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EXECUTIVE SUMMARY

San Luis Obispo County Local Coastal Program Periodic Review Final Recommendations

Commission staff has completed the Periodic Review evaluation of the San Luis Obispo County Local Coastal Program (LCP). Under the California Coastal Act of 1976, local government implementation of an LCP is the primary mechanism for achieving the resource protection goals of the Coastal Act. Section 30519.5 of the Coastal Act, though, requires that the Commission periodically review every certified LCP to determine whether they are being implemented effectively in conformity with the Coastal Act. Section 30519.5 gives the Commission an opportunity to identify beneficial changes to an LCP, based on an evaluation of local implementation and in light of changed environmental, social and economic circumstances that may have occurred since an LCP was first certified. Periodic Review allows for the incorporation of new knowledge into an LCP, and the adjustment of existing policies, programs, and implementation practices, informed by lessons learned about what works in the coastal management process. In short, the periodic review of LCPs is critical to the success of coastal management in California.

The San Luis Obispo County Periodic Review

Commission staff began the SLO County Periodic Review in January, 2000. Since then, staff has analyzed nearly 2500 coastal development permits issued by the County, conducted research on current environmental and social conditions in the County, held numerous public meetings, and has also had extensive meetings with County staff, community advisory groups, service providers, and concerned individuals. The Commission has received an unprecedented amount of public participation and feedback in response to the Periodic Review. At the Commission's February meeting in San Luis Obispo, staff presented a *Preliminary Report* for public comment and Commission consideration.

Since February, Commission staff has held additional public meetings, four of which were televised by a local cable television station in San Luis Obispo, and has met with individuals and other concerned groups about the *Preliminary Report*. After evaluating this additional public comment, staff has prepared a set of 165 *Final Recommendations for Corrective Action* that address coastal resource protection in 12 issue areas. Many of the final recommendations reflect extensive discussions with County staff and the public about the most effective ways to amend or change implementation of the LCP to address coastal resource protection in San Luis Obispo County.

Context for Final Recommendations

Significant environmental, social, legal, and economic changes have occurred since certification of the San Luis Obispo County LCP. These include newly discovered endangered species and environmental threats, designation of the Monterey Bay National Marine Sanctuary and the Morro Bay National Estuary Program, adoption of a new California Nonpoint Source Pollution Control Program, increases in tourism and shoreline recreation, improved knowledge and public appreciation of coastal resources, and continued population growth and development pressures.

As discussed at the February meeting, the Periodic Review shows that the County, local citizen groups, and others have done an admirable job responding to these changes through LCP implementation and other resource management efforts. Major accomplishments include property acquisitions such as East-West Ranch and the Estero Bluffs; expansion of agricultural land preserves; County acceptance of multiple public access dedications; and completion of a new specific plan for the redevelopment of Avila Beach. The County has also begun the process of considering substantial LCP changes for the North Coast and Estero areas, including a critical viewshed policy for the North Coast, and a TDC program to protect sensitive habitat in Los Osos.

Final Recommendations (see attached chart for more detail)

In addition to identifying many LCP implementation successes, the Periodic Review has resulted in 144 recommended corrective actions in 11 coastal resource areas and 21 recommendations to improve procedural aspects of LCP implementation.

Chapter 2: Environmentally-Sustainable/Concentrated New Development.

The Review presents 20 recommendations to address the environmental sustainability and concentration of new development. This includes recommended actions to:

- Change LCP implementation to better *preserve urban-rural boundaries*, and amend the LCP to clarify where and under what circumstances the provision of urban services to development outside of existing Urban Service Lines is appropriate.
- *Reduce development potential* on urban edges, create incentives to move development potential to urban cores, and adopt LCP amendments to support a greenbelt in Los Osos.
- Rezone recreational lands on the *Hearst Ranch* to Agriculture, limit future non-agricultural development locations to San Simeon Acres and small-scale infill at San Simeon Village, protect public viewsheds on the Ranch, and require land-use capacity analysis to address limited groundwater, sensitive species protection, highway capacity and other significant coastal resource constraints.
- Strengthen implementation of the LCP's *Resource Management System*, including participation of Commission staff in the RMS Task Force process; and address short-term and long-term development in Los Osos through amendments to the Estero Area Plan that address groundwater limitations and sensitive habitat protection.
- *Limit new residential development in Cambria* to 1% growth until January 1, 2002, due to limited water supplies, after which time no development should be approved absent findings that: instream habitats are protected; water is available for agriculture and visitor-serving uses; a water management plan is implemented; progress has been made on buildout reduction; and there is adequate water for emergency response.

Chapter 3: Enhanced Water Quality Protection.

The Review presents 13 recommendations to address the need for enhanced Water Quality Protection. Recommended actions include:

- Amending the LCP to provide the framework for a *Comprehensive Watershed and Water Quality Protection Component*, including updated discussion of California's adopted Nonpoint Source Pollution Plan, updated goals and policies for water quality protection, and a program to encourage watershed planning in the coastal zone.
- Strengthening the County's grading ordinance to require a *water quality control plan* that (1) identifies the type and size of BMPs necessary to maintain peak runoff rates and volumes and accommodate runoff from the 85th percentile storm; (2) protect and restore natural drainages; (3) minimize pollutant loads; (4) limit impervious surfaces; and (5) require maintenance of BMPs.
- Adopting LCP programs to address water quality *impacts from agriculture*, including: education-based efforts to address sedimentation and other nonpoint source pollutants; and certified implementation programs that support the use of BMPs on agricultural lands while eliminating unnecessary individual permitting requirements.
- Amending the grading ordinance to allow maximum flexibility for existing agricultural activities, while protecting sensitive habitats and significant trees, and minimizing erosion.
- Addressing *Post-construction runoff* by incorporating the Model Urban Runoff Program (MURP) Water Quality Checklist into the planning process.
- Adding policies and programs to require BMPs in Harbors and other boating facilities.

Chapter 4: Sensitive Coastal Habitat Protection.

The Review presents 56 recommendations to address the need for enhanced protection of sensitive coastal habitats. This includes:

- Changes to the County's current map-based implementation of ESHA protection policies to emphasize analysis of up-to-date *site-specific resource information* while also completing comprehensive updates of existing habitat maps.
- Developing *Comprehensive Habitat Conservation and Management Programs* for areas with particular challenges, such as Los Osos (shoulderband snail) and Cambria (Monterey pine).
- Strengthening standards for proposed development in ESHA to emphasize *avoidance* of impacts, alternatives, and the need to protect private property through a takings analysis override, while limiting site disturbance in cases where impacts to ESHA are unavoidable.
- Enhanced *coordination* of project review between the County, California Department of Fish and Game, U.S. Fish and Wildlife, and the National Marine Fisheries Service.
- Strengthening LCP standards for habitat impact mitigation, wetland and stream setbacks, streambed alterations, wetland delineations, and habitat/wetland restoration and monitoring.

Chapter 5: Protecting Agricultural Lands.

The Review presents 9 recommendations to address the need for enhanced protection of rural agricultural lands. This includes:

- Strengthening the use and application of *agricultural viability* reports for lands proposed for redesignation from agriculture to a non-agricultural use.
- Amending the LCP to include new criteria for *lot-line adjustments on agricultural lands*, including: requirements to not increase the number of developable parcels or create parcels where the only future building site would result in significant coastal resource impacts; requirements that lot-line adjustments maintain or enhance agricultural viability; and allowing clustering to minimize the impacts of development on non-conforming parcels.
- Amending the LCP to require noticing of *Certificate of Compliance* applications in rural areas to the Commission, and providing an administrative consultation process to avoid conflict concerning parcels proposed for certification.
- Developing LCP performance standards for residential developments on Agricultural land that protect the maximum amount of agricultural land, limit non-agricultural uses, minimize site disturbance, protect ESHA and viewsheds, and maintain rural character.
- Amending the LCP to better specify principally-permitted, conditional, and supplemental uses on agricultural lands.

Chapter 6: Maximizing Public Access

The Review presents 8 recommendations to address the need for enhanced protection of Public Access, including incorporating comprehensive access components into each Area Plan of the LCP. These components should include a Public Trails Plan to ensure future implementation of the *California Coastal Trail*.

Chapter 7: Avoiding Coastal Hazards

The Review presents 17 recommendations to address the avoidance of coastal hazards. This includes new policies and ordinances to ensure no future armoring of the coastline related to new development and to increase the set back of new development to ensure safety of structures for at least 100 years; adoption of areawide shoreline management plans; requiring consideration of realignment of Highway One along the North Coast to avoid armoring; limiting new development in Cambria's flood hazard zone until implementation of the comprehensive flood management plan; and providing new standards for appropriately balancing the need for fire clearance protections with protection of sensitive habitats and public lands.

Chapter 8: Preserving Scenic Resources

The Review presents 10 recommendations to address the need for enhanced protection of scenic viewsheds. This includes: adopting a *Critical Viewshed Policy* for the North Coast Area of San Luis Obispo County; creating a Scenic SRA Combining Designation; and strengthening protection of public viewsheds, including views from state waters.

Chapter 9: Protecting Archeological Resources

The Review presents 4 recommendations to address the protection of archeological resources. This includes: updating resource overlay maps; and evaluating subsurface survey requirements, use of conservation easements to protect identified resources, and existing permit exemptions where archeological resource impacts are a possibility.

Chapter 10: Energy and Industrial Development

The Review presents 4 recommendations to address Energy and Industrial development, including: updating the LCP to address onshore fiber optic cable projects; updating Area Plan energy policies to ensure adequate mitigation for impacts from potential energy facilities; and updating the LCP to address the abandonment of energy facilities.

Chapter 11: Commercial Fishing and Recreational Boating

The Review presents 3 recommendations in this chapter including a recommendation to coordinate future boat launch ramp project review with the Commission, Department of Fish and Game, and other interested parties, and update the Port San Luis Master Plan to address new circumstances, including the need to reserve Avila Valley Road capacity for priority Coastal Act uses.

Chapter 12: Improving LCP Implementation Procedures

The Review presents 21 recommendations to address the need for improved LCP implementation procedures, including improved public noticing, intergovernmental coordination, and permit application and appeal processes. The review also recommends clarifying allowable and principally permitted uses to better address the appeal criteria of the Coastal Act.

Next Steps

Under Coastal Act 30519.5, San Luis Obispo County has up to one year to implement (or explain to the Commission the reasons for not taking) any corrective actions adopted by the Commission. As summarized in the attached chart, preliminary indications are that the County agrees with many of the recommended actions, while some may require further staff discussions to identify mutually-agreeable implementation options. Implementation of the Periodic Review, though, will require many different types of actions on the part of the County, including submittal of comprehensive LCP amendments to the Commission, changes in procedures, and securing of funding for the new studies, mapping, programs, etc. As mentioned, the County already has comprehensive Area Plan Updates (Estero and North Coast) underway, which are expected to play a major role in implementing the Periodic Review. In addition, although the Periodic Review has identified many specific changes to enhance the SLO County LCP, further discussion about the details of potential LCP amendments will be needed prior to actual changes to the LCP. Some of the recommendations also will require substantial County resources, which points to the need for the Commission to bolster its various local assistance efforts, including helping the County with securing new funding sources. It will remain important for the Commission to not just continue but increase regular staff coordination with the County if implementation of the Periodic Review is to be successful.