

**CALIFORNIA COASTAL COMMISSION**

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November 17, 1999

**TO:** Commissioners and Interested Persons

**FROM:** Tami Grove, Deputy Director  
Elizabeth A. Fuchs, AICP, Manager, Land Use Unit

**RE:** **Status Report on Periodic Review of San Luis Obispo County's certified LCP pursuant to PRC 30519.5.**

On December 9, 1998, the Commission adopted priorities for the Periodic Review and update of certified LCPs. The top priorities for review are:

1. San Luis Obispo County
2. Monterey Co.
3. Santa Barbara Co.
4. San Mateo Co.
5. Mendocino Co.

Commission staff is now initiating the periodic review of the San Luis Obispo County certified LCP as mandated by Coastal Act Section 30519.5. In conjunction with this review, the County, with LCP funding assistance awarded by the Commission last month, is undertaking a work program designed to facilitate their participation in this Periodic Review. In addition to coordinating with the Commission on the Periodic Review, the County is also in the process of comprehensively updating the Estero Area Plan, and initiating a new update of the North Coast Area Plan, for which the County also received grant funding (The SLO County LCP consists of four area plans: North Coast, Estero, San Luis Bay, and South County). This status report outlines the general process and timeline for the Commission's review. The Staff Recommendation for the Periodic Review is expected to come before the Commission for action in the fall of 2000.

### Background

The Commission is reviewing the implementation of the certified LCP for San Luis Obispo County as mandated by the Coastal Act Section 30519.5. That section provides:

*(a) The commission shall, from time to time, but at least once every five years after certification, review every certified local coastal program to determine whether such program is being effectively implemented in conformity with the policies of this division. If the commission determines that a certified local coastal program is not being carried out in conformity with any policy of this division it shall submit to the affected local government recommendations of corrective actions that should be taken. Such recommendations may include recommended amendments to the affected local government's local coastal program.*

*(b) Recommendations submitted pursuant to this section shall be reviewed by the affected local government and, if the recommended action is not taken, the local government shall, within one year of such submission, forward to the commission a report setting forth its reasons for not taking the recommended action. The commission shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of this division.*

The Commission provides ongoing direction to local governments concerning the implementation of their LCP through regulatory actions on appeals of local permits and through review of amendments to LCPs. In addition, Commission staff provides feedback to local governments through review and comment on locally-issued coastal development permits as well as day-to-day communication with the local government staff. However, unlike Commission action on project specific appeals or amendments, or individual project reviews that may be limited in geographic scope, Periodic Reviews under Section 30519.5 provide the Commission with the ability to take a comprehensive look at the outcome of LCP implementation and to consider cumulative impacts from the implementation of individual permit decisions as well as procedural problems that may be adversely affecting LCP policy implementation.

The Periodic review is not a recertification of the LCP. Findings and recommendations adopted by the Commission constitute suggested revisions needed to assure that the LCP is being carried out consistent with the policies of the Coastal Act. The focus of the periodic review will be to identify new information or changed resource conditions that were not addressed in initial certification, also to systematically assess LCP implementation through evaluation of permit decisions, amendments, etc. which may indicate a need to revise the LCP or modify the procedures for implementing it. In addition, as part of the Regional Cumulative Assessment Project (ReCAP) Commission staff developed a process to focus on evaluating the implementation of LCPs in a way in that considers the management of cumulative effects of development on coastal resources, where applicable.

## **II. Work Program and Schedule for Periodic LCP Review**

The work program and schedule developed to conduct the Periodic Review analysis is designed to analyze if the Local Coastal Program of San Luis Obispo County is being effectively implemented in conformance with the policies of the California Coastal Act and effectively managing cumulative impacts to coastal resources. It is also designed to:

- create opportunities to coordinate with the updates of the North County and Estero Area Plans
- share data with the County so as to expand GIS capabilities for both the County and Commission
- maximize public participation by utilizing the existing County Advisory Committee structure to provide input to the Periodic Review process,
- provide opportunity for County staff to review and comment on ongoing analysis during the review
- provide opportunity for County staff to provide input to any recommendations in a way that reflects local circumstances as much as possible.

The work program is based on the following major steps:

1. Project Start Up
2. Data Collection
3. Issue Scoping and Problem Identification
4. Resource Assessment
5. Evaluation of LCP Policy Implementation and Procedures
6. Public Hearing and Commission Action

These major steps and tentative target dates for the periodic review are outlined below. Attachment A outlines the tentative coordinated timelines for the Periodic Review and the County's Participation in the Review.

**Periodic Review Process and Tentative Schedule**

<b>Work Program Component</b>	<b>Tentative Schedule</b>
<b>Task 1.0 Project Start Up:</b> <i>Introduce the process to the Commission, local government and the public, conduct background research and develop project tasks and timelines</i>	October- December 1999
<ul style="list-style-type: none"> <li>• Report to the Commission</li> <li>• Develop coordinated work plan with County</li> <li>• Develop overview report for public outreach</li> </ul>	
<b>Task 2.0 Data Collection:</b> <i>Collect post-certification data and other information to assess changed resource conditions and to evaluate policy implementation</i>	October 1999 - August 2000
<ul style="list-style-type: none"> <li>• Coordinate with County on development of GIS parcel layer and other needed data layers</li> <li>• Collect and review post-certification data</li> </ul>	
<b>Task 3.0 Issue Scoping/Problem Identification:</b> <i>Solicit County, public and Commission input on issues and problems related to implementation of the LCP in order to focus the evaluation.</i>	January-March 2000
<ul style="list-style-type: none"> <li>• Commission staff preliminary issue scoping</li> <li>• Public Issues Scoping coordinated with County Advisory Committee Meetings</li> <li>• Respond to County input on Issues/Problem definition</li> <li>• Report to Commission on Issues and Problems to be Evaluated</li> </ul>	
<b>Task 4.0 Resource Assessment:</b> <i>Based on data collected, analyze identified resource problems and project future trends</i>	October 1999-March, 2000
<ul style="list-style-type: none"> <li>• Assessment of resource change and trends, changed conditions</li> <li>• Analysis of specific problems identified in issues scoping</li> <li>• Public input coordinated with County Advisory Committee Meetings</li> <li>• Response to County input on resource assessment</li> </ul>	
<b>Task 5.0 Evaluation of LCP policies and procedures:</b> <i>Develop findings evaluating the effectiveness of LCP implementation and recommendations for LCP modifications.</i>	April-July, 2000
<ul style="list-style-type: none"> <li>• Analyze implementation of LCPs</li> <li>• Analyze alternatives to current LCP policies and procedures</li> <li>• Public input coordinated with County Advisory Committee Meetings</li> <li>• Develop draft findings and recommendations</li> <li>• Respond to County input on draft findings and recommendations</li> </ul>	
<b>Task 6.0 Commission Action on Periodic Review:</b> <i>Public Hearings and action.</i>	
<ul style="list-style-type: none"> <li>• Publish Preliminary Findings and Staff recommendations</li> <li>• Public Hearings</li> </ul>	Sept. 2000 Oct-Nov 2000 (So. California Area Meeting Location)
<ul style="list-style-type: none"> <li>• Commission action on Periodic Review and transmittal of findings to County.</li> </ul>	November 2000 (So. California Area Meeting Location)

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Coordinated Timelines

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>CCC Work Program</b>															
<b>Task 1.0 Background Work/Project Start-Up</b>															
<i>Address data gaps</i>															
<i>CCC Introduction</i>															
<b>Task 2.0 Data Collection/GIS Mapping Tasks</b>															
<b>Task 3.0 Issue scoping/ problem identification:</b>															
<b>Task 4.0 Resource Assessment Overview</b>															
<b>Task 5.0 Evaluation of LCP policies and procedures</b>															
<i>Analyze alternatives</i>															
<b>Task 6.0 Commission Action</b>															
<i>Develop draft recommendations</i>															
<i>Local government and public review</i>															
<i>Report to Commission</i>															
<i>CCC public hearings</i>															
<i>Adoption and Transmittal of Findings</i>															
<b>County Work Programs</b>															
<b>Periodic Review</b>															
<i>Start Up/County Board and Public Introduction</i>															
<i>Input/Response to Issues Analysis</i>															
<i>Input/Response to Evaluation Analysis</i>															
<i>Implementation</i>															
<b>North Coast Sgement Update</b>															
<i>Technical Updates</i>															
<i>Response to CCC findings</i>															
<i>Facilitated Public Participation</i>															
<i>Alternatives/Draft Plan</i>															