

# CHAPTER 3

## ENVIRONMENTAL SETTING

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### 3.1 PHYSICAL SETTING AND EXISTING USES

The project area is a linear corridor within San Luis Obispo County, with a small portion extending through the City of Arroyo Grande limits, and passing near the unincorporated community of Oceano, and the community of Halcyon. The project is located within San Luis Obispo County Flood Control and Water Conservation District (District) Zone 1/1A and consists of approximately 3.5 miles of trapezoidal channel along Arroyo Grande Creek and Los Berros Creek (Swanson Hydrology + Geomorphology 2006). The Arroyo Grande Creek is part of the Estero Bay Hydrologic Unit (310.0), the Arroyo Grande Hydrologic Area (310.30), and the Oceano Hydrologic Sub-Area (310.31) (Central Coast Salmon Enhancement 2009).

The project site is located in a relatively flat valley that supports prime agricultural land and urban development. It flows through the Arroyo Grande flood control channel into Oceano Dunes State Vehicle Recreation Area to the Pacific Ocean. Agricultural operations, scattered residences, and residential clusters are common along the project corridor and in the surrounding areas. Prominent geographic features in the vicinity include the agricultural Cienega Valley to the south, Nipomo Mesa to the southeast, and the Santa Lucia Range to the east. The project is bounded on the northwest by the unincorporated community of Oceano (within the jurisdiction of San Luis Obispo County) and bounded on the northeast by the community of Halcyon (founded in 1903 by the Temple of the People, a philosophical and religious order from New York). The Oceano Airport and Oceano Wastewater Treatment Plant are located at the northwest corner of the project corridor as it flows into Oceano Dunes State Vehicular Recreation Area, and the project site is bordered on the west by Arroyo Grande lagoon at the Pacific Ocean.

The lower Arroyo Grande Valley has a long history of flooding and damage to agricultural and residential lands. Arroyo Grande Creek has been altered since the late 1950s for flood control, water supply and groundwater recharge purposes. The most substantial alterations include the development of the Arroyo Grande flood control channel, Lopez Dam and diversion of Los Berros Creek. The flood control channel was funded by PL 566 through the United States Department of Agriculture (USDA) Soil Conservation Service as a partnered project of the Arroyo Grande Soil Conservation Service and the District, and completed in 1961 (Central Coast Salmon Enhancement 2009). The entire 3.5-mile project area is located in the flood control channel, which provides flood protection to the productive farmlands of the Cienega Valley. The channelized portion of the Creek, bounded by levees approximately 10 to 12 feet tall, passes through predominantly agricultural land and varies in width from 50 and 80 feet (Stetson Engineers, Inc. et al. 2004). The levees have partially eroded at the westernmost terminus of the Creek as it flows into Arroyo Grande lagoon. The Lopez Dam is located on Arroyo Grande Creek approximately ten miles upstream from the project area and was completed in 1968. The dam collects and provides water to municipalities and releases for downstream users (Central Coast Salmon Enhancement 2009). The lower portion of Los Berros Creek was also channelized and diverted to adjoin Arroyo Grande Creek in 1961 to provide further flood control for the Cienega Valley.

Historical records indicate that prior to construction of the dam, the creek flow was intermittent, with flow slowing or going subsurface in the summer and early fall, with a sand bar forming at the mouth enclosing remaining surface waters in a small estuary. An average of 2,330 acre feet

of water has been released from the reservoir into Arroyo Grande Creek each year, between April and October, to meet downstream demands for agricultural irrigation supplies (Stetson Engineers, Inc. et al. 2004). After construction of Lopez Dam, Arroyo Grande Creek appears to have continued its intermittent nature until 1998, when downstream releases for fisheries were instituted (Central Coast Salmon Enhancement 2009).

### 3.2 SURROUNDING LAND USES

Farmers and ranchers initially settled the Arroyo Grande Valley in the late 1800s, and agricultural land use continues to be an important economic factor in the area. The terrain in the project area, along the lower three miles of the Creek corridor, is fairly flat. The creek is less deeply incised and the historical 100-year floodplain is much broader than upstream sections of the Creek. The broad 100-year floodplains bordering the creek have been converted to agriculture or dense urban/suburban development. The surrounding hills have mostly been converted to suburban development. The last half-mile of the creek traverses coastal dune habitat and is bordered, especially on the south, by a large active dune complex. Most areas north of the creek have been converted to residential and industrial developments. The northern levee was constructed approximately four to six inches higher than the southern levee, in order to more fully protect the Oceano Airport, Oceano Wastewater Treatment Plant, and residential uses to the north. All parcels located directly adjacent to the project site are listed in Table 3-1, along with their current land use designations and existing land use (generally listed from west to east along the project corridor). Many of the surrounding properties have residences or include smaller scale agricultural operations (refer to Table 3-1 and Figure 3-1, below).

**Table 3-1. Adjacent Properties' Land Use**

APN	Land Use Designation	Land Use
061-091-019	Recreation	Oceano Dunes State Vehicular Recreational Area
061-091-020	Recreation	Oceano Dunes State Vehicular Recreational Area
061-091-025	Public Facility	Vacant
061-091-018	Public Facility	Oceano Wastewater Treatment Plant
061-091-029	Public Facility	Oceano Airport
061-161-012	Agriculture	Vacant
061-161-011	Agriculture	Vacant
061-161-010	Agriculture	Vacant
061-161-008	Agriculture	Agriculture
061-126-007	Agriculture	Agriculture
061-126-006	Industrial	Industrial
061-321-001	Industrial	Agriculture

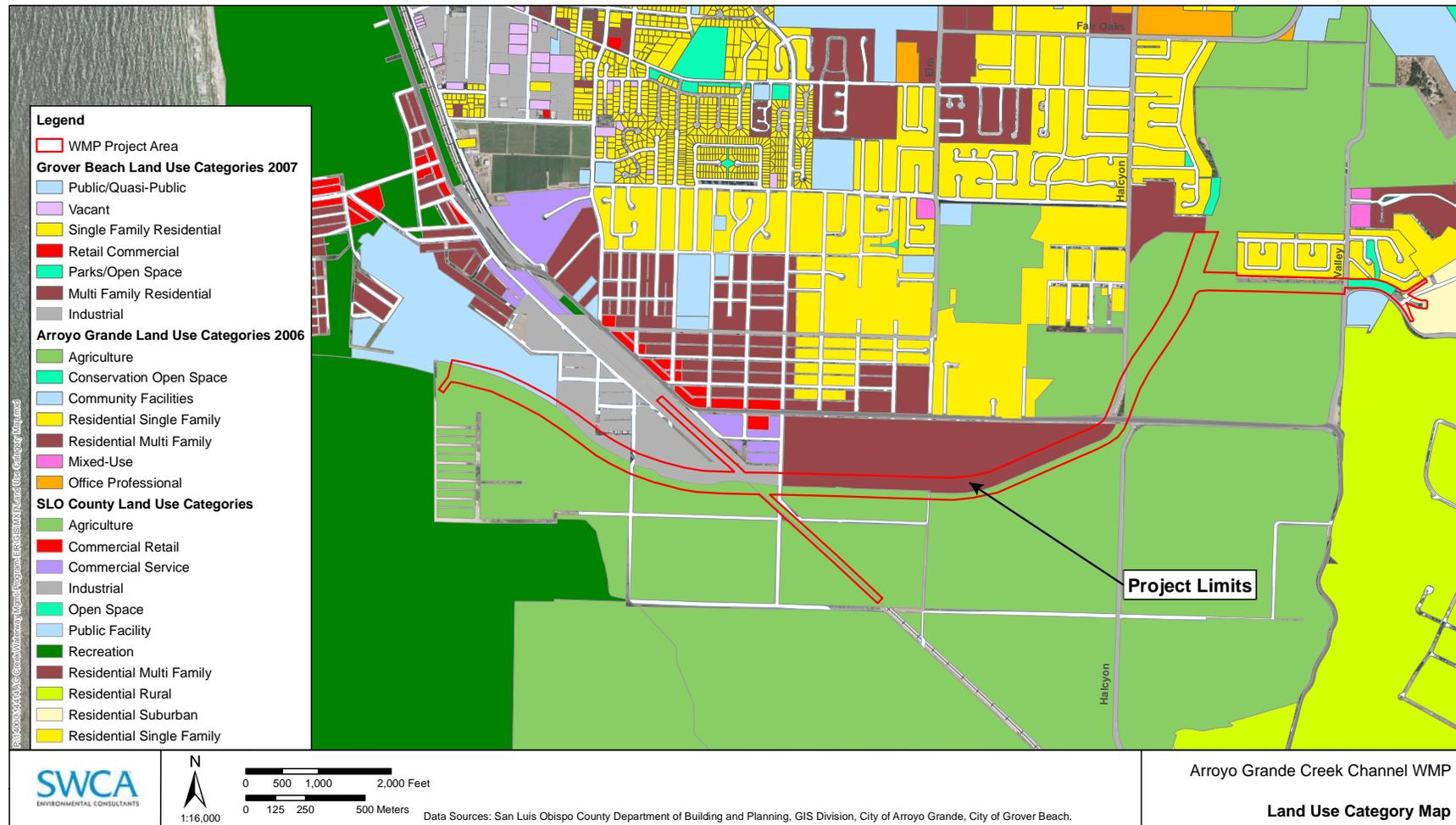
**Table 3-1. Adjacent Properties' Land Use**

<b>APN</b>	<b>Land Use Designation</b>	<b>Land Use</b>
061-321-002	Industrial	Agriculture/Vacant
061-321-003	Agricultural	Agriculture
061-331-003	Ag/Ind	Vacant
Railroad ROW	Ag/Ind	Union Pacific Railroad
061-331-001	Industrial	Storage facility
061-331-002	Ag/Ind	Residential, Industrial/Manufacturing
062-122-009	Res. Multi Family	Pismo Sands RV Park
062-122-010	Res. Multi Family	Cienaga Seabreeze Mobile Home Park
062-051-004	Res. Multi Family	Duna Vista Mobile Home Park
061-331-004	Agriculture	Agriculture
061-331-005	Agriculture	Agriculture
075-032-008	Res. Multi Family	Rancho del Arroyo Mobile Home Park
075-032-009	Agriculture	Agriculture
075-032-010	Agriculture	Agriculture
075-032-011	Res. Multi Family	Agriculture
075-032-005	Res. Multi Family	Propane facility
075-032-006	Agriculture	Agriculture
075-032-013	Agriculture	Agriculture
075-031-016	Agriculture	Agriculture
075-011-022	Agriculture	Agriculture
075-011-053	Agriculture	Agriculture
075-011-042	Agriculture	Agriculture
075-011-039	Res. Multi Family	Ken Mar Gardens Mobile Home Park
075-011-038	Agriculture	Residence
075-011-020	Agriculture	Agriculture
006-077-007 through 014	SFR Medium Density	Residence

**Table 3-1. Adjacent Properties' Land Use**

<b>APN</b>	<b>Land Use Designation</b>	<b>Land Use</b>
006-077-027 through 034	SFR Medium Density	Residence
006-077-047	SFR Medium Density	Residence
006-087-003	Conservation/Open Space	Vacant
006-086-006 through 008	SFR Medium Density	Residence
006-085-025	Conservation/Open Space	Vacant
006-085-075 through 090	SFR Medium Density	Residence
075-393-007	Agriculture	Vacant
075-390-001	Res. Single Family	Residence
075-393-001	Residential Suburban	Vacant

Figure 3-1. Land Use Category Map



### **3.3 CONSISTENCY WITH PLANS AND POLICIES**

#### **3.3.1 Overview**

CEQA Guidelines, Section 15125(d) states that “the EIR shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” While CEQA requires a discussion of consistency with public plans, inconsistency does not necessarily lead to a significant impact. Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect would result from the inconsistency.

#### **3.3.2 Relevant Land Use Plans**

The project area, comprised of the lower stretches of Arroyo Grande Creek, lies within many local, state and federal governmental jurisdictions, including San Luis Obispo County, the City of Arroyo Grande, and the California Coastal Commission. The following is a summary of relevant planning documents that affect the project area or any portion of it. Table 3-2 lists applicable policies from these documents and provides a consistency determination. All adverse physical effects resulting from any inconsistencies are discussed in the appropriate environmental analysis sections contained in Section 4 of this EIR. For example, potential inconsistencies with policies related to agricultural resources are addressed in the Agricultural Resources section of this EIR. Although the EIR analysis addresses the proposed project’s consistency with applicable land use plans and policies, it is the responsibility of the Board of Supervisors to make the final decision regarding consistency issues.

##### **3.3.2.1 San Luis Obispo County General Plan**

California state law requires each city and county to adopt a general plan “for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning” (Gov. Code Section 65300). The California Supreme Court has called the general plan the “constitution for future development.” The general plan expresses the community’s development goals and embodies public policy relative to the distribution of future land uses, both public and private. California statutory law requires seven elements to be included in the general plan. These are land use, circulation, housing, open space, safety, conservation, and noise. The San Luis Obispo County General Plan also includes energy, economic, and parks and recreation elements. These ten elements provide the blueprint for future growth in the County. During the environmental review process, three elements of the County’s General Plan proved to be most relevant, as follows.

##### **San Luis Obispo County Agriculture and Open Space Element**

The 2006 Agriculture and Open Space Element outlines policies for the development and management of agricultural and open space lands within the County’s jurisdiction, and is focused on “wisely managing and protecting these important land resources in San Luis Obispo County.” Recognizing the value of agriculture to the economy and character of the County as a whole, the goals of the plan are to support agricultural production, conserve and protect agricultural lands and resources, and encourage public education and participation in their management. Open space contributes in large part to the quality of life enjoyed in San Luis Obispo County. The County’s goals are to identify, protect, and manage the existing open space by preventing urban sprawl, and encourage public education and participation in the decision making process. The protection of open space is considered essential to the preservation of the rural nature and lifestyles that characterize San Luis Obispo County.

### San Luis Obispo County *Draft* Conservation and Open Space Element

The Conservation and Open Space Element is a plan for the conservation of natural resources, including water, forests, soils, harbors, wildlife and other biological resources. The County of San Luis Obispo is currently preparing an update to their Conservation Element, which was enacted in 1974. The existing Conservation Element is so antiquated that review of that document is not useful at this time. Although not yet adopted, a brief analysis of the upcoming *draft* Conservation and Open Space Element has been included in Table 3-2.

### San Luis Obispo County Safety Element

The Safety Element first became a mandatory part of the General Plan in 1975 when the California Legislature adopted Senate Bill 271. This legislation required cities and counties to adopt, at a minimum, General Plan policies related to fire safety, flooding, and geologic hazards. In 1984 the Legislature adopted Assembly Bill 2038, which expanded the list of mandatory issues that were to be evaluated in the Safety Element. The County Safety Element has two basic principles: 1) to be prepared for disaster, and 2) to manage development so as to reduce the risk of disaster. The Safety Element provides a general evaluation of potential public safety hazards on a county-wide basis. The Safety Element provides the direction and resources to help reduce death, injuries, property and environmental damage, and the economic and social dislocation resulting from natural hazards. While it is required to focus on fire, flooding, geologic, and seismic hazards, jurisdictions may address any relevant safety issues that are considered important.

#### **3.3.2.2 San Luis Obispo County Land Use Ordinance (Title 22)**

The County Land Use Ordinance for inland portions of the County, known as Title 22, includes regulations established and adopted to protect and promote public health, safety, and welfare. Regulations are also adopted to implement the County General Plan, guide and manage the future growth of the county in accordance with those plans, and regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county. In addition, ordinance regulations are in place to minimize adverse effects on the public resulting from land use and development, as well as to protect and enhance the significant natural, historic, archeological and scenic resources within the county as identified by the county general plan. The Land Use Ordinance also includes planning area standards. The project area is located in the San Luis Bay Planning Area.

#### San Luis Bay Planning Area Standards

The San Luis Bay Planning Area Standards are a component of the General Plan Land Use and Circulation Elements, and are codified in Article 9 of the San Luis Obispo County Land Use Ordinance (Title 22). The San Luis Obispo Planning Area is one of thirteen planning areas that make up the county Land Use Element. The purpose of Article 9 is to provide standards for proposed development and new land uses that are specific to each of the planning areas defined by the Land Use Element. These standards are mandatory requirements, intended to address the local planning issues of each planning area.

#### **3.3.2.3 San Luis Obispo County Coastal Zone Land Use Ordinance (Title 23)**

The San Luis Obispo County Coastal Zone Land Use Ordinance (CZLUO) for coastal portions of the County, known as Title 23, includes regulations established and adopted to protect and promote public health, safety, and welfare. Regulations are also adopted to implement the County General Plan, guide and manage the future growth of the county in accordance with

those plans, and regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county. In addition, ordinance regulations are in place to minimize adverse effects on the public resulting from land use and development, as well as to protect and enhance the significant natural, historic, archeological and scenic resources within the county as identified by the county general plan. The ordinance is intended to assist the public in identifying and understanding regulations affecting the development and use of coastal lands.

#### **3.3.2.4 San Luis Bay Coastal Area Plan**

The San Luis Bay Coastal Area Plan describes County land use policies for the Coastal Zone portion of the San Luis Bay Planning Area, including regulations that are also adopted as part of the Land Use Ordinances and Local Coastal Program. The Area Plan allocates land use throughout the Coastal Zone portion of the planning area by land use categories, which determine the variety of land uses that may be established on a parcel of land, as well as defining their allowable density and intensity. Specific development “standards” are included in the area plan to address special problems and conditions in individual communities. Standards for public services, circulation and land uses (located in Chapter 8) provide detailed criteria for evaluation of development projects. The remainder of the area plan is intended to be used for general planning guidance only, and is not to be used as a basis for approval or disapproval of development or land division proposals.

#### **3.3.2.5 San Luis Obispo County Local Coastal Program Policy Document**

The Coastal Zone in San Luis Obispo County spans 96 miles of coastline. The California Coastal Act of 1976 mandates that local governments prepare a land use plan and schedule of implementing actions to carry out the policies of the Coastal Act. The County’s coastal land use plan is set forth in Title 23, while the Local Coastal Program Policy Document sets forth the County’s commitment to implement the Coastal Act through both general plan policies and identification of detailed land use regulations. Under the Coastal Act mandate, local governments are confronted with the need for implementing policies that are more specific and that address non-traditional issues not commonly associated with the normal role of a local government general plan. The policies set forth in the Local Coastal Program Policy Document are typically implemented through Title 23 (CZLUO). Thus, they have not been separately discussed in Table 3-2.

#### **3.3.2.6 Arroyo Grande General Plan**

The Arroyo Grande General Plan consists of eight elements, or chapters, each of which focuses on a specific topic related to the city’s day-to-day operations and future expansion. The state of California mandates that each city’s general plan include elements relating to circulation, conservation, housing, land use, noise, open space, and safety. Arroyo Grande’s General Plan combines conservation and open space into a single element, along with agriculture. During the environmental review process, three elements of the Arroyo Grande General Plan proved to be most relevant, as follows.

##### Arroyo Grande Agriculture, Open Space and Conservation Element

The Arroyo Grande Agriculture, Open Space and Conservation Element sets policies relating to agricultural lands, maintenance of open space, and use of natural resources. The element’s primary principals are: (1) resources such as prime capability soils are highly productive whether for agricultural purposes, watershed or natural habitat; (2) resources that are irretrievable and/or irreplaceable need to be protected and preserved; (3) individuals and the

community have a responsibility to future generations as well as to wildlife to preserve and protect finite natural resources; (4) resources lands contribute to overall public health, safety and welfare beyond provision of basic necessities such as food, fiber and livelihood; and (5) land use and urban development shall be managed and limited to that which can be sustained by the available resources and serviced by the circulation and other infrastructure systems.

### Arroyo Grande Land Use Element

The Arroyo Grande Land Use Element sets policies for land use citywide, including assigning land use categories to every parcel and setting standards for population density and building intensity. The Land Use Ordinance includes regulations established and adopted to protect and promote public health, safety, and welfare. Regulations are also adopted to implement the City General Plan, guide and manage the future growth of the City in accordance with those plans, and regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the City.

### Arroyo Grande Safety Element

The Arroyo Grande Safety Element provides a general evaluation of potential public safety hazards in the City and contains policies for disaster preparedness and emergency response. The Safety Element has two basis principals: to be ready for disaster, and to manage development to reduce the risk of disaster. Residents of the City of Arroyo Grande are subject to a variety of natural and human-caused hazards such as earthquakes, landslides, flooding, wildfires, hazardous materials, and unsafe buildings. The Safety Element first became a mandatory part of the General Plan in 1975 requiring cities and counties to adopt, at a minimum, General Plan policies relating to fire safety, flooding, and geologic hazards. In 1984 the State Legislature expanded the list of mandatory issues that were to be evaluated in the Safety Element to provide the direction and resources to help reduce death, injuries, property and environmental damage, and the economic and social dislocation resulting from natural hazards.

### **3.3.2.7 Arroyo Grande Watershed and Creek Memorandum of Understanding**

The Arroyo Grande Watershed and Creek Memorandum of Understanding (MOU) was entered into to develop recommendations to fund programs and develop policies for the maintenance, protection, and enhancement of the Arroyo Grande Watershed and the creeks within the watershed, including but not limited to the Arroyo Grande Creek and Los Berros Creek, and to recommend specific roles and responsibilities to implement those programs and policies. Parties to the MOU include the City of Arroyo Grande, the District Zones 1/1A and Zone 3, the County of San Luis Obispo, the City of Grover Beach, the City of Pismo Beach, Oceano Community Services District, South San Luis Obispo County Sanitation District, Coastal San Luis RCD, Natural Resources Conservation Service (NRCS), Central Coast Salmon Enhancement, California Department of Fish and Game (CDFG), California Department of Parks and Recreation, and the United States Fish and Wildlife Service (USFWS). The purpose of the MOU is to provide an overall understanding, and accountability consensus between the parties, in order to better protect, manage, and enhance the watershed, creating a sustainable future for the surrounding communities and environment.

### **3.3.2.8 Oceano County Airport Land Use Plan**

The Oceano County Airport Land Use Plan was adopted by the San Luis Obispo County Airport Land Use Commission in accordance with California Public Utilities Code Sections 21670 through 21679.5, the California Department of Transportation (Caltrans) *Airport Land Use Planning Handbook* (January 2002), and Federal Aviation Regulations, Parts 77 and 150. The purposes of the Plan are (1) to protect the long term economic viability of the Oceano County Airport by ensuring compatible land uses in the vicinity of the airport, (2) to promote the safety and well-being of the public by ensuring adoption of land use regulations that minimize exposure of persons to hazards associated with the operation of the airport, (3) to provide a set of policies and criteria to assist the Airport Land Use Commission in evaluating the compatibility of proposed actions with the operations of the airport, and (4) to provide guidance to local agencies in presenting proposed actions to the Commission for review. The proposed project runs through the Oceano County Airport Land Use Plan Planning Areas AG/a, I-2, and O/a.

### **3.3.2.9 Oceano Specific Plan**

Oceano is a small, unincorporated coastal agricultural community surrounded by farm fields, coastal dunes and the Pacific Ocean. The Oceano Specific Plan provides an overall framework for translating broad community values and expectations into specific strategies for enhancing the community's quality of life. Also, the Specific Plan contains estimates of future population, housing and employment that serve as the basis for planning. Halcyon is within the Specific Plan geographic and demographic area; however, it is not part of the plan and the standards, guidelines and programs identified in the plan do not apply to Halcyon.

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<b>San Luis Obispo County General Plan Agricultural and Open Space Element</b>		
<p><b>AG2: Conserve Agricultural Resources.</b>                      b. Conserve the soil and water that are the vital components necessary for a successful agricultural industry in this county.</p>	<p>As discussed in the Agricultural Resources section, proposed buildout of the levees along the flood control channel will result in the taking of approximately one acre of prime agricultural lands, and the temporary disturbance of as much as five acres of prime soils. The loss of prime soils will be mitigated through measures proposed in Section 4-1 Agricultural Resources to the extent feasible, including limiting construction to agricultural roads and other areas not likely to be in production and restoration of disturbed areas. The project applicant will also participate in the City of Arroyo Grande agricultural banking program, or other similar program approved by the County.</p>	<p>Consistent</p>
<p><b>AGP11: Agricultural Water Supplies.</b>                      a. Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.</p>	<p>The proposed project will not result in the creation of additional water needs and is designed to potentially provide increased storage for storm waters and to decrease loss of water and damage caused by flooding.</p>	<p>Consistent</p>
<p><b>AGP18: Location of Improvements.</b>                      a. Locate new buildings, access roads, and structures so as to protect agricultural land.</p>	<p>Although the proposed project will result in small takings of agricultural land, the improved levee structures will serve to protect those lands from increasing risks of flooding caused by settlement and degradation of the existing levee structures.</p>	<p>Consistent</p>
<p><b>AGP24: Conversion of Agricultural Land.</b>                      a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions.                       4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.</p>	<p>Although buildup of the existing levee structures will result in a limited taking of agricultural land, the levees serve a rural function and no feasible alternative location exists for the developments proposed to restore capacity of the lower portions of Arroyo Grande Creek and Los Berros Creek. In addition, loss of agricultural soils will be mitigated through measures proposed in Section 4-1 Agricultural Resources to the extent feasible, including limiting construction to agricultural roads and other areas not likely to be in production and restoration of disturbed areas. The project applicant will also participate in the City of Arroyo Grande agricultural banking program, or other similar program approved by the County.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>AGP25: Unique or Sensitive Habitat.</b>                      b. For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:</p> <p>1. Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.</p> <p>2. When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.</p>	<p>Potential impacts of the proposed project on sensitive habitats and agricultural operations will be minimized to the extent feasible through implementation of mitigation measures proposed in Section 4-1, Agricultural Resources, and 4-3, Biological Resources. Because of the significant mitigation required, the development proposed under the project will likely proceed over an extended period of time. Additionally, the project proposes to enhance existing habitat through riparian vegetation management, provide additional protection to surrounding agricultural lands through improved flood control, and result in a more natural stream flow through the creation of secondary channels that will prevent sedimentation build-up in the stream channel.</p>	<p>Consistent</p>
<p><b>AGP26: Streams and Riparian Corridors.</b>                      a. Encourage private landowners to protect and preserve stream corridors in their natural state and to restore stream corridors that have been degraded. Provide information and incentives to eliminate overgrazing in stream corridors. Encourage off-stream livestock watering sources.</p>	<p>The project seeks to restore the channelized capacity of the creeks, which have been degraded by excess sedimentation and accumulated vegetation. However, the majority of Arroyo Grande Creek and Los Berros Creek lying within the project area have already been channelized, and thus the creeks do not exist in their natural states. The project will not result in restoring the creeks to their natural states, but will seek to restore more natural function through the creation of secondary channels that will allow sedimentation to be flushed by the streams natural current, rather than through continued sedimentation removal activities. No livestock currently utilize the stream as a watering source, and no such use will result from the proposed project.</p>	<p>Consistent</p>
<p><b>AGP26: Streams and Riparian Corridors.</b>                      b. For new development requiring a discretionary permit and for land divisions, protect streams and riparian habitat affected by the proposal through the following measures:</p> <p>1. Consistent with the requirements of the Regional Water Quality Control Board's Basin Plan, establish a grading and building setback of 30 feet from the top of the stream bank. Locate buildings and structures outside the setback. Do not remove riparian vegetation within 30 feet of</p>	<p>Although not a standard type of "development", the proposed project anticipates the placement of levee structures and removal of vegetation within the stream banks.</p>	<p>Potentially Inconsistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>the top of the stream bank. Provide for adjustments when the applicant demonstrates that such setbacks would have a significant negative impact on the agricultural viability of the site, or where alternatives are infeasible or more environmentally damaging, and the adjustments are acceptable to the Regional Board.</p>		
<p><b>AGP26: Streams and Riparian Corridors.</b>                      b. For new development requiring a discretionary permit and for land divisions, protect streams and riparian habitat affected by the proposal through the following measures:                      2. Require appropriate erosion control measures during and following construction.                      3. Consistent with state and federal requirements, allow stream alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, or improvement of fish and wildlife habitat if there are no practical alternatives.                      4. Consistent with state and federal requirements, assure that stream diversion structures protect habitats.                      5. When significant impacts to stream or riparian resources are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.</p>	<p>The proposed project is a flood control project to be achieved through maintenance of the existing Arroyo Grande Creek flood control channel. Potential impacts of the project resulting from erosion and sedimentation have been mitigated through proposed measures in Section 4-5, Geology and Soils, including preparation of an erosion control plan and stormwater pollution prevention plan. Although the project has the potential to temporarily affect fish and wildlife habitats within the project area, it has been designed to improve habitat for fish and wildlife in the creek.</p>	<p>Consistent</p>
<p><b>OSG1: Identify and Protect Open Space.</b>                      a. Identify, protect, sustain, and, where necessary, restore and reclaim areas with the following characteristics:                      2. Ecosystems and environmentally sensitive resources such as:                      (b) Streams and riparian vegetation                      (c) Unique, sensitive habitat; natural communities                      (d) Significant marine resources                      4. Scenic areas                      5. Hazard areas</p>	<p>The project is a flood control project and includes proposed development, sedimentation and riparian vegetation removal within the Arroyo Grande and Los Berros Creeks. The majority of the project area is zoned Agriculture, consistent with surrounding land uses. However, the Creeks are currently in open space, and the project will serve to further define and protect the creek channel and riparian habitat.</p>	<p>Consistent</p>
<p><b>OSP18: Protection of Streams and Riparian Corridors.</b>                      a. Protect stream and riparian corridors in their natural state on public lands, where there are consenting private land owners or land donors, through the review of proposed land division or discretionary development.</p>	<p>The project includes proposed development, sedimentation and riparian vegetation removal within the Arroyo Grande and Los Berros Creeks, which are on privately-owned lands. The creeks do not currently exist in their natural state; however, more natural function of the creeks will be established through the</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>b. Where appropriate, utilize stream and riparian corridors as part of a network of wildlife corridors.</p>	<p>creation of secondary channels that will allow sedimentation to be flushed by the streams natural currents.</p>	
<p><b>OSP19: Development within Stream Corridors.</b></p> <p>a. On public lands or through the review of proposed land divisions or discretionary development, require projects to protect stream and riparian corridors through the following measures:</p> <ol style="list-style-type: none"> <li>1. Establish a building setback of a minimum of 50 feet from the bank of the watercourse or outside the dripline of riparian vegetation, whichever distance is greater, as shown in Fig. 3-12. Locate buildings and structures outside the setback. Provide for adjustments where alternatives are infeasible or more environmentally damaging, but the setback shall be no less than 30 feet consistent with the requirements of the Regional Water Quality Control Board's Basin Plan.</li> <li>2. Do not grade inside the established setback, unless the applicant provides justification that alternatives are infeasible or more environmentally damaging. When grading is permitted within the setback, require erosion control during construction and habitat restoration subsequent to grading.</li> <li>3. Limit the alteration of riparian vegetation.</li> <li>4. Allow stream alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, improvement of fish and wildlife habitat, or no practical alternative is available.</li> <li>5. Assure that stream diversion structures protect habitats.</li> <li>6. When no practical alternative to a significant impact to stream or riparian resources exists, the developer or public agency shall implement a county-approved mitigation and monitoring plan that will lessen the impact. The plan shall be prepared and implemented by qualified professionals under funding the by applicant.</li> <li>7. Where feasible, and where a nexus exists with the proposed project, restore damaged riparian habitats as a condition of approval for development projects.</li> <li>8. Where possible, protect stream corridors and setback areas through easements or dedications.</li> </ol>	<p>Although not a standard type of "development", the proposed project provides for the placement of levee structures and removal of riparian vegetation within the stream banks. However, such development is intended to minimize flood hazards and maintain the existing Arroyo Grande Creek flood control channel, and improve fish and wildlife habitat, consistent with subsection 4 of this policy. The project has been designed to minimize grading and erosion, and to protect and enhance habitat within the creek channel.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>OSP31: Natural Hazards.</b>                      a. In areas subject to flood, geological, seismic, or fire hazards, encourage open space uses that are consistent with public safety.</p>	<p>The entire length of the project area is located in a flood hazard area. The proposed action involves flood management provisions intended to increase flood protection from the current 4.6-year storm protection to that of a 10-year storm (Alternative 3a) or a 20-year storm (Alternative 3c). Potential geological, seismic, and fire hazards have been further mitigated through measures proposed in Sections 4-5, Geology and Soils.</p>	<p>Consistent</p>
<p><b>OSP32: Man-made Hazards.</b>                      a. On public lands or where there are willing landowners, encourage recreational uses such as trails and parks on facilities such as pipeline and other utility line corridors, storm water retention basins, levees, closed landfills, and reclaimed surface mines. Such uses should be consistent with public safety and consistent with nearby sensitive resources or agricultural uses.</p>	<p>Currently, the levees are used by surrounding residents for horseback riding and walking, as they provide an off-road connection between the Cienega Valley and Pacific Ocean. While this use is not necessarily encouraged by the County, project implementation will not prevent or hinder continued use of the levees for this purpose.</p>	<p>Consistent</p>
<p><b><i>Draft County of San Luis Obispo General Plan Conservation and Open Space Element (Not yet adopted)</i></b></p>		
<p><b>Chapter 3. Biological Resources.</b>  <b>Goal 4:</b> The natural structure and function of streams and riparian habitat will be protected and restored.</p>	<p>The Arroyo Grande Creek and Los Berros Creek have been channelized and have not existed in their natural states since the 1860s. However, the project attempts to restore a more natural function of the stream through creation of secondary channels that will allow sedimentation to be flushed by the streams' natural currents.</p>	<p>Consistent</p>
<p><b>Policy BR 4.1: Protect Stream Resources.</b> Protect streams and riparian vegetation to preserve water quality and flood control functions and associated fish and wildlife habitat (OSP18 revised).</p>	<p>The project is a flood control project and includes proposed development, sedimentation and riparian vegetation removal and management within the Arroyo Grande and Los Berros Creeks. The project will increase flood protection from the existing 4.6-year storm protection to that of a 10-year storm (Alternative 3a) or a 20-year storm (Alternative 3c). The project is also designed to protect and enhance water quality, and steelhead trout habitat and passageways.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>Implementation Strategy BR 4.1.1: Approach to stream protection.</b></p> <ul style="list-style-type: none"> <li>a. Require preservation of natural streams and associated riparian vegetation in an undisturbed state to the greatest extent feasible in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts.</li> <li>b. Where appropriate, include stream and riparian corridors as part of a network of wildlife corridors. (OSP 18)</li> <li>c. Where possible, protect stream corridors and setback areas through easements or dedications. (OSP19)</li> <li>d. Consider wildlife values before watercourse alteration is undertaken, explore alternatives to alteration, and assure that stream diversion structures protect habitats. (SLMP3) (OSP18, 19)</li> </ul>	<p>The Arroyo Grande Creek and Los Berros Creek have been channelized and have not existed in their natural states since the 1860s. However, the project attempts to restore a more natural function of the stream through creation of secondary channels that will allow sedimentation to be flushed by the streams' natural currents. Mitigation measures proposed in Section 4-5, Geology and Soils, will mitigate the potential for bank erosion. The project does not propose any stream diversion.</p>	<p>Consistent</p>
<p><b>Policy BR 4.5: Encourage Stream Preservation on Private Lands.</b> Encourage private landowners to protect and preserve stream corridors in their natural state and to restore stream corridors that have been degraded.</p>	<p>The Arroyo Grande Creek and Los Berros Creek do not currently exist in their natural states, and the project does not propose to restore them to their natural states. However, the project does seek to restore a more natural stream function in the channels through creation of secondary channels that will allow sedimentation to be flushed by the streams' natural currents.</p>	<p>Consistent</p>
<p><b>Implementation Strategy BR 4.5.1: Support ongoing riparian vegetation management.</b> Support expansion of ongoing efforts led by the County Agricultural Commissioner, the Flood Control and Water Conservation District, resource conservation districts, and local conservation groups to implement riparian vegetation management techniques. Specifically, the approaches established for the management and/or elimination of invasive plant species as part of the Zone 9 and 1/1A Waterway Management Program (San Luis Obispo Creek and Arroyo Grande Creek watersheds) can be used as a model throughout the region.</p>	<p>A primary component of the proposed project is to continue watershed management along the Arroyo Grande Creek flood control channel and Los Berros Creek, including riparian vegetation management, consistent with this policy.</p>	<p>Consistent</p>
<p><b>Policy BR 4.6: Encourage Stream Preservation on Public Lands.</b> Protect stream and riparian corridors in their natural state on public lands. (OSP18)</p>	<p>The proposed project is located on private lands lying adjacent to Arroyo Grande and Los Berros Creeks. Its purpose is to enhance riparian vegetation and manage sedimentation in the creek channels. The creeks have not been in their natural</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	states since the 1860s, but the project does seek to restore a more natural function of the streams through the creation of secondary channels that will allow sedimentation to be flushed downstream by the natural current.	
<p><b>Implementation Strategy BR 4.6.1: Creek restoration.</b> Where streambank erosion is a concern, restore creeks to stabilize streambanks, enhance riparian habitat, and improve water quality. The County should coordinate with and seek technical assistance from agencies such as the Natural Resources Conservation Service, Resource Conservation Districts, the California Department of Fish and Game, U.C. Cooperative Extension, the County Farm Bureau, and the Regional Water Quality Control Board.</p>	<p>The existing levees have settled to an extent that they currently provide protection from only a 4.6 year storm. The project is intended to raise the levees to provide additional flood protection and includes coordination with state and federal agencies, including USFWS, CFGD, USACE, and RWQCB. The project also includes proposed sedimentation and riparian vegetation removal and management within the Arroyo Grande and Los Berros Creeks. The project will increase flood protection from the existing 4.6-year storm protection to that of a 10-year storm (Alternative 3a) or a 20-year storm (Alternative 3c). The project is also designed to protect and enhance water quality, and steelhead trout habitat and passageways.</p>	Consistent
<p><b>Chapter 3. Biological Resources.</b></p> <p><b>Goal 7:</b> Significant marine resources will be protected.</p> <p><b>Policy BR 7.4: Sedimentation.</b> Support efforts on public and private lands to keep Chorro Creek, Los Osos Creek, and other watercourses free of excessive sediment and other pollutants to maintain freshwater flow into the Morro Bay National Estuary and the Monterey Bay National Marine Sanctuary, nurture steelhead trout, and support other plant and animal species. On County-owned lands, implement Best Management Practices in order to reduce sediment transport to coastal waters.</p>	<p>The project includes provisions for the removal of existing sedimentation buildup, and protection and enhancement of habitat. The project has also been designed to enhance the creek’s ability to naturally prevent the build-up of sedimentation within the creek channel in the future through flushing by natural water flows.</p>	Consistent
<p><b>Chapter 8. Soil Resources.</b></p> <p><b>Goal 2:</b> Watersheds and ecological function will be maintained through soil conservation.</p> <p><b>Policy SL 2.1: Protect Watersheds and Aquifer Recharge Areas.</b> Give high priority to protecting watersheds, aquifer-recharge areas, and natural</p>	<p>The purpose of the project is to provide watershed restoration and manage sediment deposition and accumulation within the Arroyo Grande Creek channel, and protect surrounding agricultural lands from flooding in the wide watershed area. Impacts to soils are mitigated through measures proposed in Section 4-1, Agricultural Resources, consistent with this policy.</p>	Consistent

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
drainage systems when reviewing applications for discretionary development.		
<p><b>Implementation Strategy SL 2.1.3: <i>Protect natural stream functions.</i></b> Encourage the use of soil conservation practices in development designs near streams and stream crossings in order to protect natural stream functions.</p>	<p>The Arroyo Grande and Los Berros Creeks have not been in their natural states since the 1860s. However, the project has been designed to enhance the creek’s ability to naturally prevent the build-up of sedimentation within the creek channel in the future through flushing by natural water flows.</p>	Consistent
<p><b>Implementation Strategy SL 2.1.4: <i>Coordinated watershed restoration.</i></b> Encourage the coordination of watershed restoration activities and permit streamlining efforts between the County, state and federal agencies, and other groups for watershed restoration and enhancement projects where they support soil conservation practices.</p>	<p>The Arroyo Grande Creek Waterway Management Program is being developed through a cooperative effort between the community, the Coastal San Luis Resource conservation District and the San Luis Obispo Flood Control and Water Conservation District, consistent with this policy.</p>	Consistent
<p><b>Chapter 10. <i>Water Resources.</i></b></p> <p><b>Goal 6:</b> Damage to life, structures, and natural resources from floods will be avoided.</p> <p><b>Policy WR 6.1: <i>Integrated management.</i></b> Pursue an integrated management approach for waterway projects that includes flood management, water quality protection, groundwater recharge, and ecosystem enhancement objectives.</p>	<p>A primary purpose of the project is to raise levees to provide additional flood protection along the Arroyo Grande Creek channel, to that of either a 10-year or 20-year storm as funding allows. The project has been additionally designed to provide additional protection along the northern boundary of the flood channel, along areas containing urban developments, residences and facilities, consistent with this policy.</p>	Consistent
<p><b>Policy WR 6.3: <i>Flooding problems.</i></b> Distinguish the root cause of flooding problems stemming from new development, existing development, and mandatory regulation.</p>	<p>The proposed project has identified the decrease in flood protection along the Arroyo Grande Creek flood control channel through sedimentation and over-vegetation, and seeks to minimize the risks of flood created by these conditions.</p>	Consistent
<p><b>Policy WR 6.4: <i>Drainage problems.</i></b> Consider drainage problems in the context of an entire watershed. Drainage and flood management plans should address property owner and developer responsibilities. These plans should use an integrated watershed approach that incorporates flood management, water quality, water supply, groundwater, and ecosystem protection and enhancement objectives on a watershed/basin scale.</p>	<p>The proposed project seeks to manage the riparian vegetation, sedimentation and flood hazards along the entire Arroyo Grande Creek channel for the protection of the entire length of the watershed, consistent with this policy.</p>	Consistent.

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>Policy WR 6.6: Stream channelization.</b> Discourage channelization or major alteration of streams, except where no other alternative is feasible. Minor work in streambeds may be necessary to protect valuable farmland from erosion.</p>	<p>The portions of Los Berros Creek and Arroyo Grande Creek within the project area have already been channelized to provide flood protection for surrounding agricultural, public facility, and residential lands. The project does not seek to restore the creeks to their natural states, but proposes to further raise the flood channel levees to provide additional flood protection. However, such improvements are intended to provide flood protection to the urban uses and valuable farmland lying adjacent to the flood control channel. The project also seeks to restore stream function to a more natural state by creating secondary flow channels that will allow sedimentation to be flushed by natural stream currents.</p>	<p>Consistent</p>
<p><b>Policy WR 6.7: Relocation of stream courses.</b> Discourage the relocation of stream courses and encourage the use of levees and/or bypass/overpass channels along the borders of the floodway where flood protection is necessary. When an artificial channel is needed for flood protection, require landscaping and replanting of vegetation adjacent to the channel.</p>	<p>Although the Arroyo Grande and Los Berros Creeks have been previously relocated and channelized, the proposed project will not result in the further alteration of any presently existing stream courses and proposes the build up of existing levee structures to provide necessary flood protection for surrounding properties.</p>	<p>Consistent</p>
<p><b>County of San Luis Obispo General Plan Safety Element</b></p>		
<p><b>Goal S-2:</b> Reduce damage to structures and the danger to life caused by flooding, dam inundation and tsunami.</p>	<p>The proposed project includes sedimentation measures and riparian vegetation removal to increase capacity of the Arroyo Grande and Los Berros Creeks. The project also includes plans for levee raising along the Arroyo Grande Creek flood control channel to increase the level of flood protection afforded by the channel. The project has been designed to provide increased flood protection along the northern boundary of the channel, where urban residential developments currently exist.</p>	<p>Consistent</p>
<p><b>Policy S-8: Flood Hazards.</b> Strictly enforce flood hazard regulations both current and revised. FEMA regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas.</p>	<p>Although not a standard type of “development”, the proposed project involves the placement of raised levees within the flood-prone banks of the Arroyo Grande and Los Berros Creeks. This development will result in an increase in flood protection for surrounding properties.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<b>Standard S-16:</b> To the extent practicable, do not allow development in areas of high flood hazard potential.	Although not a standard type of “development”, the proposed project involves the placement of raised levees within the flood-prone banks of the Arroyo Grande and Los Berros Creeks. This development will result in an increase in flood protection for surrounding properties.	Consistent
<b>Standard S-18:</b> Review plans for construction in low-lying areas, or any area which may pose a serious drainage or flooding condition.	Although the proposed project does not suggest typical “construction”, the project area is entirely encompassed by a low-lying, flood-prone area. Because the project is intended to increase creek capacity, raise creek levees, and provide additional flood protection, it will decrease the risk of drainage or flooding conditions in surrounding areas.	Consistent
<b>Standard S-19:</b> Do not allow development which will create or worsen known flood and drainage problems.	The proposed project includes sedimentation measures and riparian vegetation removal to increase capacity of the Arroyo Grande and Los Berros Creeks. The project also includes plans for levee raising along the Arroyo Grande Creek flood control channel to increase the level of flood protection afforded by the channel.	Consistent
<b>Policy S-9: Reduce Flood Damage.</b> Reduce flood damage in areas known to be prone to flooding, such as Los Osos, Avila Valley, Santa Margarita, Cambria, Oceano and others.	The proposed project includes sedimentation measures and riparian vegetation removal to increase capacity of the Arroyo Grande and Los Berros Creeks. The project also includes plans for levee raising along the Arroyo Grande Creek flood control channel to increase the level of flood protection afforded by the channel.	Consistent
<b>Program S-21:</b> Inventory and reevaluate where appropriate known local flood prone areas in the County. Develop a prioritized list of proposed capital improvement projects for low-lying, flood prone areas.	The proposed project includes sedimentation measures and riparian vegetation removal to increase capacity of the Arroyo Grande and Los Berros Creeks. The project also includes plans for levee raising along the Arroyo Grande Creek flood control channel to increase the level of flood protection afforded by the channel.	Consistent
<b>Program S-22:</b> Seek funding to implement capital improvement projects for low-lying, flood prone areas.	Local agencies, including those who are parties to the Arroyo Grande Watershed and Creek MOU, have been proactive in establishing funding mechanisms and coordination for improvement projects on the Arroyo Grande and Los Berros	Consistent

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	Creeks and drainages. The project will be implemented as such funding becomes available.	
<p><b>Program S-23:</b> Secure the necessary permits to perform flood-related preventive maintenance and repair. Ensure that all flood-related work in riparian areas minimizes impacts to biological resources.</p>	<p>The proposed project includes flood-related preventative maintenance through sedimentation measures and riparian vegetation removal to increase capacity of the Arroyo Grande and Los Berros Creeks, and levee raising along the Arroyo Grande Creek flood control channel. The proposed project is intended to simultaneously enhance water quality and sensitive species habitat within the managed channel. Significant biological resource mitigation measures will likely cause the project implementation to take place over an extended period of time; however, measures proposed in Section 4-3, Biological Resources, will be mitigated to the extent feasible.</p>	Consistent
<p><b>Strategic Growth, Smart Growth and Growth Management, County of San Luis Obispo General Plan Amendment LRP2005-00013</b></p>		
<p><b>Principle 1:</b> Preserve open space, scenic natural beauty and natural resources. Conserve energy resources. Protect agricultural land and resources.</p> <p><b>Policy 3.</b> Preserve and sustain important water resources, watersheds and riparian habitats.</p>	<p>Agricultural and open space lands adjacent to the project corridor are protected through mitigation measures proposed in Section 4-1, Agricultural Resources. In addition, no development is proposed in the open space natural areas along the Pacific Ocean and adjacent dune habitat. The overriding purpose of the project is to enhance and manage the Arroyo Grande and Los Berros Creeks and associated riparian habitats, as well as to provide flood protection to surrounding lands in the historic watershed area.</p>	Consistent
<p><b>Title 22: County of San Luis Obispo Land Use Ordinance (Combining Designation Standards)</b></p>		
<p><b>22.14.030 – Airport Review Area. (B). Limitation on use.</b>                      Developments within areas covered by land use plans adopted by the San Luis Obispo County Airport Land Use Commission are limited to those identified in the plans as “compatible” and “conditionally approvable.” Projects that are conditionally approvable may be granted a permit only when in compliance with all conditions of the applicable airport land use plan or its implementing rules.</p>	<p>The proposed project has been analyzed for consistency with the Oceano Airport Plan in Section 4-6, Hazards and Hazardous Materials, and found to be consistent. The project would not increase development density in these areas or attract more people to these areas, and therefore would not expose additional persons to aircraft hazards.</p>	Consistent

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>22.14.030 – Airport Review Area. (D). Additional height standards.</b>                      The following standards apply to projects in the AR combining designation in addition to the provisions of Section 22.10.090 (Heights):</p> <ol style="list-style-type: none"> <li>1. Except as otherwise provided in this Section, no structure shall be erected, altered, replaced, repaired or rebuilt, or tree be allowed to grow higher or be replanted, in any airport approach area, airport turning area, or airport transition area to a height that would project above the approach surface, the horizontal surface, the conical surface, or the transitional surfaces as defined in Article 8.</li> </ol>	<p>Section 4-6 of this EIR, Hazards and Hazardous Materials, recommends that no tall tree species be planted along the channel corridor in association with the proposed project between the UPRR bridge and southern end of the runway, consistent with this policy.</p>	<p>Consistent</p>
<p><b>22.14.060 – Flood Hazard Area. (C). Flood Hazard Area permit and processing requirements.</b> Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation, in addition to all other permits required under this Title, state and Federal law. In addition to the information called for in Section 22.52.080 (Drainage Plan Required) the drainage plan shall include:</p> <ol style="list-style-type: none"> <li>1. Federal Insurance Administration flood data, including base flood elevations, flood hazard areas and floodway locations.</li> <li>2. In areas where water surface elevation data has not been provided by the Federal Insurance Administration, a normal depth analysis or other equivalent engineering analysis that identifies the location of the floodway and demonstrates to the satisfaction of the Director of Public Works that the structure will not be located within the floodway or be subject to inundation by the 100-year storm. The following information is required to determine the flood elevation and the location of the floodway, except where waived or modified by the Director of Public Works:                             <ol style="list-style-type: none"> <li>a. Plans drawn to scale showing the location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the floodway.</li> <li>b. Typical valley cross-sections showing the normal channel of the stream, elevation of the land areas adjoining each side of the channel, cross-sections of areas to be occupied by the proposed development, and high-water information sufficient to define the 100-year storm flood profile level.</li> <li>c. A profile showing the slope of the bottom of the channel or flow line of the stream.</li> </ol> </li> </ol>	<p>The primary objective of the proposed project is to develop a comprehensive set of actions designed to restore the capacity of the leveed lower three miles of Arroyo Grande Creek Channel and the Los Berros Creek Diversion Channel to provide flood protection from up to a 20-year storm event while simultaneously enhancing water quality and sensitive species habitat within the managed channel. Mitigation measures proposed in the EIR include preparation of an erosion control plan and SWPPP.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>d. Any previously determined flood data available from any state, federal or other source.</p>		
<p><b>22.14.100 – Sensitive Resource Area. (D). Minimum site design and development standards.</b> All uses within a Sensitive Resource Area (SRA) shall conform to the following standards:</p> <p>2. Shoreline areas may not be altered by grading, paving, or other development of impervious surfaces for a distance of 100 feet from the mean high tide line, 75 feet from any lakeshore, or 50 feet from any stream bank, except where authorized through Conditional Use Permit approval. Where the requirements of the California Department of Fish and Game or other public agency having jurisdiction are different, the more restrictive regulations shall apply.</p> <p>3. Construction and landscaping activities shall be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses within an SRA through filling, sedimentation, erosion, increased turbidity, or other contamination.</p> <p>4. Where an SRA is applied because of prominent geological features visible from off-site (such as rock outcrops), those features shall be protected and remain undisturbed by grading or development activities.</p> <p>5. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species are not to be disturbed by construction activities or subsequent operation of the use, except where authorized by Conditional Use Permit approval.</p>	<p>Though not typical “development”, the proposed project includes improvements made within the existing Arroyo Grande Creek channel. All development will be conducted under appropriate required permits, including a Conditional Use Permit and Coastal Development Permit from the County, and a Coastal Development Permit and Grading Permit from the City of Arroyo Grande. The project is intended to enhance water quality and stream functions along the Arroyo Grande Creek and impacts related to sedimentation or erosion have been mitigated through measures proposed in the EIR to the extent feasible, including preparation of an erosion control plan and stormwater pollution prevention plan.</p>	<p>Consistent</p>
<p><b>Title 22: County of San Luis Obispo Land Use Ordinance (San Luis Bay Planning Area Standards)</b></p>		
<p><b>22.106.020 (A)(1)(b). Development Impacts.</b> The County shall address potential impacts, including cumulative impacts, that are associated with impacts to water quantity and quality, drainage, erosion and downstream sedimentation, and traffic and circulation as critical subjects for additional evaluation as part of the environmental review process.</p>	<p>Consistent with this policy, the EIR has analyzed potential impacts to water quality and quantity, erosion and sedimentation effects, and traffic impacts resulting from the proposed project. (See Sections 4-5, Geology and Soils, 4-7, Flooding, Hydrology and Water Quality, and 4-8, Transportation and Traffic). Each of the resulting impacts has been mitigated through measures proposed in the relevant EIR sections, including preparation of an erosion control plan, a SWPPP, and a Construction Traffic Management Plan,</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>22.106.020 (C)(1)(b). <i>Limitation on uses within Airport Review Area.</i></b> Allowable uses are limited to those designated as “compatible” or “conditionally approvable” by the Oceano County Airport Land Use Plan.</p>	<p>The project will not increase development density in the ALUP area or attract more people to this area, and therefore would not expose additional persons to aircraft hazards. Additionally, no tall tree species will be planted along the channel corridor between the UPRR bridge and southern end of the runway, consistent with this policy. The project does not create a new use, but enhances an existing one, and is expected to be determined to be compatible with the ALUP.</p>	<p>Consistent</p>
<p><b>22.106.070 (A)(1). <i>Oceano Specific Plan Included by Reference.</i></b> The 2001 Oceano Specific Plan, and any amendments thereto, is hereby incorporated into this Title as though it were fully set forth here. All development within the Oceano Specific Plan planning area, which coincides with the Oceano Urban Reserve Line, is to be in conformity with the adopted Specific Plan, in addition to any applicable planning area standards. In the event of any conflict between the provisions of this Chapter and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan is to occur only after appropriate amendment of the Specific Plan.</p>	<p>The project has been analyzed in this section for consistency with the Oceano Specific Plan, consistent with this policy.</p>	<p>Consistent</p>
<p><b>22.106.070 (B)(1). <i>Limitation on uses within Airport Review Area.</i></b> Land uses shall be limited to those designated as “compatible” or “conditionally approvable” by the adopted Oceano County Airport Land Use Plan.</p>	<p>The project will not increase development density in the ALUP area or attract more people to this area, and therefore would not expose additional persons to aircraft hazards. Additionally, no tall tree species will be planted along the channel corridor between the UPRR bridge and southern end of the runway, consistent with this policy. The project does not create a new use, but enhances an existing one, and is expected to be determined to be compatible with the ALUP.</p>	<p>Consistent</p>
<p><b>22.106.070 (B)(3). <i>Site design and development standards – Private lands.</i></b> All development applications for the area within the boundary of the adopted Oceano County Airport Land Use Plan are subject to the development standards set forth in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail.</p>	<p>The project will not increase development density in the ALUP area or attract more people to this area, and therefore would not expose additional persons to aircraft hazards. Additionally, no tall tree species will be planted along the channel corridor between the UPRR bridge and southern end of the runway, consistent with this policy.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>22.106.070 (G)(3)(c). Fencing requirement.</b> Arroyo Grande Creek dikes and channels shall be fenced at the time adjoining properties develop, to prevent resident access from adjacent mobile home and recreational vehicle parks.</p>	<p>No fencing is proposed in conjunction with the project, and the County has recognized that it is likely that current use of the levees by residents for horseback riding and walking will likely continue after the project has been completed because the levees provide an off-road connection between the Cienega Valley and Pacific Ocean and controlling access will be difficult.</p> <p>This policy appears to conflict with the SLO County Agriculture and Open Space Element, Open Space Policy 32, above, which encourages recreational use of facilities such as levees consistent with public safety.</p>	<p>Potentially Inconsistent</p>
<p><b>Title 23: County of San Luis Obispo Coastal Zone Land Use Ordinance (Site Development Standards)</b></p>		
<p><b>23.05.62. Tree Removal Permit Required.</b> No person shall allow or cause the removal of any tree without first obtaining a tree removal permit, as required by this section:</p> <p>a. <i>When required.</i> Plot Plan approval (Section 23.02.030), is required before the removal or replacement of any existing trees except for tree removal under circumstances that are exempt from tree removal permit requirements pursuant to subsection b. of this section, and except for the following types of tree removal, which are instead subject to Minor Use Permit approval:</p> <ol style="list-style-type: none"> <li>1. Riparian vegetation near any coastal stream or wetland. (See Section 23.07.174 for additional standards);</li> <li>2. Proposed for removal when not accompanied by a land use permit for development;</li> <li>3. Located in any appealable area as defined by Section 23.01.043c;</li> <li>4. Located in any Sensitive Resource Area (where the identified resources are trees) as shown on official combining designation maps (Part III of Land Use Element);</li> <li>5. Where tree cutting will cumulatively remove more than 6,000 square feet of vegetation as measured from the canopy of trees removed.</li> </ol>	<p>The proposed project includes riparian vegetation removal and management – a use exempt from this provision pursuant to subsection (a)(1). Removal will be subject to appropriate required Conditional Use Permits from the County of San Luis Obispo and the City of Arroyo Grande.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<b>Title 23: County of San Luis Obispo Coastal Zone Land Use Ordinance (Combining Designation Standards)</b>		
<p><b>23.07.022. Limitation on use.</b> Developments within areas covered by land use plans adopted by the San Luis Obispo County Airport Land Use Commission are limited to those identified in the plans as “compatible” and “conditionally approvable.” Projects that are conditionally approvable may be granted a permit only when in compliance with all conditions of the applicable airport land use plan or its implementing rules.</p>	<p>The project will not increase development density in the ALUP area or attract more people to this area, and therefore would not expose additional persons to aircraft hazards. Additionally, no tall tree species will be planted along the channel corridor between the UPRR bridge and southern end of the runway, consistent with ALUP policy. Although not specifically listed as a permitted use in the ALUP, the project does not create a new use, but enhances an existing one, and is expected to be determined to be compatible with the ALUP.</p>	<p>Consistent</p>
<p><b>23.07.26. Additional Height Standards.</b> The following standards apply to projects in the AR combining designation in addition to the provisions of Section 23.04.120 (Heights):</p> <p>a. Except as otherwise provided in this section, no structure shall be erected, altered, replaced, repaired or rebuilt, or tree be allowed to grow higher or be replanted, in any airport approach area, airport turning area, or airport transition area to a height that would project above the approach surface, the horizontal surface, the conical surface, or the transitional surfaces as defined by this Title.</p>	<p>No tall tree species will be planted along the channel corridor between the UPRR bridge and southern end of the runway, consistent with ALUP policy.</p>	<p>Consistent</p>
<p><b>23.07.062. Applicability of Flood Hazard Standards.</b> All uses proposed within a Flood Hazard combining designation are subject to the standards of Sections 23.07.064 through 23.07.066, except:</p> <p>a. <i>Temporary uses.</i> With the approval of the Director of Public Works, the of Planning and Building Director may authorize construction or placement of a temporary structure or use within a Flood Hazard area pursuant to the required land use permit without meeting these standards, provided that the structure or use will not be in place from October 15, to April 15.</p> <p>b. <i>Emergency work.</i> Emergency work may be undertaken where necessary to preserve life or property. Within 48 hours after commencement of such work, the Director of Public Works is to be notified and an application filed with the Department of Planning and Building in compliance with the provisions of Section 23.07.064.</p> <p>c. <i>Existing uses.</i> The continuance, operation, repair, or maintenance of</p>	<p>The proposed project consists of the continuance, repair, or maintenance of existing uses within the flood hazard zone, and is also intended to provide additional flood protection to surrounding areas through levee raise Alternatives 3a and/or 3c.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>any lawful use of land existing on the effective date of this title is permitted. Any expansion or alteration of an existing structure or use, or grading of a site, shall be conducted in accordance with all applicable provisions of this title.</p>		
<p>23.07.064. <i>Flood Hazard Area Permit and Processing Requirements.</i> Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation, in addition to all other permits required by this title, state and Federal law.</p>	<p>The proposed project is not typical “development,” and is intended to prevent flooding in areas along the Arroyo Grande Creek channel by increasing capacity through vegetation management and sedimentation removal and management, and levee raises of up to five additional feet.</p>	<p>Consistent</p>
<p>23.07.065 <i>General Hazard Avoidance.</i>                      a. <i>New Development in Flood Hazard Areas.</i> New structural development, including expansions, additions and improvements to existing development, shall be located outside of the flood hazard areas to the maximum extent feasible. All new structural development located in a flood hazard area, including expansions, additions, improvements, and repairs to existing development, shall be constructed consistent with the standards set forth in Section 23.07.066.</p>	<p>The proposed project is not typical “development,” and is intended to prevent flooding in areas along the Arroyo Grande Creek channel by increasing capacity through vegetation management and sedimentation removal and management, and levee raises of up to five additional feet.</p>	<p>Consistent</p>
<p>23.07.066 <i>Construction Standards.</i>                      a. <i>Construction, general:</i>                      1. No construction or grading is to limit the capacity of the floodway or increase flood heights on existing structures unless the adverse effect of the increase is rectified to the satisfaction of the Director of Public Works. In no case shall flood heights be increased above that allowed under the Federal Flood Insurance Program.                      2. Structures shall be anchored to prevent collapse, lateral movement or flotation that could result in damage to other structures or restriction of bridge openings and narrow sections of the stream or river.                      6. All buildings or structures shall be located landward of mean high tide.                      8. Whenever a watercourse is to be altered or relocated, the Department of Planning and Building shall notify adjacent</p>	<p>The proposed project is not typical “development,” and is intended to prevent flooding in areas along the Arroyo Grande Creek channel by increasing capacity through vegetation management and sedimentation removal and management, and levee raises of up to five additional feet. The project will not limit the capacity of the floodway or increase flood heights, and does not propose to alter or relocate any watercourses.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>communities and the California Department of Water Resources and evidence of such notification shall be sent to the Federal Insurance Administration.</p> <p>11. Non-residential construction shall either be elevated in conformance with Section 23.07.066a(10) above, or together with attendant utility and sanitary facilities, be elevated a minimum of two feet above the highest adjacent grade and be floodproofed to a minimum of one-foot above the 100-year storm flood profile level.</p>		
<p><b>23.07.066 Construction Standards.</b></p> <p><b>c. Coastal High Hazard areas.</b> The following requirements shall apply to new structures or any improvement/repair to an existing structure as specified in Section 23.07.066 in areas identified as having special flood hazards extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity waters including coastal and tidal inundation or tsunamis as established on the maps identified in subsection 23.07.060 of this title:</p> <p>1. All buildings or structures shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the lowest horizontal portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation level. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.</p> <p>2. All new construction and other development shall be located on the landward side of the reach of mean high tide.</p> <p>5. Man-made alteration of sand dunes that would increase potential flood damage is prohibited.</p>	<p>The proposed project is not typical “development,” and is intended to prevent flooding in areas along the Arroyo Grande Creek channel by increasing capacity through vegetation management and sedimentation removal and management, and levee raises of up to five additional feet. The project will not limit the capacity of the floodway or increase flood heights, and does not propose to alter or relocate any watercourses.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p><b>23.07.164. SRA Permit and Processing Requirements.</b></p> <p><i>e. Required findings.</i> Any land use permit application within a Sensitive Resource Area shall be approved only where the Review Authority can make the following required findings:</p> <ol style="list-style-type: none"> <li>(1) The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.</li> <li>(2) Natural features and topography have been considered in the design and siting of all proposed physical improvements.</li> <li>(3) Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resources.</li> <li>(4) The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.</li> </ol>	<p>The proposed project would impact SRAs. Avoidance of these areas is infeasible due to the nature of the project. Measures in the WMP and those developed in this EIR would reduce impacts to a less than significant level.</p>	<p>Consistent</p>
<p><b>23.07.166. Minimum Site Design and Development Standards.</b> All uses within a Sensitive Resource Area shall conform to the following standards:</p> <p>b. Shoreline areas shall not be altered by grading, paving, or other development of impervious surfaces for a distance of 100 feet from the mean high tide line, 75 feet from any lakeshore, or 50 feet from any streambank, except where authorized through Development Plan approval. Where the requirements of the California Department of Fish and Game or other public agency having jurisdiction are different, the more restrictive regulations shall apply. Special requirements for setbacks from wetlands, streams, and the coastline are established by Sections 23.07.172 through 23.07.178.</p> <p>c. Construction and landscaping activities shall be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses within an SRA</p>	<p>The project proposes development of impervious surfaces within 50 feet of the Arroyo Grande Creek streambank, but is not the typical “development” referenced in this section because the project entails improvements to existing flood control levees to provide flood protection to areas where degradation has reduced the viability of the existing structures. Impacts resulting from construction activities have been mitigated to the extent feasible through measures proposed in Section 4-5, Geology and Soils, 4-6, Hazards and Hazardous Materials, and 4-7, Flooding, Hydrology and Water Quality.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>through filling, sedimentation, erosion, increased turbidity, or other contamination.</p> <p>d. Where an SRA is applied because of prominent geological features visible from off-site (such as rock outcrops), those features are to be protected and remain undisturbed by grading or development activities.</p> <p>e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.</p>		
<p>23.07.170. <i>Environmentally Sensitive Habitats.</i> The provisions of this section apply to development proposed within or adjacent to (within 100 feet of the boundary of) an Environmentally Sensitive Habitat as defined by Chapter 23.11 of this title.</p> <p>b. <i>Required findings.</i> Approval of a land use permit for a project within or adjacent to an Environmentally Sensitive Habitat shall not occur unless the applicable review body first finds that:</p> <p>(1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.</p> <p>(2) The proposed use will not significantly disrupt the habitat.</p> <p>d. <i>Alternatives analysis required.</i> Construction of new, improved, or expanded roads, bridges and other crossings will only be allowed within required setbacks after an alternatives analysis has been completed. The alternatives analysis shall examine at least two other feasible locations with the goal of locating the least environmentally damaging alternative. When the alternatives analysis concludes that a feasible and less environmentally damaging alternative does not exist, the bridge or road may be allowed in the proposed location when accompanied by all feasible mitigation measures to avoid and/or minimize adverse environmental effects. If however, the alternatives analysis concludes that a feasible and less-environmentally damaging alternative does exist, that alternative shall be used and any existing bridge or road within the setback shall be removed and the total area of disturbance restored to natural topography and vegetation.</p> <p>e. <i>Development standards for environmentally sensitive habitats.</i> All</p>	<p>Avoidance of ESHA is infeasible due to the nature of the project. Measures in the WMP and those developed in this EIR, which will be refined during the permitting process would reduce impacts to a less than significant level. The EIR does include an alternatives discussion.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>development and land divisions within or adjacent to an Environmentally Sensitive Habitat Area shall be designed and located in a manner which avoids any significant disruption or degradation of habitat values. This standard requires that any project which has the potential to cause significant adverse impacts to an ESHA be redesigned or relocated so as to avoid the impact, or reduce the impact to a less than significant level where complete avoidance is not possible.</p> <p>(1) <i>Development within an ESHA.</i> In those cases where development within the ESHA cannot be avoided, the development shall be modified as necessary so that it is the least environmentally damaging feasible alternative. Development shall be consistent with the biological continuance of the habitat. Circumstances in which a development project would be allowable within an ESHA include:</p> <p>(i) <i>Resource dependent uses.</i> New development within the habitat shall be limited to those uses that are dependent upon the resource.</p> <p>(ii) <i>Coastal accessways.</i> Public access easements and interpretive facilities such as nature trails which will improve public understanding of and support for protection of the resource.</p> <p>(iii) <i>Incidental public services and utilities in wetlands.</i> Essential incidental public services and utilities pursuant to ESHA Policy 13 and CZLUO Section 23.07.172(e).</p> <p>(iv) <i>Habitat creation and enhancement.</i> Where the project results in an unavoidable loss (i.e., temporary or permanent conversion) of habitat area, replacement habitat and/or habitat enhancements shall be provided and maintained by the project applicant. Plans for the creation of new habitat, or the enhancement of existing habitat, shall consider the recommendations of the California Coastal Commission, the California Department of Fish and Game and/or U.S. Fish and Wildlife Service. Generally, replacement habitat must be provided at recognized ratios to successfully reestablish the habitat at its previous size, or as is deemed appropriate in the particular biologic assessment(s) for the impacted site. Replacement and/or enhanced habitat, whenever feasible, shall be of the same type as is lost ("same-kind") and within the same biome ("same-system"), and shall be permanently protected by a deed restriction or conservation easement.</p>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>(v). <i>Restoration of damaged habitats.</i> Restoration or management measure required to protect the resource. Projects located within or adjacent to environmentally sensitive habitat areas that have been damaged shall be conditioned to require the restoration, monitoring, and long-term protection of such habitat areas through a restoration plan and an accompanying deed restriction or conservation easement. Where previously disturbed but restorable habitat for rare and sensitive plant and animal species exists on a site that is surrounded by other environmentally sensitive habitat areas, these areas shall be delineated and considered for restoration as recommended by a restoration plan.</p> <p>(2) <i>Development in ESHA to avoid a taking.</i> If development in an ESHA must be allowed to avoid an unconstitutional taking, then all of the following standards shall apply with respect to such development:</p> <p>(i) <i>Avoidance of takings.</i> The amount and type of development allowed shall be the least necessary to avoid a taking.</p> <p>(ii) <i>Impacts avoided/mitigated.</i> All development in and impacts to ESHA shall be avoided to the maximum extent feasible. Any unavoidable impacts shall be limited to the maximum extent feasible.</p> <p>(iii) <i>Mitigation required.</i> All adverse impacts to the ESHA shall be fully mitigated.</p> <p>(3) <i>Steelhead stream protection: net loss stream diversions prohibited.</i> Diversions of surface and subsurface water will not be allowed where a significant adverse impact on the steelhead run, either individually or cumulatively, would result. Diversion dams, water supply wells which tap the subflow, and similar water supply facilities which could significantly harm the steelhead run in any of these streams shall not be allowed. Exceptions may be considered only where the impact cannot be avoided, is fully mitigated and no significant disruption would result. Techniques for impact avoidance include:</p> <p>(i) <i>Limiting diversions.</i> Limiting diversions to peak winter flows exceeding the amount needed to maintain the steelhead runs, with off-stream storage where year-round water supplies are desired.</p> <p>(ii) <i>Protecting water quality.</i> Treating diverted water after use, and returning it to the watershed of origin in like quantities and qualities; and</p> <p>(iii) <i>Supplementing flows.</i> Supplementing stream flows with water</p>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>imported from sources that do not exacerbate impacts on steelhead or salmon runs elsewhere.</p> <p>(4) <i>Other prohibited uses.</i> Prohibited development activities include:</p> <p>(i) <i>Placement of barriers to fish.</i> In-stream barriers to sensitive freshwater species migration, including types of dams not covered above, weirs, and similar obstacles which would substantially interfere with normal migration patterns, except where barriers cannot be avoided and impacts are mitigated to less than significant levels (e.g., with fish ladders or other effective bypass systems).</p> <p>(ii) <i>Destruction of rearing habitats.</i> Development which would cause loss of spawning or rearing habitat through flooding, siltation or similar impacts.</p> <p>(iii) <i>Disturbance or removal of native riparian vegetation on the banks of streams.</i> Locations constituting an exception to this requirement are:</p> <ul style="list-style-type: none"> <li>a. In-between stream banks when essential for flood control purposes and no less environmentally damaging alternative is available to protect existing structures;</li> <li>b. On roads, trails, or public utility crossings where vegetation removal cannot be avoided, and where there is no feasible alternative and no significant disruption would result; and</li> <li>c. For native habitat restoration and protection projects.</li> </ul> <p>(iv) <i>Interference with fish migration.</i> Any other development activity that would raise overall stream temperatures to unfavorable levels, or that would interfere with normal fish migration and movement within the stream.</p> <p>(v) <i>Breaching.</i> Breaching of the beach berm, where such berm creates a coastal lagoon that provides summer rearing habitat for juvenile steelhead and/or other sensitive aquatic species. Exceptions shall be authorized only where such breaching represents the least environmentally damaging feasible alternative for relieving a flood hazard, public health hazard, or water pollution problem. In the event that a breach is authorized, it shall be conducted subject to the following standards:</p> <ul style="list-style-type: none"> <li>a. Artificial breaching of a sand bar or beach berm containing a coastal lagoon is considered coastal development; therefore, a coastal</li> </ul>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>development permit must be obtained proper to breaching activity.</p> <p>b. As appropriate, permits for creek mouth breaching must also be obtained prior to commencement of any work from California Department of Fish and Game, the U.S. Army Corps of Engineers, the Monterey Bay National Marine Sanctuary (if applicable), the Regional Water Quality Control Board, and all other concerned agencies prior to the breaching. In many cases, the required coastal development permit must be obtained from the California Coastal Commission instead of, or in addition to, the County, because the lagoon/creek mouth will be located entirely or partially within the State's retained jurisdiction.</p> <p>c. Because of the unique nature of individual creek mouth environments, breaching standards must be designed specifically for each location where breaching activity will occur.</p> <p>d. Development of a creek mouth breaching plan for each site shall include consideration of the following:</p> <ol style="list-style-type: none"> <li>1. Use of feasible available alternatives, to eliminate the practice of artificial breaching if possible.</li> <li>2. Thorough study of affected rare, threatened, or endangered species and habitat, in particular, steelhead trout and tidewater goby.</li> <li>3. Review of mitigation options as compensation for environmental damage caused by breaching.</li> <li>4. Public access impacts.</li> <li>5. Public health impacts.</li> <li>6. Public safety impacts.</li> <li>7. Review of historic and projected flooding of public and private properties, agricultural lands, and habitat.</li> <li>8. Monitoring of lagoon and stream water quality.</li> <li>9. Creation of a monitoring plan for each individual breaching incident, and a long-term monitoring plan to study lagoon health and the impacts of breaching on the lagoon.</li> </ol> <p>(5) Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034c (Grading Standards).</p> <p>(6) The use of invasive plant species is prohibited.</p>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>23.07.172. <i>Wetlands</i>. Development proposed within or adjacent to (within 100 feet of the upland extent of) a wetland area shown on the Environmentally Sensitive Habitat Maps shall satisfy the requirements of this section to enable issuance of a land use or construction permit. These provisions are intended to maintain the natural ecological functioning and productivity of wetlands and estuaries and where feasible, to support restoration of degraded wetlands.</p> <p>a. <i>Location of development</i>. Development shall be located as far away from the wetland as feasible, provided that other habitat values on the site are not thereby more adversely affected.</p> <p>b. <i>Principle Permitted Uses in wetlands</i>. Hunting, fishing, wildlife management, education and research projects.</p> <p>c. <i>Department of Fish and Game review</i>. The State Department of Fish and Game shall review all applications for development in or adjacent to coastal wetlands and recommend appropriate mitigation measures where needed which should be incorporated in the project design.</p> <p>d. <i>Wetland setbacks</i>. New development shall be located a minimum of 100 feet from the upland extent of all wetlands, except as provided by subsection d(2). If the biological report required by Section 23.07.170 (Application Content) determines that such setback will provide an insufficient buffer from the wetland area, and the applicable approval body cannot make the finding required by Section 23.07.170b, then a greater setback may be required.</p> <p>(1) <i>Permitted uses within wetland setbacks</i>. Within the required setback buffer, permitted uses are limited to passive recreation, educational, existing non-structural agricultural development in accordance with best management practices, utility lines, pipelines, drainage and flood control of facilities, bridges and road approaches to bridges to cross a stream and roads when it can be demonstrated that:</p> <p>(i) Alternative routes are infeasible or more environmentally damaging.</p> <p>(ii) Adverse environmental effects are mitigated to the maximum extent feasible.</p> <p>(2) <i>Wetland setback adjustment</i>. The minimum wetland setback may be adjusted through Minor Use Permit approval (but in no case shall be less than 25 feet), provided that the following findings can be made:</p>	<p>Avoidance of wetlands is infeasible due to the nature of the project. Measures in the WMP and those developed in this EIR, which will be refined during the permitting process would reduce impacts to a less than significant level. Impacts to wetlands would be mitigated through compensatory mitigation strategies to be refined during the permitting process.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>(i) The site would be physically unusable for the principal permitted use unless the setback is reduced.</p> <p>(ii) The reduction is the minimum that would enable a principal permitted use to be established on the site after all practical design modifications have been considered.</p> <p>(iii) That the adjustment would not allow the proposed development to locate closer to the wetland than allowed by using the stringline setback method pursuant to Section 23.04.118a of this title.</p> <p>(3) <i>Requirements for wetland setback adjustment.</i> Setbacks established that are less than 100 feet consistent with this section shall include mitigation measures to ensure wetland protection. Where applicable, they shall include landscaping, screening with native vegetation and drainage controls. The adjustment shall not be approved until the approval body considers the following:</p> <p>(i) Site soil types and their susceptibility to erosion.</p> <p>(ii) A review of the topographic features of the site to determine if the project design and site location has taken full advantage of natural terrain features to minimize impacts on the wetland.</p> <p>(iii) The biologists report required by Section 23.07.170 shall evaluate the setback reduction request and identify the types and amount of vegetation on the site and its value as wildlife habitat in maintaining the functional capacity of the wetland.</p> <p>(iv) Type and intensity of proposed development.</p> <p>(v) Lot size and configuration and location of existing development.</p> <p>e. <i>Site development standards.</i></p> <p>(1) <i>Diking, dredging, or filling of wetlands.</i> Diking, dredging, or filling activities in wetland areas under county jurisdiction shall be allowed only to the extent that they are consistent with Environmentally Sensitive Habitats Policy 13 of the San Luis Obispo County Coastal Plan Policies, and shall not be conducted without the property owner first securing approval of all permits required by this title. Mineral extraction is not an allowed use in a wetland.</p> <p>(2) <i>Vehicle traffic.</i> Vehicle traffic from public roads shall be prevented from entering wetlands by vehicular barriers, except where a coastal accessway is constructed and designated parking and travel lanes</p>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>are provided consistent with this title. The type of barrier and its proposed location shall be identified in the materials accompanying an application for a land use permit and must be approved by the Planning Director before permit issuance to insure that it will not restrict local and state agencies or the property owner from completing the actions necessary to accomplish a permitted use within the wetland.</p> <p>(3) <i>Open space easement required.</i> A land use or construction permit for a structure larger than 1000 square feet in floor area shall not be approved on a parcel of one acre or larger that contains a wetland, unless the property owner first grants the county or an approved land trust an open space easement or fee title dedication of all portions of the site not proposed for development, as well as the entire wetland.</p>		
<p>23.07.174. <i>Streams and Riparian Vegetation.</i> Coastal streams and adjacent riparian areas are environmentally sensitive habitats. The provisions of this section are intended to preserve and protect the natural hydrological system and ecological functions of coastal streams.</p> <p>a. <i>Development adjacent to a coastal stream.</i> Development adjacent to a coastal stream shall be sited and designed to protect the habitat and shall be compatible with the continuance of such habitat.</p> <p>b. <i>Limitation on streambed alteration.</i> Channelization, dams or other substantial alteration of stream channels are limited to:</p> <p>(1) Necessary water supply projects, provided that quantity and quality of water from streams shall be maintained at levels necessary to sustain functional capacity of streams, wetlands, estuaries and lakes. (A "necessary" water project is a project that is essential to protecting and/or maintaining public drinking water supplies, or to accommodate a principally permitted use as shown on Coastal Table "O" where there are no feasible alternative.</p> <p>(2) Flood control projects, including maintenance of existing flood control channels, where such protection is necessary for public safety or to protect existing commercial or residential structures, when no feasible alternative to streambed alteration is available.</p> <p>(3) Construction of improvements to fish and wildlife habitat. Streambed alterations shall not be conducted unless all applicable provisions of this title are met and if applicable, permit approval from the California Department of Fish and Game, the U.S. Army Corps of</p>	<p>Avoidance or setbacks from coastal streams and riparian vegetation is infeasible due to the nature of the project. Measures in the WMP and those developed in this EIR, which will be refined during the permitting process would reduce impacts to a less than significant level. Impacts to wetlands would be mitigated through compensatory mitigation strategies to be refined during the permitting process.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>Engineers, the U.S. Fish and Wildlife Service, and California State Water Resources Control Board. In addition, every streambed alteration conducted pursuant to this title shall employ the best mitigation measures where feasible, including but not limited to:</p> <ul style="list-style-type: none"> <li>(a) Avoiding the construction of hard bottoms;</li> <li>(b) Using box culverts with natural beds rather than closed culverts to provide for better wildlife movement; and</li> <li>(c) Pursuing directional drilling for pipes, cables, and conduits to avoid surface streambed disturbance.</li> </ul> <p>c. <i>Stream diversion structures.</i> Structures that divers all or a portion of streamflow for any purpose, except for agricultural stock ponds with a capacity less than 10 acre-feet, shall be designed and located to not impede the movement of native fish or to reduce streamflow to a level that would significantly affect the production of fish and other stream organisms.</p> <p>d. <i>Riparian setbacks.</i> New development shall be setback from the upland edge of riparian vegetation the maximum amount feasible. In the urban areas (inside the URL) this setback shall be a minimum of 50 feet. In the rural areas (outside the URL) this setback shall be a minimum of 100 feet. A larger setback will be preferable in both the urban and rural areas depending on parcel configuration, slope, vegetation types, habitat quality, water quality, and any other environmental consideration. These setback requirements do not apply to non-structural agricultural developments that incorporate adopted nest management practices in accordance with LUP Policy 26 for Environmentally Sensitive Habitats.</p> <p>(1) <i>Permitted uses within the setback.</i> Permitted uses are limited to those specified in Section 23.07.172d(1) (for wetland setbacks), provided that the findings required by that section can be made. Additional permitted uses that are not required to satisfy those findings include pedestrian and equestrian trails, and non-structural agricultural uses. All permitted development in or adjacent to streams, wetlands, and other aquatic habitats shall be designed and/or conditioned to prevent loss or disruption of the habitat, protect water quality, and maintain or enhance (when feasible) biological productivity. Design measures to be provided include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(i) Flood control and other necessary instream work should be</li> </ul>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>implemented in a manner than minimizes disturbance of natural drainage courses and vegetation.</p> <p>(ii) Drainage control methods should be incorporated into projects in a manner that prevents erosion, sedimentation, and the discharge of harmful substances into aquatic habitats during and after construction.</p> <p>(2) <i>Riparian habitat setback adjustment.</i> The minimum riparian setback may be adjusted through Minor Use Permit approval, but in no case shall structures be allowed closer than 10 feet from a stream bank, and provided the following findings can first be made:</p> <p>(i) Alternative locations and routes are infeasible or more environmentally damaging; and</p> <p>(ii) Adverse environmental effects are mitigated to the maximum extent feasible; and</p> <p>(iii) The adjustment is necessary to allow a principal permitted use of the property and redesign of the proposed development would not allow the use with the standard setbacks; and</p> <p>(iv) The adjustment is the minimum that would allow for the establishment of a principal permitted use.</p> <p>e. <i>Alteration of riparian vegetation.</i> Cutting or alteration of natural riparian vegetation that functions as a portion of, or protects, a riparian habitat shall not be permitted except:</p> <p>(1) For streambed alterations allowed by subsections a and b above;</p> <p>(2) Where an issue of public safety exists;</p> <p>(3) Where expanding vegetation is encroaching on established agricultural uses;</p> <p>(4) Minor public works projects, including but not limited to utility lines, pipelines, driveways and roads, where the Planning Director determines no feasible alternative exists;</p> <p>(5) To increase agricultural acreage provided that such vegetation clearance will:</p> <p>(i) Not impair the functional capacity of the habitat;</p> <p>(ii) Not cause significant streambank erosion;</p> <p>(iii) Not have a detrimental effect on water quality or quantity;</p> <p>(iv) Be in accordance with applicable permits required by the Department of Fish and Game.</p> <p>(6) To locate a principally permitted use on an existing lot of record</p>		

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
where no feasible alternative exists and the findings of Section 23.07.174d(2) can be made.		
<b><i>Title 23: County of San Luis Obispo Coastal Zone Land Use Ordinance (Chapter 8. Planning Area Standards)</i></b>		
<p>A. <i>San Luis Bay Rural Area Standards. Agriculture. Arroyo Grande and Cienega Valleys.</i> 2. <i>Limitation on Use.</i> Uses allowed by Coastal Table O, Part I of the Land Use Element are limited to: agricultural accessory structures; crop production and grazing; animal raising and keeping; nursery specialties – soil-dependent; farm support quarters; single family dwellings; mobile homes; temporary dwellings; roadside stands; temporary or seasonal retail sales; pipelines and power transmission; and water wells and impoundment.</p>	The proposed project is a utility infrastructure improvement similar to a pipeline or impoundment.	Consistent
<p>A. <i>San Luis Bay Rural Area Standards. Combining Designations. Airport Review Area (AR).</i> 2. <i>Limitation on Uses Within Airport Review Area.</i> Allowable uses are limited to those designated as “compatible” or “conditionally approvable” by the adopted Oceano County Airport Land Use Plan. 3. <i>Development Standards – Private Lands.</i> 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.</p>	The EIR addresses potential impacts to the airport in the Hazards and hazardous Materials section of the EIR. The ALUC will be provided a copy of the Draft EIR for consideration.	Consistent
<p>A. <i>San Luis Bay Rural Area Standards. Sensitive Resource Areas (SRA)</i> 9. <i>Site Planning – Development Plan Projects.</i> Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. Native vegetation is to be retained as much as possible. 13. <i>Oceano Lagoon.</i> Development within Oceano Lagoon SRA shall be limited to those developments permitted consistent with the wetland policies in the LUE and LCP Policy Document. Additionally, development shall be sited to maintain and where feasible restore the biological capacity of the lagoon through among other means, minimizing, adverse effects of waste water discharges and entertainment, controlling runoff, preventing</p>	Development cannot avoid potential SRA due to the nature of the project. No development has been proposed for the Oceano Lagoon.	Consistent

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
depletion of groundwater supplies and substantial interference with surface water flow, and maintaining natural vegetation buffer areas.		
<p>D. <i>Oceano Urban Area Standards. Combining Designations. Airport Review Area (AR)</i></p> <p>1. <i>Limitation on Uses Within Airport Review Area.</i> Allowable uses are limited to those designated as “compatible” or “conditionally approvable” by the adopted Oceano County Airport Land Use Plan.</p> <p>2. <i>Development Standards – Airport Site.</i> New development on the county-owned portions of the site of the Oceano County Airport shall be consistent with the adopted Airport Development Plan and shall comply with all applicable provisions of the airport lease site standards.</p> <p>3. <i>Development Standards – Private Lands.</i> 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.</p>	The WMP would result in planting potentially tall trees within the Airport review area. The EIR has addressed compatibility issues with the airport in the Hazards and Hazardous Materials section. The ALUC has been provided a copy of the Draft EIR for their review.	Consistent
<p>D. <i>Oceano Urban Area Standards. Combining Designations. Sensitive Resource Area (SRA). Oceano Lagoon.</i></p> <p>4. <i>Permit Requirement.</i> All uses shall require Site Plan approval unless Development Plan approval is required by the Coastal Zone Land Use Ordinance. The site shall be surveyed by a qualified biologist to determine the extent of the wetlands and riparian vegetation on site or on surrounding parcels and to recommend necessary mitigations including minimum setbacks, site restoration, etc. Setbacks shall be a minimum of 25 feet from the established wetlands or riparian vegetation.</p> <p>5. <i>Limitation on Use.</i> Development within Oceano Lagoon is prohibited. Any lagoon maintenance program to support continued capacity shall also preserve the lagoon in a natural state, including the parcel transferred from the county to the South San Luis Obispo County Sanitation District.</p>	No development has been proposed for the Oceano Lagoon	Consistent
<p>D. <i>Oceano Urban Area Standards. Industrial.</i></p> <p>1. <i>Limitation on Use.</i> Uses allowed by Coastal Table O, Part I of the Land Use Element may be permitted except: drive-in theaters; petroleum refining and related industries; petroleum extraction; airfields and landing strips; marine terminals and piers.</p>	The proposed project is an allowed use.	Consistent

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<b>Arroyo Grande General Plan Agriculture, Open Space and Conservation Element</b>		
<p><i>C/OS2: Safeguard important environmental and sensitive biological resources contributing to healthy, functioning ecosystem.</i>                      C/OS2-1. Designate all streams and riparian corridors as Conservation/Open Space (C/OS).                      C/OS2-1.1. "Streams" and "riparian corridors" shall include buffer area corresponding at least to natural vegetation and/or creek bank.                      C/OS2-1.2. Preserve stream and riparian corridors in their natural state except that periodic flood control maintenance consistent with State and Federal permits shall be allowed.                      C/OS2-1.3. Where feasible, maintain a grading and building setback of 25 feet from the top of stream bank. Locate buildings and structures outside the setback. Except in urban areas where existing development exists to the contrary, prevent removal of riparian vegetation within 25 feet of the top of stream bank.</p>	<p>Avoidance of streams and riparian corridors is infeasible due to the nature of the project. Measures in the WMP and those developed in this EIR, which will be refined during the permitting process would reduce impacts to a less than significant level. Impacts to sensitive biological resources would be mitigated through avoidance and compensatory mitigation strategies to be refined during the permitting process.</p>	<p>Consistent</p>
<b>Arroyo Grande General Plan Safety Element</b>		
<p>Objective S-2: Reduce damage to structures and the danger to life caused by flooding, dam failure inundation, and other water hazards.                      Policy S2-1. <i>Flood Hazards.</i> Strictly enforce flood hazard regulations both current and revised. Federal Emergency Management Agency (FEMA) regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas.                      Standard S2-1.1. Discourage development, particularly critical facilities, in areas of high flood hazard potential. Do not allow development within areas designated as the 100-year flood plain that would obstruct flood flow or be subject to flood damage. Do not allow development which will create or worsen known flood or drainage problems.                      Standard S2-1.3. Review development plans for construction of structures in low-lying areas, or any area which may pose a serious drainage or flooding condition. Susceptibility to damage from flooding should be determined based on the 100-year flood.</p>	<p>The WMP would reduce the potential for catastrophic failure of the levees and increase flood protection.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>Policy S2-2. <i>Reduce Flood Damage</i>. Reduce flood damage in areas of the City known to be prone to flooding.</p> <p>Standard S2-2.1. Inventory and reevaluate where appropriate known local flood prone areas in the City. Develop a prioritized list of capital improvement projects for low-lying, flood prone areas.</p> <p>Standard S2-2.2. Seek funding to implement capital improvement projects for low-lying, flood prone areas.</p> <p>Standard S2-2.3. When reviewing proposals for potential development of water reservoirs, retention ponds, or drainage channels, require an evaluation of potential inundation areas and design proven to withstand potential seismic activity.</p>	<p>The WMP would reduce the potential for catastrophic failure of the levees and increase flood protection.</p>	<p>Consistent</p>
<p><b><i>Oceano County Airport Land Use Plan</i></b></p>		
<p>Policy S-2. <i>Allowable Land Uses</i>. No proposed land use shall be established in the Airport Planning Area unless such proposed use is designated as Allowable by Table 4 (Airport Land Use Compatibility Matrix) of this document. In the event that any question should arise as to the type of land use that would be established by a proposed development, the question shall be submitted to and resolved by the Airport Land Use Commission, whose decision shall be final and binding.</p>	<p>No new land use is proposed.</p>	<p>Consistent</p>
<p>Policy A-1. <i>Obstructions to aerial navigation</i>. No structure, tower, landform, or other improvement may be constructed nor vegetation be grown or permitted to grow to a height which exceeds the height of any imaginary surface established under Section 77.25 or 77.29 of the Federal Aviation Regulations.</p>	<p>The project anticipates that cottonwood and sycamore would be planted at random along the length of the flood control channel within the buffer to encourage long-term diversity in the riparian canopy; however these trees would not be planted downstream of the UPRR bridge to avoid conflicts with approaching planes.</p>	<p>Potentially Inconsistent</p>
<p>Policy A-2. <i>Hazards to aerial navigation</i>. No project or land use may be established within the Airport Planning Area if such use entails or is expected to entail any of the following characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport:</p> <ul style="list-style-type: none"> <li>a. creation of electrical interference with navigation signals or radio communication between the aircraft and airport;</li> <li>b. lighting which is difficult to distinguish from airport lighting;</li> <li>c. glare in the eyes of pilots using the airport;</li> </ul>	<p>The proposed project is intended to enhance water quality and sensitive species habitat within the flood control channel, and proposed vegetation management could attract birds and other wildlife to the areas surrounding the airport.</p>	<p>Potentially Inconsistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<p>d. uses which attract birds and create bird strike hazards;                      e. uses which produce visually significant quantities of smoke; and                      f. uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).</p>		
<p><b><i>Oceano Specific Plan</i></b></p>		
<p><i>Public Improvements.</i>                      2. <i>Drainage.</i> Institute the following retrofit project to address existing deficiencies in stormwater control:</p> <ul style="list-style-type: none"> <li>• Define drainage areas within the community based on topographic features,</li> <li>• Identify and quantify the existing drainage/flooding problems based on historic information, community and County input, and site observations,</li> <li>• Identify categories of drainage and flooding related problems,</li> <li>• Generate alternative improvements for specific drainage problem areas,</li> <li>• Review potential environmental and water quality impacts as well as potential regulatory impacts associated with the alternatives,</li> <li>• Recommend specific improvement and funding solutions based on criteria,</li> <li>• Ensure proper review of new development.</li> </ul> <p>3. <i>Runoff &amp; Sediment Control.</i> In addition to the drainage retrofit plan, above, the following best management practices should be utilized where feasible:</p> <ul style="list-style-type: none"> <li>• Install pollution control devices such as oil and water separators in parking lots and other areas where fuels and other pollutants accumulate.</li> <li>• Enforce anti-littering laws and post “No Littering Signs” in areas where there is high pedestrian traffic.</li> <li>• Maintain vegetative cover on landscaped areas and use manual weed control</li> </ul>	<p>The WMP would include measures to reduce the risk of flooding in Zone1/1A. Mitigation measures in this EIR address the risk of sedimentation.</p>	<p>Consistent</p>

**Table 3-2. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
<ul style="list-style-type: none"> <li>• Inspect and clean storm drains prior to onset of the wet season, paying particular attention to areas that tend to accumulate litter, sediment and other debris</li> <li>• Include standards for storm drainage including but not limited to those recommended in the California Storm Water Best Management Practices Handbook.</li> </ul>		

## **3.4 CUMULATIVE ANALYSIS**

### **3.4.1 CEQA Requirements**

The California Environmental Quality Act, in §15355 of the CEQA Guidelines, defines “cumulative impacts” as two or more individual effects that, when considered together, are considerable or would compound or increase other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project when added to other closely related past, present, or reasonably foreseeable and probable future projects. For example, the traffic impacts of two projects in close proximity may be insignificant when analyzed separately, but could have a significant impact when the projects are analyzed together.

According to §15130 of the CEQA Guidelines, cumulative impacts shall be discussed when the project’s incremental effect is cumulatively considerable as defined in section 15065. The discussion of cumulative impacts needs to reflect the severity of the impacts and their likelihood of occurrence, but the discussion does not need to provide as great a detail as is provided for the effects attributable to the project alone. According to the Guidelines, the following elements are necessary to an adequate discussion of significant cumulative impacts:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the Lead Agency.
- The discussion shall also include a summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and a reasonable analysis of the cumulative impacts of the relevant projects. The EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project.

### **3.4.2 Cumulative Development Scenario**

An analysis of cumulative effects has been included within each resource issue area discussed in this EIR (refer to Chapter 4, Environmental Impacts and Mitigation Measures). The proposed project extends through a relatively rural area. A review of probable future projects in the region surrounding the Creek have been identified in Table 3-3, Cumulative Development Scenario, because they are either in proximity to the proposed project, and/or have similar characteristics, and are therefore likely to contribute cumulatively to environmental impacts. However, each environmental issue will evaluate potentially cumulative considerable impacts based on scenarios appropriate for the section. For example, cumulative air quality effects may be considered as they impact the entire air basin, while it is more appropriate to identify cumulative noise impacts as they relate to sensitive receptors in the vicinity of the project corridor.

**Table 3-3. Cumulative Development Scenario**

<b>Project</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>	<b>Related Impacts</b>
Lopez Dam Raise	Lopez Dam	Install Obermeyer gates at the Lopez Dam spillway that will allow additional storage at Lopez Reservoir.	San Luis Obispo County has prepared a pre-planning assessment.	Biological Resources
Laetitia Winery Agricultural Cluster Development	Laetitia Winery adjacent to Los Berros Creek	Agricultural development project - water resources would be developed which are projected to reduce in-stream flows, and excessive well pumping could reverse flow gradient to that groundwater from Los Berros Creek flows toward the pumping wells.	Pending	Biological Resources, Transportation, Flooding, Hydrology, and Water Quality
Development plans for two properties adjacent to Talley Ho Creek	Talley Ho Creek in the Village of Arroyo Grande and at the intersection of 227 and Corbett Canyon Road	Development of two properties adjacent to Talley Ho Creek present opportunities to work voluntarily with landowners to enhance habitat and reduce sedimentation as the projects enter the City planning process.	Pending	Biological Resources
Conduct Steelhead Restoration Planning	Along entire length of Arroyo Grande Creek and watershed	Remove or modify various stream gages, road culverts, abandoned dam footings, road debris, and other barriers to unimpeded migration and passage of adult and juvenile steelhead.	Proposed	Biological Resources
Gravel Augmentation	Along length of Arroyo Grande Creek	Remove materials from the flood control channel and devise a system to sift or grade some of the coarser sediments, and reposition clean gravels at the top of the watershed to increase capacity in the flood control channel and improve water quality.	Proposed	Biological Resources

**Table 3-3. Cumulative Development Scenario**

<b>Project</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>	<b>Related Impacts</b>
Remove Exotic Species	Along entire length of Arroyo Grande Creek and watershed	Investigate the presence of exotic predators, remove and prevent the re-growth of exotic plant species (including overgrown English ivy and Cape ivy), and consider a beaver management program for protection of the watershed.	Proposed	Biological Resources
Control Erosion to Reduce Sediment for Improved Water Quality	Along entire length of Arroyo Grande Creek and watershed	Implement low impact development principles; inventory floodplains for potential enhancement; restore creeks through sediment removal; seek solutions to stabilize creek banks; inventory road system to identify areas where sediment is entering the Creek; and stencil warnings at common dumping stations to reiterate impacts of dumping into storm drains.	Proposed	Biological Resources, Flooding, Drainage and Water Quality

Source: Arroyo Grande Creek Watershed Management Plan Update (Central Coast Salmon Enhancement 2009)