STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, *Governor*

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July 24, 2002

TO: Commissioners and Interested Parties

FROM: Charles Lester, Acting Deputy Director
Steve Monowitz, Coastal Planner

SUBJECT: **SAN LUIS OBISPO COUNTY LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 3-01: Designation of the Los Osos Wastewater Treatment Facility Site**. For public hearing and Commission action at its meeting of August 8, 2002 to be held at the Embassy Suites Hotel (333 Madonna Road) in San Luis Obispo.

SUMMARY OF STAFF REPORT

DESCRIPTION OF AMENDMENT REQUEST

The proposed LCP amendment, attached to this report as Exhibit 1, consists of map and text revisions to the Estero Area Plan (a component of the San Luis Obispo County certified Land Use Plan) intended to accommodate the future construction of a wastewater treatment facility in Los Osos, San Luis Obispo County. Specifically, the amendment proposes to add the Public Facilities (PF) land use designation to an 11.5-acre site within the urban core of Los Osos known as the "Tri-W" site. In addition to the PF designation, the site will retain its current land use designations of Office and Professional (O/P) and Commercial Retail (CR), which will enable the other uses currently allowed by the LCP to occur on the site, consistent with other LCP requirements, in the event it is not acquired for public facility purposes.

Along with the addition of the PF designation to the Tri-W site, the amendment proposes new Planning Area Standards that would apply to public facility development. These standards require public utility projects to conform to the special use standards of the Coastal Zone Land Use Ordinance. The new standards also require wastewater treatment facility development to implement the mitigation measures contained in the Final Environmental Impact Report for the Los Osos Wastewater Treatment Project certified by the Los Osos Community Services District (LOCSD) on March 2001 and attached to this report as Exhibit 2.

SUMMARY OF STAFF RECOMMENDATION

The development of a wastewater treatment facility for the South Bay urban area of the Estero planning area is necessary to protect the water quality of the Morro Bay National Estuary and the Los Osos groundwater basin. Since its formation in 1998, the Los Osos Community Services District (LOCSD) has built on previous efforts to address this need. The LOCSD has evaluated numerous project alternatives and determined that construction of a treatment facility and public park on the Tri-W site would best meet the project's and the community's needs.

A significant Coastal Act issue raised by this proposal is the presence of environmentally sensitive habitat areas (ESHA) at the Tri-W site. Inconsistent with Coastal Act Section 30240, the wastewater treatment project accommodated by the amendment will result in the loss of approximately 11 acres of sensitive habitat that, although disturbed, supports rare and valuable biological resources. However, the construction of a wastewater treatment project is essential to carry out the broader resource protection policies of the Coastal Act, such as those that call for the protection of coastal water quality, aquatic habitats, marine resources, coastal dependent uses, and groundwater supplies. Thus, there is a conflict between section 30240 of the Act, and the water quality protection policies of the Act (30230, 30231). Therefore, as provided by Section 30007.5 of the Coastal Act, **staff recommends approval of a modified version of the amendment,** on the basis that the construction of a wastewater treatment facility with offsite habitat mitigation is, on balance, more protective of significant coastal resources than the protection of the habitat contained on the Tri-W site.

The suggested modifications are needed to revise and supplement the amendment in a way that maximizes its consistency with the Chapter 3 policies of the Coastal Act. First, the range of public utility facilities allowed on the Tri-W site must be narrowed, since only a wastewater treatment facility justifies the removal of sensitive habitat. The development of other public facility uses, such as the outdoor recreation uses and public amenities proposed for the site by the LOCSD, must be made contingent upon the adoption and implementation of an area wide program that will effectively protect the region's sensitive habitat values as infill of sensitive habitats within the urban area occurs. Such a program is currently under development as a part of the Estero Area Plan.

Consistency with Section 30240 also necessitates that the development of the wastewater treatment facility avoid and minimize the disturbance of ESHA to the greatest degree feasible. Thus, the suggested modifications incorporate this requirement into the proposed standards for wastewater facility development.

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. The LUP must be consistent with the Coastal Act.

In this case, the proposed LCP amendment affects only the LUP component of the San Luis Obispo County LCP. Thus, the standard of review for the amendment is consistency with the Chapter 3 policies of the Coastal Act.

ADDITIONAL INFORMATION

For further information about this report or the amendment process, please contact Steve Monowitz, Coastal Planner, at the Central Coast District Office of the Coastal Commission, 725 Front St., Suite 300, Santa Cruz, CA 95060; telephone number (831) 427-4863.

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I. STAFF RECOMMENDATION

MOTIONS AND RESOLUTIONS

The Commission must make the following two motions in order to act on this proposal as recommended by staff:

A. Denial of the Land Use Plan Amendment As Submitted

MOTION 1: *I move that the Commission certify Land Use Plan Amendment Number 3-01 as submitted by San Luis Obispo County.*

STAFF RECOMMENDATION TO DENY:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY:

The Commission hereby denies certification of the Land Use Plan Amendment Number 3-01 as submitted by San Luis Obispo County and adopts the findings set forth below on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that could substantially lessen any significant adverse impact that the Land Use Plan Amendment may have on the environment.

B. Approval of the Land Use Plan Amendment with Suggested Modifications

MOTION 2: *I move that the Commission certify Land Use Plan Amendment Number 3-01 for San Luis Obispo County if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a **YES** vote. Passage of the motion will result in the certification of the land use plan amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

RESOLUTION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Land Use Plan Amendment 3-01 for San Luis Obispo County if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with

the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

II. SUGGESTED MODIFICATIONS

The Commission hereby suggests the following changes to the proposed Local Coastal Program amendment, which are necessary to make the requisite findings. Changes to the amendment proposal are shown by underlines for additions and ~~strikethroughs~~ for deletions. If the local government accepts each of the suggested modifications within six months of Commission action, by formal resolution of the Board of Supervisors, the corresponding amendment portion will become effective upon Commission concurrence with the Executive Director finding that this has been properly accomplished.

Modification 1: Limitation on Allowable Uses

Revise proposed new Standard 1a for the Commercial Retail, Public Facility land use category and new Standard 1 for the Office and Professional, Public Facilities Land Use category to limit public facility development to a wastewater treatment plant and associated infrastructure as follows:

COMMERCIAL RETAIL, PUBLIC FACILITIES: The following standards apply only to lands within the Commercial Retail, Public Facilities land use categories.

1. *Limitation on Use.*

   a. *The following uses shall be allowed ~~Allowable uses shall be limited to all uses allowable in the Public Facilities land use category per Table O, Framework for Planning, Coastal Zone,~~ only in the event that the site is acquired by a public agency or special district and committed to public wastewater treatment facility uses: outdoor sports and recreation, passive recreation, public assembly and entertainment, temporary events, water wells and impoundments, outdoor retail sales, offices, pipelines and transmission lines, and public utility facilities.*

...

1. *Limitation on Use. The following uses shall be allowed ~~Allowable uses shall be limited to all uses allowable in the Public Facilities Public Facilities land use category per Table O, Framework for Planning, Coastal Zone,~~ only in the event that the site is acquired by a public agency or special district and committed to public wastewater treatment facility uses: outdoor sports and recreation, passive recreation, public assembly and entertainment, temporary events, water wells and impoundments, outdoor retail sales, offices, pipelines and transmission lines, and public utility facilities. Otherwise, allowable uses shall be limited to all uses allowable in the Office and Professional land use category per Table O, Framework for Planning, Coastal Zone.*

Modification 2: Revised Standards for Public Facility Development

Consolidate proposed standards for the development of public facilities at the Tri-W site as follows. In the Commercial Retail, Public Facilities standards, revise proposed standards 2 to read:

2. *~~Public Utility Facility~~ Standards for the Development of Public Facilities. Public Utility ~~Facilities~~ Facility uses shall be subject to the special use standards established for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S-13" uses in Table O, Framework for Planning, Coastal Zone. No public facilities or uses, other than a wastewater treatment plant and associated infrastructure, shall be permitted unless the development of such uses is consistent with an area wide urban infill program that provides maximum protection of the environmentally sensitive habitats areas within and directly adjacent to the South Bay urban area.*

Similarly, in the Office and Professional, Public Facilities Standards, revised proposed standards 2 to read:

2. *Public Utility Facility Standards. Public Utility ~~Facilities~~ Facility uses shall be subject to the special use standards established for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S-13" uses in Table O, Framework for Planning, Coastal Zone, and with preceding standard 2, Standards for the Development of Public Facilities, for the Commercial Retail, Public Facilities land use category.*

III. RECOMMENDED FINDINGS

The San Luis Obispo County certified LCP is composed of seven parts: the Coastal Zone Land Use Ordinance, which is the Implementation Plan (IP) portion of the LCP; the Framework for Planning, the Coastal Plan Policies, and four Area Plans, which make up the Land Use Plan (LUP). The Commission approved the LUP with modifications on October 14, 1982, and the IP was approved as submitted on October 7, 1986. The County assumed permit-issuing authority on March 1, 1988.

A. Amendment Description

This LCP amendment, which is attached as Exhibit 1, consists of map and text revisions to the Estero Area Plan (a component of the San Luis Obispo County certified Land Use Plan) intended to accommodate the future construction of a wastewater treatment facility in Los Osos, San Luis Obispo County. Specifically, the amendment proposes to add the Public Facilities (PF) Land Use Designation to an 11.5-acre site within the urban area of Los Osos referred to as the Tri-W site. The site consists of two vacant parcels located on the north side of Los Osos Valley Road and bounded by Ravenna Avenue to the west and Palisades Avenue to the east. One of these parcels (the one at the intersection of Los Osos Valley Road and Palisades Avenue) is about 3.2 acres and currently designated Office Professional (O/P). The other parcel (at the intersection of Los Osos Valley Road and Ravenna Avenue) is approximately 8.3 acres and is designated Commercial Retail (CR). The PF land use designation will be added to the current designations, and the use allowed within PF land use designations would be allowed only in the event that the site is acquired by a public agency or special district and committed to public facility uses. Until that occurs, only those uses currently allowed within the CR and O/P designations by the Estero Area Plan may be permitted where consistent with all other applicable LCP standards.[1]

The amendment also incorporates standards for the future development of public facilities on the subject site within Chapter 8 of the Estero Area Plan. These standards require that public utility facilities comply with the special use standards established in the Coastal Zone Land Use Ordinance. They also require future development of a wastewater treatment plant to include implementation of the mitigation measures contained in the Final Environmental Impact Report for the Los Osos Wastewater Treatment Project certified by the LOCSD in March 2001 and attached to this Report as Exhibit 2.

B. Amendment Background

Much of the South Bay urban area, which includes the residential communities of Los Osos, Baywood Park, and Cuesta-by-the-Sea, was platted in the late 19th Century, with approximately 5,000 small lots intended for summer homes and retreats. Many of these lots are only 25 or 37 feet in width and 125 feet in length. As the resident population increased from approximately 600 in 1950

[1] One exception to this is that the amendment adds public utility facilities as an allowable use within the portion of the site currently designated CR, irrespective of future acquisition by a public agency or special district. Public utility facilities are already allowed within the O/P designation.

to the current level of approximately 15,000, so has the number and intensity of septic systems.

The Central Coast Regional Water Quality Control Board (RWQCB) and other health agencies became concerned with the use of individual disposal systems (i.e., septic systems) in the Los Osos area in the early 1970's when it was identified that the depth to groundwater is shallow enough in some areas to flood leach fields in wet weather, posing adverse impacts to Morro Bay associated with surface flow and lateral seepage of inadequately treated wastewater.

Significant concern was also raised regarding the impacts of septic systems on groundwater resources, particularly the fact that the Los Osos area obtains its water supply from groundwater aquifers. In the Baywood Park area, few of the systems can meet the RWQCB's criteria for separation between the bottom of a leach field and ground water. Furthermore, many of the smaller lots are too small for leach fields, and as a result, utilize deeper seepage pits which may discharge directly to ground water.

To address these concerns, an interim Basin Plan adopted by the RWQCB in June 1971 contained a provision prohibiting septic system discharges in the area after 1974. This was followed up by Resolution 83-13, adopted by the RWQCB in September 1983, which imposed a discharge prohibition of individual and community sewage disposal systems in the Los Osos area. This prohibition became effective in November 1988 and has essentially halted new construction or major expansion of existing buildings within most of the Los Osos urban area.

Around this time, the San Luis Obispo County Engineering Department, the agency responsible for providing public services to the area, began the process of designing, financing, and obtaining regulatory approvals for a community wide wastewater collection, treatment, and disposal system. A wide variety of project alternatives were considered, and 5 environmental reviews were conducted pursuant to the California Environmental Quality act between 1987 and 1997. In 1990, the Coastal Commission approved an amendment to the Estero Area Plan that allowed the construction of a wastewater plant on an agricultural site in the rural area known as the Turri site. This site was later abandoned by the County in favor of a treatment site on the east side of the intersection of South Bay Boulevard and Pismo Avenue due to, among other reasons, the costs and impacts associated with transporting the wastewater to the Turri site.

In 1997, San Luis Obispo County approved a Coastal Development Permit for the wastewater treatment facility proposed by the County Engineering Department, which was subsequently appealed to the Coastal Commission. After determining that the appeal raised a substantial issue on the Commission held a series of De Novo hearings on the merits of the County project. At each of these hearings, the Commission received a great deal of public testimony opposing the County project and suggesting that an environmentally superior alternative was available. The Commission continued action on the county project, among other reasons, to provide the community with an opportunity to pursue alternatives. In November 1998, the community approved the formation of a Community Services District, which assumed the responsibility for addressing the area's wastewater treatment needs.

The LOCSD has diligently pursued a solution to the area's wastewater treatment problem that incorporates, where feasible, project elements desired by the community that were not included in the County's project. The LOCSD has recently identified its preferred project, which involves the construction of a wastewater treatment facility, along with other public amenities such as a new library, a dog park, athletic fields, walking trails, and gardens at the Tri-W site. The subject LCP amendment is needed to allow these types of uses at this site. Construction of the wastewater facility project will be subject to future approval of a coastal development permit by San Luis Obispo County - an action that may be appealed to the Coastal Commission.

C. Coastal Water Quality and Marine Resources

1. Coastal Act Provisions

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.

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.

2. Water Quality and Marine Resource Analysis

As described above, State and regional water quality control boards have determined that the construction of a wastewater treatment system for the South Bay Urban Area is essential to protect groundwater resources and the water quality the Morro Bay National Estuary, which are being adversely impacted by the use of septic systems. These impacts are related to the lack of adequate separation between septic leach fields and groundwater, and the intensity of individual septic systems within a densely populated area, as further described below.

Typically functioning septic systems will separate out solids from raw sewage within a septic tank,

and the liquid sewage will flow, without treatment, into the soils surrounding the tank (i.e., the leach field). Because treatment of the liquid sewage is accomplished by the soil, it is necessary to have adequate amounts of soil between the leach field and ground water, and to have adequate room for the dispersal of the pollutants contained in the sewage. These minimum requirements are typically established by Regional Water Quality Control Boards in Basin Plans developed for specific watershed regions. The Basin Plan applicable to the Estero area specifies one residence per acre, while in Los Osos, ten residences per acre are common. In addition, the Basin Plan specifies 20 to 50 feet separation in sandy soils between the bottom of the leach trench or pit and groundwater; in Los Osos, zero separation is not uncommon.

Primary constituents of concern in sewage are nitrates, which can lead to health problems if certain concentrations are found in drinking water. In addition, high concentrations of nitrates in surface waters can result in alga blooms that deplete oxygen from the water, having an adverse impact on aquatic habitats. Other elements of domestic sewage that can have adverse environmental impacts include bacteria such as fecal coliform, and viruses. These constituents pose health risks to humans both from direct contact with contaminated surface water, as well as from the consumption of contaminated shellfish. Indeed, surface waters surrounding the Los Osos area periodically do not meet bacteria standards for water contact recreation (such as swimming, wading, kayaking and small boat sailing). Oyster growing operations in Morro Bay have also been by affected by high bacteria levels that require growers to close portions of their lease areas year-round, and shut down operations for many days after it rains.

Groundwater resources are also being adversely impacted by the use of septic systems. There are two ground water aquifers underlying the Los Osos area; an upper and a lower aquifer. Ongoing ground water monitoring preformed by the RWQCB indicates the Los Osos ground water basin is one of the more severely contaminated basins in the region, and that ground water nitrate concentrations have significantly increased as population increased in the Los Osos area. Monitoring data indicates much of the shallow groundwater in the most densely developed areas exceeds 45 mg/l, the drinking water standard for nitrate. For this reason, many of the shallow water supply wells have been removed from service and demand shifted to the deeper aquifer. Dependence upon the deeper aquifer exacerbates the surface water problems because the community's water supply, formerly drawn from the upper aquifer, is now drawn from the deeper aquifer and recharged (after use) to the upper aquifer causing ground water levels to rise and flood more septic systems. This has increased the adverse impacts to surface waters described above.

3. Water Quality and Marine Resource Conclusion

The construction of a wastewater treatment facility to serve the South Bay urban area is essential to preserve and enhance the water quality of the Morro Bay National Estuary and the Los Osos groundwater basin, and to protect the significant natural resources and coastal uses dependent upon these coastal waters. Therefore, approval of the amendment to allow a wastewater treatment facility on the Tri-W site is necessary to carry out the requirements of Coastal Act Sections 30230 and 30231.

D. Environmentally Sensitive Habitat Areas (ESHA)

1. Coastal Act ESHA Policies

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.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

2. ESHA Analysis

The Site that is the Subject of the Amendment is ESHA

As previously described, the undeveloped 11.5 acres that comprise the Tri-W site supports important biological resources that qualify the entire site as an ESHA[2]. These resources include:

Baywood Fine Sands. A defining feature of Los Osos terrestrial habitats and the project site is the presence of Baywood fine sands, a soil type unique to the stabilized sand dunes of the Los Osos. This soil type supports Central dune scrub and maritime chaparral plant communities. Central dune scrub has been identified as having "highest inventory priority" by the California Department of Fish and Game (CDFG)[3]. Additionally, CDFG has identified the Baywood fine sands dune habitats of Los Osos as a "Significant Natural Area"[4].

Central Dune Scrub. As described by the EIR for the project and shown by Exhibit 3, the Tri-W site is dominated by the Coastal dune scrub plant community, which covers approximately 70 percent of the site. In a recent analysis of plant communities of California, the type of dune scrub habitat found in Los Osos was classified as the Dune Lupine-Golden Bush Series (Sawyer and

[2] Environmentally Sensitive Habitat Areas are defined by Section 30107.5 of the Coastal Act as "any area in which 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 developments".

[4] The Significant Natural Areas Program was established to identify high-priority sites for the conservation of California's biological diversity and to inform resource decision-makers about the importance of these sites. The programs goals include: 1) identifying the most significant natural areas in California; 2) ensuring the recognition of these areas; and 3) seeking the long-term perpetuation of these areas.

Keeler-Wolf 1995), which is considered rare by CDFG . The type of dune scrub habitat occurring on the Tri-W site has incurred a particularly significant loss in acreage due to land use changes that have occurred over the past 50 – 80 years[5]. The EIR states that the coastal dune scrub habitat on the Tri-W site is degraded due to the presence of veldt grass, a non-native invasive species, over much of the site.

Rare Wildlife Species. The EIR for the Wastewater Treatment project identified 21 special status wildlife species that have the potential to occur within the vicinity of the project, and confirmed the presence of the federally threatened Morro shoulderband snail on the site. Eucalyptus groves on the Tri-W site provide suitable overwintering habitat for Monarch butterflies, recognized as a "California Special Resource". They also may be used by protected raptors such as the white-tailed kite, sharp shinned hawk, Cooper's hawk, and the golden eagle for nesting and, in some cases, wintering habitat. Finally, the EIR describes the Tri-W site as suitable habitat for the Morro Bay kangaroo rat, listed as endangered at both the federal and state levels.

(what about rare plant species??)

<u>There are no Feasible, Less Environmentally Damaging Sites</u>

The EIR for the wastewater treatment project compared the biological impacts associated with locating the treatment plant on the Tri-W site to five alternative locations as follows:

> *TREATMENT SITE ALTERNATIVES*
>
> *<u>Morro Shores Southwest</u>. The biological setting for the Morro Shores Southwest site is similar to the setting for the proposed treatment site, described in previous sections. Vegetation in this area generally consists of disturbed veldt grassland, coastal sage scrub, and eucalyptus groves ranging from one to eight mature trees. This site provides less suitable habitat for the Morro Shoulderband snail due in large part to the presence of eucalyptus, but provides better quality habitat for Monarch butterfly, and nesting raptors. This portion of the site does not provide habitat for sensitive plant species. Impacts are similar to the proposed project. The generalized habitat of this site is depicted in Figure 6.11-2. [Attached to this report as Exhibit 4]*
>
> *<u>Holland</u>. The Holland site consists of 19.4 acres located north of Los Osos Valley Road, south of the Sea Pines Golf Course and west of Pecho Road. The site is vacant and currently grazed. The southern half of the site contains moderate quality coastal sage scrub habitat and the northern half contains disturbed annual grassland. Eucalyptus trees on site provide habitat for nesting birds and a resting place for Monarch butterflies, while the low-lying vegetation provides marginally suitable habitat for the Morro shoulderband snail. Preliminary*

[5] Draft EIR, page 254

surveys of the site have revealed the presence of snail shells; further surveys and mitigation would be required to determine the relative impact to sensitive animal species. This site does not support sensitive plant species and would therefore have similar impacts to the proposed project. The generalized vegetation of this site is depicted in Figure 6.11-5.

Pismo[6]. The Pismo Site is located just east of the junction of South Bay Boulevard and Pismo Street, and south of Los Osos Junior High School. The site slopes primarily from the southwest to the northeast, and ranges in elevation from 98 feet above MSL on the western side of the site to 53 feet above MSL on the eastern side of the site. The site supports three primary communities: Coastal Scrub, Chaparral, and Coast Live Oak Woodland. In addition, ruderal habitat occurs along the northern project site boundary, adjacent to the parking lot and roadway. Vegetation of the Pismo site is depicted in Figure 6.11-6.

Vegetative Communities. Coastal Scrub communities, consisting primarily of Dune Lupine Scrub occupies the largest portion of the Pismo Site. Dune Lupine Scrub occupies approximately the central one-third of the site. This habitat type intergrades with Heather Goldenbush Coastal Scrub to the south, Windrow and Coast Live Oak Woodland to the east and northeast, and Veldt Grass Grassland to the west. Chaparral communities, represented by Chamise - Wedgeleaf Ceanothus, occupy the southwestern portion of the project site.

Flora. The flora of the Pismo Site consists of 54 vascular plant taxa, of which 47 (87 percent) are native and 7 are nonnative (13 percent), and 28 nonvascular plant taxa (primarily lichens), all of which are native to the Los Osos region. Additional species of vascular and nonvascular plants are expected to occur at the Pismo Site, primarily annual herb and grass and crustose lichen species.

Special-Status Plant Species. Coastal Scrub and Chaparral communities of the Pismo Site provide suitable habitat for a variety of special-status vascular plants including Hoover bentgrass, Arroyo de la Cruz manzanita, Morro manzanita, Wells manzanita, Monterey spineflower, Blochman's leafy daisy, Saints daisy, Indian knob mountainbalm, San Luis Obispo wallflower, Curly leaf monardella, and Dune almond. Of these twelve species identified as potentially occurring at the site based on the presence of suitable habitat, only Monterey spineflower and Dune almond were observed during the field surveys conducted for the 1997 Final

[6] The Pismo site was the location of the wastewater treatment plant previously proposed by the San Luis Obispo County Engineering Department.

Supplemental EIR by Fugro West, Inc. Dune almond was observed throughout a large portion of the western one-half of the project site. Although Blochman's leafy daisy was not observed during the field survey, it has been documented previously as occurring in the vicinity and is assumed to occur at the project site. As previously indicated, field surveys were conducted outside of the normal flowering periods for most of the identified special-status plants. Several special status nonvascular plants were observed throughout the Pismo Site as well. The reader is invited to refer to the 1997 EIR for more information.

Fauna. This site contains Coastal Scrub habitat and Monterey cypress and Monterey pine trees in a windrow. The Pismo site has suitable habitat for Morro Bay kangaroo rat, Morro blue butterfly, Black legless lizard, and Monarch butterfly.

This site presents a greater likelihood of adverse impact to sensitive plant species, communities, and animal species than the proposed project.

Andre. The Andre property has been significantly disturbed through ongoing agricultural operations. The site exhibits extremely low potential for Morro Shoulderband snail and other sensitive animal species. The high frequency and intensity of disturbance also limits the potential for sensitive plant species. This site would present fewer impacts to biological resources than the proposed project.

In accordance with the EIR's analysis above, the Andre site is an alternative site for the treatment plant that could potentially avoid impacts to ESHA. Staff therefore requested the County to further consider the Andre site, as well as other sites that would avoid impacts to ESHA, as an alternative to designating the Tri-W site for the treatment plant. The County provided the following response:

The description of alternatives in the EIR is not only extensive; it is nearly exhaustive of sites that could support the proposed treatment plant. This effort commenced with the 1987 EIR identifying numerous sites, was followed by the 1996 EIR that included an alternative sites constraints analysis, and was augmented by the extensive site analysis done for the 2000 EIR. Reference is made to these documents previously reviewed by the Coastal Commission for substantiation. Approximately 30 parcels were examined over the course of this 15-year investigation. Summarizing this effort, two types of potential sites were rejected:

a. Sites located outside of the Los Osos Community Services District's (LOCSD) general service area and located on land included in the Agriculture land use category: On those sites, conflicts with other Coastal Act policies, as

well as the extremely high cost of conveying the sewage out of and the treated effluent back into the community, rendered those sites inappropriate for the project. One of those sites, the "Andre" site, like others located outside of the LOCSD service area, did not meet the objectives of the project, including affordability, proximity to the community, and opportunities for community assets (park and offices).

b. Sites located within the proposed Los Osos greenbelt: As part of the mitigation for the cumulative and secondary impacts of the wastewater project, the EIR identified [a] mitigation plan that would require the LOCSD to prepare a Habitat Conservation Plan for the entire Los Osos area (defined by Baywood Fine Sands). The most fundamental strategy of the HCP will be to direct new development into the interior of Los Osos where the residual habitats are highly fragmented, and use this as a means of protecting the more valuable habitat within the greenbelt.

Given that the Tri-W site has relatively degraded habitat and would otherwise be developed in some fashion in accordance with the LCP, the argument in favor of using this site for the treatment plant is that it would spare the use of agricultural land outside of the community, as well as sensitive habitat within the greenbelt. In addition, this proposal, by preserving the Broderson site, helps achieve other HCP goals. Moreover, it represents the best approach to protecting the environmentally sensitive habitat of endangered species in the community.

As stated in the County's response, there has been an exhaustive assessment of alternative sites for the treatment plant site. Although the Andre site may avoid direct impacts to ESHA as a result of treatment plant construction, it would result in the conversion of productive (although not prime) agricultural land, would add significant costs to the project, and would not achieve the project's objectives. Impacts to ESHA would not be completely avoided by locating the treatment plant at this site, as the collection and distribution system running to and from this location would require crossing of Los Osos Creek. Thus, it is not clear that the Andre site provides either a feasible, or environmentally preferable alternative to the Tri-W site. Given this uncertainty, and the critical resource protection needs that will be addressed by the implementation of a wastewater treatment project (see findings regarding Water Quality and Marine Resources), it is more protective of coastal resources to allow construction of the treatment plant at the proposed location than to cause the delays that would be associated with further consideration of an alternative sites.

<u>The Amendment is Inconsistent With Coastal Act ESHA Protection Requirements but on Balance, is the Most Protective of Significant Coastal Resources</u>

The loss of approximately 11.5 acres of degraded ESHA associated with the development of public facilities on the Tri-W site, as accommodated by the amendment, is inconsistent with the requirements of Coastal Act Section 30240 that prohibit the significant disruption of ESHA and limit

development within ESHA to uses that are dependent upon the resources. However, as detailed in the Marine Resources and Water Quality findings of this report, the construction of a wastewater treatment plan is essential to protect the Morro Bay National Estuary and the Los Osos groundwater basin. Thus, in the case of the proposed amendment, Section 30240 of the Coastal Act is in conflict with Sections 30230 and 30231 of the Coastal Act. The water quality and habitat protection policies of the Coastal Act cannot both be met, hence the conflict.

In enacting the Coastal Act of 1976, the legislature anticipated that such conflicts would be encountered. Section 30007.5 of the Coastal Act states:

> *The legislature further finds and recognizes that conflicts may occur between one or more policies of this division. The legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.*

As noted above, the protection of the water quality of Morro Bay and the Los Osos groundwater basin, consistent with Coastal Act sections 30240 and 30241, can only be achieved through the construction of a wastewater treatment plant in Los Osos. Thus, for purposes of section 30007.5, denial of this amendment on the basis of inconsistency with section 30240 would be inconsistent and create a conflict with sections 30230 and 30231. Section 30007.5 directs that such policy conflicts be resolved in a manner that is on balance most protective of significant resources. In this case, protection of Morro Bay water quality through the approval of the wastewater treatment site is more protective of significant coastal resources than the protection of the 11.5 acres of degraded ESHA on the Tri-W site. Moreover, the Los Osos case fits the cited example of section 30007.5, which emphasizes that policies that support concentration of urban development may be more protective of coastal resources overall. Such is the case here, where the wastewater treatment plant will provide necessary infrastructure for the urban core of Los Osos, while protecting the waters of Morro Bay. As detailed below, the project also entails the development of habitat mitigation that will serve to protect habitat outside of the urban core. Additional specific reasons for striking the balance in favor of water quality in this case include:

- Wide Range of Impacts. The degradation of the water quality in the Morro Bay estuary and the Los Osos groundwater basin will have far reaching impacts on coastal resources and uses. From a resource standpoint, increasing levels of nitrogen and bacteria can result in algal blooms that reduce the amount of oxygen available to support aquatic organisms such as fish, shellfish, plants and other elements of the food chain. From a use standpoint, increasing levels of bacteria are adversely affecting coastal dependent uses such as aquaculture, and are restricting opportunities for water contact recreation. Finally, the degradation of the Los Osos groundwater basin limits the availability of safe and sustainable water supplies necessary for residents and visitors to enjoy

this unique area of the California coastline.

- Impacts of Greater than Local Significance. The Morro Bay estuary is a wetland habitat of national significance. It is an important component to the Pacific flyway, and a popular destination for visitors from around the world. Any reduction in the biological productivity of the estuary, or the ability for the general public to enjoy it, will impact coastal resources of greater than local significance.

- Inability to Mitigate Impacts. The ability of the area's natural resources and coastal recreation opportunities to recover from the adverse impacts associated with the continued degradation of wetland and groundwater resources is questionable. No mitigation measures are available that would reduce such impacts to a level of insignificance.

Without diminishing the importance of protecting the terrestrial habitats of Los Osos, preservation of the Morro Bay National Estuary and the Los Osos groundwater basin is more protective of significant coastal resources than the conservation of the 11.5 acres of ESHA located within the Los Osos urban area.

Modifications to the Amendment Are Necessary to Maximize Consistency with ESHA Protection Requirements

Notwithstanding the need for the Commission to prioritize the protection of Morro Bay water resources, every effort must be made to maximize the amendment's consistency with the habitat protection standards of Coastal Act Section 30240. This includes avoiding impacts where feasible, and minimizing and mitigating all unavoidable impacts.

As described above, the LOCSD and the County have explored a wide range of alternative treatment plant locations, and have determined that it is not feasible to avoid the loss of ESHA and meet the project's needs. Short of finding a different site, ESHA impacts can be avoided and minimized by limiting facility development allowed on the site to the absolute minimum required to provide the essential water quality protection needs previously identified. Towards this end, the Commission must evaluate whether the range of uses accommodated by the amendment, which includes uses other than wastewater treatment facilities, should be allowed on the site, and whether the wastewater facility should be designed to avoid and minimize impacts the sensitive habitats supported on the Tri-W site.

Restricting the use of the Tri-W site to wastewater treatment facilities would preclude the development of many other public services that the LOCSD would like to provide as part of the development of the treatment plant site. As shown by the conceptual site design contained in the project EIR and attached to this report as Exhibit 4, include a dog park, playfields, an amphitheatre, gardens, and LOCSD offices. Therefore, the County has agreed with the concept of narrowing the public facility uses allowed at the project site to those that would enable the project proposed by the LOCSD to move forward. These include public utility facilities, pipelines and transmission lines, outdoor sports and recreation, passive recreation, public assembly and entertainment, temporary

events, water wells and impoundments, outdoor retail sales, and offices. In evaluating whether all of these uses can be allowed on the site, the following points must be considered.

First, the wastewater treatment project proposed by the LOCSD is a comprehensive public facility project that not only provides for wastewater treatment, but other essential public facilities as well. The construction of the wastewater treatment plant will enable development within the South Bay urban area that will, in turn, require public facilities such as parks and recreation areas. Indeed, such facilities are already needed to support the current residential population. The Tri-W site is one of the few remaining undeveloped areas within the urban core that can accommodate such uses. Locating such uses within the urban core is more protective of coastal resources than pushing them out to the urban periphery, where more productive intact ESHA exists.

Second, to minimize the impact that construction of the wastewater treatment project will have on scenic resources, the site design locates a significant portion of the facility underground. The proposed dog park will be located on top of the facility, in an area where ESHA will be lost as a result of plant construction. The provision of a dog park on the site is intended, in part, to help protect the regions sensitive habitats by providing a place for people and pets to recreate outside of the areas where such activities would disturb significant biological resources.

Third, the drainage patterns of the surrounding area are such that large volumes of storm water runoff collect on the site. In order to accommodate the treatment plant and address drainage needs, the project must include open areas where surface runoff from the site and surrounding area can be detained. The proposed playfields are intended to meet this need, as well as to provide areas for public recreation.

Fourth, operation of the wastewater treatment plant will require personnel and office space in close proximity to the treatment plant. Thus, allowing office uses at the project site is directly related to the operation of the treatment plant.

Fifth, once the above needs for the wastewater treatment project is accounted for, very little area of the 11.5-acre site remains. The habitat quality of these areas will be significantly reduced due to fragmentation and adjacent uses, and, as a result, these areas may no longer functions as viable ESHA.

In conclusion, most of the public facilities proposed at the Tri-W site by the LOCSD are essential components of, and directly related to, the wastewater treatment project. Once these facilities are constructed, the small remaining undeveloped portions of the site would likely cease to function as viable ESHA. Accordingly, the standards of the amendment appropriately focus on offsetting the loss of habitat on the Tri-W site by preserving significant amounts of similar habitat at an offsite location, as further discussed below.

These standards have been developed specifically to address the biological impacts associated with the public facilities proposed by the LOCSD, but do not address the other biological impacts that would result from other Public Facility uses allowed on the site by the proposed amendment (e.g.,

mining, petroleum extraction). Nor would the development of public facilities other than those associated with the wastewater treatment project justify the removal of ESHA, due to the conflicts with Coastal Act Section 30240 discussed above. To maximize the amendment's consistency with the ESHA protection requirements of the Coastal Act, the range of public facilities allowed on the Tri-W site must narrowed down to those that are a component of the wastewater facilities project proposed by the LOCSD. This is accomplished by Suggested Modification 1, which can be found on pages 5-6 of this report.

It is noted that the commercial retail and office and professional uses currently allowed at the Tri-W site by the LCP, which will continue to be allowed on the site if it is not acquired by the LOCSD, also pose conflicts with Section 30240. Existing LCP standards provide an adequate framework to address the biological resource impacts of such development and carry out the requirements of Coastal Act Section 30240. The new standards for future development of the site effectuated by this amendment are needed to respond to the impacts posed by the additional types of development proposed to be allowed on the site, particularly given their resource intensive nature.

Unavoidable Impacts Will be Effectively Mitigated

Since the avoidance of impacts to ESHA on the Tri-W site is not feasible, a great deal of emphasis has been placed on minimizing impacts and providing adequate mitigation. Project specific biological mitigation measures have been developed as part of the wastewater project EIR, and have been incorporated into the proposed amendment as standards for wastewater facility development. These standards are attached to this report as Exhibit 2 and provide mitigation for the loss of habitat at the treatment plant site, as well as for the environmental impacts of the project as a whole.

There are two general categories of impacts associated with the wastewater project. Direct impacts, resulting from facility construction, and, secondary impacts resulting from future development made possible by the project. A significant direct impact posed by the project is the loss of coastal dune scrub habitat; 7.5 acres at the Tri-W site, and 8 acres at the primary leach field site, known as the Broderson site[7] (see location map attached as Exhibit 5). Other direct impacts include the loss of Eucalyptus groves that support Monarch butterflies and raptors; about 2.5 acres at the Tri-W site and one quarter of an acre at the Broderson site. In order to mitigate these direct impacts, the EIR and the proposed LCP amendment require:

- Protection of adjacent Monarch butterfly roosting sites by conducting pre-construction surveys and fencing of roost sites that could be affected during construction.
- Relocation of Morro shoulderband snails from areas of proposed disturbance to nearby areas with suitable habitat.
- Pre-construction surveys to determine whether nesting raptors or species protected by State

[7] The installation of leach fields on the Broderson is currently an allowable use within the LCP's land use designation for the Broderson site. Thus, this aspect of the project is not directly related to the amendment.

and/or Federal law are present on or within the project area. If present, the nest tree or area will be fenced or otherwise demarcated and a 500-foot no-disturbance buffer will be established until the nesting activity is completed and the young have fledged. The distance and placement of the buffer area will be determined in consultation with the CDFG.

- Restoration of the 8 acres of the Broderson site where leach fields will be constructed to coastal scrub habitat.

- Mitigation for the loss of Coastal Scrub habitat in accordance with authorizations required by the U.S. Fish and Wildlife Service (USFWS) and the CDFG , including the acquisition of additional habitat sufficient to compensate for the loss of habitat of the Morro shoulderband snail, Morro Bay kangaroo rat, Morro Bay blue butterfly, and other species dependent upon the coastal dune scrub habitat that may be directly impacted by the project. The land acquired is to have the following qualities:

  - The land should be a parcel or group of parcels containing approximately 40 acres. The preferred site for mitigation is the northerly Broderson parcels.

  - The land should be habitat in or contiguous to the proposed critical habitat area as designated by the USFWS. Ideal land that meets this criteria is located around the community of Los Osos in the area studied for the greenbelt program by the Land Conservancy.

  - Any disturbed portion of the land should be capable of restoration to a native habitat. This would mean that the soils have not been removed or fill placed on the site that are unsuitable for the native plantings (other than small amounts). The land should be free of structures or debris, or capable of being cleared of any structures.

  - The land should have primarily aeolian sand deposits; be in a stabilized condition (not mobile); have an open canopy; be of the appropriate aspect and other meteorological conditions.

  - The land should be granted to an appropriate agency or conservation organization in perpetuity with deeded guarantees prohibiting development or transfer (unless to another like organization). The protection of the land may allow for some passive public activities, such as hiking, scientific investigation, and low-impact education.

- Restoration of the mitigation site by the LOCSD, including removal of invasive exotic plant species; removal of structures or debris; regrading of any unnatural mounds, holes or berms; implementation of a planting program of a mixture of indigenous plant species developed in conjunction with USFWS, CDFG, and California Native Plant Society (CNPS) that serves to restore the site and serve multiple species' needs, especially the Morro shoulderband snail, Morro Bay blue butterfly, Black legless lizard, and potential future reintroduction of the Morro Bay Kangaroo Rat; and, ongoing maintenance and monitoring , including actions to ensure that the compensation area is not adversely affected by human disturbance, vandalism, off-road vehicle

use, or pesticide application.

To fulfill the above requirements, the LOCSD has entered into an agreement to purchase the 80-acre Broderson site, which will serve dual purposes. As mentioned above, the site will be used for leach fields for the disposal of treated wastewater in a manner that will recharge the groundwater basin[8]. This will disturb a total of about 8 acres. The site will then be restored and preserved as coastal scrub and maritime chaparral as a means to offset the direct biological impacts caused by the construction of the wastewater treatment system. The long-term preservation and enhancement of the 80 acres of habitat contained on the Broderson site provides an effective way to offset the unavoidable biological impacts that will result from the construction of this essential public facility, and will help ensure the biological continuance of the affected types of habitats, for the following reasons.

- The loss of 7.5 acres of degraded coastal scrub habitat contained on the Tri-W site, which occurs in very low densities, and the temporary impacts to about 8 acres of medium quality scrub habitat on the Broderson site, will be offset by the preservation and enhancement of over 20 acres of high quality coastal scrub habitat on the Broderson site, which has a very high density of observed snails and is in the Critical habitat for the snail designated by the USFWS .[9]

- The loss of 2.5 acres of Eucalyptus groves on the Tri-W site, and 0.21 acre on the Broderson site, will be offset by the preservation of a roughly equivalent amount on the Broderson site, provided that the non-native eucalyptus may be removed in the future should the responsible agencies determine that it is most protective of coastal habitats.[10]

- The remaining 55 acres of the Broderson site contains sensitive high-quality Maritime Chaparral and Coast live oak woodland. This area is important habitat for rare plants including the endangered Morro manzanita and Indian knob mountainbalm.

- The 80-acre Broderson parcel is a key component of the "greenbelt" surrounding the urban area of Los Osos. The establishment, protection, and long-term maintenance of the sensitive habitat areas that comprise the greenbelt is intended to maximize protection and enhancement of the multiple species and habitats that are unique to the area, as further discussed below.

As is the case in other urbanized areas of California that once supported coastal scrub and maritime habitats, the vacant lands of Los Osos continue to support these disappearing natural resources. In the past, most efforts to protect these remaining habitats have been pursued on a case by case basis. This has resulted in a patchwork of protected habitat, the long-term viability of which diminishes as these habitat areas become further fragmented and degraded by adjacent urban development. In recognition of this trend, resource agencies are working towards regional approaches for habitat

[8] The proposed leach fields are dependent upon this location, which has been strategically selected to accomplish the project's groundwater recharge objectives.
[9] Final EIR, Response to comments, page 116
[10] *Ibid.*

conservation that can accommodate reasonable use of private property and at the same time achieve maximum protection of sensitive habitats. The standards established by the amendment for mitigating the biological impacts of the treatment plant development are consistent with the regional habitat protection planning effort currently underway in Los Osos.

This planning effort has been initiated, in part, to address the impacts to ESHA that will result from future development of vacant lots within the sewer service area. Accordingly, the LOCSD has taken a lead role in initiating the development of a Habitat Conservation Plan (HCP), in coordination with San Luis Obispo County, the Coastal Commission, the USFWS , and the CDFG . The completion of such a plan is required by the project EIR and the wastewater facility development standards contained in the County's submitted LCP amendment as follows:

- The LOCSD, in conjunction with CDFG, the USFWS San Luis Obispo County and CCC shall prepare and implement a HCP or Natural Community Conservation Plan (NCCP) for the long-term preservation of habitat remaining within the Los Osos Greenbelt, including habitat remaining on individual vacant lots in conjunction with the CDFG,. The HCP/NCCP shall identify the habitat resources and the quality of those resources on the remaining vacant properties within the Greenbelt. The range of potential conservation programs to be considered in the HCP/NCCP shall include, but not be limited to the following:

  - The identification of policies and programs to be incorporated into the Estero Area Plan aimed at the long-term preservation of sensitive biological resources in the Los Osos area; such policies and programs may include:

    - Transfer of development credits
    - Clustering
    - Avoidance of sensitive resources in site design
    - Changes in density and land use
    - Incorporation of open space into the design of new development

  - Programs aimed at facilitating coordination among agencies and organizations involved in management and conservation/preservation of sensitive resources, including USF&WS, CDFG, California Coastal Commission, San Luis Obispo County, the LOCSD, MEGA, NEP, Land Conservancy of San Luis Obispo County, and others;

  - The creation of a landbank program to facilitate the purchase of properties with high quality habitat within the Greenbelt, to be repaid over time from fees on new building permits;

  - Programs for the acquisition of properties within the Greenbelt with significant habitat resources.

The above approach is consistent with the recommendations contained with the Commission's Periodic Review of the SLO LCP for improving the protection of ESHA in Los Osos, and supports the technique for mitigating the habitat impacts associated with the development of the wastewater

treatment plant prescribed by the amendment. It is noted that the secondary impacts of wastewater treatment facility project, and the way in which the LCP will manage the growth facilitated by the project consistent with the requirements of Section 30240 of the Coastal Act, is beyond the scope of this amendment. As required by the above mitigation measure/development standard, these issues will need to be resolved prior to the approval of the Coastal Development Permit for the project. A critical component of this process will be the development new Planning Area Standards to implement the area wide conservation plan, and incorporating such standards into the LCP via the pending Estero Area Plan Update. This will provide the Commission with an opportunity to ensure that the area wide plan approach for protecting ESHA in the South Bay Urban Area will provides the most effective approach for carrying out the habitat protection objectives of Coastal Act Section 30240.

3. ESHA Conclusion

The proposed amendment is inconsistent with Section 30240 of the Coastal Act because it authorizes non-resource dependent development that will result in the loss of ESHA. However, the construction of a wastewater treatment facility to serve the South Bay urban area is essential for the protection of the Morro Bay National Marine Estuary and the Los Osos groundwater basin, consistent with sections 30230 and 30231. Numerous alternatives have been analyzed, and there does not appear to be a feasible alternative that would accomplish this critical resource protection need and result in lesser impacts to coastal resources. Therefore, the amendment raises a conflict between two primary objectives of the Coastal Act - the protection of marine resources and coastal water quality pursuant to Section 30230 and 30231, and the protection of ESHA pursuant to Section 30240. As provided by Section 30007.5, the Commission has determined that allowing the wastewater treatment plant to be constructed on the Tri-W site is more protective of significant coastal resources than the protection of the degraded and fragmented sensitive habitat contained on this site.

Notwithstanding this determination, the amendment must still carry out the habitat protection requirements of Section 30240 to the greatest degree feasible. Accordingly, the amendment requires that development of the treatment plant to be accompanied by a vigorous mitigation program that will result in the preservation and enhancement of 80 acres of sensitive coastal scrub and maritime chaparral habitat within the Los Osos area. This will effectively offset the biological impacts associated with the construction of the treatment plant on an 11.5 acre site within the urban core of Los Osos.

The amendment falls short of achieving maximum consistency with Coastal Act Section 30240, however, by authorizing the development of a wide range of new uses on the Tri-W site, many of which have no relation to the necessary wastewater treatment project. Therefore, the amendment must be denied as submitted. Only with the modification to limit the new uses allowed on the Tri-W site to those that are associated with the wastewater facility project can the amendment be approved as providing maximum consistency with the ESHA protection requirements of the Coastal Act.

E. California Environmentally Quality Act (CEQA)

The Coastal Commission's process for developing, reviewing, certifying, and amending Local Coastal Programs has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information that the local government has developed.

In this case, the Los Osos CSD has certified an Environmental Impact Report (EIR) that addresses the environmental impacts of constructing a wastewater treatment pant and associated facilities on the Tri-W site, as well as the other environmental impacts associated with implementation of the wastewater treatment facility project. The EIR concludes that all of the potentially significant adverse environmental impacts of the project can be mitigated to an insignificant level, except for construction related air quality impacts. The LOCSD adopted a Statement of Overriding Consideration that found the environmental benefits of the project outweigh the significant unavoidable impacts to air quality.

As detailed in the findings of this report, the Commission's environmental analysis identifies that the proposed LCP amendment will have a significant impact on Environmentally Sensitive Habitat Areas by greatly expanding the types of uses allowed on the Tri-W site. The Commission's analysis concludes that such impacts can only be justified by the greater environmental benefits that will be realized through the construction of a wastewater treatment project, namely the protection of the Moro Bay National Estuary and the Los Osos groundwater basin, given the lack of a less environmentally damaging feasible alternative available to meet this need. Therefore, the Commission has modified the amendment in a manner that restricts the new uses allowed at the Tri-W site to those that are associated with the LOCSD wastewater treatment project. Only with this modification will the amendment carry out the environmental protection requirements of the California Environmental Quality Act.

EXHIBIT G000019T:B
PROPOSED PLANNING AREA STANDARDS

1. Revise Chapter 8, Estero Area Plan, South Bay Urban Area by amending and adding new standards as follows, and renumbering existing standards as appropriate:

a. Move existing Commercial Retail standard 3 on page 8-31 to new standard 1b on page 8-34 for the Commercial Retail, Public Facilities categories, and revise as shown.

b. Add new standards beginning on page 8-34 as follows:

COMMERCIAL RETAIL, PUBLIC FACILITIES: The following standards apply only to lands within the Commercial Retail, Public Facilities land use categories.

1. Limitation on Use.

   a. Allowable uses shall be limited to all uses allowable in the Public Facilities land use category per Table O, *Framework for Planning, Coastal Zone*, only in the event that the site is acquired by a public agency or special district and committed to public facility uses.

   b. If the site is not acquired by a public agency or special district and committed to public facility uses, ~~3. Morro Palisades - Limitation on Use.~~ uses shall be limited to nursery specialties; broadcasting studios; transmission and receiving facilities; amusement and recreational services (such as reducing salons, health spas, hot tubs and other indoor sports); libraries and museums; membership organizations; public assembly and entertainment; schools--business and vocational; social service organizations; temporary events; collection stations; coastal accessways; eating and drinking places (not including drive-in restaurants, fast-food and refreshment stands); food and beverage retail sales; general merchandise stores; temporary or seasonal retail sales; financial services; offices; offices-temporary; personal services; public safety facilities; public utility facilities; hotels and motels; water wells and impoundments; caretaker's residence; and those cultural, education, and recreation uses normally allowed in the Commercial Retail category (See Coastal Table 0, Part I of the Land Use Element).

2. Public Utility Facility Standards. Public Utility Facilities uses shall be subject to the special use standards for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S-13" uses in Table O, *Framework for Planning, Coastal Zone.*

3. Environmental Mitigation. The land use/coastal development permit for development of a wastewater treatment plant and related facilities shall require implementation of the following mitigation measures as described on the listed pages in the *Final Environmental Impact Report for the Los Osos Community Services District Wastewater Facilities Project* (FEIR), SCH# 9911103, certified on March 1, 2001. Some of the following mitigation measures apply to other components of a proposed wastewater facilities project, as the entire project is expected to be processed under a single land use/coastal development permit.

EXHIBIT NO. 1, p.1
APPLICATION NO. SLO LCPA 3-01
Amendment Submittal

a. Geology. Mitigation measures GEO-1 through GEO-9 on pages 112-113, Part II.

b. Hydrogeology. Mitigation measures H-1 through H-3 on page 114, Part II.

c. Drainage. Mitigation measures WR-1 through WR-3 on page 115, Part II.

d. Cultural Resources. Mitigation measures C-1 and C-2 on page 116, Part II.

e. Traffic. Mitigation measures TR-1 and TR-2 on page 117, Part II.

f. Air Quality. Mitigation measures AQ-1 through AQ-4 on pages 118-119, Part II.

g. Noise. Mitigation measures N-1, N-2, N-4, and N-5 on page 120, Part II.

h. Public Health, Safety and Services. Mitigation measures P-1 through PS-5 on pages 120-121, Part II.

i. Visual Resources. Mitigation measures AES-1 through AES-5 on page 121, Part II.

j. Biological Resources. Mitigation measures BIO-1 through BIO-16 on pages 121-128, Part II.

c. Add new standards beginning on page 8-35 as follows:

OFFICE AND PROFESSIONAL, PUBLIC FACILITIES: The following standards apply only to lands within the Office and Professional, Public Facilities land use categories.

7. Limitation on Use. Allowable uses shall be limited to all uses allowable in the Public Facilities land use category per Table O, *Framework for Planning, Coastal Zone*, only in the event that the site is acquired by a public agency or special district and committed to public facility uses. Otherwise, allowable uses shall be limited to all uses allowable in the Office and Professional land use category per Table O, *Framework for Planning, Coastal Zone.*

2. Public Utility Facility Standards. Public Utility Facilities uses shall be subject to the special use standards for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S-13" uses in Table O, *Framework for Planning, Coastal Zone.*

3. Environmental Mitigation. The land use/coastal development permit for development of a wastewater treatment plant and related facilities shall require implementation of the mitigation measures as described in preceding standard No. 3, Environmental Mitigation, for the Commercial Retail, Public Facilities land use category.

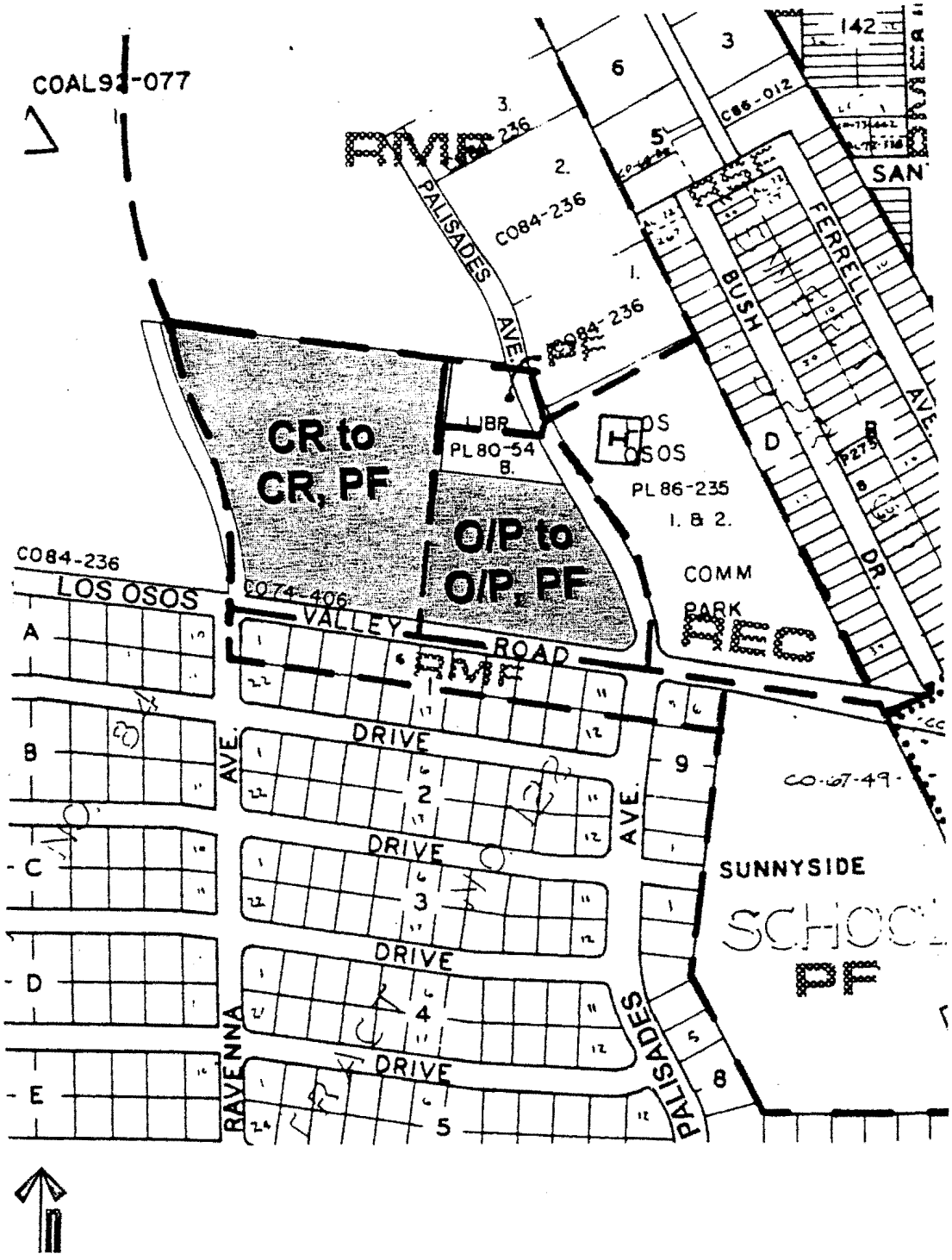

EXHIBIT G000019T:C

INITIATING A PRECISE LAND USE DESIGNATION AS SHOWN ON OFFICIAL LAND USE CATEGORY MAP ON FILE IN THE DEPT. OF PLANNING AND BUILDING

CHANGE FROM CR AND O/P TO CR,PF AND O/P,PF

LOS OSOS COMMUNITY SERVICES DISTRICT
GENERAL PLAN AMENDMENT

CCC Exhibit 1
(page 3 **of** 3 **pages)**

EXHIBIT NO. 2
APPLICATION NO. SLO LCPA 3-01
Required Mitigation Measures

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Geology				
Mitigation GEO-1: An NPDES Construction Activity Storm Water Permit shall be obtained prior to the onset of construction activities. Appropriate BMPs, as established in the project NPDES Construction Storm Water Permit, shall be employed during project construction, which may include, but are not limited to, temporary sand bagging; construction of berms; installation of geofabric, and revegetation of areas by hydroseeding and mulching; and the use of trench stabilizing and de-watering. The NPDES permit shall apply to all proposed facilities, and shall address 50 to 100-year precipitation events to the extent feasible. The Pollution Prevention Plan portion of the NPDES permit shall be reviewed and approved by the County Engineering Department and the RWQCB.	Confirm that the GCASWP has been obtained	Prior to Construction	LOCSD	A GCASWP is required for all projects over 5 acres in size and wil be required for building permit approval
Mitigation GEO-2: Project implementation shall include a long-term Erosion Control Plan. The plan shall include the treatment plant site, the collection system, and the disposal sites. The Erosion Control Plan shall identify erosion control practices to be implemented throughout the construction and operation of these facilities. These measures may include, but are not limited to, recompaction of soils; revegetation of disturbed areas; utilization of soil binding; or other methods for reducing short-term and long-term erosion. The Plan shall be reviewed by the County Department of Planning and Building, and shall be included in contractor bid and contract documents.	Develop long term erosion control plan; Have plan reviewed by County Department of Planning and Building; Include plan in contractor bid documents and project contract	Prior to Construction / Contractor Bidding Phase	LOCSD	The erosion plan must be reviewed by the County Department of Planning and Building and included in contract documents. The responsible party should document these actions once completed.
Mitigation GEO-3: All proposed facilities shall be designed and constructed in accordance with UBC Seismic Zone 4 regulations.	Check plans to ensure compliance with UBC	Plan Check	LOCSD / County Department of Planning and Building	The project is required to meet the UBC
Mitigation GEO-4: Prior to finalization of project design, the LOCSD shall consult with the California Division of Mines and Geology (CDMG) to determine the Design Basis Earthquake for system components.	Consult with CDMG regarding Design Basis Earthquake	Prior to completion of 50% construction documents	LOCSD	Early determination of the Design Basis Earthquake will prevent inaccuracy in plans
Mitigation GEO-5: Prior to construction, a geotechnical investigation shall be carried out as part of final facility design. This geotechnical investigation shall include analysis of the proposed treatment plant site, the disposal system, and the collection system, where determined necessary by the LOCSD and governing regulatory agencies. The geotechnical investigation shall address the following issues: ▯ Design of facility foundations and walls such that potential impact associated with fault rupture onsite would be reduced to the extent feasible. Design measures for rapid repair of facilities shall be identified as necessary. ▯ The investigation shall determine onsite ground water levels, and identify soil layers that could be subject to liquefaction during a seismic event. Specific measures, such as excavation/recompaction of foundation areas, long-term dewatering, or utilization of foundation piles, should be identified as necessary to reduce potential impacts to a less than significant level. ▯ The investigation shall identify the potential for settlement or lurching associated with seismic events. Specific measures, such as excavation/recompaction, shall be identified as necessary to reduce potential impacts to a less than significant level. ▯ The investigation shall identify the potential for disruption of collection associated with fault rupture. Design measures for isolation and rapid repair of facilities shall be identified, where necessary. ▯ The County Engineering Department shall review and approve the scope and findings of the geotechnical investigation, and shall review final project design to ensure incorporation of recommended measures.	Document that geotechnical review has been completed and includes all items listed; Have geotechnical study reviewed by County Engineering staff	Prior to starting conceptual drawings	LOCSD	Ground water levels and geologic structure of the treatment and disposal sites have already been determined. Other items, including seismic potential and specific analysis of structural requirements remain to be determined

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation GEO-6: Implementation of CDMG Liquefaction Mitigation. Where determined necessary by geotechnical investigations, design of system components shall incorporate recommendations contained in the CDMG publication "Guidelines for Evaluating and Mitigating Seismic Hazards in California." Mitigation cited in this publication include recompaction of liquefiable soils and use of reinforced shallow foundations.	Verify implementation of CDMG mitigation where applicable	Plan Check / 50% Construction Documents	LOCSD	None
Mitigation GEO-7: Prior to construction, a complete grading and drainage plan shall be submitted to the LOCSD and County Department of Planning and Building for review and approval. Such grading and drainage plan shall address the requirements of the geotechnical investigation described in Measure GEO-5, above.	Prepare and submit project grading and drainage plans to the County Department of Planning and Building	Prior to Construction	LOCSD	Submittal of grading and drainage plans will be required for final building permit approval
Mitigation GEO-8: Rehabilitation of disposal leach fields shall be rotated so that no more than one field is under re-construction at a time.	Document through standard operating procedures (SOP) that rehabilitation will take place in the specified manner	Prior to Operation of Leach Field Systems	LOCSD	SOP will be developed as part of facilities management
Mitigation GEO-9: In addition to the long-term erosion control plan cited in Measure GEO-2, above, plans for the Broderson disposal site shall designate access routes for review and approval by the LOCSD which intrude minimally into the landscape. Plans shall include prompt re-vegetation of disturbed areas.	Check plans for inclusion of items identified	Plan Check/50% Construction Documents	LOCSD	

Mitigation Measures		Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Hydrogeology					
Mitigation H-1:	NPDES Permit. The LOCSD will obtain and comply with an NPDES permit from the RWQCB and will develop an SWPPP for the project, which will include, among other requirements, the identification of Best Management Practices (BMPs) to be used for erosion control, actions for control of potential fuel or drill tailing release, and requirements for disposal (i.e., location, quality) of water from dewatering activities.	Verify obtainment of NPDES permit; Review construction activities every three months (at least twice during the typical wet season) for compliance with permit provisions	Prior to Construction (obtain permit) and during construction activities	LOCSD	Obtainment of the NPDES permit will be required by the County prior to issuance of building permits. Periodic review of construction activities for stormwater control will ensure compliance. Review should be concentrated before, during and after rain events to assess the adequacy of protection measures.
Mitigation H-2	Revetation Plan. A comprehensive re-vegetation plan will be developed for the Broderson site which, at a minimum will include re-planting of exposed surfaces with native vegetation.	Verify the inclusion of re-vegetation plans in 100% construction documents	Prior to Construction/100% Construction Documents Review	LOCSD	None
Mitigation H-3:	The Los Osos Community Services District shall prepare and implement a comprehensive water management plan for the Los Osos groundwater basin. The purpose of the plan is to identify management strategies aimed at achieving a sustainable water supply to serve buildout of the community in accordance with the Estero Area Plan, as it may be amended from time to time.	Verify development and adoption of a management plan	Prior to operation of the wastewater facilities project	LOCSD	Development of a comprehensive management plan is a requirement of State Revolving Fund loans and is expected to reduce overall demand for water.

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Drainage				
Mitigation WR-1: Grading, Drainage and Erosion Control Plan. Construction plans for the Tri-W site shall include a complete grading and drainage plan incorporating the recommendations of a geotechnical engineering evaluation (see Mitigation GEO-5). Measures to be considered for the mitigation of potential drainage, erosion, seepage and water quality impacts include, but are not limited to: A. The incorporation of an on-site runoff collection system which includes energy dissipation, berms, temporary settling basins, and/or a silt/hydrocarbon separator for the collection and removal of hazardous materials and sediments. B. The incorporation of an on-site drainage system to collect runoff from all impervious onsite services, including parking spaces, roads and buildings. C. Surface runoff should be collected by curbs, gutters and drainage swales and conveyed to an appropriate point of disposal. Discharges of greater than five feet per second should be released through an energy dissipater or outlet. D. The incorporation of sub-surface drains to intercept seepage and convey it to an acceptable point of disposal. E. Watering the site at least twice per day during construction, or more frequently if determined necessary by the LOCSD. F. Re-vegetating portions of the site exclusive of paved areas as soon as reasonable following grading. G. Incorporating rain gutters and downspouts for buildings. H. Grading surfaces adjacent to buildings so that runoff is conveyed away from foundations and onto paved surfaces or underground collection pipes.	Verify development of grading, drainage, and erosion control plans and the incorporation of listed items	Plan Check/50% Construction Documents	LOCSD	Inclusion of grading, drainage and erosion control plans will be required by the County prior to issuance of building permits
Mitigation WR-2: NPDES Permit. The LOCSD will obtain and comply with an NPDES permit from the RWQCB and will develop an SWPP for the project, which will include, among other requirements, the identification of Best Management Practices (BMPs) to be used for erosion control, actions for control of potential fuel or drill tailing release, and requirements for disposal (i.e., location, quality) of water from dewatering activities.	Refer to H-1	Refer to H-1	Refer to H-1	Refer to H-1
Mitigation WR-3: Revegetation Plan. A comprehensive revegetation plan will be developed for the Broderson and Powell sites, which at a minimum, will include re-planting of exposed surfaces with native vegetation.	Verify the inclusion of re-vegetation plans in 100% construction documents	Prior to Construction/100% Construction Documents Review	LOCSD	None

Mitigation Measures		Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Cultural Resources					
Mitigation C-1	Undiscovered Resources. All cultural resources discovered during construction must be avoided in order to eliminate any potential impacts. All work in the vicinity of the suspected resource will stop and the proper authorities will be notified. Prior to restart of work, a qualified archaeologist will determine the significance of the resource. Suggested measures for mitigation shall be adhered to. If the resource is suspected to contain human remains, the County Coroner and an approved Native American consultant shall be contacted to determine the nature and significance of the find.	Document any previously undocumented resources in accordance with the identified protocol	Throughout Construction	LOCSD	Discovery of resources during construction is guided by County and State regulations. This mitigation outlines correct procedure; monitoring is only required if and when such discoveries occur.
Mitigation C-2	Archeological Monitoring. If a resource is discovered and an area is deemed potentially sensitive, archaeological monitoring will be required. The monitoring shall be conducted by a qualified archaeologist recognized as such by the County of San Luis Obispo with sufficient experience with local archaeological resources to make accurate determinations if cultural resources are exposed. In addition, in all areas determined to be sensitive because of prehistoric remains, a Native American monitor should be present as well. The presence of Native American monitoring will assist in identification of archaeological resources, should they be encountered. More importantly, the Native American monitor will act as a representative of the local tribe (Obispeño or Northern Chumash) in the event that human remains or traditional cultural properties are encountered. If such remains are found, they would assist in the decision making process and would act as a consultant on issues related to state and local applications of the Native American Graves Protection and Repatriation Act (NAGPRA) and the American Indian Religious Freedom Act (AIRFA). Finally, if significant resources are discovered, efforts will be made by local law enforcement as well as designated monitors to prevent looting of the sites by non-professionals.	Known Sensitive Areas: provide monitoring during grading, drilling and excavation; provide documentation of monitoring Areas Suspected to be Sensitive: provide Phase I survey of site by qualified archaeologist as defined at by mitigation measures C-2; document findings Areas Where Resources are Discovered: provide monitoring during grading, drilling and excavation; document monitoring If Human Remains are Suspected: provide Phase I and II surveys; provide monitoring by an archaeologist and Native American monitor during grading, drilling and excavation; document monitoring If Human Remains or Significant Resources are Found: stop work and initiate consultation with appropriate agencies; document findings Monitoring is considered complete when proper documentation and agency compliance is attained. If no resources are encountered, the responsible party shall document that finding	During Construction	LOCSD/Contractor for Previously Unknown Sensitive Resources Discovered During Construction	The project is subject to federal regulations regarding cultural resources. Strict adherence to the provisions of those regulations is essential for CEQA compliance.

Mitigation Measures		Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Traffic					
Mitigation TR-1:	Construction Traffic Mitigation Plan. The LOCSD shall prepare a construction traffic mitigation plan which identifies the location of equipment and trenches to be used; sequencing/phasing of installation; the location of materials and equipment staging areas; and proposed detour routes. The plan shall also provide for adequate emergency access, and routing of construction-related vehicles to minimize impacts to sensitive land uses. The plan shall also provide for the scheduling of construction related traffic so that it does not create safety hazards to school children and other pedestrians.	Verify preparation and submittal of traffic mitigation plan; field verify implementation of management plan weekly during construction	Prior to Construction (plan) and during construction (field verification).	LOCSD	A traffic plan will be required prior to issuance of County Building permits
Mitigation TR-2:	Public Notice of Construction. The public shall be notified of potential obstructions and alternative access provisions. This notification may be accomplished by posting signs near the construction area at least one week in advance of the commencement of construction. In addition, information signs shall be posted on Los Osos Valley Road, with a phone number to call for questions. Phone inquiries shall be answered by a live public relations official, and not a pre-recorded message. Alternative access provisions and parking will be provided where necessary, with guide signs to inform the public. There will also be alternative pedestrian facilities provided to avoid obstruction to pedestrian circulation.	Include noticing as part of contractor requirements or part of LOCSD procedure during construction. Verify noticing monthly during phases of construction. Provide documentation at the end of the project.	Throughout Construction	LOCSD	Memos and print announcements filed with LOCSD and/or photo records are considered sufficient documentation

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Air Quality				
Mitigation AQ-1.Equipment Emission Control Measures. The applicant shall fully implement CBACT for the highest emitting piece of diesel-fired heavy equipment used to construct each major component of the proposed project. It is expected that tandem scrapers or tracked tractors would be the highest emitters. CBACT includes: Fuel injection timing shall be retarded 1.5 to 2.0 degrees from the manufacturer's recommendation; High pressure fuel injectors shall be installed in all engines; Reformulated diesel fuel shall be used on the project site; Ceramic coating of the combustion chamber; Installation of catalytic converters; In addition, Caterpillar pre-chamber, diesel-fired engines (or equivalent low NO_x engine design) shall be used in heavy equipment used to construct the project to further reduce NO_x emissions. These requirements shall be noted on the grading plan and listed in the contractor and subcontractor contracts. If implementation of such measures is not feasible within the time-frame mandated for the proposed project, other vehicle fleets would be considered as alternatives, subject to APCD approval. At a minimum, if the above CBACT or an equivalent are not considered for mitigation, all heavy duty equipment operation onsite should have the timing retarded 4 degrees.	Verify that measures are included in contract documents and field check compliance	Contract Documents and Beginning of Equipment Use	LOCSD	None
Mitigation AQ-2.Dust/PM10 Control Measures. Dust generated by construction activities shall be kept to a minimum by full implementation of the following measures: During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease; During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the morning and after work is completed for the day and whenever wind exceeds 15 miles per hour; Stockpiled earth material shall be sprayed as needed to minimize dust generation; During construction, the amount of disturbed area shall be minimized, and onsite vehicle speeds should be reduced to 15 mph or less; Exposed ground areas that are planned to be reworked at dates more than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established; After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generation until the area is paved or otherwise developed so that dust generation will not occur; Grading and scraping operations shall be suspended when wind speeds exceed 20 mph (one hour average); All roadways, driveways, and sidewalks associated with construction activities should be paved as soon as possible. In addition, building and other pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Verify incorporation of identified measures in contract documents; perform one field check at each site (treatment and disposal) early in grading operations; cease grading during high winds	Contract Document Review/Beginning of Construction at Each Site	LOCSD	None

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation AQ-3. Odor Performance Standard. Neighbors of the Tri-W site shall be informed that odor nuisance complaints are to be directed to the APCD for documentation. Any odor complaints received by the County Engineering Department or plant staff shall be forwarded within one day of receipt to the APCD. The APCD will contact plant staff following each odor nuisance complaint to determine the nature and cause of the odor sources. The Los Osos Community Services District shall utilize a threshold of three nuisance complaints per year as a performance guideline with respect to odor generation. Should nuisance complaints exceed this number, the District shall assess odor levels at the treatment plant site. The assessment shall include the following: Utilization of a scentometer to assess odor concentration with respect to the BAAQMD dilution to threshold ratio (D/T ratio). This ratio indicates the number of equal volume dilutions to the point at which 50% of the population below the age of 45 first detects the odor. Regulation 7 adopted by the BAAQMD restricts the release of odorous substances to 4 D/T at the property line. If the D/T ratio exceeds the 4 D/T ratio threshold established by the BAAQMD, the district shall provide a letter report to the APCD summarizing the nature and cause of the odor source, the frequency at which this source has caused complaints in the past, the frequency at which this source is anticipated to occur, and a course of action to reduce onsite odor generation. Measures may include, but are not limited to, the following: Upstream addition of ferrous chloride to the influent stream to reduce septic conditions; Establishment of additional "negative air" containment areas; Additional treatment component enclosure, and; Installation of air flow baffles to improve odor dissipation.	Verify inclusion of "Odor Performance Standard" protocol in Standard Operating Procedures (SOP) for plant	Prior to Operation	LOCSD	The SOP for the plant will be developed prior to operation
Mitigation AQ-4 Activity management techniques. The following additional measures related to construction emissions shall be implemented: A comprehensive construction activity management plan designed to minimize the amount of large construction equipment operating during any given time period; Construction trips should be scheduled during non-peak hours to reduce peak hour emissions; The length of the construction work day period should be limited, if necessary; Construction activities should be phased if appropriate.	Verify inclusion of "activity management techniques" in contract documents; field verify implementation of management plan during construction	Prior to Construction (plan), during construction (verification)	LOCSD	None

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Noise				
Mitigation N-1: Construction will be limited to the hours of 7 a.m. to 6 p.m. on weekdays, and 8 a.m. to 5 p.m. on weekends.	Verify inclusion of limitation in contract documents	Construction Bid Documents	LOCSD	None
Mitigation N-2: The construction contractor shall agree to the following upon hire: • Equipment shall be fitted with mufflers, in good operating condition and fitted with factory standard silencing features; • A hauling route and staging plan shall be submitted to the LOCSD which is designed to minimize noise impacts with sensitive land uses; • When available and proper for the task, contractor shall use electric versus diesel equipment; • Portable noise barriers shall be employed where necessary to minimize noise impacts;	Verify inclusion of conditions in contract documents	Construction Bid Documents	LOCSD	None
Mitigation N-4: Design of the treatment plant shall incorporate housing for pumps, aerators and other accessories generating noise in excess of 50 dB Leq.	Verify presence of housing (where necessary) on plans	100% Construction Documents	LOCSD	None
Mitigation N-5: Operation and maintenance plans for the treatment facility will ensure that all pumps and aerators are kept in proper working order.	Include condition in SOP for plant	Prior to Operation	LOCSD	The SOP for the plant will be developed prior to operation
Public Health, Safety and Services				
Mitigation PS-1 Hazardous Materials Management Plan. A Hazardous Materials Management Plan shall be developed and submitted to the County of San Luis Obispo Health Department for approval. The plan shall identify hazardous materials utilized onsite and their characteristics; storage, handling and training procedures; and spill contingency procedures. Additionally, the Plan should address fuel storage at the pump station sites.	Verify submittal of plans for containment and spill prevention to the County Health Department for both construction and operational phases	Prior to Construction (Spill Prevention and Response) / Prior to Operation (HMMP)	LOCSD	None
Mitigation PS-2 Best Available Technology. Project implementation shall be designed to conform with energy efficiency requirements outlined in Title 24 of the California Code. To the extent feasible, design of the proposed project should incorporate best available technology for energy efficiency . Additionally San Luis Obispo County APCD recommends the following measures be implemented to further reduce or offset long term emissions: • Provide an on-site lunch room with refrigeration and food preparation (i.e., microwave) appliances to reduce daily trips to and from the treatment facility; • Use of double paned windows in office area where interior heating/air conditioning will occur; • Use of energy efficient interior lighting where applicable.	Verify compliance with Title 24 and APCD recommendations in 100% construction documents	100% Construction Documents	LOCSD	None
Mitigation PS-3 Prior to the operation of the wastewater treatment system, the Los Osos CSD shall either 1) secure a contract for bio-solids disposal with a land disposal or recycling facility or 2) construct a bio-solids recycling facility that satisfies Title 40, Section 503 of the Code of Federal Regulations.	Verify construction or contract	Prior to Operation of Treatment Facility	LOCSD	None

Mitigation Measures		Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation PS-4	The Los Osos CSD shall mitigate the potential temporary loss of water for fire fighting that may occur as a result of construction activities by either 1) acquiring a water tender, to the satisfaction of the Fire Chief, or 2) through some other equivalent means as determined by the Fire Chief and the CSD Board.	Verify mitigation of water loss and concurrence of Fire Chief	Prior to Construction	LOCSD.	The strategy used to mitigate loss of water must be documented, along with the approval of the Fire Chief
Mitigation PS-5	All contractors shall comply with relevant provisions of CAL-OSHA CAC Title 8 regarding the provision of safety and rescue equipment, to the satisfaction of the Fire Chief.	Document Fire Chief approval; include condition in contract documents	Prior to Construction / Contract Documents	Contractor / LOCSD	The contractor will be responsible for compliance and documentation of approval from the Fire Chief; LOCSD will be responsible for inclusion of the condition in the contract documents.
Visual Resources					
Mitigation AES-1:	Construction Staging Area. For all aspects of the project, construction staging areas shall be located away from sensitive viewing areas to the extent feasible. Before construction activities begin, an area for construction equipment storage away from direct views of sensitive viewing corridors (e.g. residences and major roads in the project area) shall be designated.	Include condition in contract documents; verify staging location on 100% construction documents	Contract Documents / Plan Check	LOCSD/Contractor	LOCSD is responsible for inclusion of the condition in the contract documents; the contractor is responsible for location of staging areas
Mitigation AES-2:	Conformance With County Development Standards. The final design and construction plans for the park and treatment plant site shall be consistent with relevant visual resource protection policies and standards of the San Luis Obispo County General Plan, Estero Area Plan, Coastal Zone Framework for Planning, and the Agriculture and Open Space Element.	Review construction documents for compliance with applicable development standards	Coastal development permit application plan submittal	LOCSD	None
Mitigation AES-3:	Landscaping Plan. A final landscaping plan shall be prepared for the entire project site and approved by the County prior to building permit issuance for the Tri-W site. Said landscaping plan shall emphasize native plant materials and shall include sufficient planting to screen views of the project from nearby roads and residential developments. The goal for the landscaping plan shall be to visually integrate the project into the community by creating a park-like setting, while preserving and enhancing existing views.	Review construction documents for complete landscaping plan and verify submittal to and approval of County Planning and Building staff	Coastal development permit application plan submittal	LOCSD	None
Mitigation AES-4:	Revegetation Plan. A revegetation plan shall be prepared to the satisfaction of the US Fish and Wildlife, California Department of Fish and Game and San Luis Obispo County for the 8-acre portion of the Broderson site that will be disturbed by the installation of the disposal leach fields. The plan shall be prepared by a qualified landscape architect and/or botanist and shall, to the extent feasible, restore the site to its condition prior to disturbance.	Review construction documents for a complete revegetation plan; verify approval by USFWS, CDFG, and County	Coastal development permit application plan submittal	LOCSD	Early consultation with the listed agencies will improve planning efficiency
Mitigation AES-5:	Lighting Plan. A final lighting plan shall be prepared for the treatment facility. The lighting plan shall meet County design standards. This shall include proper shielding, proper orientation and applicable height standards.	Review construction documents for inclusion of lighting plan; verify consistency with County design standards	Coastal development permit application plan submittal	LOCSD	None

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Biological Resources				
Mitigation BIO-1. Where construction will necessitate disturbance in undeveloped lots, wetlands and other potentially sensitive areas, a pre-construction survey will be conducted to assess and minimize any potential impacts.	Prior to onset of work in any area where these resources may be present (i.e., wetlands, eucalyptus, coastal scrub) provide and document a pre-construction survey by a qualified biologist	As needed prior to beginning of construction	LOCSD	Location of areas where these resources may be present has been documented in the EIR
Mitigation BIO-2. Loss of Wintering Monarch Butterfly Roost Sites. The project proponent shall avoid habitat where feasible. A qualified monarch butterfly specialist will conduct preconstruction surveys for the monarch butterfly during the months of October to February. Potential roost sites that could be affected during construction will be fenced.	Eucalyptus stands of more than 1 or 2 trees shall be surveyed for Monarch butterfly during the specified time by a qualified biologist; documentation of these surveys and any action taken will be kept in the project file	As needed prior to construction	LOCSD	None
Mitigation BIO-3. Loss of Raptor Habitat. The project proponent will conduct a preconstruction survey for nesting raptors. Depending on the timing of construction, the project proponent will conduct a preconstruction survey during spring or early summer (April to early July) to determine whether nesting raptors or species protected by State and/or Federal law are present on or within the project area. Winter surveys are also recommended and should be done by a qualified wildlife biologist. If the survey results indicate that nesting raptors or protected species are present on or within the project area, the nest tree or area will be fenced or otherwise demarcated and a 500-foot no-disturbance buffer will be established until the nesting activity is completed and the young have fledged. The distance and placement of the buffer area will be determined in consultation with the CDFG. Only after nesting activities have ceased will construction be allowed to continue. All potentially suitable nesting trees will be removed prior to the breeding season.	Where tall trees are present, a raptor survey will be performed and documented by a qualified biologist; documentation of any activity taken (including fencing of inhabited areas) shall be documented and monitored by a qualified biologist	As needed prior to construction	LOCSD	None

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation BIO-4 Mitigate for Loss of Coastal Scrub Habitat. Agency Consultation/Permitting. Project implementation would result in direct or indirect disturbance or potential take of several federal and state listed species. Project implementation would require authorization for this disturbance or potential take from both the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). Authorization requirements are outlined below:	Obtain biological opinion from USFWS in accordance with Section 7 of Endangered Species Act;	Prior to construction		
A. USFWS. Authorization for take by USFWS would require formal consultation with USFWS pursuant to section 7 of the Endangered Species Act.				
B. CDFG. Authorization for take by CDFG would require a Memorandum of Understanding (MOU) and Management Authorization (MA) pursuant to Section 2050 et seq. of the California Fish and Game Code. Development of a MOU/MA would be based upon the Section 7 USFWS consultation discussed above.	Obtain authorization for take from CDFG through MOU;	Prior to construction		
C. Acquire Additional Habitat. As part of the consultation efforts described above, the District will acquire additional habitat sufficient to compensate for the loss of habitat of the Morro shoulderband snail, Morro Bay kangaroo rat, Morro Bay blue butterfly, and other species dependent upon the coastal scrub habitat due to the direct impacts of the project. The land acquired should have the following qualities:	Verify purchase (deed or execution of contract for sale) of suitable mitigation land;	Prior to construction		
▯ The land should be a parcel or group of parcels containing approximately 40 acres. The preferred site for mitigation is the northerly Broderson parcels.				
▯ The land should be habitat in or contiguous to the proposed critical habitat area as designated by the USFWS. Ideal land that meets this criteria is located around the community of Los Osos in the area studied for the greenbelt program by the Land Conservancy.				
▯ Any disturbed portion of the land should be capable of restoration to a native habitat. This would mean that the soils have not been removed or fill placed on the site that are unsuitable for the native plantings (other than small amounts). The land should be free of structures or debris, or capable of being cleared of any structures.				
▯ The land should have primarily aeolian sand deposits; be in a stabilized condition (not mobile); have an open canopy; be of the appropriate aspect and other meteorological conditions.				
▯ The land should be granted to an appropriate agency or conservation organization in perpetuity with deeded guarantees of non-development or transfer (unless to another like organization). The protection of the land may allow for some passive public activities, such as hiking, scientific investigation, and low-impact education.				

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
D. Restoration. After securing the land, the District should restore the land so that it functions as suitable habitat for many of the local species of plants and wildlife described in this EIR whose existence is endangered or of concern. One of the benefits of this mitigation approach is that a single program will mitigate the impacts to all or most of the species described in the setting section. Restoration of the land should include the following: 0 Removal of invasive exotic plant species. This may mean removal of all plants by grading, or a program of hand labor, depending upon the condition of the land. If the amount of invasives is relatively small, the work should leave as much of the existing native vegetation intact. 0 Removal of structures or debris. 0 Regrading of any unnatural mounds, holes or berms previously created on the site. 0 A planting program of a mixture of indigenous plant species that serve to restore the site and serve multiple species' needs, especially the Morro shoulderband snail, Morro Bay blue butterfly, Black legless lizard, and potential future re-introduction of the Morro Bay Kangaroo Rat. This will include Dune Lupine for the Morro Bay blue butterfly. The final planting program should be developed in consultation with CNPS, CDFG and USFWS. 0 An ongoing maintenance and observation program.	Prepare restoration plan; implement plan	Prior to construction (plan), implementation (during and after construction)	LOCSD	
Mitigation BIO-5 Minimize Disturbance of Coastal Scrub, Chaparral, and Coast Live Oak Woodland Habitats Located Around the Perimeter of the Leach Field Sites During Construction. Minimize, to the extent feasible, the amount of disturbance of land beyond the actual area of development. This can be accomplished by identifying minimum activity area required, and establishing a physical construction limit beyond which equipment and storage of material would not extend. 0 Clearly identify and mark the perimeter of the proposed leachfield construction zone prior to and during construction onsite with highly visible temporary fencing. 0 Restrict the use of all heavy equipment and vehicles to areas located inside of the identified construction zone throughout the duration of construction. 0 Clearly identify and mark the proposed access route to the construction zone of the leachfield, and limit all construction traffic to areas located within the identified access route. 0 Leave areas of undisturbed habitat between portions of the leachfield, rather than clearing a single, contiguous area.	Verify that minimum activity area and limits of physical activity are identified on construction documents; field verify that routes and zones are marked and respected at least every three months during construction	100% Construction Documents / During Construction	LOCSD	Periodic inspection of construction activities will ensure compliance with mitigation goals

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation BIO-6 Relocate Sensitive Species. Qualified biologists should remove as many Morro shoulderband snails as practicable from any area of proposed disturbance. These should be relocated nearby to suitable habitat.	Provide removal and relocation of shoulderband snail immediately (within 1 day) prior to construction. Provide additional removal is work is suspended for a period of time and then resumes. Document all relocation and removal work in accordance with UWFWS guidelines.	Immediately Prior to Construction and if Construction is Suspended and then Resumes	LOCSD	Protocol for relocation is governed by the USFWS.
Mitigation BIO-7 Restore Sensitive Habitats Disturbed During the Construction Phase of the Leach Fields. Following completion of construction of the proposed leach fields, revegetate all areas located within or around the area that previously contained native vegetation and that were disturbed during construction. □ Revegetate only with appropriate indigenous native vegetation. At a minimum, the structure and composition of habitats restored should reflect pre-project site conditions or better. □ All exotics that escape cultivation should be removed on a regular basis. □ All plantings should be grown from native parent stock collected onsite, and will be propagated by a native plant nursery specialist. In addition, the health and maintenance of all replacement vegetation should be monitored for a sufficient duration and frequency to ensure successful establishment of the vegetation.	Verify presence of revegetation plan on construction documents; include conditions for native plant selection in contract documents; document revegetation efforts. Retain a qualified botanist to monitor yearly for a period of at least five years or until vegetation is established and shows signs of reproducing.	Construction Documents/Contract Documents/Immediately after Revegetation/Ongoing for Five Years or Until Vegetation is Established and Reproducing	LOCSD	Establishment of the vegetation shall be considered complete when it has achieved 80% coverage and shows signs of reproduction. Other criteria specified by the botanist shall be considered in the determination of establishment.
Mitigation BIO-8 Control Introduction of Invasive Exotic Plants. To control introduction of invasive exotic plants on site, implement the following measures during construction and incorporate into the design guidelines of the proposed leach fields, as appropriate. □ Use only clean fill material (free of weed seeds) within the construction zone of the proposed project. □ Thoroughly clean all construction equipment prior to being moved onto and used at the site. □ Prohibit planting or seeding of disturbed areas with nonnative plant species; □ Control the establishment of invasive exotic weeds in all disturbed areas.	Verify that identified conditions are incorporated into the contract documents; conduct and document surveys for presence of invasive exotic weeds concurrently with revegetation surveys	Contract Documents/Ongoing Concurrent with Revegetation Surveys above	LOCSD	Lists of invasive exotic weeds are available from the California Native Plant Society and other similar sources

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation BIO-9 Avoid or Minimize Disturbance of Special-Status Plants Located Within and Adjacent to the Perimeter of the Project Site Construction Zone. Implement the following measures prior to and during construction to avoid or minimize unnecessary disturbance of special-status plants occupying the vicinity of the project site. □ Retain a qualified botanist to conduct focused surveys for special-status plant species during the appropriate flowering periods for the various species that are known to occur or have potential to occur within the construction zone of the project site, based on the presence of suitable habitat. □ Clearly map and identify each individual or groups of special- status plants observed during the focused survey with highly visible flagging. Morro Manzanita located in the southern portion of the Broderson site should be marked with highly visible flagging and completely avoided. □ Provide instruction to construction personnel on avoiding unnecessary disturbance of areas marked with flagging and identify the locations of all groups of special-status plants. □ Transplant Individual Special-Status Plants Located With the Construction Zone of the Leach Fields. Individual special-status plants that are identified as occurring within the proposed construction zone should be identified. If it is determined that avoidance or disturbance of the identified plants is not feasible, implement transplanting operations for the identified species. It should be noted that the success of transplanting is highly dependent on the specific taxon. Transplanting of some species currently occupying the site may not be as successful as for others, or may fail entirely. Therefore, prior to implementing these operations, previous case studies should be researched to determine which plants are expected to have reasonable opportunities for survival following transplantation, and determine which techniques have been successful previously. If transplanting is then determined to be a viable option for some identified special-status plants, implement the following measures: 1.Avoid disturbance of the root system of each plant during transplanting. 2.A plant should only be moved to a habitat that contains site conditions similar to the location previously occupied by each plant. 3. Closely monitor the success of transplanted species.	Verify botanical surveys, identify sensitive plants, and instruct personnel. Document transplant of species and conduct success evaluations concurrent with revegetation surveys outlined in BIO-8, above. Success will be defined as reproduction of at least 3:1, among other criteria suggested by the botanist.	Prior to Construction (survey)/Ongoing for Five Years or Until Success Criteria is met (monitoring)	LOCSD	Guidelines for the translocation of sensitive plants will be provided by the USFWS and or CDFG as part of agency consultation and project approval
Mitigation BIO-10. Avoid or Compensate for Loss of Morro Bay Kangaroo Rat Habitat. Due to the limited and localized distribution of the Morro Bay kangaroo rat, the project proponent will make every effort to avoid the loss of suitable Morro Bay kangaroo rat habitat. Preconstruction surveys will be conducted by a qualified wildlife biologist. These surveys may include a combination of techniques. The project proponent will work with CDFG and USFWS to determine the best means of surveying for the kangaroo rat. The project proponent will compensate for loss of habitat in an area within the limited range of the Morro bay kangaroo rat and of equal or better quality than the habitat that will be impacted (see Mitigation BIO-4). The project proponent shall ensure that the site is not adversely affected by human disturbance, domestic animal disturbance, or the use of substances toxic to the Morro Bay kangaroo rat.	Conduct pre-construction survey by qualified biologist; verify avoidance of habitat where feasible; mitigate for potentia loss of habitat in accorance with Mitigation BIO-4, as described above.	Prior to construction	LOCSD	

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation BIO-11. Avoid the Loss of Wintering Monarch Butterfly Roost Sites. The project proponent shall avoid habitat. A qualified monarch butterfly specialist will conduct preconstruction surveys for the monarch butterfly within 0.5 miles of the proposed access road and groundwater injection sites. Potential roost sites that could be affected during construction will be fenced.	Verify that pre-construction surveys have taken place and that fences are erected and respected (concurrent with other barrier inspections at least once every three months throughout construction)	Prior to Construction/Ongoing throughout Construction at least once every three months	LOCSD	None
Mitigation BIO-12. Avoid or Compensate for Loss of Morro Bay blue Butterfly Habitat. Where feasible, the project proponent will avoid Morro Bay blue butterfly habitat. Surveys for Morro Bay blue butterfly presence will be conducted by a qualified wildlife biologist in late April or early May. If the habitat is likely to be disturbed during construction, fencing will be placed around areas of suitable habitat. Where avoidance is not feasible, the project proponent, will compensate for the loss of potential Morro Bay blue butterfly habitat by setting aside an area of equal or better quality than the habitat to be impacted (see Mitigation BIO-4). The project proponent will ensure that the compensation area is not adversely affected by human disturbance, vandalism, off-road vehicle use, or pesticide application. Selection of a specific compensation site will be made by mutual agreement between the project proponent, the California Department of Fish and Game, the United State Fish and Wildlife Service, and the agency or entity responsible for managing the compensation site.	Verify preparation of field survey as described; incorporate mitigation in construction documents	Prior to Construction	LOCSD	
Mitigation BIO-13. Avoid Loss of Nesting Raptor Habitat. The project proponent will conduct a preconstruction survey for nesting raptors. Depending on the timing of construction, the project proponent will conduct a preconstruction survey during spring or early summer (April to early July) to determine whether nesting raptors or species protected by State and/or Federal law are present on or within the project area. Winter surveys are also recommended. If the survey results indicate that nesting raptors or protected species are present on or within the project area, the nest tree or area will be fenced or otherwise demarcated and a 500-foot no-disturbance buffer will be established until the nesting activity is completed and the young have fledged. The distance and placement of the buffer area will be determined in consultation with the CDFG. Only after nesting activities have ceased will construction be allowed to continue. Nesting habitat will be marked and avoided during construction and operation activities of the proposed project.	Refer to Mitigation BIO-4	See BIO-4, above	LOCSD	
Mitigation BIO-14. Avoid or Compensate for Loss of Morro Bay Kangaroo Rat Habitat. Due to the limited and localized distribution of the Morro Bay kangaroo rat, the project proponent will make every effort to avoid the loss of suitable Morro Bay kangaroo rat habitat. Preconstruction surveys will be conducted by a qualified wildlife biologist. The project proponent will work with CDFG and USFWS to determine the best method of survey for this species. Where avoidance is not feasible, the project proponent will compensate for loss of habitat in an area within the limited range of the Morro bay kangaroo rat and of equal or better quality than the habitat that will be impacted. (See Mitigation BIO-4) The project proponent shall ensure that the site is not adversely affected by human disturbance, domestic animal disturbance, or the use of substances toxic to the Morro Bay kangaroo rat. Selection of a compensation site will be made by mutual agreement of the project proponent, CDFG, USFWS, and the entity or agency responsible for managing the compensation site.	Document pre-construction surveys prepared by qualified biologist; confirm compensation site as needed in writing with USFWS and CDFG.	Prior to construction	LOCSD, USFWS and CDFG	

Mitigation Measures	Specific Monitoring Action(s)	Timeframe for Monitoring	Responsible Monitoring Party	Discussion
Mitigation BIO-15 Compensate for loss of habitat at the Powell or Eto leach field site. The proponent shall acquire land between one to two as much taken for the designed area of the leach fields. The approach to this mitigation will be the same as described in BIO-4.	(See Mitigation BIO-4, above)	(See Mitigation BIO-4, above)	LOCSD, USFWS, CDFG	
Mitigation BIO-16 The LOCSD, in conjunction with the California Department of Fish and Game (CDFG), the US Fish and Wildlife Service (USF&WS), San Luis Obispo County and the California Coastal Commission shall prepare and implement a Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) for the long-term preservation of habitat remaining within the Los Osos Greenbelt, including habitat remaining on individual vacant lots. The HCP/NCCP shall identify the habitat resources and the quality of those resources on the remaining vacant properties within the Greenbelt. The range of potential conservation programs to be considered in the HCP/NCCP shall include, but not be limited to the following: ▯ The identification of policies and programs to be incorporated into the Estero Area Plan aimed at the long-term preservation of sensitive biological resources in the Los Osos area; such policies and programs may include: – Transfer of development credits – Clustering – Avoidance of sensitive resources in site design – Changes in density and land use – Incorporation of open space into the design of new development ▯ Programs aimed at facilitating coordination among agencies and organizations involved in management and conservation/preservation of sensitive resources, including USF&WS, CDFG, California Coastal Commission, San Luis Obispo County, the LOCSD, MEGA, NEP, Land Conservancy of San Luis Obispo County, and others; ▯ The creation of a landbank program to facilitate the purchase of properties with high quality habitat within the Greenbelt, to be repaid over time from fees on new building permits; ▯ Programs for the acquisition of properties within the Greenbelt with significant habitat resources;	Prepare HCP prior to Coastal Development Permit application. Implement HCP following approval by USFWS and CDFG	Prior to CDP, application (HCP); Ongoing following approval (implementation);	LOCSD, USFWS, CDFG	

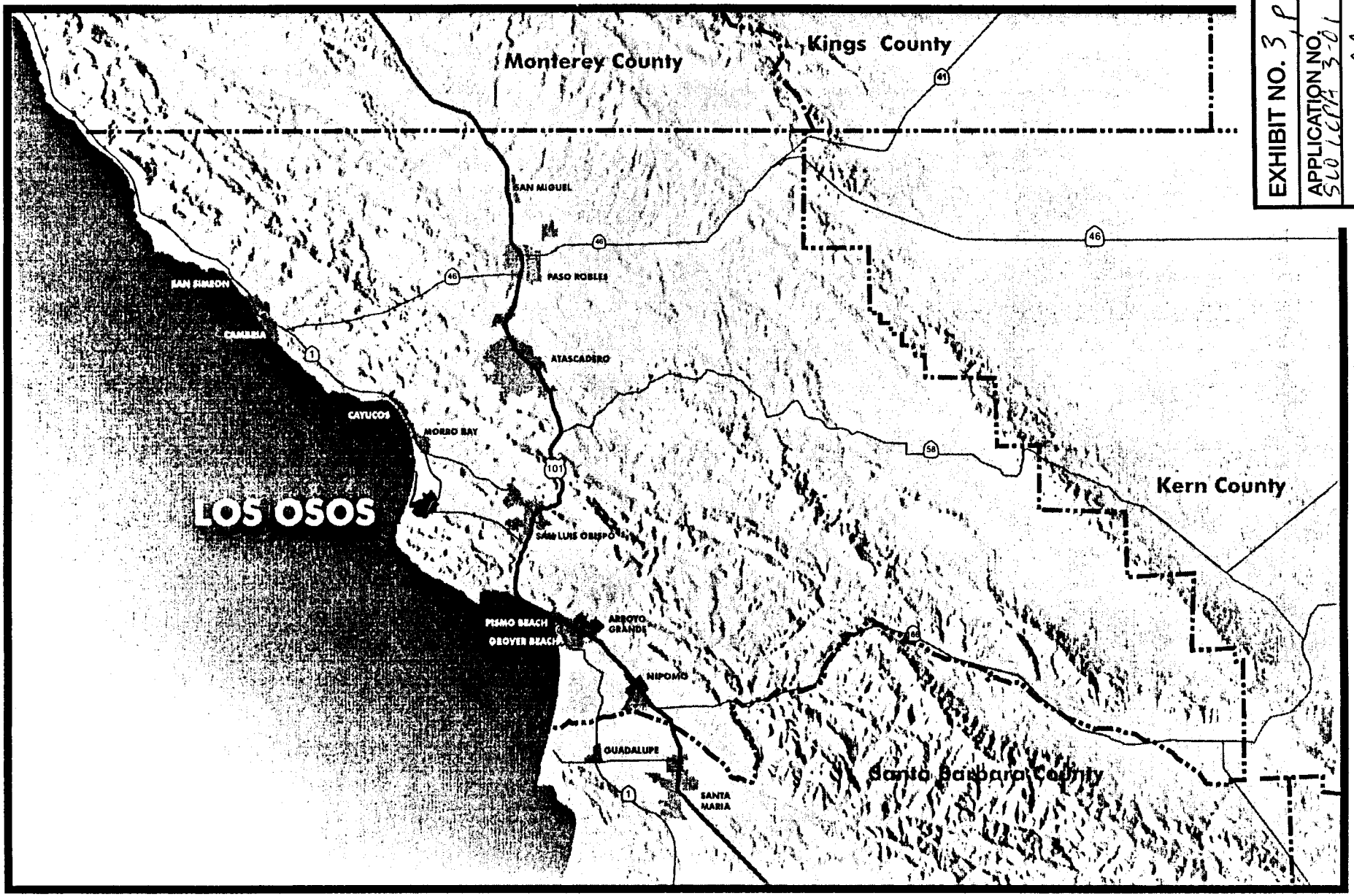

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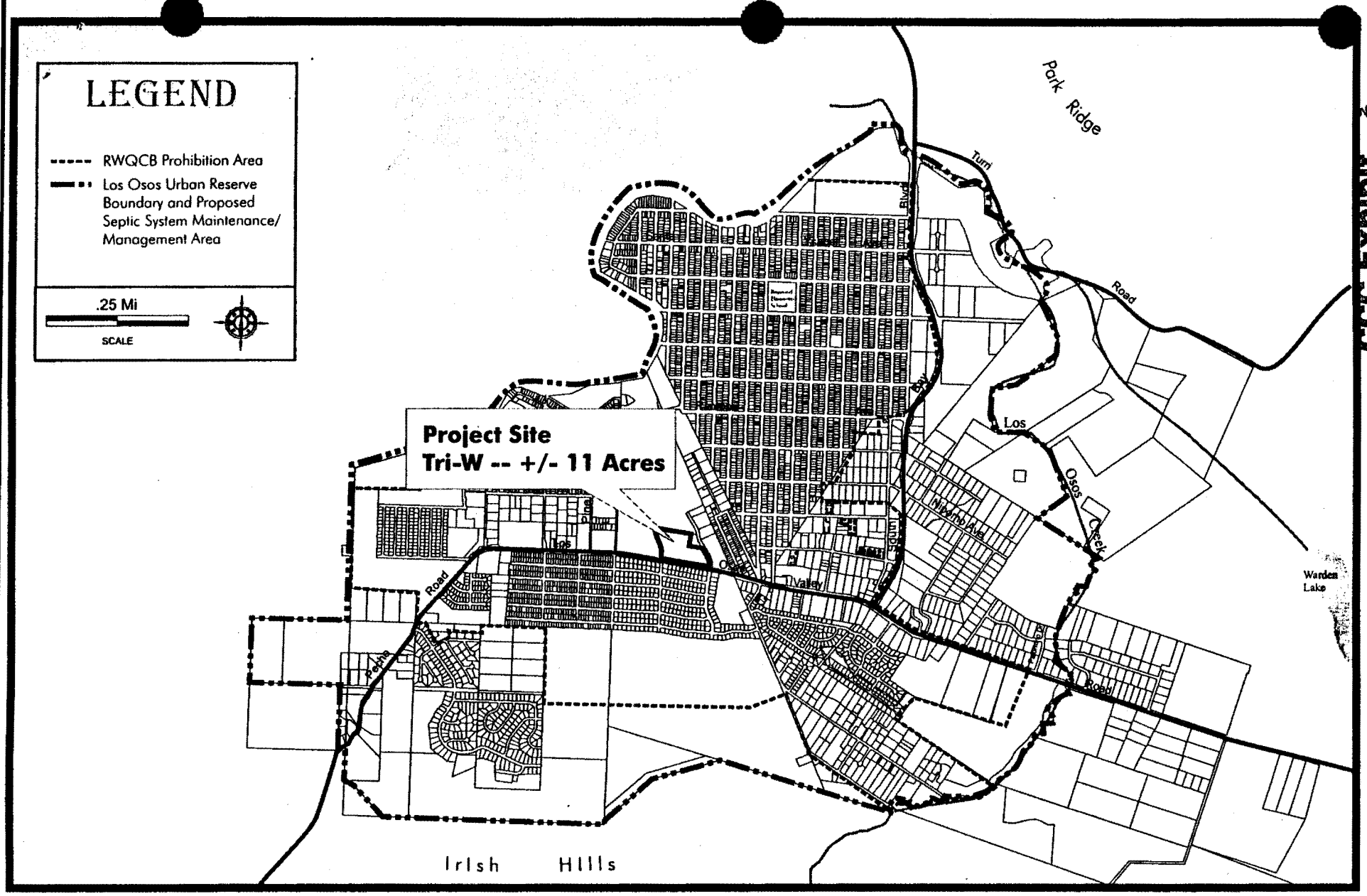
Figure 1-3 -- County Location



CCC EXHIBIT 3 (page 2 of 2 pages)

LOS OSOS COMMUNITY SERVICES DISTRICT
WASTEWATER FACILITIES PROJECT

Figure 3-4
Treatment Plant Site

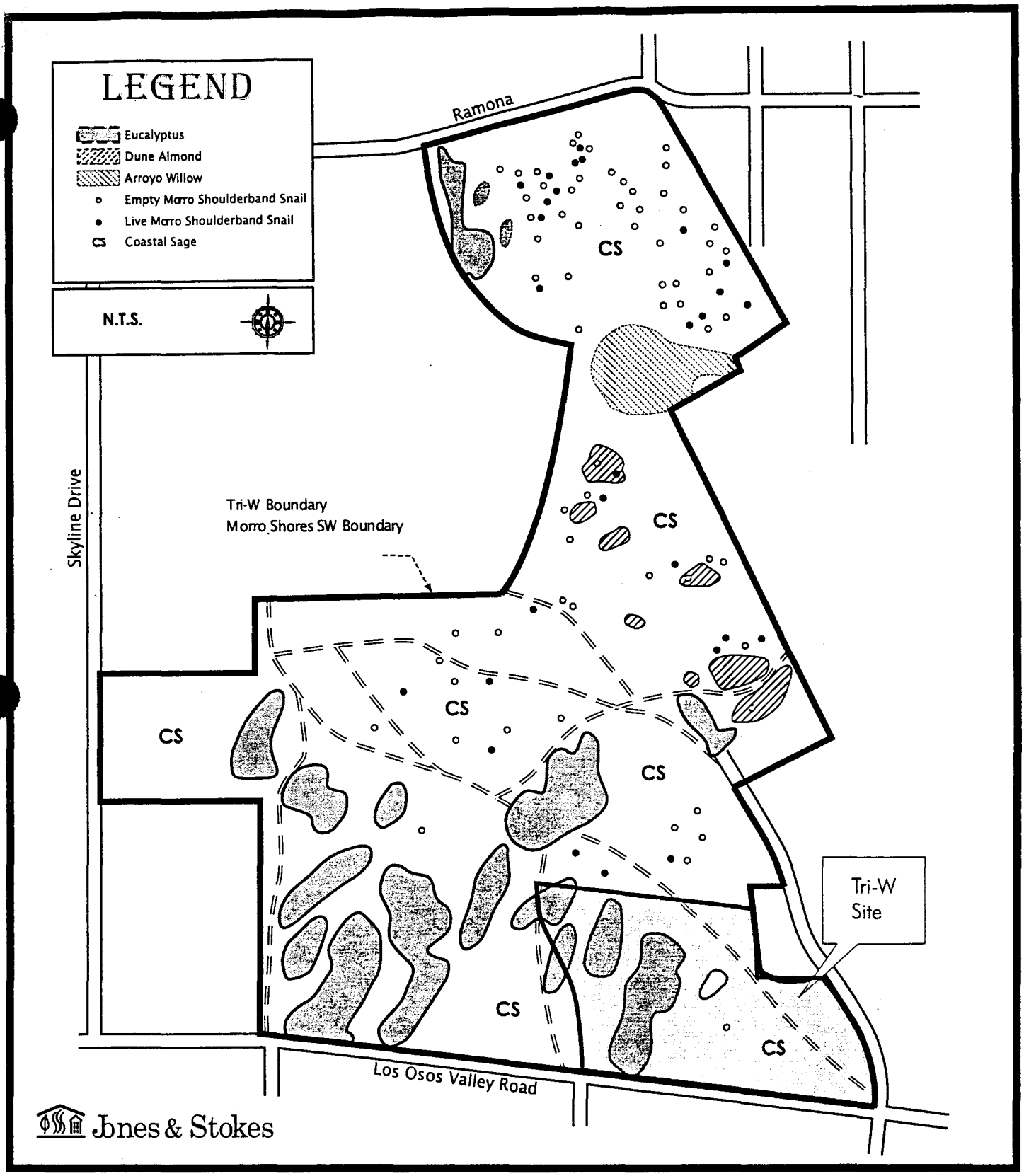


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EXHIBIT NO. 4
APPLICATION NO. SLO LCPA 3-01
Habitat Types at the Tri-W site

Figure 6.11-2
General Habitat and Sensitive Species Map
Morro Shores and Tri-W