Figure 1 Regional Vicinity Map

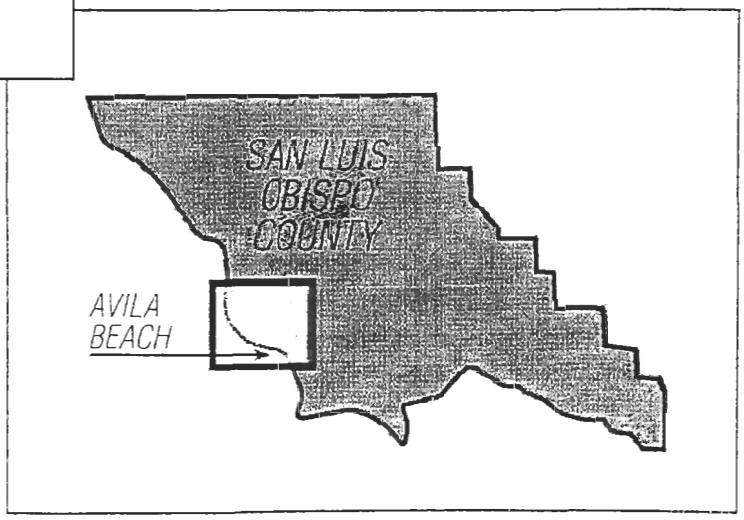

Figure 2 Local Vicinity Map

CCC Exhibit A
(page 1 of 1 pages)

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LCP #1-05 (PART 1)
PORT SAN LUIS OBISPO HARBOR DISTRICT

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(page 1 of 47 pages)

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SUPPLEMENT TO LCP #1-05 (part 1)
PORT SAN LUIS OBISPO HARBOR DISTRICT

A. INTRODUCTION

The following is meant to supplement the county's amendment submittal LCP #1-05 and provide the information required by Sections 13551-13554 of the Commission's regulations.

B. SUBMITTAL REQUIREMENTS OF SECTIONS 13551-13552 OF TITLE 14, OF THE CALIFORNIA ADMINISTRATIVE CODE

1. Section 13551 - Local Government Resolution:

Attached is the formal resolution of submittal to your Commission. By long-standing Board of Supervisors policy, the county expects that the amendment will be processed pursuant to Section 13551(b)(2), as an amendment that will require formal local adoption after Coastal Commission approval. This is stated also in our cover letter for this submittal package.

2. Section 13552 - Contents of LCP - Amendment Submittal:

a. Summary of measures taken to provide maximum public input on the process:

The county carefully followed Section 13515 and 13552 in the preparation, distribution and publication of public hearing notices. Notice of the public hearing appeared in the "The Tribune", a daily newspaper of general circulation serving County of San Luis Obispo, on March 7, 2005. In addition, the draft amendment was made available at the County Department of Planning and Building. Planning Commission staff reports were made available at the County Department of Planning and Building and on the department website. The Planning Commission held a public hearing on March 24, 2005 in the County Government Center, San Luis Obispo, which is accessible to all areas of the Coastal Zone.

Notice of the Board of Supervisors public hearing appeared in the "The Tribune" a daily newspaper of general circulation serving San Luis Obispo County, on June 3, 2005. Attached is our LCP mailing list comprised of media, libraries, federal, state, local agencies, interested persons and others. Public notice for the Board of Supervisors hearing was mailed to all persons on the mailing list May 17, 2005. The Board of Supervisors public hearings were held on June 14, 2005 in the County Government Center, San Luis Obispo, which is accessible to all areas of the Coastal Zone. On June 14, 2005, the Board of Supervisors adopted the ordinance approving these amendments for submittal to the Coastal Commission.

b. Related policies, plans, etc. to the amendment are provided:

LCP #1-05, consists of amendments to the Local Coastal Program. The proposed amendments are submitted as approved by the Board of Supervisors in a clearly understandable and reproducible format and consist of amendments to modify the San Luis Bay Area Plan to incorporate relevant provisions of the recently updated Port Master Plan, change the Land Use Category of the Cal Poly Pier from Industrial to Public Facilities, and change the Land Use Category of three leasehold sites totaling 12.03 acres within the Harbor Terrace planning sub-area from Agriculture to Public Facilities and include them within the URL/USL. Copies of the May 2004 Port Master Plan, May 2004 Port Master Plan Appendices, April 2004 Port Master Plan Final EIR, and the April 2004 Port Master Plan Responses to Comments, Findings of Fact and Statement of Overriding Considerations are attached.

This amendment does not propose changes to the Coastal Plan policies of the Local Coastal Plan Policy Document.

c. Discussion of relationship to, and affect on, other sections of the LCP:

These amendments do not affect any other goals, policies and standards of the Coastal Act, and the Land Use Element and Local Coastal Plan.

d. The requirements of Section 13552 -- common methodology:

This amendment does not affect the common methodology under which our Local Coastal Program was found consistent and certified by the Coastal Commission, since the amendment is consistent with the policies of Chapter 3 of the Coastal Act.

e. CEQA documents:

The amendments are consistent with the previously certified EIR for the Port San Luis Harbor District Port Master Plan and Negative Declaration for a Local Coastal Plan Amendment with the Port Harbor District acting as the lead agency under CEQA.

f. An indication of zoning measures:

The policies and standards of the Land Use Element and Local Coastal Plan and other CZLUO standards are unaffected. This amendment is consistent with LCP policies and no alterations to the Coastal Plan policies are necessary to achieve internal consistency.

3. Summary of Contents

Attached are the minutes from the Board of Supervisors public hearing on these amendments. The minutes include all testimony received and response to he testimony.

c. CHECKLIST OF SUBMITTAL CONTENTS

1. Required Material

   a. Transmittal letter.

   b. Supplement to LCP #1-05 (part 1) -- How submittal meets the requirements of California Administrative Code Section 13551-13554.

   c. Minutes of Board of Supervisors meetings.

   d. Board of Supervisors adopted resolution

   e. LCP mailing list, copy of public notices mailed and published.

2. Text Materials

   a. Planning Commission resolution reflecting their action.

   b. The Planning Commission Staff Reports.

   c. Letters received during public hearings

MINUTES OF BOARD OF SUPERVISORS MEETINGS

CCC Exhibit B
(page 5 of 47 pages)

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, June 14, 2005

PRESENT: Supervisors Harry L. Ovitt, Jerry Lenthall, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Shirley Bianchi

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ABSENT: None

In the matter of General Plan Amendments and **RESOLUTION NO. 2005-177:**

This is the time set for hearing (introduced on June 7, 2005) to consider a resolution amending ordinances to Title 22 - Land Use Ordinance and Title 23 – Coastal Zone Land Use Ordinance, Port San Luis Harbor District, Monterey Co. Water Resources and Sejera; All Districts. (This item was amended at the beginning of the meeting to include pages that were inadvertently left out starting after page C-4-34.)

Ms. Kami Griffin: Planning, speaks to the pages that were missing from the staff report and states if the Board wishes they can take public testimony on the items and continue this to June 28, 2005 for final action.

Ms. Martha Neder: Planning, presents the first item **LRP2004-00003 - Port San Luis Harbor District** and outlines the request to incorporate relevant provisions of the recently updated Port Master Plan; presents overheads and photographs of the area; outlines the proposed changes to the District-wide Goals and Policies; addresses the proposed changes to the map for the area and the changes to the Urban Reserve and Urban Service Lines.

Supervisor Ovitt: states that all the information for this request was presented when this was introduced and doesn't see any reason to not approve it today.

Ms. Griffin: states that the information that was missing from the Board's packet today was the Planning Commission actions and reports.

Ms. Neder: addresses a correction to Page C-4-57 (page 20 of the attachment to the resolution) #7 Parking Standards that needs to be amended to strike the first sentence that reads "Maintain a minimum of 300 parking spaces in the Avila parking lot for public beach and pier parking."

Mr. Jay Elder: Port San Luis Harbor Manager, speaks in support of the staff recommendation; asks the Board to not delay this but approve it today; introduces the Harbor Commissioners that are present today and the designer for the project; thanks Ms. Neder for all her help.

Ms. Karla Bittner: representing the Avila Valley Advisory Committee, speaks in support of this proposal.

Ms. Griffin: suggests the Board should take tentative action on each of the items.

Supervisor Patterson: indicates he is prepared to act on the items that are before the Board today.

Thereafter, on motion of Supervisor Lenthall, seconded by Supervisor Achadjian and on the following roll call vote:

AYES: Supervisors Lenthall, Achadjian, Ovitt, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

the Board tentatively approves LRP2004-00003, Port San Luis Harbor District as recommended by the Planning Commission with the amendment to #7 Parking Standards is amended to strike the first sentence that reads "Maintain a minimum of 300 parking spaces in the Avila parking lot for public beach and pier parking."

CCC Exhibit B
(page 6 of 47 pages)

Ms. Neder: presents the staff report for **LRP2004-00011, Monterey County Water Resources Agency (MCWRA)** to change an approximate 40 acre portion of an approximately 430 acre site from Open Space to Rural Lands; states the purpose of this is to facilitate a land transfer between the MCWRA and a private land owner.

No one appearing and thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and on the following roll call vote:

AYES: Supervisors Ovitt, Achadjian, Lenthall, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

the Board tentatively approves LRP2004-000111, Monterey County Water Resources Agency as recommended by the Planning Commission.

Mr. Brian Pedrotti: Planning, presents the staff report for **G030009M, Caroline Sejera,** for an amendment to the South County (Inland) Area Plan to change the land use category from Agriculture to Residential Rural on 1.5 acre portion of a 30 acre parcel and to amend the Ag & Open Space Element land use map by changing the land use designation from Ag to Small Lot Rural.

No one appearing and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Lenthall and on the following roll call vote:

AYES: Supervisors Achadjian, Lenthall, Ovitt, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

the Board tentatively approves G030009M, Sejara as recommended by the Planning Commission.

Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Lenthall and on the following roll call vote:

AYES: Supervisors Ovitt, Lenthall, Achadjian, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

RESOLUTION NO. 2005-177, resolution to amend the San Luis Obispo County General Plan, Land Use Element /Local Coastal Plan, the Land Use Ordinance, Title 22 of the County Code, Coastal Zone Land Use Ordinance and Title 23 of the County Code and to adopt ordinances entitled "an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040F relating to the Sejera Property," and "an ordinance amending specific sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code" and to approve environmental documents, adopted as amended by prior Board action.

cc: Planning (2); 8/4/05 vms

STATE OF CALIFORNIA)
) ss.
County of San Luis Obispo)

I, **JULIE L. RODEWALD**, County Clerk and Ex-Officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of the said Board of Supervisors, affixed this 4th day of August, 2005.

(SEAL)

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By Vicki McKelly
Deputy Clerk

CCC Exhibit B
(page 7 of 47 pages)

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, June 14, 2005

PRESENT: Supervisors Harry L. Ovitt, Jerry Lenthall, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Shirley Bianchi

ABSENT: None

In the matter of **ORDINANCE NO. 3068:**

Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Lenthall and on the following roll call vote:

AYES: Supervisors Ovitt, Lenthall, Achadjian, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3068, an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040F relating to the Sejera Property, adopted.

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cc: Planning
8/4/05 vms

STATE OF CALIFORNIA)
) ss.
County of San Luis Obispo)

I, **JULIE L. RODEWALD**, County Clerk and Ex-Officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of the said Board of Supervisors, affixed this 4th day of August, 2005.

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the Board of Supervisors

(SEAL)

By Vicki M Melly
Deputy Clerk

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(page 8 of 47 pages)

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ORDINANCE NO. 3069

AN ORDINANCE AMENDING SPECIFIC SECTIONS OF THE SAN LUIS OBISPO COUNTY LAND USE ORDINANCE, TITLE 22 OF THE COUNTY CODE, AND THE SAN LUIS OBISPO COUNTY COASTAL ZONE LAND USE ORDINANCE, TITLE 23 OF THE COUNTY CODE

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: The amendments to the text of Parts I and II of the Land Use Element of the San Luis Obispo County General Plan and the amendments to the official Land Use Element maps adopted by Board of Supervisors Resolution No. 2005 - 177 are hereby adopted and included as part of this ordinance and Section 22.01.030 of the Land Use Ordinance as though they were fully set forth herein.

SECTION 2: The amendments to the text of Parts I and II of the Land Use Element of the San Luis Obispo County General Plan and the amendments to the official Land Use Element maps adopted by Board of Supervisors Resolution No. 2005 - 177 are hereby adopted and included as part of this ordinance and Section 23.01.022 of the Coastal Zone Land Use Ordinance as though they were fully set forth herein.

SECTION 3: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one of more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

SECTION 5: Section 2 of this ordinance shall become operative immediately only upon approval by the California Coastal Commission and upon acknowledgment by the San Luis Obispo Board of Supervisors of receipt of the Commission's resolution of certification.

CCC Exhibit B
(page 10 of 47 pages)

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California on the fourteenth day of June, 2005, by the following roll call vote, to wit:

AYES: Supervisors Harry L. Ovitt, Jerry Lenthall, K.H. 'Katcho' Achadjian, James R. Patterson, Chairperson Shirley Bianchi

NOES: None

ABSENT: None

ABSTAINING: None

SHIRLEY BIANCHI

Chairman of the Board of Supervisors of the County of San Luis Obispo, State of California

ATTEST:

JULIE L. RODEWALD

County Clerk and Ex-Officio Clerk of the Board of Supervisors, County of San Luis Obispo, State of California

By: VICKI M. SHELBY Deputy Clerk

[SEAL]

ORDINANCE CODE PROVISIONS
APPROVED AS TO FORM AND CODIFICATION:

JAMES B. LINDHOLM, JR., County Counsel

By: _____
Deputy County Counsel

Dated: 5·24·05

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(page 11 of 47 pages)

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IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

fourteenth day June, 2005

PRESENT: Supervisors Harry L. Ovitt, Jerry Lenthall, K.H. "Katcho" Achadjian, James R. Patterson and Chairperson Shirley Bianchi

ABSENT: None

RESOLUTION NO. 2005 - 177

RESOLUTION TO AMEND THE SAN LUIS OBISPO COUNTY GENERAL PLAN, LAND USE ELEMENT AND LAND USE ELEMENT/LOCAL COASTAL PLAN, THE LAND USE ORDINANCE, TITLE 22 OF THE COUNTY CODE, COASTAL ZONE LAND USE ORDINANCE, AND TITLE 23 OF THE COUNTY CODE AND TO ADOPT ORDINANCES ENTITLED "AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE SECTION 22.112.040F RELATING TO THE SEJERA PROPERTY", AND "AN ORDINANCE AMENDING SPECIFIC SECTIONS OF THE SAN LUIS OBISPO COUNTY LAND USE ORDINANCE, TITLE 22 OF THE COUNTY CODE AND THE SAN LUIS OBISPO COUNTY COASTAL ZONE LAND USE ORDINANCE, TITLE 23 OF THE COUNTY CODE" AND TO APPROVE ENVIRONMENTAL DOCUMENTS

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on September 22, 1980, and is a proper element of the General Plan; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general and specific plans be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after noticed public hearings did recommend amendments to the Land Use Element, the Land Use Element/Local Coastal Plan, the Land Use Ordinance-Title 22 of the County Code, and the Coastal Zone Land Use Ordinance - Title 23 of the County Code, adopted resolutions or otherwise took action recommending said amendments;

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the fourteenth day of June, 2005, that the County General Plan, Land Use Element, the Land Use Element/Local Coastal Plan, the Land Use Ordinance - Title 22 of the County Code, and the Coastal Zone Land Use Ordinance - Title 23 of the County Code, be amended as follows:

1. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, San Luis Bay Area Plan, as appears on Exhibit LRP 2004-00003:C which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

2. Amend the San Luis Obispo County General Plan, Land Use Element/Local Coastal Plan, San Luis Bay Area Plan, official maps, as appears on Exhibits LRP 2004-00003:D and E which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

3. Amend the San Luis Obispo County General Plan, Land Use Element, Nacimiento Area Plan, official maps, as such amendment appears on Exhibit LRP 2004-00011:A, attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

CCC Exhibit B
(page 12 of 47 pages)

4. Amend the San Luis Obispo County General Plan, Land Use Element, South County Area Plan, official maps, as such amendment appears on Exhibit G030009M:A, attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

5. Amend the San Luis Obispo County General Plan, Agriculture and Open Space Element, official maps, as such amendment appears on Exhibit G030009M:C, attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

6. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance Amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040F relating to the Sejera Property" as set forth in Exhibit G030009M:B which is attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

7. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance Amending Specific Sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code" which is attached hereto and incorporated herein as though fully set forth

BE IT FURTHER RESOLVED AND ORDERED that the environmental documents for the above enacted amendments be approved as follows:

1. Regarding the amendments that were processed on the basis of a proposed Negative Declaration, the Board of Supervisors reviewed and considered the proposed Negative Declarations together with all comments received during the public review process prior to enacting the amendments. Further, on the basis of the initial studies and comments received for the Negative Declarations, there is no substantial evidence that the amendments will have a significant effect on the environment, therefore the Board of Supervisors hereby adopts the Negative Declarations pursuant to the applicable provisions of the California Environmental Quality Act (CEQA). The Negative Declarations prepared reflect the independent judgement of the Board of Supervisors, acting as the lead agency for the amendments.

2. Regarding the Certified Final Environmental Impact Report (FEIR) and Negative Declaration for amendments contained in Exhibits LRP 2004-00003:C, D, and E as certified by the Port San Luis Harbor District acting as lead agengy, the Board of Supervisors hereby reviewed and considered the information contained in the FEIR and Negative Declaration prior to approving the amendments. Further, the Board of Supervisors hereby adopts the recommended findings which are attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that this resolution with respect to Exhibits LRP 2004-00003:C, D, and E shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification by the California Coastal Commission and upon acknowledgment by the San Luis Obispo County Board of Supervisors of receipt of the Commissions's resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinances, further reading of the ordinances in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinances 3068 and 3069, said date being June 14, 2005.

CCC Exhibit B
(page 13 of 47 pages)

Upon motion of Supervisor Ovitt, seconded by Supervisor Lenthall, and on the following roll call vote, to wit:

AYES: Supervisors Ovitt, Lenthall, Achadjian, Patterson, Chairperson Bianchi

NOES: None

ABSENT: None

ABSTAINING: None

The foregoing resolution is hereby adopted.

SHIRLEY BIANCHI

Chairman of the Board of Supervisors
of the County of San Luis Obispo,
State of California

ATTEST

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk
of the Board of Supervisors,
County of San Luis Obispo,
State of California
By: VICKI M. SHELBY Deputy Clerk
[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: _____
Deputy County Counsel

Dated: 5.24.05

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) ss

I, JULIE L. RODEWALD, County Clerk of the above entitled County and Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors this 5/6/05

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the
Board of Supervisors

By _____ Deputy Clerk

CCC Exhibit B
(page 14 of 47 pages)

EXHIBIT LRP2004-00003: C

PROPOSED PLANNING AREA STANDARDS

1. Revise Chapter 6, San Luis Bay Coastal Area Plan, Rural Area; Page 6-3, by amending the language as follows:

Public Facilities

There are two areas ~~The only area~~ designated Public Facilities. ~~is~~ Diablo Canyon, the site of the Diablo Canyon Nuclear Power Plant, ~~the designation~~ includes the plant site property and the leasehold area controlled by Pacific Gas and Electric Company. Point San Luis Lightstation which includes the sandy beach area on the east side of the breakwater and the rocky inter-tidal areas between Point San Luis Lighthouse and Harford Pier. This land use category should not be expanded beyond its present property.

B. AVILA BEACH LAND USE

For ease of discussion the land uses in the Avila Beach Urban Area are divided into four Sections: Avila Beach, including the Port San Luis Harbor District; San Luis Bay Estates; Pirates Cove; and Avila Valley.

AVILA BEACH

This area includes the townsite of Avila Beach, the Union Oil Company property and the Port San Luis Harbor District lands. This total area is contained within the Urban Services Line.

Residential Multi-Family

Existing development is primarily residential, with the majority of structures being single-family residences or duplexes. There are also a few motel units that are rented as apartments fall through spring. Some of the older residences are run-down and detract from the visual quality of the community.

The character of Avila Beach will continue to be that of a recreation community. It is also expected that the residential type will continue to be single-family and duplexes on small lots, with the net resultant density being that of multiple residential. New development proposals for multiple family dwellings must be consistent with the total community character and also be responsive to the varied terrain and viewsheds of existing development.

The Avila Beach Specific Plan adopted for the Avila townsite specifies the type and density of new Residential Multi-Family projects. Mixed use projects, where appropriate, are encouraged, including the combination of visitor lodging and traditional multi-family dwellings.

CCC Exhibit B
(page 15 of 47 pages)

2. Revise Chapter 6, San Luis Bay Coastal Area Plan, Avila Beach Urban Area; Pages 6- 4 through 6-5, by amending the language as follows:

Public Facilities

This land use category is applied to lands along Harford Drive owned by or under a long-term lease with the Port San Luis Harbor District. The lands owned by the harbor district are proposed for a wide variety of recreational uses, to be constructed in phases over a period of several years.

Uses contemplated are berthing for commercial and pleasure craft, boat repair, auto and boat trailer parking, and ~~a restaurant~~ visitor-serving and coastal dependent uses, all of which would be compatible with the harbor character.

Due to the unknown nature of crew base requirements at this time, any such improvements will require amendment to the harbor plan and county development plan approval based upon the criteria identified in the Avila Beach Urban Area Programs and Standards.

Industrial

This land use designation is applied to the Union Oil Company property adjacent to the easterly edge of the townsite~~, and to the company pier west of San Luis Obispo Creek~~. The site of approximately 120 acres is located on a large hill overlooking the town and has been used for many years as a site for Union Oil's tank farm for petroleum storage. The tank farm site is a major visual feature as it overlooks and can be seen from all points of the community.

The storage site is relatively flat, with slopes of 0-15%, but this turns to rather steep cliffs on all sides of the site with over 30% slopes. At one time, there were approximately 12 major storage tanks on the flat section of the site with small tanks and accessory buildings (i.e., water tanks, truck loading facilities) scattered throughout. In conjunction with the clean-up of petroleum contamination in the community, Union Oil Company has removed the tanks and other facilities, except for small water tanks. The property is fenced and access is restricted to Union Oil Company officials. Future utilization of the site should not infringe on the steep wooded slopes along the northern perimeter above Avila Road or damage the bluffs along the waterfront. Union Oil maintains their own sewage disposal system and fire protection facilities, but receives water from the Avila Beach Community Services District.

CCC Exhibit B
(page 16 of 47 pages)

3. **Revise Chapter 6, San Luis Bay Coastal Area Plan, Planning Area Land Use Programs; Page 6-16 and 6-17, by amending the language as follows:**

AVILA BEACH URBAN AREA PROGRAMS

The following programs apply within the Avila Beach urban reserve line to locations in the land use categories listed.

Communitywide

1. **Priority Coastal-Dependent and Coastal-Related Uses.** Priorities and policies of the California Coastal Act and the San Luis Obispo County Local Coastal Plan shall be considered in reference to any development proposal in the Avila Beach Urban Area, which could impact traffic levels on Avila Beach Drive.[Added 1995, Ord. 2702]

Commercial Retail

1. **Parking.** The county should work with property owners toward development of adequate parking facilities needed to serve the downtown and beach areas.

2. **Facility Management.** The county should cooperate with the town of Avila, the Avila Beach Community Services District, the Avila Beach Community Foundation, the Port San Luis Harbor District, and Front Street property owners to facilitate management of facilities in the downtown area of Avila Beach, including the beach and pier, the park, and the parking lot.

Industrial. The following programs apply to the Union Oil ~~marine terminal and~~ tank farm.

3. **On-Shore Pipeline Alternative.** The county should encourage expansion or construction of onshore petroleum pipelines when and where feasible in lieu of any expansion of marine terminal facilities or operations.

~~4. **Abandonment of Pier.** At such time as the Union Oil Pier is no longer needed for petroleum operations, the county, the State Department of Parks and Recreation or other public agency should be offered the right of first refusal if the pier is determined appropriate for recreational use.~~

~~5. **Onshore Pipeline.** The county should encourage the State to study extending the onshore pipeline being proposed to service offshore oil development in the Santa Barbara Channel and northern Santa Barbara County, northward to intercept oil presently being exported through Port San Luis.~~

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Public Facilities. The following program applies only to the Port San Luis Harbor District.

4. 6. Future revisions to the harbor master plan should be based upon the following priorities:

Priority I: Coastal-Dependent Uses

a. ~~Commercial~~ Boating and fishing ~~and related mariculture/aquaculture~~

b. ~~Sport fishing~~ Aquaculture and mariculture

c. ~~Recreational boating~~ Beach activities and other oceanfront recreational uses

d. ~~Energy-related facilities~~ Fish off-loading

e. Harbor Operations

Priority II: Coastal-Related Uses

~~a. Other visitor-serving retail commercial uses and other coastal-related uses~~

a. Boat trailer storage

b. Equipment rental

c. Seafood processing

d. Other uses that provide for needs of waterfront visitors and workers such as overnight accommodations, restaurants, and parking

Priority III: Other Uses

a. Other uses which are neither coastal dependent or related, including marine research and education, offices, or general retail

Priorities and policies of the California Coastal Act shall be considered in all harbor development. Prior to approval of any use which is not coastal-dependent the harbor district shall make a finding that adequate resources and services have been reserved for all coastal dependent uses proposed in the master plan. ~~(PSL Policy C-3)~~

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4. **Revise Chapter 8, San Luis Bay Coastal Area Plan, Planning Area Standards; Page 8-1, by amending the language as follows:**

A. SAN LUIS BAY RURAL AREA STANDARDS

The following standards apply to lands within the San Luis Bay Planning Area outside of urban and village reserve lines, in the land use categories or specific areas listed.

AREAWIDE: The following standards apply to lands within the rural portions of the San Luis Bay Planning Area which are not limited to a single land use category.

1. Port San Luis Lightstation. Unlike the other properties owned and maintained by the Port San Luis Harbor District, the Lightstation Planning Sub-Area is located within the rural portion of the San Luis Bay Planning Area (figure 8-4). In order to maintain the integrity of the Port San Luis Harbor Master Plan, standards that apply to the Lightstation Planning Sub-Area of the Port San Luis Harbor Master Plan are found in Subsection B, Avila Beach Urban Area Standards, of this plan. All development within the Lightstation Planning Sub-Area is to be in conformity with the Avila Beach Urban Area Standards.

Circulation

2. ~~1.~~ **Areawide Systems - Development Plan Projects.** Development Plan proposals are to be integrated into areawide circulation Map Figure 8-1 and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.

3. ~~2.~~ **Driveways - New Land Divisions.** New land divisions are to include, where possible, design provisions for combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.

4. ~~3.~~ **Pedestrian and Bikeways - New Land Divisions.** Provide for safe and site-sensitive pedestrian and bike circulation facilities in the design of roads for new subdivisions where feasible.

5. ~~4.~~ **Road Design and Construction - New Land Divisions.** Road alignments proposed in new land division applications are to be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes are to be replanted with indigenous plants or protected by other appropriate erosion control measures.

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5. **Revise Chapter 8, San Luis Bay Coastal Area Plan, Planning Area Standards; Pages 8-3 through 8-5, by amending the language as follows:**

COMBINING DESIGNATIONS: The following standards apply only to lands in the Airport Review (AR), Energy and Extractive Resource Area (EX), Sensitive Resource Area (SRA), and Local Coastal Plan (LCP) combining designations in the rural portions of the planning area, as listed below.

Airport Review Area (AR)

1. **Airport Land Use Plan Included by Reference.** The adopted Oceano County Airport Land Use Plan is hereby incorporated into this Land Use Element as though it were fully set forth here.

2. **Limitation on Uses Within Airport Review Area.** Allowable uses are limited to those designated as "compatible" or "conditionally approvable" by the adopted Oceano County Airport Land Use Plan.

3. **Development Standards - Private Lands.** All permit applications for sites within the boundary of the adopted Oceano County Airport Land Use Plan are subject to the development standards set forth in that plan.

Energy and Extractive Resource Areas (EX)

4. **Permit Requirement - Price Canyon Oilfield.** Development Plan approval is required for any expansion of existing oilfield operations in Price Canyon, Tiber Canyon and in the hills off Ormonde Road into adjacent land use categories.

5. **Diablo Canyon Nuclear Power Plant Access.** Access to the power plant site is to remain in control of Pacific Gas and Electric Company. Development of adjacent land shall not provide access to the power plant site.

Historic Area (H)

6. **Port San Luis Lighthouse - Access.** Public access is to be by foot or by shuttle service, with costs borne by users. Public automobile access is prohibited.

Local Coastal Plan (LCP)

7. **Shoreline Access - Mallagh Landing.** New development shall be required to incorporate means to ensure that public access will be permitted on a permanent basis. Such assurance could include an offer-to-dedicate or a deed restriction. The extent of dedication and improvements, and the appropriate agency for maintenance will be determined as a part of the Development Plan. The level of public access required must be consistent with the extent of development approved and the potential prescriptive rights which may exist in the area. However, the minimum requirement shall be a means of ensuring public use of the sandy beach and a blufftop area for parking. Other improvements which may be appropriate include:

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a. Parking area for 100 cars is to be improved. The parking area is to be surfaced with a permeable material to control bluff erosion. Selection of the site and improvement of the parking area is to be consistent with protection of the archaeological resources and geological conditions on the site.

b. Parking area is to be enclosed with a low-level fence of natural materials to contain vehicular use. Areas disturbed by vehicle overuse should be revegetated.

c. The parking area is to be landscaped with native trees and vegetation.

d. Restrooms and trash receptacles are to be provided.

e. Pedestrian trail to the beach is to be improved extending from the parking area.

f. Pedestrian and bicycle accessway is to be maintained and signed to allow access from Shell Beach.

8. **Shoreline Access Improvements - Port San Luis.** New development shall be required to provide and improve public access, as appropriate, along the landfill and the sandy beach adjacent to the landfill which extends to Avila ~~State~~ Beach. This will be necessary to offset the loss of sandy beach presently accessible to the public. Improvements for public access may include: stairway, boat-launching facility for non-hoist vessels, restrooms, trash receptacles and signs.

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6. **Revise Chapter 8, San Luis Bay Coastal Area Plan, Planning Area Standards; Pages 8-6 through 8-22, by amending the language as follows:**

B. AVILA BEACH URBAN AREA STANDARDS

The following standards apply within the Avila Beach urban reserve line to the land use categories or specific areas listed. Avila Beach urban area standards are grouped first by those applicable to the town of Avila, then under Avila Valley, and San Luis Bay Estates.

AVILA BEACH

The following standards apply only to lands within the town of Avila Beach, to the land use categories or specific areas listed.

COMMUNITYWIDE: The following standards apply within the Avila Beach urban reserve line and are not limited to a single land use category.

1. **Water Authorization Required.** Submittal of a "will-serve" letter from the Avila Water District is required prior to issuance of any building permits for construction proposed to have water service.

2. **Avila Beach Drive and San Luis Bay Drive Level of Service.** Reserve a portion of the Avila Beach Drive road capacity to serve coastal dependent uses and do not subject Avila Beach Drive to traffic levels exceeding Level of Service (LOS) "C" overall. The LOS ~~Level of Service (LOS)~~ for Avila Beach Drive and San Luis Bay Drive shall be based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year. Fire access lane requirements will comply with the adopted fire code for the County of San Luis Obispo. Further, no substantial damage shall be allowed to the environmentally-sensitive habitat of San Luis Obispo Creek, without equivalent offset mitigation or enhancement measures.

3. **Avila Beach Specific Plan Included by Reference.** The Avila Beach Specific Plan, and any amendments made thereto, is hereby incorporated into this Land Use Element as though it were fully set forth here. All development within the Avila Beach Specific Plan planning area (as shown above) is to be in conformity with the adopted Specific Plan, as well as all other applicable LCP standards. In the event of any conflict between the provisions of the San Luis Bay Area Plan and the Specific Plan, the Specific Plan shall control.

4. **Permit Requirement.** Unless otherwise specified in the Avila Beach Specific Plan, Minor Use Plan approval is required for all proposed new uses. All development activities on the Tank Farm shall require Development Plan review and approval.

5. **Temporary Events:** Where allowed as S-17 uses by the Land Use Element, temporary events in the town of Avila Beach are subject to the following standards:

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a. **Permit Requirements:** Minor Use Permit approval, except as follows:

Public Events. Except as otherwise provided in this section, no land use permit is required for:

Events occurring in approved theaters, convention centers, meeting halls or other approved public assembly facilities; or

Admission free events held at a public park or other land in public ownership when conducted with the approval of the public agency having jurisdiction, provided that the event is conducted in accordance with all applicable provisions of this title; or

Other free admission events which are eight hours or less in duration and are operated by non-profit organizations.

In accordance with the Coastal Commission Guidelines for Temporary Events adopted on January 12, 1993, a Coastal Development Permit shall be required for any temporary events that meet all of the following criteria:

- are held between Memorial Day weekend and Labor Day; and,
- occupy all or a portion of sandy beach area; and,
- involve a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).

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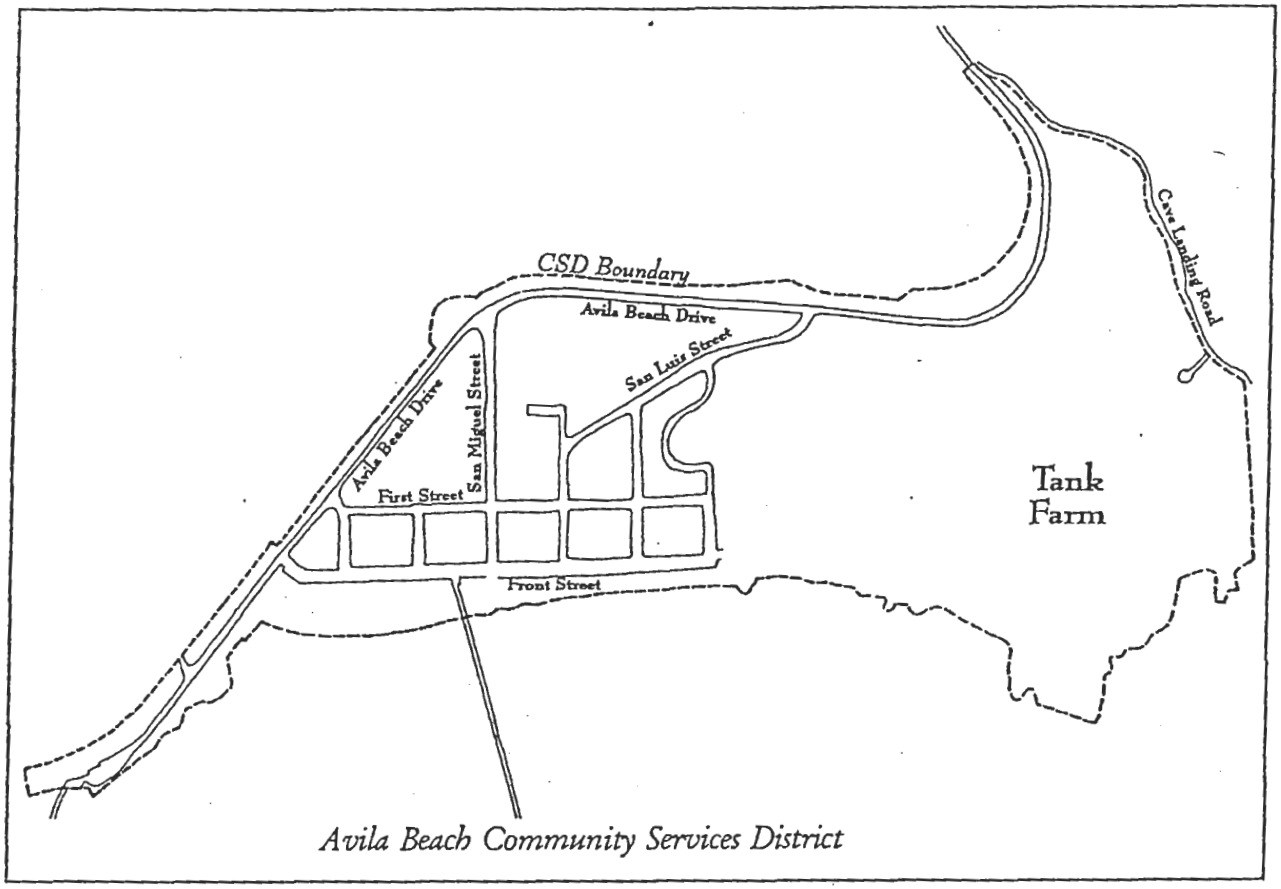

Figure 1-1: The planning area for the Avila Beach Specific Plan coincides with the boundary of the Avila Beach Community Services District.

However, temporary events may be excluded from coastal development permit requirements when:

- the fee is for preferred seating only and more than 75% of the provided seating capacity is available free of charge for general public use; or,
- the event is less than one day in duration or,
- the event has previously received a coastal development permit and will be held in the same location, at a similar season, and for the same duration, with operating and environmental conditions substantially the same as those associated with the previously approved event.

Notwithstanding the above provisions, a temporary event may be subject to coastal development permit review if unique or changing circumstances exist that have the potential for the temporary event to have a significant adverse impact on coastal resources. Such circumstances may include:

- the event, either individually or together with other temporary events scheduled before or after the particular event, precludes the general public from use of a public recreational area for a significant period of time;

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- the event and its associated activities or access requirements will either directly or indirectly impact environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources such as public access opportunities, visitor and recreational facilities, water-oriented activities, marine resources, biological resources, agricultural lands, and archaeological or paleontological resources;

- the event is scheduled between Memorial Day weekend and Labor Day and would restrict public use of roadways or parking areas or otherwise significantly impact public use or access to coastal waters;

- the event has historically required a coastal development permit to address and monitor associated impacts to coastal resources.

In the event of any conflict regarding a determination by San Luis Obispo County as to whether a temporary event requires a coastal development permit, the matter shall be referred to the Executive Director of the Coastal Commission for resolution.

6. **Permit Requirement - Port Facilities.** New development, including alterations to port facilities (other than those approved by coastal commission permits or on-going maintenance) shall require a Minor Use Permit, unless Development Plan approval is otherwise required by the Coastal Zone Land Use Ordinance (Title 23).

7. **Port San Luis Harbor District Port Master Plan.** Permit approval of facilities under jurisdiction of the Port San Luis Harbor District may be granted only where consistent with the policies of the Harbor Port Master Plan, Appendix J of the Port Master Plan, the Local Coastal Program, and upon prior approval from the Harbor District.

PORT SAN LUIS DISTRICTWIDE GOALS AND POLICIES

The following goals and policies apply only to lands owned or controlled by the Port San Luis Harbor District.

Goal: A Harbor with protected, maintained, and enhanced resources that balances the environmental, social, and economic needs of the various user groups.

Development Approvals

1. **Permit Requirement.** All new development shall obtain Harbor District approval prior to seeking approval from the County of San Luis Obispo or the California Coastal Commission.

2. **Coastal Development Permitting Authority.** All Port land-based properties are under the primary permitting jurisdiction of the County of San Luis Obispo. Permitting for tideland and water areas are administered by the California Coastal Commission.

3. **Mitigation Measures.** In addition to Chapter Three policies, refer to the Appendix J of the Port Master Plan for mitigation measures.

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4. Cal Poly Pier. The Cal Poly Pier (formerly Unocal Pier) is intended for educational purposes only. Use of the Pier for the support of offshore oil exploration is prohibited.

Priorities, Services, And Facilities

1. **Priorities for Development of Facilities and Allocation of Service Capacity.** Use priorities and policies of the California Coastal Act when determining the appropriateness of proposed uses and developments and allocating service capacity. Prior to approval of any use that is not coastal dependent, make a finding that adequate resources and services are reserved for coastal dependent uses proposed in this Master Plan. Development will reflect the priorities according to the following classifications:

   a. **Coastal Dependent Uses.** The first priority is to meet the needs of uses that derive their viability directly from proximity to the ocean including boating and fishing, Harbor operations, aquaculture and mariculture, beach activities, fish off-loading, and oceanfront recreational uses.

   b. **Coastal Related Uses.** The secondary priority is to accommodate uses that relate to but do not require the presence of water including trailer boat storage, equipment rental, and seafood processing, as well as uses that provide for the needs of waterfront visitors and workers, such as overnight accommodations, restaurants, and parking.

   c. **Other Uses.** The third priority is to accommodate those uses that do not otherwise fit into coastal dependent or coastal related uses, including marine research and education, offices or general retail.

2. **Service Capacity.** Ensure proposed development of projects and related improvements are within the circulation and utility capacity available to the Harbor area or will be provided through a planned program of improvements. The following existing capacity limits are recognized for water and wastewater services, Avila Beach Drive road capacity, and parking:

   a. **Water.** Do not exceed the existing 100 acre-feet per year (AFY) available to the Harbor District from its Lopez entitlement. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses consistent with this Master Plan. A 5-acre-foot per year reserve is desired. Water requirements for fire protection shall comply with the adopted fire code for the County of San Luis Obispo.

   b. **Wastewater.** Do not exceed available capacity owned by the Harbor District in the Avila Beach Community Services District wastewater treatment plant and/or other such facility as may be constructed to expand wastewater treatment capacity. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses consistent with this Master Plan.

   c. **Parking.** Maintain adequate parking to accommodate Harbor users and visitors. Require new uses to provide additional parking consistent with the County Land Use Ordinances.

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d. Road Capacity. Please refer to Community-wide Standard #2

3. **Boating and Fishing Facilities.** Recognize and protect the importance of boating and fishing to Port San Luis by requiring other uses to incorporate site and design measures that avoid interfering with these priority uses.

4. **Visitor Serving and Recreational Facilities.** Enhance public enjoyment of the San Luis Obispo Bay waterfront by protecting and where feasible and appropriate, providing a range of opportunities for coastal recreation and visitor serving facilities, including affordable services.

5. **Revenue-Balanced Activities.** Provide a balanced mix of revenue and non-revenue producing uses on Port properties to support the District's public functions and meet the needs of waterfront visitors.

6. **Marine Science and Education.** Allow, subject to review, facilities for marine-related scientific research and education on property owned or managed by the Port so long as the Harbor District Board of Commissioners has found that such research and education facilities do not limit the availability of infrastructure capacity for coastal dependent and coastal related activities listed in the 2004 Port San Luis Master Plan and these Planning Area Standards.

Access

Goal: **Adequate access for all Harbor users and visitors.**

1. **Access to Vessels and Water.** Maintain and enhance access to the water, boats, and boating facilities. Maintain the overall launching capability of the Harbor at levels in consideration of demand and safety, the availability of parking, economic circumstances, and dredging needs.

2. **Shoreline Access.** Maintain public access to the beaches, oceans, and Port properties, and enhance where feasible and consistent with public safety.

3. **Development Contributions to Enhanced Access.** Require new commercial developments or redevelopments to provide public access improvements and enhancements including related improvements such as interpretive exhibits, benches, and picnic tables.

Aquatic and Terrestrial Habitats

Goal: **Responsibly managed and protected resources in and surrounding San Luis Obispo Bay (State-granted Tidelands).**

1. **Marine Environments.** New development, including alterations to port facilities (other than those approved by Coastal Commission permits or on-going maintenance) shall not result in significant and unavoidable decreases in water quality of San Luis Obispo Bay, including sensitive habitats to San Luis Creek.

2. **Clean Boating.** The Port District shall with other entities in efforts to educate and encourage boaters and boating facility operators to use best management practices.

3. **Runoff Controls.** Require implementation of effective runoff control strategies and pollution prevention activities by incorporating the most current best management practices for all new development.

4. **Native Vegetation.** Require landscaping plans to incorporate native plants and other coastal species appropriate to the site that reflect the Port's waterfront character.

5. **Land-based Sensitive Resources.** Incorporate decisions and implementation measures that protect environmentally sensitive resources.

Visual and Scenic Resources

Goal: **A Landscape that reflects the context of its use and the natural setting with minimal impacts to scenic viewsheds.**

1. **Waterfront Character.** Protect scenic qualities including the time-honored character of Port San Luis and compatibility with surrounding uses and views.

2. **Bluffs and Hillsides.** Site and design new development on bluffs and scenic hillsides to protect scenic resources and reduce prominent visual impacts.

3. **Historic Areas.** Adhere to adopted guidelines and legal provisions for renovation of Port properties with historic significance.

4. **Long-term Design.** Incorporate visually pleasing design solutions that limit long-term maintenance requirements.

Archaeology

1. **Cultural Resources.** Incorporate into decisions implementation measures that conserve cultural and historical resources in development of affected Port properties.

Hazards

1. **Natural Hazards.** In areas subject to natural hazards, require new development to be located and designed to limit risks to human life and property to the greatest extent practicable.

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PLANNING SUB-AREA GOALS AND POLICIES

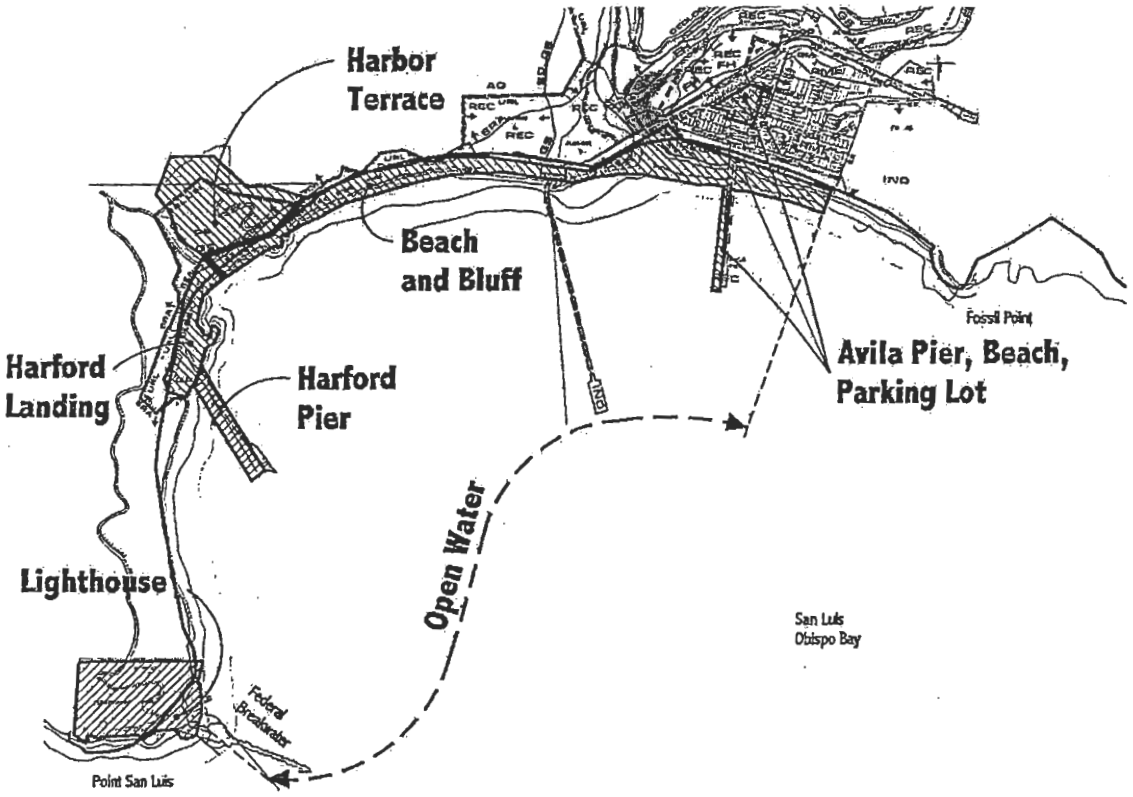

Figure 8-4: Port San Luis Harbor Planning Areas

Open Water. The following goal and policies apply only to the Open Water Planning Sub-Area. The California Coastal Commission administers permits for the Open Water Area. (For simplification, the 2004 Port San Luis Master Plan and these Planning Area Standards include Open Water-related discussions, policies, and improvements organized under Coastal Commission jurisdiction. Although the Open Water Planning Sub-Area only comprises 520 acres, the Harbor District manages water areas out to sea for three miles.)

Goal: **A water area with a healthy marine environment that is manageable and financially feasible, with limited user conflicts and sufficient public access.**

1. **Water Space Distribution.** The Port shall divide water areas among moorings for commercial fishing, recreational power and sailing vessels, anchorages, navigation channels, open water areas, swimming areas, and other water uses according to the Harbor District Board of Commissioners policy and changing market demands.

2. **Other Vessels.** Allow mooring and anchoring of industrial, commercial, governmental, and marine research vessels subject to case-by-case Harbor District determination.

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3. **Breakwater.** Consider and evaluate complete proposals to expand the breakwater protection, including proposals for alternative breakwater systems, and developing a marina at Port San Luis.

4. **Limitation on Use.** Maintain the Open Water Area for navigation purposes, fishing and boating, water sports, and biological resources such as aquaculture and mariculture. Also allow boat rental, boat storage and launching facilities, sightseeing facilities, marine research and education, marinas, public safety facilities, water taxi, fuel and ice sales, yachting and rowing clubs, and cruise ships.

5. **Boat Launching Facilities.** Explore and implement methods to reduce dredging at launches.

Harford Pier. The following goal and policies apply only to the Harford Pier Planning Sub-Area. The Coastal Commission administers coastal development permits for Harford Pier.

Goal: **An historically authentic and structurally sound working pier that encompasses a mix of coastal dependent, coastal related, and some visitor serving uses.**

1. **Historic Character.** Maintain and improve Harford Pier in accordance with the historic character and use of the facility as well as the adopted Harford Pier Design Guidelines.

2. **Reserve Space.** Notwithstanding the replacement of existing coastal related and visitor-serving activities and uses, reserve remaining space on Harford Pier for coastal-dependent uses. Maintain a 30-foot open space setback at end of pier.

3. **Limitation on Use.** Allow commercial and recreational fishing loading facilities, maritime access and landings, eating and drinking establishments, fisherman's market and direct seafood sales (off of boats), wholesale and retail seafood sales, seafood loading, unloading and transportation, yachting and rowing clubs, boat fuel and lube oil dispensing, boat rental, skiff storage and launching facilities, sportfishing, sightseeing, ice making and sales, excursion boats, passenger transportation on water, mariculture and aquaculture support facilities, coastal accessways, educational and historic displays and exhibits, specialized marine-related programs, passive recreation, marine-related merchandise stores, Harbor Offices, public safety facilities, maritime emergency use, vehicle access, and limited parking.

4. **Pier Expansion.** Expand the width of the Harford Pier stem to the extent of the historic pier footprint to support coastal dependent uses, increase water access, and improve fire ingress/egress.

5. **Limited Parking.** Allow limited parking on Harford Pier consistent with the applicable fire authority requirements.

6. **Rehabilitation.** Rehabilitate the entire pier from the stem to the terminus. Repair or replace pilings, substructure railings, fender systems, and infrastructure through a phased approach.

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Harford Landing. The following goal and policies apply only to the Harford Landing Planning Sub-Area. The County of San Luis Obispo administers coastal development permits for Harford Landing.

Goal: **A land area that is physically and financially supportive of coastal dependent, coastal related and visitor-serving functions that are on and around Harford Pier and the San Luis Obispo Bay waterfront.**

1. **District Presence.** Maintain an official Harbor District presence at Harford Landing; however, the Port may relocate the primary Harbor Offices and maintenance complex to another location on Port property.

2. **Beneficial Use.** Provide efficient, safe, and convenient parking and circulation to benefit all users.

3. **Limitation on Use.** Allow uses and developments on Harford Landing that are supportive of coastal dependent, coastal related, or visitor uses for Harford Pier and San Luis Obispo Bay waterfront. Permitted uses on Harford Landing shall include public parking, commercial and recreational fishing support facilities, support facilities, retail and wholesale seafood sales, boat repair, fuel storage and handling, eating and drinking establishments, yachting and rowing clubs, boat rental, boat storage and launching facilities, sportfishing, sightseeing facilities, boat engine repair and sales, marine supply, aquaculture and mariculture support facilities, overlooks, paths, trails, transit station (shuttle stop), visitor center, educational and historic displays and exhibits, passive recreation, food and beverage retail sales, marine related merchandise sales, outdoor seasonal sales and retail events, Harbor Offices, public safety facilities, accessory storage, temporary events, shoreline protection, restrooms, and showers. Allow RV camping until another suitable location is established on Port property.

Beach and Bluffs. The following goal and policies apply only to the Beach and Bluff Areas. The Coastal Commission administers coastal development permits for the beaches up to the mean high tide line. The County of San Luis Obispo administers coastal development permits for areas landward of the mean high tide line in the Beach and Bluff Area, including the bluff overlooks and areas within the County right of way.

Goal: **The Beach and Bluff Areas provide adequate public access, open space, and complementary facilities, where appropriate.**

1. **Public Space.** Provide space for public viewing opportunities and single-car parking at the bluff overlooks, consistent with public safety needs including the stability of the bluffs.

2. **Vertical Access.** Provide adequate, safe, and convenient public access to beaches.

3. **Lateral Access.** Provide and maintain lateral public access along the seaward side of Avila Beach Drive via informal or formal paths and /or sidewalks. All new public accessways should connect with existing public access where possible.

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4. **Small Craft Launch.** Allow public vehicle access to Olde Port Beach for boat launching purposes consistent with public safety needs while protecting the natural resource.

5. **Coordinate Development.** Coordinate planning and development of the Beach and Bluff areas with the development of visitor serving uses on Harbor Terrace.

6. **County Right-of-Way.** Prohibit relocation of Avila Beach Drive unless necessary for public safety purposes or to enable safe access to Harbor facilities.

7. **Limitation on Use.** Allow overlooks, paths, trails, parking, picnicking, restrooms, sightseeing facilities, interpretive displays and exhibits, passive recreation, commercial and recreational fishing, boat rental, small boat launching facilities, camping, trolley stop, visitor center, mobile retail vendors, outdoor events, public safety facilities, coastal related temporary events, beach nourishment, and shoreline protection. Allow RV camping at the Bluff area until another suitable location is established on Port property.

Harbor Terrace. The following goal and policies apply only to the Harbor Terrace Planning Sub-Area. The County of San Luis Obispo administers coastal development permits for Harbor Terrace.

Goal: **Harbor Terrace encompasses a mix of uses that enhances the public's enjoyment of the Port, serves the needs of harbor users, and may augment Port income.**

1. **Development Intent.** Development of the Harbor Terrace Planning Sub-Area shall provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations.

2. **Harbor Users.** Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses.

3. **Visitor Uses.** Provide visitor-serving retail uses that are complementary to the harbor so that this area may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. Include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include a minimum of ten percent (10%) affordable visitor serving facilities.

4. **Environmental Performance.** Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.

5. **Pedestrian Access.** In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.

6. **Limitation on Use.** Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking,

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picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture.

7. **Trailer Park.** The existing trailer park shall be closed, consolidated, or relocated consistent with the California Harbors and Navigation Code §6086 and Government Code §65863 prior to, or concurrent with, any approved development of the site.

8. **Parcel Acquisition.** The Harbor District shall pursue acquisition of necessary property adjacent to Harbor Terrace to implement the Port Master Plan Improvements.

9. **Service Restriction.** Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead connections.

Lightstation. The following goal and policies apply only to the Lightstation Planning Sub-Area. The County of San Luis Obispo administers coastal development permits for the Lightstation Planning Sub-Area.

Goal: **A fully restored and protected facility that serves as an educational, historic, and recreation site, supported by managed access and predominantly external funding.**

1. **Port San Luis Lightstation Historic Structures Report and Treatment Plan Included by Reference.** The Point San Luis Lightstation Historic Structures Report and Treatment Plan, and any amendments made thereto, is hereby incorporated as though it were fully set forth here. All development within the Lightstation Planning Sub-Area is to be in conformity with the National Park Service approved Treatment Plan and documents of Utilization and Acquisition, as well as all other applicable LCP standards.

2. **Historic Character.** The Harbor District shall restore and protect the historic character of the lighthouse facility pursuant to the approved Lightstation Treatment Plan.

3. **Managed Access.** The Harbor District shall rovide managed public access to the Point San Luis Lighthouse (e.g., trail, water taxi, staging, kayak, shuttle) and improve connections between the Lighthouse and other Port properties.

4. **Parking and Staging.** Allow remote parking on Port property or provide other appropriate parking and staging to accommodate visitors to the Lighthouse.

5. **Limitation on Use.** Allow uses that comply with deed restrictions and the Lighthouse Documents of Acquisition and Utilization, including docent-led access, camping, bed and breakfast (only in existing buildings, for a maximum of 40 overnight guests), special events, paths and trails, sightseeing, picnicking, historic sites and museums, specialized

programs, boat storage, administrative offices, maintenance shop, boat launching, water taxi, communication facilities, passive recreation, temporary events, shoreline protection, and lighthouse-related gift or novelty shop.

Avila Beach, Pier, and Parking Lot. The following goal and policies apply to the Avila Planning Sub-Area (Beach, Pier, and Parking Lot). The Coastal Commission administers coastal development permits for Avila Pier and up to the mean high tide line on Avila Beach. The County of San Luis Obispo administers coastal development permits for beach areas landward of the mean high tide line and the public parking lot.

Goal: An attractive recreational beach and pier, convenient and adequate parking, and complementary coastal dependent, marine-related, and visitor-serving retail establishments in appropriate locations.

1. **Recreational Value.** Provide opportunities for fishing, passive recreation, and other compatible waterfront recreational uses at Avila Beach and Pier.

2. **Water Access.** Provide a mix of water access facilities at Avila Pier.

3. **Acquisition Proposals.** Consider any proposal to acquire, operate, improve, and maintain all of the Port's Avila Beach properties, as an entire package, from responsible public entities that shall continue to maintain these properties in the public trust.

4. **Limitation on Use-Avila Beach.** Maintain existing uses at Avila Beach and avoid cluttering the area with unnecessary structures. Allow fishing, boating, yachting and rowing clubs, temporary boat storage, boat rentals, boat launching, sightseeing, picnicking, overlooks, aquaculture, coastal access, passive recreation, outdoor special events, outdoor sports and recreation, non-motorized recreation equipment rental, public safety facilities, shoreline protection, and temporary events.

5. **Vehicle Access on Pier.** Allow restricted vehicle access through the Front Street plaza to the Pier with oversight and permission of the Harbor District and County of San Luis Obispo.

6. **Limitation on Use-Avila Pier.** New uses shall be in support of coastal dependent, coastal related, visitor-serving, or recreational uses with a maximum buildout potential of 6,000 square feet. Proposals must meet fire authority requirements, parking requirements, Chapter 4 design recommendations for Avila Pier, and be approved at a public hearing of the Harbor Commission. Allow commercial and recreational fishing, coastal access, marine-related wholesale and / or retail, eating and drinking establishments, yachting and rowing clubs, boat rental, small boat temporary storage, launching facilities, sportfishing, sightseeing facilities, other marine-related facilities, aquaculture, direct seafood sales (from docked boats), educational, historic and fisherman's marine-related displays and exhibits, passive recreation, food and beverage sales, restrooms, outdoor retail events, public safety facilities, accessory storage, and major emergency use.

7. **Parking Standard.** The Harbor District may use revenues from a paid parking program to support Avila Beach and Pier public facilities.

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8. Limitation on Use-Avila Parking Lot. Allow parking and related landscaping, overlooks, restrooms, shuttle or transit station, outdoor retail sales, temporary events, public safety facilities, accessory storage, eating and drinking places, affordable workforce housing, and visitor uses consistent with the Avila Beach Specific Plan

INDUSTRY AND ENERGY DEVELOPMENT

1. **Offshore Oil and Crew Base and Support Uses.** Offshore oil and crew base and support uses may be approved only after amendments to the Port San Luis Master Plan, County Local Coastal Program and a vote in favor by a majority of the resident voters in San Luis Obispo County in accordance with Measure A as described in Energy and Industrial Development Policy 1A of the LCP Policy Document, and Section 8.115 of the Port San Luis Harbor District Code of Ordinances that authorize the proposed use and the specific location on the Landfill Area where the use is proposed.

2. Emergency use of the Port's facilities by any vessels may be allowed in the event of any serious emergency, but first must receive permission and follow the directions of the Harbor Manager or his/her designated representative.

COMMERCIAL RETAIL: The following standards apply only to lands within the Commercial Retail land use category (including the Front Street Commercial Retail district).

1. **Priority and Protection of Visitor-Serving Uses.** Priority shall be given to visitor-serving uses throughout the Front Street Commercial District and the Commercial Retail area. Low-cost visitor serving facilities shall be protected, encouraged and, where feasible, provided.

~~2. Storm Drainage. Commercial development shall use best management practices (BMPs) to control and prevent pollutants from entering the storm drain system. BMPs shall be chosen and sized to meet the guidance of the California Storm Water Best Management Practices Handbook (Industrial/Commercial). Such measures shall include both source control and treatment control practices that insure contaminants do not leave the site. Stormwater runoff from commercial sites shall be filtered through BMPs that treat storm water runoff up to and including the 85th percentile storm event. Restaurant and other commercial cleaning practices that can impact water quality (such as floor mat rinsing and vehicle cleaning) by introducing chemicals to storm drain systems (detergents, oils and grease and corrosive chemicals) shall provide designated areas that collect and dispose of this runoff through the sanitary septic system. Street sweeping and cleaning shall use best management practices outlined in the above referenced handbook or the Model Urban Runoff Program to keep contaminants and cleaning products from entering the storm drain system.~~

INDUSTRIAL: The following standards apply only to lands within the Industrial land use category.

1. **Limitation on Use - Tank Farm.** Uses are limited to power transmission; coastal accessways and water wells and impoundment. Future use of the site will be considered during the remediation review process and a subsequent amendment to the Avila Beach Specific Plan. The

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amendment will include a request to amend the Specific Plan to change the land use designation from Industrial (IND) to a new category which would enable development similar in physical scale and functional characteristics to that described in the Specific Plan.

~~2. Limitation on Use - Pier. Facilities at the existing pier are limited to those needed to make the transfer of petroleum products and are not to include storage facilities.~~

3. **Permit Requirement.** Proposed industrial facilities or modifications/expansion of existing facilities, will require Development Plan review and be subject to the following:

   a. Phasing plan for the staging of development indicating the anticipated timetable and Site Plans for project initiation, expansion possibilities, completion, consolidation possibilities and decommissioning.

   b. Oil spill contingency plan (using the most effective feasible technique) indicating the location and type of cleanup equipment, designation of responsibilities for monitoring, cleanup, waste disposal and reporting of incidents and pro- visions for periodic drills by the operator, as requested by the county, to test the effectiveness of the cleanup and containment equipment and personnel.

   c. An approved Fire Safety Plan will be required ~~A fire protection system approved~~ by the governing fire authority (CDF/San Luis Obispo County Fire Department) for all development.

   d. All facilities not requiring an ocean site to function, shall setback from the ocean including: wastewater and ballast water processing facilities, major petroleum storage facilities, offices and warehouses (excluding facilities housing oil spill containment and recovery equipment).

   e. Effective screening of proposed and existing industrial facilities on the site from public view. Effective screening would include removal of unused or unsightly equipment from public view, the sitting of proposed facilities in an inconspicuous manner by careful site design and the provision of contoured banks and grading, extensive landscaping and decorative walls and fences.

   f. Any part of the facilities that cannot effectively be screened by the above methods shall be painted with nonreflective paint and with colors which blend with the surrounding natural landscape.

4. **Air Pollution Standards.** Any expansion or modification of existing petroleum processing or transportation facilities or the construction of new facilities shall meet San Luis Obispo County Air Pollution District (APCD) standards.

~~5. Coordination of Review. Any proposed extension of pier facilities to accommodate ship sizes above those presently using the bay (approximately 30,000 dwt) is to be reviewed by the county and harbor district for possible onshore and harbor impacts.~~

~~6. Marine Terminal. Should expansion or construction of onshore pipelines prove infeasible, new or expanded marine terminals shall be designed and operated to a) provide maximum feasible and legally permissible multi-company use, b) minimize the oil spill risk, c) minimize the~~

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risk of collision from movement of vessels, d) have ready access to the most effective feasible containment and recovery equipment for spills, and e) have onshore deballasting facilities to receive fouled ballast water from tankers where operationally or legally required.

PUBLIC FACILITIES. The following standards apply to the Port San Luis Harbor District Plan for proposed harbor improvements, hillside area development and potential plans to service offshore oil development.

1. **Permit Requirement - Port Facilities.** New development, including alterations to port facilities (other than those approved by coastal commission permits or on-going maintenance) shall require a Minor Use Permit, unless Development Plan approval is otherwise required by the Coastal Zone Land Use Ordinance (Title 23). [Amended 1995, Ord. 2702]

2. **Port San Luis Harbor Port Master Plan.** Development Plan approval of facilities under jurisdiction of the Port San Luis Harbor District may be granted where consistent with Chapter 3 of the Harbor Master Plan, and the Local Coastal Program. The policies of Chapter 3 have been extracted from the master plan and incorporated in the following criteria.

(The number in parentheses at the end of the paragraph correlated to the policy number in the Harbor Master Plan.)

GENERAL GOALS AND POLICIES FOR PRIORITIES, COMMERCIAL FISHING AND PUBLIC SERVICES (LCP)

a. **Priorities for development of facilities and allocation of service capacity.** Priorities for development of the harbor will reflect the goals and priorities as follows:

Priority I. Coastal-Dependent Uses
Commercial fishing and related mariculture/aquaculture, sport fishing.
Recreational boating and other oceanfront recreational uses.
Energy-related facilities.

Priority II. Coastal-Related Uses
Other visitor-serving retail commercial uses and other coastal-related uses.

Priority III. Other Uses
Other uses which are neither coastal dependent or related.

Priorities and policies of the California Coastal Act shall be considered in all harbor development. Prior to approval of any use which is not coastal-dependent the harbor district shall make a finding that adequate resources and services have been reserved for all coastal dependent uses proposed in the master plan. (PSL Policy G-3)

PORT SAN LUIS SERVICE CAPACITY

b. **Port San Luis--Service Capacity.** Proposed development of projects and related improvements shall be within the circulation and utility capacity available to the Harbor area, or to be guaranteed through a planned program of improvements, as described in

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the following Standard c. Improved Capacity Program. These capacity limits are recognized for each service as follows:

(1) **Water:** Usage shall not exceed the 100 afy available to the Harbor District from its Lopez entitlement, the District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other harbor uses consistent with this Master Plan. Adequate water pressures for fire suppression shall be maintained in all District water mains at all times.

(2) **Sewer:** Wastewater generation shall not exceed available capacity owned by the Harbor District in the Avila Beach County Water District wastewater treatment plant and/or such other facility as may be constructed pursuant to Standard c. Improved Capacity Program below.

(3) **Traffic:** Avila Beach Road shall not be subjected to traffic levels exceeding Level of Service "C" overall. Any new program under Standard c. Improved Capacity Program below for expanding capacity or reducing traffic shall be the most feasible, least environmentally-damaging alternative for the required change and shall be mitigated to the maximum extent feasible. Further, no substantial damage shall be allowed to the environmentally-sensitive habitat of San Luis Obispo Creek, without equivalent offset mitigation or enhancement measures. [Amended 1995, Ord. 2702]

(4) **Parking:** All new uses shall be required to provide additional parking consistent with the County Coastal Zone Land Use Ordinance requirements or to provide an in-lieu contribution to a District-wide parking program pursuant to Standard c. Improved Capacity Program below, any new or expanded use may be approved only upon a finding that sufficient parking exists consistent with the County Coastal Zone Land Use Ordinance requirement, or will be made available either by the applicant for the use or by the District. (PSL Policy G04)

PORT SAN LUIS SERVICE CAPACITY IMPROVEMENTS

c. **Improved Capacity Program:** The District will work with other agencies and entities to expand capacity of water, sewer, road, and parking facilities, as follows:

(1) **Water:** The District will analyze its current water system with respect to fire service capability and install necessary improvements in the first phase of development under this Master Plan.

(2) **Sewer:** The District will investigate the relative advantages of purchasing capacity in the proposed enlargements of the San Luis Bay Estates wastewater plant, versus improving the Avila Beach plant or constructing a separate facility. The most cost-effective alternative for expanding capacity will be determined in Phase I, prior to allowing uses which would generate wastewater beyond that consistent with Standard b. Port San Luis Service Capacity, above.

(3) **Road Capacity:** The Harbor District will support the transportation systems management programs and related development fee ordinances adopted by the county for reduction of traffic impacts in the Avila Valley area. [Amended 1995,

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~~Ord. 2702]~~

~~(4) Parking. The District shall provide improved design, structure, and organization of the existing parking lots and shall expand available parking in the Harford Pier area and on Harbor Terrace. Additional parking will be made available for day-use in the Avila Beach Road parkway. The District will also work with the Avila Beach Civic Association and San Luis Obispo County to develop a parking management program for County-owned on-street parking in the community of Avila Beach. The overall goal of the District's parking program is to assure an adequate supply of parking for visitors, residents, and harbor users, smooth traffic flow within the harbor and the community, and additional revenues for purposes of beach maintenance and operations. (PSL Policy G-5)~~

~~INDUSTRIAL AND ENERGY-RELATED DEVELOPMENT~~

~~d. Development of Offshore Oil Support Facilities. Any portion of a new or expanded crewbase for offshore oil development, which is in the county's LCP permit jurisdiction, shall require county development plan approval. For any such crewbase an environmental impact report shall be prepared under the joint direction and review of the Harbor District and county.~~

~~e. Permit Requirement Crew Bases. Any proposed crew base for offshore oil and gas development shall require Development Plan review. Review and approval shall include the following:~~

~~(1) A detailed examination of alternative sites addressing immediate and cumulative impacts on public access to the sea, recreational uses including boating, fishing industry viability, and air and water quality, site requirements, displacement of existing uses, proximity of offshore oil development, necessary harbor and wharfage requirements, and feasible mitigation measures. Potential sites to be examined shall include: existing oil industry piers and facilities, the proposed multi-use harbor, and potential sites south of Point Conception.~~

~~(2) Phasing plan for the staging of development indicating the anticipated timetable, and site plans for project initiation, expansion possibilities, completion, consolidation possibility and decommissioning.~~

~~(3) Oil spill contingency plan indicating the location and type of cleanup equipment, waste disposal, and reporting of incidents, and provisions for periodic drills by the operator to test the effectiveness of cleanup and containment equipment and personnel.~~

~~(4) An identification of: (a) necessary facilities for the crew base to function; (b) coastal-dependent components of a crew base; and (c) potential locations to site all non-coastal-dependent facilities and operations inland (e.g., warehouse, storage areas, and parking areas).~~

~~(5) The crew base shall be limited to a minor crew base, used only for transport of personnel and incidental supplies. Incidental supplies shall not include cargo~~

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operations and shall be limited to small packages of groceries, medical supplies, electrical and mechanical parts, and other similar items that can be carried by hand.

(6) Harbor improvements shall be sited in such a manner to avoid to the maximum extent feasible conflicts with other harbor uses through consideration of segregated wharfage, dock and fueling areas, careful site design in the location of wharfage and vessel approach lanes, and segregated vehicular and traffic and parking facilities as mitigation measures.

(7) In approving any development for a new or expanded crew base, the county shall determine in writing, based upon timely and adequate facts and analysis, as follows:

(a) There is a need for a coastal-dependent crew base to service offshore oil and gas development in the Santa Maria Basin.

(b) The proposed location is the least environmentally damaging feasible alternative, taking into account land use considerations at all sites considered and at adjacent properties.

(c) Failure to approve the crew base would adversely affect the public welfare.

(d) The project location, design, and county requirements mitigate the adverse environmental impacts to the maximum extent feasible.

(e) The development includes no components which do not require a location on or adjacent to the sea in order to function at all.

(f) The crew base shall be available to all users on a fair and equitable basis in order to alleviate the need for additional bases.

f. **Oil Support Facilities:** Oil Support Facilities shall be allowed, subject to compliance with all other applicable requirements of this local coastal plan, as follows: certain major emergency uses in accordance with Policy G, and conditional uses in accordance with Policy H. Any new or expanded facilities* or uses not allowed by this local coastal plan shall require an amendment to the Plan and San Luis Obispo County Development Plan approval before they can be accommodated.

* "New or expanded facilities" is defined to mean any development which requires a permit or which requires only an administrative permit under the Coastal Act. (PSL Policy G-6)

g. Major Emergency Use by Oil Company Support Vessels. Oil company support vessels, including oil spill clean-up vessels, crew, and supply boats, will be allowed to use facilities designated by the district in one of the following actual or imminent circumstances: medical emergency, fire, foundering vessels, or oil spills. In any such emergency, the Harbor Master shall report the occurrence at the next meeting of the Harbor Commission. To prevent emergencies, vessels primarily designed and equipped

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~~for oil spill clean-up may be permitted to moor in the harbor on a yearly basis. Any such emergency use shall be subject to emergency permit requirements pursuant to the LCP or, within the Coastal Commission's permit jurisdiction, to emergency permit or waiver provisions of the Coastal Act. (PSL Policy G-7)~~

~~h. Conditional Oil-Related Uses. Oil-related uses serving research and exploratory drilling operations (as contrasted with operational construction, drilling, and recovery) and requiring no more than "minor"* new construction, may be permitted consistent with the LCP (when considering the individual and cumulative impacts of the request and reasonably expected similar requests) if:~~

~~(1) Alternative locations are infeasible or more environmentally-damaging, and~~

~~(2) To do otherwise would adversely affect the public welfare, and~~

~~(3) Service capacities for existing coastal-dependent uses in the district's jurisdiction, and those existing uses projected growth patterns shall not be significantly impacted, and~~

~~(4) Adverse environmental effects are mitigated to the maximum extent feasible, and~~

~~(5) Ordinances are enacted requiring permit conditions, necessary findings for issuance, mitigation measures, sunset provisions, public hearings, and penalties for violation of permits or the ordinances. (See Standards d. Development of Offshore Oil Support Facilities, and e. Permit Requirement Crew Bases for other facility and permit requirements.)~~

~~This Local Coastal Plan provides a series of policies on permitting and sitting oil support facilities. These include: crewbase sitting, emergency use by support vessels, conditional oil-related use serving research and exploratory drilling operations involving only minor new construction. (PSL Policy G-6, G-7, G-8.)~~

~~* "Minor". New or expanded construction valued at $5,000 or less.~~

~~**HARFORD PIER AND LANDFILL USES**~~

~~i. **Historic Qualities of Port San Luis.** The historic qualities of the Port San Luis (Harford) pier shall be preserved and enhanced, and its heavy-timber wharf character shall be used as the basis for design of any additional structures and improvements. (PSL Policy HP-1)~~

~~j. **Harford Pier Permitted Uses.** Permitted uses on Harford Pier shall include: restaurants, marine-related leisure activities, harbor operations, uses defined in Standards g. Major Emergency Use by Oil Company Support Vessels, and Conditional Oil-Related Uses, food sales, fish processing facilities (Pod No. 3 only), sportfishing and charter operations, retail sales (marine environment related), transient vessel support facilities (i.e., showers, laundry) marine related wholesale sales, and ancillary uses to the above list consistent with Figure 8-5. (PSL HP-2)~~

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k. **Existing Landfill Permitted Uses.** Permitted land uses for the existing landfill shall include facilities for harbor operations and maintenance, boat repair and maintenance, visitor-serving and visitor-serving commercial uses, parking, fishing and support areas, and recreation boating support facilities consistent with Figure 8-5, Harford Pier Plan. (PSL Policy HP-3)

l. **Planning Criteria.** Development plans for the Harford Pier and related land area shall achieve the following goals:

(1) Improve service and facilities to commercial fishing, sportfishing, and recreational boating users.

(2) Maximize use and efficiency of existing landfill area by careful site design, better utilization of area, segregation of uses, and improved circulation.

(3) Enlarge and improve security for the boat haul out and repair area.

(4) Enlarge available area for harbor operations, maintenance and storage while placing these uses in more appropriate locations.

(5) Improve visitor access to pier and waterfront uses.

(6) Supplement existing visitor-serving commercial retail activity within reasonable proximity to the waterfront, to provide economic support for public uses, provided adequate parking and service capacity is available for such uses.

(7) Provide adequate parking and restrict public parking on the pier (PSL Policy HP-4)

m. **Renovation/Addition of Pilings.** Improvements on the pier will include major renovation and repair of existing piling and deck structure and addition of pilings in selected areas to provide support for new buildings and improvements consistent with Figure 8-5, Harford Pier plan. (PSL Policy HP-6)

HARBOR TERRACE GOALS AND POLICIES

n. **Permitted Uses.** Permitted uses shall include long-term parking for general visitor-serving use, Harbor District storage and maintenance yard, and secured boat and equipment storage for commercial fishermen and recreational boats. The balance of the terraced area not required for these priority uses shall be used for a campground consistent with Figure 8-6, Harbor Terrace Plan. (PSL Policy HT-1)

o. **Planning Criteria.** Development plans for Harbor Terrace shall be evaluated according to the following criteria:

(1) Landscape plans and appropriate irrigation plans shall be submitted identifying proposed revegetation necessary to stabilize slopes, and planting necessary to minimize visual impacts of terracing and proposed use of the site for storage. The area of cut shall be immediately reseeded.

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(2) Detailed grading plans shall be submitted which identify existing and proposed drainage channels and proposed final site configuration. Grading shall be permitted in accordance with the County Coastal Zone Land Use Ordinance and shall be designed to minimize the potential discharge of sediment and pollutants into the Bay. Construction shall be completed during the non-rainy season (April through October) to avoid potential runoff and sedimentation. The contours of the finished surface are to be blended with adjacent natural terrain to achieve a natural appearance, and revegetated immediately after completion of finish grading, so as to assure establishment of groundcover prior to October 1. Berms shall be provided for each terrace to enhance screening of campsites as well as parking and storage areas.

(3) An archaeological field survey shall be completed prior to beginning of construction. Previous site alteration may have substantially eliminated any resources, however, the potential should be evaluated and protection of any resources identified and incorporated in the proposed site design. In accordance with Section 23.05.140 of the Coastal Zone Land Use Ordinance, all construction activities shall cease should resources be identified during actual construction. (PSL Policy HT-2)

p. **Potential Use as Borrow Site.** Should fill material be required from the lower portion of this site for the Minor Landfill noted above in the Harford Pier area, the resulting flat excavated area shall be utilized for visitor-serving parking and/or trailered boat storage. Any change from these uses shall require an amendment to the LCP. (PSL Policy HT-3)

BEACH AND BLUFF AREA

q. **Beach and Bluff Area Goals and Policies.** The following policies shall govern development of the Beach and Bluff Area.

(1) Improved public access shall be provided to Olde Port Beach through improved stairways. Accessway also be provided via a pedestrian bridge to the Harbor Terrace campground, located near the PG&E barge land, this area may include a bus shelter for tram service to the Harford Pier area and other visitor-serving commercial or recreational uses over the existing barge landing structure. (PSL Policy B-1)

(2) Restrooms shall be provided, and a small concessions area may also be provided for the beach area in locations that enhance the recreational use of the beach and bluff area, and which do not remove significant amounts of sandy beach from public use. (PSL Policy B-2)

(3) Parking in this area will be improved and regulated to prevent overnight parking; the entire length of the bluff adjacent to Avila Beach Road from the Port to San Luis Creek bridge shall be developed as a landscaped parkway emphasizing its scenic characteristics. (PSL Policy B-3)

(4) Public access shall be maintained and provided along the seaward side of any new rock abutments which may be needed to provide an adequate road, sidewalk and

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bikeway section for the parkway. (PSL Policy B-5)

(5) All improvements shall be designed with severe storms in mind. (PSL Policy B-5)

(6) Vehicular access for boat launching and beach maintenance shall be maintained. (PSL Policy B-6)

LIGHTHOUSE POINT

r. **Lighthouse Point Goals and Policies.** The proposed policies for this area include the following:

(1) Obtain a long-term administration or ownership of the lighthouse site from the Coast Guard. (PSL Policy L-1)

(2) Preserve and restore the historic character of the lighthouse facility. (PSL Policy L-2)

(3) Replace the historic Victorian duplex units if possible. (PSL Policy L-3)

(4) Open the Point San Luis area to managed public access and use. Any public access beyond the 30-acre Point San Luis recreation area to portions of the Pecho coast shall be coordinated with PG&E and the county to assure compatibility with the agricultural operations, marine and coastal resources present in this area, and with PG&E activities associated with the Diablo Canyon Nuclear Power Plant. (PSL Policy L-4)

(5) Maintain the rocky shoreline area in its natural state. (PSL Policy L-5)

OPEN WATER

s. **Open Water Area.** The following policies concern allocation of the harbor's open water area:

(1) Maintain the open water area for navigation purposes, commercial and recreational fishing and boating, watersports, and natural biological resources including aquaculture. (PSL Policy 0-1)

(2) Continue mooring small boats (under 85 feet) pending adoption by the Harbor District of a marine area use policy. Reserve the spaces closest to the pier for commercial fishermen. (PSL Policy 0-2)

(3) It shall not be inconsistent with the Master Plan to allow mooring and anchoring of other commercial and governmental vessels, subject to case-by-case District regulation, pending adoption of a marine area use plan. (PSL Policy 0-3)

AVILA BEACH FACILITIES

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t. **Avila Beach Facilities Goals and Policies:** The proposed objectives for the Harbor District's Avila facilities are as follows:

(1) **General:** Emphasize the recreational orientation of this area by maintaining an attractive and usable beach and pier, convenient parking, and complementary visitor-serving retail establishments in appropriate locations. (PSL Policy AB-1)

(2) **Avila Pier:** Enhance the utility of Avila Pier to a variety of recreational users, including pier fishing, boating, sightseeing, and similar activities. Permitted uses include the above activities plus a small area of additional visitor-serving retain facilities, up to 12,000 sq. ft. of floor area, for a restaurant, small shops, or similar uses. This area may be developed in one or more leaseholds, located in a single location or at intervals along the pier, provided, however, that not more than 2,000 square feet may be located on the Pier Terminus. The location for this lease area and related pier improvements are to be consistent with Figure 8-7, Avila Beach Facilities Plan. (PSL Policy AB-2)

(3) **Beach Area:** Restore and maintain the picnic and play ground facilities for beach users, but avoid clutering the beach with unnecessary or excessive structures. Permitted uses include public beach recreation facilities, the existing yacht club, restrooms, and administrative offices of the Harbor District, and non-motorized recreation equipment rental provided that such concessions are not in an enclosed structure. (PSL Policy AB-3)

(4) **Parking Lot:** Permitted uses include public parking and related landscaping, a "mini-park" adjacent to the Post Office building, and Harbor District storage provided that the remainder of the parking lot will still be able to accommodate at least 300 cars for general public parking. (PSL Policy AB-4)

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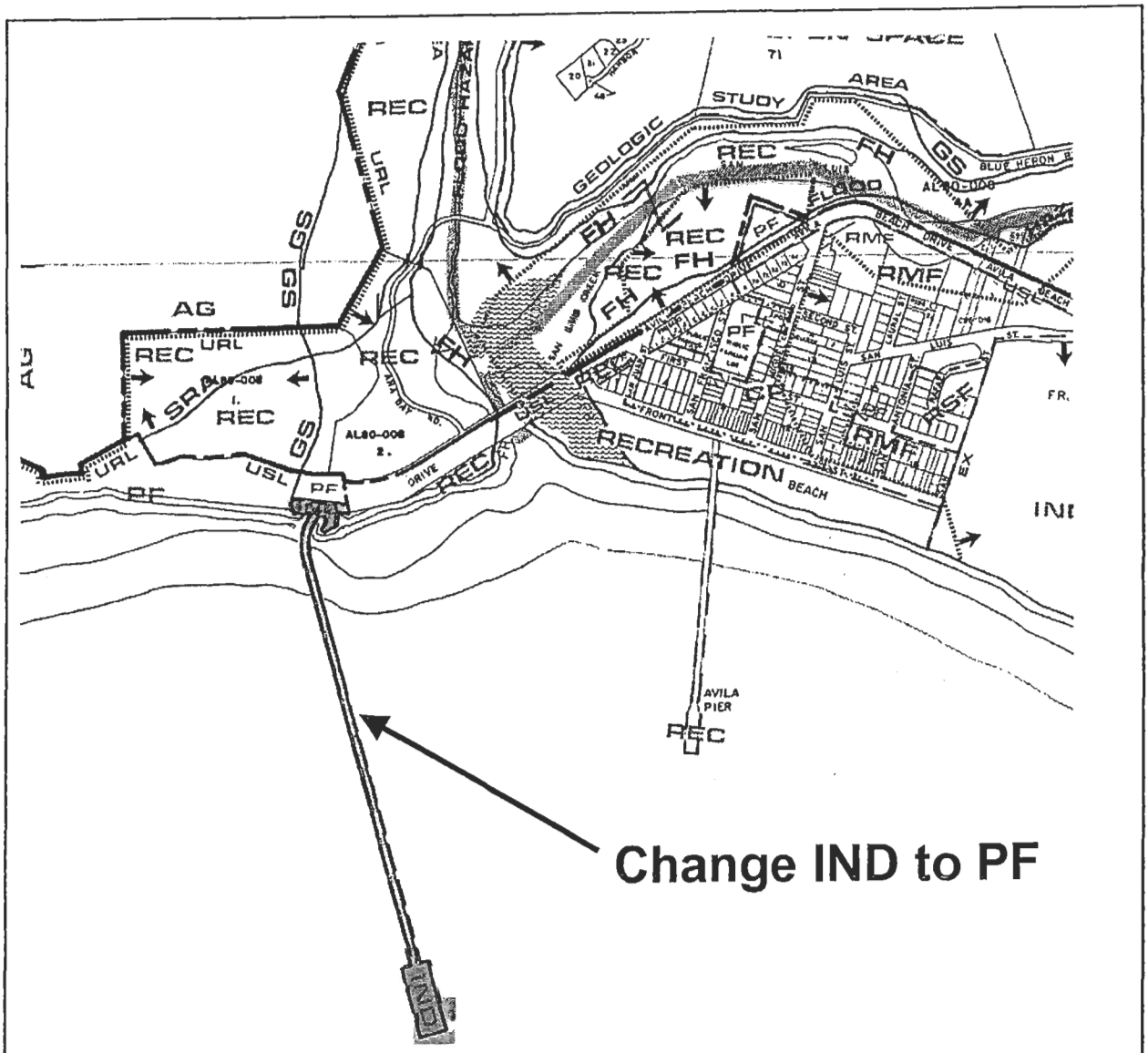

EXHIBIT LRP2004-00003:D

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 IND to PF

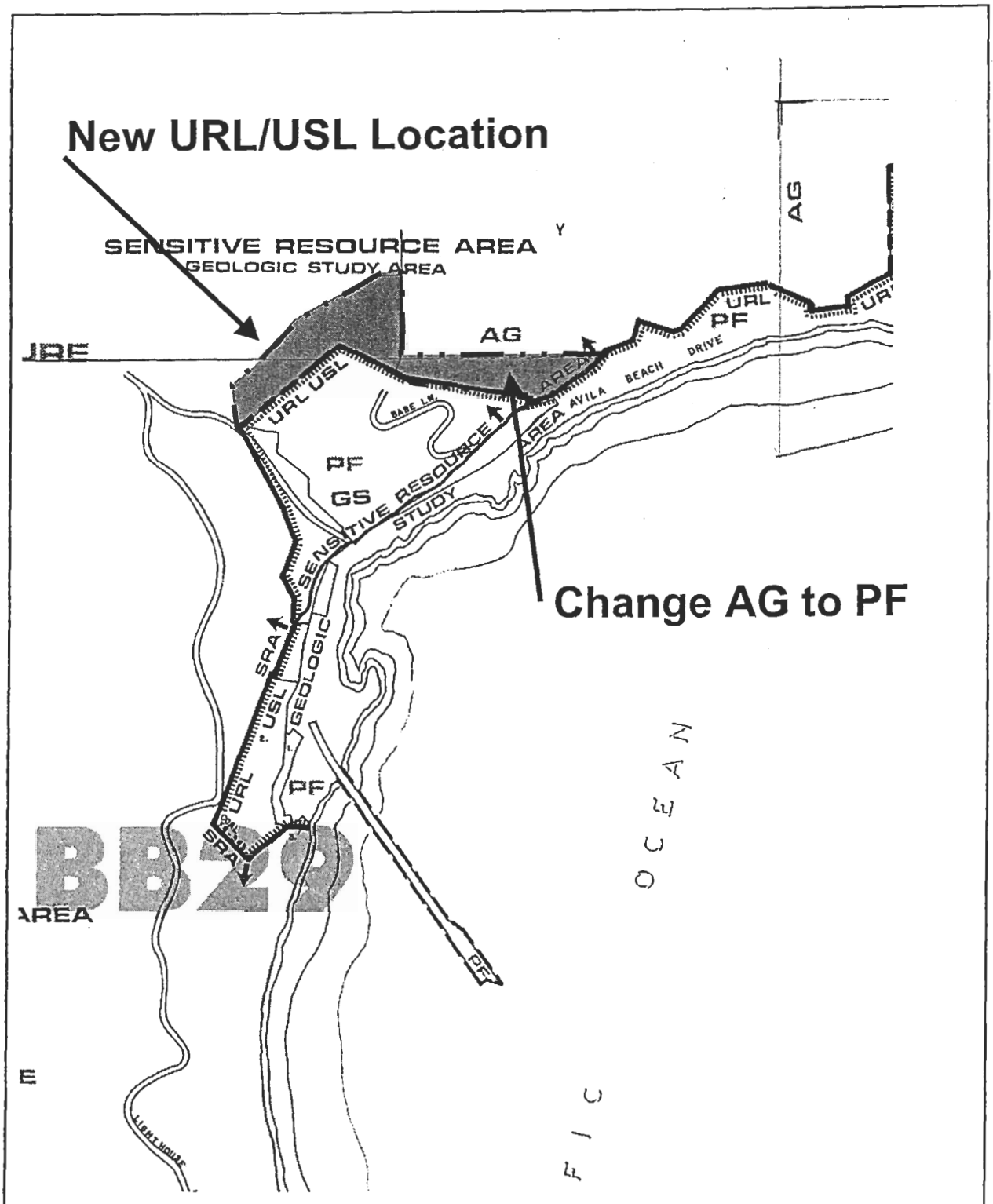

EXHIBIT LRP2004-00003:E

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 AG to PF, move URL/USL

FIGURE 3

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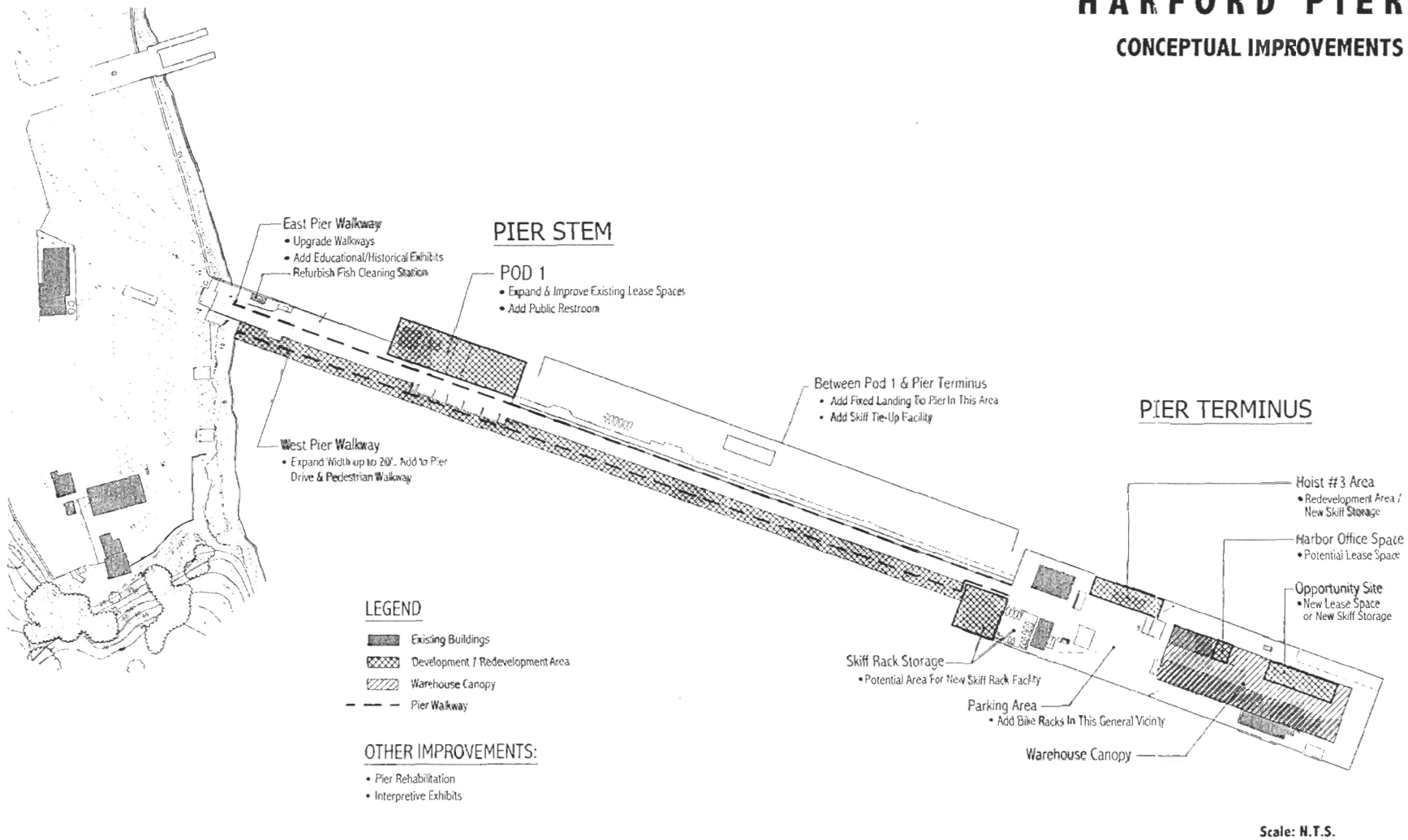
HARFORD PIER

CONCEPTUAL IMPROVEMENTS

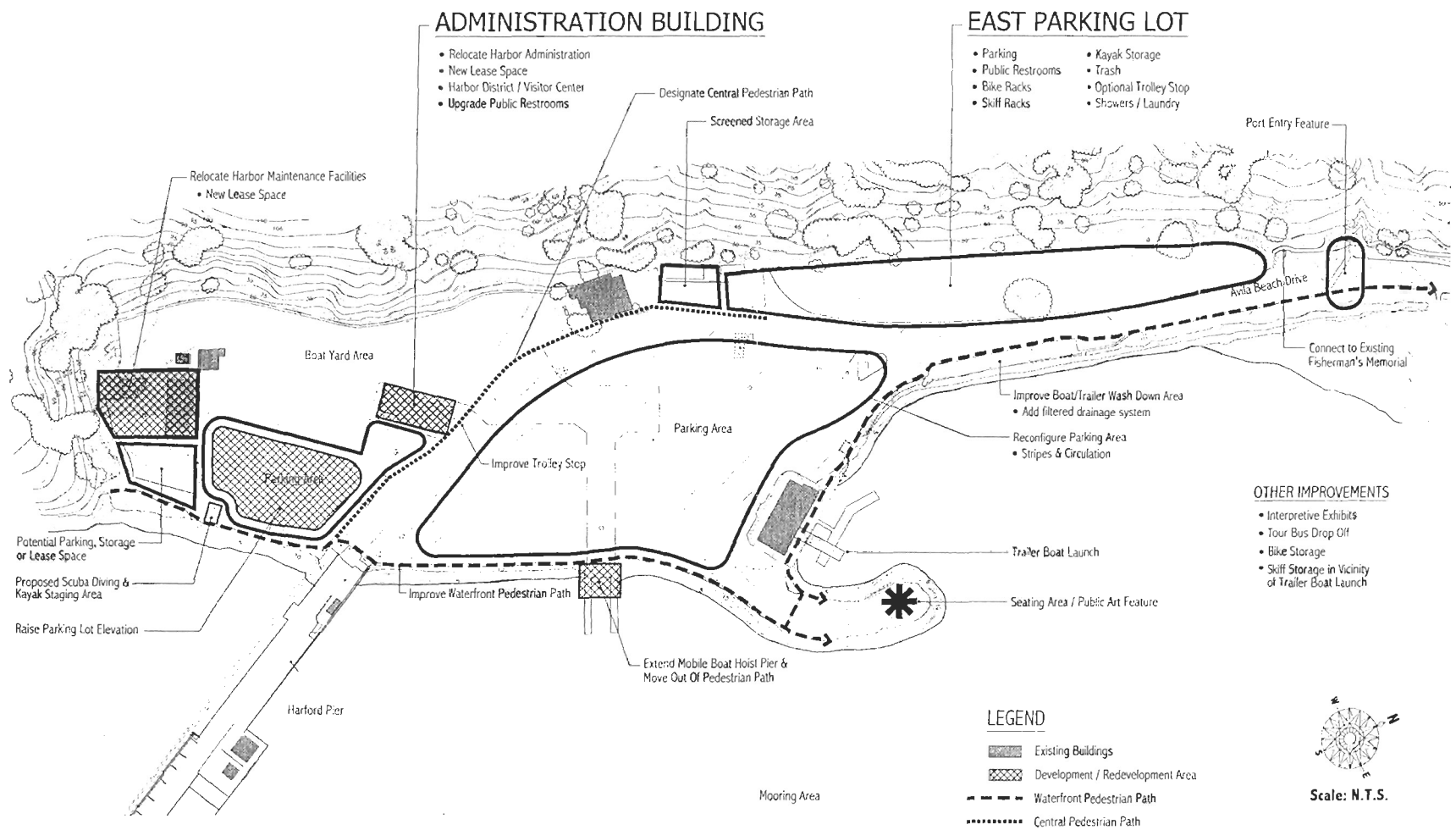


PORT SAN LUIS
MASTERPLAN

May, 2004

FIGURE 12

HARFORD LANDING
CONCEPTUAL PROJECT IMPROVEMENTS



PORT SAN LUIS
MASTERPLAN

May, 2004

FIGURE 13

FIGURE 14

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HARBOR TERRACE
EXAMPLE LAND USE CONCEPT

EXAMPLE LAND USE CONCEPT
Compiled from Chapter 3, Harbor Terrace Limitation on Use Policy

KEY	USE	DENSITY RANGE Low	High
A	Trailer Boat Storage	45 spaces	95 spaces
	Marine Gear Storage	24 spaces	48 spaces
	Port Material Storage	15,000 sf	29,000 sf
	Harbor Office/Shop	9,000 sf	16,000 sf
	Public Parking	48,000 sf	66,000 sf
B	Eating and Drinking Establishments (May include meeting rooms for rent)	16,000 sf	22,000 sf
	Food and Beverage Retail Sales (e.g., commissary or market)		
C	Tent Camp Sites	22 sites	44 sites
	RV Camp Sites (may be combination RV/full service tent camp sites)	69 sites	125 sites
	Hotels and motels (e.g., cabins, bungalows, inns, yurts, casitas)	33 units	67 units
D	Park and Open Space (e.g., park, scenic overlooks, common landscaped areas, picnic areas)	23,300 sf	46,600 sf

NOTES:
- Square footages for uses under 'B' indicate building footprints.
- Commercial visitor uses (for example, meeting rooms, food & beverage sales, eating & drinking establishments) may be divided into smaller components in different locations on the site.
- Overnight accommodations must at least meet the minimum density as listed above.
- In the event that a portion of the designated area for Harbor Uses is not needed, that area may be converted to a compatible Harbor Terrace use for a temporary or long-term duration.
- Please refer to Chapter 3 'Limitations on Use' policy for a complete list of possible uses for the Harbor Terrace site.
- Park and Open Space are incorporated in and around other land uses.

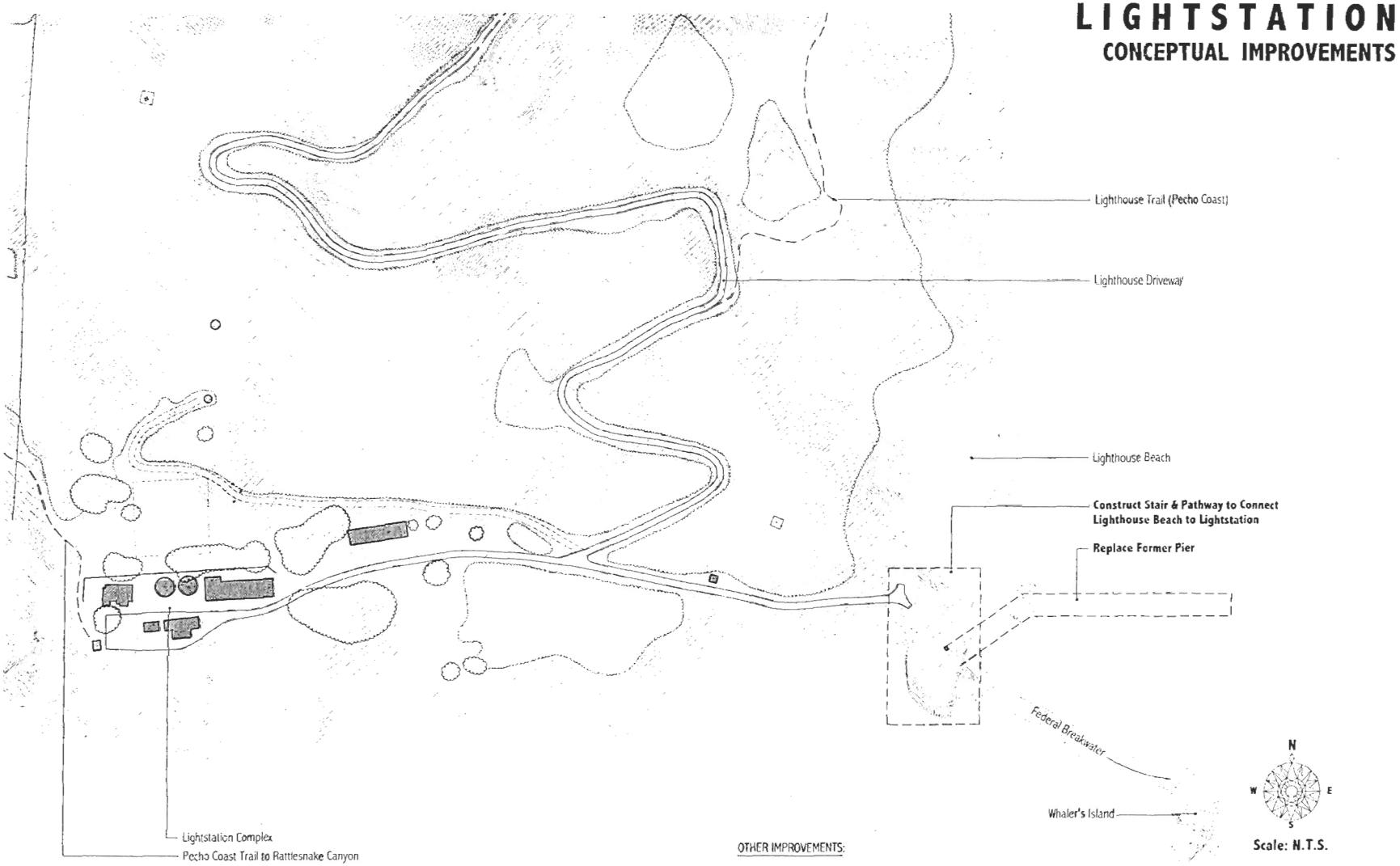
PORT SAN LUIS
MASTERPLAN

Locations of uses are for presentation only and are interchangeable. This exhibit is intended to show relative size and possible arrangements of land uses with minimum land alteration.

May, 2004

FIGURE 15

LIGHTSTATION
CONCEPTUAL IMPROVEMENTS



OTHER IMPROVEMENTS:

1. Create parking & staging area at Harford Landing East Parking Lot;
2. Improvements included in Lighthouse Treatment Plan (implemented by Lighthouse Keepers);
3. Promote multi-modal access to the Lightstation (trail, shuttle, water-taxi, kayak).

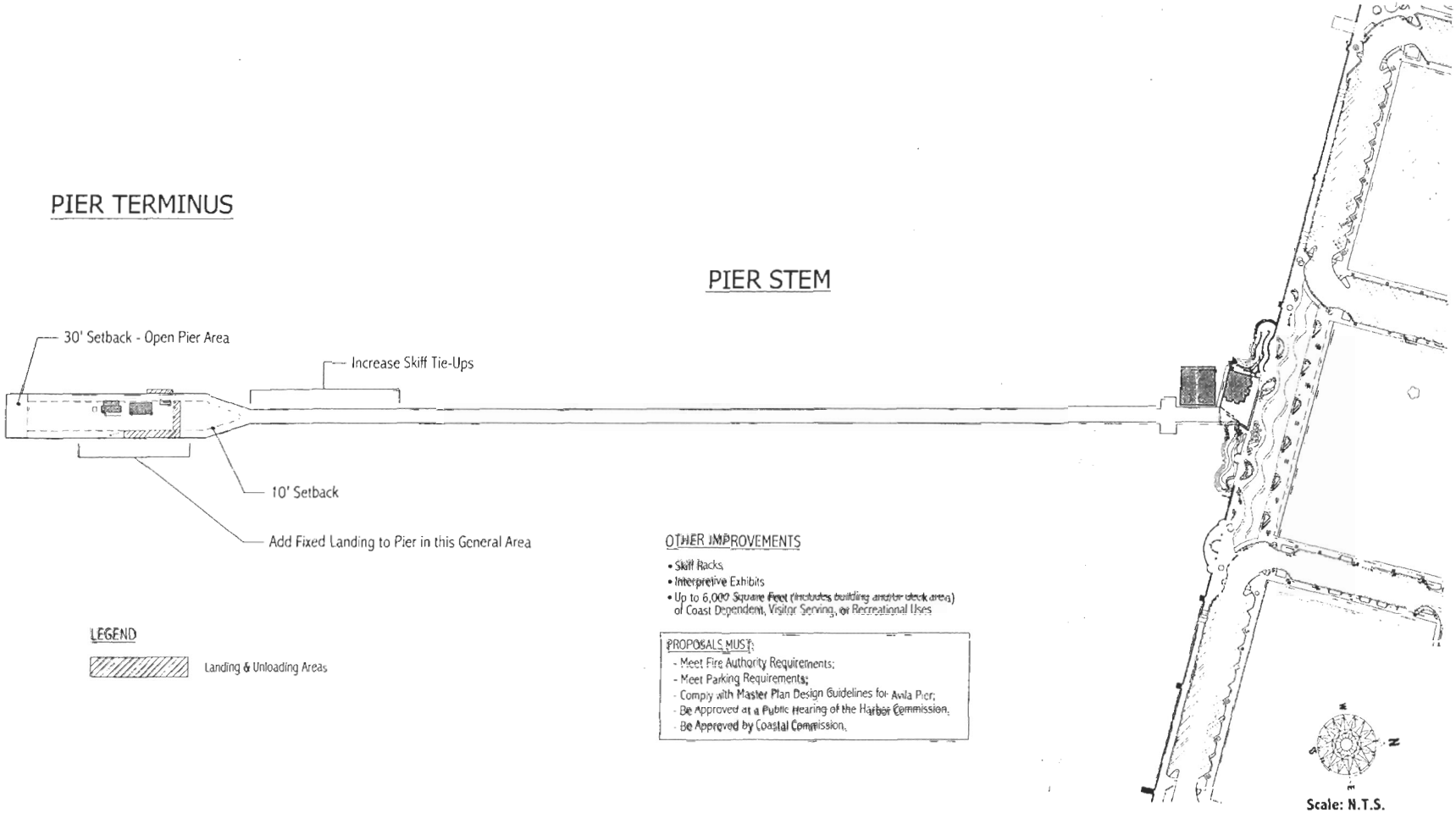
PORT SAN LUIS
MASTERPLAN

May, 2004

FIGURE 16

AVILA PIER

CONCEPTUAL PROJECT IMPROVEMENTS

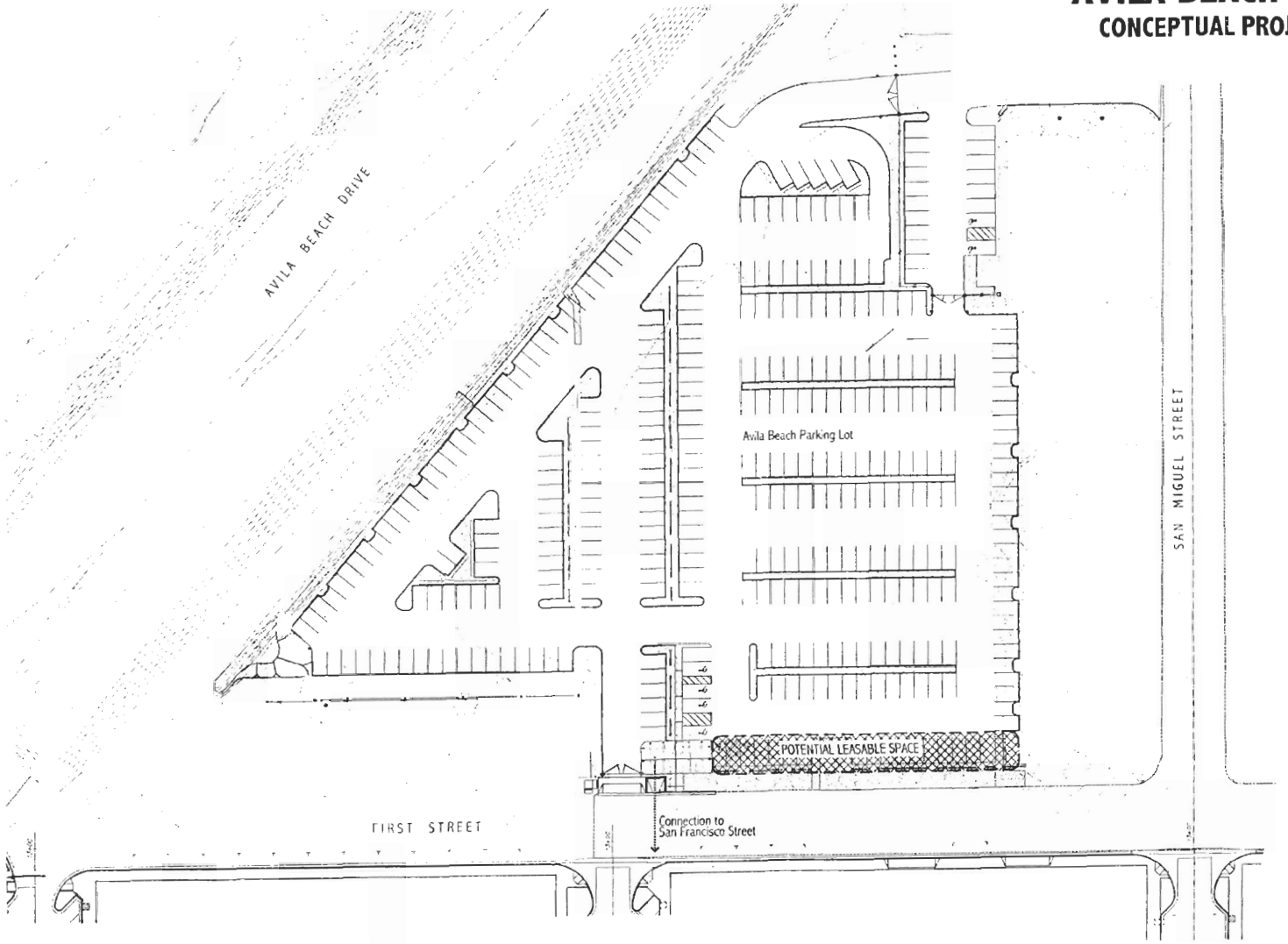


PORT SAN LUIS
MASTERPLAN

May, 2004

FIGURE 17

AVILA BEACH PARKING LOT
CONCEPTUAL PROJECT IMPROVEMENTS



Scale: N.T.S.

PORT SAN LUIS
MASTERPLAN

May, 2004

FIGURE 18

Table 3-2: Port San Luis Harbor District 2003 Final Port Master Plan

Summary of Recommended Improvements

Planning Sub-Area	Description	Quantity/ Size	Timing
Harford Pier			
East walkway	Upgrade walkways; add interpretive exhibits		0-2 years
West walkway	Rebuild the width of the pier stem from shoreline to terminus up to 20 feet westward to increase the pier drive and to add a pedestrian walkway		
Skiff tie-ups	Places to tie up skiffs, with ladder to pier		
Hoist for Area No.3	Convert this space to skiff rack storage		
Bike racks in parking area			
Skiff racks			
East parking lot			
Pier Roadway	Repair and widen		2-5 years
Pod 1 Redevelopment	Expand and improve lease space, add restrooms	3,000 sq.ft.	
Fixed boat landing for visitors	48' x 12' landing		
Interpretive exhibits			
Harbor offices	If relocated, consider locating the Harbor Patrol offices to admin. building		6-10 years
Add new lease space		1500 sq.ft.	
Harford Landing			
Trolley stop/tour bus drop-off	Provide bus stop near admin. Building with benches, shade, etc.		0-2 years
Bike storage			
Central pedestrian path	Improve the paths along the rock revetment to connect with Harford Pier and other Harbor District properties; create a central path and crosswalks that extends from the east parking lot past the restaurant to admin. And pier;		
Mobile boat hoist	Upgrade pier with steel guide rails and extend seaward; add rip-rap to the area to dissipate waves;		
Interpretive exhibits			2-5 years
Skiff storage			
Administration building	If and when relocated to Harbor Terrace, convert to lease space and/or visitor center;	1,716	6-10 years
Maintenance complex	If and when admin. And maintenance are relocated, convert to lease space for marine repair and related activities;	4,000	
Scuba diving staging area			
East parking lot	Re-grade, pave and stripe parking lot; provide filtered drainage; lighting and landscaping; retaining wall; utility hookups for RVs		

CCC Exhibit D
(page 1 of 3 pages)

Boat washdown area	Incorporate filtered drainage system; add wastewater dump station;		
West parking lot elevation	Re-grade and raise west parking lot to reduce effects of wave action; add filtered drainage system;		
Jetty improvements	Add seating and public art		
Beach and Bluffs			
Beach stairways	Add stairways to serve Old Port beach		0-2 years
Nobi point overlook	Create an auto parking and viewing area with landscaping, fencing and trash containers;		6-10 years
Woodyard pedestrian overlook	Improve as mini-park with walkways, benches, interpretive exhibits and lighting;		
Shoreline pedestrian trail	Work with County to extend path from Port to Avila Beach		
Harbor Terrace			
Boat trailer parking			2-5 years
Gear storage		18 spaces	
District laydown yard/storage		10,000 sq.ft.	
Infrastructure services	Bring water, sewer, electricity, cable TV, and phone to site; install storm drainage filtration system;		6-10 years
Roadwork	Improve existing roads and provide main access drive;		
Pedestrian circulation improvements	Provide network of pathways to connect to beach and other Port properties;		
Park/open space	Create park and other open space for public use;	46,600 sq.ft.	
Gear storage		30 spaces	
Utility camp sites/RV sites		125	
Tent camp sites		44	
Cabins/Yurts		67	
Harbor offices	Relocate and consolidate Harbor District offices	16,000 sq.ft.	
Parking		66,000 sq.ft.	
Port material storage		10,000 sq.ft.	
Commissary/eating drinking		22,000 sq.ft.	
Trailer boat storage		95 spaces	
Avila Pier Terminus			
Interpretive exhibits			0-2 years
Skiff racks		1000 sq.ft.	
Fixed boat landing	Construct new fixed landing for visiting boats		2-5 years
Beach stairway			
New lease space		4,250 sq.ft.	
Avila Beach Parking Lot			
New lease space		3,000 sq.ft.	2-5 years

CCC Exhibit D
(page 2 of 3 pages)

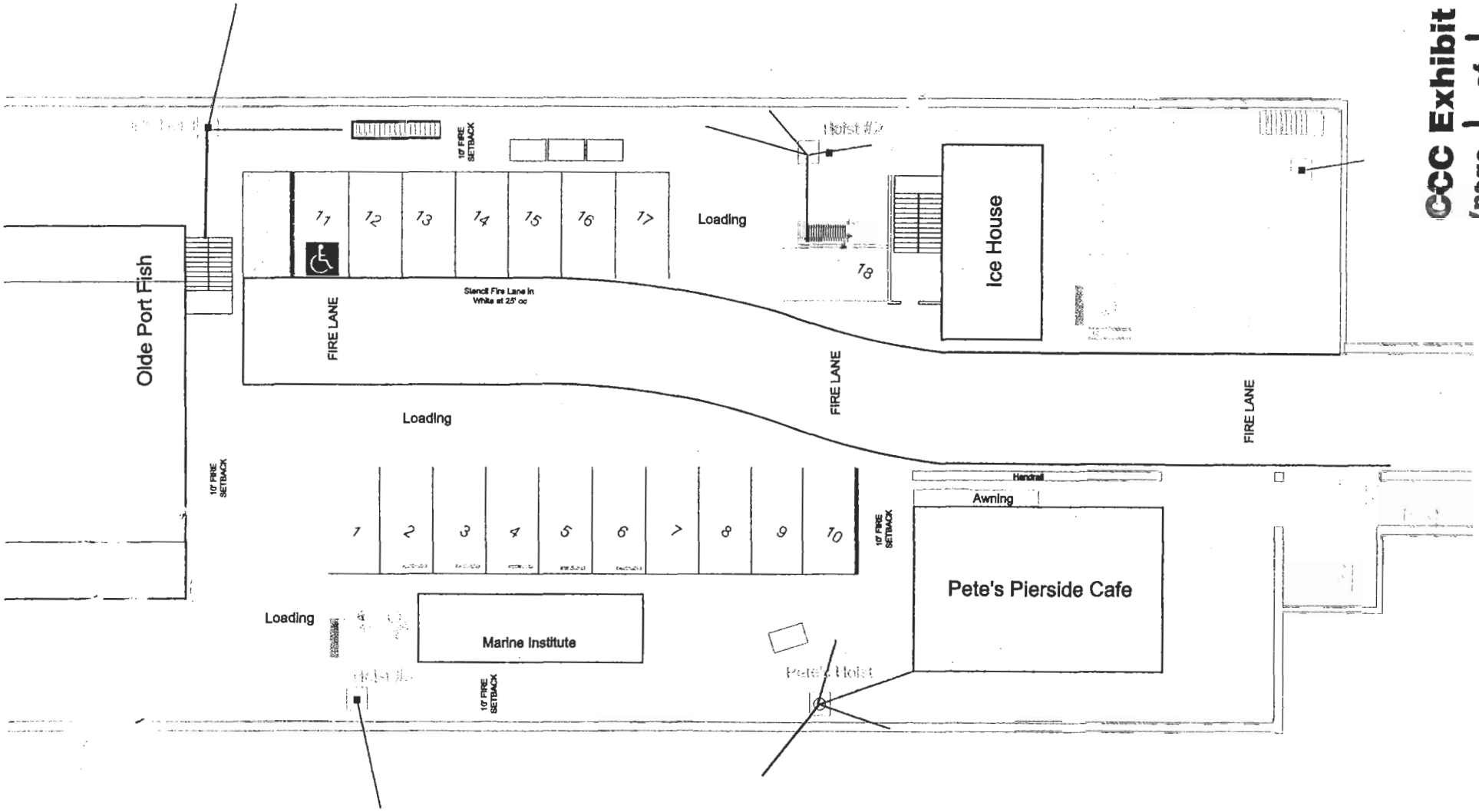
Lighthouse			
Lighthouse pier	Replace Coast Guard Pier and extend as necessary top provide adequate depth;		6-10 years
Beach trail/stairway	Add beach access stairway and pedestrian trail		

Discretionary Approvals Required

Adoption of the Port Master Plan requires the approval of the Harbor District Board of Commissioners. Once adopted by the Board, the Harbor District will make application to San Luis Obispo County for an amendment to the Local Coastal Program to incorporate relevant provisions of the Master Plan in accordance with the California Coastal Act. An LCP amendment is decided by the County Board of Supervisors upon the advice of the County Planning Commission. Following approval by the Board of Supervisors, the LCP amendment will be forwarded to the California Coastal Commission for certification.

CCC Exhibit D
(page 3 of 3 pages)

CCC Exhibit E
(page 1 of 1 pages)



Striping Plan
May 2005

Harford Pier Terminus

July, 2006

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BRIAN KREOWSKI — Commissioner

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JAY K. ELDER — Harbor Manager
THOMAS D. GREEN — Legal Counsel
PHILLIP J. SEXTON, CPA — Treasurer

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CENTRAL COAST AREA

July 27, 2006

Linda Locklin
Access Program Manager
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Re: Coastal Access to the Lighthouse Reservation

Dear Ms. Locklin,

Port San Luis Harbor District (the District) and the Lighthouse Keepers (LHK) have ongoing and pressing needs to resolve issues of access to the Lighthouse. Additionally, the complete development of District properties, in accordance with the Port Master Plan, will greatly enhance the ability of the public to access the coast.

In conversations with PG&E and the County, a number of measures have been agreed to as a part of the Steam Generator Replacement (SGR) project. Although this project has been appealed to the Coastal Commission, PGE has assured the District that, regardless of the outcome, a number of these measures will be funded.

Additionally, access mitigations are required as a part of the conclusion of all special conditions associated with the Independent Spent Fuel Storage Installation (ISFSI). While the District, in November 2003, expressed opposition to this project, and addressed a number of concerns with the EIR, the District supports the goals of the Coastal Commission and PG&E in development of a plan for increased public access to the coast.

The District and LHK would like to take this opportunity to reiterate the overarching need for public access to coastal recreational opportunities, the mitigations that have previously been discussed as a part of SGR mitigation, and how those items may be complemented as a part of the ISFSI mitigation.

The Point San Luis Lighthouse is a valuable cultural, historical and recreational resource for the people of San Luis Obispo County and visitors to the area. Access to this resource is negatively impacted by several factors: access to the road, access across the road and the condition of the road. Ongoing funding to preserve that access is needed to ensure access control and management, as well as maintenance of the facilities.

The following items are all in keeping with the goals enumerated in the Port Master Plan, must be ultimately accomplished to realize access for the public to the coast, and are listed in no particular order of priority:

- *Development of Harbor Terrace, according to the Port Master Plan.* Property owned by PG&E and leased by the District abuts the northern edge of District property on Harbor Terrace. Transfer of title to the property identified in the Port Master Plan (Figure 8, attached) to the District will enable development that ensures the availability of low cost visitor serving and other coastal dependent uses, such as gear and boat storage for commercial and recreational boaters.

CCC Exhibit F
(page 1 of 24 pages)

PORT OF ENTRY — U.S. CUSTOMS

Access to the beginning of Lighthouse Road. This was previously addressed as 'removal of barriers to coastal access', both administrative and physical, in proposed mitigations for the SGR project. This goal should be fully funded in an amount not to exceed $1,000,000.

- *Access across the property between Diablo Canyon Road and the Lighthouse irrevocably and in perpetuity.* A recorded, irrevocable easement over the road has been agreed upon in SGR mitigation. This easement mitigation should either be supplemented by an irrevocable conservation easement, or replaced by the deeded gift of that property between Diablo Canyon Road and the lighthouse reservation, from tidelands to ridgeline, into public ownership, and that the deed should first be offered to the District, which will accept the property subject to due diligence and advice of legal counsel. Should a grant of fee title be offered to the District, funding not to exceed $50,000 for performance of due diligence prior to acceptance of the property should be provided.
- *Completion of funding to rebuild the road from Diablo Canyon Road to the Lighthouse.* The most recent cost estimate for this project is $1.8 million; $500,000 is currently available through grants, and $700,000 has been previously committed by PG&E, through SGR mitigation.
- *Support personnel to manage access to the Lighthouse and its environs.* This may be funded through an endowment (suggested in the amount of $600,000), or some other funding mechanism.
- *Funding for ongoing rehabilitation, maintenance and repairs to the Lighthouse properties and the road.* This can be accomplished with an endowment of $600,000.
- *Van access to the Lighthouse.* PG&E has previously, through SGR mitigation, agreed to fund van access in the amount of $150,000.
- Additionally, while not a District project, the District and the Lighthouse Keepers express support for the development of a pedestrian and bike path from Avila Beach to Port San Luis.

Combined, the resolution of these access issues will greatly enhance the public's ability to access and enjoy the significant resource that is the Lighthouse and the entire San Luis Bay.

Thank you for your consideration; please call Facilities Manager Steve McGrath at 595-5400 if you have any questions.

Sincerely,

Carolyn Moffatt
President, Harbor Commission

Andrew Merriam
President, Lighthouse Keepers

Attachment: Harbor Terrace - Existing Conditions (Figure 8)

cc: Tom Jones, Governmental and Public Relations, PG&E

FIGURE 8

CCC Exhibit F
(page 3 of 24 pages

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CENTRAL COAST AREA

STEW JENKINS
Lawyer

Family Law
PHYSICAL ADDRESS
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San Luis Obispo
California 93401
(805) 541-5763

Employee Labor Law
MAILING & FAX
P.O. Box 511
California 93406
FAX: (805) 547-1608
(9 a.m. to 4 p.m.)

July 21, 2006

Peter Douglas
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, California 94105-2219

By mail

Re: A-3-SLO-04-035

Dear Mr. Douglas:

As a former Commissioner at the Port San Luis Harbor District, I am very concerned that no mitigation of access restrictions necessitated by the Dry Cask Nuclear Waste Storage facility at the southern gateway to Rancho San Miguelito has been formulated.

The enclosed letter was delivered to the Port San Luis Commissioner's Lighthouse Committee in anticipation of their 7-19-06 meeting with a representative of PG&E to work out an agreement on mitigation for the Dry Cask Storage at Diablo Canyon. Unfortunately, neither the scheduled PG&E representative nor a replacement attended the meeting for PG&E.

I wanted to lodge the comments in that letter regarding appropriate mitigation for the Dry Cask Storage with your office.

But I also would request that these comments on access mitigation measures be considered by the Coastal commission in reference to the appeal now pending concerning the San Luis Obispo County permit issued for installation of new reactor steam generator caps at PG&E's Diablo Canyon nuclear plant.

Thank you for your attention.

Sincerely,

Stew Jenkins

Enclosure

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STEW JENKINS

Family Law | Lawyer | Employee Labor Law

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P.O. Box 511
California 93406
FAX: (805) 547-1608
(9 a.m. to 4 p.m.)

July 19, 2006

Carolyn Moffatt
President, Port San Luis Harbor Commission
Lighthouse Committee

Hand Delivered

Re: P.G.&E. Diablo Canyon Dry Cast Storage – appropriate mitigations for public access restrictions – Coastal Commission number A-3-SLO-04-035
Lighthouse Committee meeting July 19, 2006 with P.G.& E. representatives.

Dear President Moffatt,

I wanted to provide the committee and the Harbor Commission suggestions in a concrete format for appropriate mitigations to restrictions on public access to the coastal resources necessitated by storing nuclear waste adjacent to the Diablo Canyon Nuclear Reactor. In order to address this, the Committee should look at concrete facts existing at the site.

Concrete fact: U235 has a half-life of 760 Million years. This suggests that the storage of the nuclear waste at the dry cask storage site will cause a permanent closure of part of the coast to public access relative to our species. Humans have existed on the planet for only a fraction of the time that it takes for the nuclear waste to degrade. The Harbor is in no position to predict that any removal of these nuclear waste materials will ever be permitted. Hence, planning of impact mitigation should account for a permanent restriction on access by the public to the coast near the Dry Cask Storage Facility.

Concrete fact: The Marre Ranch [Rancho San Miguelito], now owned by the applicant P.G.& E., has been subdivided into a number of parcels that adjoin the Harbor's property, and these parcels have a fixed shape governed by the subdivision map act. In other words, changes in those parcels' boundaries or size, or further subdivision of those parcels, would require additional processes through the County. **A copy of the Assessor's Parcel Maps 76-171, 76-172, and 76-174 accompanies this letter.**

Concrete fact: The Harbor District currently owns all of the land within Assessor's Parcel Map 76-172 [The Harbor Terrace, Roadway, Land Fill, and margins]. The Harbor District Currently owns property appearing as Assessor's Parcel Map 76-171-24 and 76-171-23, and 76-171-06 [The San Luis Lighthouse and Whaler's Island at the tip of Point San Luis].

Concrete fact: The above two sets of public properties are separated by two intervening parcels owned by P.G.&E. [76-171-19 and 76-171-18]. Across portions of each intervening P.G.&E. parcel snake the only landside access routes to and from the Lighthouse: a foot trail and a one-lane dirt road. No one may reach either road or trail without security clearance through

Diablo Canyon's gate. **An aerial composite photo of Point San Luis referencing the parcels, and showing how the road snakes across these parcels is also included.**

Concrete fact: The public has an interest in, and a history of, accessing the Pecho Coast Trail, over parcel 76-171-16, leading from the Lighthouse property to the Pecho Creek along the rugged Pacific coast side of Point San Luis.

Concrete fact: The public's access to the coast would be enhanced by build-out of a planned campground, RV camping facilities, day use facilities, visitor serving, and marine historical facilities on the Harbor Terrace property. The build out of these public access facilities is dependent upon acquisition by the district of parcels 76-171-18 and 76-171-21. First, terrain necessitates expansion of the Harbor Terrace for proper circulation. Second, the water tank that serves the site is on parcel 21. Both parcels are owned by P.G. & E.

Concrete fact: Public coastal access for sport fishing, commercial fishing, marine research, aquaculture, pier fishing and activities, sailing, recreational boating, and beach activities are all dependent on landside storage for ready access to vessels, fishing gear and equipment, pilings, materials, and heavy equipment like cranes, beach cleaners, pile drivers, trucks, and even firefighting and emergency equipment. Such support facilities impose their own impact on views and access and there is a need for such storage to be maintained near the Harbor's facilities at Port San Luis and at Avila Beach -- outside of the view areas. Such location only exists on Parcel 76-171-18 [West of the Point San Luis ridge line] and on parcel 76-171-21 [Cherry Canyon]. Parking for the public accessing the coast needs to be placed near, but off the coast to which they seek to access. By moving unsightly parking, support equipment, materials, and storage out of the high value view areas where the public seeks access to the coast, the restrictions to coastal resources near Diablo Canyon's waste storage will be further mitigated.

Concrete fact: Port San Luis and Avila Beach require a second entrance for the public to have adequate access, adequate emergency entrance/exit, and adequate traffic circulation safety. The only viable additional route for alternate access to Avila Road is through Cherry Canyon. Grant of parcel 76-171-21 would contribute to the creation of such an alternate transportation access route.

Clearly the only means of evaluating mitigations of the permanent restrictions imposed by opening of the Dry Cask Storage facility is to examine the needs the public has for enhancement of their access to the cost at the southern entrance to the Diablo Canyon nuclear reactor, and its attendant Dry Cask Storage facility. It is suggested that there is a critical need for the public, through the Port San Luis Harbor District, to acquire parcels 171-18, 171-19, and 171-21. Those mitigating transfers would enhance the public's ability to access the Point San Luis Lighthouse. Those transfers would provide the public with use of camping facilities on the coast at Harbor Terrace. Those transfers would enhance the public's ability to access the three piers and the Pacific Ocean by providing nearby storage that is out of sight and out of the way of coastal uses by the public. Moreover, these parcels being placed in public ownership of the District are critical to the public obtaining offsetting enhancements to their ability to access, use, and enjoy Lighthouse Beach, Port Beach, and Avila Beach.

It is suggested that there is a critical need for the public, through the District, to acquire 171-18, 171-19, in order to provide the public with offsetting access to the historic Lighthouse, Fog Horn Compressor Building, and other facilities at the publicly-owned parcels at the tip of Point San Luis. Improvement and maintenance of the roadway on this rugged pillow lava escarpment requires the ability to stabilize the terrain the road and trail traverses.

While less critical, given the permanent nature of the access restrictions in and around the nuclear plant, imposed by the Dry Cask Storage Facility, it is suggested that offsetting public access should be granted to parcel 76-171-16. Grant of that tract to the District for use by the public accessing coastal resources should be considered. In addition, the benefits of placement of the Diablo Canyon security gate across, and northwest of, Pecho Creek should be considered. Placement of the security gate at that location would appear to tighten the area to be secured, and isolate individuals seeking to breach security at either the nuclear plant or the Dry Cask Storage Facility for identification and capture.

Thank you for your and the Lighthouse Committee's consideration of these suggestions.

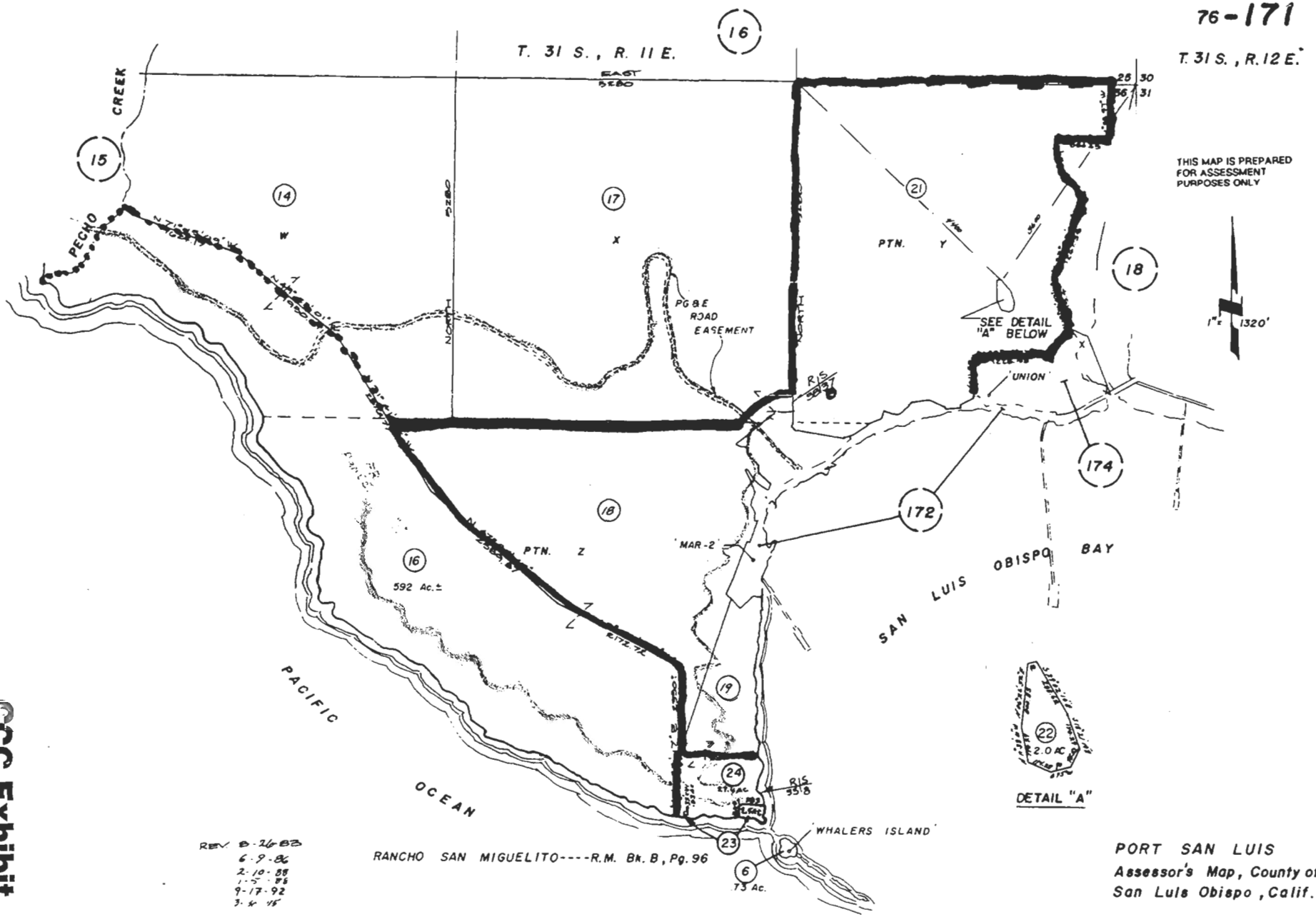
Sincerely,

Stew Jenkins

c: P.G.&E. [Mr. Patrick Mullen]
Committee Members & Harbor Commissioners
Lighthouse Keepers
Avila Valley Advisory Committee
California Coastal Commission
Shirley Bianchi, Chair, San Luis Obispo County Board of Supervisors

CCC Exhibit F
(page 7 of 24 pages)

76-171

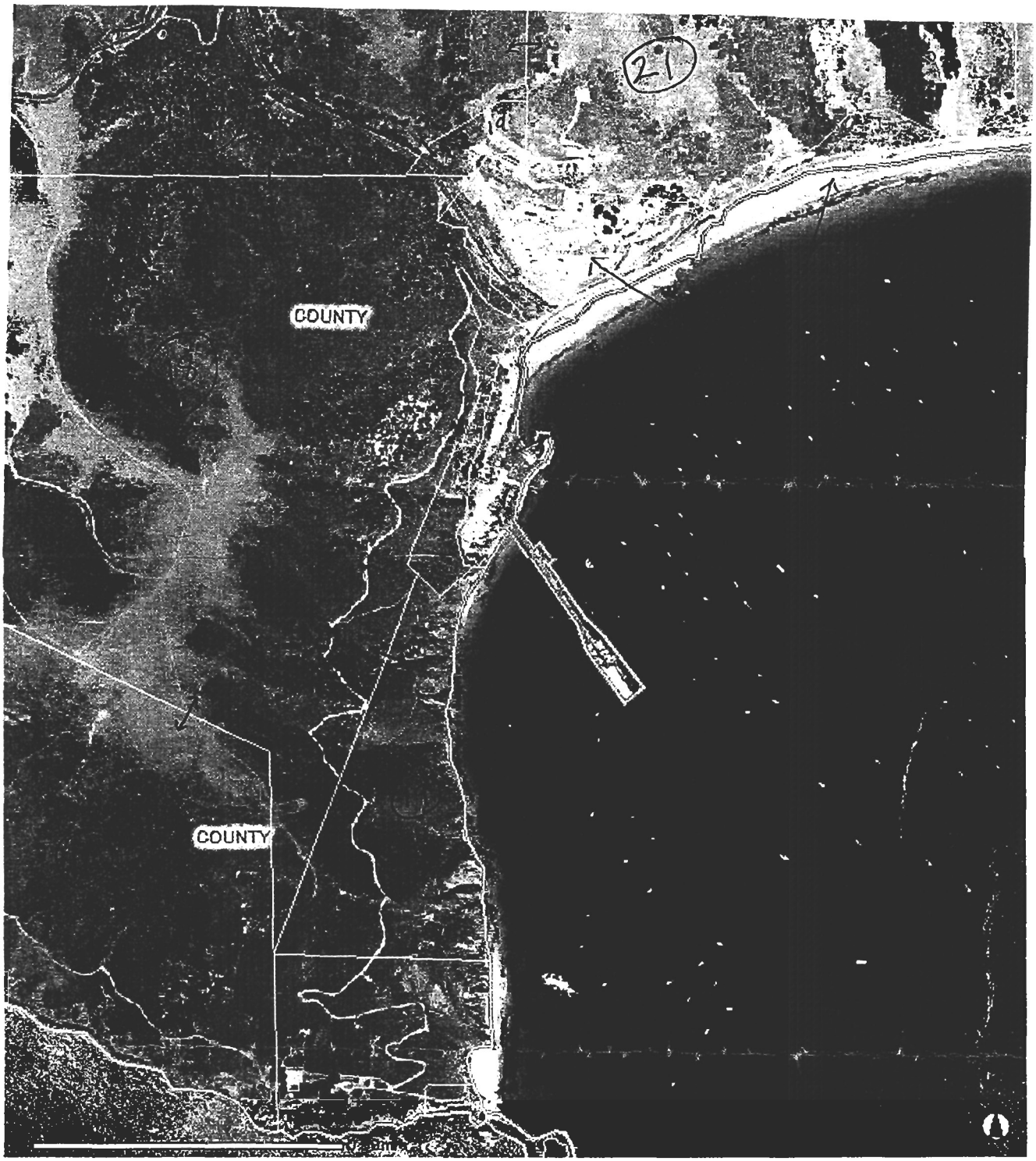


Brown is Road or trail

PORT SAN LUIS
Assessor's Map, County of San Luis Obispo, Calif.

CCC Exhibit F
(page 8 of 24 pages)

76-171



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3/27/06

California Coastal Commission
c/o Mr. Steve Monowitz, District Manager
Central Coast District
725 Front Street, Suite 300
Santa Cruz, Ca. 95060

Re: Port San Luis Harbor District Master Plan

Dear Commissioners:

My name is Barry A. Cohen. I am writing to you as a sport and commercial fisherman, whose home port is Port San Luis, as a lessee of the Port San Luis Harbor District, and as a concerned citizen. I have been in the fishing and fish business at Port San Luis for over forty years. In fact I was working on and around the Harford Pier even before the Harbor District acquired the "right of way" from Avila Beach to the Harford Pier. I have the oldest, longest, and only original lease with the Port San Luis Harbor District. I have been an active part of the Harbor District longer than any of the Harbor Commissioners or anyone else involved with the District, today.

I have seen and have been part of the development of Port San Luis Harbor District from the very beginning. At the age of twenty four, when I first started working at Port San Luis, as a commercial fisherman, I had recently been honorably discharged from the Navy (after serving in the U.S. Submarine Service). I was then a student on summer break between my Junior and Senior year at Cal Poly, majoring in math and physics. Many days I was the only person on the Pier and I still remember, I could have gone to sleep on the Pier during the July Fourth weekend and there would have been no one around to wake me up. At that time the Pier was in total disrepair. The holes in the Pier were so large you had to be very careful, especially at night, or you would fall through and land in the water.

After fishing out of Port San Luis, for about six months, I became partners with the fish buyer on the Pier. I later bought him out and took over his month to month lease with the District. The building I obtained was in such terrible repair that it was useless to try to "lock up" at night. If anyone wanted to come inside, all they had to do was just walk through the walls.

I was working on fixing up this old dilapidated building when Mr. Leo Brisco, President of the Harbor District (and to be for 25 years), while walking the Pier, stopped by, introduced himself and asked what I was doing with the building. For some time, Mr. Brisco watched what I was doing, fixing the building and buying fish from the few commercial fishermen. He saw I was unknowingly helping him to make things better. We spent some time talking (actually, we continued for decades) when he explained why he was there. He told me an old friend of his, Luigi Marre, who owned all the surrounding land and a huge house overlooking the bay, told Mr. Brisco that he had more then everything he needed for himself and his family. Now, he said, what would do his "heart good" would be to look out over the bay and see a harbor that lots of people could enjoy. He wanted to give something back to society. He told Mr. Brisco that he would give him whatever he needed, including land, to build a harbor. Mr. Marre

asked Mr. Brisco, if he would help him make a harbor for the public to enjoy. I could tell Mr. Brisco had made a very serious commitment to make Mr. Marre's "**dream come true**". Both of these men were very wealthy and successful and wanted to give something back to the people. It was a good thing! I wanted to be a part of it. That was my beginning at Port San Luis.

We all worked together to build something special. I saw the Pier get rebuilt to where it made us all proud. I received a long term lease from the District. I built a new big building that housed a wholesale/processing fish business, a retail fish market, a seafood restaurant, and waiting room/cocktail lounge. I worked seven days a week and sometimes, when the fish were really "running", I didn't even make it home at night. I supported my family from my work on the Pier. All of my children, and I have five, have worked helping me at the Pier and my two sons are still there. The Harbor District, and especially the Pier, are far more then dirt, sand, rocks, pilings, caps, stringers, decking, and buildings to the Cohen family. It is our life, our sweat, our dreams and hopes, and even our blood. We helped build Port San Luis Harbor.

I'm telling you all of this because I wanted you to know where I was coming from when I discuss the Port San Luis Harbor District Master Plan. Actually, I'm the only one left that knew the "Master Plan" from the beginning, as mentioned above. A big part of the Master Plan included commercial fishing. Not only for the fishermen, but for the tourists and the general public. Experiencing this entertaining and educational display of the commercial fishing industry at work is one of the last few things the public can enjoy for free. People have always loved watching the boats unloading. Being mesmerized by the filleters filleting the fish right off the boats. Being able to buy the freshest fish possible. Or dining in the restaurant, watching the fish being unloaded, the seagulls fighting over fish scraps, the seals barking, and all while eating the freshest fish possible. It was one of the biggest "draws" to the Pier. It was the essence of a real "Working Pier". It was real, but it put you in another world. This should still be a big part of the Master Plan. In fact this very thing was protected by you under the California Coastal Act of 1976.

***Section 30234* Commercial fishing and recreational boating facilities**

Facilities serving the commercial fishing and recreational boating industries shall be protected and where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

***Section 30234.5* Economic, commercial and recreational importance of fishing**

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Today the Pier is again in disrepair. After Mr. Brisco left the Board of Commissioners (he has since passed away), the maintenance of the Pier has been sorely lacking and falling further and further behind each year.
Without actually going into the causes for the lack of maintenance, I will tell you how the lack

of maintenance has affected commercial fishing at Port San Luis. First, I have to take you back to 1993 and 1994 and I will just give you the short version. In 1993 the District and I entered into a Settlement Agreement where the District guaranteed no less than 17 public parking spaces on the Pier at the terminus. The District also agreed that they would enforce the parking regulations of those spaces. In 1994 the District and I entered into a lease that specifically allowed semi fish trucks weighing not more than eight and one half tons per axle (which is highway legal) access to the lease site. For the most part, this merely formalized what the former owner and I had already been doing, with the District's permission. We had been using semi fish trucks even before we entered into our original long term lease. It is virtually impossible to conduct a viable wholesale/processing fish business without the use of semi fish trucks.

Well, the lack of maintenance finally caught up to the weight of the fish trucks. Although the solution was to fix and maintain the Pier, the District chose, instead, a different direction, to try to stop the semi fish trucks by adopting weight limits on the Pier. This went on for a few years, but they were obligated to allow the fish trucks access by our lease. In 2004 the District and CDF together, fabricated an untrue incident (concerning a semi fish truck), wrote a letter to the District (so it was to themselves) requiring a change in the fire lane policy. This would be the way to stop the semi fish trucks on the Pier. Now I had no place to load or unload the semi fish trucks. I tried to continue with what we had been doing since 1994, loading and unloading alongside the icehouse, until CDF gave me formal CDF citations. That was the end of my wholesale/processing fish business and a devastating blow to the infrastructure of commercial fishing at Port San Luis. As well as providing a wholesale fish buying and selling business, I was the only major processor of groundfish from Fort Bragg to the Mexican border and now I could no longer buy the fishermen's catches, as I had no way to get the fish to market nor was I able to buy fish in other Ports to keep the fish business continually operating, as required by my lease. The supply of fish was cut off and the fish was the "life blood" of the wholesale/processing fish business, the retail market and the seafood restaurant. No more trawl fishing boats unloading at Port San Luis, no more albacore boats, no more shrimp boats. no more squid boats, no more sardine boats, etc. and now the fishermen have to fend for themselves in all directions. They were shut off from their market of forty years at Port San Luis Harbor. The importance to the fishermen becomes obvious when things are put in perspective. If a fisherman or fishermen are fishing off our area and need to unload their catch of albacore, or squid, or shrimp, or trawl fish, to name a few, and there is a swell where they can't get into Morro Bay's narrow and dangerous entrance, they are in trouble. The next nearest place for them to unload or sell their catch South is Ventura (about 100 miles or 14 hours away by boat) and the nearest place North is Monterey (about 130 miles or 16 hours away by boat, if the weather is good) . The fishermen need Port San Luis as an option, but at this time, that option is gone. **Now I would like to tell you my concerns with the Port San Luis Harbor District's Master Plan, which are as follows:**

Page 1 – 1

Chapter 1 section A. Master Plan Objectives
".....to meet public obligations for those areas as mandated by the State Tidelands Grant and the California Coastal Act of 1976....."

First "bullet point" * *"Meet Coastal Act priorities for the harbor, especially the protection of coastal-dependent and coastal-related activities....."*

Fifth "bullet point" * *"Enhance and maintain the maritime character of the harbor."*

1) The California Coastal Act of 1976 states the District was supposed to protect commercial fishing. They destroyed the commercial fishing at Port San Luis.
2) Does their idea of the "character" of the harbor include having a "Working Pier" with commercial fishing activities? That was destroyed too.

So, on the first page, what they say they are going to do, does not equate with what they are doing and have done in the recent past. How do they reconcile this inconsistency?

Page 1-3 Public Facilities

Harford Pier *The "backbone" of the Port San Luis Harbor, Harford Pier is an historic working pier that serves commercial and recreational fishing and boating, and is a primary focus of Port activities.*

If the Pier is the "backbone" of the Harbor, then the District has a broken the "backbone" of the Harbor. If the District sincerely believes the Pier is the primary focus, why not take good care of it and make it strong, safe for the public, and nice so we can all be "proud of the Pier" again?

Harford Landing *An 8.7 acre site at the base of the Pier that provides supportive land area to coastal-dependent and coastal-related uses at the main harbor.....*

If this site is supposed to provide support to coastal-dependent uses, then why are there no parking spaces provided for commercial semi fish trucks. In fact, why are commercial semi fish trucks specifically prohibited from parking in this area?

Page 1-5 Planning Issue 1: District Priorities and Fiscal Issues

It is the District's intent to create a mix of uses that are compatible with recreational opportunities and the surrounding area in a way that is mutually-beneficial to the Harbor District, the Avila community, and the people that enjoy the waterfront. .....

What happened to compatible with commercial fishing? Is the District doing away with us to where there is only a "token", fishery left?

Page 1-7 2. Commercial Fishing

Commercial fishing has long been an important component of the Port's economy. Port San Luis provides the only commercial fishing industry access along the Central Coast between Morro Bay and Santa Barbara. In recognition, previous Master Plans gave preference in the allocation of resources (such as pier and water space) and capital investments to commercial fishing. Although commercial fishing provides an important source of income for quite a few in the region, over the last decade the commercial fishing industry has suffered persistent declines. According to the Coastal Commission Periodic Review of San Luis Obispo County's Local Coastal Plan (July 2001), this trend is reflected in the decreasing need for facilities dedicated to commercial fishing purposes. The Coastal Act provides that, "Existing commercial fishing and recreational boating space shall not be

reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. (Public Resources Code Sec.30234). While there has not been a dramatic turnover of moorings at the Port, it is clear income from commercial fishing enterprises no longer supports the capital costs required to support the industry. In response, this Master Plan anticipates the redistribution of resources to other boating and fishing uses. Nevertheless, the Port will continue to value the industry as important to Port San Luis's heritage and future and, consistent with regional demand, will provide for the continuation of resources to serve it. Commercial fishing and related activities contribute in large part to the working character of the Port and require the presence and reinforcement of complementary uses. Many uses on Harford pier, such as the icehouse, the fish buying stations, and retail fish sales, continue to support these long-established maritime activities.

Responses to this Paragraph, "Commercial Fishing"

1) The commercial fishing industry at Port San Luis did not have a ".....decreasing need for facilities dedicated to commercial fishing purposes."

2) The fish business on the Pier still had the same demand, if not more, "for those facilities".

3) We always had the opportunity to get fish from other Ports, as all other fish companies do, so long as we had our semi fish truck access.

4) Fish populations are cyclical and therefore catching these fish is cyclical.

5) Some species of fish have dramatically increased over the last decade, such as sardines (not long ago, thought to be "overfished"), squid, shrimp, and sea bass to name a few. Consequently, these commercial fisheries have also increased dramatically.

6) I find this above stated justification for reducing the commercial fishing facilities at Port San Luis just plain ridiculous. Why did the District look to a publication from the Coastal Commission to make a decision concerning facilities for commercial fishing at Port San Luis, when the District and I had a lease for forty years concerning a commercial fishing facility? They could have just walked down the Pier and asked me if I had less need for the facilities. After all, I was the one paying for the facilities.

7) The District knew that I processed commercial fish on a steady basis and had great need for the facility. In fact, if anything, they complained that there was too much semi fish truck traffic on the Pier. I was also told, "The fish processing had grown too large for the Pier". The District never complained that I did too little commercial fish business on the Pier, only that I did too much!

8) This whole issue raised is just an excuse to reduce the activity on the weak , rotten, and neglected Pier. Had the Pier been well maintained the District would not try to reduce the activity. They would have embraced it.

9) This paragraph above, "Commercial Fishing" is misleading and a disguise of the truth. It is merely a poor attempt to justify the District's non-compliance with sections 30234 and 30234.5 of the Coastal Act. Where the paragraph above states, ".....it is clear income from commercial fishing enterprises no longer supports the capital costs required to support the industry." Where does the Coastal Act make those purported economics a factor in the District's legal obligations? Aren't they obligated to the public to keep the historic working pier usable, strong, and in good condition regardless of the income generated to the port from the industry?

10) What concerns me further about the above paragraph is the timing of these

events. I am almost positive that this paragraph above was written before the District and CDF, together changed the "fire lane" policy on the Pier. So why was this written before any of the facilities for commercial fishing was decreased? Had the future of the commercial fishing already been planned?

Page 1-8 3. Sport Fishing

Sport fishing at Port San Luis has historically revolved around three species: rockfish, salmon, and albacore.....Increasing government regulations, quotas, and closures makes it unlikely that the (sport) fishing industry will expand.

This is contrary to what the District told the California Department of Boating and Waterways to get a grant. They told B&W that if the District could surface 28 dirt spaces, add electrical, sewer, and water hook ups, a laundry, shower and new restrooms, they could increase the number of sport boat launches from 2,400/yr. to 5,500/yr. Actually, I would think the "hook ups" mentioned and a laundry, shower and new restrooms would have more to do with RVs then day sport fishermen. Besides, these "improvements" would certainly not more then double the sport launches. In fact, in my opinion, these "improvements" would not account for any additional launches. These "improvements" and the number of "launches" are not directly related, but are mutually exclusive. In any event, the truth is, the District wants the money, it is a 1.4 million dollar project.

According to the Port San Luis Harbor District's Master Plan, the District states it intends to, amongst other things:

A) Widen the "Historic Pier" to the original footprint.
B) Make additions to "POD 1"
C) Have additional areas under the Canopy made into new lease sites.

The District's Master Plan is extremely ambitious and highly unrealistic considering the track record of the District over the last fourteen plus years.

1) The District was going to repair the "historic" canopy twelve years ago.
Condition: Worse today. Repairs still on hold.
2) Camels are deteriorated to a non functioning condition.
Condition: Existing Camels (most are gone), worse then ever.
3) West Deck (commercial boat unloading area) District was going to repair more then fifteen years ago.
Condition: Unsafe, forklift tires go through deck
4) East Side of Terminus north of Canopy. Major job. Tentative repair date. Unscheduled.
Condition: Unsafe. Rotten.
5) Pier under "Historic" Canopy. Major job. Tentative repair date. Unscheduled.
Condition: Needs total rehabilitation.
6) Many, if not most, Fender Piles need to be replaced.
Condition: Broken, rotten, worn out. Fishermen tie up, rotten piling breaks, fishermen get charged for new piling, new piling does not get installed.
7) Pier under the fish market and restaurant. Needed to be maintained fifteen plus

years ago. Tentative repair date. After lease expires

Condition: Past life expectancy. Rotten. In dire need of maintenance.

Page 2-5 2. Harford Pier

"In 1992 , the California State Historic Preservation Office designated Harford Pier a national historic structure, which requires the Harbor District to preserve and rehabilitate the pier. Due to its age, type of construction, and heavy use, the pier demands continual structural maintenance and repairs for such pier components as decking, the road area, utilities, and boating access facilities."

In addition to what I have already pointed out, there are still many more unresolved issues such as parking, priorities, RVs, maintenance, monetary considerations, etc.

In conclusion:

As I said before, The Port San Luis Harbor District's Master Plan, at this time, is extremely ambitious and highly unrealistic considering the track record of the District over the last fourteen plus years. The District complains now that the Pier (which is their responsibility) can no longer support the fish trucks. How is the District ever going to even get to (no less accomplish) these "visions" of their Master Plan, when they are so far behind with the maintenance today. What is their "plan" to get to the Master Plan? I laid out some of the areas of the Pier and the whole Canopy that desperately need maintenance. These projects alone will take the District years and years (if ever) at their current rate, just to get current with today. By that time many more areas will need maintenance, and so on and so on. What is their "plan"? This is the "plan" we should all be talking about. Not their "grandiose vision".

As it stands today, in my opinion, the District is not even in compliance with the Coastal Act and will not be in compliance until the Pier and fish unloading areas are repaired to the point where, at least ,they do not interfere with the needs of commercial fishing. The Pier itself is a commercial fishing facility and should have been "protected", but it was not. Also in my opinion, the District has illegally changed the access and priority use of the parking lot on the Pier, so again, the District is not in compliance with the Coastal Act and needs to return things back as they were and apply for a permit if they want to change the parking lot. Furthermore, since 1992, the District was required to preserve and rehabilitate the Pier. Again quoting from their Master Plan, ***"In 1992 , the California State Historic Preservation Office designated Harford Pier a national historic structure, which requires the Harbor District to preserve and rehabilitate the pier. Due to its age, type of construction, and heavy use, the pier demands continual structural maintenance and repairs for such pier components as decking, the road area, utilities, and boating access facilities."***

As my father used to tell me, "It's time to stop dreaming and get back to work or your dream won't come true."

Sincerely,

Barry A. Cohen

Barry A. Cohen

CCC Exhibit F
(page 17 of 24 pages)

JB

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MAR 3 0 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 19, 2006

California Coastal Commission
C/o Mr. Steve Monowitz, District Manager
Central Coast Division
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Commissioners:

My name is Leonard Cohen. I am writing to you as a Restaurateur/Lessee at Port San Luis Harbor and a concerned citizen. I am currently the owner of Olde Port Inn Restaurant. The restaurant was founded by my father, Barry Cohen, in 1971 and I have been employed there since 1976. I feel the need to share with all of you some concerns I have regarding our harbor and its management and how it all relates to their master plan.

My first concern is the surface of the pier itself. This is very important because we are located at the end of the pier. With only eighteen parking spaces next to the restaurant, the majority of the public end up walking ¼ mile from the main landside parking lot to our restaurant. In 1976, when I first started working on the pier, it was in great condition. The walkway and driveway surfaces were very smooth. No one ever complained about how unsafe it was to walk on or how bumpy it was to drive on. People did not constantly come into the restaurant asking for various medical supplies for themselves or their children, due to stumbles and falls on the pier. The public did not break ankles, wrists or lose teeth due to falls. Unfortunately, that is not the case today. Due to unsafe surfaces the above mentioned accidents happen constantly. These situations are hazardous for the public yes, but also for our restaurant. The harbor management has known about these problems for fifteen years and chosen to not make it right. In fact, the following is an excerpt from the harbor's master plan;

> *Harford Pier*
> *Today...*
> *Pier Stem*
> *"The pier is open for vehicular traffic and limited parking is available. Many Visitors use the walkway along the length of the eastern edge of the pier to reach the Pier terminus. Walking along the path is difficult for some due to the uneven Surface of the walkway and often pedestrians walk along the pier roadway to Take advantage of its even surface."*

Just to correct them a bit, the driveway is very rough as well. Walking out at night with very poor lighting is almost impossible. The harbor management needs to make the pier friendly and safe for the public and our customers. Accessing the pier should be a positive experience not a trip to the emergency room.

My next concern is the main parking lot. Please allow me to give you a little bit of background information. When my father, Barry Cohen, and the harbor district agreed to a lease for the restaurant on the end of the pier, the pier was in great shape. The main parking lot was for the public to park so they could walk around the harbor, do some sightseeing, eat, drink or sport fish.

> *"# 5 Parking...Maintain adequate parking to accommodate harbor users and visitors. Require new uses to provide additional parking consistent with the County land use ordinances. Approve new or expanded uses only if Sufficient parking exists."*

The harbor management has embarked on a totally different course than is stated above. They decided to be in the RV business. They have encouraged RV users to come to the port, park all along the bluffs (which block all visitors' views of the harbor), and park in the main parking lot which displaces as many as two hundred vehicles. The daily visitors are gone at the end of a day. The RV visitors stay for numerous days.

> *"Nobi Point and Woodyard*
> *Nobi Point and Woodyard are unimproved scenic overlooks with panoramic Ocean views on the southeast side of Avila Beach Drive across from Harbor Terrace. The overlook areas on the bluffs offer excellent occasions to provide The public with a recreation area where they can appreciate uninterrupted Scenic vistas of marine life, the rural waterfront landscape, and the working Harbor. Many visitors already use the bluffs for these purposes without Additional improvements; however, oftentimes, views and the overlooks Are not available to public viewing because the bluffs are one of the most Popular places on Port property for RV parking and camping."*

All of the other harbor lessees have felt the negative impact as well, especially the restaurants. With no parking, the public chooses to go other places. Please hold the harbor accountable and have them remove all the RV's from the main land parking lot to another location, perhaps to the terraced hillside. Most importantly, please hold the harbor management accountable for their own master plan.

Thank you so much for your time and consideration.

Sincerely,

Leonard Cohen
Owner, Olde Port Inn Restaurant

UPSAC
UNITED PIER & SHORE ANGLERS OF CALIFORNIA

January 20, 2006

California Coastal Commission
Steve Monowitz, District Manager
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Dear Mr. Monowitz:

United Pier and Shore Anglers of California (UPSAC) is a non-profit organization developed to provide support and voice to a group of anglers whose numbers are numerically high, but whose views have been traditionally under-represented. UPSAC is committed to preserving and improving the recreational opportunities and environment of pier and shore anglers by a mixture of communication, educational and legislative programs.

One of our primary goals is to ensure that coastal areas are kept open to the public, and that angling remains one of the accepted recreational activities in these areas. Through our network of statewide county representatives (from Del Norte to San Diego), our membership, and our association with various local, state, and national organizations, UPSAC is regularly receiving timely, first-hand information concerning California's coastal and near-shore environment. Issues including shoreline public access for anglers and other visitors, terrestrial and marine habitat protection, educational opportunities, the impacts of agricultural, commercial, and industrial uses upon coastal resources, water quality, and of course, the quality of angling opportunities are all concerns of UPSAC and its members.

As per Public Resources Code 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse* as well as PRC 30234.5. *The economic, commercial, and recreational importance of fishing activities shall be recognized and protected*, it is our desire to establish a procedure by which UPSAC can bring reports and observations of possible violations and to the attention of the Commission.

Specifically, we remain concerned about the effects of ongoing construction and development at several locations that threaten coastal access to anglers and other visitors. By seeking to provide the Commission with observational and research data on such potential threats to our common goal—conserving and celebrating California's coastal environment—it is our hope that such information will prompt the Commission to further investigation, action, and resolution, as necessary.

Additionally, UPSAC gratefully acknowledges the Commission's experience and success in the past (notably at Broad Beach in Malibu, CA), and look forward to the continued protections afforded to all who enjoy California's coastal areas.

Thank you for your kind attention. Should you require any additional information or wish to share any concerns, please contact us at your convenience, or visit http://www.upsac.org.

We look forward to contacting you again in the near future.

Sincerely,

Benjamin R. Acker
Vice President, UPSAC

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FEB 24 2006
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

cc: *California Coastal Commission* District Offices: North Coast, North Central Coast, Central Coast, South Central Coast, South Coast, and San Diego Coast

POST OFFICE BOX 500074 SAN DIEGO, CA 92150-0074

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APR 12 2006
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

3/27/06

To Whom it May Concern:

My name is Jon Klein and my boat, which holds 32 tons of albacore is the F/V Karen Jan. I am a commercial fisherman from Oxnard, Ca. I bait fish for albacore along the West Coast from the Mexican boarder to the Canadian boarder. We often fish for the albacore off the Central Coast of California and catch our live bait in Avila.

Being able to sell our fish at Port San Luis is very important to us. Not only do we catch our bait in Avila, but we try to avoid Morro Bay because if we go into Morro Bay we get eel grass stuck in our circulating water pumps and the grass plugs up the system that we need to keep our bait alive. There are also times, during swell conditions when we can't get into or out off Morro Bay. Then Avila is not just important, it becomes crucial when Morro Bay is closed because the "bar (entrance) is breaking". We have to catch the albacore when we can because we fish off-shore and the weather is a big factor. If we are fishing off the Central Coast and there is a swell so we can't get into Morro Bay and Avila can't unload us, we have to leave the fishing grounds and go to either Ventura (which is South about 100 miles and 14 hours by boat) or Monterey (which is North about 130 miles and 16 hours by boat, if the weather is good). Either way we get hurt and if the weather is bad and we can't leave or get back we could miss the "bite" and ruin our season. Please help restore the access for us to unload at Port San Luis like it has been for all these past years. The fishermen need it. Thank you.

Sincerely,

Jon Klein

Jon Klein

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APR 0 5 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

3/27/06

California Coastal Commission
c/o Mr. Steve Monowitz, District Manager
Central Coast District
725 Front Street, Suite 300
Santa Cruz, Ca. 95060

Dear Commissioners:

My name is Polly Hawkins. I am a commercial fisherman from San Diego, Ca. My boat, which holds 30 tons of albacore, is the F/V Sea Chase. I bait fish for albacore along the West Coast from the Mexican boarder to the Canadian boarder. We often fish for the albacore off the Central Coast of California and catch our live bait in Avila Bay.

Being able to sell our fish at Port San Luis is very important to us. Not only do we catch our bait in Avila, but we try to avoid Morro Bay because if we go into Morro Bay we get eel grass stuck in our circulating water pumps and the grass plugs up the system that we need to keep our bait alive. There are also times, during swell conditions when we can't get into or out off Morro Bay. Then Avila is not just important, it becomes crucial when Morro Bay is closed because the "bar (entrance) is breaking". We have to catch the albacore when we can because we fish off-shore and the weather is a big factor. If we are fishing off the Central Coast and there is a swell so we can't get into Morro Bay and Avila can't unload us, we have to leave the fishing grounds and go to either Ventura (which is South about 100 miles and 14 hours by boat) or Monterey (which is North about 130 miles and 16 hours by boat, if the weather is good). Either way we get hurt and if the weather is bad and we can't leave or get back we could miss the "bite" and ruin our season. Please help restore the access for us to unload at Port San Luis like it has been for all these past years. The fishermen need it. Thank you.

Sincerely,

Polly Hawkins

Paul M Hawkins

P.S. THIS MEANS A LOT TO A LOT OF FISHER MEN.

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APR 0 3 2006
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

3/30/06

California Coastal Commission
c/o Mr. Steve Monowitz, District Manager
Central Coast District
725 Front Street, Suite 300
Santa Cruz, Ca. 95060

Dear Commissioners:

My name is Jim Dunaway. I'm a trawl fisherman currently fishing out of Moss Landing. I am the owner of the F/V Master Chris. There are times when we end our fishing trips off the coast of Morro Bay/Avila Beach. When that happens we try to unload there, so we can fish our way back up here. It is getting even more important now with the cost of fuel. If the swell is too big for us to get into Morro Bay and Avila can't unload us, we have to waste a lot of time running and not fishing. Not only that, but if the weather is bad and we can't get back, we would probably lose our fish to spoilage.

Having Port San Luis as an option for us to unload our fish at is of huge importance to us and a lot of other fishermen. There are many unexpected things that happen when we are out fishing, such as bad weather and breakdowns. When that happens and we have to go in, we need a place to unload our fish. If Morro Bay is "closed" because of the swell conditions and Avila can't unload, our options are either Ventura (about 100 miles south) or Moss Landing (about 130 miles north). Either way a long, expensive, and often rough ride, unless the weather is too bad and then we're just plain stuck.

Sincerely,

Jim Dunaway

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APR 0 3 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

3/30/06

California Coastal Commission
c/o Mr. Steve Monowitz, District Manager
Central Coast District
725 Front Street, Suite 300
Santa Cruz, Ca. 95060

Dear Commissioners:

My name is Mike Kriz. I'm a trawl fisherman currently fishing out of Moss Landing. I am the Captain of the 80 foot trawler, F/V Cassandra Anne. There are times when we end our fishing trips off the coast of Morro Bay/Avila Beach. When that happens we try to unload there, so we can fish our way back up here. It is getting even more important now with the cost of fuel. If the swell is too big for us to get into Morro Bay and Avila can't unload us, we have to waste a lot of time running and not fishing. Not only that, but if the weather is bad and we can't get back, we would probably lose our fish to spoilage.

Having Port San Luis as an option for us to unload our fish at is of huge importance to us and a lot of other fishermen. There are many unexpected things that happen when we are out fishing, such as bad weather and breakdowns. When that happens and we have to go in, we need a place to unload our fish. If Morro Bay is "closed" because of the swell conditions and Avila can't unload, our options are either Ventura (about 100 miles south) or Moss Landing (about 130 miles north). Either way a long, expensive, and often rough ride, unless the weather is too bad and then we're just plain stuck.

Sincerely,

Mike Kriz