vary due to independent rounding.	

b. Regulatory Setting. In response to rising concern associated with increasing GHG emissions and global climate change impacts, several plans and regulations have been adopted at the international, national, and state levels with the aim of reducing GHG emissions. The following is a discussion of the federal, state, and local plans and regulations most applicable to the Community Plan.

Federal.

Environmental Protection Agency

The U.S. EPA has many federal level programs and projects to reduce GHG emissions. The U.S. EPA provides technical expertise and encourages voluntary reductions from the private sector. One of the voluntary programs applicable to the Community Plan is the Energy Star program.

Energy Star is a joint program of the U.S. EPA and the U.S. Department of Energy, which promotes energy-efficient products and practices. Tools and initiatives include the Energy Star Portfolio Manager, which helps track and assess energy and water consumption across an entire portfolio of buildings, and the Energy Star Most Efficient 2013, which provides information on exceptional products that represent the leading edge in energy-efficient products in 2013 (U.S. EPA 2013).

The U.S. EPA also partners with the public sector, including states, tribes, localities, and resource managers to encourage smart growth, sustainability preparation and renewable energy and climate change preparation. These initiatives include the Clean Energy–Environment State Partnership Program,

the Climate Ready Water Utilities Initiative, the Climate Ready Estuaries Program and the Sustainable Communities Partnership (U.S. EPA 2014).

Corporate Average Fuel Economy Standards

The federal Corporate Average Fuel Economy (CAFE) standards determine the fuel efficiency of certain vehicle classes in the U.S. Current CAFE standards require vehicle manufacturers of passenger cars and light-duty trucks to achieve an average fuel economy of 35.5 miles per gallon by 2016 and an average fuel economy of 54.5 miles per gallon by 2025. With improved gas mileage, fewer gallons of transportation fuel would be combusted to travel the same distance, thereby reducing nationwide GHG emissions associated with vehicle travel.

State. The State of California has a number of policies and regulations that are either directly or indirectly related to GHG emissions. Only those most relevant to land use planning and development are included in this discussion.

S-3-05—Statewide GHG Emission Targets

This executive order (EO) established the following GHG emission reduction targets for the State of California:

- by 2010, reduce GHG emissions to 2000 levels;
- by 2020, reduce GHG emissions to 1990 levels;
- by 2050, reduce GHG emissions to 80 percent below 1990 levels.

This EO also directs the secretary of the California EPA to oversee the efforts made to reach these targets, and to prepare biannual reports on the progress made toward meeting the targets and on the impacts to California related to global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry. With regard to impacts, the report shall also prepare and report on mitigation and adaptation plans to combat the impacts. The first Climate Action Team Assessment Report was produced in March 2006, and has been updated every two years.

B-30-15—2030 Statewide GHG Emission Goal

This EO, issued on April 29, 2015, establishes an interim GHG emission reduction goal for the State of California to reduce GHG emissions 40 percent below 1990 levels by 2030. This EO also directed all state agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the pre-existing, long-term 2050 goal identified in EO S-3-05. Additionally, this EO directed the CARB to update its Climate Change Scoping Plan to address the 2030 goal. The CARB is expected to develop statewide inventory projection data for 2030, as well as commence its efforts to identify reduction strategies capable of securing emission reductions that allow for achievement of the EO's new interim goal.

Assembly Bill 32—California Global Warming Solutions Act

In response to EO S-3-05, the California Legislature passed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, and thereby enacted Sections 38500–38599 of the California Health and Safety Code. AB 32 requires that the CARB establish an emissions cap and adopt rules and regulations that would reduce GHG emissions to 1990 levels by 2020. AB 32 also required the CARB to adopt a plan by January 1, 2009 indicating how emission reductions would be achieved from significant GHG sources via regulations, market mechanisms, and other actions.

Senate Bill 32—California Global Warming Solutions Act: Emissions Limit

In August 2016, the California Legislature approved Senate Bill (SB) 32; and in September 2016, it was signed by the governor. Under SB 32, the state would reduce its GHG emissions to 40 percent below 1990 levels by 2030. SB 32 is tied to AB 197, which would establish a legislative oversight committee to which the chair of the CARB would report once a year, and would add two members of the Legislature to the air board. Additionally, in implementing the 40 percent reduction target, AB 197 would require the CARB to prioritize emissions reductions to consider the social costs of the emissions of GHGs. AB 197 defines “social costs” to mean “an estimate of the economic damages, including, but not limited to, changes in net agricultural productivity; impacts to public health; climate adaptation impacts, such as property damages from increased flood risk; and changes in energy system costs, per metric ton of GHG emission per year.”

Climate Change Scoping Plan

As directed by the California Global Warming Solutions Act of 2006, in 2008, the CARB adopted the *Climate Change Scoping Plan: A Framework for Change* (2008 Scoping Plan). The 2008 Scoping Plan identifies the main strategies the State of California will implement to achieve the GHG reductions necessary to reduce statewide forecasted business as usual (BAU) GHG emissions in 2020 to the state’s historic 1990 emissions level.

In 2014, the CARB adopted the First Update to the Climate Change Scoping Plan: Building on the Framework (2014 Scoping Plan) (CARB 2014b). The 2014 Scoping Plan “highlights California’s success to date in reducing its GHG emissions and lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050” (CARB 2014b). The 2014 Scoping Plan found that California is on track to meet the 2020 emissions reduction mandate established by AB 32 and noted that California could reduce emissions further by 2030 to levels squarely in line with those needed to stay on track to reduce emissions to 80 percent below 1990 levels by 2050 if the State realizes the expected benefits of existing policy goals (CARB 2014b).

The 2008 Scoping Plan and the 2014 Scoping Plan represent important milestones in California's efforts to reduce GHG emissions statewide. The law also requires the Scoping Plan to be updated every five years. The Scoping Plan process, as stated, is also thorough and encourages public input and participation.

In January 2017, the CARB released proposed the 2017 Climate Change Scoping Plan Update, the Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target (Proposed Second Update to the Scoping Plan; CARB 2017). The comment period for the Proposed Second Update to the Scoping Plan will last until March 2017. The Proposed Second Update to the Scoping Plan identifies State strategy for achieving the State's 2030 interim reduction target codified by SB 32. The plan proposes to build-on existing programs such as the Cap-and-Trade Regulation, Low Carbon Fuel Standard, Advanced Clean Cars Program, Renewable Portfolio Standard (RPS), Sustainable Communities Strategy, and the Short-lived Climate Pollutant Reduction Strategy. It also proposes further strategies to reduce waste emissions through cogeneration, reduce GHG emissions from the refinery sector by 20 percent, and new policies to address GHG emissions from natural and working lands.

Regional Emissions Targets – Senate Bill 375

Senate Bill (SB) 375, the 2008 Sustainable Communities and Climate Protection Act, was signed into law in September 2008 and requires the CARB to set regional targets for reducing passenger vehicle GHG emissions in accordance with the Scoping Plan. The purpose of SB 375 is to align regional transportation planning efforts, regional GHG reduction targets, and fair-share housing allocations under state housing law. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy or Alternative Planning Strategy to address GHG reduction targets from cars and light-duty trucks in the context of that MPO's Regional Transportation Plan. The San Luis Obispo Council of Governments (SLOCOG) is the San Luis Obispo region's MPO. The CARB targets for the SLOCOG region require a 8 percent reduction in GHG emissions per capita from automobiles and light-duty trucks compared to 2005 levels by 2020, and an 8 percent reduction by 2035 (SLOCOG 2014).

Renewables Portfolio Standard

The RPS promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. Originally adopted in 2002 with a goal to achieve a 20 percent renewable energy mix by 2020 (referred to as the "Initial RPS"), the goal has been accelerated and increased by EOs S-14-08 and S-21-09 to a goal of 33 percent by 2020. In April 2011, SB 2 (1X) codified California's 33 percent RPS goal. In September 2015, the California Legislature passed SB 350, which increases California's renewable energy mix goal to 50 percent by year 2030. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas.

AB 341 – Solid Waste Diversion

The Commercial Recycling Requirements mandate that businesses (including public entities) that generate 4 cubic yards or more of commercial solid waste per week and multi-family residential with five units or more arrange for recycling services. Businesses can take one or any combination of the following in order to reuse, recycle, compost, or otherwise divert solid waste from disposal. Additionally, AB 341 mandates that 75 percent of the solid waste generated be reduced, recycled, or composted by 2020.

California Code of Regulations, Title 24 – California Building Code

The California Code of Regulations, Title 24, is referred to as the California Building Code (CBC). It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, handicap accessibility, and so on. Of particular relevance to GHG reductions are the CBC's energy efficiency and green building standards.

The California Code of Regulations, Title 24, Part 6 is the Energy Efficiency Standards or California Energy Code. The previous version of the Energy Code, known as the 2013 Energy Code, became effective July 1, 2014. The most current version of the Energy Code, the 2016 Energy Code, became effective January 1, 2017.

Based on an impact analysis prepared by the California Energy Commission (CEC) for single-family residences, the 2013 Energy Code was estimated to achieve a 36.4 percent increase in electricity efficiencies and a 6.5 percent increase in natural gas efficiencies over the 2008 Energy Code (CEC 2013). The same report estimates increased efficiencies for multi-family residences of 23.3 percent for electricity use and 3.8 percent for natural gas use. Non-residential structures were estimated to achieve a 21.8 and 16.8 percent increase in electricity and natural gas efficiencies, respectively. Until the 2016 Title 24 requirements take effect, the CEC cannot complete a comprehensive study characterizing the resulting electricity demand and natural gas use reductions. However, preliminary CEC estimates indicate that residences built consistent with 2016 Title 24 requirements will be 28 percent more energy efficient than homes built consistent with 2013 Title 24 requirements and non-residential uses built consistent with 2016 Title 24 requirements will be 5 percent more energy efficient than those built consistent with 2013 Title 24 requirements (CEC 2015).

The California Green Building Standards Code, referred to as CalGreen, was added to Title 24 as Part 11 first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 CBC). The 2013 CalGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of non-residential and residential structures. It also includes voluntary tiers (I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings.

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;
- 50 percent construction/demolition waste diverted from landfills;
- Inspections of energy systems to ensure optimal working efficiency;
- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Dedicated circuitry to facilitate installation of electric vehicle charging stations in newly constructed attached garages for single family and duplex dwellings; and
- Installation of electric vehicle charging stations at least three percent of the parking spaces for all new multi-family developments with 17 or more units.

Local. The County of San Luis Obispo General Plan Conservation and Open Space Element Goal 4 sets forth a countywide GHG emissions reduction target to reduce emissions to 15 percent below 2006 levels by the year 2020. In addition, Implementation Strategy AQ 4.2.5 required that the County develop and implement a Climate Action Plan in order to achieve the reduction target. The Board of Supervisors adopted a Climate Action Plan called the EnergyWise Plan on November 22, 2011. 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.

4.6.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. GHG emissions were estimated using CalEEMod (CAPCOA 2013). In brief, the model estimates criteria air pollutants and GHG emissions by multiplying emission source intensity factors by estimated quantities of emission sources based on the land use information. All CalEEMod estimates are in terms of total MT CO₂E. Emission estimates were calculated for the three GHGs of primary concern (CO₂, CH₄, and N₂O) that would be emitted from the five primary operational sources that would be associated with Community Plan buildout: mobile sources, area sources, energy use, water use, and solid waste disposal. The following is a brief discussion of the methodology used to calculate GHG emissions from each of these sources.

Construction: Construction activities emit GHGs primarily through combustion of fuels (mostly diesel) in the engines of off-road construction equipment and through combustion of diesel and gasoline in on-road construction vehicles and in the commute vehicles of the construction workers. Smaller amounts of

GHGs are also emitted indirectly through the energy use embodied in any water use (for fugitive dust control) and lighting for the construction activity. At a program level, it would be speculative to estimate the schedule and construction requirements of individual projects included in the Community Plan. Thus, this analysis relies on the SLOAPCD which forecasts that 2020 construction emissions would comprise 1.96 percent of total GHG emissions within the county (SLOAPCD 2012). Therefore, construction emissions are estimated at 1.96 percent of the total operational GHG emissions associated with the Community Plan area.

Vehicles: GHG emissions from vehicles come from the combustion of fossil fuels in vehicle engines. The vehicle emissions are calculated based on the vehicle type and the trip rate for each land use. The vehicle emission factors and fleet mix used in CalEEMod are derived from the CARB's Emission Factors 2011 model, which includes GHG reducing effects from the implementation of Pavley I (Clean Car Standards) and the Low Carbon Fuel Standard, and are thus considered in the calculation of standards for Community Plan emissions. The emissions from mobile sources were reduced by an additional 3 percent to account for implementation of Low Emission Vehicles III and the Tire Pressure Program. Community Plan trip generation rates were obtained from the Transportation Impact Analysis Report prepared for the Community Plan (Appendix E). Trip lengths were based on the average trip length in County. Based on data reported by SLOAPCD, the existing, year 2020, and year 2035 average regional trip length trip lengths in the County are 5.56, 5.67, and 5.20, respectively (CARB 2014c).

Electricity and Natural Gas: GHGs are emitted as a result of activities in buildings for which electricity and natural gas are used as energy sources. As identified by the CEC, the 2013 Energy Code required various improvements in the built environment that would achieve a 36.4 percent increase in electricity efficiencies and a 6.5 percent increase in natural gas efficiencies in single family residential buildings, a 23.3 percent increase in electricity efficiencies and a 3.8 percent increase in natural gas efficiencies in multi-family residential buildings, and a 21.8 percent increase in electricity efficiency and a 16.8 percent increase in natural gas efficiency in non-residential buildings (CEC 2013). Additionally, the 2016 Energy Code, which became effective January 1, 2017, would increase residential energy efficiency by an additional 28 percent over the 2013 Energy Code and would increase non-residential energy efficiency by an additional 5 percent over the 2013 Energy Code (CEC 2015). The Community Plan would be served by Pacific Gas & Electric (PG&E). Therefore, PG&E's specific energy-intensity factors (i.e., the amount of CO₂, CH₄, and N₂O per kilowatt-hour) are used in the calculations of GHG emissions. PG&E currently has renewable energy procurement of 28.0 percent. As discussed, the state mandate for renewable energy is 33 percent by 2020 and 50 percent by 2030.

Area Sources: Area sources include GHG emissions that would occur from the use of landscaping equipment. The use of landscape equipment emits GHGs associated with the equipment's fuel combustion. The landscaping equipment emission values were derived from the 2011 In-Use Off-Road Equipment Inventory Model (CARB 2011).

Water and Wastewater: The amount of water used and wastewater generated by a project has indirect GHG emissions associated with it. These emissions are a result of the energy used to supply, distribute, and treat the water and wastewater. In addition to the indirect GHG emissions associated with energy use, wastewater treatment can directly emit both CH₄ and N₂O. New development would be subject to California Green Building Standards Code (CalGreen), which requires a 20 percent increase in indoor water use efficiency. Thus, in order to demonstrate compliance with CalGreen, a 20 percent reduction in indoor water use was included in the water consumption calculations for new development.

Solid Waste: The disposal of solid waste produces GHG emissions from anaerobic decomposition in landfills, incineration, and transportation of waste. To calculate the GHG emissions generated by disposing of solid waste for the Community Plan, the total volume of solid waste was calculated using waste disposal rates identified by California Department of Resources Recycling and Recovery. The methods for quantifying GHG emissions from solid waste are based on the Intergovernmental Panel on Climate Change method, using the degradable organic content of waste. GHG emissions associated with the Community Plan's waste disposal were calculated using these parameters. According to a CalRecycle report to the Legislature, as of 2013 California has achieved a statewide 50 percent diversion of solid waste from landfills through "reduce/recycle/compost" programs (CalRecycle 2015). However, AB 341 mandates that 75 percent of the solid waste generated be reduced, recycled, or composted by 2020. Therefore, to account for the continuing actions of recycling requirements under State law (i.e. AB 341), a 25 percent solid waste diversion rate was included in the model.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be 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.*

The County uses guidance from the SLOAPCD for assessing the significance of GHG impacts. The SLOAPCD's document *GHG Thresholds and Supporting Evidence* (SLOAPCD 2012) describes the SLOAPCD's approach to developing a threshold of significance for GHG emissions to identify the emissions level for which a project would not be expected to substantially conflict with existing legislation adopted to reduce statewide GHG emissions.

Different thresholds have been developed to accommodate various development types and patterns. Three options are recommended for residential/commercial development: Qualitative Reduction Strategies, Bright-Line Threshold, and Efficiency-Based Threshold. Residential and commercial projects may use any of the three options to determine the significance of a project's GHG emission impact to a level of certainty for lead agencies (SLOAPCD 2012). This analysis uses the recommended efficiency threshold for determining significance of GHG impacts.

An efficiency threshold is a GHG emission threshold in terms of GHG emissions per residential and employment population (i.e., service population). The SLOAPCD recommends an efficiency threshold of 4.9 MT CO₂E per service population (SLOAPCD 2012). This method allows highly efficient projects (e.g., compact and mixed use development) with higher mass emissions to meet the overall GHG reduction goals of AB 32. This approach allows the threshold to be applied evenly to all project types (residential, commercial/retail and mixed use) and uses an emissions inventory comprised only of emission sources from land-use related sectors. The efficiency-based threshold encourages infill and transit-oriented development and puts highly auto-dependent suburban and rural development at a severe disadvantage. GHG efficiency thresholds are determined by dividing the statewide GHG emissions inventory goal (allowable emissions) by the estimated statewide 2020 population and employment (i.e., service population).

b. Impacts and Mitigation Measures.

Threshold: Would actions under the Community Plan generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact GHG-1 The Community Plan would generate GHG emissions from construction and operation. GHG emissions would be less than the emission threshold of 4.9 MT CO₂E per service population. The Community Plan's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, impacts related to GHG emissions from development under the Community Plan are Class III, less than significant.

The impact analysis for the year 2020 calculated primary sources of direct and indirect GHG emissions. Additionally, for informational purposes, the buildout year 2035 GHG emissions have been calculated. **Table 4.6-5** summarizes the Community Plan emissions.

Table 4.6-5. Year 2020 and Year 2035 Annual GHG Emissions (in MT CO₂E)		
Emission Source	Year 2020 GHG Emissions	Year 2035 GHG Emissions
Vehicles	51,965	44,364
Energy Use	26,787	22,160
Area Sources	10,599	10,599
Water Use	1,726	1,380
Solid Waste Disposal	3,249	3,249
Construction	405	349
Total	94,731	82,100
<i>Service Population</i>	<i>21,942</i>	<i>21,942</i>
GHG Emissions per Service Population	4.3	3.7
Note: Totals may vary due to independent rounding.		

As shown, year 2020 GHG emissions associated with implementation of the Community Plan would be 94,731 MT CO₂E and year 2035 GHG emissions would be 82,100 MT CO₂E. This decrease is a result of federal, state, and local implementation measures such as increased vehicle efficiency standards and PG&E's increase in renewable sources of energy in accordance with RPS goals.

The service population for the Community Plan was determined using the average household size for Los Osos and employment densities provided by SLOCOG. In Los Osos, there is an average of 2.2 persons per occupied dwelling unit. Retail uses have on average 2.39 employees per 1,000 square feet and office uses have on average 2.52 employees per 1,000 square feet (SLOAPCD 2012). Using this data, it was calculated that buildout of the Community Plan would have a service population of 20,469 (see **Table 4.6-6**).

Table 4.6-6. Service Population Calculations			
Land Use	Household Size/Employment Density	Amount	Population
Residential	2.20 person per dwelling unit	8,182 dwelling units	18,000
Retail	2.39 employees per 1,000 square feet	668,100 square feet	1,597
Office	2.52 employees per 1,000 square feet	346,200 square feet ¹	872
Total			20,469
¹ Includes Commercial/Service and Office land uses			

As shown in **Table 4.6-5**, in year 2020, the Community Plan would result in GHG emissions of 4.3 MT CO₂E per service population annually. By year 2035, GHG emissions would decrease to 3.7 MT CO₂E per service population annually. By emitting less than 4.9 MT CO₂E per service population, the Community Plan's contribution of GHGs to cumulative statewide emissions would be less than cumulatively

considerable. Therefore, GHG emission impacts associated with the Community Plan would be **Class III**, *less than significant*.

Additionally, the proposed Community Plan includes many policies and programs that would further reduce GHG emissions. These include:

*Program PS-2.1: Water – **Groundwater management.** The Los Osos Groundwater Basin Watermaster, the County, and the Water Purveyors should work cooperatively to reduce water demands in the Los Osos Groundwater Basin. Actions should include, but not be limited to, the following programs identified in the Basin Plan:*

- A. Groundwater Monitoring Program (M)*
- B. Urban Water Efficiency Program (E)*
- C. Urban Water Reinvestment Program (U)*
- D. Wellhead Protection (P)*
- E. Infrastructure Program A (A)*
- F. Infrastructure Program C (C)*

*Program LU-3.2: **CBD design and enhancement.** If there is property owner interest, the County should facilitate development of a design plan and possible accompanying standards and guidelines for the central business district that implement the following design principles, in addition to design standards and guidelines listed for the central business district in Chapter 7, Planning Area Standards:*

- A. Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities.*
- B. Promote a mixture of commercial and residential uses.*
- C. Emphasize the importance of public spaces.*

The design plan should be developed together with property and business owners, with participation by surrounding neighborhoods. Also, if there is property owner interest, facilitate formation of a business improvement district or other entity in order to finance, implement and maintain improvements.

Policy LU-4: Promote pedestrian travel and activities so that commercial areas become pedestrian-oriented rather than automobile-oriented.

- A. Concentrate a variety of retail trade, office and professional, service, and residential uses in the central business district. Offer flexibility in the types of uses that are allowable.*
- B. In the central business district and the Baywood commercial area, encourage shared or common off-site parking accompanied by reduced parking requirements.*
- C. Direct new commercial development towards the central business district and the Baywood commercial area. Do not establish new, competing commercial areas other than possible neighborhood-serving commercial areas.*

Policy LU-5: Plan for flexible combination of residential, service, office, and lodging uses at the Morro Shores Mixed Use Area.

- A. Emphasize development of higher intensity residential development and encourage development of a multi-use business or commerce park.*
- B. Require new development to provide convenient street, pedestrian and bicycle links to surrounding neighborhoods, commercial areas, the community center, schools, parks, and the bay.*

*Program LU-6.1: **Baywood Commercial Area Design and Enhancement.** If there is property owner interest, the County should facilitate development of a design plan and possible accompanying standards and guidelines that implement the following design principles for the Baywood Commercial area, in addition to design standards and guidelines listed for the Baywood Commercial Area in Chapter 7, Planning Area Standards:*

- A. Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities.*
- B. Emphasize the importance of public spaces.*
- C. Provide landscaped pedestrian spaces that are inter-connected by a network of walkways and plazas.*
- D. Provide traffic calming measures on 2nd Street.*
- E. Provide for a balance of neighborhood and visitor-serving uses.*
- F. Provide access to the bay, and promote visitor-serving or tourist-oriented recreation focused on the bay.*
- G. Encourage use of sidewalks and public spaces for restaurant seating, arts and crafts displays and other uses that encourage pedestrian activity.*
- H. Encourage mixed residential and commercial/office uses throughout the Baywood Commercial area, as well as bed and breakfast accommodations on 3rd Street.*

The design plan should be developed together with property and business owners, with participation by surrounding neighborhoods. Also, if there is property owner interest, facilitate formation of a business improvement district or other entity in order to finance, implement and maintain improvements.

Policy CIR-2: Provide safe, convenient access to multiple transportation modes from shopping areas, schools, residential areas, and recreation facilities.

- A. Plan new development to provide public transit access and pedestrian and bicycle pathways from residential areas to shopping areas, businesses and public facilities.*
- B. Link bicycle and pedestrian routes between residential areas, schools and commercial areas.*

*Program CIR-2.1: **Transit system.** Improve the public transit system to provide routes located within convenient walking distance of residences. Establish a local transit loop that connects with a regional transit system that provides frequent, fast and convenient connections to major employment centers. Work with Regional Transportation Authority to make its designated bus stops Americans with Disabilities Act-compliant as part of its overall plan and meet encroachment permit requirements.*

*Program CIR-2.2: **Transportation Demand Management.** The SLOCOG, in consultation with the County Public Works and Planning and Building Departments, should develop and implement a transportation demand program that includes measures such as: marketing and commuter information programs, transit and ridesharing incentives, transit service improvements, parking management programs, and alternative work schedules.*

Policy CIR-4: Design the Los Osos community circulation system to be compatible with the community's character and responsive to local environmental needs.

- A. Allow use of permeable and environmentally-friendly surfaces, where appropriate, as an alternative to conventional pavement. On proposed local residential streets in new land divisions, encourage alternative walkways for pedestrian use.*
- B. Provide logical street connections between neighborhoods to encourage an efficient, interconnected circulation system, and to reduce vehicular travel.*
- C. Develop new streets using minimum street widths, consistent with traffic volumes that provide maximum safety and reasonable traffic flow and use by emergency vehicles. Using narrow streets can result in several benefits, for example, more efficient use of land, reduced amounts of impervious surfaces, slower traffic, increased safety, increased livability, and a greater sense of community.*

*Program CIR-4.1: **Narrow streets.** The County Planning and Building, and Public Works Departments should collaborate to encourage, on a trial basis, construction of public or private streets having widths less than those specified in the Standard Improvement Specifications in new land divisions.*

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

- A. **New Development.** Require tree planting on the property frontage of new development and subdivisions at a scale consistent with the roadway classification. An encroachment permit is required to plant trees within the public road right-of-way.*
- B. **Tree Master Plan.** The County Planning and Building Department, in consultation with the County Public Works Department and County Parks, should work with the community to create a tree master plan that defines areas to be planted, any key corridors or locations to have special treatment, a list of appropriate trees, planting requirements, planting and maintenance information, and ways to provide and pay for trees in existing neighborhoods.*

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

*Program CIR-4.3: **Commercial streetscape.** In commercial areas, require curbs, gutters, wide sidewalks, street lights, gathering areas, and undergrounded utilities. Maintenance responsibilities for improvements in gathering areas, including tree planters, street lights and pedestrian amenities, rest with the fronting property owner, an established maintenance entity or as defined with the encroachment permit.*

Mitigation Measures. No mitigation is required.

Residual Impacts. GHG emission impacts associated with the Community Plan would be **Class III, less than significant.**

Threshold: Would actions under the Community Plan conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of GHGs?

Impact GHG-2 The Community Plan would not conflict with any local or state plan, policy, or regulation aimed at reducing GHG emissions from land use and development. Thus, impacts would be Class III, less than significant.

The following analysis is based on the whether the Community Plan and subsequent development would conflict with policies, plans, or regulations. Thus, the question is not whether the GHG emissions from future development would be controlled by regulations to the extent they are not considered significant, but rather would the Community Plan result in a conflict with a policy, plans, or regulations that would result in the policy, plan, or regulation not be implemented or creating a situation where the goals of the plan, policy, or regulation could not be achieved.

EO S-3-05 established GHG emission reduction targets for the state, and AB 32 codified the 2020 goal of Executive Order S-3-05 and launched the Climate Change Scoping Plan that outlined the reduction measures needed to reach these targets. The Community Plan would not exceed the efficiency threshold of 4.9 MT CO₂E per service population. This threshold was developed by the SLOAPCD and is based on comprehensive policy and regulatory analysis, as well as technical evaluation of development trends in the County. As the Community Plan is below the efficiency threshold, it would not conflict with the AB 32 mandate for reducing GHG emissions at the state level nor would it conflict with the County's EnergyWise Plan for reducing GHG emissions at the local level (SLOAPCD 2012).

EO S-3-05 establishes an executive policy of reducing GHG emissions to 80 percent below 1990 levels by 2050. Additionally, EO B-30-15 establishes an interim GHG emission reduction policy by the executive branch for the state of California to reduce GHG emissions 40 percent below 1990 levels by 2030. The 2020 GHG emission policy of EO S-3-05, to reduce GHG emissions to 1990 levels by 2020, was codified by the Legislature's adoption of AB 32. As discussed, the Community Plan would be consistent with the reduction goals of AB 32. The 2030 GHG emission policy of EO B-30-15, to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, was codified by the adopted of SB 32. The 2050 goal of EO S-3-05 has not been codified by the Legislature. This analysis renders a determination as to whether the Community Plan would conflict with or impede substantial progress towards the statewide reduction policies established by EO B-30-15 for 2030 and by EO S-3-05 for 2050.

As discussed under Impact GHG-1, the Community Plan would emit less than 4.9 MT CO₂E per service population annually and would not interfere with the County's ability to achieve the GHG reduction goals outlined in the EnergyWise Plan. Further, the Community Plan's 2020 emissions represent the maximum emissions inventory; as emissions would continue to decline from 2020 through at least 2050 based on regulatory forecasting. Given the reasonably anticipated decline in Community Plan emissions, due to existing regulatory programs, once the Community Plan is fully built out, the Community Plan emissions would continue to decline in line with the GHG reductions needed to achieve the EOs' interim (2030) and horizon-year (2050) goals. Therefore, the Community Plan would not conflict with the long-term GHG policy goals of the state. As such, the Community Plan's impacts with respect to the state's post-2020 GHG emissions goals under EO B-30-15 and EO S-3-05 would be **Class III, less than significant**.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts associated with conflicts with applicable plans, policies, and regulations adopted for the purpose of reducing the emission of GHGs would be **Class III, less than significant**.

c. Cumulative Impacts. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. It is generally the case that an individual project is not of sufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. As the Community Plan would comply with the SLOAPCD thresholds, the additive effect of the Community Plan's GHG emissions would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the Community Plan as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would also reduce the statewide GHG emissions. Therefore, the Community Plan's cumulative GHG emissions would have a **Class III, less than significant**, impact on the environment.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.6-7** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.6-7. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	GHG-1 and GHG-2
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	GHG-1 and GHG-2
<i>The future project would result in greenhouse gas-related impacts peculiar to the project or parcel. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than GHG-1 and GHG-2
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified. This may include the following circumstances:</i> <ul style="list-style-type: none"> <i>If future APCD standards have changed such that the future project would result in a more severe significant effect;</i> <i>If the future project would be more appropriately analyzed based on quantitative thresholds</i> 	GHG-1, as applicable

4.7 HYDROLOGY AND WATER QUALITY

Development under the LOCP would introduce new development that could result in increased impervious surfaces, and result in uses that could degrade water quality. New development would be located outside designated 100-year flood hazard areas, but existing development could still be subject to potential sources of localized flooding during heavy rainstorms. Although the intensity of development would be less than currently envisioned under the Estero Area Plan, impacts to water quality and flooding are still possible. While the LOCP includes a robust policy framework intended to guide future development, and mitigate potential impacts to water quality and flooding, additional policy language is needed to address drainage and flooding impacts associated with new development under the LOCP. Such impacts are considered significant but mitigable (Class II).

4.7.1 Setting

a. Physical Setting

Regional and Local Hydrology and Drainage. Los Osos/Baywood Park is located within the Central California Coastal Watershed. Nine watersheds cross San Luis Obispo County. The community of Los Osos-Baywood Park (together with the communities of San Luis Obispo, Cambria, and Oceano) is located within the Central Coastal watershed (United States Geological Survey [USGS] Hydrological Unit 18060006). Within this watershed, Los Osos Creek is located within the Estero Bay Sub-Hydrologic Unit number 310.

Annual average precipitation in the region is 17.62 inches, with average highs of 3.69 inches in February, and 0.03 inches in July. Rainfall increases further inland (the average annual precipitation at the San Luis Obispo Polytech rain gauge, located approximately 7 miles to the southeast, is 23.3 inches).

Creeks within and immediately surrounding the community of Los Osos either flow generally southwest from the Santa Lucia Mountains (these include hills that comprise Park Ridge, such as Hollister Peak), or northward from the Irish Hills. The two principal waterways that drain the community of Los Osos are Los Osos Creek and Warden Creek. Los Osos Creek and Warden Creek drainages form a confluence at a wetland less than a mile southeast of Morro Bay, within the Los Osos Valley. Drainage which does not flow into Morro Bay and which does not evaporate is left to infiltrate into underlying aquifers. Near Morro Bay, these include a shallower aquifer located from approximately 30 feet to 200 feet below ground level, and a deeper aquifer located approximately 500 feet below the earth's surface.

Regional and Local Stormwater Runoff. The definition of stormwater runoff is the amount of surface water produced from melted snow and precipitation, measured after evaporation, evapotranspiration, and percolation. Flow paths of stormwater within the region are identified with separate geographical Hydrologic Subunits. Within the Estero Bay unit, stormwater runoff originates

from the communities of Oceano (Arroyo Grande Creek and Meadow Creek), the urban fringe of San Luis Obispo (Prefumo Creek, Froom Creek, San Luis Obispo Creek), Cambria (Santa Rosa Creek, Monterey Bay National Marine Sanctuary), and the community of Los Osos (Los Osos Creek, Morro Bay).

Regional and Local Surface Water Quality. The 2006 Clean Water Act (CWA) Section 303(d) list of limited water quality segments indicates that thirteen of the 114 impaired water bodies in the Central Coastal Regional Water Quality Control Board (RWQCB) region are located within the Estero Bay Sub-Hydrologic Unit, ten of which are impaired due to pathogens. The source of pathogens within Chorro Creek is identified as agriculture; the source for Morro Bay is identified as upland range grazing, septage disposal, and urban runoff. Although livestock can be a source of pathogens, the Central Coast RWQCB principally describes the sources as unidentified.

Existing Flood Hazards. Areas subject to flooding during 100-year events are limited to areas immediately adjacent to creek channels, as well as the Morro Bay estuary. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identified regions that are adjacent to Los Osos Creek and Warden Creek within and adjacent to the community of Los Osos as being inundated during a 100- year storm.

The April 1998 County study titled Preliminary Engineering Evaluation, Los Osos/Baywood Park Community Drainage Project, County Service Area No. 9J, concluded that natural sumps cause much of the flooding in Los Osos. Sumps are small pits into which water can drain and which lack outlets. These exist in the region adjacent to Morro Bay due to the sandy soil. Whereas sumps usually drain naturally, that capacity has been reduced during the past two decades due to the diminished number of permeable regions caused by development, and due to rising groundwater levels. The study recommended constructing a community drainage system that would consist of surface improvements such as curbs, gutters, and pavements, as well as storm drains.

b. Regulatory Setting. Various federal and state regulations set forth criteria and specific requirements to address hydrology and water quality issues.

Federal. The following discussion summarizes the key federal regulations that relate to water quality and hydrology issues.

Clean Water Act

Section 303 of the Clean Water Act requires states to adopt water quality standards for all surface waters of the United States. Water quality standards are typically numeric, although narrative criteria based upon biomonitoring methods may be employed where numerical standards cannot be established or where they are needed to supplement numerical standards. (See a description of the State Porter-

Cologne Water Quality Control Act, below.) Standards are based on the designated beneficial use(s) of the water body. Where multiple uses exist, water quality standards must protect the most sensitive use.

Section 402 of the Clean Water Act mandates that certain types of construction activity comply with the requirements of National Pollutant Discharge Elimination System (NPDES) stormwater program. The Phase II Rule, issued in 1999, requires that construction activities that disturb land equal to or greater than 1 acre require permitting under the NPDES program. In California, permitting occurs under the General Permit for Stormwater Discharges Associated With Construction Activity, issued to the State Water Resources Control Board (SWRCB) and implemented and enforced by the nine Regional Water Quality Control Boards. The project site is within the boundaries of the Central Coast Regional Water Quality Control Board (CCRWQCB).

This General Permit requires all dischargers, where construction activity disturbs 1 or more acres, to take the following measures:

- 1. Develop and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off site into receiving waters.*
- 2. Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the State.*
- 3. Perform inspections of all BMPs.*

To obtain coverage, the landowner must file a Notice of Intent (NOI) with the SWRCB. The NOI is required to include the requirements listed above. When project construction is completed, the landowner must file a notice of termination.

C.3 Provisions

In 2003, the CCRWQCB issued a municipal stormwater permit under the NPDES permit program. The purpose of the permit is to reduce the discharge of pollutants in stormwater to the maximum extent practicable and to effectively prohibit non-stormwater discharges into municipal storm drain systems and watercourses. The permit incorporates Provision C.3, which establishes stormwater pollution management requirements for new development and redevelopment projects. Provision C.3 requires that certain new development and redevelopment projects incorporate post-construction stormwater pollution management measures, including stormwater treatment measures, stormwater site design measures, and source control measures, to reduce stormwater pollution after the construction of the project. These requirements are in addition to standard BMPs.

Other relevant provisions of the Clean Water Act include the following:

- Section 208, requiring that states develop programs to identify and control non-point sources of pollution, including runoff.
- Section 304(a)(1), requiring the administrator of the U.S. Environmental Protection Agency (USEPA) to develop and publish water quality criteria that reflect the latest scientific knowledge regarding the effects of pollutants in any body of water.
- Section 313(a), requiring that federal agencies observe state and local water quality regulations.
- Section 405 of the Water Quality Act of 1987 added to Section 402(p) to the CWA. Pursuant to Section 402(p)(4) of the CWA, the EPA is required to promulgate regulations for NPDES permit applications for storm water discharges.
- Safe Drinking Water Act, 40 U.S.C. 100 et seq. This act sets limits on concentrations of pollutants in drinking water sources.

Federal Emergency Management Agency (FEMA)

FEMA is the federal agency that oversees floodplains and manages the National Flood Insurance Program (NFIP). FEMA also prepares the FIRMs for communities participating in the NFIP. The FIRMs indicate the regulatory floodplain to assist communities with land use and floodplain management decisions, so that the requirements of the NFIP are met in the event of damaging floods. However, FEMA studies and maps are not necessarily an accurate, up-to-date reflection of all physical flood risk or hazards.

The San Luis Obispo County Flood Control and Irrigation District provides for control, disposition, and distribution of flood and storm waters of the district and of streams flowing into the district and for protection of the watersheds and watercourses in the district from such waters. Section 23.05.050 of the Coastal Zone Land Use Ordinance establishes the County's standards for the control of drainage to minimize the harmful effects of storm water runoff. However, incorporated cities within the County have their own responsibilities with regard to drainage and flood control. County restrictions on development in floodplains require that incorporated cities, at a minimum, enforce the current federal floodplain management regulations as defined in the FEMA NFIP.

U.S. Army Corps of Engineers (USACE)

The USACE is the federal agency that studies, constructs, and operates regional-scale flood protection systems in partnership with state and local agencies. Specific agreements between the USACE and its state and local partners on particular projects are used to define shared financial responsibilities and regulations that affect the local partners. Any work that is within USACE jurisdiction requires permitting through USACE.

State. The following discussion summarizes the key state regulations that relate to water quality and hydrology issues.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act of 1969 authorized the SWRCB to provide comprehensive protection for California's waters through water allocation and water quality protection. The SWRCB implements the requirement of the Clean Water Act Section 303, indicating that water quality standards have to be set for certain waters by adopting water quality control plans under the Porter-Cologne Act. The Porter-Cologne Act established the responsibilities and authorities of the nine RWQCBs, which include preparing water quality plans for areas in the region, identifying water quality objectives, and issuing NPDES permits and Waste Discharge Requirements (WDRs). Water quality objectives are defined as limits or levels of water quality constituents and characteristics established for reasonable protection of beneficial uses or prevention of nuisance. The Porter-Cologne Act was later amended to provide the authority delegated from the United States Environmental Protection Agency (EPA) to issue NPDES permits.

Waste Discharge Requirements

It is the responsibility of the Water Boards to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements. The Porter-Cologne Act provides for the issuance of WDRs. This requirement is very similar to the NPDES program under the federal Clean Water Act (CWA), and in most cases, the two processes are combined by the RWQCBs. However, the Porter-Cologne Act definition of discharge is somewhat broader than the CWA; in addition, waters of the state include certain water bodies that are not waters of the United States. As a result, certain discharges are solely regulated under the Porter-Cologne Act. The SWRCB has adopted general WDRs for land application of biosolids, discharges to isolated wetlands, and land discharge of groundwater or surface water from cleanup of petroleum pollution.

The SWRCB establishes policies and regulations that help protect and restore the water quality in California, coordinates with and supports Regional Water Board efforts, and reviews Regional Water Board actions. The RWQCBs monitor and enforce state and federal plans, policies, and regulations. Each Regional Water Board makes critical water quality decisions for its region. In addition to issuing WDRs, these decisions include setting standards, determining compliance with WDRs, and taking appropriate enforcement actions.

The NPDES program provides for both general permits (those that cover a number of similar or related activities) and individual permits.

Most construction projects that disturb 1 acre of land or more are required to obtain coverage through an NPDES General Permit for Construction Activities (General Construction Permit), which requires the applicant to file a public notice of intent (NOI) to discharge stormwater and to prepare and implement a stormwater pollution prevention plan (SWPPP). The SWPPP includes a site map and a description of proposed construction activities, along with demonstration of compliance with relevant local ordinances and regulations, and an overview of the best management practices (BMPs) that will be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. The permit holder is further required to conduct monitoring and reporting to ensure that BMPs are correctly implemented and effective in controlling the discharge of stormwater-related pollutants.

Central Coast Regional Water Quality Control Board

In accordance with the California Water Code, the Central Coast RWQCB developed a Basin Plan (1994) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. The Basin Plan covers a 300-mile long by 40-mile wide section of the State's central coast. Its geographic area encompasses all of Santa Cruz; San Benito, Monterey, San Luis Obispo (which includes the project area), and Santa Barbara Counties; the southern one-third of Santa Clara County; and small portions of San Mateo, Kern, and Ventura Counties. The Basin Plan consists of a designation or establishment for waters of beneficial uses to be protected, water quality objectives to protect those uses, and a program of implementation needed for achieving the objectives. Water quality objectives are defined as limits or levels of water quality constituents and characteristics established for reasonable protection of beneficial uses or prevention of nuisance. The Porter-Cologne Act was later amended to provide the authority delegated from the EPA to issue NPDES permits.

Local. Local regulations pertaining to protection and management of water quality and hydrology resources are found in the San Luis County General Plan, the Estero Area Plan (updated 2009), the Local Coastal Plan, the Coastal Zone Framework for Planning, the Coastal Zone Land Use Ordinance, and Los Osos/Baywood Park Community Services District Storm Water Management Plan. In aggregate, these are intended to implement federal and state regulations described above. They provide a regulatory framework for existing and future development, and are requirements that pre-emptively mitigate potential impacts related to water quality.

The key provisions of each are summarized below, but all relevant portions of each regulatory document are incorporated by reference.

Coastal Plan Policies

Chapter 9, Coastal Watersheds

- ***Policy 1: Preservation of Groundwater Basins***

- *Policy 3: Monitoring of Resources*
- *Policy 5: Los Osos Groundwater Management*
- *Policy 7: Siting of New Development*
- *Policy 8: Timing of Construction and Grading*
- *Policy 9: Techniques for Minimizing Sedimentation*
- *Policy 10: Drainage Provisions*
- *Policy 11: Preserving Groundwater Recharge*
- *Policy 13: Vegetation Removal*
- *Policy 14: Soil Conservation Techniques*

The most relevant of these is Policy 5, which calls for developing a basin-wide management program for the Los Osos groundwater basin. Commonly referred to as the Basin Plan (and not to be confused with the RWQCB's 1994 Basin Plan), this document has since been prepared (updated January 2015), and is discussed below.

Updated Basin Plan for the Los Osos Groundwater Basin (January 2015)

All of the domestic drinking water in Los Osos is extracted from the Los Osos Groundwater Basin. Through the Resource Management System (RMS), the County has certified this basin to have a Level of Severity III. This means that the basin is at or approaching overdraft conditions. Water quality issues facing the basin include nitrate contamination in the upper aquifer from septic systems and seawater intrusion due to over-extraction from the lower aquifer.

The basin is subject to adjudication by the San Luis Obispo Superior Court in the case of *Los Osos Community Services District v. Golden State Water Company et al.* The adjudication resulted in the Interlocutory Stipulated Judgment (ISJ), which required the County and three community water purveyors —Los Osos Community Services District (LOCSD), Golden State Water Company (GSWC) and S&T Mutual Water Company (S&T)—to cooperate on the development of a Basin Plan.

The Basin Plan establishes several immediate and continuing goals for management of the water resources of the Basin. The most important goals are to halt seawater intrusion into the Basin and to provide sustainable water supplies for existing and future residential, commercial, institutional, recreational and agricultural development within Los Osos. The Basin Plan calls for a series of water conservation, water reuse, management, and infrastructure programs to be implemented to ensure a long-term sustainable supply of water for Los Osos. The community supports an intensive water conservation program. Such a program would include greywater reclamation, reuse of treated wastewater, and stormwater retention and infiltration.

Outside of the framework of the Basin Plan, but consistent with that plan, the County is also addressing water quality degradation through construction and operation of the Los Osos Wastewater Project (LOWWP), a community wastewater collection, treatment and reinvestment project in Los Osos.

General Plan Conservation and Open Space Element

The following goals, policies and implementation measures provide a robust mitigation framework that address potential water quality impacts related to new development. These are continually implemented on an on-going basis, and would apply to development under the LOCP.

- *Goal 3. Excellent Water Quality Will Be Maintained For The Health Of People And Natural Communities*
- *Policy WR 3.1 Prevent water pollution. Take actions to prevent water pollution, consistent with federal and state water policies and standards, including but not limited to the federal Clean Water Act, Safe Drinking Water Act, and National Pollutant Discharge Elimination System (NPDES).*
 - *Implementation Strategy WR 3.1.1. Support TMDL's Participate in and support the development and implementation of Total Maximum Daily Loads (TMDLs) with the Regional Water Quality Control Board and State Water Resources Board.*
 - *Implementation Strategy WR 3.1.2. Employ pollution prevention in County operations. Employ pollution prevention techniques in all County operations and maintenance activities consistent with the Best Management Practices outlined in the County's Stormwater Management Program.*
 - *Implementation Strategy WR 3.1.3. Minimize construction-related impacts to water quality. Minimize construction and post-construction impacts of development through implementation of the County's Stormwater Management Program and Stormwater Pollution Prevention and Discharge Control Ordinance in compliance with Phase II of the National Pollutant Discharge Elimination System (NPDES).*
 - *Implementation Strategy WR 3.1.4. Continue water quality-related public education. Continue to work collaboratively throughout the county to promote water quality and pollution prevention through education programs as identified in the County's Stormwater Management Program (SWMP).*
- *Policy WR 3.2. Protect watersheds. Protect watersheds, groundwater and aquifer recharge areas, and natural drainage systems from potential adverse impacts of development projects.*

- *Implementation Strategy WR 3.2.1. Minimize runoff from new development. Ensure that public and private developments subject to discretionary review are designed to minimize runoff from such sources as homes, golf courses, swimming pools, and roadway maintenance.*
 - *Implementation Strategy WR 3.2.2. Permeable Materials. Encourage the use of permeable materials in areas where hardscape is proposed.*
- *Policy WR 3.3. Improve groundwater quality. Protect and improve ground water quality from point and non-point source pollution, including nitrate contamination; MTBE and other industrial, agricultural, and commercial sources of contamination; naturally occurring mineralization, boron, radionuclides, geothermal contamination; and seawater intrusion and salts.*
 - *Implementation Strategy WR 3.3.1. Prioritization and preparation of groundwater management plans. Give highest priority to preparing and implementing groundwater management plans for basins with evidence of seawater intrusion or other water quality problems.*
 - *Implementation Strategy WR 3.3.2. Maintain database of onsite wastewater systems. Maintain an electronic database and map database of septic and onsite wastewater treatment systems.*
 - *Implementation Strategy WR 3.3.3. Abatement of failing septic systems. Pursue the abatement of failing septic systems that are a health and safety hazard and prohibit septic systems in areas where impairment of groundwater quality is likely*
- *Policy WR 3.4. Water quality restoration. Pursue opportunities to participate in programs or projects for water quality restoration and remediation with agencies and organizations such as the Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), National Marine Fisheries Service (NMFS), and Resource Conservation Districts (RCDs) in areas where water quality is impaired.*

Estero Area Plan, Revised 2009

Chapter 4. Land Use and Marine Resources Policy

Section I, Areawide Land Use and Marine Resources Policy

- *C.1. Marine Resources Policy. Make every effort to secure permanent protection and management of the county's significant marine resources using programs and legislation such as the national estuary, state and national marine sanctuary program, and other methods.*

Chapter 6. Environmental and Cultural Resource Protection Policies and Programs

Section V, Morro Bay Estuary and Its Watershed

- *A.1. Slow the process of bay sedimentation. Keep Chorro and Los Osos Creeks and other watercourses free of excessive sediment.*
- *A.2. Implement provisions of the Total Maximum Daily Levels (TMDLs) as they are developed for Chorro Creek, Los Osos Creek, and the Morro Bay estuary consistent with Regional Board requirements.*
- *A.3. Support efforts to ensure a level of water quality in the bay that supports recreation, viable commercial fishing and shellfish mariculture industries, healthy eelgrass beds, and thriving fish and shellfish populations.*
- *A.4. Promote a voluntary, cooperative, educational, and incentive-based approach to protect Morro Bay and its watershed.*
- *A.5. Where feasible, implement applicable provisions of the Comprehensive Conservation and Management Plan for Morro Bay published by the Morro Bay National Estuary Program through special programs, land use planning strategies, review of development proposals, and public education.*
- *A.6. Where appropriate, continue to obtain open space easements for sensitive wetlands and bayfront areas, and encourage other agencies and conservation organizations to obtain open space and conservation easements and fee title to these areas.*
- *A.7. Support efforts to find a consensus-based resolution to the conflicts between hunting and other human uses of and adjacent to the bay.*
- *A.8. Use a watershed approach to land use planning, such as initiating a change to the planning area boundaries of the Estero and adjacent planning areas to make them correspond to the boundaries of the Morro Bay watershed.*
- *A.9. Reduce bay sedimentation by reducing the potential for a large, damaging fire through good fuel management practices such as livestock grazing and prescribed fire. Land use should be consistent with the ability to implement those practices.*

Chapter 7. Planning Area Standards

Section VII, Los Osos Urban Area Standards, Combining Designations

B. Sensitive Resources Area (SRA)

- *Sweet Springs and Cuesta-by-the-Sea SRA*
 - *Wetland Setback. If acquisition is not completed, a buffer area to be determined by the detail survey of the property by a qualified biologist will be required to be retained in a natural condition. This should be dedicated to the appropriate public agency or secured through open space easements. Development shall be clustered to minimize impacts on the surrounding wetland.*
 - *Runoff. Upland Development will be required to provide measures to handle runoff on-site.*
- *Morro Bay SRA*
 - *Permit Requirement. Where government acquisition of privately owned parcels within or adjacent to the bay is not feasible, development proposals for unsubdivided areas are to cluster uses in the least sensitive portions of*

properties and preserve the remainder for open space. Site design shall include a survey of the property by a qualified biologist to determine the extent of the wetland and other habitat values of the site. Mitigation measures to include setbacks, shall be incorporated in site design. Density shall be computed on the gross site area excluding the portion that is identified as wetland. The cluster division or planned development process should be used to allow an adequate buffer for the habitat and to incorporate public access requirements. Native vegetation is to be retained as much as possible.

- *Wetland Setbacks. The following setbacks shall be required to provide appropriate separation between development and the wetland vegetation and habitat. Setbacks established here supersede the 100 foot setback requirement by the Coastal Zone Land Use Ordinance. However, in no case shall a setback be adjusted pursuant to Section 23.07.172 of the CZLUO to less than the following standards. Setbacks are measured between the upland extent of the wetland vegetation and development. The minimum setbacks are as follows:*
 - a. For the area west of Tract 316 (APN 74-022-03): To be determined by the Coastal Zone Land Use Ordinance;*
 - b. For Tract 316 (Butte Drive Neighborhood): 50 feet;*
 - c. For the area between Butte Drive and Pecho Road: On the lots located between Butte Drive and Pecho Road all structures shall be located a minimum of 100 feet from the wetland and its riparian area.*
 - d. For the area between Pecho Road and Doris Avenue which is the south half of Cuesta Inlet (Blocks 4 and 5 Cuesta-by-the-Sea Tracts): 75 feet;*
 - e. For the area comprising the north half of Cuesta Inlet (Blocks 13, 14, and 35 of Cuesta-by-the-Sea Tract): 50 feet;*
 - f. For the area between Doris Avenue northeast to Tract 40 near First Street: 75 feet;*
 - g. For lots within Tract 40: 75 feet except where adjusted down to no closer than 50 feet from ;the wetland pursuant to Section 23.07.112d(2) of the CZLUO*
 - h. For the area east and northeast of Tract 40: 50 feet except where adjusted pursuant to Section 23.07.172d(2) of the CZLUO. In no case shall development occur closer than 25 feet from the mean high tide line.*
- *Shoreline Access. Public access shall be monitored or controlled in those cases where degradation of habitat resources occurs.*

Chapter 7. Planning Area Standards
Section VI, Los Osos Urban Area Standards

C.1. Drainage. Los Osos Lowland Areas--Drainage Plan Requirement. In areas designated in Figure 7-40 [i.e., generally west of South Bay Boulevard and north of Los Osos Valley Road], all land use permit applications for new structures or additions to the ground floor of existing

structures shall require drainage plan approval pursuant to Coastal Zone Land Use Ordinance Sections 23.05.040 et seq. unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems.

Low Impact Development Requirements

The County of San Luis Obispo Coastal Zone Land Use Ordinances contains requirements for grading and drainage (Section 23.05020 – 23.05.050). Grading plans and erosion and sedimentation control plans are required as part of the permitting process. In addition, the County has adopted Low Impact Development (LID) standards that provide guidance for post-construction storm water management application and maintenance requirements for development and redevelopment projects. The following section describes the basic LID principles from the County of San Luis Obispo Low Impact Development Handbook (April 20, 2009). Low Impact Development (LID) uses a basic principle modeled after nature: Manage rainfall at the source using uniformly distributed, decentralized micro-scale controls. For new development projects, LID focuses on the site design. The project should:

- *Minimize the impacts of increased storm water runoff from impervious surfaces and land conversions by maintaining peak flow frequencies and durations of the site's predevelopment hydrologic condition*
- *Retain and incorporate natural site features that promote infiltration of storm water*
- *Fit the terrain instead of grading the topography to fit the project's structures*
- *Preserve existing drainage patterns, pervious areas, and sensitive habitat areas within the project limits*
- *Minimize the extent of proposed impervious surfaces (roofing, parking lots, streets, etc.)*
- *Minimize the use of structural storm water controls (pipes, inlets, etc.)*
- *Use multifunctional landscapes to infiltrate, store, and intercept as much runoff as possible and as close to the origin as possible*
- *Limit the connectivity of impervious areas*

Also note that the proposed Los Osos Community Plan is a regulatory document that is intended to expand upon the policy framework described above. Because this is not an existing document, but the subject of the EIR analysis, it is not included in the existing Regulatory Setting. However, its policies are analyzed in the Impact Analysis section relative to their adequacy to provide sufficient regulatory protections for water quality and drainage, when considered in combination with the existing regulations described above.

4.7.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to cause adverse impacts on hydrology and water quality, based on the proposed project's compliance with existing regulations that address the issue.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines and County thresholds, impacts would be significant if development under the Community Plan would result in any of the following:

- *Violate any water quality standards or waste discharge requirements;*
- *Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)*
- *Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc);*
- *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff;*
- *Change rates of soil absorption, or amount or direction of surface runoff;*
- *Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur;*
- *Involve activities within the 100-year flood zone;*
- *Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow. (Refer to Section 4.4, Coastal Hazards, for an analysis of hazards related to sea level rise and coastal flooding)*

b. Impacts and Mitigation Measures. The following impact analysis examines the proposed LOCP at a programmatic level of detail.

Threshold: *Would actions under the Community Plan violate any water quality standards?*

Threshold: *Would actions under the Community Plan change the quality of groundwater?*

Threshold: *Would actions under the Community Plan discharge into surface waters or otherwise alter surface water quality?*

Impact HYD-1 Construction and operational activities associated with future development under the proposed project has the potential to degrade water quality. However, because the existing regulatory framework to address these issues provides sufficient protection, this is considered a less than significant (Class III) impact.

Development in accordance with the proposed LOCP would modify the natural infiltration capacity of the area and generate pollutants associated with denser populations, causing increased storm water runoff volumes and pollutant loading. The number of impervious surfaces would increase as undeveloped parcels and other natural vegetation with infiltration abilities are converted to rooftops, parking lots, and roadways with limited ability to absorb water. Storm water runoff would wash over these impervious surfaces, picking up pollutants while gaining speed and volume because of the inability to disperse and filter in the ground. Development of each residential or commercial unit facilitated by the proposed LOCP would contribute to increased impermeable surfaces and associated peak storm water discharge and volumes of runoff.

In addition to impervious surfaces, future development would bring new sources of pollutants as population densities increase and bring larger concentrations of car emissions, pet wastes, car maintenance wastes, and household hazardous wastes. The Community Plan would facilitate the development of up to 1,861 new residential units and 364,000 square feet of non-residential development. This level of development is expected to increase the quantities of pollutants potentially entering stream courses with runoff from streets, lawns, and gardens. Other activities that may increase pollutants include: motor vehicle operations in the area, pesticide/herbicide/fertilizer uses, human littering, careless material storage and handling, and pavement disintegration.

However, implementation of the existing and proposed policy framework would mitigate potential impacts at a programmatic level. 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. Program level impacts would be less than significant (Class III).

In some cases, subsequent CEQA review for specific projects determined to have the potential to result in significant impacts would require project-specific mitigation that builds on the existing and proposed regulatory framework.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential impacts, which would be applied to future development within the area as appropriate:

2.2.2 Water Resources

This section refers to Basin Plan requirements, but also includes the following provision:

“In order to ensure that growth does not result in further impacts upon the basin, the County proposes to use the Growth Management Ordinance as a tool for metering out construction permits.”

2.4.1 Environment, Open Space, and Agriculture Policies

Refers to implementation of:

- *Coastal Plan Watershed policies 1, 3 and 5.*
- *Estero Area Plan Chapter 3, Policies II.A.1 and II.B.*
- *Estero Area Plan Chapter 4, Policy I.C.1*
- *Estero Area Plan Chapter 6, Policies V.A.1 through V.A.9*

2.5.2 Public Services and Facilities

In addition to those policies identified in the County’s General Plan, the Community Plan introduces new policies and programs that are specific to the community of Los Osos, as follows:

PS-1. Monitor water demand through the Resource Management System to assure that new development can be supported by available water supplies without depleting groundwater supplies and/or degrading water quality. Continue to monitor the capacity of public facilities and services through the Resource Management System, and recommend adjustments to growth and development policies as needed.

*Program PS-1.1: **Water – Allocations for new development.***

- A. Recommend an annual amendment to Title 26 (Growth Management Ordinance) to establish allocations for new development within the*

entire Los Osos Groundwater Basin area rather than only the Los Osos Prohibition Zone).

- B. When updating the Growth Management Ordinance annually, consider data collected from the Groundwater Monitoring Program (Program M in the Basin Plan) to ensure that the program is successfully achieving the goals.*
- C. As each additional program in the Basin Plan is successfully implemented, recommend modifications to the Growth Management Ordinance to allow the construction of additional dwelling units up to a Basin Yield Metric of 80 percent as identified in the Basin Plan.*

- PS-2. Implement the provisions of an adopted Basin Plan for the Los Osos Groundwater Basin.*

***Program PS-2.1: Water – Groundwater management.** The Los Osos Groundwater Basin Watermaster, the County, and the Water Purveyors should work cooperatively to reduce water demands in the Los Osos Groundwater Basin. Actions should include, but not be limited to, the following programs identified in the Basin Plan:*

- A. Groundwater Monitoring Program (M)*
- B. Urban Water Efficiency Program (E)*
- C. Urban Water Reinvestment Program (U)*
- D. Wellhead Protection (P)*
- E. Infrastructure Program A (A)*
- F. Infrastructure Program C (C)*

- PS-3. Continue to work cooperatively with other local government agencies to coordinate location of new facilities and shared use of existing facilities.*

- A. Concentrate government functions in Los Osos into a centrally located, user-friendly services center near the community park. The center should include a community hall, sheriff's substation, and medical and social services.*

2.5.5 Environmental Resources

In addition to those policies identified in the County's General Plan, the Community Plan introduces new policies and programs that are specific to the community of Los Osos, as follows:

- EN-2. Manage urban runoff to reduce discharge of pollutants from the community of Los Osos into Morro Bay.*

***Program EN-2.1: Los Osos runoff control.** The County Public Works Department should coordinate with and assist the Los Osos Community Services District in developing and implementing Best Management Practices to control runoff in Los Osos, consistent with the State's Nonpoint Source Pollution Plan and Phase II of the NPDES Storm Water Regulations.*

***Program EN-2.2: Los Osos urban watershed management.** To facilitate a communitywide drainage system that allows for off-site treatment and retention of stormwater consistent with Central Coast Post Construction Requirements, the Los Osos Community Services District, the County Public Works Department and/or the County Flood Control and Water Conservation District should prepare an urban watershed management plan for Los Osos and vicinity. The plan should use a watershed management approach to achieve the following goals:*

- Minimize flooding, erosion, sedimentation and stormwater pollutants, while providing for reuse and recharge of water and where appropriate;*
- Reduce the sediment load in surface drainage from the Los Osos street system into Morro Bay in streets such as Skyline Drive, Pine Avenue, Ramona Avenue, Pismo Avenue, El Moro Avenue, and Santa Ysabel Avenue;*
- Sustain fresh-water flow to the Morro Bay estuary; and*
- Provide opportunities for recreation and environmental enhancement.*

These goals should be accomplished through measures such as:

- Emphasizing use of engineered, vegetated treatment systems such as constructed wetlands, vegetated swales or vegetated filter strips, as well as retention basins, culverts, filters, or other appropriate measures;*
- Using retention and percolation basins for recreation as an integral part of the landscape; and*
- Using agricultural and landscape management practices to reduce water usage and pollution from fertilizers, herbicides and pesticides.*

After completion of the urban watershed management plan, the County should amend this plan for new development.

7.4 Combining Designation Standards

The LOCP includes standards that are consistent with those included in the Estero Area Plan Combining Designation Standards that apply to Los Osos. There are several new additions that relate to Water Quality:

- There is a proposed minimum 100-foot setback from wetlands for the area identified as the area “West of Tract 316” (Butte Drive Residential Single Family). The Estero Area Plan noted that this setback would be determined through the *Coastal Zone Land Use Ordinance*.
- A new Los Osos Ecosystem (SRA) is established, which includes large areas within the community, generally east of South Bay Boulevard, and along the southern and western boundaries of the plan area, as shown on Figure 7-8 of the LOCP. For sites located within the Los Osos Ecosystem SRA, approval of a land use permit shall not occur unless the Review Authority first finds that, in addition to the required findings for Environmentally Sensitive Habitats specified in Chapter 23.07 of the Coastal Zone Land Use Ordinance, a project incorporates all feasible and reasonable means of maintaining Coastal Sage Scrub, Maritime Chaparral, and Coast Live Oak Woodland habitats as described in Chapter 4, Section 4.5.6.F of the LOCP. Specifically that section of the LOCP states that “together, these communities support a diversity of native plant species and a number of rare, endangered or threatened species of plants and animals, including the Morro manzanita, Indian Knob mountainbalm, Morro shoulderband snail, and perhaps the last known population of the endangered Morro Bay kangaroo rat. Many species in these habitats are found nowhere else in the world. Due to their small geographic range, narrow habitat parameters, and small and declining populations, these four species have been listed as either threatened or endangered under the federal Endangered Species Act and/or California Endangered Species Act. In order to comply with these laws, landowners and others seeking to conduct projects that would impact these species or their habitats must receive an incidental take permit, from the US Fish and Wildlife Service.”

These policies and standards address a variety of water quality and hydrology-related issues throughout the community. In the aggregate, they build on the existing federal, state and County regulatory framework, and when applied to new development, will enhance the protection of water quality beyond what is called for in the existing regulatory framework. Collectively, they provide a high level of programmatic protection, and serve as a clear basis for protecting these resources when applied to future development through the entitlement process associated with that development.

Impacts to water quality are therefore considered to be **less than significant (Class III)**.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant.

Threshold: *Would actions under the Community Plan change the rate of soil absorption or amount or direction of surface runoff?*

Threshold: *Would actions under the Community Plan change the drainage patterns where substantial on- or off-site sedimentation/erosion or flooding may occur?*

Threshold: *Would actions under the Community Plan involve activities within the 100-year flood zone?*

Threshold: *Would actions under the Community Plan expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?*

Impact HYD-2 Buildout under the LOCP could expose structures and people to flood hazards. While the existing regulatory framework to address these issues generally provides sufficient protection, drainage improvement recommendations from the County's 1998 Engineering Evaluation for community drainage improvements should be included in the proposed LOCP policy framework, but are not. This is considered a significant but mitigable (Class II) impact.

Future development within the plan area could be exposed to flood hazards, notably within areas identified as within the 100-year flood zone. (Please refer to Section 4.4, Coastal Hazards, for a discussion of impacts related to sea level rise and other coastal flooding hazards.)

Areas subject to flooding during 100-year events are limited to areas immediately adjacent to creek channels, as well as the Morro Bay estuary. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identified regions that are adjacent to Los Osos Creek and Warden Creek within and adjacent to the community of Los Osos as being inundated during a 100- year storm. Localized flooding associated with heavy rainfall also occurs at several street intersections and other low-lying areas throughout the community.

For the most part, areas subject to 100-year flood hazards are not designated for urban development, and are designated as Open Space. The LOCP recognized this hazard, which is one reason why several

areas would be re-designated from urban uses to Open Space under the LOCP. **Table 4.7-1** describes the areas within Los Osos subject to flood hazard.

Table 4.7-1. Areas Subject to 100-Year Flood Hazard					
Reference Code Shown in Figure 2-4	Description of Area	Flood Hazard Potential	Existing Designation	Proposed Designation	Acreage of Site ²
1	Elfin Forest	Along northern boundary near Los Osos Creek	Uncertified ¹	OS	84.0
2	Sweet Springs	Most of site, along Bay	Uncertified	OS	24.9
3	Sweet Springs East	Most of site, along Bay	RSF	OS	2.5
4	Sweet Springs (Morro Palisades Co.)	Most of site, along Bay	Uncertified	REC	1.15
5	West of 3rd between Pismo and El Morro Aves.	Most of site, along bay	OS	REC	3.81
9	LOCSD well site west of 3rd St., s/o El Moro Ave.	Most of site, along bay	OS	PF	0.19
14	Powell Property Adjacent to Los Osos Creek (State owned)	Eastern edge of site, along Los Osos Creek	RR	OS	40.0
20	URL to conform to property boundary	Majority of the site along Los Osos Creek	OS (Rural Estero)	OS	17.0
23	Terminus Butte Dr.	Northern edge of site along Bay	RS	OS	15.2
25	Northeast properties RS to OS (State owned)	Eastern edge of site, along Los Osos Creek	RS	OS	40.0
27	Los Olivos and Fairchild	074-293-015	OP	CS	1.5
N/A	Several residential properties along Freeman Lane and the end of Hollister Avenue: APN 074-411-010; 074-411-013; 074-282-006; 074-282-007; 074-284-008	Properties are already developed with homes; flood hazard area is on undeveloped portions of properties, near Eto Lake	RS	RS	
N/A	13 residential parcels along north side of Butte Drive	Properties are already developed with homes, which are within flood zone along bay	RSF	RSF	
N/A	10 residential parcels along north side of Mitchell Drive	Properties are already developed with homes, some of which are partially within flood zone along bay	RSF	RSF	
N/A	Several residential parcels along west side of Pasadena Drive	Properties are already developed with homes; flood hazard area is on undeveloped portions of properties along bay	RSF	RSF	
<p>1. "Uncertified" refers to areas where the Coastal Commission currently has retained jurisdiction, because the County and the Coastal Commission could not agree on land use designations and standards. These areas would be redesignated as shown in the table.</p> <p>2. Acreage is for entire area. Portion in 100-year flood plain is generally less than that, unless entire site is identified as subject to flood hazard</p>					

Several flood hazard areas will be redesignated from residential to Open Space under the LOCP, which will minimize the potential impact in those areas. The Open Space designation would prohibit new development in those areas, thereby avoiding flood-related hazards.

A few areas currently designated for residential development are subject to flood hazard, but these areas are already developed with residential uses. In general, most of these homes are located outside the 100-year flood zone, although undevelopable portions of these properties are within flood hazard areas. A few homes along Mitchell Drive are currently subject to flood hazards from the bay. Because this is an existing condition, and the homes are already in place, no new impact would be caused by implementation of the LOCP.

The April 1998 County study titled *Preliminary Engineering Evaluation, Los Osos/Baywood Park Community Drainage Project, County Service Area No. 9J*, concluded that natural sumps cause much of the flooding in Los Osos. Sumps are small pits into which water can drain and which lack outlets. These exist in the region adjacent to Morro Bay due to the sandy soil. Whereas sumps usually drain naturally, that capacity has been reduced during the past two decades due to the diminished number of permeable regions caused by development, and due to rising groundwater levels. The study recommended constructing a community drainage system that would consist of surface improvements such as curbs, gutters, and pavements, as well as storm drains. As noted in that study, the implementation of the sewer project will substantially reduce infiltration from septic systems. Nevertheless, the central recommendation of that study, which is to implement a series of drainage improvements throughout the community, has not been carried forward in the policy framework of the proposed LOCP. The 17 drainage improvement projects identified in that study were prioritized and ranked relative to their importance or need. Although the study was conducted in 1998, and some of these improvements may have already been completed, this study and its recommendations should be referenced in the proposed LOCP. This omission results in a **Class II, significant but mitigable** impact.

Proposed LOCP Policies to Address Potential Impacts. The proposed LOCP includes the following policy framework to address potential impacts, which would be applied to future development within the area as appropriate:

2.4.1 Environment, Open Space, and Agriculture Policies

Refers to implementation of:

- *Coastal Plan Watershed policies 1, 3 and 5.*
- *Estero Area Plan Chapter 3, Policies II.A.1 and II.B.*
- *Estero Area Plan Chapter 4, Policy I.C.1*
- *Estero Area Plan Chapter 6, Policies V.A.1 through V.A.9*

2.5.5 Environmental Resources

In addition to those policies identified in the County's General Plan, the Community Plan introduces new policies and programs that are specific to the community of Los Osos, as follows:

***Program EN-2.2: Los Osos urban watershed management.** To facilitate a communitywide drainage system that allows for off-site treatment and retention of stormwater consistent with Central Coast Post Construction Requirements, the Los Osos Community Services District, the County Public Works Department and/or the County Flood Control and Water Conservation District should prepare an urban watershed management plan for Los Osos and vicinity. The plan should use a watershed management approach to achieve the following goals:*

- Minimize flooding, erosion, sedimentation and stormwater pollutants, while providing for reuse and recharge of water and where appropriate;*
- Reduce the sediment load in surface drainage from the Los Osos street system into Morro Bay in streets such as Skyline Drive, Pine Avenue, Ramona Avenue, Pismo Avenue, El Moro Avenue, and Santa Ysabel Avenue;*
- Sustain fresh-water flow to the Morro Bay estuary; and*
- Provide opportunities for recreation and environmental enhancement.*

These goals should be accomplished through measures such as:

- Emphasizing use of engineered, vegetated treatment systems such as constructed wetlands, vegetated swales or vegetated filter strips, as well as retention basins, culverts, filters, or other appropriate measures;*
- Using retention and percolation basins for recreation as an integral part of the landscape; and*
- Using agricultural and landscape management practices to reduce water usage and pollution from fertilizers, herbicides and pesticides.*

After completion of the urban watershed management plan, the County should amend this plan for new development.

These policies and standards address flood-related issues throughout the community. In the aggregate, they build on the existing federal, state and County regulatory framework, and when applied to new development, will improve flood protection beyond what is called for in the existing regulatory framework. Collectively, they provide a high level of programmatic protection, and serve as a clear basis

for protecting these resources when applied to future development through the entitlement process associated with that development. However, in the case of proposed LOCP Program EN-2.2, there is no clear link to the timing of the watershed management study, implementation of the needed drainage improvements, and timing of new development that may benefit from such improvements. Similarly, there is no direct link to the study and the recommended improvements included in the 1998 Preliminary Engineering Evaluation study referenced in the above analysis. For these reasons, programmatic impacts related to drainage and flood hazards are considered potentially **significant but mitigable (Class II)**.

Mitigation Measures. In addition to the policies discussed above, the following mitigation measure is required to reduce Impact HYD-2 to a less than significant level.

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

c. Cumulative Impacts. The evaluation of the LOCP in this EIR, which includes buildout of the Los Osos community, accounts for all of the expected and foreseeable growth in the Los Osos area. For that reason, project-specific impacts are considered the same as cumulative impacts. As described above, this includes significant but mitigation impacts related to flooding and drainage. Cumulative Impacts related to water quality are expected to be **Class III, less than significant**, through the implementation of existing and proposed policies, including those included in the proposed LOCP. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level environmental review as appropriate.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.7-2** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.7-2. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	HYD-1 and HYD-2
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	HYD-1 and HYD-2
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than HYD-1 and HYD-2
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened HYD-1 and HYD-2, as applicable

4.8 LAND USE AND POLICY CONSISTENCY

There would be relatively few potential land use conflicts arising from the updated land use pattern, which is intended to minimize impacts to sensitive natural resources, or to facilitate a more logical and flexible development pattern within the community. The conflicts that are identified may or may not actually occur, because they may be adequately addressed through individual project design. Development in these areas could result in potential land use compatibility conflicts with neighboring land uses, depending on the design of projects that might occur in such areas. Potential impacts are considered Significant but Mitigable (Class II).

Standards included in the CZLUO and Local Coastal Plan are intended to address a variety of land use conflicts and provide for orderly development. However, many of the Combining Designations in the proposed LOCP do not have corresponding standards to provide an adequate framework for their implementation. Standards for these combining designations must be added and included in Chapter 7 of the proposed LOCP. In some cases, the existing Combining Designations in the Estero Area Plan as they apply to Los Osos are not included or described in the LOCP. These potential inconsistencies must be resolved in both documents. Until this occurs, policy-related impacts are potentially Significant but Mitigable (Class II).

4.8.1 Setting

a. Physical Setting. The unincorporated community of Los Osos is located along the coast in the central portion of San Luis Obispo County, generally south of and adjacent to Morro Bay and its associated estuary. Los Osos is approximately 4 miles south of the City of Morro Bay, across the bay/estuary, and approximately 10 miles west of the City of San Luis Obispo, at the western end of Los Osos Valley, a broad, relatively flat agricultural area formed by Los Osos Creek.

Los Osos is primarily residential in nature, and there are few head-of-household employment opportunities within the community. There are two primary commercial areas, the downtown area or Central Business District centered around Los Osos Valley Road and the Baywood Commercial Area centered along Second Street. These areas are focused either on local community-servicing businesses and office space, or on supporting the regional tourist economy. The downtown area is more locally focused, with grocery stores, restaurants, banks, and offices, while the Baywood community is more tourist-oriented, with some hotels, and recreational businesses along with other businesses that serve the local neighborhoods.

Additional physical setting information related to land use may be found in both Section 2.0 (*Project Description*) and 3.0 (*Environmental Setting*) of this EIR.

b. Regulatory Setting. The draft Los Osos Community Plan is intended to build on and provide a more detailed regulatory framework for the Los Osos planning area, tiering from the adopted Estero Area Plan, most recently updated in 2009. The Estero Area Plan is part of the County's General Plan and its Local Coastal Plan. All elements of a general plan must be consistent. Data, assumptions and projections ideally should be the same in each element of the plan. At the same time it is recognized that documents are generally static once adopted, even if conditions that they describe are continually changing. For that reason, there may be differences in information between documents, even if they are consistent from a policy perspective.

The following plans or other related documents are relevant to the Estero Area Plan, and therefore to the draft Los Osos Community Plan. They were reviewed in the Final EIR for the Estero Area Plan Update, which was certified in December 2003, at which time they were found to be consistent with that plan, to the extent such policies were relevant to the Estero Area Plan. These documents included, but were not limited to the following:

- Land Use Element and Local Coastal Plan, Framework For Planning
- Circulation Element
- Open Space Plan
- Safety Element
- Clean Air Plan
- Parks and Recreation Master Plan
- Noise Element
- Solid Waste Management Plan

Once adopted, the Estero Area Plan was determined to be consistent with its guiding regulatory framework, including various federal and state regulations, including but not limited to the following:

- California Coastal Act of 1976
- Regional Water Quality Control Board, Central Coast Basin Plan
- California Department of Fish and Wildlife policies
- U.S. Department of Fish and Wildlife Service policies
- Clean Water Act

The 2003 Estero Area Plan was ultimately adopted in 2009. At that time, it was found to still be consistent with the policy framework described above.

As noted in the introduction of the Estero Area Plan:

“This area plan is consistent with the intent and policies of the California Coastal Act and the San Luis Obispo County Local Coastal Program (LCP). All other county plans, policies and programs that involve the Estero Planning Area and are subject to the LCP are to be consistent with and implement this plan. In addition, where applicable, all public and private development in this planning area is to be consistent with this plan.”

The Los Osos Community Plan must be consistent with the same policy framework as for the Estero Area Plan, since it is a more detailed regulatory document for Los Osos, which is a portion of the Estero planning area. It follows that if the Los Osos Community Plan can be found to be consistent with the Estero Area Plan, it will be by definition consistent with the other regulations described above. Many of these regulations are discussed in more detail within other sections of this EIR, and used in part as the basis for determining whether or not there would be any potential impacts with respect to those issues that are evaluated. Thus, the draft LOCP’s consistency with the overall regulatory framework for various resources is included elsewhere in this EIR.

For the reasons described above, this section of the EIR will focus on the draft LOCP’s consistency with land use related policies included in the Estero Area Plan. It will also focus only on relevant policy provisions of the Estero Area Plan limited to those that relate to Los Osos, including any maps and diagrams that relate to those policies. For those most part, these are found in Chapter 7 of the Estero Area Plan, which are the Planning Area Standards, but are found elsewhere throughout the document as well.

The key aspects of the draft LOCP that will be evaluated in this section of the EIR include, but are not limited to:

- Chapter 2 – Community Plan Policies
- Chapter 7 – Planning Area Standards

To the extent necessary, other aspects of the LOCP will be evaluated as well, but in general, these portions of the plan are either background or setting information, or a recitation of relevant existing coastal policies that provide the basis for required coastal access. The relevant provisions of the draft LOCP Circulation Element (Chapter 5) are discussed in Section 4.13 of the EIR, *Transportation*.

Also note that the proposed Los Osos Community Plan is a regulatory document that is intended to expand upon the policy framework described above. Because this is not an existing document, but the subject of the EIR analysis, it is not included in the existing Regulatory Setting. However, its policies are analyzed in the Impact Analysis section relative to their consistency with the Estero Area Plan.

4.8.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to result in land use conflicts, or to conflict with the existing policy framework of the Estero Area Plan found to be consistent with applicable regulatory documents, including Coastal Act policies.

Significance Thresholds. Consistent with Appendix G of the State CEQA Guidelines and the County's adopted thresholds, impacts would be significant if development under the Community Plan would:

- *Be potentially inconsistent with land use, policy/regulation (e.g. general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan) adopted to avoid or mitigate for environmental effects;*
- *Be potentially inconsistent with any habitat or community conservation plan (Although there is a Habitat Conservation Plan (HCP) being prepared to address certain species found in the Los Osos area, it is not yet completed and thus not an adopted document. It is therefore not evaluated in this section of the EIR, because it is an not existing policy or plan. However, the intent of the HCP is discussed in Section 4.3 of this EIR, Biological Resources;*
- *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project;*
- *Be potentially incompatible with surrounding land uses; and/or*
- *Physically divide an established community.*

b. Impacts and Mitigation Measures. The following analysis examines the potential land use impacts of the proposed LOCP at a programmatic level of detail.

Threshold: *Would actions under the Community Plan result in development that is potentially inconsistent with surrounding land uses?*

Threshold: *Would actions under the Community Plan result in development that physically divide an established community?*

Impact LU-1 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 (Class II).

The land use pattern envisioned under the LOCP is generally similar to that already included in the adopted Estero Area Plan, with certain parcels throughout the community redesignated for other uses. In general, these changes are intended either to minimize potential impacts to environmentally sensitive areas, or to facilitate a more logical pattern of development more consistent with the intent of the Estero Area Plan and Coastal Act policies. In no case would these changes divide any established neighborhood, but would instead build on an existing pattern of development.

There are no expansion areas planned outside the URL, although as noted above, there will be minor adjustments to the existing URL, largely for administrative purposes so that certain parcels better coincide with existing property lines and ownership. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas. In general, these areas include the following:

- Central Business District
- Baywood Commercial Area
- West Side of 7th Street, between El Moro and Santa Maria Avenue
- Sweet Springs Area
- Broderson Site
- Midtown Site (Los Osos Valley Road at Palisades Avenue)
- Golf Course north of Howard Avenue
- Santa Ysabel Avenue Coastal Access
- Creekside Area (Rural Residential)
- West of Pecho Road Area
- Northwest corner of Mountain View Drive and Santa Ynez Avenue
- Morro Shores Area
- Bayview Heights
- Cuesta-by-the-Sea; Martin Tract
- Baywood Park Area
- Cabrillo Estates
- Highlands Neighborhood
- Los Osos Creek/Eto Lake Corridor
- Southwestern Hillsides

Within these areas, most existing land use designations will remain the same as they currently are. In some cases, minor land use designation changes are contemplated. In general, however, future growth will be a function of developing on currently vacant parcels.

In general, the LOCP envisions substantial decreases in land designated for residential and non-residential development, and corresponding increases in land designated for Open Space. Key changes from the Estero Area Plan are summarized below, and discussed in more detail in the Section 2.0, *Project Description*:

- **Substantial Decrease in Overall Residential Area.** There would be a net decrease in residential land use categories of nearly 419 acres, or about 15% less land area than is currently devoted to these categories. (This also accounts for the addition of the 65-acre Morro Shores Mixed Use category, which is currently residential, but would be re-designated to allow additional non-residential uses.) This would result a commensurate decrease in residential development potential compared to the existing land use designations, a concept that is explored in greater detail in the Alternatives section of this EIR.
- **Decrease in Overall Non-Residential Area.** There would be a 21-acre (or 14%) net decrease in non-residential (commercial and office) land use categories, although the proposed Morro Shore Mixed Use would provide some non-residential development potential to offset some of this decrease. Overall, this would result a commensurate decrease in non-residential development potential compared to the existing land use designations, a concept that is explored in greater detail in the Alternatives section of this EIR.
- **Substantial Increase in Open Space.** The proposed LOCP would include a 418-acre increase in Open Space within the plan area, which is over twice the amount currently designated for that purpose. Most of this change comes from decrease in both residential and non-residential area, and is shown on parcels throughout the community.
- **MSMU Category Provides Mixed Use Potential.** The Morro Shores Mixed Use category converts previously-designed RMF and RSF land into a 63-acre site that can take advantage of potential designs that incorporate a range of residential development, while also allowing a commercial service component. The intent is to allow flexibility in design to achieve a mixed-use community that addresses a variety of regional and County land use, air quality, and transportation goals.

Table 2-2 in the *Project Description* also reflects a proposed land use distribution based on the concept that the LOCP would modify the existing Los Osos Urban Reserve Line (URL) in two places to provide more logical boundaries, resulting in a net decrease of 46 acres within the URL. This includes removing a portion of the URL along the western side of the community abutting Montana de Oro State Park, which is now State-owned and part of the State Park. The other modification would be to add a small

area to the URL in the northeastern part of the community (which is also State-owned) in order to have the URL follow an existing property boundary.

Figure 4.8-1 shows the proposed land use pattern in the planning area, and potential changes from what is included in the Estero Area Plan.

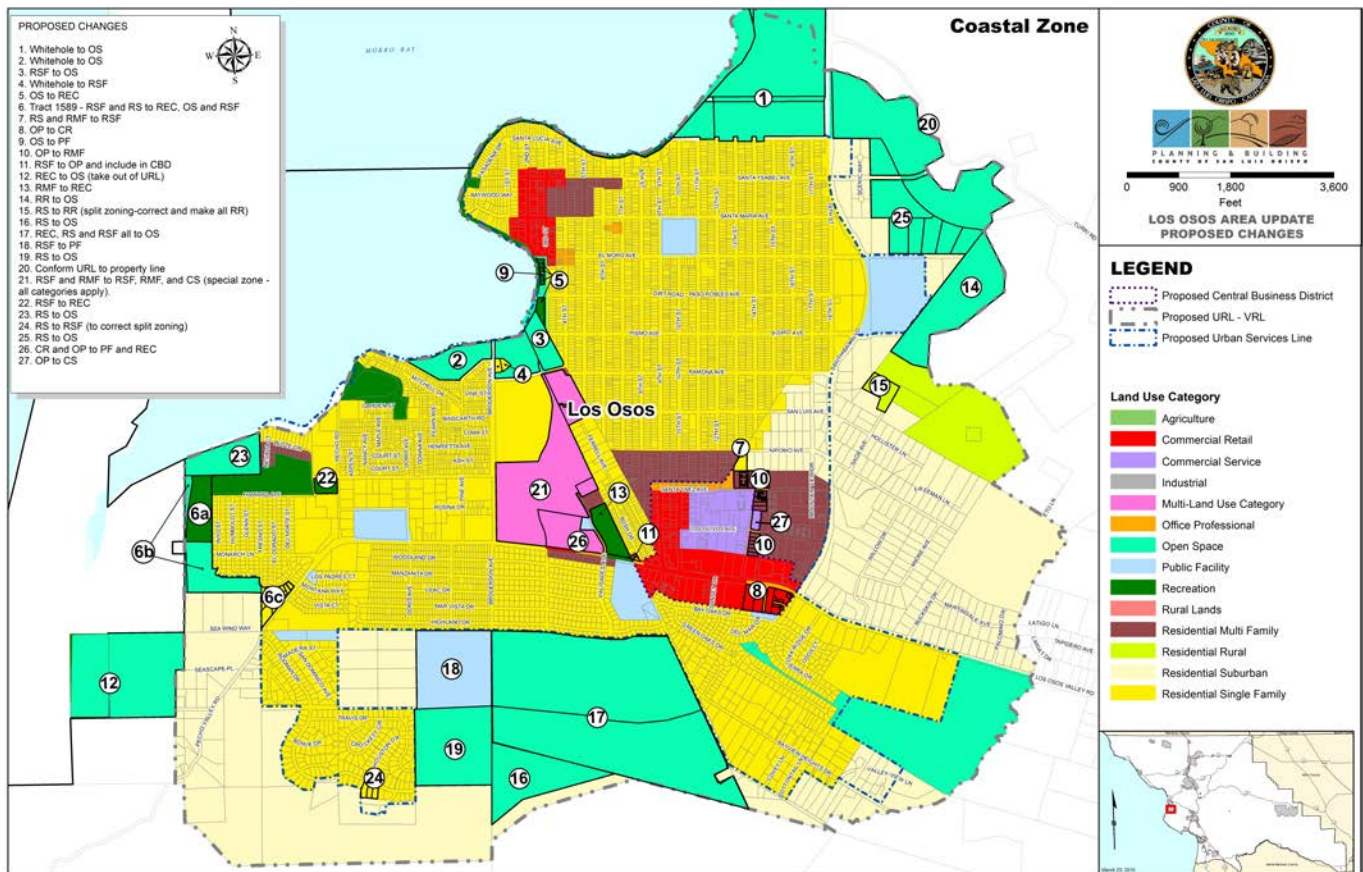


Figure 4.8-1. Proposed Land Use Changes by Parcel

Table 4.8-1 analyzes potential conflicts that may arise from proposed land use redesignations under the LOCP. In the table, potential conflicts are identified in **red**.

Table 4.8-1. Evaluation of Potential Conflicts from Land Use Designation Changes

Area Shown in Figure 4.8-1	Description of Area	APN	Existing Designation	Proposed Designation	Evaluation of Potential Conflicts
1	Elfin Forest	038-701-004, 008, 012, and 016	Uncertified ¹	OS	Designation to OS does not change the existing function of the Elfin Forest, and continues existing open space uses. No conflicts with existing residential to the south would occur.
2	Sweet Springs	074-229-010 074-101-004	Uncertified	OS	Designation to OS does not change the existing function of Sweet Springs, and continues existing open space uses. No conflicts with existing residential to the south would occur.
3	Sweet Springs East	074-229-009	RSF	OS	Designation to OS maintains land in current open space, and provides buffer between existing residential uses and Sweet Springs. No conflicts would occur.
4	Sweet Springs (Morro Palisades Co.)	074-229-014 074-229-015	Uncertified	REC	Designation to REC maintains land in current open space, and would be potentially consistent with adjacent Sweet Springs. However, the Land Use Map for draft LOCP identifies area to be designated for RSF, which is inconsistent with data provided by County. RSF is potentially in conflict with surrounding OS uses because of sensitive location near Sweet Springs.
5	West of 3rd between Pismo and El Moro Aves.	038-262-001, 007, and 004; 038-341-001	OS	REC	Parcels are currently undeveloped open space, but potentially appropriate as REC uses consistent with Coastal policies related to coastal access. Passive recreational uses are appropriate.
6	Tract 1589 (Monarch Grove)	074-026-002; 074-026-003; 074-029-001 thru 015	RS (4.0 ac) RSF (22.65 ac)	OS (16.31 ac) REC (10.34 ac)	Parcels that are currently undeveloped open space are appropriate as OS. Existing golf course is appropriately REC. The proposed redesignation would recognize existing open space and golf course development.
7	Nipomo/13th (Kesner GPA)	074-273-001 and 038-642-001	RS (1.26 ac) RMF (0.06 ac)	RSF	Proposed RSF designation allows density consistent with adjacent residential land uses.
8	S/side LOVR from w/o Chaparral to near South Bay Blvd.	074-304-004; 005; and 007; 074-314-015 thru 020	OP	CR	Proposed CR designation allows commercial retail development consistent with nearby uses on Los Osos Valley Road.
9	LOCSD well site west of 3rd St., s/o El Moro Ave.	038-262-008	OS	PF	Proposed PF designation recognizes existing well site. No land use conflicts would occur.
10	East side Fairchild Way; north side Santa Ynez Ave. west of 12th	074-226-030 thru 039; 074-294-014, 020, 021, 011, 013, 012; 074-223-017, 025; 074-227-001 thru 012 and 015	OP	RMF	Proposed RMF designation recognizes existing multi-family residential development, and is consistent with adjacent similar development to the east. Provides appropriate transition to nearby non-residential uses. No land use conflicts would occur.
11	Northwest corner Los Osos	074-243-013 thru 015	RSF	OP	Proposed OP designation more appropriate adjacent to LOVR than existing RSF designation. Also recognizes existing development consistent

Table 4.8-1. Evaluation of Potential Conflicts from Land Use Designation Changes

Area Shown in Figure 4.8-1	Description of Area	APN	Existing Designation	Proposed Designation	Evaluation of Potential Conflicts
	Valley Rd/Bush Dr.				with proposed OP designation.
12	West of Western Fringe of West of Pecho area and Hotel site (State-owned)	074-011-010 and 074-011-012	REC	OS (Rural Estero)	Proposed OS designation appropriately recognizes existing open space uses. No conflicts would occur.
13	East side Palisades Ave. adjacent to community park (county)	074-229-027	RMF	REC	Proposed REC designation appropriately recognizes expansion of community park, and is consistent with existing park uses on site. No conflicts would occur.
14	Powell Property Adjacent to Los Osos Creek (State owned)	067-012-011	RR	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from RR designation removes potential conflict and impact in sensitive resource area.
15	Southerly Ptn. Parcel B, COAL 01-0203 (Powell)	067-012-017	RS	RR	Proposed RR corrects an existing split parcel zoning and appropriately rezones to a lower density residential designation.
16	Ptn. former Tr. 1976 (Southeastern Hillside)	067-131-006	RS	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from RS designation removes potential conflict and impact in sensitive resource area. No conflicts would occur.
17	Eastern Hillside, Morro Palisades	073-023-004, and 005	REC (32.0 ac) RS (79.0 ac) RSF (109.5 ac)	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from existing designation removes potential conflict and impact in sensitive resource area. No conflicts would occur.
18	Upper Broderson	074-022-074	RS	PF	Proposed PF designation may be appropriate, but would be adjacent to existing residential uses. However, the site is used as a leachfield, and does not present noise or lighting conflicts with nearby residential development.
19	Lower Broderson	074-022-073	RSF	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from existing designation removes potential conflict and impact in sensitive resource area. No conflicts would occur.
20	URL to conform to property boundary	038-711-011	OS (Rural Estero)	OS	No change to existing OS designation, just an administrative boundary shift. No conflicts would occur.
21	Morro Shores Mixed Use Area	074-229-024, 026	RSF (23.3 ac) RMF (38.0 ac)	Morro Shores Mixed Use	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

Table 4.8-1. Evaluation of Potential Conflicts from Land Use Designation Changes					
Area Shown in Figure 4.8-1	Description of Area	APN	Existing Designation	Proposed Designation	Evaluation of Potential Conflicts
					development in the area that ensures internal compatibility and with nearby uses.
22	Ptn. Tract 1646 west of Pecho Road, s/o Skyline	074-026-010	RSF	REC	Proposed REC designation is an appropriate extension of existing recreational (golf course) uses to the north and west, and potentially compatible with residential development to the east and south.
23	Terminus Butte Dr.	074-011-014	RS	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from RS designation removes potential impacts in sensitive resource area adjacent to bay, and removes potential impacts related to residential development from coastal hazards. No conflicts would occur.
24	Cabrillo RS to RSF correct split zoning	074-457-030, 031, and 032	RS	RSF	Proposed RSF corrects an existing split parcel zoning and appropriately rezones to a more dense residential designation to better facilitate development on a 1-acre parcel.
25	Northeast properties RS to OS (State owned)	038-711-004, 041, 015, 016, 035, 036, 037, 038	RS	OS	Proposed OS designation appropriately recognizes existing open space uses. Change from existing designation removes potential conflict and impact in sensitive resource area. No conflicts would occur.
26	TRI-W / Midtown	074-229-017	CR/OP	PF/REC	Proposed PF/REC designation may be appropriate, but would be adjacent to existing residential uses. Depending on the nature of recreation-oriented public facility development, land use conflicts could occur from lighting and other issues associated with public facilities.
27	Los Olivos and Fairchild	074-293-015	OP	CS	Proposed CS designation is potentially appropriate and consistent with existing CS development to the west. However, 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.
1. "Uncertified" refers to areas where the Coastal Commission currently has retained jurisdiction, because the County and the Coastal Commission could not agree on land use designations and standards. These areas would be redesignated as shown in the table.					

In summary, there would be relatively few potential land use conflicts arising from the updated land use pattern, which is intended to minimize impacts to sensitive natural resources, or to facilitate a more logical and flexible development pattern within the community. The conflicts that are identified may or may not actually occur, because they may be adequately addressed through individual project design. However, because no development has yet been proposed in such areas, thus analysis concludes that conflicts are possible unless mitigated through design. As shown on **Table 4.8-1**, the areas in which this could occur include:

- Area 26. Tri-W/Midtown
- Area 27. Los Olivos and Fairchild

Development in these areas could result in potential land use compatibility conflicts with neighboring land uses, depending on the design of projects that might occur in such areas. Potential impacts are considered **Significant but Mitigable (Class II)**.

In the case of one area, there appear to be an internal conflict between the proposed LOCP map and data underlying the assumptions for development that need to be resolved before adoption of the LOCP:

- Area 4. Sweet Springs (Morro Palisades Co.)

No significant impact is identified, but resolution of the potential administrative conflict is needed.

Mitigation Measures. The following mitigation measure is required to address potentially significant land use conflicts in the identified areas:

LU-1(a) Standards to Minimize Land Use Conflicts. The LOCP shall be modified to include design and/or planning area standards for the Tri-W/Midtown and Fairchild/Los Olivos parcels (Areas 26 and 27), in order to address and minimize potential land use conflicts with neighboring uses. Standards should address the specific types of allowed uses, and address design considerations such as setbacks, building heights, lighting, landscaping, and architecture. These standards shall be implemented in project design, when development applications in these areas are considered.

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: *Would actions under the Community Plan be potentially inconsistent with land use, policy/regulation (e.g. general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan) adopted to avoid or mitigate for environmental effects?*

Threshold: *Would actions under the Community Plan be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*

Impact LU-2 The proposed policy framework under the LOCP is generally consistent with the policy framework and intent of the Estero Area Plan, and therefore with all other regulatory documents from which the Estero Area Plan is derived. However, certain policies in the Estero Area Plan do not have a corresponding implementation framework in the LOCP. This is considered a significant but mitigable (Class II) impact.

The Los Osos Community Plan (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. The sewer project has been a prerequisite to growth in Los Osos, and the effects of that project were examined in a separate certified EIR. 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.

The key components of the draft LOCP include:

- *Updating data and information from the approved Estero Area Plan with respect to the Los Osos urban area;*
- *Incorporating strategic growth policies;*
- *Incorporating conditions of approval from the Coastal Development Permit for the Los Osos Wastewater Project, including*
 - ✓ *Development of a sustainable buildout target supported by the safe yield of the groundwater basin; and*
 - ✓ *Integration of conservation strategies from the HCP currently under preparation*
- *Considering Coastal Commission issues identified during the 2004 and 2009 Estero Area Plan update; and*
- *Developing a Public Facilities Financing Plan for new development.*

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

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

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

1. Environment

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

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

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

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

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

6. Residential, Commercial and Industrial Land Uses

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

7. Visitor-Serving, Recreation and Industrial Land Uses

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

8. Public Services and Facilities

- a. *Base all land use policies and plans on sustainable development that meets the needs of current population and visitors without endangering the ability of future population to meet its needs.*
- b. *Carefully manage water resources to provide a clean, sustainable resource for the community.*
- c. *Provide needed local services, such as urgent care facilities, senior care facilities, etc.*

9. Circulation

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

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

Policy Consistency Analysis

Table 4.8-2 provides an analysis of the LOCP's proposed policy framework in the context of the existing Estero Area Plan. As described in the table, the LOCP builds on, and is consistent with, the policy framework included in the Estero Area Plan.

Table 4.8-2. LOCP Policy Consistency Analysis with Estero Area Plan			
Proposed LOCP Policy		Proposed LOCP Implementation	Estero Area Plan Consistency Analysis
EC-1	Encourage economic development that will make Los Osos more economically self-sufficient.	Program EC-1.1: Identify target businesses. Program EC-1.2: Conduct targeted marketing. Program EC-1.3: Promote tourist-oriented development.	Fulfills intent of Chapter 2 of the Estero Area Plan, Economy and Population. Consistent with Goals 1-6 for the Entire Planning Area (pages 2-4 and 2-5 of the Estero Area Plan) encouraging economic development.
EC-2	Provide flexible zoning that enables businesses to expand and remain in the community.	Land use plan	Fulfills intent of Chapter 2 of the Estero Area Plan, Economy and Population. Consistent with Goals 1-6 for the Entire Planning Area (pages 2-4 and 2-5 of the Estero Area Plan) encouraging economic development.
EC-3	Improve commercial areas by making them more attractive and pedestrian-friendly.	Program EC-3.1: Business Improvement District.	Consistent with Los Osos Land Use policies encouraging high quality urban design to create an attractive environment (pages 4-17 to 4-25) and related Los Osos Urban Area Standards

Table 4.8-2. LOCP Policy Consistency Analysis with Estero Area Plan

Table 4.8-2. LOCP Policy Consistency Analysis with Estero Area Plan			
Proposed LOCP Policy		Proposed LOCP Implementation	Estero Area Plan Consistency Analysis
			(pages 7-76 to 7-106).
PS-1	Monitor water demand through the Resource Management System to ensure that new development can be supported by available water supplies.	Program PS-1.1: Water-Allocations for new development. Estero Area Plan, Chapter 7, Standard III.J	Provides a policy and program framework consistent with intent of Estero Area Plan Standard III.J: <i>"New development using water from the Los Osos Groundwater Basin shall be required to offset water use within the Los Osos Groundwater Basin and shall not result in a net increase in water use."</i>
PS-2	Implement the provisions of an adopted Basin Plan for the Los Osos Groundwater Basin.	Program PS-2.1: Water – Groundwater management.	Provides a policy and program framework consistent with intent of Estero Area Plan Standard III.J. See above.
PS-3	Continue to work cooperatively with local government agencies to coordinate location of new facilities and shared use of existing facilities.	Implemented as a policy.	Consistent with the overall intent of the Estero Area Plan to provide for orderly and managed growth in an economically and environmentally sustainable manner, concepts that are woven throughout its policy framework. Also consistent with Public Facilities Program E.2., which encourages co-location of key public facilities in Los Osos.
LU-1	Maintain a hard urban edge around Los Osos, surrounded by a well-managed greenbelt.	Land use plan Program LU-1.1 Los Osos Greenbelt	Consistent with Rural Area Land Use Policy II.B.3. relating to greenbelt protection: <i>"Support creation of a greenbelt adjacent to the urban reserve line to clearly define the urban edge of Los Osos, prevent urban sprawl, discourage conversion of agricultural land, and protect unique and sensitive habitat, including wildlife corridors."</i>
LU-2	Concentrate or cluster development to protect contiguous environmentally sensitive areas.	Land use plan Planning Area Standards: Section 7.3 – Subsection E	Consistent with the overall intent of the Estero Area Plan to provide for orderly and managed growth in an economically and environmentally sustainable manner, concepts that are woven throughout its policy framework.
LU-3	Maintain a small-town atmosphere, while increasing opportunities for business and employment.	Land use plan Planning Area Standards: Section 7.3 – Subsections B.2, E, L.3, N, and P. Program LU-3.1: Gateways. Program LU-3.2: CBD design and enhancement.	See consistency discussion for Policy LU-2.
LU-4	Promote pedestrian travel and activities so that commercial areas become pedestrian- rather than automobile-oriented.	Land use plan Circulation plan Planning Area Standards: Section 7.5 – Subsection A.3	See consistency discussion for Policy LU-2.
LU-5	Plan for a flexible combination of residential, service, office, and lodging uses at the Morro Shores	Planning Area Standards: Section 7.5 – Subsection J	See consistency discussion for Policy LU-2.

Table 4.8-2. LOCP Policy Consistency Analysis with Estero Area Plan

Proposed LOCP Policy		Proposed LOCP Implementation	Estero Area Plan Consistency Analysis
	Mixed Use Area.		
LU-6	Maintain and enhance the unique character of the Baywood Commercial Area.	Program LU-6.1: Baywood Commercial Area design and enhancement. Planning Area Standards: Section 7.5 – Subsection A.5	See consistency discussion for Policy LU-2.
LU-7	Provide opportunities for a variety of housing types that are affordable to people of different income levels.	Planning Area Standards: Section 7.3 – Subsection O Section 7.5 – Subsections I.1.b and J.4.c	See consistency discussion for Policy LU-2.
LU-8	Maintain a suburban character in Residential Single Family neighborhoods that will not be served by the wastewater project.	Planning Area Standards: Section 7.5 – Subsections L.3 and L.11	See consistency discussion for Policy LU-2.
LU-9	Provide adequate parkland, open space, and recreation areas to accommodate Los Osos’ anticipated population in 2035.	Land use plan Program LU-9.1: New parks and recreation facilities. Program LU-9.2: Multiple use of drainage basins. Program LU-9.3: Joint use of school facilities. Program LU-9.4: Recreation program.	See consistency discussion for Policy LU-2. Also consistent with Recreation policies related to Los Osos (Section V.B. of the Estero Area Plan).
CIR-1	Maximize public access to and along the coast.	Circulation plan Program CIR-1.1: Accept and retain coastal access offers Program CIR-1.2: Abandonments and quiet title action. Program CIR-1.3: Protect existing access points. Program CIR-1.4: Develop access improvements.	Consistent with Estero Area Plan Vision and General Goal A.1: <i>“Provide maximum public access, and protect existing public access, to the coast, the shoreline, the bay, and public recreation areas, consistent with the need to protect natural and agricultural resources and private property rights.”</i>
CIR-2	Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.	Circulation plan Program CIR-2.1: Transit system. Program CIR-2.2: Transportation Demand Management.	Consistent with Countywide Circulation Goals 1-10 that relate to providing a multi-modal transportation system that is consistent w the level of growth and development anticipated under the plan (Circulation Element Section II.)
CIR-3	Responsibly finance and administer the community circulation system.	Implemented as a policy.	Consistent with related economic and transportation goals and policies included in the Estero Area Plan.
CIR-4	Design the circulation system to be compatible with the community’s character and responsive to local environmental needs.	Circulation plan Program CIR-4.1: Narrow streets. Program CIR-4.2: Trees. Program CIR-4.3: Commercial streetscape. Program CIR-4.4: Traffic calming.	Consistent with Countywide Circulation Goals 1-10 that relate to providing a multi-modal transportation system that is consistent w the level of growth and development anticipated under the plan (Circulation Element Section II.) Also consistent with the overall intent of the

Table 4.8-2. LOCP Policy Consistency Analysis with Estero Area Plan			
Proposed LOCP Policy		Proposed LOCP Implementation	Estero Area Plan Consistency Analysis
			Estero Area Plan to provide for orderly and managed growth in an economically and environmentally sustainable manner, concepts that are woven throughout its policy framework.
EN-1	Effectively manage endangered and threatened biological resources in and around Los Osos.	Program EN-1.1: Habitat Conservation Plan. Program EN-1.2: Recovery Plan. Program EN-1.3: Habitat monitoring. Program EN-1.4: Protection and management of sensitive habitats. Program EN-1.5: Support conservation organizations. Program EN-1.6: Morro Bay shoreline wetlands mapping.	Consistent with the overall intent of policies and programs included in Chapter 6 of the Estero Area Plan, notably those related to the Sensitive Resource Area Combining Designation, particularly with regard to the Morro Bay Estuary and Shoreline, as well as those related to Los Osos and Vicinity (Chapter 6, Section III.E.1 though 11; and VI.A. and B.)
EN-2	Manage urban runoff to reduce discharge of pollutants into Morro Bay.	Program EN-2.1: Los Osos runoff control. Program EN-2.2: Los Osos urban watershed management.	Consistent with the overall intent of policies and programs included in Chapter 6 of the Estero Area Plan, notably those related to water quality, particularly with regard to the Morro Bay Estuary and its watershed (Chapter 6, Section IV, V and VI.C, D and E.)

Combining Designations: A Key Implementation Tool

An important implementation mechanism in both the proposed LOCP and the Estero Area Plan is the concept of the “Combining Designation”. These are land use overlay designations intended to provide protection for various environmental resources, or in some cases, to protect people and structures for various hazards. It is a fundamental method under the County’s General Plan for implementing the policy framework included in that document, and all community plans that derive from that document, including the proposed LOCP. Therefore, it is important that the LOCP provide a consistent presentation of the Combining Designations, both internally, and with regard to how they are presented in the Estero Area Plan, which functions as the County’s General Plan for the region in which Los Osos is located.

Table 4.8-3 provides this analysis.

Table 4.8-3. LOCP Combining Designations – Consistency Analysis with Estero Area Plan		
Proposed LOCP Combining Designations	LOCP Description of Combining Designations	Consistency Analysis – Internally and with the Estero Area Plan
Coastal Zone (LCP)	The coastal zone encompasses the entire Los Osos community. The LCP combining designation identifies	LCP Combining Designation covers entire planning area. Recognizes that the LOCP must be consistent with Coastal Act policies, and this is an appropriate

Table 4.8-3. LOCP Combining Designations – Consistency Analysis with Estero Area Plan		
Proposed LOCP Combining Designations	LOCP Description of Combining Designations	Consistency Analysis – Internally and with the Estero Area Plan
	specific programs to ensure that access to the shoreline is provided in accordance with the policy of the Local Coastal Plan.	mechanism to include all Coastal Act requirements by reference. The Estero Area Plan is consistent with Coastal Act, and as LOCP is potentially consistent with Estero Area Plan, it is also consistent with Coastal Act.
Geologic Study Area (GSA)	Includes two “sub” Combining Designations: <ul style="list-style-type: none"> • Los Osos Liquefaction GSA • Ground Rupture GSA 	There is no discussion of the GSA Combining Designation the LOCP Planning Area Standards. GSA Standards are described in the Estero Area Plan, but not for the Los Osos Urban Area. These either should be included in the LOCP, and the Estero Area Plan modified to include a description of the GSA in the Los Osos Urban Area, or appropriate CZLUO standards should be referenced in the LOCP document.
Flood Hazard (FH)	Addresses flood issues along Morro Creek	There is no discussion of the FH Combining Designation in the LOCP Planning Area Standards. FH Standards are described in the Estero Area Plan, but not for the Los Osos Urban Area, and not for Los Osos Creek. These either should be included in the LOCP, and the Estero Area Plan modified to include a description of the FH Combining Designation in the Los Osos Urban Area, or appropriate CZLUO standards should be referenced in the LOCP document.
Historic Site (H)	Addresses the Los Osos schoolhouse	There is no discussion of the H Combining Designation in the LOCP Planning Area Standards. It is described in the Estero Area Plan, including the Los Osos Schoolhouse, but no standards for the schoolhouse are included in that document, nor in the LOCP. These either should be included in the LOCP, and should be included in the Estero Area Plan, or appropriate CZLUO standards should be referenced in the LOCP document.
Archaeologically Sensitive Area (AS)	Identifies areas of the community known for the potential to contain cultural resources. Applicants of development proposals in these areas are required to obtain a records check and a surface search prior to approval. Standards to protect resources are described in the LCP Policy Document and in Section 23.07.104 of the Coastal Zone Land Use Ordinance.	There is no discussion of the AS Combining Designation in the LOCP Planning Area Standards. In the Estero Area Plan, standards are subsumed into SRA standards (per Section VI.G), but not actually described further in that document. These either should be included in the LOCP, and the Estero Area Plan modified to include a description of the AS Combining Designation in the Los Osos Urban Area, or appropriate CZLUO standards should be referenced in the LOCP document.
Sensitive Resource Area (SRA)	Includes and describes several “sub” Combining Designations: <ul style="list-style-type: none"> • Morro Bay Estuary SRA <ul style="list-style-type: none"> ○ Morro Bay Sandspit SRA ○ Los Osos Estuary SRA 	Section 7.4.A.of the LOCP describes standards for “Morro Bay Shoreline SRA”, but there is no equivalent SRA described in Chapter 2 of the LOCP. There is also no discussion of, or standards for, the “sub” SRA s described in Chapter 7 of the LOCP. The two sections must use

Table 4.8-3. LOCP Combining Designations – Consistency Analysis with Estero Area Plan		
Proposed LOCP Combining Designations	LOCP Description of Combining Designations	Consistency Analysis – Internally and with the Estero Area Plan
	<ul style="list-style-type: none"> ○ Elfin Forest SRA ○ Baywood Peninsula SRA • Los Osos Monarch Butterfly SRA • Eto and Warden Lakes SRA • Los Osos Ecosystem SRA 	<p>equivalent terms, and standards must be tailored for the identified Combining Designations.</p> <ul style="list-style-type: none"> • Los Osos Monarch Butterfly SRA. There is no discussion of this SRA in the LOCP Planning Area Standards. Standards must be created for this SRA. • Eto and Warden Lakes SRA. There is no discussion of this SRA in the LOCP Planning Area Standards, except for standards included in the Residential Suburban designation that relate to Eto Lake. Standards must be created for this SRA. • Los Osos Ecosystem SRA. Section 7.4.B. includes appropriate standards for this SRA. <p>The Estero Area Plan describes the SRA for the Los Osos Urban Area, and identifies the following “sub” SRAs:</p> <ul style="list-style-type: none"> • Sweet Springs and Cuesta-by-the-Sea SRA • Morro Bay SRA • Morro Bay Kangaroo Rat SRA <p>The LOCP and Estero Area Plan should describe and include standards for the same SRA components. The LOCP should describe the existing SRAs included in the Estero Area Plan, and the Estero Area Plan should be modified to include those in the LOCP. If appropriate, applicable references to standards in the CZLUO should be included.</p>

As described in **Table 4.8-3**, many of the Combining Designations in the proposed LOCP do not have corresponding standards to provide an adequate framework for their implementation. Standards for these combining designations either should be added and included in Chapter 7 of the proposed LOCP, or the LOCP should include appropriate references to applicable standards in the CZLUO. In some cases, the existing Combining Designations in the Estero Area Plan as they apply to Los Osos are not included or described in the LOCP. These potential inconsistencies must be resolved in both documents, based on direction provided in **Table 4.8-3**. Until this occurs, policy-related impacts are potentially **Significant but Mitigable (Class II)**.

Mitigation Measures. The following mitigation measure is required to address potentially significant policy inconsistencies between the proposed LOCP and Estero Area Plan:

LU-2(a) Combining Designation Consistency. The LOCP shall be modified either to include additional standards for identified Combining Designations for which no standards

have been included in the plan, or references to existing applicable standards in the CZLUO shall be included where appropriate, as shown on Table 4.8-3 of the EIR. In addition, some existing Combining Designations in the Estero Area Plan as they apply to Los Osos are not included or described in the proposed LOCP. These potential inconsistencies must be resolved in both documents, based on direction provided in Table 4.8-3.

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

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

Residual Impacts. With proposed mitigation, impacts would be less than significant.

c. Cumulative Impacts. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For land use and policy issues, project-specific impacts are considered the same as cumulative impacts. As described above, this includes significant but mitigable impacts related to land use and policy consistency. With prescribed policy-level mitigation to be included in the proposed LOCP, cumulative impacts would be considered **Class III, less than significant**. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review as appropriate.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.8-4** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.8-4. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	LU-1 and LU-2
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	LU-1 and LU-2

Table 4.8-4. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review

Condition	Impact to Address
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than LU-1 and LU-2
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened LU-1 and LU-2, as applicable

4.9 NOISE

This chapter summarizes the results of the Noise Analysis prepared for the Community Plan (Appendix D). As part of this assessment, noise levels due to vehicle traffic were calculated and evaluated against County of San Luis Obispo (County) General Plan standards. In addition to compatibility, the potential for noise to impact adjacent receivers from future on-site sources and construction activity was assessed. As concluded in the Noise Analysis, impacts associated with the increase in ambient noise levels and vibration would be less than significant. Impacts associated with the exposure of future development to noise levels in excess land use compatibility standards would be significant but mitigable. Additionally, impacts associated with the exposure of adjacent land uses to construction noise and on-site generated noise would be significant. Implementation of the mitigation outlined in the chapter would reduce all impacts to a level less than significant.

4.9.1 Setting

a. Existing Noise Environment.

Definition of Terms. Sound levels are described in units called the decibel (dB). A change in noise levels is generally perceived as follows: 3 A-weighted dB [dB(A)] barely perceptible, 5 dB(A) readily perceptible, and 10 dB(A) perceived as a doubling or halving of noise (California Department of Transportation [Caltrans] 2013). The noise descriptors used for this study are the one-hour equivalent noise level (L_{eq}) and the community noise equivalent level (CNEL). The CNEL is a 24-hour equivalent sound level. The CNEL calculation applies an additional 5 dB(A) penalty to noise occurring during evening hours, between 7:00 p.m. and 10:00 p.m., and an additional 10 dB(A) penalty is added to noise occurring during the night, between 10:00 p.m. and 7:00 a.m. These increases for certain times are intended to account for the added sensitivity of humans to noise during the evening and night.

Sound from a localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern, known as geometric spreading. The sound level decreases or drops off at a rate of 6 dB(A) for each doubling of the distance.

Traffic noise is not a single, stationary point source of sound. The movement of vehicles makes the source of the sound appear to emanate from a line (line source) rather than a point when viewed over some time interval. The drop-off rate for a line source is 3 dB(A) for each doubling of distance. The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site (such as parking lots or smooth bodies of water) receives no additional ground attenuation, and the changes in noise levels with distance (drop-off rate) are simply the geometric spreading of the source. A soft site (such as soft dirt, grass, or scattered bushes and trees) provides an additional ground attenuation value of 1.5 dB(A) per doubling of distance. Thus, a point source over a soft site would drop off at 7.5 dB(A) per doubling of distance and a line source would drop off at 4.5 dB(A) per doubling of distance.

Groundborne vibration consists of oscillatory waves that propagate from the source through the ground to adjacent structures. The frequency of a vibrating object describes how rapidly it is oscillating. The number of cycles per second of oscillation is the vibration frequency, which is described in terms of hertz (Hz). The normal frequency range of most groundborne vibration that can be felt generally starts from a low frequency of less than 1 Hz to a high of about 200 Hz (Crocker 2007). Vibration levels are usually expressed as a single-number measure of vibration magnitude in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (ppv) is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in inches per second.

Noise Measurements. Ambient noise levels were measured in the planning area to provide a characterization of the variability of noise and to assist in determining constraints and opportunities for future development. Eight 15-minute and three 30-minute measurements for a total of eleven daytime noise level measurements were conducted throughout the study area. Noise measurement locations are shown in **Figure 4.9-1** and the results are summarized in **Table 4.9-1**. The main source of noise in the Community Plan area is vehicle traffic on area roadways. Other noise sources included parking lot activities, distant construction, pedestrians, animal vocalizations, and other sources associated with a typical urban environment. As shown, noise levels measured in the Community Plan area ranged from 54.1 to 66.2 dB(A) L_{eq} .

Table 4.9-1. Noise Measurements

ID	Location	Date	Time	L_{eq}
1	Los Osos Valley Road near eastern City boundary	2/16/2016	9:49 a.m. – 10:04 a.m.	66.2
2	Los Osos Valley Road near commercial uses	2/2/2016	2:52 p.m. – 3:07 p.m.	64.3
3	Pecho Valley Road near western City boundary	2/16/2016	2:04 p.m. – 2:19 p.m.	60.5
4	South Bay Boulevard south of school/mixed-use area	2/16/2016	4:36 p.m. – 4:51 p.m.	63.0
5	9 th Street, representative of a collector	2/16/2016	10:57 a.m. – 11:27 a.m.	58.0
6	Baywood commercial area	2/2/2016	9:30 a.m. – 10:00 a.m.	61.9
7	Midtown/Morrow Shores mixed-use areas (Los Osos Valley Road)	2/16/16	1:10 p.m. - 1:25 p.m.	64.2
8	Santa Ysabel Avenue	2/16/2016	3:31 p.m. – 4:01 p.m.	57.7
9	Baywood Elementary School (11 th St. & Santa Maria Ave.)	2/2/2016	11:23 a.m. – 11:38 a.m.	54.1
10	Monarch Grove Elementary School (Los Osos Valley Rd.)	2/2/2016	12:31 p.m. – 12:46 p.m.	59.6
11	Los Osos Valley Road/South Bay Blvd intersection	2/2/2016	1:59 p.m. – 2:14 p.m.	62.2

Existing Noise Contours. The roads generating the greatest noise level in the Community Plan area are Los Osos Valley Road and South Bay Boulevard. **Figure 4.9-2** shows the existing vehicle traffic noise contours. The noise contour distances represent the predicted noise level for each roadway without the attenuating effects of noise barriers, structures, topography, or dense vegetation. As intervening structures, topography, and dense vegetation would affect noise exposure at a particular location, the noise contours should not be considered site-specific but are rather guides to determine when detailed acoustic analysis should be undertaken. As shown, Los Osos Valley Road and South Bay Boulevard generate the loudest noise levels in the community. Existing noise levels exceed 60 CNEL adjacent to Los Osos Valley Road and South Bay Boulevard. The 70 CNEL contours for Los Osos Valley Road and South Bay Boulevard fall just at the edge of the right-of-way, and existing land uses are not exposed to noise levels 70 CNEL or greater.

b. Regulatory Setting. The study area is exposed to noise from vehicle traffic on area roadways, construction, and from other local noise sources. Federal noise standards include transportation-related noise sources related to interstate commerce (i.e., aircraft, trains, and trucks) for which there are not more stringent state standards. State noise standards are set for automobiles, light trucks, and motorcycles. Local noise standards and guidelines are set for industrial, commercial, and construction activities subject to local noise ordinances and General Plan policies and land use compatibility guidelines. The following is a detailed discussion of the applicable local regulations.

County of San Luis Obispo General Plan. The San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The Noise Element specifies compatibility guidelines for different categories of land use. **Table 4.9-2** shows the ranges of noise exposure from transportation noise sources which are considered to be acceptable, conditionally acceptable, or unacceptable for the development of different land uses. **Table 4.9-2** is used to determine whether mitigation is needed for development of land uses near major transportation noise sources. In areas where the noise environment is acceptable, new development may be permitted without requiring noise mitigation. For areas where the noise environment is conditionally acceptable, new development should be allowed only after noise mitigation has been incorporated into the design of the project to reduce noise exposure to the levels specified by the policies specified in Section 3.3 of the Noise Element. For areas where the noise environment is unacceptable, new development in compliance with the Noise Element policies is usually not feasible.

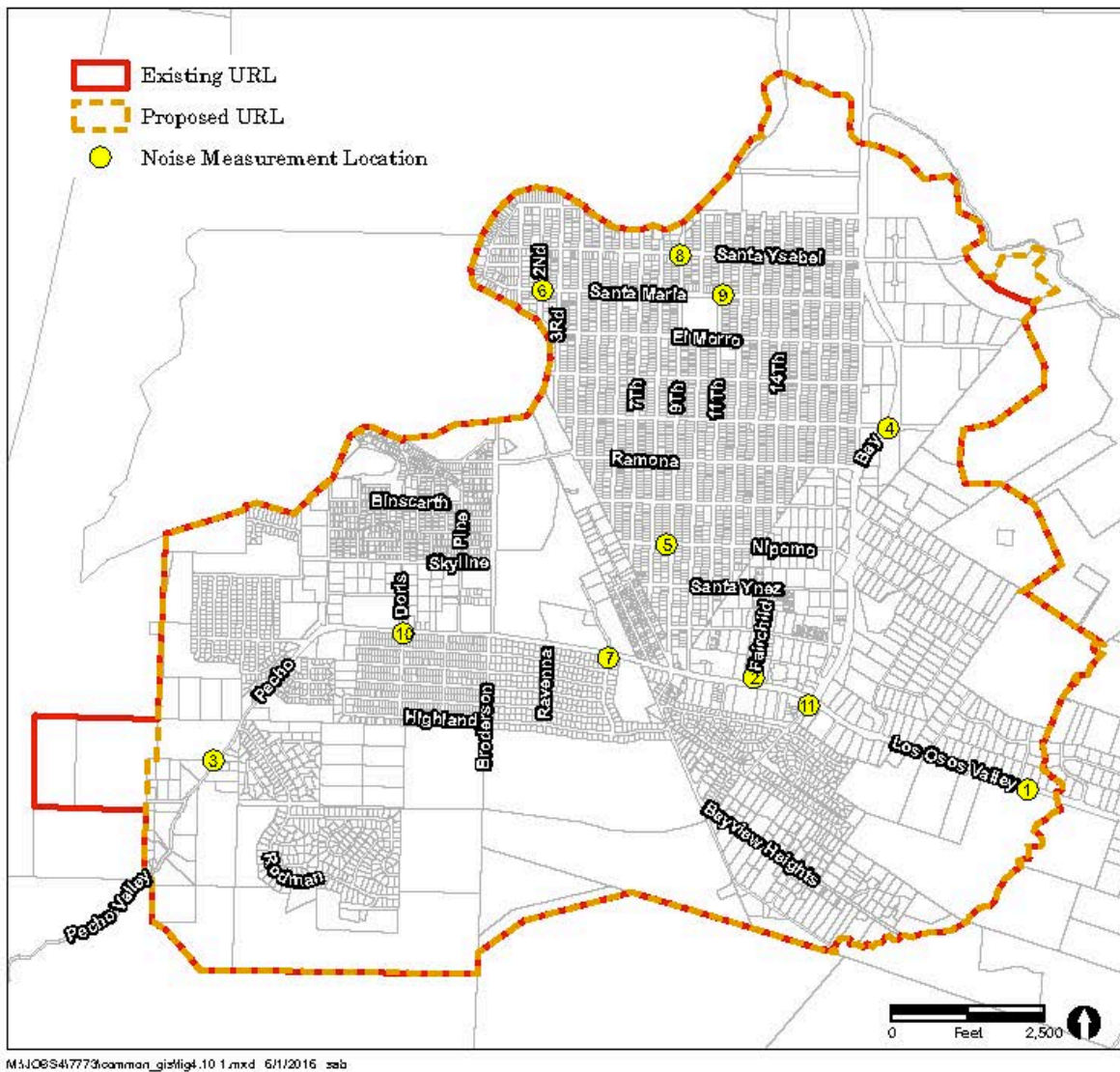


Figure 4.9-1. Noise Measurement Locations

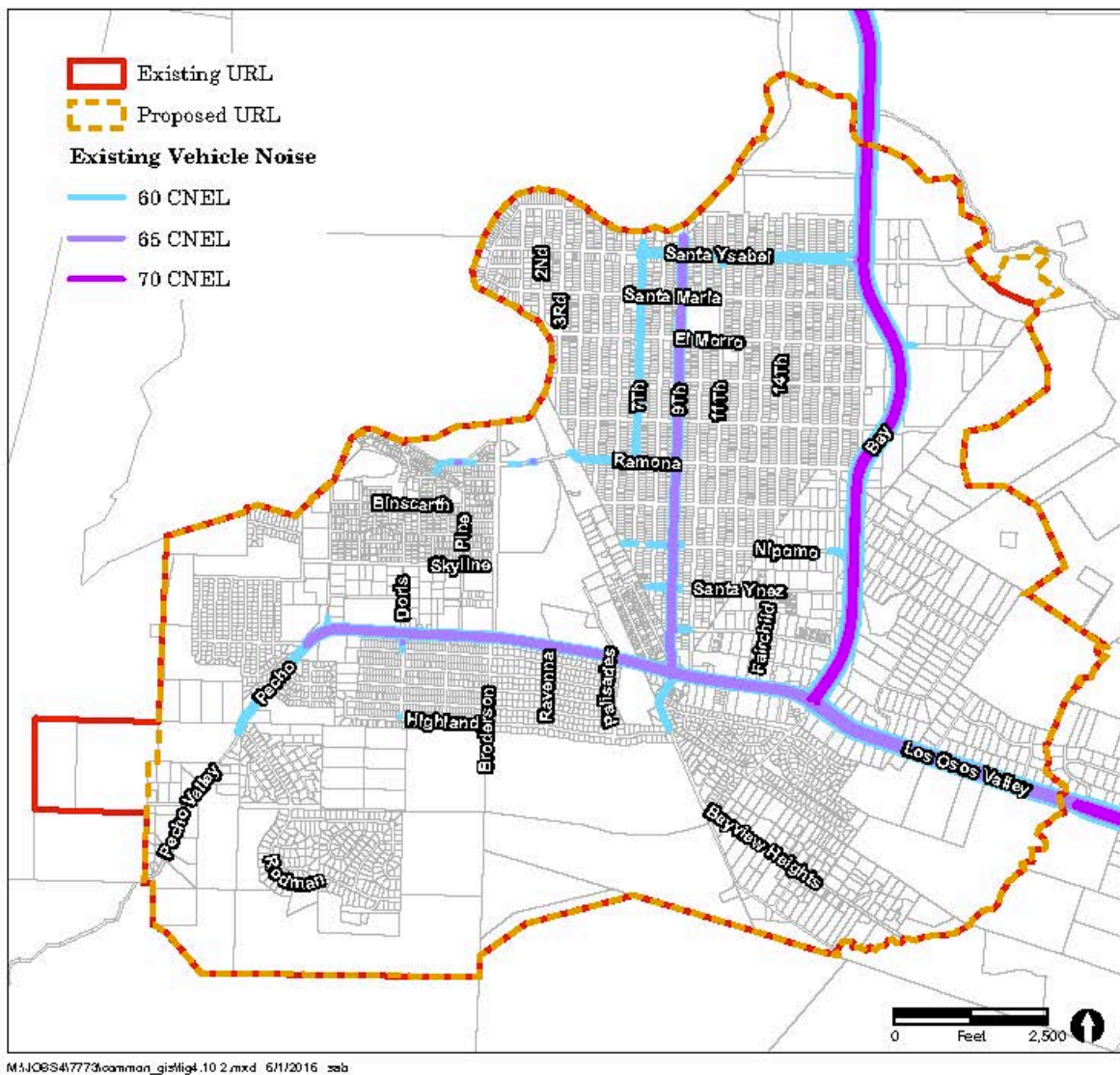


Figure 4.9-2. Existing Vehicle Traffic Noise Contours

Table 4.9-2. County of San Luis Obispo General Plan Land Use Compatibility

Land Use Category			Exterior Noise Exposure Level (CNEL)				
			60	65	70	75	
Residential (except temporary dwellings and residential accessory uses), Public Assembly and Entertainment (except meeting halls)							
Bed and Breakfast Facilities, Hotels and Motels							
Schools – Preschool to Secondary, College and University, Specialized Education and Training, Libraries and Museums, Hospitals, Nursing and Personal Care, Meeting Halls, Churches							
Outdoor Sports and Recreation							
Offices							
	Acceptable (no mitigation required)	Specified land use is satisfactory.					
	Conditionally Acceptable (mitigation required)	Use should be permitted only after careful study and inclusion of mitigation measures as needed to satisfy policies of the Noise Element.					
	Unacceptable (mitigation may not be feasible)	Development is usually not feasible in accordance with the goals of the Noise Element.					
Source: County of San Luis Obispo 1992							
Note: This table indicates whether mitigation is required. See Table 4 for noise standard.							

The following specific policies are adopted by San Luis Obispo County to accomplish the goals of the Noise Element:

Policy 3.3.1 *The noise standards in this chapter represent maximum acceptable noise levels. New development should minimize noise exposure and noise generation.*

Transportation Noise Sources

Policy 3.3.2 *New development of noise-sensitive land uses [. . .] shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB L_{DN} or CNEL (70 L_{DN} or CNEL for outdoor sports and recreation) unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels specified for the given land use in Table 3-1 [Table 4.9-3 of this chapter].*

Policy 3.3.3 *Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 3-1 [Table 4.9-3 of this chapter] within the outdoor activity areas or interior spaces of existing noise sensitive land uses.*

Stationary Noise Sources:

Policy 3.3.4 *New development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards of Table 3-2 [Table 4.9-4 of this chapter], unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the levels specified in Table 3-2 [Table 4.9-4 of this chapter].*

Policy 3.3.5 *Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source:*

- a) *Noise from agricultural operations conducted in accordance with accepted standards and practices is not required to be mitigated.*
- b) *Noise levels shall be reduced to or below the noise level standards in Table 3-2 [Table 4.9-4 of this chapter] where the stationary noise source will expose an existing noise-sensitive land use (which is listed in the Land Use element as an allowable use within its existing land use category) to noise levels which exceed the standards in Table 3-2 [Table 4.9-4 of this chapter]. When the affected noise-sensitive land use is Outdoor Sports and Recreation, the noise level standards in Table 3-2 [Table 4.9-4 of this chapter] shall be increased by 10 dB.*

- c) *Noise levels shall be reduced to or below the noise level standards in Table 3-2 [Table 4.9-4 of this chapter] where the stationary noise source will expose vacant land in the Agriculture, Rural Lands, Residential Rural, Residential Suburban, Residential Single-Family, Residential Multi-Family, Recreation, Office and Professional, and Commercial Retail land use categories to noise levels which exceed the standards in Table 3-2 [Table 4.9-4 of this chapter].*

(...)

This policy may be waived when the Director of Planning and Building determines that such vacant land is not likely to be developed with a noise sensitive land use.

(...)

Existing and Cumulative Noise Impacts:

Policy 3.3.6 *San Luis Obispo County shall consider implementing mitigation measures where existing noise levels produce significant noise impacts to noise-sensitive land uses or where new development may result in cumulative increases of noise upon noise-sensitive land uses.*

Table 4.9-3. Maximum Allowable Noise Exposure – Transportation Noise Sources

Land Use Category	Outdoor Activity Areas ¹	Interior Spaces	
	L _{DN} /CNEL, dB	L _{DN} /CNEL, dB	L _{eq} dB ²
Residential (except temporary dwellings and residential accessory uses), Public Assembly and Entertainment (except meeting halls)	60 ³	45	--
Bed and Breakfast Facilities, Hotels and Motels	60 ³	45	--
Hospitals, Nursing and Personal Care	60 ³	45	--
Public Assembly and Entertainment (except Meeting Halls)	--	--	35
Offices	60 ³	--	45
Churches, Meeting Halls	--	--	45
Schools – Preschool to Secondary, College and University, Specialized Education and Training, Libraries and Museums	--	--	45
Outdoor Sports and Recreation	70	--	--

Source: County of San Luis Obispo 1992

- 1 Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.
- 2 As determined for a typical worst-case hour during periods of use.
- 3 For other than residential uses, where an outdoor activity area is not proposed, the standard shall not apply. Where it is not possible to reduce noise in outdoor activity areas to 60 dB LDN/CNEL, [use] may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

Table 4.9-4. Maximum Allowable Noise Exposure – Stationary Noise Sources¹

	Daytime (7 a.m. to 10 p.m.)	Nighttime ² (10 p.m. to 7 a.m.)
Hourly L _{eq} , dB	50	45
Maximum level, dB	70	65
Maximum level, dB-Impulsive Noise	65	60

Source: County of San Luis Obispo 1992

Notes:

- 1 As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receiver side of noise barriers or other property line noise mitigation measures.
- 2 Applies only where the receiving land use operates or is occupied during nighttime hours.

County of San Luis Obispo Code. Sections 23.06.044 through 23.06.050 of the County's Code establish standards for acceptable exterior and interior noise levels. These standards are intended to protect persons from excessive noise levels. Exterior and interior noise level standards are summarized in Table 6. The exterior noise levels standards in the County Code are the same as the stationary source noise standards in the General Plan (see **Table 4.9-4**). The noise level limits in **Table 4.9-5** are applicable for noise-sensitive land uses. As stated in Section 23.06.044 and the General Plan, when the receiving noise-sensitive land use is outdoor sports and recreation, the exterior noise level standards shall be increased by 10 dB. Additionally, in the event that the measured ambient noise level exceeds the applicable exterior/interior noise level standards, the applicable exterior/interior standard shall be the ambient noise level plus 1 dB. The standards of Sections 23.06.044 through 23.06.050 do not apply to

noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday.

Table 4.9-5. County of San Luis Obispo Code Exterior/Interior Noise Level Standards		
	Daytime (7 a.m. to 10 p.m.) (exterior/interior)	Nighttime (10 p.m. to 7 a.m.) (exterior/interior)
Hourly L_{eq} , dB	50/40	45/35
Maximum level, dB	70/60	65/55
Source: County of San Luis Obispo Code Sections 23.06.044 and 23.06.046		

California Code of Regulations – Noise Insulation Standards. Interior noise levels for habitable room are regulated also by Title 24 of the California Code of Regulations (CCR), California Noise Insulation Standards. Title 24, Part 2, Chapter 12, Section 1207 represents the regulatory requirements for interior noise for all new construction in California. Section 1207.1 identifies the applicability of the section. Section 1207.4, which was added as an amendment on July 2015, states that “interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (L_{dn}) or the CNEL, consistent with the noise element of the local general plan.” Thus for the County of San Luis Obispo the limit is 45 CNEL. A habitable room in a building is used for living, sleeping, eating or cooking. Bathrooms, closets, hallways, utility spaces, and similar areas are not considered habitable spaces (24 CCR 1207 2016).

California Code of Regulations – Environmental Comfort. Part 11 of Title 24 (California Green Building Standards Code) provides mandatory measures for residential and non-residential buildings. Section 5.507, Environmental Comfort, addresses interior noise control in non-residential buildings. This section provides the minimum Sound Transmission Class (STC) and Outdoor–Indoor Sound Transmission Class (OITC) for wall, roof–ceiling assemblies, and windows for buildings located within the 65 CNEL contour of an airport, freeway, expressway, railroad, industrial source, or fixed guideway source as determined by the Noise Element of the General Plan. Buildings shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly average equivalent level of 50 dB(A) L_{eq} . Exterior features such as sound walls or earth berms may be utilized as appropriate to the building, addition, or alteration project to mitigate sound migration to the interior. An acoustical analysis documenting complying interior sound levels is required to be prepared by personnel approved by the architect or engineer of record.

Vibration. Sections 23.06.060 and 23.06.062 of the County’s Code address vibration. “Any land use within one-half mile of an urban or village reserve line is to be operated to not produce detrimental earth-borne vibrations perceptible” at or beyond any lot line of a residential, office and professional, recreation, and commercial use, or at or beyond the boundary of any industrial use. These vibration guidelines are not applicable to construction that occurs between 7 a.m. and 9 p.m. The County’s Code does not define the level of “detrimental earth-borne vibrations”. Numerous public and private organizations and governing bodies have provided guidelines to assist in the analysis of groundborne

noise and vibration. Guidelines from the Federal Transit Authority (FTA) and Caltrans serve as a useful tool to evaluate vibration impacts. Caltrans guidelines recommend that a standard of 0.2 inch per second PPV not be exceeded for the protection of normal residential buildings and that 0.08 inch per second PPV not be exceeded for the protection of old or historically significant structures (Caltrans 2013). With respect to human response within residential uses (i.e., annoyance, sleep disruption), FTA recommends a maximum acceptable vibration standard of 80 vibration decibels (VdB) (FTA 2006).

4.9.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. Traffic noise occurs adjacent to every roadway and is directly related to the distance from the roadway, traffic volume, speed, and vehicle mix. Existing and future traffic volumes and posted speeds were obtained from the traffic study prepared for the Community Plan (Appendix E). Noise generated by existing and future traffic was modeled using SoundPLAN. The SoundPLAN program (Navcon Engineering 2015) uses the Federal Highway Administration's Traffic Noise Model algorithms and reference levels to calculate noise level contours. The model uses various input parameters, such as projected hourly average traffic rates; vehicle mix, distribution, and speed; roadway lengths and gradients; and shielding provided by intervening terrain, barriers, and structures. Roadways were input into the model using three-dimensional coordinates. Flat-site conditions were modeled. Resulting noise contours represent a worst-case scenario, as topography, buildings, and other obstructions along the roadways would shield distant receivers from the traffic noise.

Significance Thresholds. Pursuant to the County's Initial Study Checklist and Appendix G of the CEQA Guidelines, impacts would be significant if development under the Community Plan would result in any of the following:

- *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*
- *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;*
- *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;*
- *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;*
- *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels; and/or*

- *For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels.*

The Community Plan area is not located within an Airport Land Use Plan (ALUP), within two miles of a public use airport, or in the vicinity of a private airstrip. As a result, the significance thresholds related to airports were not included in this analysis.

b. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Threshold: *Would actions under the Community Plan result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Impact NOS-1 Construction of individual projects that could be facilitated under the proposed Community Plan Update would generate noise and groundborne vibration that could exceed County of San Luis Obispo standards at existing residential uses. Future residential uses and other sensitive receptors may also be exposed to noise and vibration levels that exceed County standards. This is a Class II, *significant but mitigable*, impact.

The Community Plan does not propose the construction of new development; rather it provides capacity for future development. Future buildout could potentially result in temporary ambient noise increase and vibration due to construction activities. Construction activities may include demolition of existing structures, site preparation work, excavation of parking and subfloors, foundation work, and building construction. The exact location of construction activities is not known at this time. Impacts are assessed in this analysis by identifying potential construction noise levels and buffer distances at which construction noise and vibration levels would be less than applicable standards.

Noise

The County limits construction noise impacts by limiting construction to daytime hours. As discussed, the noise limit standards of Sections 23.06.044 through 23.06.050 do not apply to noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. The County has not established noise level limits specific to construction. Many jurisdictions assess construction noise levels with respect to a 75 dB(A) L_{eq} or 75 dB(A) $L_{eq(8h)}$ noise level limit at residential uses. In the absence

of an applicable threshold, this analysis assesses noise levels based on a 75 dB(A) L_{eq} noise level limit as assessed at residential land uses.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g., demolition/land clearing, grading and excavation, building erection). Construction noise in any one particular area would be short-term and would include noise from activities such as site preparation, truck hauling of material, pouring of concrete, and use of power tools. Noise would also be generated by construction equipment, including earthmovers, material handlers, and portable generators, and could reach high levels for brief periods.

Table 4.9-6 summarizes typical construction equipment noise levels.

Table 4.9-6. Typical Construction Equipment Noise Levels	
Equipment	Noise Level at 50 Feet [dB(A) L_{eq}]
Air Compressor	81
Backhoe	80
Compactor	82
Concrete Mixer	85
Crane, Derrick	88
Dozer	85
Grader	85
Jack Hammer	88
Loader	85
Paver	89
Pump	76
Roller	74
Scraper	89
Truck	88
Source: FTA 2006.	

During excavating, grading, and paving operations, equipment moves to different locations and goes through varying load cycles, and there are breaks for the operators and for non-equipment tasks, such as measurement. Although maximum noise levels from individual pieces of equipment may be 85 to 90 dB(A) at a distance of 50 feet, during most construction activities, hourly average noise levels from the loudest pieces of equipment working simultaneously would be 82 dB(A) L_{eq} at 50 feet from the center of construction activity. The loudest construction phase is typically grading as it involves the greatest amount of the largest equipment. Construction equipment noise is considered a “point source” and attenuates over distance at a rate of 6 dB(A) for each doubling of distance. Therefore, projects that include construction activities within 200 feet of a noise-sensitive receiver may potentially result in substantial temporary noise increases.

The location of future projects and construction activities that would occur as a result of future development consistent with the Community Plan are not known at this time, thus the Community Plan may result in construction activities in close proximity to residential receivers. Although existing adjacent residences near construction sites would be exposed to construction noise levels that could be heard above ambient conditions, the exposure would be temporary and would cease at the end of construction. Additionally, construction activities would occur during the hours specified in the County's Code. However, temporary noise impacts to residential receivers located within 200 feet of construction activities would be **Class II, significant but mitigable**. It should be noted that this is a conceptual construction noise analysis based on standard construction practices. Actual construction noise levels may vary.

Vibration

No operational components of the Community Plan include significant groundborne noise or vibration sources and no significant vibrations sources currently exist, or are planned, in the Community Plan area. Thus, no significant groundborne noise or vibration impacts would occur with the operation of future projects implemented under the Community Plan.

Construction activities may include demolition of existing structures, site preparation work, excavation of parking and subfloors, foundation work, and building construction. Demolition for an individual site may last several weeks to months. Individual construction projects that could be facilitated under the Community Plan could result in vibration that may be felt on properties in the immediate vicinity of the construction site.

Ground vibrations in an outdoor environment are generally not perceptible (FTA 2006). The construction activities that generate excessive vibrations are blasting and impact pile driving. Projects implemented under the Community Plan would be constructed using typical construction techniques; no blasting is contemplated. Heavy construction equipment (e.g., bulldozer and excavator) would generate a limited amount of groundborne vibration during construction activities at short distances away from the source.

Table 4.9-7 identifies vibration levels for standard heavy construction equipment.

Table 4.9-7. Vibration Source Levels for Construction Equipment				
Equipment	Approximate VdB			
	40 Feet	100 Feet	200 Feet	300 Feet
Large Bulldozer	79	69	60	55
Loaded Trucks	77	68	59	54
Jackhammer	71	61	52	47
Small Bulldozer	49	40	31	26
Source: FTA 2006.				

If individual development projects occurred less than 40 feet from a sensitive receiver, vibration levels could exceed the vibration threshold established by the FTA of 80 VdB for residences and buildings where people normally sleep.

The San Luis Obispo County Code Section 22.10.120 restricts construction activities to between 7:00 a.m. and 9:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m., Saturday and Sunday. Compliance with this requirement would partially limit potential noise and vibration impacts when people normally sleep. Additional mitigation is required to reduce impacts to a less than significant level. Temporary ground-borne vibration impacts would be **Class II, significant but mitigable**.

Mitigation Measures. Temporary noise impacts to residential receivers located within 200 feet of construction activities would be potentially significant. The following mitigation would be required.

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended language to the Community Plan prior to Plan adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to Plan adoption.

Residual Impacts. Implementation of the above mitigation measure would reduce construction noise and vibration impacts to a less than significant level.

Threshold: *Would actions under the Community Plan result in a substantial temporary of periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Threshold: *Would actions under the Community Plan result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Impact NOS-2 Traffic generated by the Community Plan is not anticipated to result in a significant ambient noise level increase at existing sensitive receivers. The increase in ambient noise would be a Class III, less than significant, impact.

Existing ambient noise levels in the Community Plan area are dominated by vehicle traffic noise, particularly from Los Osos Valley Road and South Bay Boulevard. Vehicular traffic on roadways and the corresponding noise levels would increase due to future development consistent with the Community Plan. Increases in traffic noise would potentially degrade the existing noise environment, especially with respect to noise-sensitive receivers. Policy 3.3.6 of the County's General Plan states that the County shall consider implementing mitigation measures where new development may result in cumulative increases of noise upon noise-sensitive land uses. A significant impact would occur if implementation of the Community Plan resulted in or created a substantial increase in the existing ambient noise levels.

As stated in General Plan Policy 3.3.3, noise created by new transportation noise sources shall be mitigated so as not to exceed the levels specified in **Table 4.9-3**. For residential uses, the exterior noise level limit is 60 CNEL. A significance increase in ambient noise levels would occur if the Community Plan would result in noise levels that exceed the compatibility level. There are locations adjacent to Los Osos Valley Road and South Bay Boulevard where existing noise levels already exceed 60 CNEL. In these location, a significant cumulative increase in ambient noise levels would occur if the Community Plan's contribution to the future noise increase would be greater than 1 dB(A).

Existing and future noise levels with and without implementation of the Community Plan were modeled at 50 feet from each roadway segment centerline using SoundPLAN. **Table 4.9-8** summarizes the existing and future (year 2035) noise levels adjacent to area roadways and the associated increase in noise.

Table 4.9-8. Increase in Ambient Noise								
Roadway	Segment	Existing Noise Level (CNEL)	Future (Year 2035) without Community Plan Noise Level (CNEL)	Proposed Community Plan Future (Year 2035) Noise Level (CNEL)	Change in CNEL (Future with Plan – Existing)	Plan Contribution to Change in CNEL (Future with Plan – Future without Plan)	Significance Threshold	Significant?
Los Osos Valley Road	east of Los Osos Creek	67	69	69	2	0	+1 CNEL	No
Los Osos Valley Road	east of South Bay Boulevard	65	65	66	1	1	+1 CNEL	No
Los Osos Valley Road	west of South Bay Boulevard	62	63	63	1	0	+1 CNEL	No
Los Osos Valley Road	east of 9th Street	62	63	63	1	-1	+1 CNEL	No
Los Osos Valley Road	west of Bush Drive	61	63	62	1	-1	+1 CNEL	No
Los Osos Valley Road	west of Palisades Avenue	60	62	62	2	0	+1 CNEL	No
Los Osos Valley Road	east of Doris Avenue	61	62	62	1	0	+1 CNEL	No
Los Osos Valley Road	east of Pecho Drive	61	62	62	1	0	+1 CNEL	No
South Bay Boulevard	north of Los Osos Valley Road	66	68	69	3	1	+1 CNEL	No
South Bay Boulevard	south of Santa Ysabel Avenue	65	68	68	2	0	+1 CNEL	No
South Bay Boulevard	north of Santa Ysabel Avenue	67	68	68	1	0	+1 CNEL	No
Pecho Valley Road	south of Monarch Lane	56	58	59	3	1	60 CNEL	No
Pecho Valley Road	south of Rodman Drive	51	55	56	5	1	60 CNEL	No
Los Olivos Avenue	west of 10th Street	54	50	56	2	5	60 CNEL	No
Santa Ynez Avenue	west of 11th Street	54	57	57	3	1	60 CNEL	No
Nipomo Avenue	west of South Bay Boulevard	52	55	57	4	1	60 CNEL	No
Ramona Avenue	west of 9th Street	54	59	58	4	-2	60 CNEL	No
Ramona Avenue	west of 4th Street	51	56	55	3	-2	60 CNEL	No
El Moro Avenue	east of South Bay Boulevard	51	53	52	2	-1	60 CNEL	No
El Moro Avenue	west of 11th Street	52	56	55	4	-1	60 CNEL	No
El Moro Avenue	west of 7th Street	51	56	56	5	-1	60 CNEL	No
Santa Ysabel Avenue	east of South Bay Boulevard	49	52	50	1	-1	60 CNEL	No
Santa Ysabel Avenue	east of 11th Street	59	56	57	-2	1	60 CNEL	No
Santa Ysabel Avenue	west of 11th Street	57	55	56	-1	1	60 CNEL	No
Santa Ysabel Avenue	east of 7th Street	57	56	56	-1	1	60 CNEL	No
Santa Ysabel Avenue	west of 7th Street	54	52	53	-1	1	60 CNEL	No
Pecho Road	north of Los Osos Valley Road	48	53	51	3	-2	60 CNEL	No
Doris Avenue	south of Los Osos Valley Road	51	51	53	2	2	60 CNEL	No
Doris Avenue	north of Los Osos Valley Road	43	44	45	3	1	60 CNEL	No
Ravenna Avenue	south of Los Osos Valley Road	47	50	50	3	0	60 CNEL	No
7th Street	north of Ramona Avenue	54	56	56	2	0	60 CNEL	No
Bayview Heights Drive	south of Los Osos Valley Road	53	57	58	6	2	60 CNEL	No
9th Street	north of Los Osos Valley Road	59	58	59	0	1	60 CNEL	No
11th Street	south of Santa Ysabel Avenue	54	48	52	-1	4	60 CNEL	No

As shown, with the exception of Los Osos Valley Road and South Bay Boulevard, existing and future noise levels with and without implementation of the Community Plan would be less than 60 CNEL. Development resulting from implementation of the Community Plan would not result in the exposure of existing sensitive receivers adjacent to these roadways to noise levels exceeding 60 CNEL. Therefore, the increase in ambient noise levels adjacent to these roadway segments would be a **Class III, less than significant**, impact.

Future noise levels with implementation of the Community Plan exceed 60 CNEL adjacent to Los Osos Valley Road and South Bay Boulevard. However, noise levels exceed 60 CNEL at these locations under both the existing condition and the future no-project condition as well. There are existing residential uses located adjacent to these roadway segments. When comparing the future noise levels with and without implementation of the Community Plan, the contribution of new development under the proposed Community Plan's to the change in ambient noise levels would not exceed 1 dB(A). Therefore, the increase in ambient noise levels due to Community Plan-generated traffic would be a **Class III, less than significant**, impact.

It should be noted that there are roadway segments where future noise levels under the Community Plan would be less than future noise levels under the adopted Estero Area Plan. This is due to the redistribution of certain land uses and traffic that would occur under the proposed Community Plan.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts associated with the increase in ambient noise would be **Class III, less than significant**.

Threshold: *Would actions under the Community Plan result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Impact NOS-3 The Community Plan would place future sensitive receptors in areas that would be exposed to future transportation noise levels that exceed General Plan noise standards. This would be a **Class II, significant but mitigable, impact**.

The maximum allowable noise exposure from transportation sources are summarized in **Table 4.9-3**. As discussed in Policy 3.3.2, new development of noise-sensitive land uses shall not be permitted in areas where transportation noise sources exceed 60 CNEL (70 CNEL for outdoor sports and recreation) unless

the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels specified in **Table 4.9-3**.

Noise contours for existing and future conditions were modeled using measured and projected traffic volumes on major roadways within the Community Plan area. Noise contours are based on a flat site conditions with no intervening barriers or obstructions (worst-case analysis). This is considered conservative, as the noise levels at any specific location would depend upon not only the source noise level but also the nature of the path from the source to the receiver. Buildings, walls, dense vegetation, and other barriers would block the direct line of sight and reduce noise levels at the receiver. As an example, a first row of buildings would reduce traffic noise levels at receivers by 3 to 5 dB(A) behind those structures depending on the building-to-gap ratio. Large continuous structures can provide substantially greater attenuation of traffic noise.

Figure 4.9-3 shows the future vehicle traffic noise contours for the Community Plan area. As shown, vehicle traffic noise levels throughout most of the Community Plan area are not projected to exceed 60 CNEL. Noise levels have the potential to exceed 60 CNEL adjacent to Los Osos Valley Road and South Bay Boulevard. **Table 4.9-9** summarizes the distances from the centerline to the 60, 65, and 70 CNEL contour lines for Los Osos Valley Road and South Bay Boulevard. The distances are expressed in feet from the roadway centerline. **Table 4.9-9** also summarizes the approximate distance from the centerline to the edge of the roadway right-of-way. Contour distances are based on future year 2035 traffic volumes under the Community Plan as modeled in SoundPLAN.

Table 4.9-9. Contour Distances for Los Osos Valley Road and South Bay Boulevard					
Roadway	Segment	Distance to (feet)			
		Edge of Right-of-Way	70 CNEL	65 CNEL	60 CNEL
Los Osos Valley Road	east of Los Osos Creek	25	42	86	175
Los Osos Valley Road	east of South Bay Boulevard	30	--	61	127
Los Osos Valley Road	west of South Bay Boulevard	35	--	40	83
Los Osos Valley Road	east of 9th Street	35	--	37	77
Los Osos Valley Road	west of Bush Drive	25	--	34	69
Los Osos Valley Road	west of Palisades Avenue	15	--	33	66
Los Osos Valley Road	east of Doris Avenue	15	--	31	63
Los Osos Valley Road	east of Pecho Drive	25	--	30	62
South Bay Boulevard	north of Los Osos Valley Road	20	40	84	171
South Bay Boulevard	south of Santa Ysabel Avenue	20	35	73	149
South Bay Boulevard	north of Santa Ysabel Avenue	20	40	78	156

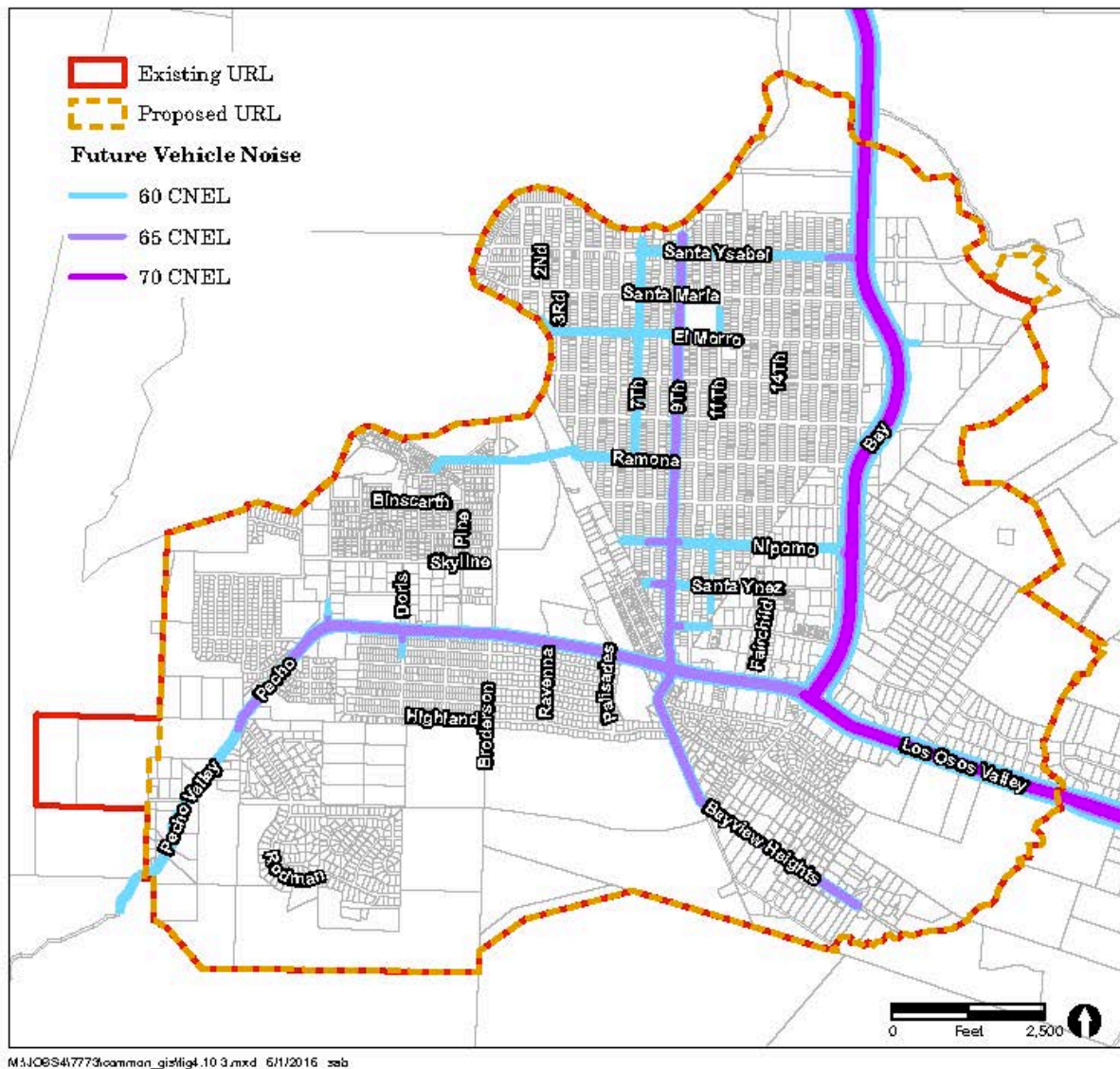


Figure 4.9-3. Future Vehicle Traffic Noise Contours

Policies 3.3.1 and 3.3.2 of the General Plan set standards for the siting of sensitive land uses. New development of noise-sensitive land uses would not be permitted in areas exposed to transportation noise levels which exceed 60 CNEL (70 CNEL for outdoor sports and recreation) unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels specified in **Table 4.9-3**. Noise sensitive land uses located adjacent to Los Osos Valley Road and South Bay Boulevard would have the potential to be exposed to exterior noise levels that exceed County standards (60 CNEL). The contours distances are shown in **Table 4.9-9**. As noted in Section 4.9.1, the drop-off rate for a line source such as vehicle traffic ranges from 3 to 4.5 dB(A) for each doubling of distance. As shown in **Figure 4.9-3**, for all other roadways, the 60 CNEL contour would be entirely within or at the edge of the right-of-way.

Site-specific exterior noise analyses that demonstrate that the project would not place sensitive receivers in locations where the exterior existing or future noise levels would exceed the noise compatibility guidelines of the General Plan would be required. Noise control measures such as site design, sound walls, and other measures could reduce noise to acceptable levels. Such measures cannot practically be designed at this time, because no specific projects have been designed and proposed at this time. Exterior noise impacts adjacent to Los Osos Valley Road and South Bay Boulevard would be **Class II, significant but mitigable**.

Interior noise impacts for all future development projects would be **Class III, less than significant**, because applicants must demonstrate compliance with the current interior noise standards (45 CNEL) through submission and approval of a Title 24 Compliance Report.

Mitigation Measures. The Community Plan would place future sensitive receptors in areas would be exposed to future transportation noise levels that exceed General Plan noise standards. The following mitigation would be required.

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

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

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

This study shall contain recommendations to mitigate any noise levels that exceed the County's standard of 60 CNEL. At the program level, the specific attenuation methods cannot be definitively determined. Noise reduction measure could include, but are not limited to, the following:

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

Residual Impacts. Implementation of the above mitigation measure would reduce noise impacts to a less than significant level.

Threshold: *Would actions under the Community Plan result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Impact NOS-4 Future on-site generated noise sources have the potential to exceed to property line noise levels limits established in the County's Code. This would be a Class II, *significant but mitigable*, impact.

A significant impact would occur if implementation of the Community Plan resulted in the exposure of people to noise levels that exceed limits established in the County's General Plan and County Code. These limits apply to existing uses, but will also apply to future uses and are used for evaluating potential impacts of future on-site generated noise levels.

Stationary sources of noise include activities associated with a given land use. The noise sources associated with future residential development proposed under the Community Plan would be those typical of any residential development (vehicles arriving and leaving, children at play and landscape maintenance machinery). None of these noise sources are anticipated to violate the County's Code or result in a substantial permanent increase in existing noise levels. However, HVAC equipment with exterior fans or condensers mounted on the ground or roofs have the potential to produce noise in excess of the County's limits. It is not known at this program level which manufacturer, brand, or model of unit or units would be selected for any project associated with the Community Plan.

The noise sources associated with future commercial, retail, educational, and industrial development proposed under the Community Plan include HVAC, commercial-related mechanical equipment, loading docks, deliveries, trash-hauling activities and customer and employee use of commercial facilities. The type of activities and equipment that would generate noise at commercial uses is not known at this program level.

County policies in the General Plan and regulations in the County Code are in place to control noise and reduce on-site generated noise impacts between various land uses. The property line noise level limits for stationary noise sources are summarized in **Table 4.9-4**. As shown, the daytime property line noise level limit is 50 dB(A) L_{eq} and the nighttime property line noise level limit is 45 dB(A) L_{eq} (Section 22.10.120). Without detailed operational data, it cannot be verified that future projects implemented in accordance with the Community Plan would be capable of reducing noise levels to comply with these County standards. Impacts would be **Class II, significant but mitigable**, at the project-level.

Per the Noise Element, when mitigation is required to satisfy the policies contained in Chapter 3.3, the following sequence of mitigation measures shall be considered in the following order of preference:

1. Site layout, including setbacks, open space separation and shielding of noise-sensitive uses with non-noise-sensitive uses;
2. Acoustic treatment and design of buildings; and
3. Structural measures, including construction of earthen berms or noise barriers.

Mitigation Measures. Future on-site generated noise sources have the potential to exceed to property line noise levels limits established in the County's Code. Without detailed operational data, it cannot be verified that future projects implemented in accordance with the Community Plan would be

capable of reducing noise levels to comply with the County's Code property line standards. Impacts may be significant, and the following mitigation would be required.

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

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended language to the Community Plan prior to adoption.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

Residual Impacts. Implementation of the above mitigation measure would reduce operational noise impacts to a less than significant level.

c. **Cumulative Impacts.** Cumulative development in the Community Plan area would gradually increase population over the existing conditions and would therefore increase noise. The current residential population of the Community Plan area is 13,906. Buildout of the Community Plan would accommodate an additional 4,094 residents for a total of 18,000 residents. The analysis of the increase in noise levels in the Community Plan area is based on the transportation impact analysis, which accounts for future growth at buildout of the Community Plan. Therefore, cumulative noise impacts associated with buildout of the Community Plan were addressed in the impact analysis above. As discussed, impacts to existing uses due to the increase in vehicle traffic in the Community Plan area would be **Class III, less than significant**, while impacts to future development located within the 60 CNEL contours for Los Osos Valley Road and South Bay Boulevard would be **Class II, significant but mitigable**, with implementation of mitigation measure **NOS-3(a)**.

Due to the temporary nature of construction activities and the implementation of mitigation measure **NOS-1(a)**, cumulative impacts associated with construction noise would be **Class III, less than significant**. Additionally, County policies in the General Plan and regulations in the County Code are in place to control noise and reduce on-site generated noise impacts between various land uses. With implementation of mitigation measure **NOS-4(a)**, cumulative impacts associated with stationary noise sources would be **Class III, less than significant**.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.9-10** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.9-10. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	NOI-1 through NOI-4
<i>The future project is inconsistent with Community Plan policies or design guidelines.</i>	NOI-1 through NOI-4
<i>The future project would result in a noise impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than NOI-1 through NOI-4
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified. This may include the following circumstance:</i> <ul style="list-style-type: none"> <i>If the County Noise Element is updated to include stricter maximum allowable noise exposure levels</i> 	Worsened NOI-1 through NOI-4, as applicable

4.10 POPULATION AND HOUSING

Development under the LOCP would introduce new housing, which will provide an important regional resource of affordable housing. Development will be consistent with Housing Element regional fair share housing goals, a potentially beneficial impact. Growth will be confined to the existing community, and infrastructure will be extended that could induce additional growth beyond the community. The draft LOCP envisions a somewhat more compact development pattern, with less buildout potential than under the existing Estero Area Plan. Impacts related to growth will be less than significant.

4.10.1 Setting

a. Physical Setting

Current Population and Housing. The unincorporated community of Los Osos is home to about 14,300 residents (2010 U.S. Census), most of whom live within the community's designated Urban Reserve Line. As noted in Section 2.0, *Project Description*, however, the Los Osos Community Plan area is a subset of the Census-defined CDP, and has an existing population of 13,906 (San Luis Obispo County Department of Planning and Building, 2015). This smaller population figure will be used as the basis of analysis within this EIR. Overall, the community is a semi-urban enclave within a relative rural portion of San Luis Obispo County.

Los Osos is primarily residential in nature, and there are few head-of-household employment opportunities within the community. Population growth has been relatively flat since the early 1990s, primarily due to the fact that there had been a growth moratorium pending resolution of the long-standing need to provide community wastewater treatment service. With the recent approval and construction of the new wastewater facility, this constraint to future development within the community has been removed, and for that reason, the Los Osos Community Plan will be an important tool to guide that future growth. In order to now allow development on presently undeveloped parcels within the Los Osos Wastewater Project service area, the County is required to amend the Estero Area Plan to incorporate a sustainable buildout target that demonstrates there is sufficient water available to support such development without impacts to wetland and habitats (condition number 86 of CDP A-3-SLO-09-055/069).

In recent years, Los Osos has experienced very slow growth because of a variety of constraints that led to a growth moratorium. As identified in the County's Housing Element, these include a limited water supply, the need for a communitywide sewer system, and needed improvements to the circulation system. Each of these has recently been, or is in the process of being addressed, so it is reasonable to believe that some degree of growth will likely resume in the near future. The proposed LOCP is, in fact,

an effort to provide a framework for resumed growth and development within Los Osos, in response to each of the constraints to growth being systematically addressed.

Employment. In 2014, the commercial sector in Los Osos was under-developed compared to nearby incorporated cities. Los Osos has businesses that provide retail and service uses to local residents, but it lacks major employers, large-scale manufacturing and industrial uses. The major employment industries for the Los Osos labor force reflect those for the county as a whole with educational services, health care and social services heading the list. Other key industries include retail trade, professional groups, and recreational services. About 73% of the 7,322 employed Los Osos residents work outside the community (Draft Community Plan, Table D-6). The Countywide average of workers that commute to other communities is about 62%, so Los Osos is a relatively “housing rich, jobs poor” community by comparison. This is consistent with the common observation that Los Osos functions as a “bedroom community”, where most workers are employed elsewhere, most notably in the City of San Luis Obispo.

b. Regulatory Setting. The following regulations set forth criteria and specific requirements to address population and housing issues.

Federal. There are no federal regulations that relate to population and housing issues.

State. The following discussion summarizes the key state regulations that relate to population and housing issues.

California Housing Element Law

State law requires each city and county to adopt a General Plan for future growth. This plan must include a Housing Element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Department of Housing and Community Development (HCD) estimates the relative share of California’s projected population growth that would occur in each county in the State, based on Department of Finance population projections and historic growth trends. Where there is a regional council of governments, HCD provides the regional housing need to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares provides cities and counties the opportunity to comment on the proposed allocations. HCD oversees the process to ensure that the council of governments distributes its share of the State’s projected housing need.

Each city and county must update its General Plan Housing Element on a regular basis (approximately every 5 years). Among other things, the Housing Element must incorporate policies and identify potential sites that would accommodate a city’s share of the regional housing need. Before adopting an update to its Housing Element, a city or county must submit the draft to HCD for review. HCD will advise

the local jurisdiction whether its Housing Element complies with the provisions of California Housing Element Law.

The councils of governments are required to assign regional housing shares to the cities and counties within their region on a similar 5-year schedule. At the beginning of each cycle, HCD provides population projections to the councils of governments, who then allocate shares to their cities and counties. The shares of regional need are allocated before the end of the cycle so that the cities and counties can amend their Housing Elements by the deadline.

The Regional Housing Needs Plan (RHNP) is required under California Government Code Section 65584 to enable regions to address housing issues and meet housing needs based on future growth projections for the area. The State of California determines the number of total housing units needed for each region. The allocation comes after projection modeling based on current General Plan policies and established land use zonings. The allocations are based on “smart growth” assumptions in the modeling and aim to shift development patterns from historical trends towards better jobs-to-housing balance, increased preservation of open space, and development of urban and transit-accessible areas. Regional housing needs are based on the local and regional distribution of income, the need for housing generated by local job growth, the projected growth in the number of households, and the vacancy rate in each community.

Local. County regulations pertaining to population and housing issues are described below.

General Plan Housing Element

The County of San Luis Obispo General Plan Housing Element 2014-2019 (adopted June 17, 2014) sets forth the County’s policies and detailed programs for meeting existing and future housing needs, for preserving and enhancing neighborhoods, and for increasing affordable housing opportunities for extremely low, very-low, low and moderate income persons and households. It is the primary policy guide for local decision-making on all housing matters. The Housing Element also describes the County’s demographic, economic and housing factors, as required by State law.

State housing law requires that each jurisdiction identify the number of housing units that will be built, rehabilitated, and preserved during the Housing Element’s planning period, which ends June 30, 2019. These projections are termed quantified objectives. Chapter 4 of the Housing Element includes goals, policies, and programs to accommodate affordable housing programs that meet the County’s quantified objectives.

HCD subsequently approved the Regional Housing Needs Plan (RHNP) as adopted by SLOCOG that designates 4,090 units for the San Luis Obispo County region. The assigned share of the regional housing

need for the unincorporated county is 1,347 new housing units for the period of January 1, 2014 to June 30, 2019. **Table 4.10-1** shows the breakdown of the assigned share by income group.

Table 4.10-1. Unincorporated County Share of Housing Needs, 2014-19		
Income Category	Number of New Units	Percent
Very Low	336	25.0
Low	211	15.7
Moderate	237	17.6
Above Moderate	563	41.8
Total	1,347	100.0
<i>Source: Regional Housing Needs Plan, adopted by SLOCOG, 2013</i>		

Adequate sites have been identified to accommodate the unincorporated County's share of housing need by income level, as shown in Table 3.1 of the Housing Element. These are summarized in **Table 4.10-2**.

Table 4.10-2. Remaining Unincorporated Countywide Housing Need, 2014-19				
Income Category	Remaining Housing Need *	Potential Housing Units Based on Available Sites		
		in Los Osos	In other unincorporated communities	Total
Very Low and Low	407	404	277	681
Moderate	193	258	450	708
Above Moderate	505	238**	902**	1,140
Total	1,105	900	1,629	2,529
<i>Source: SLO County Housing Element 2014-19, Tables 3.1, 3.3, 3.5, 3.6, and 3.7.</i>				
<i>* As shown in Table 3.3 of the Housing Element, which accounts for housing already approved that would count against the total RHNA target numbers summarized in Table 4.10-1.</i>				
<i>** No housing unit estimates are established for Above Moderate Income by community in the Housing Element. There are 12 RSF parcels totaling 34.1 acres identified in Los Osos. Based on the Housing Element assumption of 7 du/acre, this suggests 238 units in Los Osos, and 902 in other unincorporated areas.</i>				

General Plan Housing Element Objective 2 is intended to accommodate affordable housing production that helps meet the County's quantified objectives.

As indicated in **Table 4.10-2**, development in Los Osos is a very important component of achieving Countywide affordable housing goals, accounting for 60% of all very low and low-income housing potential in unincorporated areas. By itself, Los Osos could nearly provide all needed affordable housing Countywide (404 units out of 407 required). Conversely, without new housing in Los Osos, it will not be

possible to achieve the Countywide 2019 target of 407 new very low and low-income housing units, since the remainder of the County would only be able to supply 277 units.

This information is analyzed in more detail below:

- *Countywide Affordable Housing Need.* Table 3.3 of the Housing Element identifies a countywide remaining housing need through 2019 of 1,105 units (for all income levels) in unincorporated communities, including Los Osos (the others include San Miguel, Nipomo, Templeton, Avila Beach, Cayucos and Cambria). Of this total, 407 would be for low and very low-income households.
- *Vacant and Underutilized Parcels for Low Income Housing.* Table 3.5 of the Housing Element identifies three vacant Residential Multi-Family (RMF) parcels in Los Osos totaling 13.35 acres, which are projected to realistically accommodate up to 241 affordable housing units. Table 3.6 of the Housing Element identifies six underutilized Residential Multi-Family (RMF) parcels in Los Osos totaling 10.23 acres, which are projected to realistically accommodate up to an additional 163 affordable housing units. This number includes intensification of existing development on four parcels, and replacement of existing substandard development on two parcels. When vacant and underutilized parcels are considered together, there is the opportunity for up to 404 affordable housing units in Los Osos, based on the analysis included in the Housing Element. This is a substantial proportion (60%) of the 681 units that could potentially be built countywide, so future development in Los Osos will be crucial to meet countywide affordable housing goals.
- *Vacant and Underutilized Parcels for Moderate Income Housing.* Table 3.7 of the Housing Element identifies five vacant Residential Multi-Family (RMF) parcels in Los Osos totaling 25.8 acres, which are projected to realistically accommodate up to 258 moderate income housing units. This is 36% of the countywide total projection of 708 units in unincorporated areas.

The following additional provisions of the Housing Element relate to the Los Osos community:

- *Population Projection.* The Housing Element projects a buildout population of 21,304, which is based on existing land use designations included in the Estero Area Plan. At the same time, it still envisions slow growth into the foreseeable future, projecting a 2040 population of 14,409, which is only a 3% increase over the existing population, reported in the Housing Element as 13,988 (Chapter 6, Appendix F).
- *Housing Condition.* There are more substandard housing units in Los Osos than any other unincorporated community in the County. In 2014, there were 49 dilapidated or deteriorated homes in the community, compared to 28 in Nipomo, 41 in Oceano, 35 in San Miguel and 14 in Templeton (Table 5.15, Housing Element).

The Housing Element includes the following policy and program, which relate to the need for a new sewer system to allow new housing in the community:

- *Policy HE 1.12: Reduce infrastructure constraints for development of housing to the extent possible. Infrastructure such as sewage disposal systems, water systems, and roads are necessary to support new housing.*
- *Program HE 1.K: Construct a community sewer system in Los Osos.*

Estero Area Plan

The following provisions of the Estero Area Plan apply to achieving goals related to population, housing and employment as they relate to Los Osos.

Chapter 2. Economy and Population

I.C. Economy, Goals and Policies

Goals For Entire Planning Area

- 1. Encourage economic development that will generate local employment for residents, create an adequate supply of goods and services locally, help generate revenues to fund needed public services and facilities, and make the area more economically self-sufficient.*
- 2. Provide sufficient areas for a variety of commercial, tourist-serving and employment-generating businesses to provide jobs for residents, generate local business activity, increase taxable sales and reduce loss of such sales to other areas, and increase transient occupancy and property tax revenues*
- 4. Take advantage of the planning area's scenic beauty and recreational attractions to expand tourist and visitor-serving development where appropriate such as a golf course; small-scale resort/retreat; visitor accommodations; bicycle, hiking and equestrian trails; and low-cost recreation.*
- 5. Promote both visitor-serving development and development that serves local residents, while maintaining the small-town, rural character of the area's communities.*
- 6. Improve commercial areas by making them more attractive and pedestrian friendly in order to attract shoppers and businesses and increase economic and general activity.*

Also note that the proposed Los Osos Community Plan is a regulatory document that is intended to expand upon the policy framework described above. Because this is not an existing document, but the subject of the EIR analysis, it is not included in the existing Regulatory Setting. However, its policies are analyzed in the Impact Analysis section relative to their adequacy to provide a sufficient regulatory framework to encourage population and housing goals, when considered in combination with the existing regulations described above.

Los Osos Building Moratorium

On January 8, 1988 the California Regional Water Quality Control Board (RWQCB) imposed a moratorium on current discharges, new sources of sewage discharge and increases in the volume of existing sources in Los Osos. The moratorium was imposed through the provisions of a Memorandum of Understanding executed between the County and the RWQCB in December 1978, and imposes a variety of responsibilities on the County. In general, it applies to a “prohibition area” that encompasses the majority of the community, with the exception of most of the area east of South Bay Boulevard north of Los Osos Valley Road, and a few other smaller areas that are subject to specific restrictions under the order (notably the Martin Tract and Bayview Heights).

The primary effect of the moratorium is that no permits may be issued for new on-site sewage disposal systems (commonly called “septic” systems) within the prohibition area. The County is also prohibited from issuing permits for expansion of the capacities of any existing systems, which means not permitting any additional building areas (bedrooms) that would increase the amount of discharge.

With the completion of the new communitywide sewer system, this moratorium would be lifted. However, new development cannot be served by the new communitywide sewer system until the Community Plan is adopted and includes a sustainable buildout, and indicates that there is water available to support such development without significant impacts to wetlands and other sensitive habitat, based on the direction provided in the community-wide Habitat Conservation Plan for long-term preservation of sensitive habitats. Growth and development could resume in accordance with the Estero Area Plan, as modified by the proposed LOCP.

4.10.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to cause adverse impacts related to population and housing, based on the proposed project’s compliance with existing regulations that address the issue.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would result in any of the following:

- *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);*

- *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; (Refer to Section 1.5, Effects Found not to be Significant)*
- *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. (Refer to Section 1.5, Effects Found not to be Significant)*

Although not thresholds identified in Appendix G of the CEQA Guidelines, or formally adopted by the County, the following additional thresholds are evaluated in this document as relevant to the overall discussion of population and housing in the context of a Community Plan:

- *Would the project impede the attainment of adopted housing-related goals, especially those related to affordable housing?*
- *Would the project adversely contribute to a regional imbalance of jobs and housing such that it would impede the attainment of goals related to such a balance, including air quality and traffic?*

b. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Impact PH-1 Residential development and associated population growth resulting from future development under the LOCP would not exceed the community's capacity to handle that growth, nor would it induce unanticipated growth because of the extension of public infrastructure or roadways. This is a Less than Significant (Class III) impact.

The Los Osos Community Plan Area encompasses roughly 3,469 acres, and includes the anticipated 20-year growth boundary (URL). This area also encompasses the proposed Urban Services Line (USL). **Figures 2-2 and 2-3** in EIR Section 2.0, *Project Description*, show the existing and proposed URL and USL.

There are no expansion areas planned outside the URL. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas, which are described in detail in the *Project Description*. Within these areas, most existing land use designations will remain the same as they currently are. In some cases, minor land used designation changes are contemplated. In general, however, future growth will be a function of developing on currently vacant parcels.

There are no parcels within the plan area that would be converted from Open Space to any urban land use, with the exception of the following:

- four parcels totaling 3.81-acres parcel west of 3rd Street between Pismo and El Moro Avenues will be redesignated from Open Space (OS) to Recreation (REC);
- a 0.19-acre parcel that contains a LOCSD well site, west of 3rd Street near El Moro Avenue will be redesignated from Open Space (OS) to Public Facility (PF).

In each case, the change is intended to reflect an existing logical development pattern rather than to facilitate new or unplanned growth. Both are infill sites surrounded by existing urban development, and neither is growth-inducing.

There are no parcels designated for Agriculture (AG) within the plan area, so there is no potential for the conversion of agriculture to urban use that might otherwise be growth-inducing.

No new arterial roadways would be built, and existing roadways would be improved only to the extent necessary to accommodate planned development, or to correct existing deficiencies (see Section 5.12 for further analysis of this issue).

The new community sewer system and groundwater basin improvements will remove an existing obstacle to growth, but will not induce growth beyond what is planned under the LOCP. The new community sewer system has been sized to accommodate growth within the USL, and is not intended to extend service beyond the USL (Final EIR, County of San Luis Obispo Wastewater Project, 2009).

In summary, the LOCP is intended to focus on urban infill, and will convert substantial areas currently designated for urban use to Open Space under the existing Estero Area Plan. There are no expansion areas, and no lands currently designated as Open Space or Agriculture will be converted to urban use. The LOCP plans for orderly growth, and future development and infrastructure improvements are not considered growth-inducing.

Proposed LOCP Policies to Address Potential Impacts. The primary objective of the proposed Los Osos Community Plan is to establish a framework for the orderly growth and development of Los Osos. Additionally, the plan is intended to be consistent with strategic growth principles and other land use policies established in the County General Plan. Thus, development under the plan is inherently intended to be consistent with adopted growth management goals.

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

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

1. Environment

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

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

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

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

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

6. Residential, Commercial and Industrial Land Uses

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

7. Visitor-Serving, Recreation and Industrial Land Uses

- a. *Encourage improvement of tourist-oriented facilities, with an emphasis on eco-tourism.*
- b. *Develop additional neighborhood and community parks and recreation facilities for existing and future populations.*

- c. *Provide maximum public access, and protect existing public access, to the coast, the shoreline, the bay, and public recreation areas, consistent with the need to protect natural and agricultural resources and private property rights.*

8. Public Services and Facilities

- a. *Base all land use policies and plans on sustainable development that meets the needs of current population and visitors without endangering the ability of future population to meet its needs.*
- b. *Carefully manage water resources to provide a clean, sustainable resource for the community.*
- c. *Provide needed local services, such as urgent care facilities, senior care facilities, etc.*

9. Circulation

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

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

Community goals 2, 4, 5, and 9 are particularly relevant to issues related to population, housing growth management, and how these relate in the context of jobs and the overall economy.

The LOCP also summarizes the following policies (**Table 4.10-3**) from other applicable County regulatory documents, which are incorporated into the LOCP by reference.

Table 4.10-3. County Policies Concerning Population and Growth, as Summarized in the LOCP	
<i>Coastal Zone Framework for Planning</i>	
Strategic Growth Goal 2	Strengthen and direct development toward existing and strategically planned communities.
<i>Coastal Plan Policies</i>	
Agriculture Policy 5	To minimize conflicts between agricultural and urban land uses, the Urban Service Line shall be designated the urban-rural boundary. Land divisions or development requiring new service extensions beyond this boundary shall not be approved.
Public Works Policy 1	New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

Table 4.10-3. County Policies Concerning Population and Growth, as Summarized in the LOCP	
Public Works Policy 2	New or expanded public works facilities shall be designed to accommodate but not exceed the needs generated by projected development within the designated Urban Reserve Lines.
Public Works Policy 6	The County will implement the Resource Management System to consider where the necessary resources exist or can be readily developed to support new land uses.
Estero Area Plan	
Chapter 3, II.A.1	Monitor water demand through the Resource Management System to assure that new development can be supported by available water supplies without depleting groundwater supplies and/or degrading water quality.
Chapter 3, II.B	Monitor sewage flows through the Resource Management System to assure that new development can be accommodated by sewage disposal capacities.
Conservation and Open Space Element	
Policy AQ 1.1	Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs.
Policy OS 1.7	Protect open space resources by guiding development away from rural areas to more suitable areas.
Economic Element	
Policy EE 1.2	Maintain and enhance the quality of life for county residents by pursuing economic development activities.
Policy EE 1.3	Balance the capacity for growth with the efficient use or reuse of available resources (energy, land, water, infrastructure) and reasonable acquisition of new resources.

These policies and standards address a variety of growth-related issues throughout the community. Most crucially, the following policy is included in Chapter 7 of the LOCP as a Planning Area Standard, which ties future growth to water availability in the Los Osos Groundwater Basin:

D. Los Osos Groundwater Basin.

1. Basin Plan compliance. Development of land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors determines that successful completion and implementation of specific programs identified in the Los Osos Basin Plan (“Basin Plan”) have occurred. The following programs from the Basin Plan must be successfully completed and implemented to address existing resource constraints prior to development of new dwelling units or commercial uses:

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

2. Amendments to Title 26. Development of new dwelling units that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective, as follows:

- a. The Basin Plan program(s) shall be completed to the satisfaction of the Director of Public Works, in consultation with the Los Osos Groundwater Basin Watermaster.*
- b. As part of the review for Basin Plan effectiveness, the County shall consider data collected as part of the Groundwater Monitoring program (Program “M”). If the data indicate that completed programs have not been effective in reducing groundwater demand, increasing the perennial safe yield or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited accordingly.*
- c. As part of the review for Basin Plan effectiveness, the Board of Supervisors shall consider trends in commercial development and commercial water demand to ensure that such demand is not growing beyond a proportional relationship with the community’s population.*

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

- a. Implementation of one additional program.*

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

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

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

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

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

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

In the aggregate, particularly the one described above related to growth management and Basin Plan compliance, build on the existing state and County regulatory framework, and when applied to new development, will ensure orderly planned growth within the community. Collectively, they provide a

high level of programmatic protection, and serve as a clear basis for limiting growth inducement when applied to future development through the entitlement process associated with that development. Impacts are therefore considered to be less than significant (Class III).

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

Threshold: Would actions under the Community Plan impede the attainment of adopted housing-related goals, especially those related to affordable housing?

Impact PH-2 Future development under the LOCP would provide substantial opportunities for affordable housing, which will be necessary in order to meet Countywide Housing Element goals related to this issue. This is a Class IV, beneficial impact.

Development under the LOCP could result in an additional 1,861 residential units, for a total of 8,182 residential units in the Study Area within the 20-year plan horizon (by 2035). **Table 4.10-4** shows existing and potential residential development and population within the planning area based on the proposed land use designations under the Los Osos Community Plan.

Table 4.10-4. Residential and Population Buildout Summary			
	Existing¹	Buildout Capacity³	Potential Increase
Dwelling Units²			
<i>Single-Family</i>	5,426	6,487	1,061
<i>Multi-Family</i>	895	1,695	800
Total Dwelling Units	6,321	8,182	1,861
Population⁴	13,906	18,000	3,444
¹ County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP ² All dwellings in all land use categories ³ Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes. ⁴ Based on 2.2 persons per household, consistent with the 2010 U.S. Census			

Buildout within the community would result in a potential population of 18,000, which is based on a potential capacity of 8,182 dwelling units. This is a 30% increase over the existing population and number of households currently in the planning area. New residential development under the LOCP

would be more heavily multi-family oriented than the current mix of development, which is now about 85% single-family residential. New development potential would be about 75% single-family, resulting in an overall mix of 79% single-family communitywide at buildout.

The RHNA for 2014 to 2019 planning period identified a Countywide need of 547 affordable dwelling units to low and very low-income households to be built within unincorporated areas. Even after considering approved projects, there remains a need for 407 affordable units. The existing Estero Area Plan would potentially provide sites for up to 404 affordable units within Los Osos alone, which is 60% of the potential affordable housing development in unincorporated areas (**Table 4.10-2**). Thus, future development in Los Osos is imperative for realizing the County's affordable housing goals, which underscores the importance for completing the community sewer system, bringing the groundwater basin into a sustainable state, and implementing a Habitat Conservation Plan.

The LOCP provides slightly fewer affordable housing opportunities than the existing Estero Area Plan, because it includes less Residential Multi-Family (RMF) designated land. In all, there would be 104 acres of RMF land as compared to 135 under the current plan. This 31-acre net decrease, however, would be largely offset by the proposed Morro Shores Mixed Use project, which includes a variety of housing and commercial opportunities within its 63 acres. In all, there would be the capacity for 1,695 multi-family dwellings under LOCP, or 800 more multi-family units than currently exist (**Table 4.10-4**). All of the affordable housing sites identified under the Housing Element would be retained under the LOCP.

Therefore, adequate sites have been identified to accommodate the unincorporated County's share of housing need by income level, as shown in Table 3.1 of the Housing Element, and summarized in **Table 4.10-2**.

Such housing would benefit very low, low and moderate-income households by providing options to reduce overpayment for rent, potentially reduce overcrowding and provide options to avoid rental of substandard housing. Therefore, Project impacts to affordable housing supply would be considered **beneficial (Class IV)**.

Proposed LOCP Policies to Address Potential Impacts. No additional LOCP policies are applicable beyond those described under Impact PH-1.

Mitigation Measures. No mitigation measures are required, because impacts are considered beneficial.

Threshold: Would actions under the Community Plan adversely contribute to a regional imbalance of jobs and housing such that it would impede the attainment of goals related to such a balance, including air quality and traffic?

Impact PH-3 The project will likely exacerbate an existing jobs-housing imbalance that exists in the Los Osos community. While potentially adverse, this is not considered a significant impact (Class III) because the community is not intended to function as a jobs center in the County, based on goals included in the Housing Element, Estero Area Plan and proposed LOCP.

One common growth-related measure intended to minimize traffic and air quality impacts, and to provide orderly development in general, is the concept of balancing jobs and housing. The balance of jobs and housing is measured by comparing the ratio of jobs to employed residents. This jobs-to-employed-residents ratio (J/ER) is calculated by dividing the number of jobs by the number of workers living in a community. One difficulty in that approach is that many people do not live and work in the same community, often as a matter of choice. The County has not adopted a target “jobs/housing balance” for the County or any community within the County. However, SLOCOG has identified that overall, the existing jobs-to-employment residents ratio (J/ER) is 0.83 Countywide, which would suggest that this is the “balanced” state for the County (SLOCOG, Regional Housing Needs Assessment, 2013). The current J/ER ratio in Los Osos is about 0.21 (Estero Area Plan, 2009), which suggests that the community has a relatively high proportion of housing opportunities compared to jobs.

A common perception is that an “unbalanced” community can increase traffic congestion, pollution and energy use. It also may indicate that the local economy may be losing sales tax revenues to other communities, signaling a weakness in the local economy. However, it should be recognized that the J/ER ratio is highly theoretical. What it really indicates is whether there are sufficient opportunities for residents to be employed in the community where they live. In reality, though, residents may actually work in other communities for a variety of reasons. Therefore, it is possible for a community to have a “balanced” J/ER ratio (in the case of the County, of 0.83), for example, yet have a much lower ratio considering the proportion of local resident workers that actually work within the community.

Many people choose to live in Los Osos *because* it is not a job center, and because of its more quiet semi-rural lifestyle. This is recognized in both the Estero Area Plan and the draft LOCP. Therefore, although a jobs/housing imbalance is conceptually a concern, the theoretical attainment of a balance by encouraging the rezone of properties is not a realistic solution, and is potentially adverse from an environmental perspective, because of the potential to induce growth and impact a variety of natural resources through that growth. Such a “top down” approach to addressing the issue also does not recognize market realities. Commercial development not only needs available land, but a clear basis

from an economic perspective. The City of San Luis Obispo’s central location within the County, for example, is a major reason why that community is so attractive to regional employers. Los Osos, on the other hand, does not have the same locational advantages, and is not near a major regional highway. It will always function to some extent as a bedroom community, and current plans wisely recognize this for its attractive qualities.

For these reasons, impacts related to jobs/housing balance are considered potentially adverse, but less than significant (Class III).

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

c. Cumulative Impacts. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For this issue, project-specific impacts are considered the same as cumulative impacts. Cumulative impacts would be **Class III, less than significant**.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.10-5** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.10-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	PH-1 through PH-3
<i>The future project is inconsistent with Community Plan policies or adopted growth management regulations.</i>	PH-1 through PH-3
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than PH-1 through PH-3
<i>The future project would result in an impact or</i>	Worsened PH-1 through PH-3, as applicable

Table 4.10-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	

4.11 PUBLIC SERVICES

This section examines impacts to fire protection, law enforcement, schools, and solid waste services that would result from buildout under the LOCP. In general, it appears that there is sufficient landfill capacity to ensure that programmatic impacts related to solid waste would be less than significant. Impacts to school are deemed to be less than significant based on the payment of state mandated fees, consistent with state law. Impacts to fire and police protection services are also considered less than significant (Class III) with the payment of required public facilities fees.

4.11.1 Setting

a. Physical Setting

Fire Protection. Fire protection and emergency medical services are provided by Cal Fire/County Fire through an agreement with the Los Osos Community Services District (LOCSD). The South Bay Fire Station (Station 15), located at 2315 Bayview Heights Drive, serves Los Osos and nearby areas beyond the Urban Reserve Line, providing fire prevention and emergency medical services. For most calls within Los Osos, Cal Fire response times vary from four to seven minutes. The response times are within the performance standards as outlined in the Cal Fire/San Luis Obispo County Strategic Plan.

Law Enforcement. Los Osos relies on the County Sheriff and the California Highway Patrol for police protection services. The primary station serving the community is the Sheriff's coast station, located in Los Osos at 2099 10th Street. The Sheriff's substation in Los Osos serves a large geographic area that extends from Avila Beach to the Monterey County line. Response times for the Sheriff's office vary, based on allocated personnel, existing resources, time and day of week and prioritized calls for law enforcement services. In 2014, the average response time for Los Osos was about 16.6 minutes, according to the County Sheriff's Office.

Other services, including investigative and emergency dispatch services, are provided the County Operations Center on Kansas Avenue, midway between Morro Bay and San Luis Obispo near Highway 1. Additional police protection services are provided by the California Highway Patrol (CHP). The nearest Highway Patrol office is located near the California Boulevard-Highway 101 interchange in San Luis Obispo.

Schools. Los Osos is served the San Luis Coastal Unified School District. Residents attend Monarch Grove Elementary, and Baywood Elementary School, and Los Osos Middle School, all of which are located within the community, as well as Morro Bay High School within the City of Morro Bay. Current enrollment at these schools is shown in **Table 4.11-1**.

Table 4.11-1. Enrollment and Capacity at Public Schools Serving Los Osos			
	Capacity	Enrollment	% of Capacity
Monarch Grove Elementary	470	347	74%
Baywood Elementary	432	352	81%
Los Osos Middle School	1,073	583	54%
Morro Bay High School	1,400	867	62%
Total	3,375	2,149	64%
<i>Source: SLUCSD, 2015 Enrollment Projections Capacity Analysis 2014/15 Update</i>			

Elementary school enrollment has generally declined during the 1993-2015 period, because of declining household size and a general aging demographic within the community. Enrollment is currently about 74-81% percent of the capacity of the two local elementary schools. Los Osos Middle School enrollment was about 54 percent of capacity in the 2014-15 school year, while Morro Bay High School's enrollment was at about 62% of capacity. Student enrollment typically fluctuates throughout any given school year, in part because families move in and out of the area, or choose to send their children either to schools outside the area, or to private schools.

San Luis Unified School District does not currently project significant growth in Los Osos in its long-term facility needs estimates, but recognizes this situation could change with the advent of the community sewer system, and is prepared to address potential growth as needed (Anthony Palazzo, SLUCSD, May 2016).

Solid Waste. Mission Country Disposal provides garbage collection and recycling services within Los Osos, transporting solid waste to Cold Canyon Landfill at 2268 Carpenter Canyon Road, between the cities of San Luis Obispo and Arroyo Grande.

At Cold Canyon Landfill, waste is processed at the Resource Recovery Park (RRP) and Materials Recovery Facility (MRF). The landfill does not compost, but green waste and wood waste are processed (chipped/ground) for either use as cover for the working face of the landfill, or being hauled to another out-of-county facility. Commercial operations that use roll-off services and/or construction and demolition waste removal services may choose any permitted hauler.

The RRP includes a public drop-off facility, a construction and demolition (C&D) recycling operation, a household hazardous waste drop-off facility, a universal and electronic waste recycling center, and an equipment maintenance facility. Materials collected, sorted, and recovered in the bunkers include cardboard, metal and appliances, green waste, wood waste, concrete/asphalt/brick, trash, tires, drywall, and other paper and plastic materials.

The MRF accepts recyclable waste from the curbside pickup services and industrial and commercial consumers. In addition, it receives recyclable material sorted at the RRP. The MRF processes up to 18 tons per hour of glass, plastic, paper, cardboard, aluminum, tin, and other metals. The MRF is capable of accepting up to 400 tons per day (CalRecycle 2016). The sorting process produces less than 5 percent residuals (materials which cannot be recycled) (City of San Luis Obispo 2012).

Currently, the maximum permitted throughput to the landfill is limited to 1,650 tons per day (CalRecycle 2016). However, the Cold Canyon Landfill recently received approvals from the County and the state in 2013 to allow continued waste expansion and disposal operations through 2040. With planned expansions through 2040, the maximum total throughput would increase to 2,050 tons (City of San Luis Obispo 2014). The landfill has a design capacity of 23,900,000 cubic yards (cy) and a remaining capacity of 14,500,000 cy, or 60.7 percent. Utilizing the MRF and RRP, Cold Canyon Landfill diverts approximately 65 percent of waste from the landfill. Additional potential solid waste disposal sites that could serve the community include the Chicago Grade and/or Paso Robles landfills, or at out of county waste disposal facilities. The Chicago Grade and Paso Robles Landfills have remaining infill capacities of 832,699 cy (93 percent) and 5,327,500 cy (82 percent), respectively (CalRecycle 2016).

In 2010, San Luis Obispo County sent 226,987 tons of solid waste to landfills.

b. Regulatory Setting. The following regulations set forth criteria and specific requirements to address public services.

Federal. There are no federal regulations that relate to the public services described above.

State. The following discussion summarizes the key state regulations that relate to public services, notably fire protection and schools.

California Fire Code and California Building Code

The International Fire Code and the International Building Code established by the International Code Council (ICC) and amended by the State of California; prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection.

California Occupational Safety and Health Administration

In accordance with California Code of Regulations, Title 8 Sections 1270 “Fire Prevention” and 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include but are not limited to guidelines on the handling of highly combustible materials, fire hosing sizing

requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California Health and Safety Code

State fire regulations are set forth in Sections 13000, et seq. of the California Health and Safety Code, which includes regulations for building standards (as set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, high-rise building, childcare facility standards, and fire suppression training.

Leroy F. Greene School Facilities Act of 1998

The California State Legislature enacted the Leroy F. Green School Facilities Act of 1998 (Senate Bill 50), which made significant amendments to existing state law governing school fees. Senate Bill 50 prohibited state or local agencies from imposing school impact mitigation fees, dedications, or other requirements in excess of those provided in the statute. The legislation also prohibited local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any project.

Local. The County prepared a Public Facilities Financing Plan (PFFP) for the unincorporated portions of the County, including Los Osos, most recently updated in 2011. In general, it addresses the link between new development and public infrastructure financing, and sets fees to mitigated impacts associated with parks, law enforcement, fire protection, and other County services.

This 2011 PFFP documents the amount and cost of new capital facilities required to serve new development in unincorporated areas through the year 2025. One potential source of funding is public facilities fees, or impact fees, paid by new development to fund its fair share of facilities needs. The PFFP documents the maximum justified level of those fees, and is structured to address the following specific topics:

- Public Facilities Financing in California
- Fee Determination
- Facilities Costs and Fee Schedules
- Implementation and Administration
- Collection and Disbursement

As described in the PFFP, the public facilities fees are collected at time of building permit issuance, unless deferred to final building permit inspection according to an agreement pursuant to the Public Facilities Fees Ordinance. The fees will not be collected on vacant land until development occurs. Fees will only be collected on developed land if the existing structures are being expanded or otherwise modified to allow more intense use of the property.

Fee revenues for each facility area are collected in a separate trust account, and interest earned on fund balances are credited to that account. Funds will be transferred from that account to specific accounts for construction as needed to finance the facilities required to serve new development. These facilities are summarized in their respective chapters of this plan, and in greater detail in specific master plans prepared by each department. The proposed facilities for each type of service are reflected as an attachment to the Resolution adopting the Public Facilities Financing Plan and will be reviewed and revised as needed through the annual review of the Public Facilities Fee program. The County uses the Capital Improvement Program to indicate the actual phasing and location of new facilities.

4.11.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to cause adverse impacts related to public services, based on the proposed project's compliance with existing regulations that address the issue.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would:

- *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*
 - *Fire protection*
 - *Police protection*
 - *Schools*
 - *Parks (addressed in Section 4.12, Recreation)*
 - *Other public facilities (including Solid Waste)*

b. Impacts and Mitigation Measures.

Threshold: Would actions under the Community Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Impact PS-1 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for fire protection services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are Less Than Significant (Class III).

Buildout under the Los Osos Community Plan would result to 1,861 new residential units within its 25-year planning horizon, which would generate an estimated 4,094 additional residents (based on an average household size of 2.2 persons). When added to the existing population of approximately 13,906, buildout under the Community Plan would increase Los Osos's total population to an estimated 18,000 residents. This increase in population would lead to increased need for fire protection services. New residential development would be required to pay standard fees to offset potential impacts to public facilities, including fire protection facilities. CalFIRE fees are currently \$421 per residential unit, and a County Public Facilities fee in accordance with Title 18 of the County Code currently ranges from \$5,021.40 to \$6,861.40 per new residential unit, depending on the size and unit type.

Future applicants for development in the community would be required to pay impact mitigation fees in accordance with the County of San Luis Obispo Public Facilities Financing Plan for Unincorporated Area Facilities (revised September 2011) prior to the issuance of a building permit. Payment of these fees would contribute to the provision of additional fire protection equipment or facilities as needed to accommodate potential growth. That need would have to be determined at the time a specific development is proposed. Revisions to the impact fee program or other financing mechanisms could be necessary in the event the need for substantial new infrastructure occurs due to unforeseen circumstances, and in that case would most appropriately be addressed and assured prior to the approval of any specific development that may occur subsequent to those unforeseen circumstances. Therefore, impacts to fire protection services would be Class III, less than significant.

Proposed LOCP Policies to Address Potential Impacts. Although the community appears to be adequately served at this time, it is unclear the extent to which future growth both within the

community and within the greater service area in the County will continued to be adequately served by existing fire protection facilities. Nevertheless, the appropriate mechanism to ensure that impacts would be less than significant is not through the LOCP, but through the collection of public facilities fees, which would be applied as appropriate to identified capital improvements that are tied to the County's adopted Public Facilities and Financing Plan.

Mitigation Measures. No mitigation measures are required.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: Would actions under the Community Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

Impact PS-2 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for law enforcement services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are Less Than Significant (Class III).

Buildout under the Los Osos Community Plan would result to 1,861 new residential units within its 25-year planning horizon, which would generate an estimated 4,094 additional residents (based on an average household size of 2.2 persons). When added to the existing population of approximately 13,906, buildout under the Community Plan would increase Los Osos's total population to an estimated 18,000 residents. This increase in population would lead to increased need for law enforcement services.

Future applicants for development in the community would be required to pay impact mitigation fees in accordance with the County of San Luis Obispo Public Facilities Financing Plan for Unincorporated Area Facilities (revised September 2011) prior to the issuance of a building permit. Payment of these fees would contribute to the provision of additional fire protection equipment or facilities as needed to accommodate potential growth. That need would have to be determined at the time a specific development is proposed. Revisions to the impact fee program or other financing mechanisms could be necessary in the event the need for substantial new infrastructure occurs due to unforeseen circumstances, and in that case would most appropriately be addressed and assured prior to the

approval of any specific development that may occur subsequent to those unforeseen circumstances. Therefore, impacts to police protection services would be Class III, less than significant.

Proposed LOCP Policies to Address Potential Impacts. Although the community appears to be adequately served at this time, it is unclear the extent to which future growth both within the community and within the greater service area in the County will continued to be adequately served by existing police protection facilities. Nevertheless, the appropriate mechanism to ensure that impacts would be less than significant is not through the LOCP, but through the collection of public facilities fees, which would be applied as appropriate to identified capital improvements that are tied to the County's adopted Public Facilities and Financing Plan.

Mitigation Measures. No mitigation measures are required.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: Would actions under the Community Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for schools?

Impact PS-3 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for public school facilities. However, in accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees is considered to be full and complete mitigation of potential school-related impacts. For this reason, impacts are considered Less than Significant (Class III).

Existing enrollments are well within the capacity of area schools, as reported previously. Based on industry standard student generation rates, buildout under the LOCP would generate new students, as shown in **Tables 4.11-2 and 4.11-3:**

Table 4.11-2. Projected Student Generation from Additional Development Under LOCP					
Grade Level	Generation Rates		Potential Residential Units		Projected Additional Students
	Single-Family (students per unit)	Multi-Family (students per unit)	Single-Family	Multi-Family	
K-6	0.302	0.116	1,061	800	413
7-8	0.064	0.032	1,061	800	94
9-12	0.119	0.066	1,061	800	179
Total					686
Student generation rates based on SLUCSD projections in 2015 Enrollment Projections Capacity Analysis 2014/15 Update; development potential is from EIR Project Description.					

Table 4.11-3. Existing and Projected Student Enrollment						
Grade Level	Existing Capacity	Existing Enrollment	New Projected ¹	Total at Buildout	% of Capacity	Available Capacity?
Elementary (K-5) ¹	902	699	354	1,053	117%	No
Middle School (6-8) ²	1,073	583	153	736	69%	Yes
High School (9-12)	1,400	867	179	1,046	75%	Yes
Total	3,375	1,043	686	2,835	84%	Yes
<i>Based on student generation rates and development assumptions included shown in Table 4.11-1 and 4.11-3.</i>						
<i>¹ Elementary schools serve K-5, so projected enrollments for K-6 shown in Table 4.11-3 are reduced by 1/7 in this table. Los Osos Middle School serves 6-8, so projected enrollment for sixth graders is added to the 7-8 projection made in Table 4.11-3.</i>						

There appears to be substantial capacity at the middle school and high school to accommodate future development in Los Osos through buildout of the Community Plan, with projected enrollment not exceeding 75% of available capacity at either Los Osos Middle School or Morro Bay High School. It should be noted that this does not account for potential growth in the City of Morro Bay, which also feeds area schools, particularly the high school. However, preliminary discussions with City of Morro bay staff suggest that long-term growth in Morro Bay is not likely to be substantial. That community is currently embarking on a General Plan update, and projected future population is not anticipated to be significantly higher than the current population (Scot Graham, City of Morro Bay, March 2016). Los Osos typically contributes about 70% of the student enrollment at the middle school and high school, with the remainder coming from outside the community.

At the elementary schools, future enrollment could potentially exceed existing capacity. Even accounting for the fact that projected SLUCSD enrollment rates are based on K-6, and sixth graders currently attend Los Osos Middle School, that would only reduce the projected enrollment estimates by 1/7, or 14% at that grade level. As shown in **Table 4.11-3**, this would result in a projected buildout enrollment at the elementary (K-5) level of 1,053, which is 17% over existing capacity. However, it is worth noting that Sunnyside Elementary School, located at 800 Manzanita Drive, which was previously closed because of declining enrollments, could potentially be reopened if future growth necessitated this action, since the SLCUSD still owns the site.

Consistent with applicable legislation, the SLCUSD currently requires all new residential and commercial development to pay developer fees to offset potential impacts of increased enrollment on City facilities through improvements to school facilities (Government Code Section 65996). SLCUSD currently collects developer fees as authorized by SB 50 (Government Code Section 65970) to mitigate increased demand for school facilities. These fees are currently assessed at \$3.36 per square foot of residential development and \$0.54 per square foot of commercial development (SLCUSD 2015a), which would be estimated when building plans and sizes are finalized. In accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization."

Because new development would be required to pay statutory impact fees for school facilities, and that is deemed to be full mitigation under state law, impacts on school facilities associated with buildout under the LOCP would be Class III, less than significant.

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

Residual Impacts. Impacts would be less than significant without mitigation.

Threshold: Would actions under the Community Plan result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for solid waste services?

Impact PS-4 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for solid waste disposal services. However, existing regional landfills that serve Los Osos have sufficient long-term capacity to accommodate buildout under the LOCP, so impacts are considered Less than Significant (Class III).

Solid waste generated from residential uses is a function of the number of homes, household size, and per capita waste generation. CalRecycle estimates that residential uses in San Luis Obispo County generate an average of 0.25 tons per resident per year for residents in San Luis Obispo County

(CalRecycle, Residential Wastestream Database, 2014; accessed March 2017). Commercial solid waste generation is based on a per employee generation factor. The CIWMB and CalRecycle estimate that nonresidential uses in San Luis Obispo County generate an average of 9.8 pounds of waste per employee per day (CalRecycle, 2013).

Based on a factor of 2.2 persons per dwelling unit, the additional 1,861 residential units associated with Community Plan buildout would be expected to generate approximately 4,094 new residents. Therefore, prior to implementation of recycling programs or State mandated diversion requirements, new residential development accommodated under the proposed Community Plan would generate approximately 1,024 tons of solid waste per year or 2.8 tons of solid waste per day.

Based on an assumed 700 square feet of space per employee, the estimated 364,000 square feet of new commercial/retail development facilitated by the proposed LOCP would generate an estimated 520 new jobs. Therefore, prior to implementation of recycling programs or State mandated diversion requirements, commercial buildout under the proposed Community Plan would generate approximately 930 tons of solid waste per year or 2.5 tons of solid waste per day.

Based on the previous assumption, existing and projected solid waste generation in Los Osos is estimated in **Table 4.11-4**.

Table 4.11-4. Existing and Projected Solid Waste Generation in Los Osos (tons/day)			
	Existing	Projected from New Development	Total at Buildout
Residential	9.5	2.8	12.3
Non-Residential	4.7	2.5	7.2
Total	14.2	5.3	19.5
<i>Notes: Based on population and square footage figures included in the EIR Project Description. Residential rate based on 0.25/ton per resident (CalRecycle, 2014). Assumes 2.2 persons per household. Non-Residential rate based on 9.8 pounds/employee/day, and 1 employee per 700 SF.</i>			

In total, new development would generate up to 1,954 tons per year of solid waste, or 5.3 tons per day. At buildout, total solid waste generation would be 7,143 tons per year, or 19.5 tons per day. This is well within existing landfill capacity at Cold Canyon.

Impacts resulting from long-term development under the LOCP would be less than significant (Class III).

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

c. Cumulative Impacts. As described above, impacts to police protection, fire protection, and public schools would be less than significant upon payment of impact mitigation fees, while impacts related to solid waste would be less than significant due to adequate capacity of an area landfill. Regional growth in the project vicinity, while expected to be relatively minor over the life of the proposed LOCP – may also increase demand for public services. Thus, the public services impacts from buildout of the proposed LOCP would incrementally contribute to these cumulative impacts. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. Cumulative impacts would be **Class III, less than significant**. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review as appropriate.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.11-5** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.11-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	PS-1 through PS-4
<i>The future project is inconsistent with Community Plan policies.</i>	PS-1 through PS-4
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than PS-1 through PS-4
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened PS-1 through PS-4, as applicable

4.12 RECREATION

Based on the County's Parks and Recreation Element and Quimby Ordinance parkland standard of three acres of neighborhood and community parkland per 1,000 residents, the estimated future population of 18,000 residents would generate a demand for 54 total acres of parkland. The proposed Community Plan includes 51.7 acres of designated Recreation (REC) land, and an additional 13.7 acres of PF/REC designated land, for a total of 65.4 acres related to recreational development. This is consistent with the Quimby Ordinance and General Plan standard, exceeding the projected community need by 11.4 acres.

The proposed LOCP recognizes that Los Osos needs more opportunities for "active" recreation, such as ball fields, children's play equipment, and recreation programs. It also recognizes that recreational opportunities could be incorporated into planned mixed use areas, and encourages continued joint use of public school facilities to meet future needs. The LOCP includes a policy framework and programs to address these needs. Because the LOCP programs include adequate parkland to address long-term buildout, and with future development paying required Quimby fees, impacts would be Less than Significant (Class III).

4.12.1 Setting

a. Physical Setting

Existing Parks and Recreational Facilities. Los Osos has only one community park, the 6.2-acre Los Osos Community Park, located at 2180 Palisades Avenue. The only County park with available indoor facilities, Los Osos Community Park is a popular venue for civic events, small festivals, birthday parties and wedding receptions. In addition to the Red Barn and Schoolhouse facilities, the park offers two reservable tennis courts, horseshoes, two children's play areas, two large turf areas, a first-come, first-served group area with barbeque (awaiting further development) and individual picnic sites. The Los Osos Skate Park, which is part of the community park, is a 0.4-acre facility for skateboarders, roller skaters, and rollerbladers of all ages.

Public school facilities augment the community's formal recreation facilities operated by County Parks. There are an estimated 10.5 acres of playgrounds at Los Osos elementary schools, and an additional 7.5 acres of athletic fields at the middle school, for a total of 18 acres of school-related recreational facilities (Estero Area Plan, Table 3-5). In all, there are 24.2 acres of public or school-related recreational facilities in Los Osos.

In addition, Los Osos residents have convenient access to various nearby regional or state parks, including Montana de Oro State Park, Morro Bay State Park, and El Chorro Regional Park. Other unique nature-oriented facilities within Los Osos provide passive recreational opportunities, including Sweet

Springs Nature Preserve, Elfin Forest Natural Area (38.7 acres), Monarch Grove (18 acres), and Los Osos Oaks State Reserve.

b. Regulatory Setting. The following regulations set forth criteria and specific requirements to address parks and recreation issues.

Federal. There are no federal regulations that relate to parks and recreation issues.

State. The following discussion summarizes the key state regulations that relate to parks and recreation issues.

Quimby Act

The Quimby Act (California Government Code Section 66477) was established by the California legislature in 1965 to preserve open space and parkland in the rapidly urbanizing areas of the State. This legislation was in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate land for parks, pay an in-lieu fee, or perform a combination of the two.

The Quimby Act provides two standards for the dedication of land for use as parkland. If the existing area of developed parkland in a community is greater than 3 acres per 1,000 persons, then the community may require dedication based on a standard of up to 5 acres per 1,000 persons residing in the subdivision. If the existing amount of developed parkland in a community is less than 3 acres per 1,000 persons, then the community may require dedication based on a standard of only 3 acres per 1,000 persons residing in the subdivision. The Quimby Act requires a city or county to adopt standards for recreational facilities in its General Plan Recreation Element if it is to adopt a parkland dedication/fee ordinance.

The County collects Quimby Act in-lieu fees. These fees contribute to a fund that would be used to acquire properties for parkland. The County's standards for parkland dedication under the Quimby Act are provided in the discussion of local regulations below.

Local. County regulations pertaining to recreation issues are described below.

General Plan Parks and Recreation Element

The County of San Luis Obispo General Plan Parks and Recreation Element (adopted December 19, 2006) sets forth the County's policies and detailed programs related to parks and recreation needs.

The Parks and Recreation Element of the County's General Plan also identifies a goal of achieving a minimum of three acres of parkland per 1,000 population in each of the County's unincorporated communities (including Los Osos).

San Luis Obispo County Quimby Ordinance

The County's Quimby Ordinance (within Title 21 of the San Luis Obispo County Municipal Code [Real Property Division Ordinance]) establishes:

- (1) The County's desired park-to-population ratio of 3 acres of neighborhood or community parkland per 1,000 new population generated;
- (2) Criteria for when new development shall pay a fee versus provide parkland; and
- (3) Criteria for obtaining a credit for private park or recreation proposed within a new residential development.

The County's Quimby Fee is periodically reviewed and set by the Board of Supervisors. When a fee is to be paid in lieu of land dedication, the amount of the fee is generally based on the anticipated cost of acquiring new park acreage and/or developing a new park. The County's current Quimby Ordinance fee is \$926 for a new single-family lot and \$705 for a new multifamily lot. Quimby fees are collected at the time a residential subdivision is recorded. The fee can only be used to expand, acquire, rehabilitate, or develop a new neighborhood or community-serving park. The fee may not be used for maintenance.

San Luis Obispo County Public Facilities Fee Ordinance

The County's Public Facilities Fee Ordinance (within Title 18 of the San Luis Obispo County Municipal Code), which was adopted in 1991 and amended in September 2016, is intended to implement the County's General Plan by collecting fees on new development to offset their potential impacts on a variety of public facilities, including parks. However, when an application is made for a new building permit where the Parkland fees (Quimby) have been paid at the time of recordation of the subdivision, the land portion of the park component of the Public Facility Fee shall not be collected at the time of the building permit. The development portion of the park component of the Public Facility Fee shall be collected.

With some exceptions as described in the Ordinance, project applicants shall pay to the County Department of Planning and Building any and all Public Facilities Fees imposed by resolution of the Board of Supervisors. Fees shall be paid by one of the following methods:

- (1) Prior to the issuance of any building permit, or prior to the granting of any earlier approval for any development project if the collection of the fees at such earlier time is permitted by law; or
- (2) Deferred Fees. Prior to the final building inspection consistent with the following:

(a) Prior to the issuance of the building permit the applicant shall enter into an agreement in a form approved by County Counsel, assuring that all fees will be paid prior to final inspection.

(b) Prior to issuance of the building permit, a deposit shall be collected, in the amount of 20 percent of the total amount of Public Facilities Fees owed as of the date of building permit issuance based on the fees currently in effect, together with the administrative fee set in the adopted fee schedule.

(c) Prior to final inspection, all Public Facilities Fees shall be paid in full, minus the amount paid as a deposit prior to permit issuance pursuant to Section 18.04.010a(2)(b). The amount of the total Deferred Fees due and owed prior to final inspection shall be calculated according to the fees in effect at the time the Deferred Fees are paid in full.

Estero Area Plan

Chapter 4. Land Use Policies and Programs; V. Los Osos Land Use Policies

The Estero Area Plan describes, in a general sense, the kind of new recreational facilities that should be contemplated as the Los Osos community grows. The timing and thresholds of need for these facilities is not established in the area plan, but they include the following:

- *As the community grows, another community park with picnic facilities, walking paths through both landscaped and significant native vegetation areas, and similar facilities befitting the hilly terrain and capitalizing on the scenic overlook of Morro Bay should be developed in the Highland area;*
- *Neighborhood parks should be developed adjacent to future schools and Baywood Elementary School. This will provide recreation facilities throughout the community and allow for joint use of each facility.*
- *Additional neighborhood parks should be developed in the area west of 1st Street and south of Santa Ysabel Avenue and in the area south of the existing mobilehome parks south of Ramona Avenue.*
- *The development of a recreational trails system, providing routes for bicycle and pedestrian-oriented activities to link parks and other scenic area is essential.*
- *Significant tree groves of oaks, willows, pines, cypress, and eucalyptus within Los Osos should be studied for potential public park sites before private development occurs. Native and introduced trees include oaks, willows, pines, cypress, and eucalyptus. Use of such areas may range from small parkland areas with walking and bicycle access only to fully developed neighborhood or community parks.*

Section F., County Parks, Los Osos and Vicinity, establishes three specific programs for future recreational uses in Los Osos:

- 1. Boat Launching Ramp. The county should work with the community toward acquisition and development of a site for a small boat launching ramp at Cuesta-by-the-Sea.*
- 2. Parksite Reservation - Bayshore. The county should work with the community to identify and reserve a community park site for passive recreation along the south shore of Morro Bay.*
- 3. Parksite Reservation - Los Osos The county should work with the community to develop neighborhood park facilities near Baywood Elementary School, Los Osos Junior High School and Baywood peninsula.*

4.12.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to cause adverse impacts related to recreation, based on the proposed project's compliance with existing regulations that address the issue.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would result in any of the following:

- Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated;*
- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment; or*
- Affect access to trails, parks, or other recreational opportunities.*

b. Impacts and Mitigation Measures.

Threshold: Would actions under the Community Plan increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold: Would actions under the Community Plan include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Threshold: Would actions under the Community Plan affect access to trails, parks, or other recreational opportunities?

Impact REC-1 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for parks and recreational facilities. However, existing parks, in combination with planned recreational facilities and supporting policies in the LOCP, would ensure that programmatic impacts are Less than Significant (Class III).

Buildout under the Los Osos Community Plan would result to 1,861 new residential units within its 25-year planning horizon, which would generate an estimated 4,094 additional residents (based on an average household size of 2.2 persons). When added to the existing population of approximately 13,906, buildout under the Community Plan would increase Los Osos's total population to an estimated 18,000 residents. This increase in population would lead to increased use of recreational facilities, and would contribute to the physical deterioration of these facilities.

Based on the County's Parks and Recreation Element and Quimby Ordinance parkland standard of three acres of neighborhood and community parkland per 1,000 residents, the estimated future population of 18,000 residents would generate a demand for 54 total acres of parkland. The proposed Community Plan includes 51.7 acres of designated Recreation (REC) land, and an additional 13.7 acres of PF/REC designated land, for a total of 65.4 acres related to recreational development. This is consistent with the Quimby Ordinance and General Plan standard, exceeding the projected community need by 11.4 acres.

The planning area currently supports 129.0 acres of REC designation land, while the proposed plan only includes 65.4. Although it may appear that this could have an adverse impact on the development of

future recreational facilities, most of this difference was redesignated to Open Space (OS), in recognition of the fact that these were environmentally sensitive areas more suitable for more passive long-term uses, rather than formal park facilities.

Table 4.12-1 summarizes areas in Los Osos that would involve changes in land use designation, with respect to either Recreation or Open Space.

Table 4.12-1. Proposed Land Use Designation Changes Involving Open Space or Recreation					
Reference Code Shown in Figure 2-4	Description of Area	APN	Existing Designation	Proposed Designation	Acreage
1	Elfin Forest	038-701-004, 008, 012, and 016	Uncertified ¹	OS	84.0
2	Sweet Springs	074-229-010 074-101-004	Uncertified	OS	24.9
3	Sweet Springs East	074-229-009	RSF	OS	2.5
4	Sweet Springs (Morro Palisades Co.)	074-229-014 074-229-015	Uncertified	REC	1.15
5	West of 3rd between Pismo and El Morro Aves.	038-262-001, 007, and 004; 038-341-001	OS	REC	3.81
6	Tract 1589 (Monarch Grove)	074-026-002; 074-026-003; 074-029-001 thru 015	RS (4.0 ac) RSF (22.65 ac)	OS (16.31 ac) REC (10.34 ac)	26.65
12	West of Western Fringe of West of Pecho area and Hotel site (State-owned)	074-011-010 and 074-011-012	REC	OS (Rural Estero)	64.7
13	East side Palisades Ave. adjacent to community park (county)	074-229-027	RMF	REC	1.65
17	Eastern Hillsides, Morro Palisades	073-023-004, and 005	REC (32.0 ac) RS (79.0 ac) RSF (109.5 ac)	OS	220.5
22	Ptn. Tract 1646 west of Pecho Road, s/o Skyline	074-026-010	RSF	REC	2.4
26	TRI-W / Midtown	074-229-017	CR/OP	PF/REC	13.7
TOTAL ACREAGE SUBJECT TO LAND USE REDESIGNATION					446.0
1. "Uncertified" refers to areas where the Coastal Commission currently has retained jurisdiction, because the County and the Coastal Commission could not agree on land use designations and standards. These areas would be redesignated as shown in the table.					

Table 4.12-2 summarizes the proposed changes in terms of the total acreages within the plan area in either Open Space or Recreation. This is important because designated open space lands in many cases perform passive recreation opportunities, including walking trails through the Elfin Forest, Sweet Springs

and Monarch Grove. While not formal parklands, they perform a similar function, and should be considered as potential recreational opportunities for the community.

Table 4.12-2. Summary of Recreation and Open Space Land under the LOCP		
Land Use Designation	Existing Estero Area Plan	Proposed LOCP
Open Space (OS)	278.1	695.9
Recreation (REC)	129.0	51.7
Public Facility/Recreation (PF/REC)	0	13.7
Total OS and REC-related lands	407.1	761.2

As noted previously, public school facilities augment the community’s formal recreation facilities operated by County Parks. There are an estimated 10.5 acres of playgrounds at Los Osos elementary schools, and an additional 7.5 acres of athletic fields at the middle school, for a total of 18 acres of school-related recreational facilities (Estero Area Plan, Table 3-5). In all, there are 24.2 acres of public or school-related recreational facilities in Los Osos.

In addition, Los Osos residents have convenient access to various nearby regional or state parks, including Montana de Oro State Park, Morro Bay State Park, and El Chorro Regional Park. Other unique nature-oriented facilities within Los Osos provide passive recreational opportunities, including Sweet Springs Nature Preserve, Elfin Forest Natural Area (38.7 acres), Monarch Grove (18 acres), and Los Osos Oaks State Reserve.

It should be noted that because the timing of future development cannot be determined at this time, the potential exists for new residential development to occur prior to the construction of adequate parkland to accommodate long-term buildout. Future applicants would be required to pay an in-lieu public parks fee. Payment of in-lieu park fees would result in funding equivalent to the provision of neighborhood and community parks in accordance with the County’s Quimby Ordinance standards. Following payment of Quimby Ordinance fees and applicable Public Facilities Ordinance fees, impacts to recreational resources, including the physical deterioration of existing facilities and the need for new facilities, would be Class III, less than significant.

It is not anticipated that future development will adversely affect access to public trails of recreational facilities because the nature of the proposed land use pattern suggests that access can be maintained. However, future development will be evaluated on a case by-case basis as applications come forward to determine whether such development would comply with the programmatic requirement to maintain public access to such facilities.

Proposed LOCP Policies to Address Potential Impacts. Based on information in the Estero Area Plan, the proposed LOCP recognizes that Los Osos needs more opportunities for "active" recreation, such as ball fields, children's play equipment, and recreation programs. It also recognizes that recreational opportunities could be incorporated into planned mixed use areas, and encourages continued joint use of public school facilities to meet future needs. The LOCP includes a policy framework and programs to address these needs, as follows:

LU-5. Plan for a flexible combination of residential, service, office, and lodging uses at the Morro Shores Mixed Use Area.

- A. Emphasize development of higher intensity residential development and encourage development of a multi-use business or commerce park.*
- B. Require new development to provide convenient street, pedestrian and bicycle links to surrounding neighborhoods, commercial areas, the community center, schools, parks, and the bay.*

LU-9. Provide adequate parkland, open space, and recreation areas to accommodate Los Osos' anticipated population in 2035.

Program LU-1.1: **New parks and recreation Facilities.** *Develop new active parks and recreation facilities to accommodate the needs of existing and future populations.*

- A. **Expand Los Osos Community Park.** County Parks should look into options for expanding Los Osos Community Park to accommodate sports fields, a playground, and a group picnic area.*
- B. **Funding and financing.** If there is substantial community support for additional parks and recreational opportunities, the LOCSD should consider funding parks and recreational services through a benefit assessment and Proposition 218 vote.*
- C. **Additional parks and recreational projects.** As funding becomes available (e.g. through a benefit assessment), the LOCSD and/or County Parks should pursue the development of desired parks and recreational facilities. The community has identified the following desired improvements:*
 - A boat launch and park in the Back Bay or Cuesta Inlet areas*
 - Additional sports fields*
 - A new community park along the planned extension of Skyline Drive between Ravenna and Broderson Avenues*
 - A new community or neighborhood park in the Baywood Park area*
 - An aquatic center*

- *An off-leash dog park*
- *A series of “pocket parks” throughout the Baywood Park area*

***Program LU-1.2: Multiple use of drainage basins.** The County should consider using existing and planned drainage basins for recreational purposes where feasible and if maintenance can be provided through a joint agreement between appropriate agencies/entities.*

***Program LU-1.3: Joint use of school facilities.** The County and the San Luis Coastal Unified School District should develop joint powers agreements that provide additional opportunities for public use of existing school facilities, as well as construction of new facilities.*

Program LU-1.4: Recreation program.

- A comprehensive recreation program and facilities should be established that targets children and young adults. A recreation coordinator could be hired, and recreation facilities could be built where needed. A joint use agreement between the San Luis Coastal Unified School District, the city of Morro Bay, the County, or the Los Osos Community Services District could help make recreation facilities available.*
- A recreation assessment could fund recreation and sports programs by a service charge through the Los Osos Community Services District. As an alternative, consider establishing a recreation district that includes the City of Morro Bay.*

These policies and programs adequately address a variety of recreation-related issues throughout the community. In the aggregate, they build on the existing state and County regulatory framework, and when applied to new development, will ensure sufficient long-term recreation opportunities within the community.

Impacts are therefore considered to be less than significant (Class III).

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

c. Cumulative Impacts. The project-specific analysis evaluated potential communitywide impacts under the LOCP. For this issue, project-specific impacts are considered the same as cumulative impacts.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or

general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.12-3** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.12-3. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	REC-1
<i>The future project is inconsistent with Community Plan policies, or would impede access to public facilities or trails that could otherwise be included in the proposed project design.</i>	REC-1
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than REC-1
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened REC-1, as applicable

4.13 TRANSPORTATION AND CIRCULATION

This section describes the potential impacts to the transportation system associated with adoption and implementation of the Community Plan. The impact analysis examines the roadway, transit, bicycle, and pedestrian components of the community's transportation system. To provide a context for the impact analysis, this section begins with the environmental setting, which is a description of the existing physical and operational conditions for the transportation system. Following the setting is the regulatory framework influencing the transportation system and providing the basis for impact significance thresholds used in the impact analysis. The section concludes with the impact analysis findings and recommended mitigation measures. This section was based on traffic modeling and analysis prepared by Omni-Means.

4.13.1 Physical Setting

Regional and local access to and within Los Osos is provided by State Route 1 (SR 1), Los Osos Valley Road, and South Bay Boulevard. The existing roadway network is generally rural in character with some paved and unpaved local roads.

a. State Highways. The following state highway serves the Los Osos area:

State Route 1 (SR 1) is an east-west four-lane roadway north of the study area located north of the Los Osos community. SR 1 forms a full-diamond interchange with South Bay Boulevard approximately 3 miles north of the Los Osos area (as designated by the Los Osos Community Services District boundary). SR 1 is designated as a freeway from the South Bay Boulevard interchange and to the west, and is designated as an expressway east of this interchange. Freeways are facilities whose junctions are controlled access with grade-separated intersections. Expressways are facilities whose junctions may have partial control of access, but which may or may not be divided or have grade separations at intersections. Expressways and freeways usually have posted speed limits ranging from 55 to 70 mph. The SR 1 corridor performs a functional role in the regional distribution of trips to and from the Los Osos area.

b. Arterials. Arterial facilities serve to connect areas of major activity within the urban area and function primarily to distribute cross-town traffic from freeways/highways to collector streets. Within the Los Osos area, arterial streets are mostly two lane facilities with maximum operating speeds ranging from 30 to 55 mph. In addition, arterial facilities generally have limited access to adjacent land uses. The following arterials service the Los Osos area:

Los Osos Valley Road is an east-west four-lane arterial between Los Osos Creek and 9th Street and a two-lane arterial west of Bush Drive and east of Los Osos Creek. Between Bush Drive and 9th Street, there is a three-lane section, with two eastbound travel lanes and one westbound travel lane. The four- and three-lane sections of Los Osos Valley Road have a two-way left-turn lane, except

between Fairchild Way and South Bay Boulevard where there is a raised median and left-turn pockets. There are also two-way left-turn lanes from Montana Way to Monarch Lane, Palisades Avenue to Bush Drive, and Lariat Drive to Sombrero Drive. The intersections with South Bay Boulevard, 10th Street, 9th Street, and Doris Avenue are signalized. The posted speed limit is 25 to 40 mph west of South Bay Boulevard and 45 to 55 mph shortly east of South Bay Boulevard. East of the study area, Los Osos Valley Road is a two-lane rural highway connecting to the City of San Luis Obispo. Southwest of Monarch Lane, Los Osos Valley Road continues as Pecho Valley Road towards Montana De Oro State Park.

South Bay Boulevard is a north-south two-lane arterial that connects Los Osos Valley Road and SR 1. The intersections with Los Osos Valley Road, El Morro Avenue, and Santa Ysabel Avenue are both signalized, while the intersections with Nipomo Avenue and Pismo Avenue are unsignalized with stop-control on these and other minor streets. The speed limit through the study area is 50 to 55 mph, and 25 mph within the school zone near the Los Osos Middle School at the intersection with El Morro Avenue. North of the community of Los Osos, South Bay Boulevard is a two-lane rural roadway traveling through Morro Bay State Park to the City of Morro Bay and SR 1.

c. Collectors. Collectors function as connector routes between local and arterial streets providing access to residential, commercial, and industrial property. Additionally, the Circulation Element identifies collectors as serving to provide bicycle and equestrian travel away from arterials for safety purposes. The following roadways servicing the community function as collector roadways:

Bayview Heights Drive, Binscarth Road, Broderson Avenue, Doris Avenue, El Morro Avenue, Fairchild Way, Highland Drive, Nipomo Avenue, Palisades Avenue, Pecho Road, Pine Avenue, Ramona Avenue, Ravenna Avenue, Rodman Drive, Santa Maria Avenue, Santa Ynez Avenue, Santa Ysabel Avenue, Skyline Drive, 2nd Street, 3rd Street, 7th Street, 9th Street, 11th Street, and 14th Street.

4.13.2 Transportation Analysis Methodology

The transportation analysis for the roadway system followed the methodology described below. For other components of the transportation system, the policy framework and implementation program for the Draft Circulation Plan were evaluated against the significance criteria.

Roadway Capacity. Roadway segment Levels of Service were estimated using Highway Capacity Manual 2000 (HCM 2000) methodologies. The Average Daily Traffic (ADT) based capacity thresholds used to calculate the LOS for the study roadway segments are presented in **Table 4.13-1**.

Table 4.13-1. LOS Criteria for Roadways

Roadway Type	Average Daily Traffic (ADT) – Total of Both Directions				
	A	B	C	D	E
Four-Lane Arterial	22,000	25,000	29,000	32,500	36,000
Three-Lane Arterial	16,000	19,000	21,500	24,500	27,000
Two-Lane Arterial	11,000	12,500	14,500	16,000	18,000
Two-Lane Collector	6,000	7,500	9,000	10,500	12,000

Notes: 1. Based on *Highway Capacity Manual, Fourth Edition*, Transportation Research Board, 2000.

2. All volume thresholds are approximate and assume ideal roadway characteristics. Actual thresholds for each LOS listed above may vary depending on a variety of factors including (but not limited to) roadway curvature and grade, intersection or interchange

Intersection Level of Service. Intersection Level of Service (LOS) will be calculated for all control types using the methods documented in the Transportation Research Board publications Highway Capacity Manual, Fifth Edition, 2010. Traffic operations have been quantified through the determination of LOS. LOS determinations are presented on a letter grade scale from "A" to "F", whereby LOS "A" represents free-flow operating conditions and LOS "F" represents over-capacity conditions. For a signalized or all-way stop-controlled (AWSC) intersection, an LOS determination is based on the calculated averaged delay for all approaches and movements. For a two-way stop controlled (TWSC) intersection, an LOS determination is based upon the calculated average delay for all movements of the worst-performing approach. The Synchro 9 (*Trafficware*) software program was used to implement the HCM 2010 analysis methodologies, except for isolated intersections where the geometry limited the software's capability, i.e. Los Osos Valley Road at Sunset Drive and at Fairchild Way, and the HCM 2000 analysis methodology was used. Synchro 9 takes into account intersection signal phasing and queuing constraints when calculating delay, the corresponding delay, and queue lengths. Assessment of "design level" parameters (including queuing on intersection lane groups, stacking length requirements, coordinated signal operations analyses, etc.) have not been included in this study. LOS definitions for different types of intersection controls are presented in **Table 4.13-2**.

Table 4.13-2. Intersection Level of Service

Level of Service	Type of Flow	Delay	Maneuverability	Stopped Delay/Vehicle		
				Signalized	Un signalized	All-Way Stop
A	Stable Flow	Very slight delay. Progression is very favorable, with most vehicles arriving during the green phase not stopping at all.	Turning movements are easily made, and nearly all drivers find freedom of operation.	< 10.0	< 10.0	< 10.0
B	Stable Flow	Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.	Vehicle platoons are formed. Many drivers begin to feel somewhat restricted within groups of vehicles.	>10.0 and < 20.0	>10.0 and < 15.0	>10.0 and < 15.0

Section 4.13 – Transportation and Circulation

C	Stable Flow	Higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, although many still pass through the intersection without stopping.	Back-ups may develop behind turning vehicles. Most drivers feel somewhat restricted	>20.0 and < 35.0	>15.0 and < 25.0	>15.0 and < 25.0
D	Approaching Unstable Flow	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	Maneuverability is severely limited during short periods due to temporary back-ups.	>35.0 and < 55.0	>25.0 and < 35.0	>25.0 and < 35.0
E	Unstable Flow	Generally considered to be the limit of acceptable delay. Indicative of poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.	There are typically long queues of vehicles waiting upstream of the intersection.	>55.0 and < 80.0	>35.0 and < 50.0	>35.0 and < 50.0
F	Forced Flow	Generally considered to be unacceptable to most drivers. Often occurs with over saturation. May also occur at high volume-to-capacity ratios. There are many individual cycle failures. Poor progression and long cycle lengths may also be major contributing factors.	Jammed conditions. Back-ups from other locations restrict or prevent movement. Volumes may vary widely, depending principally on the downstream back-up conditions.	> 80.0	> 50.0	> 50.0

4.13.3 Existing Conditions

Los Osos roadway facilities were evaluated on a daily basis using Average Daily Traffic (ADT) counts collected by Omni-Means. Intersection facilities were evaluated on an AM and PM peak hour basis using peak hour turning movement counts collected by Omni-Means.

a. Existing Traffic Data Collection. In December 2015, Omni-Means collected daily roadway counts for 11 key roadway segments and AM and PM peak hour turning movement counts at 18 key intersections. These counts were collected across the Baywood-Los Osos area in support of the Los Osos Community Plan Update to follow. Counts were collected during an average weekday, when schools were in session. These counts will provide the baseline conditions for roadway and intersections facilities throughout Los Osos. The following is a list of the counts collected in December 2015.

Eleven (11) Daily Traffic Count Locations

1. Los Osos Valley Road west of Lariat Drive
2. Los Osos Valley Road east of South Bay Boulevard
3. Los Osos Valley Road west of South Bay Boulevard
4. Los Osos Valley Road east of 9th Street
5. Los Osos Valley Road west of Palisades Avenue
6. Pecho Road north of Los Osos Valley Road
7. Pecho Valley Road west of Roadman Drive
8. Santa Ysabel Avenue west of South Bay Boulevard
9. South Bay Boulevard north of Santa Ysabel Boulevard
10. South Bay Boulevard south of Santa Ysabel Boulevard
11. South Bay Boulevard north of Los Osos Valley Road

Nineteen (19) AM and PM Intersection Peak Hour Traffic Count Locations

1. El Morro Avenue / 11th Street
2. Los Osos Valley Road / Doris Avenue
3. Los Osos Valley Road / Pine Avenue
4. Los Osos Valley Road / Ravenna Avenue
5. Los Osos Valley Road / Palisades Avenue
6. Los Osos Valley Road / 9th Street / Bayview Heights Drive
7. Los Osos Valley Road / 10th Street
8. Los Osos Valley Road / Sunset Drive
9. Los Osos Valley Road / Fairchild Way
10. Los Osos Valley Road / South Bay Boulevard
11. Ramona Avenue / 4th Street
12. Ramona Avenue / 7th Street
13. Santa Ysabel Avenue / 7th Street
14. Santa Ysabel Avenue / 11th Street
15. South Bay Boulevard / Nipomo Avenue
16. South Bay Boulevard / Pismo Avenue
17. South Bay Boulevard / El Morro Avenue
18. South Bay Boulevard / Santa Ysabel Avenue
19. South Bay Boulevard / Ramona Avenue **This study intersection was added to account for the extension of Ramona Avenue to South Bay Boulevard under both the adopted Estero Area Plan and Proposed LOCP buildout Scenarios. However, it was not included in Existing Conditions analysis.*

As shown in **Table 4.13-3**, the December 2015 traffic counts were generally less than counts gathered in August 2008, except for Santa Ysabel Avenue, because that count is compared to the count on Santa Ysabel Avenue east of 11th Street as the closest available comparison. There are two likely reasons for this general reduction. The first is the likely seasonal variation between August and December. The

second is the persistent lack of recovery from the economic recession experienced in the last number of years. Nonetheless, the comparison does not evidence any likely increase in traffic in 2015. Therefore, the 2008 ADT counts at 23 other locations within the Los Osos Community will be used in conjunction with the 11 new 2015 ADT counts, totaling 34 roadway segment locations for analysis, which are regarded as reasonable estimates of the existing year ADT at the selected locations and were found acceptable for the purpose of this analysis. The following roadway segments have been analyzed in conjunction with the above listed 2015 count locations:

Additional Twenty-Three (23) 2008 Daily Traffic Count Locations

1. Los Osos Valley Road west of Bush Drive
2. Los Osos Valley Road east of Doris Avenue
3. Los Osos Valley Road east of Pecho Drive
4. Pecho Valley Road south of Monarch Lane
5. Los Olivos Avenue west of 10th Street
6. Santa Ynez Avenue west of 11th Street
7. Nipomo Avenues west of South Bay Boulevard
8. Ramona Avenue west of 9th Street
9. Ramona Avenue west of 4th Street
10. El Moro Avenue east of South Bay Boulevard
11. El Moro Avenue west of 11th Street
12. El Moro Avenue west of 7th Street
13. Santa Ysabel Avenue east of South Bay Boulevard
14. Santa Ysabel Avenue west of 11th Street
15. Santa Ysabel Avenue east of 7th Street
16. Santa Ysabel Avenue west of 7th Street
17. Doris Avenue south of Los Osos Valley Road
18. Doris Avenue north of Los Osos Valley Road
19. Ravenna Avenue south of Los Osos Valley Road
20. 7th Street north of Ramona Avenue
21. Bayview Heights Drive south of Los Osos Valley Road
22. 9th Street north of Los Osos Valley Road
23. 11th Street south of Santa Ysabel Avenue

b. Existing Roadway Levels of Service. Existing roadway LOS was determined on a daily basis with counts collected by Omni-Means in December 2015 and 2008. The LOS for the 34 roadway segments throughout Los Osos were established using the capacities in **Table 4.13-1**. Conditions and deficiencies were identified by the Level of Service (LOS) threshold outlined in the San Luis Obispo County General Plan Circulation Element. **Table 4.13-3** summarizes the existing roadway analysis and LOS conditions.

Table 4.13-3. Existing Roadway Analysis and LOS

#	Roadway	Location	Facility Type	Year ^{1,2}	Target LOS	Average Daily Traffic	LOS
1	Los Osos Valley Road	e/o Los Osos Creek	Three-Lane Arterial	2015	D	15,558	A
2	Los Osos Valley Road	e/o South Bay Boulevard	Four-Lane Arterial	2015	D	15,719	A
3	Los Osos Valley Road	w/o South Bay Boulevard	Four-Lane Arterial	2015	D	14,743	A
4	Los Osos Valley Road	e/o 9th Street	Four-Lane Arterial	2015	D	14,357	A
5	Los Osos Valley Road	w/o Bush Drive	Three-Lane Arterial	2007	D	12,100	A
6	Los Osos Valley Road	w/o Palisades Avenue	Two-Lane Arterial	2015	D	9,282	A
7	Los Osos Valley Road	e/o Doris Avenue	Two-Lane Arterial	2006	D	8,190	A
8	Los Osos Valley Road	e/o Pecho Drive	Three-Lane Arterial	2006	D	7,740	A
9	South Bay Boulevard	n/o Los Osos Valley Road	Two-Lane Arterial	2015	D	11,443	B
10	South Bay Boulevard	s/o Santa Ysabel Avenue	Two-Lane Arterial	2015	D	9,998	A
11	South Bay Boulevard	n/o Santa Ysabel Avenue	Two-Lane Arterial	2015	D	14,145	C
12	Pecho Valley Road	s/o Monarch Lane	Two-Lane Arterial	2008	D	3,220	A
13	Pecho Valley Road	s/o Rodman Drive	Two-Lane Arterial	2015	D	1,206	A
14	Los Olivos Avenue	w/o 10th Street	Two-Lane Collector	2003	D	1,860	A
15	Santa Ynez Avenue	w/o 11th Street	Two-Lane Collector	2008	D	3,310	A
16	Nipomo Avenue	w/o South Bay Boulevard	Two-Lane Collector	2008	D	2,520	A
17	Ramona Avenue	w/o 9th Street	Two-Lane Collector	2008	D	4,080	A
18	Ramona Avenue	w/o 4th Street	Two-Lane Collector	2008	D	2,490	A
19	El Moro Avenue	e/o South Bay Boulevard	Two-Lane Collector	2008	D	1,020	A
20	El Moro Avenue	w/o 11th Street	Two-Lane Collector	2008	D	1,460	A
21	El Moro Avenue	w/o 7th Street	Two-Lane Collector	2008	D	1,570	A
22	Santa Ysabel Avenue	e/o South Bay Boulevard	Two-Lane Collector	2008	D	280	A
23	Santa Ysabel Avenue	e/o 11th Street	Two-Lane Collector	2015	D	6,954	B
24	Santa Ysabel Avenue	w/o 11th Street	Two-Lane Collector	2008	D	3,700	A
25	Santa Ysabel Avenue	e/o 7th Street	Two-Lane Collector	2007	D	3,960	A
26	Santa Ysabel Avenue	w/o 7th Street	Two-Lane Collector	2008	D	2,410	A
27	Pecho Road	n/o Los Osos Valley Road	Two-Lane Collector	2015	D	1,173	A
28	Doris Avenue	s/o Los Osos Valley Road	Two-Lane Collector	2008	D	1,940	A
29	Doris Avenue	n/o Los Osos Valley Road	Two-Lane Collector	2008	D	190	A
30	Ravenna Avenue	s/o Los Osos Valley Road	Two-Lane Collector	2008	D	520	A
31	7th Street	n/o Ramona Avenue	Two-Lane Collector	2008	D	2,320	A
32	Bayview Heights Drive	s/o Los Osos Valley Road	Two-Lane Collector	2003	D	2,270	A
33	9th Street	n/o Los Osos Valley Road	Two-Lane Collector	2006	D	8,090	C
34	11th Street	s/o Santa Ysabel Avenue	Two-Lane Collector	2006	D	1,900	A

Notes:

1. 2015 Average Daily Counts collected in December 2015.
2. 2008 Average Daily Traffic based on Counts taken in the late summer (July-September) of 2006, 2007, or 2008.
3. Santa Ysabel Avenue west of South Bay Boulevard was compared to 2008 ADT collected east of 11th Street.

As presented in **Table 4.13-3**, all roadways currently operate at acceptable LOS.

c. Existing Intersection Service Levels. Existing intersection counts were collected at 18 locations throughout the Los Osos area and analyzed using Synchro 9 (Trafficware) software. Existing AM and PM peak hour intersection traffic operations were quantified using the existing lane geometrics and controls, and the existing peak hour traffic volumes, as presented in the Existing Conditions report. Conditions and deficiencies were identified by the Level of Service (LOS) threshold outlined in the San Luis Obispo County General Plan Circulation Element. **Table 4.13-4** summarizes the existing intersection analysis and LOS conditions.

Table 4.13-4. Existing Intersection LOS

#	Intersection	Control Type ^{1,2}	Target LOS	Hour		Hour	
				Delay	LOS	Delay	LOS
1	El Morro Avenue at 11th Street	AWSC	D	9.4	A	7.8	A
2	Los Osos Valley Road at Doris Avenue	Signal	D	8.2	A	4.2	A
3	Los Osos Valley Road at Pine Avenue	TWSC	D	21.7	C	14.9	B
4	Los Osos Valley Road at Ravenna Avenue	TWSC	D	14.0	B	10.6	B
5	Los Osos Valley Road at Palisades Avenue	Signal	D	20.0	B	17.8	B
6	Los Osos Valley Road at 9th Street/Bayview Heights Drive	Signal	D	11.6	B	9.1	A
7	Los Osos Valley Road at 10th Street	Signal	D	14.6	B	17.7	B
8	Los Osos Valley Road at Sunset Drive ³	TWSC	D	21.7	C	34.3	D
9	Los Osos Valley Road at Fairchild Way ³	TWSC	D	26.0	D	33.2	D
10	Los Osos Valley Road at S. Bay Boulevard	Signal	D	28.0	C	21.8	C
11	Ramona Avenue at 4th Street	TWSC	D	9.4	A	10.2	B
12	Ramona Avenue at 7th Street	AWSC	D	8.0	A	8.2	A
13	Santa Ysabel Avenue at 7th Street	TWSC	D	10.0	A	11.3	B
14	Santa Ysabel Avenue at 11th Street	TWSC	D	15.3	C	13.3	B
15	S. Bay Boulevard at Nipomo Avenue	TWSC	D	30.6	D	25.6	D
16	S. Bay Boulevard at Pismo Avenue	TWSC	D	18.8	C	23.9	C
17	S. Bay Boulevard at El Morro Avenue	Signal	D	18.0	B	6.5	A
18	S. Bay Boulevard at Santa Ysabel Avenue	Signal	D	33.4	C	17.8	B

Notes:

1. AWSC = All Way Stop Control; TWSC = Two Way Stop Control; RNDBT = Roundabout

2. LOS = Delay based on worst minor street approach for TWSC intersections, average of all approaches for AWSC, Signal, RNDBT

3. LOS based on HCM 2000 TWSC Analysis

As shown in **Table 4.13-4**, all intersections currently operate at an acceptable LOS.

4.13.4 Alternative Transportation

A comprehensive network of bikeways and pedestrians paths that are safe, convenient, and accessible for both commuter and recreational travel is an essential part of the County's transportation infrastructure. The San Luis Obispo County General Plan encourages the use of walking and bicycling and recognizes the following functional classes of bicycle and pedestrian systems:

Class I – Bicycle Path. Class I facilities are multi-use facilities that provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.

Class II – Bicycle Lane. Class II facilities provide a striped and signed lane for one-way bicycle travel within the paved area of a roadway that shares the roadway with motor vehicles. The minimum width for bike lanes ranges between four and six feet depending upon the edge of roadway conditions (curbs). Bike lanes are demarcated by a six-inch white stripe, signage and pavement legends.

Class III – Bicycle Route. Class III facilities provide signs for shared use with motor vehicles within the same travel lane on a street or highway. Bike routes may be enhanced with warning or guide signs and shared lane marking pavement stencils. While Class III routes do not provide measure of separation, they have an important function in providing continuity to the bikeway network.

Pedestrian Path. A path that is physically separated by distance or barrier from a roadway. Pedestrian paths are different than sidewalks, and are typically constructed in conjunction with Class I Bicycle Paths.

Sidewalk. A pedestrian-dedicated paved walkway located adjacent to roadways.

a. Bicycle Facilities. The current bicycle and trail network in the Los Osos Community consists of a few Class I facilities and several Class II and Class III facilities. The El Morro Bike Trail is a Class I facility which extends from 12th Street to South Bay Boulevard, and crosses numerous local roadways. The bike trail connects to a paved pathway in front of Los Osos Middle School, which then continues unpaved and ends after a pedestrian tunnel crossing under South Bay Boulevard at Pismo Avenue.

A network of Class I, II, and III bikeways, and pedestrian paths, provides alternative transportation connection throughout the Los Osos community. The County Board of Supervisors latest adopted *County Bikeways Plan* identifies and prioritizes bikeway facilities throughout the unincorporated areas of the County, including the Los Osos community. Currently, the Bikeways Plan identifies Class II bicycle lanes are proposed on Pine Avenue between Skyline Avenue and Ramona Avenue, and on Pecho Valley Road between Rodman Drive and Montana De Oro State Park.

b. Pedestrian Facilities. The Los Osos Community Plan will provide for interconnected systems of sidewalks, trails, and other pedestrian routes. Pedestrians are also allowed to use Class I bicycle paths, which currently exist along the El Moro Avenue alignment. Sidewalks or other pedestrian routes are planned in new land divisions and with multi-family and commercial/office developments.

c. Public Transit. The Los Osos Community Plan recommends the following improvements to enhance transit transportation within the community:

1. *Increase the frequency and hours of service, areas served, and destinations served.*
2. *Provide a more appropriately located, well designed and easily accessible park and ride lot.*
3. *Improve the performance of transit service.*
4. *Assure safe and convenient access to ADA-compliant bus stops.*

4.13.5 Regulatory Setting

The proposed Community Plan, along with a variety of regional, State, and Federal plans, legislation, and policy directives provide guidelines for the safe operation of streets and transportation facilities in Los Osos. While the County of San Luis Obispo (County) has primary responsibility for the maintenance and operation of local transportation facilities in its jurisdiction, including the Los Osos community, County staff works on a continual basis with responsible regional, State, and Federal agencies, including San Luis Obispo Council of Governments (SLOCOG), the California Department of Transportation (Caltrans), and the Federal Highway Administration, as well as others, to maintain, improve, and balance the competing transportation needs of the community and the region.

a. Federal

FAST Act. The Fixing America's Surface Transportation Act, or FAST Act, was signed into law by President Obama in December 2015, replacing The Moving Ahead for Progress in the 21st Century Act (MAP-21) authorization signed in 2012. This law is the first long-term transportation authorization enacted since SAFETEA-LU in 2005, providing five years of surface transportation funding for States and local governments to move forward with critical transportation projects such as highways and transit lines. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for the Department's highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology and statistics programs.

b. State

California Complete Streets Act. In 2008, AB 1358, the California Complete Streets Act of 2008, was signed into law. As of January 2011, AB 1358 requires any substantive revision of the circulation element of a city or county's general plan to identify how it will safely accommodate the circulation of

all users of the roadway, including pedestrians, bicyclists, children, seniors, individuals with disabilities, and transit riders, as well as motorists.

Caltrans. Caltrans prepares a Transportation Concept Report (TCR) for each of its facilities. The TCR is a long-term planning document that each Caltrans district prepares for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of a TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period. These are indicated in the "route concept". In addition to the 20-year route concept level, the TCR includes an "ultimate concept", which is the ultimate goal for the route beyond the 20-year planning horizon.

The concept for SR 1 in the vicinity of Los Osos includes consolidation of driveways where possible to minimize access points, conversion of conventional highway sections to expressway standards, conversion of expressway sections to freeway standards, provision of Class I bicycle/pedestrian facilities along the corridor, and continued support for TDMs and intermodal facilities to reduce demand. The concept LOS for Segment 8 (south of South Bay Boulevard) is Peak C or better. For Segment 9 (north of South Bay Boulevard) the concept LOS is Peak C/D or better.

c. Regional

Regional Transportation Plan. The 2014 Regional Transportation Plan/Sustainable Communities Strategy (2014 RTP/SCS) was developed by SLOCOG as the Metropolitan Planning Organization (MPO) for the region, representing the County of San Luis Obispo and the cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach and San Luis Obispo. The 2014 RTP/SCS sets forth regional transportation policy and provides capital program planning for all regional, State, and Federally funded projects. The 2014 RTP/SCS identifies performance measures and indicators for transportation projects and improvements, including transit trips, peak hour travel speed, cost of deferred street maintenance, collision rates, and vehicle miles traveled (VMT).

In addition, the 2014 RTP/SCS provides strategic investment recommendations to improve regional transportation system performance. Investments in regional highway, transit, local roadway, bicycle, and pedestrian projects are set forth. Project recommendations are premised upon factors related to existing infrastructure maintenance, increased transportation system efficiencies, improved traffic and transit operations, and strategic expansions of the regional transportation system.

County General Plan Circulation Element. Per the Circulation Element of the San Luis Obispo County General Plan Circulation Element:

"The current County policy calls for LOS "D" or better service on roadways in urban areas and LOS "C" on rural roads."

County Bikeways Plan. The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated areas of the County including, bike lanes, routes, parking, connections with public transportation, educational programs, and funding.

d. Local.

Estero Area Plan Circulation Element. The original Estero Area Plan was prepared by the County and certified by the Coastal Commission in 1988, and has since been updated several times, most recently in 2009. The Estero Area Plan encompasses Los Osos, Cayucos, and the rural area (of Estero) entirely within the Coastal Zone. The Circulation Element of the Estero Area Plan outlines the County's standards to traffic service.

The Estero Area Plan includes the following goals:

- 1. Provide for a land use pattern and rate of population growth that will not exceed the financial ability of the county and its residents to expand and maintain the circulation system.*
- 2. Plan transportation system improvements to provide for, but not exceed, the demand of visitors and permanent residents in the year 2010. These improvements should be consistent with the land use patterns allowed by both the land use element and the cities' general plans, so that growth is not facilitated or induced in inappropriate amounts or locations.*
- 3. Coordinate the transportation systems between different modes of travel, sensitive to the needs and desires of citizens in a manner that will provide optimum benefit for the investment of public funds.*
- 4. Recognize public transit and car pooling as very important components of the county's strategy to provide adequate circulation and to reduce dependency on the automobile.*
- 5. Encourage new development to provide public transit access and pedestrian and bicycle pathways from residential areas to shopping areas, businesses and public facilities.*
- 6. Develop and coordinate transportation programs that reinforce federal, state, regional, and local agency goals.*
- 7. Design a transportation system that provides for safe travel within attainable, feasible economic and technical means.*

The proposed Los Osos Community Plan (the proposed project) is an update to the current Estero Area Plan for the Los Osos area, which includes the study area within its limits. The Circulation Element of the proposed project provides extensive goals, policies, and actions, which are relevant to the discussion of potential impacts of the proposed project, and which are discussed in the Impacts and Mitigation Measures section.

4.13.6 Proposed Circulation Improvements

Several planned improvements included in the adopted Estero Area Plan and County Circulation Element are proposed to be reduced or removed under the proposed LOCP. Major changes under the proposed LOCP include removing the following roadway extensions: El Moro Avenue from 12th Street to South Bay Boulevard, Highland Drive from Sea Horse Lane to Pecho Valley Road, South Bay Boulevard from Los Osos Valley Road to Pecho Valley Road, and Nipomo Avenue from Andre Street to Los Osos Valley Road. **Table 4.13-5** presents the proposed circulation improvements within the Los Osos Community Plan. The adopted and proposed circulation improvements are included in **Appendix E** for comparison purposes.

Table 4.13-5. Proposed Community Plan Circulation Improvements

Arterial Roads	
Los Osos Valley Road	
--- Corridor-wide	<ul style="list-style-type: none"> Center medians in the downtown corridor Traffic calming measures Signalize intersections at Pine Ave and Ravenna Ave
--- Doris Avenue to Palisades Avenue	<ul style="list-style-type: none"> Widen and provide a continuous center left turn lane Multi-use trail (north side)
--- Bush Drive to Sunset Drive	<ul style="list-style-type: none"> Raised median Right turn deceleration lane at Bush Drive Traffic median or other traffic control device to restrict left turn lanes at Bush Dr Synchronize traffic signals Pedestrian striping/pavers at Bayview Heights Drive and 10th St.
--- Sunset Drive to South Bay Boulevard	<ul style="list-style-type: none"> Traffic signal and intersection improvements at Fairchild Way Synchronize traffic signals Pedestrian striping/pavers at South Bay Boulevard “Gateway feature” at South Bay Boulevard
--- South Bay Boulevard to Los Osos Creek	<ul style="list-style-type: none"> Pedestrian trail
--- Within the CBD	<ul style="list-style-type: none"> Streetscape improvements
South Bay Boulevard	<ul style="list-style-type: none"> Intersection improvements at Los Osos Valley Road Future intersection with Ramona Avenue extension Multi-use trail (east side) Traffic control devices at Pismo Ave Widen road
Collector Roads	
Ramona Avenue	<ul style="list-style-type: none"> Realign intersection at 4th Street Complete roadway from 10th Street to South Bay Boulevard
Ravenna Avenue	<ul style="list-style-type: none"> Extend between Los Osos Valley Road and Ramona as development occurs
Skyline Drive	<ul style="list-style-type: none"> Complete roadway between Doris and Pine Avenues Extend the street eastward to Palisades Avenue Acquire ROW and extend eastward from Palisades Avenue to Nipomo Avenue (at 7th Street) as development occurs
Doris Avenue	<ul style="list-style-type: none"> Complete roadway from Rosina Avenue to South Court

Section 4.13 – Transportation and Circulation

Fairchild Way	<ul style="list-style-type: none"> • Signalize intersection with Los Osos Valley Road • Extend the street northward to Nipomo Avenue
Local Roads	
Van Beurden Drive	<ul style="list-style-type: none"> • Extend the street westerly to provide access for nearby parcels
Baywood Park grid	<ul style="list-style-type: none"> • Improve local roads to complete the established grid system

4.13.7 Impact Analysis**a. Methodology and Significance Thresholds.**

Methodology. Please refer to Section 4.13-2 for the technical methodology used in this analysis.

Significance Thresholds. Consistent with Appendix G of the CEQA Guidelines, the proposed project will have a significant impact on transportation and circulation if it would:

- *Conflict with an applicable plan, congestion management program, ordinance or policy establishing measures of effectiveness for the performance of the circulation system at the local or regional level, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;*
 - *On local roadways: A significant impact would occur if level of service at buildout would fall below LOS D, measured on an average daily traffic (ADT) basis or peak hour intersection operation basis. The adopted County General Plan Circulation Element also identifies LOS D as the threshold for acceptable operations within the Los Osos Urban Reserve Limit line;*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;*
- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);*
- *Result in inadequate emergency access; or*
- *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.*

b. Application of Travel Demand Model. Los Osos is currently modeled within the Los Osos Travel Demand Model (TDM), which was last updated by Omni-Means in 2008 in support of the 2009 Los Osos Circulation Study. The Los Osos TDM simulates current traffic flow patterns and forecasts future travel demands and traffic flow patterns. The model is calibrated to and consistent with the SLOCOG TDM, which is used to estimate external traffic through the modeling area.

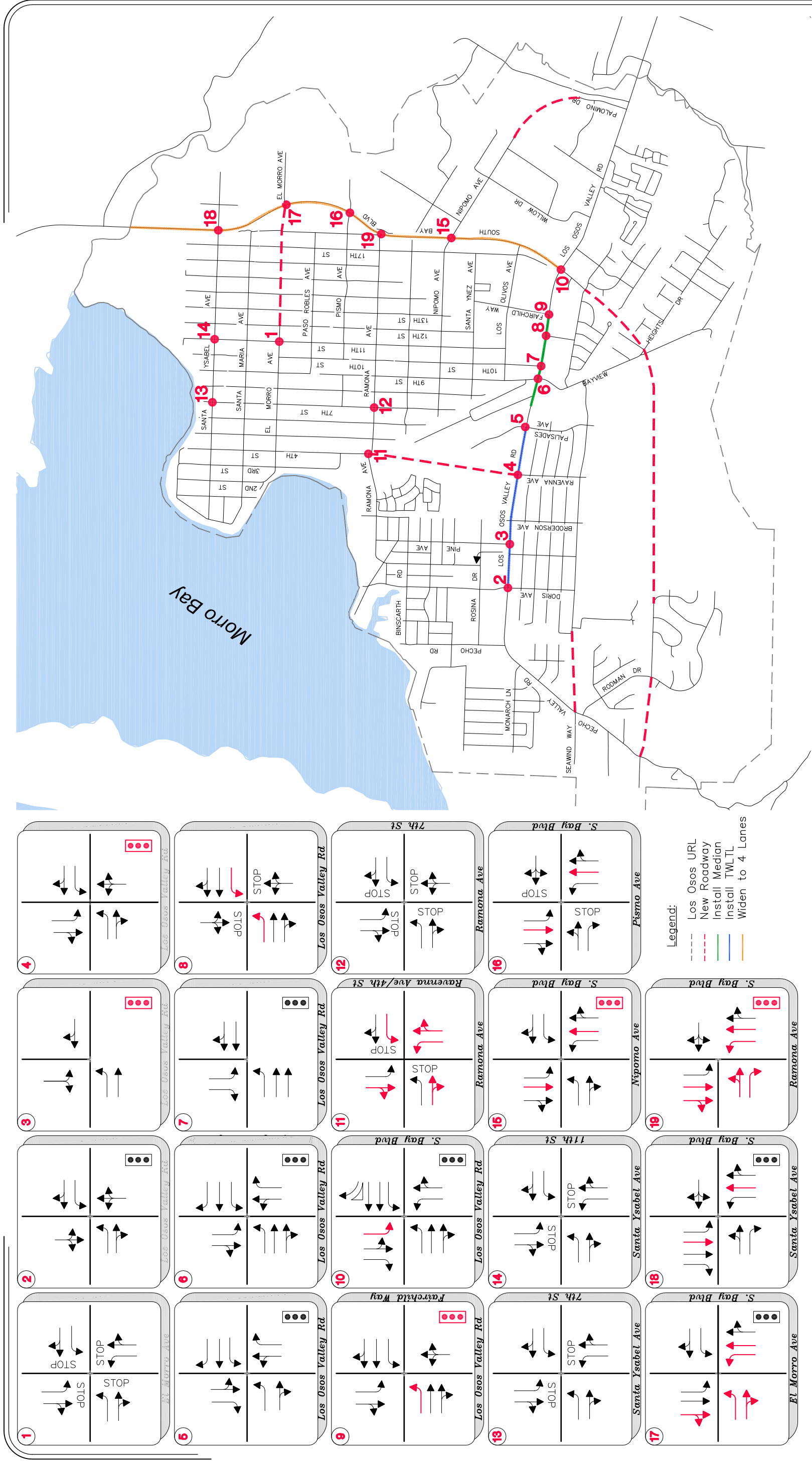
Modeling scenarios in the Los Osos TDM are based on two principal components: land use inputs and roadway network inputs. The proposed Los Osos Community Plan Update includes changes to both the buildout land uses and the buildout roadway network. Therefore, a new model scenario was developed in order to forecast future travel demand throughout the community. The currently adopted Community Plan was also updated in the Los Osos TDM to reflect incremental changes in the adopted plan since preparation of the 2009 Circulation Plan. Both the adopted and proposed Community Plan buildout scenarios are forecasted to 2035 conditions, and are compared against each other in terms of their net increase against existing 2015 conditions.

c. Future Land Uses. Table 4.13-6 presents the residential dwelling units (DU) and non-residential square footage (SF) used to determine the amount of new vehicle trips generated upon buildout of both the adopted Estero Area Plan and proposed Community Plan land uses. Trip generation rates and occupancy rates for residential land uses were applied to dwelling unit counts to achieve residential trips in the respective scenarios. Trip generation rates and floor area ratios for non-residential land uses were applied to total area (SF) to achieve non-residential trips in the respective scenarios. The reduction in new land use development within the proposed Community Plan, therefore, results in fewer vehicle trips on Los Osos roadway network.

Table 4.13-6. Future Development Potential (Existing and Proposed Plans)

Land Use	Existing	1. Existing Designations		2. Proposed LOCP	
		Buildout	Net Increase	Buildout	Net Increase
Residential (du)					
Single-Family	5,426	7,264	1,838	6,487	1,061
Multi-Family	895	1,864	969	1,695	800
TOTAL	6,321	9,128	2,807	8,182	1,861
Non-Residential (SF)					
Comm Retail	439,200	669,045	229,845	668,100	228,900
Comm Service	221,000	176,779	-44,221	284,600	63,600
Office	10,100	214,261	204,161	61,600	51,500
Recreation	0	24,975	24,975	10,000	10,000
PF/Recreation	0	0	0	10,000	10,000
TOTAL	670,300	1,085,060	414,760	1,034,299	364,000

d. Adopted Estero Area Plan Buildout Scenario. Trips resulting from adopted Estero Area Plan buildout scenario land uses summarized in Table 4.13-6 were used as direct inputs within the adopted Community Plan buildout scenario travel demand model to establish 2035 traffic conditions. Table 4.13-7 shows the estimated roadway ADT and LOS for the adopted Estero Area Plan buildout scenario. Figure 4.13-1 presents the adopted Estero Area Plan lane geometrics and control and Figure 4.13-2 presents the adopted Estero Area Plan buildout average daily traffic volumes.



Los Osos Community Plan Update EIR

Figure 4.13-1

Adopted Estero Area Plan Lane Geometrics and Control

Table 4.13-7. Adopted Estero Area Plan Buildout Scenario Roadway LOS

#	Roadway	Location	Facility Type	Target LOS	Projected Average Daily Traffic	LOS
1	Los Osos Valley Road	e/o Los Osos Creek	Three-Lane Arterial	D	22,718	D
2	Los Osos Valley Road	e/o South Bay Boulevard	Four-Lane Arterial	D	17,929	A
3	Los Osos Valley Road	w/o South Bay Boulevard	Four-Lane Arterial	D	19,313	A
4	Los Osos Valley Road	e/o 9th Street	Four-Lane Arterial	D	18,637	A
5	Los Osos Valley Road	w/o Bush Drive	Three-Lane Arterial	D	17,560	B
6	Los Osos Valley Road	w/o Palisades Avenue	Three-Lane Arterial	D	10,712	A
7	Los Osos Valley Road	e/o Doris Avenue	Three-Lane Arterial	D	10,610	A
8	Los Osos Valley Road	e/o Pecho Drive	Three-Lane Arterial	D	10,160	A
9	South Bay Boulevard	n/o Los Osos Valley Road	Four-Lane Arterial	D	16,425	A
10	South Bay Boulevard	s/o Santa Ysabel Avenue	Four-Lane Arterial	D	19,088	A
11	South Bay Boulevard	n/o Santa Ysabel Avenue	Four-Lane Arterial	D	19,073	A
12	Pecho Valley Road	s/o Monarch Lane	Two-Lane Arterial	D	4,240	A
13	Pecho Valley Road	s/o Rodman Drive	Two-Lane Arterial	D	2,236	A
14	Los Olivos Avenue	w/o 10th Street	Two-Lane Collector	D	510	A
15	Santa Ynez Avenue	w/o 11th Street	Two-Lane Collector	D	3,630	A
16	Nipomo Avenue	w/o South Bay Boulevard	Two-Lane Collector	D	2,970	A
17	Ramona Avenue	w/o 9th Street	Two-Lane Collector	D	8,000	C
18	Ramona Avenue	w/o 4th Street	Two-Lane Collector	D	3,630	A
19	El Morro Avenue	e/o South Bay Boulevard	Two-Lane Collector	D	1,020	A
20	El Morro Avenue	w/o 11th Street	Two-Lane Collector	D	3,620	A
21	El Morro Avenue	w/o 7th Street	Two-Lane Collector	D	3,650	A
22	Santa Ysabel Avenue	e/o South Bay Boulevard	Two-Lane Collector	D	520	A
23	Santa Ysabel Avenue	e/o 11th Street	Two-Lane Collector	D	3,170	A
24	Santa Ysabel Avenue	w/o 11th Street	Two-Lane Collector	D	2,770	A
25	Santa Ysabel Avenue	e/o 7th Street	Two-Lane Collector	D	2,950	A
26	Santa Ysabel Avenue	w/o 7th Street	Two-Lane Collector	D	1,410	A
27	Pecho Road	n/o Los Osos Valley Road	Two-Lane Collector	D	1,553	A
28	Doris Avenue	s/o Los Osos Valley Road	Two-Lane Collector	D	1,800	A
29	Doris Avenue	n/o Los Osos Valley Road	Two-Lane Collector	D	370	A
30	Ravenna Avenue	s/o Los Osos Valley Road	Two-Lane Collector	D	610	A
31	7th Street	n/o Ramona Avenue	Two-Lane Collector	D	3,450	A
32	Bayview Heights Drive	s/o Los Osos Valley Road	Two-Lane Collector	D	5,510	A
33	9th Street	n/o Los Osos Valley Road	Two-Lane Collector	D	6,440	B
34	11th Street	s/o Santa Ysabel Avenue	Two-Lane Collector	D	430	A

Notes:

1. 2015 Average Daily Counts collected in December 2015.

2. 2008 Average Daily Traffic based on Counts taken in the late summer (July-September) of 2006, 2007, or 2008.

3. Santa Ysabel Avenue west of South Bay Boulevard was compared to 2008 ADT collected east of 11th Street.

As shown in **Table 4.13-7**, all roadways are projected to operate at acceptable LOS under cumulative conditions, with buildout of both the adopted Estero Area Plan land uses and the adopted Estero Area Plan circulation system.

Table 4.13-8 shows the estimated intersection LOS for the adopted Estero Area Plan buildout scenario. **Figure 4.13-3** presents the adopted Estero Area Plan buildout peak hour traffic volumes at the study intersections.

Table 4.13-8. Adopted Estero Area Plan Buildout Scenario Intersection LOS

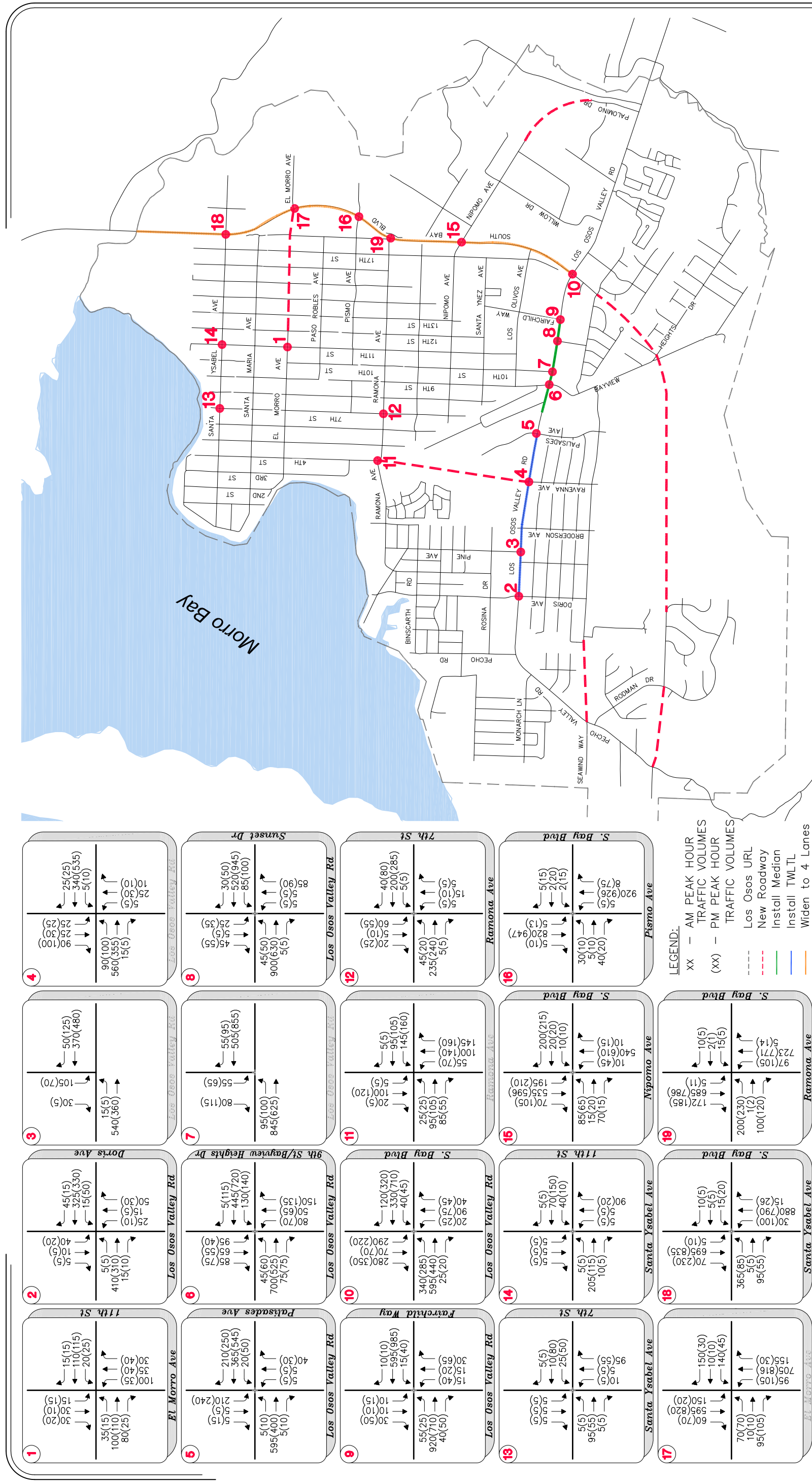
#	Intersection	Control Type ^{1,2}	Target LOS	Hour		Hour	
				Delay	LOS	Delay	LOS
1	El Morro Avenue at 11th Street	AWSC	D	11.5	B	10.0	A
2	Los Osos Valley Road at Doris Avenue	Signal	D	11.5	B	11.5	B
3	Los Osos Valley Road at Pine Avenue	Signal	D	7.4	A	7.4	A
4	Los Osos Valley Road at Ravenna Avenue	Signal	D	13.5	B	15.4	B
5	Los Osos Valley Road at Palisades Avenue	Signal	D	10.5	B	11.2	B
6	Los Osos Valley Road at 9th Street/Bayview Heights Drive	Signal	D	13.7	B	10.0	A
7	Los Osos Valley Road at 10th Street	Signal	D	3.4	A	4.6	A
8	Los Osos Valley Road at Sunset Drive	TWSC	D	108.2	F	OVR	F
9	Los Osos Valley Road at Fairchild Way	Signal	D	16.8	B	13.6	B
10	Los Osos Valley Road at S. Bay Boulevard	Signal	D	30.5	C	44.5	D
11	Ramona Avenue at 4th Street/ Ravenna Ave	TWSC	D	21.4	C	29.6	D
12	Ramona Avenue at 7th Street	AWSC	D	10.7	B	12.8	B
13	Santa Ysabel Avenue at 7th Street	TWSC	D	10.1	B	10.6	B
14	Santa Ysabel Avenue at 11th Street	TWSC	D	11.9	B	10.8	B
15	S. Bay Boulevard at Nipomo Avenue	Signal	D	21.3	C	23.7	C
16	S. Bay Boulevard at Pismo Avenue	TWSC	D	71.8	F	269.5	F
17	S. Bay Boulevard at El Morro Avenue	Signal	D	34.4	C	22.5	C
18	S. Bay Boulevard at Santa Ysabel Avenue	Signal	D	8.1	A	8.6	A
19	S. Bay Boulevard at Ramona Avenue	Signal	D	16.0	B	17.4	B

Notes:

1. AWSC = All Way Stop Control; TWSC = Two Way Stop Control; Signal = Signalized Stop Control
2. LOS = Delay based on worst minor street approach for TWSC intersections, average of all approaches for AWSC and Signal
3. OVR = Delay is over 300 seconds

As shown in **Table 4.13-8**, the intersections of Los Osos Valley Road/Sunset Drive and South Bay Boulevard/Pismo Avenue are expected to operate at unacceptable LOS under adopted Estero Area Plan buildout scenario conditions.

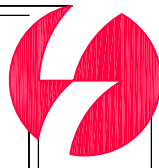
e. Proposed Community Plan Buildout Scenario. The land uses summarized in **Table 4.13-6** were used as direct inputs into proposed Community Plan buildout travel demand model. **Table 4.13-9** shows the estimated roadway ADT and LOS for the proposed Community Plan buildout scenario. **Figure 4.13-4** presents the proposed Community Plan buildout lane geometrics and control and **Figure 4.13-5** presents the proposed Community Plan buildout average daily traffic volumes.

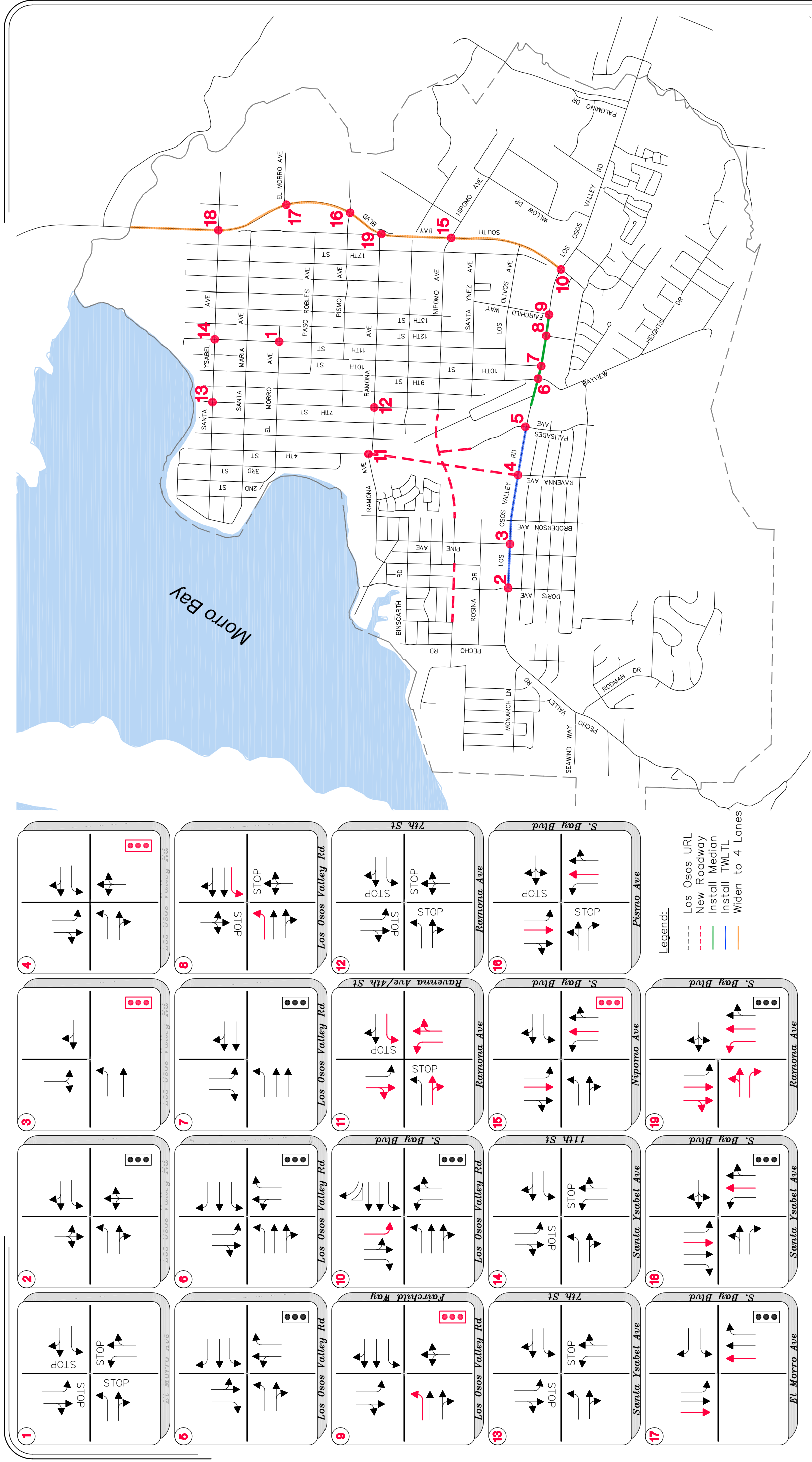


Los Osos Community Plan Update EIR

Figure 4.13-3

	Adopted	Estero	Area	Plan	Buildout	Peak Hour	Traffic Volumes
Northbound	100	100	100	100	100	100	100
Southbound	100	100	100	100	100	100	100





Los Osos Community Plan Update EIR

Figure 4.13-4

Proposed Community Plan Lane Geometrics and Control



Table 4.13-9. Proposed Community Plan Buildout Scenario Roadway LOS

#	Roadway	Location	Facility Type	Target LOS	Projected Average Daily Traffic	LOS
1	Los Osos Valley Road	e/o Los Osos Creek	Three-Lane Arterial	D	21,718	D
2	Los Osos Valley Road	e/o South Bay Boulevard	Four-Lane Arterial	D	21,339	A
3	Los Osos Valley Road	w/o South Bay Boulevard	Four-Lane Arterial	D	18,933	A
4	Los Osos Valley Road	e/o 9th Street	Four-Lane Arterial	D	16,627	A
5	Los Osos Valley Road	w/o Bush Drive	Three-Lane Arterial	D	14,700	A
6	Los Osos Valley Road	w/o Palisades Avenue	Three-Lane Arterial	D	10,122	A
7	Los Osos Valley Road	e/o Doris Avenue	Three-Lane Arterial	D	9,900	A
8	Los Osos Valley Road	e/o Pecho Drive	Three-Lane Arterial	D	9,720	A
9	South Bay Boulevard	n/o Los Osos Valley Road	Four-Lane Arterial	D	20,725	A
10	South Bay Boulevard	s/o Santa Ysabel Avenue	Four-Lane Arterial	D	17,108	A
11	South Bay Boulevard	n/o Santa Ysabel Avenue	Four-Lane Arterial	D	18,103	A
12	Pecho Valley Road	s/o Monarch Lane	Two-Lane Arterial	D	5,050	A
13	Pecho Valley Road	s/o Rodman Drive	Two-Lane Arterial	D	2,256	A
14	Los Olivos Avenue	w/o 10th Street	Two-Lane Collector	D	2,930	A
15	Santa Ynez Avenue	w/o 11th Street	Two-Lane Collector	D	4,090	A
16	Nipomo Avenue	w/o South Bay Boulevard	Two-Lane Collector	D	4,160	A
17	Ramona Avenue	w/o 9th Street	Two-Lane Collector	D	5,490	A
18	Ramona Avenue	w/o 4th Street	Two-Lane Collector	D	2,570	A
19	El Morro Avenue	e/o South Bay Boulevard	Two-Lane Collector	D	860	A
20	El Morro Avenue	w/o 11th Street	Two-Lane Collector	D	2,690	A
21	El Morro Avenue	w/o 7th Street	Two-Lane Collector	D	3,260	A
22	Santa Ysabel Avenue	e/o South Bay Boulevard	Two-Lane Collector	D	390	A
23	Santa Ysabel Avenue	e/o 11th Street	Two-Lane Collector	D	4,480	A
24	Santa Ysabel Avenue	w/o 11th Street	Two-Lane Collector	D	3,230	A
25	Santa Ysabel Avenue	e/o 7th Street	Two-Lane Collector	D	3,450	A
26	Santa Ysabel Avenue	w/o 7th Street	Two-Lane Collector	D	1,740	A
27	Pecho Road	n/o Los Osos Valley Road	Two-Lane Collector	D	1,073	A
28	Doris Avenue	s/o Los Osos Valley Road	Two-Lane Collector	D	1,820	A
29	Doris Avenue	n/o Los Osos Valley Road	Two-Lane Collector	D	230	A
30	Ravenna Avenue	s/o Los Osos Valley Road	Two-Lane Collector	D	610	A
31	7th Street	n/o Ramona Avenue	Two-Lane Collector	D	3,480	A
32	Bayview Heights Drive	s/o Los Osos Valley Road	Two-Lane Collector	D	5,770	A
33	9th Street	n/o Los Osos Valley Road	Two-Lane Collector	D	7,270	B
34	11th Street	s/o Santa Ysabel Avenue	Two-Lane Collector	D	1,240	A

Notes:

1. 2015 Average Daily Counts collected in December 2015.
2. 2008 Average Daily Traffic based on Counts taken in the late summer (July-September) of 2006, 2007, or 2008.
3. Santa Ysabel Avenue west of South Bay Boulevard was compared to 2008 ADT collected east of 11th Street.

As shown in **Table 4.13-9**, all roadways are projected to operate at acceptable LOS under proposed Community Plan buildout scenario conditions.

Table 4.13-10 shows the estimated intersection LOS for the proposed Community Plan buildout scenario. **Figure 4.13-6** presents the proposed Community Plan buildout peak hour traffic volumes at the study intersections.

Table 4.13-10. Proposed Community Plan Buildout Scenario Intersection LOS

#	Intersection	Control Type ^{1,2}	Target LOS	AM Peak Hour		PM Peak Hour	
				Delay	LOS	Delay	LOS
1	El Morro Avenue at 11th Street	AWSC	D	10.7	B	9.0	A
2	Los Osos Valley Road at Doris Avenue	Signal	D	11.4	B	11.2	B
3	Los Osos Valley Road at Pine Avenue	Signal	D	7.8	A	8.0	A
4	Los Osos Valley Road at Ravenna Avenue	Signal	D	9.1	A	9.5	A
5	Los Osos Valley Road at Palisades Avenue	Signal	D	11.1	B	12.0	B
6	Los Osos Valley Road at 9th Street/Bayview Heights Drive	Signal	D	14.0	B	10.6	B
7	Los Osos Valley Road at 10th Street	Signal	D	2.4	A	3.4	A
8	Los Osos Valley Road at Sunset Drive	TWSC	D	45.7	E	247.9	F
9	Los Osos Valley Road at Fairchild Way	Signal	D	17.2	B	14.7	B
10	Los Osos Valley Road at S. Bay Boulevard	Signal	D	28.7	C	37.9	D
11	Ramona Avenue at 4th Street/ Ravenna Ave	TWSC	D	12.7	B	14.4	B
12	Ramona Avenue at 7th Street	AWSC	D	8.9	A	9.9	A
13	Santa Ysabel Avenue at 7th Street	TWSC	D	10.5	B	11.3	B
14	Santa Ysabel Avenue at 11th Street	TWSC	D	13.9	B	12.2	B
15	S. Bay Boulevard at Nipomo Avenue	Signal	D	14.7	B	15.5	B
16	S. Bay Boulevard at Pismo Avenue	TWSC	D	57.2	F	130.8	F
17	S. Bay Boulevard at El Morro Avenue	Signal	D	12.0	B	4.7	A
18	S. Bay Boulevard at Santa Ysabel Avenue	Signal	D	9.0	A	9.4	A
19	S. Bay Boulevard at Ramona Avenue	Signal	D	19.5	B	20.6	C

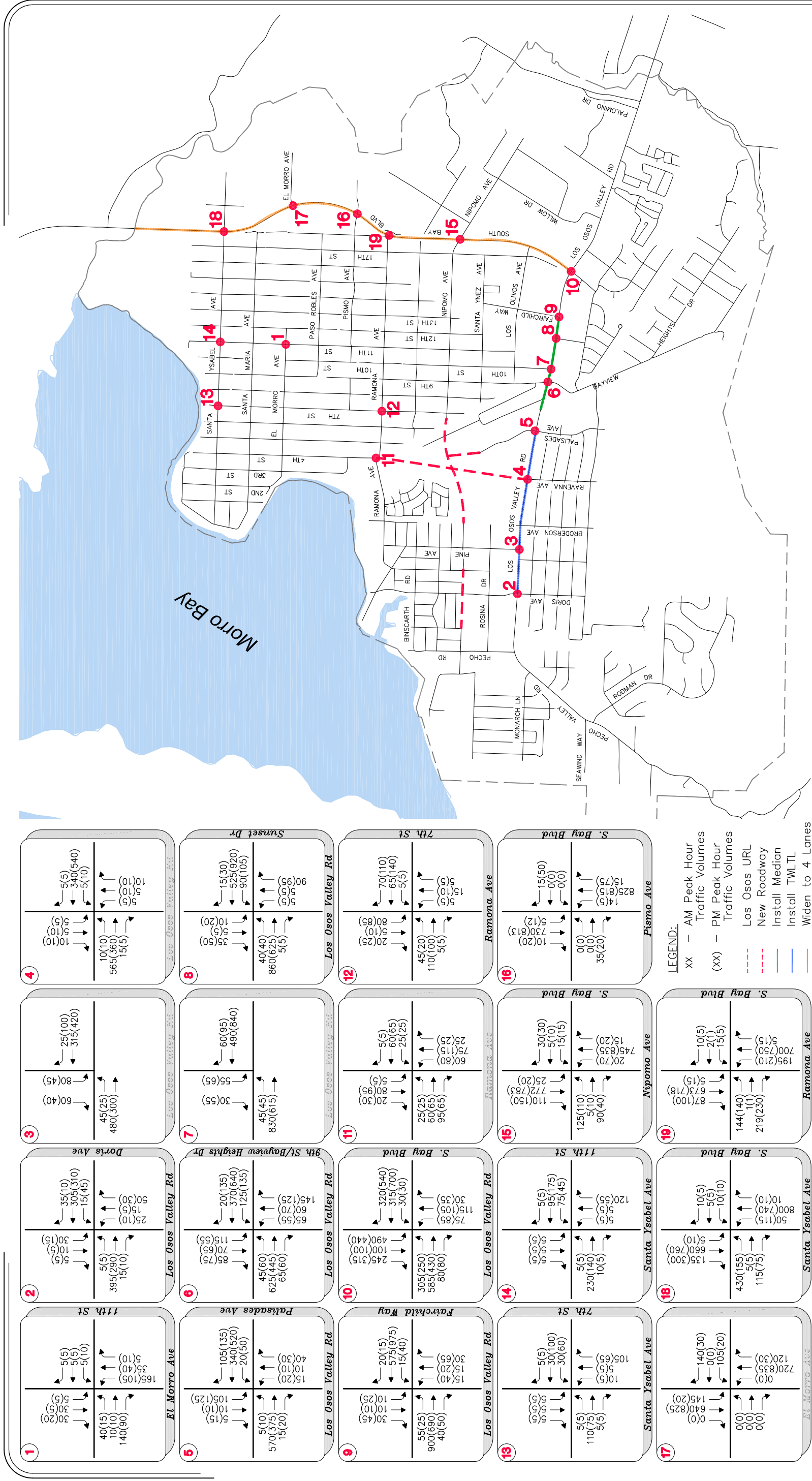
Notes:

1. AWSC = All Way Stop Control; TWSC = Two Way Stop Control; Signal = Signalized Stop Control

2. LOS = Delay based on worst minor street approach for TWSC intersections, average of all approaches for AWSC and Signal

3. LOS based on HCM 2000 TWSC Analysis

As shown in **Table 4.13-10**, the intersections of Los Osos Valley Road/Sunset Drive and South Bay Boulevard/Pismo Avenue are expected to operate at unacceptable LOS under proposed Community Plan buildout scenario conditions.



Los Osos Community Plan Update EIR

Figure 4.13-6

Proposed Community Plan Buildout Peak Hour Traffic Volumes



f. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan conflict with an applicable plan, congestion management program, ordinance or policy establishing measures of effectiveness for the performance of the circulation system at the local or regional level, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Threshold: *Would actions under the Community Plan reduce the level of service on local roadways at buildout in Los Osos to below LOS D, measured on an average daily traffic (ADT) basis or peak hour intersection operation basis?*

Impact TC-1 The proposed Circulation Plan would result in potential impacts, without additional mitigation, to the transportation network, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. *(Class II, Significant but Mitigable)*

Full implementation of the proposed Community Plan would result in performance of the intersections of South Bay Boulevard/Pismo Street, and of Los Osos Valley Road/Sunset Drive, to exceed applicable adopted performance criteria. All other facilities are anticipated to operate at acceptable service level thresholds. The proposed Community Plan identifies circulation system improvements that are planned to accommodate development under the Community Plan and these improvements are assumed to be implemented as described under the Transportation Analysis Methodology above. Therefore, this impact is Class II, **significant but mitigable**.

Summary of Proposed Community Plan Policies that Reduce the Impact:

- EC-3** *Improve commercial areas by making them more attractive and pedestrian-friendly.*
- LU-2** *Concentrate or cluster development to protection contiguous environmentally sensitive areas.*
- LU-4** *Promote pedestrian travel and activities so that commercial areas become pedestrian- rather than automobile-oriented.*

- LU-5** *Plan for a flexible combination of residential, service, office, and lodging uses at the Morro Shores Mixed Use Area.*
- CIR-1** *Maximize public access to and along the coast.*
Program CIR-1.1: Accept and retain coastal access offers
Program CIR-1.2: Abandonments and quiet title action.
Program CIR-1.3: Protect existing access points.
Program CIR-1.4: Develop access improvements.
- CIR-2** *Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.*
Program CIR-2.1: Transit system.
Program CIR-2.2: Transportation Demand Management.
- CIR-3** *Responsibly finance and administer the community circulation system.*
- CIR-4** *Design the circulation system to be compatible with the community's character and responsive to local environmental needs.*
Program CIR-4.1: Narrow streets.
Program CIR-4.2: Trees.
Program CIR-4.3: Commercial streetscape.
Program CIR-4.4: Traffic calming.

Mitigation Measures. The following mitigation measures are proposed to be added to the Circulation Plan to mitigate the identified impacts:

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

Plan Requirements and Timing. The Planning and Building Department shall add the required improvement to the Community Plan prior to adoption. The improvement will be programmed into the County's Estero Area Plan, and ultimately constructed when funding is available, either through development fees or other outside sources.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

TC-1(b) Intersection 16 – South Bay Boulevard at Pismo Avenue. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions and Cumulative Plus Project conditions. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.

Plan Requirements and Timing. The Planning and Building Department shall add the required improvement to the Community Plan prior to adoption. The improvement will be programmed into the County's Estero Area Plan, and ultimately constructed when funding is available, either through development fees or other outside sources.

Monitoring. Planning and Building shall ensure that the above language is included in the Community Plan prior to adoption.

Residual Impacts. With proposed mitigation, impacts would be less than significant.

Threshold: Would actions under the Community Plan result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Impact TC-2 The proposed Circulation Plan would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (*Class III, Less than Significant*).

The proposed Community Plan would not have an effect on air traffic patterns. The proposed Community Plan does not propose to change any operations at airports, the nearest of which is more than 10 miles away near the City of San Luis Obispo. The Community Plan does not propose new uses that would increase air traffic and does not propose any changes in location of airports or air traffic. Therefore, this impact is **less than significant**.

Mitigation Measures. No mitigation measures are required.

Residual Impacts. Impacts would be less than significant.

Threshold: *Would actions under the Community Plan substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Impact TC-3 **The proposed Circulation Plan would not increase risks due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Class III, Less Than Significant).**

The implementation of the Community Plan would increase the amount of vehicle traffic, as well as bicycles, pedestrians, and buses, using the circulation system. The County maintains roadway standards that guide the construction of new transportation facilities to minimize design risks for all users of the system. New and upgraded roadways needed to accommodate new development will be designed according to County adopted design standards.

Through the environmental review process, land use proposals that would add traffic carefully evaluated. If needed, mitigations are identified and the project is conditioned to construct or provide funding for an improvement that would mitigate the impact. Typical improvements include shoulder widening, special signage and striping, adding turn pockets, adding sidewalks or crosswalks, realigning sharp curves, prohibiting certain turning movements, and other improvements.

Subsequent development, infrastructure, and planning projects would be required to comply with the Community Plan, the County Code, and applicable state and local regulations. The Community Plan Update establishes policies and actions that would ensure potential impacts associated with project design and compatibility of uses are addressed. Specifically, the Community Plan Update includes policies and measures to provide safe and well-connected neighborhood streets that balance automotive circulation with neighborhood design and bicycle and pedestrian users' safety. Implementation of these policies would ensure that potential transportation risks associated with project design and compatibility of uses is addressed and mitigated. Therefore, this impact is **less than significant**.

Summary of Proposed Community Plan Policies that Reduce the Impact:

- EC-3** *Improve commercial areas by making them more attractive and pedestrian-friendly.*
- LU-4** *Promote pedestrian travel and activities so that commercial areas become pedestrian- rather than automobile-oriented.*
- CIR-1** *Maximize public access to and along the coast.*
 Program CIR-1.1: Accept and retain coastal access offers
 Program CIR-1.2: Abandonments and quiet title action.

Program CIR-1.3: Protect existing access points.

Program CIR-1.4: Develop access improvements.

CIR-2 *Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.*

Program CIR-2.1: Transit system.

Program CIR-2.2: Transportation Demand Management.

CIR-3 *Responsibly finance and administer the community circulation system.*

CIR-4 *Design the circulation system to be compatible with the community's character and responsive to local environmental needs.*

Program CIR-4.1: Narrow streets.

Program CIR-4.2: Trees.

Program CIR-4.3: Commercial streetscape.

Program CIR-4.4: Traffic calming.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant.

Residual Impacts. Impacts would be less than significant.

<p>Threshold: <i>Would actions under the Community Plan result in inadequate emergency access?</i></p>

Impact TC-4 **The proposed Circulation Plan would not result in inadequate emergency access (Class III, Less Than Significant).**

Implementation of the proposed Community Plan and increases in regional travel passing through Los Osos would increase the amount of vehicular traffic in and around Los Osos, and may therefore increase the number of potential emergency access conflicts. However, improvements to the Community Plan circulation system as identified in the Circulation Plan will contribute to mitigating the impacts of additional traffic on emergency response times. Therefore, this impact is Class III, **less than significant**.

Summary of Proposed Community Plan Policies that Reduce the Impact:

CIR-1 *Maximize public access to and along the coast.*

Program CIR-1.1: Accept and retain coastal access offers

Program CIR-1.2: Abandonments and quiet title action.

Program CIR-1.3: Protect existing access points.

Program CIR-1.4: Develop access improvements.

CIR-2 *Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.*

Program CIR-2.1: Transit system.

Program CIR-2.2: Transportation Demand Management.

CIR-3 *Responsibly finance and administer the community circulation system.*

CIR-4 *Design the circulation system to be compatible with the community's character and responsive to local environmental needs.*

Program CIR-4.1: Narrow streets.

Program CIR-4.2: Trees.

Program CIR-4.3: Commercial streetscape.

Program CIR-4.4: Traffic calming.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant.

Residual Impacts. Impacts would be less than significant.

Threshold: *Would actions under the Community Plan conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities)?*

Impact TC-5 *The proposed Circulation Plan would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Class III, Less Than Significant).*

The existing General Plan (Estero Area Plan) includes a number of policies and programs to support alternative transportation modes, many of which were discussed in the Physical Setting section of this section. Collectively, these establish goals and objectives and prioritize improvements that will better facilitate transit, pedestrian, and bicycle use in Los Osos and its surrounding area. The proposed Community Plan also includes policies for and improvements to the bikeway and pedestrian network. In addition, most new roadways above the local street level will be designed and built with bike lanes, and include sidewalks on both sides, substantially improving the bicycle and pedestrian environment.

Increased residential density and a greater mix of uses in new residential neighborhoods will help create a more transit-supportive urban environment.

The proposed Community Plan will not widen roadways indiscriminately to achieve vehicular LOS goals, as that could dissuade use of alternative transportation modes by promoting vehicular service above all other modes in designing improvements. Increased congestion on roadways, and the provision of improved access to alternative modes, may encourage increased use of alternative transportation modes. Therefore, this impact is **less than significant**.

Summary of Proposed Community Plan Policies that Reduce the Impact:

- EC-3** *Improve commercial areas by making them more attractive and pedestrian-friendly.*
- LU-4** *Promote pedestrian travel and activities so that commercial areas become pedestrian- rather than automobile-oriented.*
- LU-5** *Plan for a flexible combination of residential, service, office, and lodging uses at the Morro Shores Mixed Use Area.*
- CIR-2** *Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.*
 Program CIR-2.1: Transit system.
 Program CIR-2.2: Transportation Demand Management.
- CIR-3** *Responsibly finance and administer the community circulation system.*
- CIR-4** *Design the circulation system to be compatible with the community's character and responsive to local environmental needs.*
 Program CIR-4.1: Narrow streets.
 Program CIR-4.2: Trees.
 Program CIR-4.3: Commercial streetscape.
 Program CIR-4.4: Traffic calming.

Mitigation Measures. No mitigation measures are required, because the impact is less than significant.

Residual Impacts. Impacts would be less than significant.

g. Cumulative Impacts. The project-specific analysis evaluated potential communitywide impacts under the LOCP. In this case, project-specific impacts are considered the same as cumulative

impacts. The proposed LOCP is intended to guide cumulative development within Los Osos study area, including necessary roadway and transportation improvements. Development would be located primarily on infill sites throughout the community. This study area cumulative growth and the associated planned and recommended transportation improvements are discussed at the outset of the Impact Analysis, and summarized under Impact TC-1. As discussed under Impact TC-1, the impacts would be Class III, less than significant.

h. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.13-11** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

Table 4.13-11. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	TC-1 through TC-5
<i>The future project is inconsistent with Community Plan policies.</i>	TC-1 through TC-5
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects (for example, if the project included a hazardous design feature).</i>	Impact other than TC-1 through TC-5
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened TC-1 through TC-5, as applicable

4.14 WASTEWATER

Program-level impacts from an increase in wastewater production will be less than significant. The Community Plan proposes development within and around the wastewater service area for the Los Osos Water Recycling Facility (LOWRF). Development within the LOWRF service area will be connected to the treatment plant, which is anticipated to have sufficient capacity for the proposed project. Areas of development outside the wastewater service area will utilize onsite wastewater treatment systems in compliance with the Regional Water Quality Control Board.

4.14.1 Setting

a. Physical Setting. Development in the community of Los Osos began in the late 19th century as small residential lots, intended primarily for summer homes and retreats. Much of Los Osos is developed in long, narrow (25 to 50 feet by 125 feet) residential lots located on wide (40 to 80 feet) streets generally arranged in a grid. The majority of the community uses septic tanks and leach fields or seepage pits for wastewater treatment and disposal. There is one small neighborhood community wastewater treatment systems, the Monarch Grove development, which will abandon the system and connect to the Los Osos Wastewater Project. Highly permeable soils, high groundwater tables, and dense community development have caused water quality issues. Concerns were compounded due to the fact that the community relies entirely on groundwater for its potable water supply. The RWQCB Basin Plan (adopted in 1971) contained a provision prohibiting septic system discharges in the area after 1974. In 1983 the RWQCB determined that nitrate concentrations in the upper aquifer of the groundwater basin had increased in excess of State standards, and subsequently issued a cease and desist order prohibiting discharges from septic systems within an established Prohibition Zone that covers much of the urban area (effective November 1, 1988, Resolution No. 83-13). The Prohibition Zone effectively stalled development within the area.

Since the Prohibition, there have been several attempts to design and construct a centralized wastewater project. A thorough summary of the history is included in the County of San Luis Obispo Los Osos Wastewater Project Environmental Impact Report (“LOWWP EIR”, Michael Brandman Associates, November 14, 2008). The County of San Luis Obispo recently completed construction of the Los Osos Wastewater Project (LOWWP), which consists of community wastewater collection, treatment and disposal/reuse systems that will serve most of the area within the Prohibition Zone. As of August 2017, 90% of the Prohibition zone are connected. The treatment plant is designed to treat an average annual flow of 1.2 million gallons per day (MGD) and includes primary and secondary treatment, tertiary filtration, and disinfection. The LOWWP is now known as the Los Osos Water Recycling Facility (LOWRF) and is designed for two options: The LOWRF can treat the wastewater to a secondary treatment level for disposal through percolation basins; or treat the wastewater further and produce tertiary disinfected recycled water, which is permitted for urban and agricultural irrigation.

The Community Plan area, Prohibition Zone and wastewater service area for the LOWRF are shown in **Figure 4.14-1**. According to the LOWRF discharge permit (Waste Discharge Requirements Order No. R3-2011-00-1, or “WDR”), two areas within the Prohibition Zone were exempted from the Prohibition Zone in March 2000 and will not be connected to the LOWRF: Bayview Heights and Martin Tracts. The WDR also discusses Monarch Grove Development, which is located adjacent to the wastewater service area, this area recently decided (by the Homeowners Association) to be served by the LOWRF. The development consists of approximately 83 residences, which discharge to a wastewater to a treatment plant located in the Sea Pines Golf Course. The WDR notes that it may be connected to LOWRF in the future.

b. Regulatory Setting. The LOCP area falls within the jurisdiction of the Central Coast RWQCB and State Water Resources Control Board Department of Drinking Water (“DDW”, formerly part of California Department of Public Health). RWQCB and DDW ensure that the State’s water resources are protected through federal, state and local legislation. As described above, the LOWWP is designed to remedy the water quality concerns within the Prohibition Zone. The potential environmental impacts associated with the LOWWP have been evaluated in the LOWWP EIR and are not evaluated here.

The LOWRF is regulated under Waste Discharge Requirements Order No R3-2001-0001 (WDR) developed by the RWQCB, which takes into account the Basin Plan, California Code of Regulations, California Water Code, and several other applicable regulations and policies. The WDR provides a flow limit, minimum water quality requirements for the treated effluent based on desired reuse or disposal method, biosolids requirements, and monitoring and reporting requirements to help ensure protection of water quality and public health.

Areas outside the wastewater service area will rely on onsite wastewater treatment systems for wastewater treatment and disposal. These systems are regulated by the RWQCB. The RWQCB’s Basin Plan (March 2016 Edition) adopted the State Water Resources Control Board’s *Water Quality Control Policy for Onsite Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy).

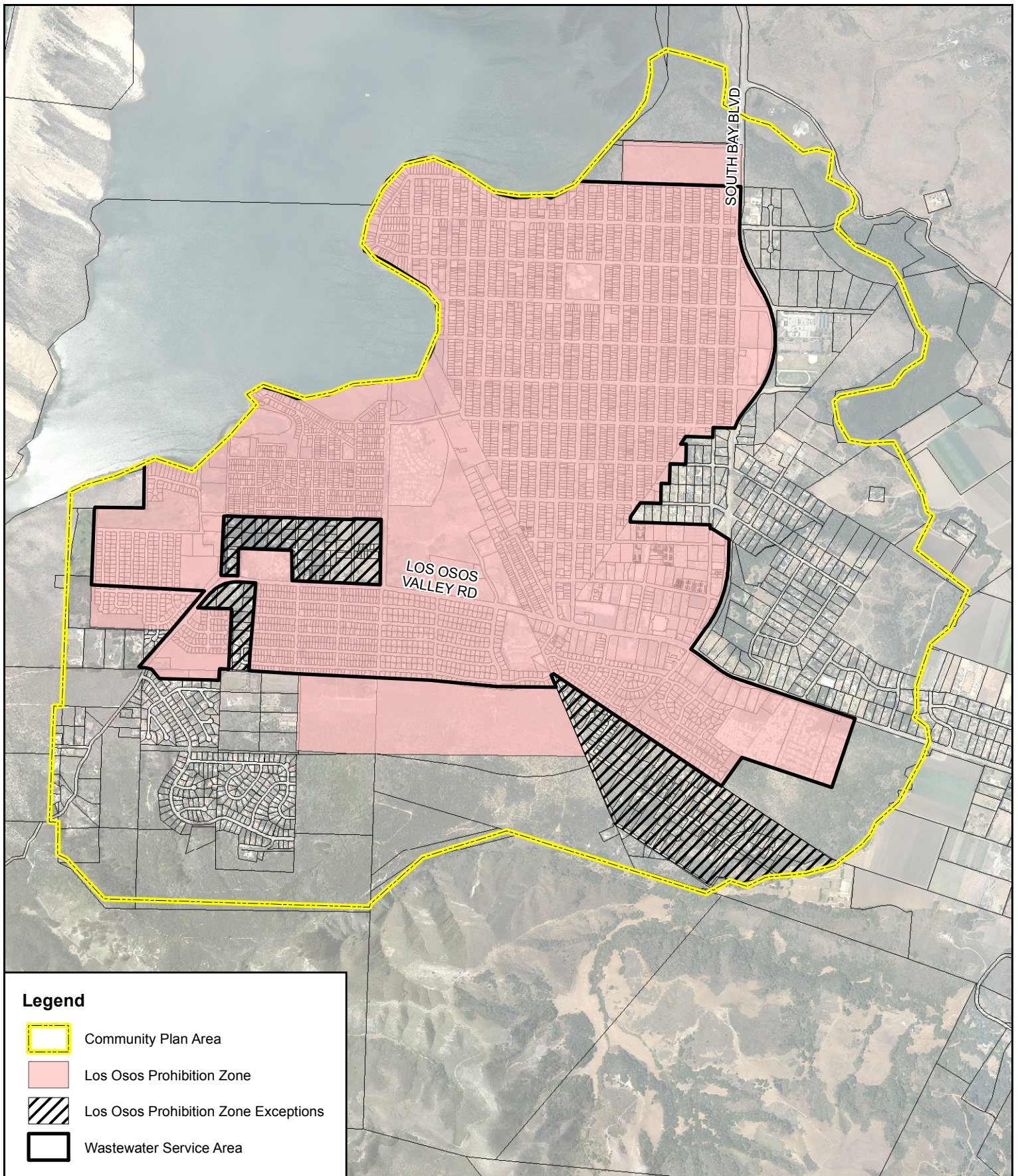


Figure 4.14-1: Los Osos Prohibition Zone and Wastewater Service Area

Note: Basemap data obtained from County of San Luis Obispo GIS

c. Community Goals Related to Water. The “Vision Statement for Los Osos” approved by the Los Osos Community Advisory Council (LOCAC) on June 22, 1995, describes a community where urban development is contained within the existing URL and growth is controlled at rates sustainable by resources and services. The Vision Statement includes the following goals related to wastewater:

- *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 populations to meet its needs or drawing upon water or others to sustain community livelihood.*
- *Our water is carefully managed on a holistic basis to provide a clean, sustainable resource for the community. Included in this management plan are:*
 - *Aquifer maintenance, management and recharge, preventing over-drafting of the aquifer and salt-water intrusion into the water supply.*
 - *A septic system maintenance district.*
 - *Management of water extraction and delivery systems.*
 - *Wastewater water management, cleansing and restoration of the lower aquifer or upper aquifer with pumping from upper aquifer for domestic use.*
 - *Graywater reclamation, management and recycling*
 - *Conservation of water is an integral part of the management plan.*
 - *Runoff and storm drainage (in excess of that required to sustain the Estuary fresh-water flows) are managed, where possible, through the use of retention/percolation basins which are an integral part of the landscape and used for recreation purposes.*
 - *Current percolation “pits” in the community have been redesigned to provide for landscaping or recreational uses, and are maintained.*
 - *Agricultural and landscape management practices to reduce water usage and pollution from fertilizers, herbicides and pesticides.*
- *Our waste water treatment facility(s) is based on a natural biological process rather than mechanical system approach to the highest extent possible. These facilities have become a visual and recreational asset to the community, including development of water supply for agricultural or irrigation purposes, and habitat for wildlife.*

4.14.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. Impacts to wastewater facilities were assessed by reviewing the LOCP proposed development to the estimated capacity of the existing wastewater treatment facility (currently under construction), and considering the LOCP proposed plans and policies related to wastewater.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would result in any of the following:

- *Violate waste discharge requirements or Basin Plan criteria for wastewater systems, pursuant to the requirements of the Regional Water Quality Control Board;*
- *Change the quality of surface or groundwater (e.g., nitrogen loading, day-lighting);*
- *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or*
- *Adversely affect the community wastewater service provider*

Proposed Project Wastewater-Related Standards. Chapter 7 of the Draft Community Plan provides the Planning Area Standards. Planning area standards implement the goals and policies of the plan and the Local Coastal Program. The standards are mandatory requirements that apply to new land uses and proposed development. Section 7.3, “Communitywide Standards,” includes the following standards related to wastewater. The numbering and text below has been copied from the LOCP, excluding standards that do not specifically relate to wastewater.

B. Resource Capacity and Service Availability.

1. Verification of water and sewer service. All applications for land divisions and new development shall be accompanied by a letter from the applicable water purveyor and provider of sewer service indicating their willingness and intent to provide service to the new development.

2. Water and Wastewater Service Capacity, Land Divisions. New land divisions, other than condominium conversions, shall not be approved unless the Review Authority makes the following findings:

b. If within the sewer service area, the community sewer system is in operation and has sufficient capacity to serve the development.

c. If outside the sewer service area, the on-site wastewater disposal system has been designed to comply with all requirements of the Regional Water Quality Control Board, including the Central Coast Basin Plan.

For the purposes of the above findings, the Review Authority shall consider not only the 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.

Evaluation of Proposed Project Wastewater-Related Standards. The LOCP wastewater-related standards require that proposed development within the sewer (wastewater) service area connect to the LOWRF. Development outside the sewer service area follows the Regional Water Quality Control Board (RWQCB) requirements for onsite wastewater disposal systems. Standards B1 and B2b require commitment from the sewer service provider for service of new developments and determination of service availability for all land divisions.

The LOWRF has been designed and permitted for a future flow rate of 1.2 MGD based on an estimated buildout population within the wastewater service area of 18,500 (WDR Order No R3-2011-0001). According the WDR, the current population within the service area is approximately 12,500 with 4,800 connections and an estimated wastewater flow of 0.9 MGD. The proposed project anticipates a future population in the Los Osos Community Plan (LOCP) area of 18,000. As shown in **Figure 4.14-1**, the LOCP area is larger than the wastewater service area. The LOCP proposes a similar mix of residential and commercial development to the existing community, although in some cases, land uses will be redesignated to result in less development potential than under the current Estero Area Plan, so loading concentrations (wastewater strength) are anticipated to be similar, if not less. Under the LOCP, the anticipated buildout population within the wastewater service area is anticipated to be no more than 18,000. Therefore, it is anticipated that the LOWRF will have sufficient capacity to accommodate the proposed project within the wastewater service area.

Standard B2c requires that areas outside the LOWRF sewer (wastewater) service area utilize onsite wastewater treatment systems in accordance with the RWQCB and the Central Coast Basin Plan. The RWQCB's Basin Plan (March 2016 Edition) adopted the State Water Resources Control Board's *Water Quality Control Policy for Onsite Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy provides a tiered implementation program with requirements based upon levels (tiers) of potential threat to water quality. It includes a conditional waiver for waste discharge requirements for onsite systems that comply with the policy. The OWTS Policy provides minimum requirements for siting, design, and construction of onsite systems. The Policy lays out four categories or "tiers" for OWTS. A summary of the four tiers and assessment of the applicability to the LOCP is provided in **Table 4.14-1**.

Table 4.14-1. Summary of OWTS Tiers under SWRCB OWTS Policy and Applicability to LOCP	
Tier Name and Description	Applicability to LOCP
Tier 0 – Existing OWTS: Existing OWTS that are properly functioning and do not meet the conditions of failing systems or otherwise require corrective actions as specifically described in Tier 4, and are not determined to be contributing to an impairment of surface water as specifically described in Tier 3, are automatically included in Tier 0.	Tier 0 applies to existing, properly functioning OWTS outside the sewer service area (Prohibition Zone).
Tier 1 - Low-Risk New or Replacement OWTS: New or replacement OWTS meet low risk siting, design, and construction requirements as specified in Tier 1, where there is not an approved Local Agency Management Program per Tier 2.	New or replacement OWTS in the LOCP area (outside the sewer service area) will fall under Tier 1, which provides requirements for professional soil and site evaluations, including percolation testing; minimum setbacks from property lines, wells, water bodies, etc.; minimum requirements for permitting agencies; allowable densities per subdivision for OWTS based on average annual rainfall; and minimum OWTS design and construction requirements.

Table 4.14-1. Summary of OWTS Tiers under SWRCB OWTS Policy and Applicability to LOCP

Tier Name and Description	Applicability to LOCP
Tier 2 - LAMP for New or Replacement OWTS: Local agencies may submit management programs for approval, and upon approval then manage the installation of new and replacement OWTS under that program. A local agency may opt to prepare a Local Area Management Program (LAMP) to address specific local conditions. LAMPs are reviewed and approved by the RWQCB.	There is no LAMP for the Los Osos area. Therefore, this Tier is not applicable to the LOCP at this time.
Tier 3 - Existing, New or Replacement OWTS near Impaired Areas: Existing, new, and replacement OWTS near impaired water bodies may be addressed by a TMDL and its implementation program, or special provisions contained in a LAMP. If there is no TMDL or special provisions, the Policy provides specific requirements for new or replacement OWTS within 600 feet of impaired water bodies listed in Attachment 2 of the OWTS Policy.	No impaired water bodies for San Luis Obispo County are listed in Attachment 2 of the OWTS Policy. This Tier is not applicable to the LOCP at this time.
Tier 4 - OWTS Requiring Corrective Action: OWTS that require corrective action or are either presently failing or fail at any time while the Policy is in effect are automatically included in Tier 4 and must follow the requirements.	As described, Tier 4 applied to any OWTS that requires corrective action. OWTS that is failing will be categorized as Tier 4 until the corrective action is successfully implemented.

The majority of new OWTS constructed under the LOCP will fall into Tier 1. The Policy provides minimum requirements for assessment, siting, design, permitting and construction to help ensure appropriate wastewater treatment and disposal. The County will be responsible for reviewing OWTS applications for compliance with the OWTS policy, which will reduce potential future impacts to groundwater from septic system discharges.

b. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan violate waste discharge requirements or Basin Plan criteria for wastewater systems, pursuant to the requirements of the Regional Water Quality Control Board?*

Threshold: *Would actions under the Community Plan change the quality of surface or groundwater (e.g., nitrogen loading, day-lighting)?*

Threshold: *Would actions under the Community Plan require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects)?*

Threshold: *Would actions under the Community Plan adversely affect the community wastewater service provider?*

Impact WW-1 Because the LOWRF has sufficient capacity to accommodate the projected buildout population of 18,000 under the LOCP and onsite systems outside the sewer service area will be regulated through the SCRWCB OWTS Policy, program-level impacts related to wastewater production are consider to be *Class III, less than significant.*

Development under the Community Plan is anticipated to result in a total buildout population of 18,000. As discussed above, developments within the LOWRF service area will be connected to the LOWRF, which is anticipated to have sufficient capacity without exceedances of the treatment requirements or expansion of facilities. Developments outside the area will require onsite wastewater treatment systems that comply with RWQCB regulations and policies. Based on the assessment presented herein, at a policy level, wastewater impacts from the proposed project are considered a Class III Impact, less than significant. As future applications for individual Community Plan projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level development and environmental review.

Mitigation Measures. Wastewater impacts from the proposed project are considered a Class III Impact, less than significant. No mitigation measures are required.

c. Cumulative Impacts. 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 wastewater impacts are addressed in the analysis above. As future applications for individual Community Plan projects are

submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level development and environmental review.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.14-2** describes conditions under which future development in the Community Plan Area would require additional CEQA review, pursuant to Section 15183.

Table 4.14-2. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations</i>	WW-1
<i>The future project is inconsistent with Community Plan policies</i>	WW-1
<i>The future project would result in a wastewater collection or treatment impact that is peculiar to the project or parcel. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than WW-1
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened WW-1

4.15 WATER SUPPLY

The potential impact to water supply was evaluated by comparing the proposed project to the findings and recommendations of the Updated Los Osos Groundwater Basin Plan ("Basin Plan," January 2015). The Basin Plan was developed through the groundwater basin adjudication process and made part of the Court's ruling through the Stipulated Judgment. The Los Osos Community Plan (LOCP) includes standards and policies that require compliance with the Basin Plan and close coordination with the Basin Management Committee, which is charged with enforcing and implementing the Stipulated Judgment, including the recommendations of the Basin Plan. Impacts to water supply were determined to be potentially significant, but mitigable.

4.15.1 Setting

a. Physical Setting. The community of Los Osos relies entirely on the underlying groundwater basin for residential, commercial, agricultural, recreational and institutional water supply. The Los Osos Groundwater Basin (Basin) covers approximately 10 square miles onshore and extends under the LOCP planning area of Los Osos, the adjacent rural area to the east surrounding Los Osos Valley Road to approximately Paradise Lane, and the adjacent bay area and dunes to the northwest and out to the ocean (**Figure 4.15-1**). The Basin is underlain and bounded by relatively impermeable layers on the south, north, and east. The Basin is comprised of several aquifer layers, including the Upper Aquifer and the Lower Aquifer, which are the main sources of municipal and domestic water supplies, and the First Water and the Alluvial Aquifer under Los Osos Creek, which are also used for irrigation water supplies.

The LOCP covers the area identified within the Urban Reserve Line (URL). The proposed project includes minor changes to the existing URL as shown in **Figure 2-2**. There are two major water purveyors in the community, Los Osos Community Services District (LOCSO) and Golden State Water Company. A small mutual water company, S&T Mutual Water Company provides water to the neighborhood of Sunset Terrace. Some areas within the URL utilize private individual wells. There are irrigated agricultural parcels and a few residential properties with private wells immediately adjacent to the URL and LOCP area within the Basin (**Figure 4.15-2**).

Due to water quality degradation of the Upper Aquifer from historic septic system discharges causing an increase in nitrate concentrations, the water purveyors pump from the Lower Aquifer. Section 4.14 contains additional information on the septic system discharges and the wastewater evaluation. Groundwater extractions have exceeded the sustainable yield of the lower aquifer in the western area, resulting in seawater intrusion. The County has certified the Basin to have a Level of Severity III, meaning the basin is at or approaching overdraft conditions. Continued use of the Basin for the area's water supply is dependent on addressing two main challenges: water quality degradation of the Upper Aquifer, primarily by nitrate; and seawater intrusion into the Lower Aquifer.

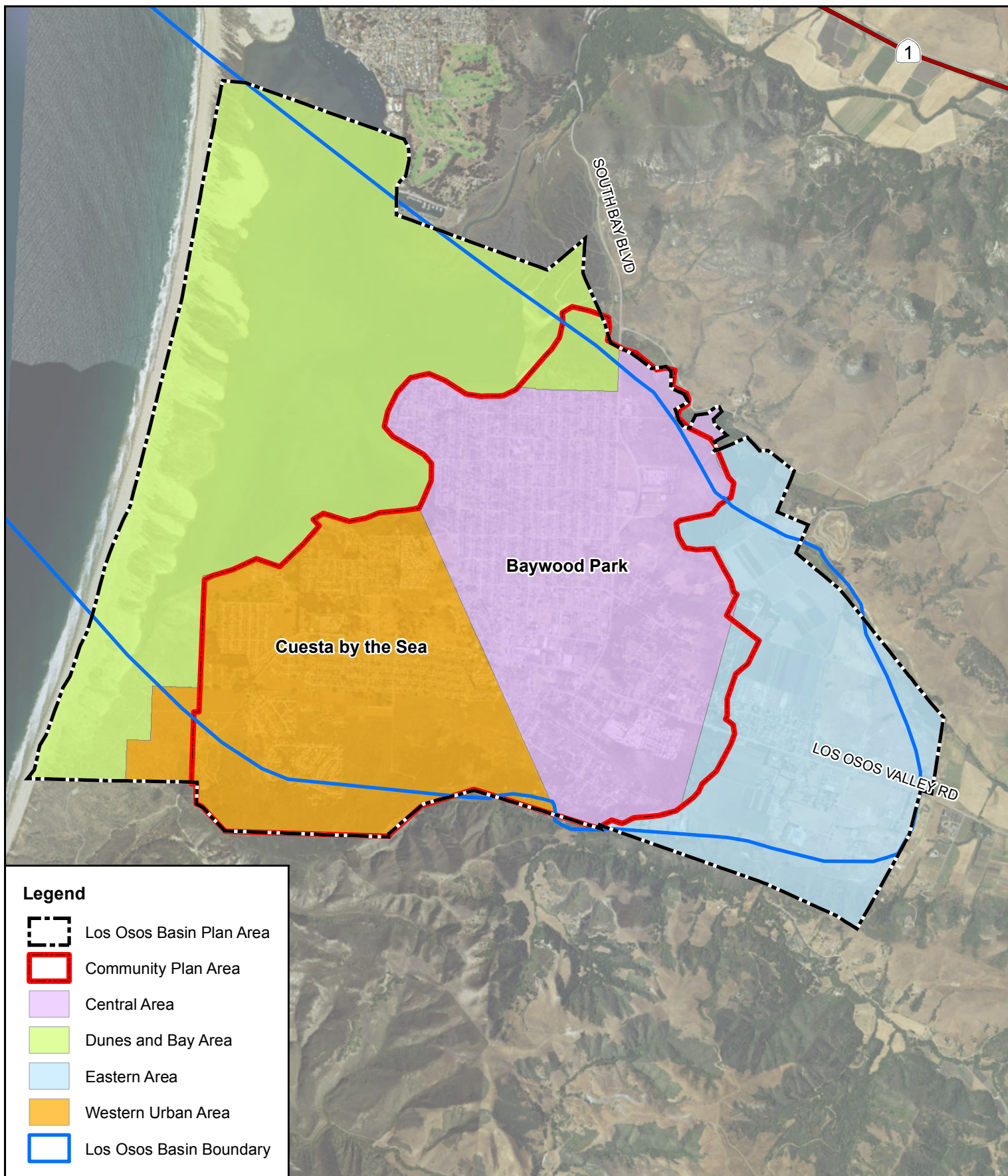


Figure 4.15-1: Los Osos Groundwater Basin

Note: Basemap data obtained from County of San Luis Obispo GIS

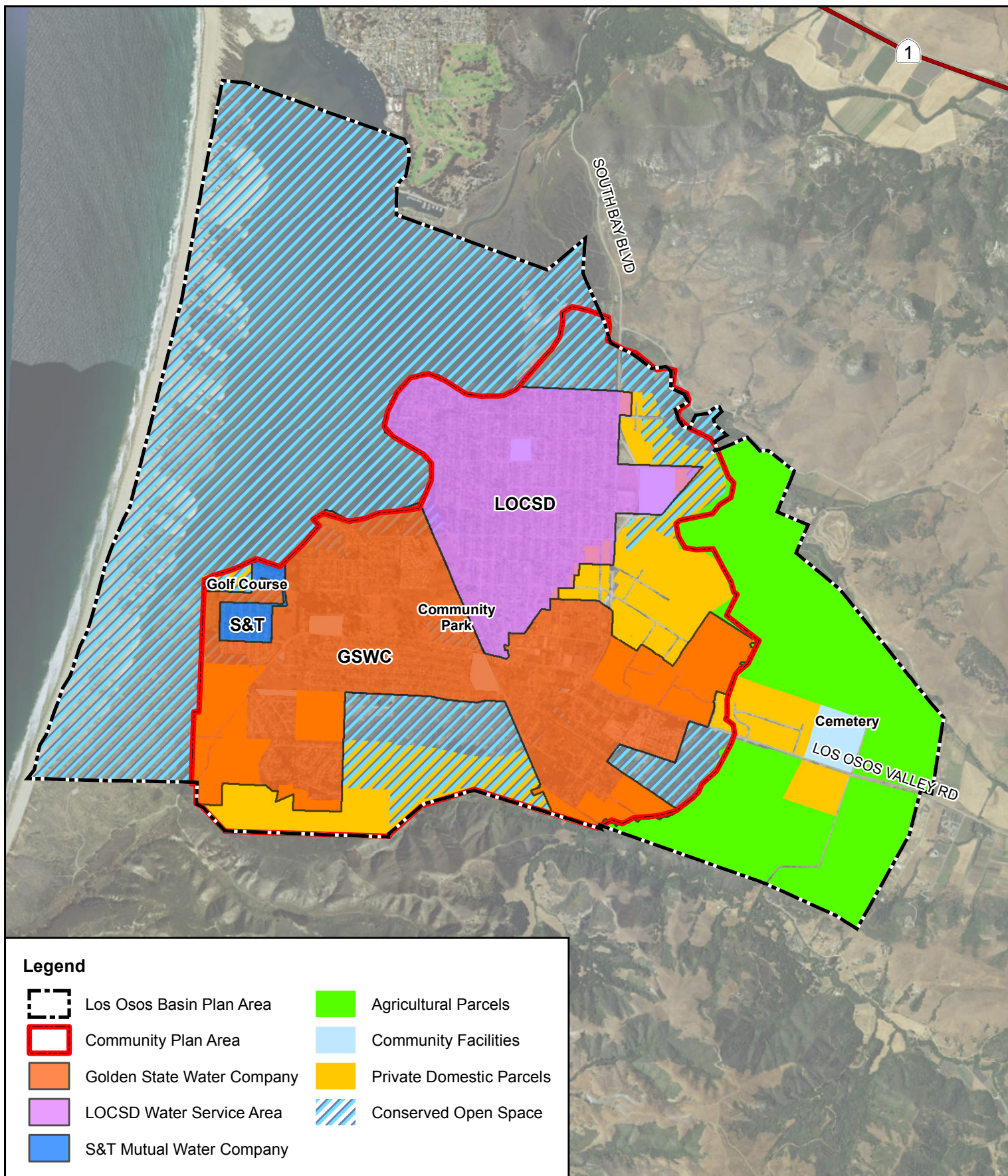


Figure 4.15-2: Los Osos Groundwater Basin Water Uses

Note: Basemap data obtained from County of San Luis Obispo GIS

b. Regulatory Setting. The Basin is an adjudicated groundwater basin with a Stipulated Judgment adopted by the San Luis Obispo County Superior Court October 14, 2015. LOCSD initiated the litigation that led to adjudication in 2004 by filing against Southern California Water Company (former name of GSWC), S&T Mutual Water Company, the County, and Sea Pines Golf Course. LOCSD brought the action “for the purposes of protecting the valuable resources of the [Basin], protecting its own rights and interests with respect to the Basin, and to facilities efforts to cooperatively manage the Basin.” The parties to the Action entered into a Standstill Agreement, approved by the Court on May 25, 2004 and stayed all pleadings in the Action to allow the parties to hold settlement discussions. The Standstill Agreement was extended on several occasions. Sea Pines Golf Course was dismissed from the Action in 2006. On August 5, 2008, the Court approved an Interlocutory Stipulated Judgment (“ISJ”) between LOCSD, GSWC, S&T and the County. The ISJ provided that the parties would form a working group to undertake technical studies of the Basin’s water resources and to adopt a Basin management plan that will serve as a physical solution for the management of Basin water resources. In January 2015 the parties finalized the Updated Basin Plan for the Los Osos Groundwater Basin (Basin Plan), which is attached to the Stipulated Judgment and, with the Stipulated Judgment, is intended to serve as a comprehensive groundwater management strategy. The Stipulated Judgment details the establishment and composition of the Basin Management Committee which is charged with administering, enforcing and implementing the provisions of the Stipulated Judgment and the Basin Plan.

The Basin Plan establishes 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. Outside of the Basin Plan, the County is addressing the water quality degradation through construction and operation of the Los Osos Wastewater Project, a community wastewater collection, treatment and reinvestment project in Los Osos. The Basin Plan calls for reduced pumping from the lower aquifer in the Western Area, a decrease in overall basin water demand, and an increase in water supplies in the upper aquifer and lower aquifer in the central and eastern portions. To access the water supplies, the water purveyors will need to construct new infrastructure including groundwater production wells and distribution pipelines. The Basin Plan analyzes seven potential programs for Basin Management and recommends several programs for immediate implementation and some for potential implementation, if the County and Coastal Commission were to allow future development in Los Osos. Implementation of the recommended combination of programs is anticipated to achieve a sustainable Basin. Please refer to the Impact Analysis for a further discussion of water supply and demand under the Basin Plan, relative to future development in Los Osos.

c. Community Goals Related to Water. The “Vision Statement for Los Osos” approved by the Los Osos Community Advisory Council (LOCAC) on June 22, 1995, describes a community where urban development is contained within the existing URL and growth is controlled at rates sustainable by resources and services. The Vision Statement includes the following goals related to water:

- *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 populations to meet its needs or drawing upon water or others to sustain community livelihood.*
- *Our water is carefully managed on a holistic basis to provide a clean, sustainable resource for the community. Included in this management plan are:*
 - *Aquifer maintenance, management and recharge, preventing over-drafting of the aquifer and salt-water intrusion into the water supply.*
 - *A septic system maintenance district.*
 - *Management of water extraction and delivery systems.*
 - *Wastewater water management, cleansing and restoration of the lower aquifer or upper aquifer with pumping from upper aquifer for domestic use.*
 - *Graywater reclamation, management and recycling*
 - *Conservation of water is an integral part of the management plan.*
 - *Runoff and storm drainage (in excess of that required to sustain the Estuary fresh-water flows) are managed, where possible, through the use of retention/percolation basins which are an integral part of the landscape and used for recreation purposes.*
 - *Current percolation “pits” in the community have been redesigned to provide for landscaping or recreational uses, and are maintained.*
 - *Agricultural and landscape management practices to reduce water usage and pollution from fertilizers, herbicides and pesticides.*
- *Our waste water treatment facility(s) is based on a natural biological process rather than mechanical system approach to the highest extent possible. These facilities have become a visual and recreational asset to the community, including development of water supply for agricultural or irrigation purposes, and habitat for wildlife.*

4.15.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. Impacts to water supply were assessed by reviewing the estimated water supplies, estimated water demands and proposed water-related programs for the project, and comparing them to the findings and recommendations of the Basin Plan. The Basin Plan encompasses the LOCP area, which generally follows the URL, as well as adjacent areas to the east (primarily agricultural properties) and the west (open space and dunes to the ocean), and has been developed by the ISJ and made part of the Stipulated Judgment.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would result in any of the following:

- *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local*

- groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted);*
- *Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or*
 - *Fail to have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expanded entitlements are needed.*

b. Impacts and Mitigation Measures.

Threshold: *Would actions under the Community Plan substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Threshold: *Would actions under the Community Plan require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Threshold: *Would actions under the Community Plan fail to have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expanded entitlements are needed?*

Impact W-1 Development under the Community Plan is limited to the sustainable capacity of the Groundwater Basin through the Growth Management Ordinance and additional review standards tied to the Basin Plan. Project standards and policies require close coordination with the Basin Plan and the standards are in line with the Basin Plan. However, 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. Therefore, water use for the project is considered a *Class II, significant but mitigable impact*.

Projected Water Supply. As Los Osos relies entirely on groundwater for water supplies, it is important to assess the sustainable yield of the groundwater basin. For the purposes of the Basin Plan, the sustainable yield for any given year is defined as the maximum amount of groundwater that may be extracted from the Basin without causing seawater to advance further inland and with no active well producing water with chloride concentrations above 250 mg/L. The Basin Plan estimates the current

sustainable yield at 2,450 acre-feet per year (AFY). Depending on which programs are implemented, the sustainable yield could reach 3,500 AFY or greater. Under the Basin Plan's recommendation it is estimated that the sustainable yield would increase to 3,000 AFY. The programs recommended for immediate implementation for the existing population are briefly summarized as follows:

- 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.

The Basin Plan also recommends the following programs for implementation if the County and Coastal Commission were to allow future development in Los Osos:

- 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.

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.

The Basin Plan does not recommend implantation of the Supplemental Water Program ("S") based on its costs, or the Imported Water Program ("I") based on cost and water management principles.

Estimated Water Demand. The Basin Plan estimates historical groundwater production across the Basin for the various water users within the Basin from 1970 to 2013, including municipal purveyors, private domestic users, community facilities (County Park, Memorial Park, etc.), and agricultural users

(outside the LOCP area). The Basin Plan includes a population outside of the LOCP area, and estimates the existing population at 14,600. Groundwater extractions have exceeded the sustainable yield of 2,450 AFY every year since 1979. **Table 4.15-1** summarizes the estimated historical groundwater production between 2006 and 2015 per the January 2015 Basin Plan and the Los Osos Basin Plan Groundwater Monitoring Program 2015 Annual Monitoring Report (Cleath-Harris, September 2016).

Table 4.15-1 Total Estimated Historical Groundwater Production (2006 - 2015)					
Year	Purveyors	Domestic	Community	Agricultural	Total
2006	2,000	200	150	750	3,100
2007	2,030	200	150	750	3,130
2008	1,910	200	140	750	3,000
2009	1,850	200	140	750	2,940
2010	1,620	200	140	750	2,710
2011	1,570	200	140	750	2,660
2012	1,520	200	140	750	2,610
2013	1,470	200	140	750	2,560
2014	1,240	220	140	800	2,400
2015	1,010	220	140	800	2,170
Notes: Values are from the Los Osos Groundwater Basin Plan Update Jan 2015 and Los Osos Groundwater Basin 2015 Annual Report (September 2016). All figures are expressed in AF and rounded to the nearest 10 AF. Domestic groundwater production estimated to include some areas outside of LOCP area. Community facilities include Los Osos Memorial Park, which is outside the LOCP area (estimated at 50 AFY) Agricultural users within the Groundwater Basin are outside of LOCP area.					

The Basin Plan uses the Basin Yield Metric to compare supply and demand and assess Basin sustainability. The Basin Yield Metric is calculated by comparing the groundwater production to the sustainable yield. A ratio greater than 100 indicates the basin is in overdraft, and less than 100 indicates sustainable production. The Basin Plan sets a goal of maintaining a Basin Yield Metric equal to or less than 80 to provide a margin of safety for sustainable production. The Basin Yield Metric for 2013 is 105, indicating current overdraft conditions. The programs recommended for immediate implementation (M+E+U+AC+P) would bring the Basin Yield Metric to 74, when considering no further development.

Chapter 2 of this EIR provides a detailed project description, including proposed land uses and changes from the previous area plan. **Table 4.15-2** summarizes the residential development and population for existing and buildout conditions.

Table 4.15-2. Residential Development and Population Buildout Summary

	Existing ¹	Buildout ³	Potential Increase
Dwelling Units ²			
Single Family Residential	5,426	6,487	1,061
Multi-Family Residential	895	1,695	800
Total Dwelling Units	6,321	8,182	1,861
Population ⁴	13,906	18,000	4,094
<p>1 County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP</p> <p>2 All dwellings in all land use categories</p> <p>3 Based on County of San Luis Obispo Department of Planning and Building projections summarized in 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes.</p> <p>4 Based on 2.2 persons per household, consistent with the 2010 U.S. Census.</p>			

The LOCP proposes a total buildout population of 18,000, representing an increase of 4,094 people, or approximately 30% increase over the existing population. This can be compared to the Basin Plan buildout population scenario of 19,850, with 97% of the population estimated to be within the URL (approximately 19,255). The Basin Plan reviewed the land use categories in the area as designated by the Estero Area Plan (EAP). In general, when compared to the EAP, the proposed LOCP envisions substantial decreases in land designated for residential and non-residential development, and corresponding increases in land designated for Open Space. The Basin Plan noted that existing residential usage represents almost 75 percent of all urban water use in Los Osos, which is generally made up of residential, commercial and institutional uses. The Basin Plan estimated that distribution of urban water uses would remain roughly the same. However, monitoring of community growth and water usage, and adjusting assumptions and projections for supply and demand of the groundwater basin, is strongly recommended throughout the Basin Plan.

Depending on the programs implemented, the Basin Plan estimates future buildout demands to range between 2,130 AFY (for no programs) to 3,230 AFY (for implementation of Demand Programs E+U+S).

Proposed Project Water-Related Standards. Chapter 7 of the Community Plan provides the Planning Area Standards. Planning area standards implement the goals and policies of the plan and the Local Coastal Program. The standards are mandatory requirements that apply to new land uses and proposed development. Section 7.3 Communitywide Standards includes the following standards related to water supply. The numbering and text below has been copied from the LOCP, excluding standards that do not specifically relate to water.

B. Resource Capacity and Service Availability.

1. Verification of water and sewer service. All applications for land divisions and new development shall be accompanied by a letter from the applicable water purveyor and provider of sewer service indicating their willingness and intent to provide service to the new development.

2. Water and Wastewater Service Capacity, Land Divisions. New land divisions, other than condominium conversions, shall not be approved unless the Review Authority makes the following findings:

a. The development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin.

For the purposes of the above findings, the Review Authority shall consider not only the 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.

D. Los Osos Groundwater Basin.

1. Basin Plan Compliance. Development of land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors determines that successful completion and implementation of specific programs identified in the Los Osos Basin Plan ("Basin Plan") have occurred. The following programs from the Basin Plan must be successfully completed and implemented to address existing resource constraints prior to development of new dwelling units or commercial uses:

a. Program "M" – Groundwater Monitoring

b. Program "E" – Urban Efficiency

c. Program "U" – Urban Water Reinvestment

d. Program "A" – Infrastructure Program A

e. Program "P" – Wellhead Protection

f. At least one of the following additional programs:

Program "B" – Infrastructure Program B

Program "C" – Infrastructure Program C

Program "S" – Supplemental Water Program

2. Amendments to Title 26. Development of new dwelling units that use water from the Los Osos Groundwater Basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective as follows:

a. The Basin Plan program(s) shall be completed to the satisfaction of the Director of Public Works, in consultation with the Los Osos Groundwater Basin Watermaster.

b. As part of the review for the Basin Plan effectiveness, the County shall consider data collected as part of the Groundwater Monitoring program

(Program “M”). If the data indicate that completed programs have not been effective in reducing groundwater demand, increasing the perennial safe yield or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited accordingly.

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

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

a. Implementation of one additional program.

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

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

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

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

Previously Implemented Program	New Program(s) to be Completed	Additional Dwelling Units
B	C	260
	C + D	1,030
	C + S	1,550
	C + D + G	3,020
	C + D + S	2,020
C	B	1,110

<i>Previously Implemented Program</i>	<i>New Program(s) to be Completed</i>	<i>Additional Dwelling Units</i>
	<i>B + D</i>	<i>1,580</i>
	<i>B + S</i>	<i>2,100</i>
	<i>B + D + G</i>	<i>3,570</i>
	<i>B + D + S</i>	<i>2,570</i>
<i>S</i>	<i>Additional S (+500 AFY = 750 AFY)</i>	<i>1,590</i>
	<i>B + C</i>	<i>2,230</i>
	<i>B + C + D</i>	<i>2,700</i>
	<i>B + C + G</i>	<i>3,620</i>

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

Evaluation of Proposed Project Water-Related Standards. The LOCP water-related standards are generally based on the Draft Basin Plan. Standards B1 and B2 require commitment from the water purveyor for service of new developments and determination of water capacity and service availability for all land divisions. Standard D1 requires compliance with the Basin Plan as determined by the Board of Supervisors.

The LOCP requires that Programs M+E+U+A+P and at least one of B, C, or S be successfully completed prior to development of land uses that use water from the Basin (Standard D1). The Basin Plan recommends these same initial programs plus Program C to address existing deficiencies (M+E+U+AC+P). Since the LOCP includes the requirement for successful implementation of programs identified in the Basin Plan, it is assumed that Program C will be implemented to address existing deficiencies.

Standard D2 consists of Amendments to Title 26 to establish a Growth Management Ordinance to reflect current basin conditions and prohibit new development until successful implementation of the of the programs required in the Basin Plan. It also requires the determination from the Board of Supervisors, in coordination with the Los Osos Groundwater Basin Watermaster (now known as the Basin Management Committee), that the programs required by the Basin Plan and the LOCP Standards have been successfully completed before development of projects that would use water from the Basin can be approved.

Standard D3 is a Growth Limitation Standard that indicates the number of allowable additional dwelling units that may be developed after successful implementation of specific programs. It requires that the programs identified in D1 are completed first (Programs M+E+U+A+P, plus at least one of B, C, or S), then describes the number dwelling units that may be developed upon successful implementation of

these and additional programs. **Table 4.15-3** summarizes the estimated population based on the additional allowable dwelling units listed in Standard D3.

Table 4.15-3. Estimated Population Based on Standard D3 from LOCP Section 7-3					
Combination of Programs	New Program(s) to be Completed	Additional Dwelling Units Allowed	Cumulative Additional Dwelling Units	Approximate Additional Population¹	Estimated Total Population (LOCP)²
M+E+U+AC+P	-	-	680	1,496	15,402
M+E+U+ABC+P	B	1,110	1,790	3,938	17,844
M+E+U+ABCD+P	B + D	1,580	2,260	4,972	18,878
M+E+U+ABC+S+P	B + S	2,100	2,780	6,116	20,022
M+E+UG+ABCD+P	B + D + G	3,570	4,250	9,350	23,256
M+E+U+ABCD+S+P	B + D + S	2,570	3,250	7,150	21,056
¹ Approximate additional population assumes 2.2 people per dwelling unit. ² Estimated total population (LOCP) assumes an existing population of 13,906.					

Standard D4 provides an exemption from Standards D1, D2, and D3 for all approved development prior to the effective date of this standard that complied with Title 19 retrofit requirements. Major development in the Los Osos community has generally been stalled due to the Regional Water Quality Control Board's cease and desist order for septic system discharges within the Prohibition Zone. Refer to Section 4.15 for more on the wastewater project and wastewater impact evaluation. The Title 19 Retrofit-to-Build program, approved on April 22, 2008, requires all new development that uses water from the Los Osos Groundwater Basin to retrofit older plumbing fixtures in existing homes and businesses to save twice the amount of water the new development will use. Effective March 10, 2014, retrofit credits can no longer come from the Prohibition Zone. According to County Planning and Building Department, approximately 1 to 2 residential homes have been constructed per year.

The Basin Plan evaluates various combinations of programs and provides an estimate of the marginal sustainable population if the programs are successfully implemented. The marginal sustainable population is the estimated additional population (above the existing population) that would be sustainable based on water supply using a Basin Yield Metric of 80. Assuming an existing Basin Plan population of 14,600 and 97 percent within the URL (Section 1.2 of the Basin Plan), the total sustainable population within the URL can be estimated (**Table 4.15-4**). The Basin Plan reviews Program "S" (Supplemental Water Program), but does not recommend the program due to cost consideration, and did not include it in the detailed analyses. It is assumed, because of the previously discussed requirements to implement programs recommended by the Basin Plan, that Program "S" will not be implemented unless the Basin Plan is revised to recommend it at some point in the future.

Table 4.15-4. Summary of Sustainable Population for Proposed Programs (Basin Plan)

Combination of Programs	New Program(s) to be Completed	Marginal sustainable population (Basin Plan) ¹	Estimated Total Sustainable Population (Basin Plan) ²	Estimated Total Sustainable Population within URL (97%) ³
M+E+U+AC+P	-	1,620	16,220	15,733
M+E+U+ABC+P	B	4,290	18,890	18,323
M+E+U+ABCD+P	B + D	5,430	20,030	19,429
M+E+U+ABC+S+P	B + S	NE	NE	NE
M+E+UG+ABCD+P	B + D + G	10,190	24,790	24,046
M+E+U+ABCD+S+P	B + D + S	NE	NE	NE

1 Marginal sustainable population (Basin Plan) per Table 49 of Basin Plan is the estimated additional population beyond existing that would be sustainable based on water supply, using a Basin Yield Metric of 80. It does not account for the buildout limit.
2 Estimated total sustainable population (Basin Plan) assumes existing population of 14,600.
3 Estimated total sustainable population within URL (97%) is per the Basin Plan and can be compared to the estimated total population per the LOCP, since the LOCP area coincides with the URL.
NE = Not evaluated in the Basin Plan. Program S was not recommended in the Basin Plan due to cost and not included in the detailed analyses.

The LOCP covers the area within the URL, with minor changes that are not expected to significantly impact population estimates. **Table 4.15-5** provides an evaluation of the proposed project, comparing the estimated total population per the LOCP with successful completion of the various combinations of programs to the estimated total sustainable population within the URL per the January 2015 Basin Plan. It should be noted that the assessment in the January 2015 Basin Plan carries a certain level of uncertainty that is thoroughly discussed in the Basin Plan (Section 6.4). The identified sources of uncertainty include the hydraulic model with imbedded assumptions and limited available information, modeling limitations, potential increase in agricultural production, effectiveness of the Urban Water Use Efficiency Program (U), unexpected population growth or decline, climate variability, and natural hazards.

Table 4.15-5. Evaluation of Proposed Project

Combination of Programs	New Program(s) to be Completed	Estimated Total Population (LOCP) ¹	Estimated Total Sustainable Population within URL (97%) ²	Are there sufficient water supplies for the proposed project (per Jan 2015 Basin Plan)?
M+E+U+AC+P	-	15,402	15,733	Yes
M+E+U+ABC+P	B	17,844	18,323	Yes
M+E+U+ABCD+P	B + D	18,878	19,429	Yes
M+E+U+ABC+S+P	B + S	20,022	NE	Undetermined
M+E+UG+ABCD+P	B + D + G	23,256	24,046	Yes
M+E+U+ABCD+S+P	B + D + S	21,056	NE	Undetermined

1 Marginal sustainable population (Basin Plan) per Table 49 of Basin Plan, does not account for the buildout limit, and uses Basin Yield Metric of 80.
2 Estimated total sustainable population within URL (97%) is per the Basin Plan, assumes existing population of 14,600, and can be compared to the estimated total population per the LOCP, since the LOCP area coincides with the URL.
NE = Not evaluated in the Basin Plan. Program S was not recommended in the Basin Plan due to cost and not included in the detailed analyses.

The LOCP proposes that the Growth Management Ordinance may be modified after successful implementation of the initial recommended programs per the Basin Plan. The proposed modifications include specific numbers of allowable new dwelling units that could be developed upon successful implementation of various programs or combinations of programs. As shown in **Table 4.15-5**, based on the analyses and conclusions in the Basin Plan, it is estimated that the proposed additional dwelling units could be supported by the Basin water supplies. However, the Basin Plan also acknowledges several sources of uncertainty. Because of this, continued data gathering and assessment of the Basin, its water resources and sustainable yield will be required. This effort is described in the Continuing Goals (Basin Plan Section 2.4) and supported by the Groundwater Monitoring Program (“M”). The proposed specific number of dwelling units should be reviewed in coordination with an updated understanding of the sustainable yield of the Basin before modifications are implemented. Based on the analysis in **Tables 4.15-3 through 4.15-5**, it is estimated that Program B, in addition to the baseline programs (M+E+U+AC+P), will be sufficient to accommodate the population proposed by the LOCP (18,000), and Programs D, S, and G may not be required.

Mitigation Measures. The following mitigation measure will help ensure compliance with the Basin Plan and the latest understanding of the Basin as it is developed through ongoing groundwater monitoring, Program M.

W-1(a)

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

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

Plan Requirements and Timing. The Planning and Building Department shall add the recommended policy to the LOCP prior to Plan adoption.

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

Residual Impacts. Program level impacts to water supply would be less than significant with mitigation.

c. Cumulative Impacts. 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 the analysis above. As future applications for individual Community Plan projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through individual project-level development and environmental review.

d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area. Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.15-6** describes conditions under which future development in the Community Plan Area would require additional CEQA review, pursuant to Section 15183.

Table 4.15-6. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review	
Condition	Impact to Address
<i>The future project is inconsistent with underlying General Plan and zoning designations</i>	W-1
<i>The future project is inconsistent with Community Plan policies</i>	W-1
<i>The future project would result in a water supply impact that is peculiar to the project or parcel. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impacts other than W-1
<i>The future project would results in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified. This may include one or more of the following circumstances:</i> <ul style="list-style-type: none"> <i>Basin Plan programs do not increase the sustainable yield as estimated.</i> <i>Actual groundwater production is greater than estimated.</i> <i>Significant increase in agricultural production.</i> 	Worsened W-1, as applicable

5.0 LONG-TERM IMPACTS

This section presents the evaluation of additional environmental impacts analyses required by the California Environmental Quality Act (CEQA) that are not directly addressed within the other sections of this Environmental Impact Report (EIR), including irreversible environmental changes and growth inducing impacts (including removal of obstacles to growth). In particular, Section 15126 of the CEQA Guidelines requires that all aspects of a project must be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. Accordingly, in addition to the analysis provided in Section 4.0, *Environmental Impact Analysis and Mitigation Measures*, this section identifies growth inducing impacts and significant irreversible environmental changes that would potentially result from implementation of the proposed project, or future development under the LOCP.

5.1 GROWTH INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of how the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct economic, population, or housing growth of a project. Induced growth is any growth that results from new development that would not have taken place in the absence of the project and that exceeds planned growth. The CEQA Guidelines also state that growth in any area should not be assumed to be necessarily beneficial, detrimental, or of little significance to the environment.

Growth-inducing impacts are caused by those characteristics of a project that tend to foster or encourage population and/or economic growth. Inducements to growth include the generation of construction and permanent employment opportunities in the support sectors of the economy. The proposed Project could result in four types of growth-inducing impacts: 1) the creation of short- and long-term employment opportunities which draw newcomers to the region; 2) the associated increase in housing demand; 3) the generation of new commercial and tourist accommodations to entice people to the area, and 4) expansion of utilities and infrastructure.

Growth-inducing impacts are discussed in detail in Section 4.10, *Population and Housing*, the key findings of which are summarized here:

- There are no expansion areas planned outside the URL. Although no expansion is anticipated, there are areas within the URL where special planning area standards will apply, which are intended to guide and facilitate future growth in these areas, which are described in detail in the *Project Description*. Within these areas, most existing land use designations will remain the same as they currently are. In some cases, minor land used designation changes are

contemplated. In general, however, future growth will be a function of developing on currently vacant parcels.

There are no parcels within the plan area that would be converted from Open Space to any urban land use, with the exception of the following:

- *four parcels totaling 3.81-acres west of 3rd Street between Pismo and El Moro Avenues will be redesignated from Open Space (OS) to Recreation (REC);*
- *a 0.19-acre parcel that contains a LOCSD well site, west of 3rd Street near El Moro Avenue will be redesignated from Open Space (OS) to Public Facility (PF).*

In each case, the change is intended to reflect an existing logical development pattern rather than to facilitate new or unplanned growth. Both are infill sites surrounded by existing urban development, and neither is growth-inducing.

- There are no parcels designated for Agriculture (AG) within the plan area, so there is no potential for the conversion of agriculture to urban use that might otherwise be growth-inducing.
- No new arterial roadways would be built, and existing roadways would be improved only to the extent necessary to accommodate planned development, or to correct existing deficiencies (see Section 5.12 for further analysis of this issue).
- The new community sewer system will remove an existing obstacle to growth, but will not induce growth beyond what is planned under the LOCP. It has been sized to accommodate growth within the USL, and is not intended to extend service beyond the USL (Final EIR, County of San Luis Obispo Wastewater Project, 2009).

In summary, the LOCP is intended to focus on urban infill, and will convert substantial areas currently designated for urban use to Open Space under the existing Estero Area Plan. There are no expansion areas, and no lands currently designated as Open Space or Agriculture will be converted to urban use. The LOCP plans for orderly growth, and future development and infrastructure improvements are not considered growth-inducing. In addition, proposed LOCP policies and standards address a variety of growth-related issues throughout the community. Most crucially, the following policy is included in Chapter 7 of the LOCP as a Planning Area Standard, which ties future growth to water availability in the Los Osos Groundwater Basin:

D. Los Osos Groundwater Basin.

1. Basin Plan compliance. Development of land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors determines that successful

completion and implementation of specific programs identified in the Los Osos Basin Plan (“Basin Plan”) have occurred. The following programs from the Basin Plan must be successfully completed and implemented to address existing resource constraints prior to development of new dwelling units or commercial uses:

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

2. Amendments to Title 26. Development of new dwelling units that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective, as follows:

- a. The Basin Plan program(s) shall be completed to the satisfaction of the Director of Public Works, in consultation with the Los Osos Groundwater Basin Watermaster.*
- b. As part of the review for Basin Plan effectiveness, the County shall consider data collected as part of the Groundwater Monitoring program (Program “M”). If the data indicate that completed programs have not been effective in reducing groundwater demand, increasing the perennial safe yield or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited accordingly.*
- c. As part of the review for Basin Plan effectiveness, the Board of Supervisors shall consider trends in commercial development and commercial water demand to ensure that such demand is not growing beyond a proportional relationship with the community’s population.*

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

- a. Implementation of one additional program.*

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

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

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

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

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

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

In the aggregate, proposed LOCP policies, particularly the one described above related to growth management and Basin Plan compliance, build on the existing state and County regulatory framework, and when applied to new development, will ensure orderly planned growth within the community. Collectively, they provide a high level of programmatic protection, and serve as a clear basis for liming growth inducement when applied to future development through the entitlement process associated with that development. Growth-inducing Impacts would be less than significant.

5.2 SIGNIFICANT IRREVERSIBLE CHANGES TO THE ENVIRONMENT

CEQA Guidelines, Section 15126.2(c) requires that irretrievable commitments of resources be evaluated to assure that such current consumption is justified. This includes use of nonrenewable resources, the commitment of future generations to similar uses, and irreversible damage which can result from environmental accidents associated with the proposed LOCP.

The LOCP is a regulatory document that in itself proposes no development. It does, however, provide a framework for any future development projects that may be considered in Los Osos, and in that sense, provides a mechanism for potential changes to the environment. However, it should be noted that the existing Estero Area Plan provides a similar framework for changes to the environment.

Construction of new buildings and paved surfaces with new development under the LOCP would involve consumption of building materials and energy, some of which are nonrenewable or locally limited natural resources (e.g., fossil fuels and wood). Nonrenewable resources utilized for the proposed Project could no longer be utilized for other purposes. Consumption of building materials and energy is associated with any development in the region, and these commitments of resources are not unique or unusual to the proposed project. The proposed project would represent an incremental commitment to long-term use of nonrenewable resources, particularly gasoline for substantially increased automobile use and oil, coal, and natural gas for power generation.

Although not unique to the proposed project, automobile trips generated from future development would increase energy consumption, particularly in the form of gasoline and related petroleum products. As discussed in Section 4.6, *Greenhouse Gas Emissions*, use of these forms of non-renewable energy would contribute to the generation of greenhouse gases (GHGs) with an incremental contribution to global climate change.

Development under the LOCP would not be expected to convert agricultural resources, nor would it result in environmental accidents that have the potential to cause irreversible damage to the natural or human environment.

5.3 ENERGY CONSERVATION

Per Appendix F of the CEQA Guidelines and Public Resources Code Section 21100(b)(2), an EIR must disclose and discuss the potential for a project to result in impacts related to energy conservation

and/or consumption. A project may have the potential to cause such impacts if it would result in the inefficient, wasteful, or unnecessary consumption of energy, including electricity, natural gas, or transportation fuel supplies and/or resources. While Appendix F requires a disclosure and discussion of such impacts, no specific thresholds are provided by the CEQA Guidelines. However, Appendix F offers several recommendations related to analyzing impacts on energy resources to determine whether a project would:

- a. Use large amounts of fuel or energy in an unnecessary, wasteful, or inefficient manner;*
- b. Constrain local or regional energy supplies, affect peak and base periods of electrical or natural gas demand, require or result in the construction of new electrical generation and/or transmission facilities, or necessitate the expansion of existing facilities, the construction of which could cause significant environmental effects; or*
- c. Conflict with existing energy standards, including standards for energy conservation.*

The proposed LOCP is a programmatic long-range plan to guide future development within the Los Osos community. There are no specific development proposals associated with the LOCP; instead, it would facilitate future development in accordance with the LOCP, which in turn is a subset of the adopted Estero Area Plan. In general, the proposed LOCP supports policies that encourage energy conservation, which would be applied to future development projects. Specifically, development under the LOCP must implement the County's adopted Climate Action Plan, also known as the EnergyWise Plan, adopted in November 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.

Chapter 5 of the EnergyWise Plan includes the following energy conservation-related Goal, Programs, and Supporting Actions:

GOAL: ADDRESS FUTURE ENERGY NEEDS THROUGH INCREASED CONSERVATION AND EFFICIENCY IN ALL SECTORS.

Electricity and natural gas consumption support businesses, industrial facilities, and homes. Residents use natural gas to heat water and power natural gas cooking ranges. Industrial and commercial enterprises use natural gas for water heating in addition to on-site fuel combustion that supports manufacturing and industrial processes. Electricity powers appliances that are the cornerstones of daily life, from personal appliances to local infrastructure such as traffic signals. Greenhouse gas emissions are created by the consumption of electricity and natural gas. But greater efficiencies in existing levels of energy consumption can be realized while still supporting the needs of existing and future communities. Implementation of energy conservation measures

will not only reduce GHG emissions but will also reduce household and business costs associated with energy consumption.

1. Energy Conservation Programs

Collaborate with local utility providers, educational institutions, and stakeholders to develop effective energy conservation campaigns through energy competitions and to provide targeted marketing for new and existing conservation programs.

Supporting Actions:

- Work with local utility providers to develop a competition between the communities within SLO County to reduce total energy consumption over an extended period of time (6 months to 1 year).*
- Continue to encourage and promote utility provider energy conservation programs for residential, commercial, industrial, agricultural, and governmental buildings.*
- Develop and host a community web portal to streamline access to community and institutional sustainability websites.*
- Continue to recognize and encourage conservation programs and educational outreach conducted by industry organizations, non-governmental entities, and government agencies.*

In general, the EnergyWise Plan energy conservation programs direct the implementation of a community-wide public outreach and education campaign to inform residents, businesses, and consumers about the ways that individuals can reduce their energy costs and GHG emissions. This includes informing the public about the benefits of using energy-efficient lighting, appliances, and electronics and reminding them of the easiest ways to reduce household and business energy use. In addition, the EnergyWise Plan references Title 24 of the California Code of Regulations (CCR), which mandates how each new home and business is built in California. Title 24 includes requirements for the structural, plumbing, electrical and mechanical systems of buildings, and for fire and life safety, energy conservation, green design and accessibility in and about buildings.

New development under the LOCP must comply with the adopted EnergyWise Plan. In so doing, programmatic impacts associated with energy conservation will be addressed, in compliance with the direction set forth in Appendix F of the CEQA Guidelines.

6.0 ALTERNATIVES

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

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

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

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

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

6.1 PROJECT OBJECTIVES

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

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

Los Osos Community Vision. All land use policies and plans should be based on sustainable development that meets the needs of current population and visitors without endangering the ability

of future population to meet its needs or drawing upon the water of others to sustain community livelihood.

1. Environment

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

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

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

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

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

6. Residential, Commercial and Industrial Land Uses

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

7. Visitor-Serving, Recreation and Industrial Land Uses

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

8. Public Services and Facilities

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

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

9. Circulation

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

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

6.2 DESCRIPTION OF PROJECT ALTERNATIVES

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

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

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

6.2.1 Alternatives Considered but Discarded

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

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

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

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

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

6.2.2 Alternatives Carried Forward in the EIR Analysis

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

Alternative 1: No Project (No Development)

This alternative considers the consequences of not approving the proposed LOCP, and not allowing further development in the plan area beyond already exists. In some respects, this represents a continuation of the 1988 growth moratorium, but to an even greater degree, in that no further development of any kind would be considered.

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

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

This alternative considers the consequences of not approving the proposed LOCP, but assumes that development would resume under the existing Estero Area Plan, based on the land use pattern and regulatory framework included in the current plan. There would be no growth restrictions based on water availability, such as are included in the proposed LOCP, so there would be no certainty that development would proceed commensurate with the availability of water.

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

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

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

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

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

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

Table 6-1. Residential and Population Buildout Summary – Existing Estero Area Plan			
	Existing¹	Buildout Capacity³	Potential Increase
Dwelling Units²			
<i>Single-Family</i>	5,426	7,264	1,838
<i>Multi-Family</i>	895	1,864	969
Total Dwelling Units	6,321	9,128	2,807
Population⁴	13,906	20,081	6,175
¹ County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP ² All dwellings in all land use categories ³ Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes. ⁴ Based on 2.2 persons per household, consistent with the 2010 U.S. Census			

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

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

Table 6-2. Non-Residential Buildout Summary – Existing Estero Area Plan (in square feet)			
Land Use Category	Existing¹	Buildout Capacity²	Potential Increase
Commercial Retail	439,200	669,045	229,845
Commercial Service	221,100	176,779 ³	(-44,221)
Office and Professional	10,100	214,261	204,161
Recreation	0	24,975	24,975
Public Facility/ Recreation	0	0	0
Total	670,300	1,085,060	414,760
¹ County of San Luis Obispo Department of Planning and Building estimates ² County of San Luis Obispo Department of Planning and Building projections ³ Decreased projected in CS category, based on projected FAR assumed for turnover development land in that category			

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

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

Table 6-3. Residential and Population Comparison – Existing Estero Area Plan to Proposed LOCP			
Dwelling Units ²	Alternative 2 (Estero Area Plan)	Proposed Project (LOCP)	Difference
Single-Family (existing) ¹	5,426	5,426	-
Single-Family (potential)	1,838	1,061	777
Single-Family (buildout) ³	7,264	6,487	777
Multi-Family (existing) ¹	895	895	-
Multi-Family (potential)	969	800	169
Multi-Family (buildout) ³	1,864	1,695	169
All Dwellings (existing) ¹	6,321	6,321	-
All Dwellings (potential)	2,807	1,861	946
All Dwellings (buildout) ³	9,128	8,182	946
Population (at buildout) ⁴	20,081	18,000	2,081
¹ County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP ² All dwellings in all land use categories ³ Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. All projected residential within RSF, RS and RR categories assumed to be single-family. All projected residential within non-residential categories assumed to be multi-family. Morro Shores Mixed Use assumed to include 265 multi-family and 100 single-family homes. ⁴ Based on 2.2 persons per household, consistent with the 2010 U.S. Census			

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

Table 6-4. Non-Residential Comparison – Existing Estero Area Plan to Proposed LOCP			
Square Feet ²	Alternative 2 (Estero Area Plan)	Proposed Project (LOCP)	Difference
Existing ¹	670,300	670,300	-
Potential	414,760	364,000	50,760
Total (at buildout)	1,085,060	1,034,300	50,760
¹ County of San Luis Obispo Department of Planning and Building estimates ² County of San Luis Obispo Department of Planning and Building projections			

Alternative 3: Reduced Development Based on Water Availability

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

D. Los Osos Groundwater Basin.

1. Basin Plan compliance. Development of land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors determines that successful completion and implementation of specific programs identified in the Los Osos Basin Plan ("Basin Plan") have occurred. The following programs from the Basin Plan must be successfully completed and implemented to address existing resource constraints prior to development of new dwelling units or commercial uses:

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

2. Amendments to Title 26. Development of new dwelling units that use water from the Los Osos Groundwater basin shall be prohibited until 1) a growth limitation for the Los Osos Groundwater Basin is established in Section 26.01.070.k of the Growth Management Ordinance to reflect current basin conditions and the successful completion of the programs identified in the Basin Plan and 2) the Board of Supervisors determines that the specific programs identified in the Basin Plan and required by these standards as a prerequisite for additional development have been successfully completed and implemented and are effective, as follows:

- a. The Basin Plan program(s) shall be completed to the satisfaction of the Director of Public Works, in consultation with the Los Osos Groundwater Basin Watermaster.*
- b. As part of the review for Basin Plan effectiveness, the County shall consider data collected as part of the Groundwater Monitoring program (Program "M"). If the data indicate that completed programs have not been effective in reducing groundwater demand, increasing the perennial safe yield or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited accordingly.*

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

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

a. Implementation of one additional program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Table 6-5. Alternative 3 Residential Development Potential Summary			
	Existing¹	Buildout Capacity²	Potential Increase
Total Dwelling Units	6,321	6,871	550
Population³	13,906	15,116	1,210
¹ County of San Luis Obispo Department of Planning and Building, based on subset of 2010 Census for Los Osos CDP ² Based on County of San Luis Obispo Department of Planning and Building projections summarized in Table 2-2. ³ Based on 2.2 persons per household, consistent with the 2010 U.S. Census			

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

Alternative 4: Mitigated Project

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

Aesthetics:

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

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

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

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

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

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

Air Quality:

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

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

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

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

Fugitive Dust Control Measures. Construction projects shall implement the following dust control measures so as to reduce PM₁₀ emissions in accordance with SLOAPCD requirements:

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

Biological Resources:

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

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

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

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

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

For all projects on undeveloped lots greater than 20,000 square feet in size that require issuance of a County land use development permit, project applicants shall

retain a County-approved biologist to conduct a project-specific biological resources assessment (BRA) to document the existing biological resources within the project footprint on which development is proposed, as well as an appropriate buffer, to determine the potential impacts to those resources as part of the environmental review process. The BRA shall conform to the requirements presented in the County guidance document, Guidelines for Biological Resources Assessments - Guidelines for Biological Consultants.

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

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

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

- Description of the responsible party(-ies), project site and impact area (by habitat type);*
- Goal(s) of the mitigation or restoration project including the types and area of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved;*
- Description of the proposed mitigation/restoration site (e.g., location, size, ownership status, existing functions and values, etc.);*
- Implementation plan for the mitigation/restoration site including rationale for expected success, responsible parties, schedule, site preparation and planting plan;*
- Maintenance activities during plan implementation and monitoring, including but not limited to weed abatement and adaptive management;*

- *Monitoring plan for the mitigation/restoration site including no less than quarterly monitoring visits for the first year, and preparation of annual monitoring reports;*
- *Success criteria based on goals and measurable objectives, target functions and values, target areas to be established, restored, enhanced, and/or preserved; and*
- *An adaptive management program and contingency measures to address shortcomings and the overall effort in meeting success criteria;*

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

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

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

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

As part of a project's conditions of approval, the County-approved biologist shall conduct pre-construction clearance survey(s) of the site to avoid impacts to special status wildlife. The biologist shall be present during all initial ground disturbing and vegetation clearing activities. Ground disturbance shall be limited to the minimum necessary to complete the project, and the limits of disturbance shall be flagged for

identification. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. Once initial ground disturbing and vegetation clearing activities have been completed, the biologist shall conduct additional surveys as appropriate during project construction activities, based on species habits, weather conditions, and LOHCP or protocol survey requirements.

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

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

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

If future development in the Plan Area is proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, Los Osos Creek, unnamed tributary drainages, the Morro Bay estuary, or other areas that may fall under the jurisdiction of the Corps, CDFW, RWQCB, and California Coastal Commission, a County-approved biologist shall complete a jurisdictional delineation using the most current state and federal methodologies. The jurisdictional delineation shall determine the extent of wetlands or non-wetland waters subject to each of these agencies and shall be conducted in accordance with the requirements set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the County, Corps, RWQCB, CDFW, and CCC as appropriate, for review and approval. If jurisdictional areas are identified on a site, the project shall be designed to avoid impacting those areas. All unavoidable impacts to Corps jurisdictional waters and

wetlands shall be mitigated at the ratio (area restored / created / enhanced to area lost), approved in the final Section 404 permit for the project. Additional mitigation at different ratios may be required to meet CDFW, RWQCB, or California Coastal Commission regulations. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan consistent with current state and federal requirements shall be developed by a County-approved biologist.

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

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

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

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

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

Coastal Hazards:

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

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

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

- A. *Prevent the net loss of wetland acreage or biological and recreational function of Morro Bay Estuary in Los Osos due to sea level rise by providing for natural inland migration of wetlands and protection and restoration of wetlands.*
- B. *Monitor the trends in sea level rise at the Port San Luis tide gauge ((NOAA ID #9412110, https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?stnid=9412110)*

Program LU-1.1: Los Osos Greenbelt.

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

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

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

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

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

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

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

4.5.3 Flood Hazard (FH)

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

Sea Level Rise Flooding and Inundation Zone. This zone may be subject to increased flooding and inundation due to future sea level rise. New development

and redevelopment within this zone should carefully assess and minimize potential hazards for the life of the development through siting, design consistent with CLZUO 23.07.060-066, and where necessary or appropriate, relocation of development. Intensification of development should be avoided.

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

4.5.6. Sensitive Resource Area (SRA)

The following SRAs ...

Morro Bay Estuary and Shoreline

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

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

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

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

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

5.4 Sea Level Rise and Circulation.

The circulation system of Los Osos, including roads, bicycle facilities, and pedestrian and public accessways may be increasingly vulnerable as sea level rises. The County should pursue the assessment of the vulnerability of the circulation system to support the development of new strategies and public works investments to minimize impacts to circulation due to projected sea level rise (see Program CIR-5).

Program CIR-5. Assess the vulnerability of the Los Osos circulation system to sea level rise, including potential impacts to public access resources under CIR-1.5, to

assure the maintenance of adequate community circulation and protection of public access to and along the shoreline through future planning and development decisions. Update the Community Plan to provide for continued public access, taking into account projected sea level rise for 100 years. Coordinate with transportation agencies to plan for and phase implementation of new road projects.

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

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

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

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

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

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

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

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

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

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

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

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

F. Coastal Access and Recreation. Opportunities for public access to and along the coast shall be maximized as follows:

1. New development shall be required to provide public access and improvements to and along the coast, and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization.
2. Public access and improvements to and along the coast shall be consistent with the Circulation Element, Chapter 5 (and corresponding policies in Chapter 2) of this plan, and the coastal access policies in Chapter 2, Section 2.5.4 of this plan.
3. Public access shall be consistent with protection of sensitive habitat and agriculture.
4. Any existing free public access to recreational areas shall be maintained.
5. New publicly - developed coastal access and recreation shall include requirements for resource monitoring and management, and provision of interpretive facilities at points of attraction, consistent with Chapter 23.04 of the Coastal Zone Land Use Ordinance.
6. *The design, provision and maintenance of public accessways shall take into account projected sea level rise for at least 50 years.*
7. *Existing accessways vulnerable to coastal hazards shall be maintained through planned retreat or other appropriate measures.*

7. Amend Standard 7.3(H) as follows:

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

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

- a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. *In addition, the report shall assess the impact of projected sea level rise on these hazards, for the life of the project, based on the best available science.* The report shall include an alternatives analysis to avoid or minimize impacts to public access.
- b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device, *taking into account projected sea level rise. . . .*
- d. Surveyed location of all property lines and the mean high tide line, *and projected MHT based on projected sea level rise for the life of the project*, by a licensed surveyor *familiar with coastal processes and tidal boundaries* along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that

development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission. *Upon encroachment, developments shall be required to be removed from public tidelands unless otherwise allowed to remain by an amendment to the original coastal permit and authorization by the California State Lands Commission. . . .*

2. **Bluff Setbacks.** The bluff setback is to be determined by the engineering geology analysis required in Subsection I.1.a. above and shall be adequate to withstand bluff erosion and wave action for a period of 100 years, *taking into account projected sea level rise*. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is nonconforming with respect to bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2008, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.
3. **Seawall Prohibition.** Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP. *The restriction shall also provide for the removal of the development if it is deemed uninhabitable by a public official due to coastal hazard risks, or if the development is otherwise in imminent danger. These restrictions shall be specifically disclosed in all real estate transactions.*
4. **Liability.** As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a *shoreline*, beach or bluff, *taking into account projected sea level rise*, the property owner

shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

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

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

Cultural Resources:

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

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

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

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

C. Encourage acquisition, preservation, and management of sensitive archaeological and historical sites. Allow passive recreation where compatible with resource protection. After acquisition, change the Land Use categories of these areas to Open Space.

CR-1(b). Archaeologically Sensitive Area Combining Designation. The County shall refine its current Archaeologically Sensitive (AS) Area combining designation so it shall apply only to the areas of high and moderate sensitivity within the Plan area, per **Figure 4.5-4**. Individual project

applicants shall consult with the County to determine whether their projects fall within the AS zone. If so, the County shall require a field inspection by a Registered Professional Archaeologist to determine the locations of archaeological resources vis-à-vis the proposed development.

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

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

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

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

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

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

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

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

- Phase 2 testing shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the site.*
- Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures.*
- The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.*
- The significance of the site and the extent of impacts shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results*

also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>).

- Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- All work shall be completed by a County-approved Registered Professional Archaeologist; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*
- For archaeological sites that are judged to be significant historical resources, the Phase 2 report shall offer mitigation recommendations as necessary and appropriate. All feasible mitigation recommendations shall be incorporated into any permit issued for development.*

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

- a data collection program shall be implemented prior to placement of the fill cap, including mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled as well as adjacent site areas for comparative purposes.*
- Cultural materials collected from the site shall be processed and analyzed in an archaeological laboratory according to standard procedures.*
- The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to*

current professional standards; any prior archaeological collections from the site shall be included in the comparative analysis.

- The significance of the site shall be evaluated according to the criteria of the CRHR [CEQA Guidelines Section 15064.5(a)(3)], and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication Archaeological Resource Management Reports: Recommended Content and Format (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>).*
- Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the San Luis Obispo County Archaeological Society or another facility approved by the County.*
- A County-approved Registered Professional Archaeologist shall conduct all work; a Chumash tribal representative shall monitor all excavation in Native American sites.*
- All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.*

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

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

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

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

C. Encourage adaptive reuse that is compatible with resource protection. Follow the Secretary of the Interior's Standards and Guidelines to ensure preservation, rehabilitation, restoration, and/or reconstruction of significant buildings and structures.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- the applicant shall retain a qualified professional paleontologist to perform a pre-construction paleontological survey to visually inspect the ground surface for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface.*

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

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

- *a qualified paleontologist shall observe excavation, grading, and/or trenching.*
- *If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.*
- *All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.*
- *Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.*

- *The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.*

Hydrology:

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

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

Land Use:

LU-1(a). Standards to Minimize Land Use Conflicts. The LOCP shall be modified to include design and/or planning area standards for the Tri-W/Midtown and Fairchild/Los Olivos parcels (Areas 26 and 27), in order to address and minimize potential land use conflicts with neighboring uses. Standards should address the specific types of allowed uses, and address design considerations such as setbacks, building heights, lighting, landscaping, and architecture. These standards shall be implemented in project design, when development applications in these areas are considered.

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

- Tri-W/Midtown (Area 26). Consistent with LOCP Mixed Use Policy 3.4.2, the County's intent is to allow for additional park and community facilities in this area, compatible with the

adjacent library and park. Expanding this policy to address appropriate design standards that relate to lighting and noise would ensure compatibility with nearby residential uses. New policy language shall be added as follows: *“Future park and community facilities at this location must include appropriately-scaled lighting that does not adversely affect nearby residents. The site shall be primarily for daytime use.”*

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

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

Noise:

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

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

- a) Notify existing residences within 1,000 feet of the site boundary concerning the construction schedule;*
- b) Shield especially loud pieces of stationary construction equipment;*
- c) Locate portable generators, air compressors, etc. away from sensitive noise receptors;*

- d) *Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; and*
- e) *Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.*

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

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

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

This study shall contain recommendations to mitigate any noise levels that exceed the County's standard of 60 CNEL. At the program level, the specific attenuation methods cannot be definitively determined. Noise reduction measure could include, but are not limited to, the following:

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

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

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

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

Transportation and Circulation:

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

TC-1(b). Intersection 16 – South Bay Boulevard at Pismo Avenue. This intersection is projected to operate at LOS F during AM and PM peak hours under Cumulative No Project conditions and Cumulative Plus Project conditions. The following proposed improvement will yield acceptable operations: Restrict left turns out from the side streets with traffic control devices as approved by Public Works.

Water Supply:

W-1(a). Modifications to LOCP Growth Management Provisions. The first paragraph of Standard D.3, Growth limitation standards, shall be modified to include biannual review of Title

26 and the Basin Plan Reports by Planning and Building Department to help ensure consistency with findings from the Basin Plan, as follows:

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

6.3 IMPACT ANALYSIS

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

6.3.1 Alternative 1: No Project (No Development)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.3.3 Alternative 3: Reduced Development Based on Water Availability

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

Comparative impacts with the proposed LOCP are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.3.4 Alternative 4: Mitigated Project

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

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

- Water Supply

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

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

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

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

Table 6-6. Comparison of Alternatives to the Proposed Project				
Issue	Alternative 1: No Project (No Development)	Alternative 2: No Project (Existing Estero Area Plan)	Alternative 3: Reduced Development Based on Water Availability	Alternative 4: Mitigated Project
Aesthetics	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Air Quality	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Biological Resources	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Similar Impacts</i>	<i>Less Impacts</i>
Coastal Hazards	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Cultural Resources	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
GHG Emissions	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
Hydro/Water Quality	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
Land Use	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Similar Impacts</i>	<i>Less Impacts</i>
Noise	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Population/Housing	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
Public Services	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
Recreation	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
Transportation	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Water	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>
Wastewater	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Similar Impacts</i>
OVERALL	<i>Less Impacts</i>	<i>Greater Impacts</i>	<i>Less Impacts</i>	<i>Less Impacts</i>

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

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

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

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