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**HARO, KASUNICH AND ASSOCIATES, INC.**

CONSULTING GEOTECHNICAL &amp; COASTAL ENGINEERS

 Project No. SLO9515  
 1 August 2013

To: Ms. Ryan Hostetter  
 County of San Luis Obispo  
 Department of Planning and Building County  
 Government Center Room 200  
 San Luis Obispo, CA 93408-2040

From: Mark Foxx, CEG 1493  
 John E. Kasunich, G.E 455

Subject: June 2013 Draft EIR Comments

Reference: Loperena Minor Use Permit/Coastal Development  
 Permit DRC 2005-00216  
 SCH No. 2007081044

Dear Ms. Hostetter:

We have reviewed Section 4.3 of the referenced D-EIR (Geology and Soils), as well as referenced documents in Appendix C of the D-EIR by Cotton Shires and Associates Inc. dated May 31, 2011, August 21, 2012, October 31, 2012, and May 17, 2013; documents by GeoSoils Inc. dated March 14, 2011 and April 10, 2013, documents by Cleath-Harris Geologists Inc. dated June 25, 2012, September 19, 2012; and GSI Soils Inc. dated December 27, 2011.

We provide the following comments:

**1. Incorrect Finding that Property is Not a Coastal Bluff**

Cotton Shires and Associates Inc. (the EIR consultant who addressed the presence or lack of a coastal bluff at the site) interprets that a coastal bluff does not exist at the Loperena property. We disagree. The bluff fronting the project site faces the Pacific Ocean, and there is an active beach at the base of this bluff. The bluff is subject to severe wave run-up on occasion and resultant coastal erosion. California Code of Regulations, Title 14, Section 13577(h)(1) defines coastal bluffs as those where the toe of which is now or was historically (generally **within** the last 200 years) subject to marine erosion. **There can be no doubt that the toe of the bluff on the seaward portion of the Loperena property, is now and was historically (within the last 200 years) subject to marine erosion.** Unfortunately, there is no mention of this definition in the Cotton Shires reports.

Instead they focus on a more obscure determination of bluff edge termination, based on criteria involving geologic history and fail to consider the present geologic and oceanographic conditions at the site. Cotton Shires makes their finding based primarily on conditions shown on an aerial photo taken more than 75 years ago. We believe that present conditions must be considered when evaluating the presence of coastal bluffs or lack thereof. For more than 50 years a coastal bluff has extended hundreds of feet upcoast from the Loperena property. Much of that coastal bluff consists entirely of fill, but that is not solely the case at the Loperena property. The bluff at the Loperena property has bedrock exposed across the full width of the property.

Cotton Shires and Associates Inc. asserts that the seaward slope on the Loperena property consists of a fillslope and therefore it is not part of the coastal bluff. That is not

HKA-1

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supported by the geologic maps, cross sections and boring logs prepared by the applicant's geologist (Cleath-Harris). Exposed bedrock extends across the full width of the Loperena property.

**HKA-1  
(continued)**

In our opinion the present conditions matter, and can and should not be ignored. The property should be considered a coastal bluff and appropriate setbacks should be required.

**HKA-2**

We support this, in part, from review of the geologic maps and cross sections in the Cleath-Harris Geology reports dated 6-25-2012 and 9-19-2012 as well as the Cotton Shires report dated 5-31-2011; all of which are contained in Appendix C of the Draft EIR. The Cotton Shires Engineering Geologic Map Plate 1 (originally prepared by Shoreline Engineering in 2006) is missing from Appendix C, but is included at a reduced scale as Figure 4.3-3 in the Draft EIR.

Several Figures and photographs are presented below to support our position that the property includes a coastal bluff and to counter the DEIR finding that it doesn't.

Figure 1 shows Cleath-Harris's Geologic Map of the site that clearly shows exposed bedrock (Franciscan Assemblage Graywacke sandstone) across the entire width of the property along the coastal bluff face, with Beach Deposits seaward of the bedrock.

Figure 2 shows Cleath-Harris's Cross Section D-D'. The applicant's geologist (Cleath) terminated this cross section at elevation 16 and did not extend it down the near vertical bedrock coastal bluff face down to the beach. This cross section shows a thin mantle of fill covering the bedrock on the inland portion of the lot. We have sketched an extended portion of the cross section below elevation 16, to show the coastal bluff face and beach that exists there.

Figure 3 shows Cleath-Harris's Cross Section C-C'. Cross Section C, which is located at the upcoast property boundary, shows that the bluff face is composed of exposed Franciscan Assemblage Bedrock from the sandy beach up to about Elevation 17. The bedrock is mantled by 3 to 4 feet of fill. In fact, as depicted by the applicant's geologist, the bedrock under the fill extends up to elevation 22, and one could argue that the fill is covering what was once the coastal bluff face between elevation 17 and 22. We have labeled the cross section to show the coastal bluff face and beach that exists there.

Photograph 1 is a 2002 Aerial Photo from [www.CaliforniaCoastline.org](http://www.CaliforniaCoastline.org) that clearly shows the exposed bedrock face along the coastal bluff, as correctly mapped by the applicant's geologist (Cleath-Harris) and the EIR geologist (Cotton Shires).

Photograph 2 was taken at the site and shows the coastal bluff on the Loperena property, the beach at the base of the bluff, and the Pacific Ocean. We have outlined the portion of the coastal bluff face where bedrock is exposed on Photograph 2.

Photograph 3 is a 2002 Aerial Photo showing the coastal bluff on the Loperena property, the beach at the base of the bluff, the Pacific Ocean wave action on the beach, and a sketch of the Loperena property boundaries. The property boundaries shown are not to scale because of parallax and foreshortening in this oblique photo, but are in approximately the right positions. Most of the Loperena property is only 25 feet wide. The seaward portion of the Loperena property (below the coastal bluff) is a sandy beach.

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Photograph 4 is a site photo taken from the downcoast neighbor's property that shows the coastal bluff on the Loperena property, the beach at the base of the bluff, and Pacific Ocean wave action on the beach.

**HKA-2  
(continued)**

Figure 4 is Cotton Shires Geologic Cross Section which shows the proposed Loperena residence projecting (cantilevered) out over the coastal bluff and what they depict as an "Active Beach". The area between the Active Beach and the landward portion of the residence is the coastal bluff, as defined by the California Coastal Commission.

Figure 5 is a figure from Cotton Shires & Associates report dated May 31, 2011. It is a portion of a 1937 aerial photo that they have interpreted to show an inland bluff line that was formed by Old Creek. This bluff line pre-dates the bluff line that exists since Highway One was constructed in its present alignment circa 1960.

In 1937 (the date of aerial photograph Cotton Shires used in their analysis) the bluff turned inland just north of the bedrock outcrop. Between 1937 and 1972 (when the Coastal Act Initiative was passed by the voters and the Coastal Commission was created) State Highway 1 was constructed (circa 1960). In 1972 and 1976 (when the Coastal Act was passed) the bluff at the landward edge of the beach north of the Loperena property followed the fill slope seaward of Highway 1. The Cotton Shires premise that whether a coastal bluff exists is determined only by where a bluff was during historical geologic conditions (in 1937) and not where the coastal bluff existed at the time the Coastal Commission was created (in 1972) or where a bluff exists today, is inappropriate.

The toe of the bluff on the seaward side of the Loperena property has historically been subject to marine erosion and is subject to ocean wave run-up and coastal erosion today.

Regardless of the conditions at the Loperena property before Highway 1 was built, those conditions do not determine there is not a coastal bluff there today, which has been there for the last 50 years, and in fact has been there ever since the Coastal Act was passed.

Figure 6 is a figure from Cotton Shires & Associates report dated May 31, 2011. It interprets which portion of the bluff at the Loperena property is a coastal bluff and which portion is an inland bluff. An inland bluff might be defined as a creek bank or river bank not subject to marine erosion. The Cotton Shires methodology for assessing the transition point from a coastal bluff to an inland bluff differs from the California Coastal Commission (CCC) guidelines for determination of bluff termini. Public Resources Code Section 13577 states "The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the inland facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations." For some reason, Cotton Shires diagram, ignores the 500 foot requirement and instead uses a minimum length of the bluff line of 300 feet. It is requested that a revised diagram be prepared and included in the Final EIR that follows the CCC guidelines including the 500 ft. requirement.

**HKA-3**

Based on the conditions depicted on the geologic maps and cross sections and on the photographs in this letter, we believe the bluff on the Loperena property is a coastal bluff. We believe it is inappropriate to solely define the existence of coastal bluffs based on

**HKA-4**

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photographs from 75 years ago or geologic conditions from more than 50 years ago. We believe that current geologic and oceanographic conditions must be considered, in order to accurately define the existence of coastal bluffs. The interpretation by Cotton Shires & Associates relies on conditions depicted in photographs from 75 years ago and geologic and geomorphic conditions from more than 50 years ago. We believe their interpretation is erroneous. California Code of Regulations, Title 14, Section 13577(h)(1) defines coastal bluffs as those where the toe of which is now or was historically (generally **within** the last 200 years) subject to marine erosion. That includes those bluffs that have had marine erosion at their toe for 50 years. This regulation does not say that if there has not been marine erosion at the toe of the bluff **continuously** for the last 200 years it is not a coastal bluff. In our opinion the present conditions matter, and can and should not be ignored.

**HKA-4  
(continued)**

Because the Loperena property is only 25 feet wide, slight variations in geologic mapping have great impact. The Cotton Shires maps (Figures 5 and 6) that they use to delineate their interpretation of the coastal bluff are presented in their report at a scale of 1 inch equals 300 feet, such that the Loperena property is less than a tenth of an inch wide. It is our opinion that precise location of the coastal bluff terminus relative to property boundaries based on stereoscopic aerial photograph interpretation is not possible and that mapping and consideration of site specific conditions is required.

**HKA-5**

Fortunately, site specific mapping of the bluff was done in 1955. Figure 7 is a 1955 State Of California Acquisition Map for Morro Strand State Beach. This map shows the Loperena property and the bluff configuration at that time. Cotton Shires and Cleath-Harris make no reference to this map (included in this report) in their reports.

Figure 8 is an enlarged portion of State of California Acquisition Map from 1955 showing the toe of bluff that existed then on the Loperena property. The Loperena property was impacted by both the ocean and creek before Highway 1 was built, and now is primarily impacted by the ocean because the creek's alignment was altered. The map depicts that in 1955 (before Highway 1 was constructed in its present day alignment) it might be considered as a "corner lot", which is within a transition area that is part coastal bluff and part inland bluff. If it was partly a coastal bluff then, and is impacted by coastal processes such as marine erosion, ocean wave run-up, and wave impact today, it should be considered a coastal bluff.

D-EIR 4.1.4.1 discusses a "story-poles" or flag study used to assess visual impacts of the project, however no photos with the flags are provided in the D-EIR. It is requested that the photographs from this flag study be included in the Final EIR. In the absence of official flag study photographs, we have reviewed Photographs 5 and 6, which are unofficial photographs of the flag study for the Loperena residence. Per D-EIR 4.1.4.1 these flags represent the proposed building corners. It says that "Locations of critical structure elements were identified based on site plan information and architectural elevations provided by the project applicant. These critical project features were surveyed and staked in the field, and corresponding horizontal and vertical location data was developed. Poles and reference flags were positioned at each critical point."

**HKA-6**

Photograph 5 clearly shows the building extending past the coastal bluff over the beach. The exposed bedrock coastal bluff is shown on the photo. Marine erosion is the process which has exposed the bedrock on the bluff face. The project plans by James Maul-Architect, upon which the plans by C. P. Parker –Architect are based, show that the seaward edge of the home is 14.81 feet from the seaward property line and overhangs the bedrock coastal bluff and the beach. These plans are consistent with the position of

**HKA-7**

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the main floor shown in D-EIR Figure ES-4a; which shows the main floor extending approximately 10 feet into the Access Easement on the beach..

Photograph 6 shows another view of the position of the corners of the proposed residence relative to the coastal bluff face and the beach. Note that the proposed house corners extend over the beach.

**The Cotton Shires studies argue that the bedrock bluff at the back edge of the beach shown in Photographs 1, 2, 3, 4, 5, and 6 is an inland facing bluff. The Cotton Shires studies ignore the presence of an active beach that is subject to wave run-up, wave impact and marine (coastal) erosion within the building envelope of the proposed structure.**

**HKA-7  
(continued)**

## **2. Wave Run-up Calculations: Inconsistencies**

We have reviewed the Geosoils Inc. report dated April 10, 2013 that calculates wave runup to an elevation of 20.1 NAVD88 (Still water elevation of 10.1 Feet NAVD88 plus Wave Runup R of 10.0 Feet). It predicts that at an elevation of +17 NAVD88 one cubic foot per second of ocean water will impact the seaward portion of the proposed home for each foot of the width of the home during oceanographic conditions expected over the life of the development.

There are internal inconsistencies in the wave run-up calculations between 2011 and 2013. In 2011, GeoSoils used a scour elevation of 0.6 feet NAVD88 at the toe of the bedrock, with 9 feet of water depth and a 1% nearshore slope in their analysis which resulted in a still water level of 9.6 feet NAVD88 and generated 12.6 feet of run-up using 7.0 foot high waves. In 2013, when considering greater sea level rise to a still water elevation of 9.6 feet NAVD88, GeoSoils used a scour elevation of 3.1 feet NAVD88 at the toe of the bedrock (2 ½ feet higher than the 2011 analysis), with 7 feet of water depth and a 2% nearshore slope in their analysis which generated 10.0 feet of run-up using 5.5 foot high waves.

This analysis is not plausible. Greater sea level rise will result in higher still water levels, which will result in larger breaking waves. They do not justify using the 2 ½ foot higher scour level in 2013 compared the 2011 analysis, other than the depth of the bedrock below the beach sand estimated and depicted by Cotton Shires on their 2011 Cross Section 1-1' (Figure 9). The depth of bedrock shown on the Cotton Shires Cross Section 1-1' is not substantiated; it is queried due to uncertainty. Greater scour will cause higher wave runup. In any case, the wave runup analysis indicates that ocean wave runup will reach much higher than the basement floor elevation and will reach the basement windows depicted on the Rear Elevation in D-EIR Figure ES-5.

**HKA-8**

## **3. Basement Wall is a Seawall**

The March 14, 2011 Geosoils Inc. report defines that this wave run-up will reach the basement wall, but indicates (because the basement walls will be constructed of reinforced concrete) that the wave run-up will not adversely impact the proposed residence. It is therefore functioning as a seawall. The San Luis Obispo LCP Hazard Policy 1 requires that new development shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure; yet the proposed residence design incorporates a foundation system including a reinforced concrete wall that will be impacted by wave run-up and is

**HKA-9**

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nearly the full width of the property. Therefore the basement and associated seawall should not be allowed.

HKA-9  
(continued)

If allowed, the reinforced concrete seaward facing basement wall will deflect wave run-up towards the neighboring properties and adversely impact them. This deflected wave run-up will increase erosion on the neighbor's bluff. D-EIR GS Impact 5 indicates that beach sand scour caused by heavy surf may create unstable slopes adjacent to the proposed residence and finds that this impact is less than significant. We believe this impact will be significant because the exacerbated impact from deflected wave runup that results from the construction of the proposed Loperena residence will extend onto the neighboring properties.

HKA-10

#### 4. Erosion Rate is Underestimated

We disagree with GeoSoils that coastal erosion at the Loperena property is not a significant hazard over the next 100 years. The reason that bedrock is exposed along the full width of the Loperena property at the landward edge of the beach sand is because of active marine (coastal) erosion processes acting there. Sea level rise will result in increased future erosion rates compared to the historical erosion rates.

HKA-11

#### 5. Potential Shoring and Construction Impacts Not Evaluated

The project Plans by James Maul- Architect (Sheets 1 and 2 of 4) show the exterior walls of the proposed residence with 3 foot side yard setbacks from the property lines. No property lines are depicted on the Elevation or Section (Sheets 3 and 4 of 4). The proposed residence foundation width is depicted as 19 feet. The plans in the D-EIR (Figures ES-4a, Es-4b and ES-5 by C. P. Parker (Architect) indicate they are based on the plans by James Maul, but lack setback dimensions on the floor plans and property lines on the Elevations. The Site Plan in the D-EIR (Figure ES-3) also lacks setback dimensions and does not show the main floor that cantilevers over the Public Access Easement on the seaward part of the property. The D-EIR does not address what impact to the Access Easement will occur during construction. We have reviewed the December 27, 2011 Updated Geotechnical Investigation report from GSI and 20 September 2012 letter from Shoreline Engineering including Shoring Details SL-1 and SL-2 (D-EIR Figures ES-7a and ES-7b). Given the 2 foot diameter boreholes necessary for the shoring pilings and the 25 foot lot width, we are concerned whether the shoring can be installed without any impact on the neighboring properties. It appears that there is the potential for the borehole drilling or excavations for the shoring to encroach on the neighboring properties or damage those neighboring properties.

HKA-12

HKA-13

#### In conclusion:

We disagree with the Cotton Shires interpretation which terminates the coastal bluff at the Loperena property based on the bisector they drew, which was solely based on conditions before Highway 1 was built, and classifies the bluff on the Loperena property as an inland bluff. We believe it is wrong for them not to consider present day conditions. The present day conditions include the presence of an active beach seaward of the property and Pacific Ocean waves directly impact the bluff on the property. Fluvial processes and creek or river bank conditions are not present at the Loperena property today. **As a result the bluff on the property should be considered a coastal bluff and appropriate setbacks should be required.**

HKA-14

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**The proposed reinforced concrete seaward facing basement wall is a seawall and should not be allowed.** If allowed, it will deflect wave run-up towards the neighboring properties and adversely impact them. D-EIR GS Impact 5 indicates that beach sand scour caused by heavy surf may create unstable slopes adjacent to the proposed residence and finds that this impact is less than significant. We believe this impact will be significant because the exacerbated impact from deflected wave runup that results from the construction of the proposed Loperena residence will extend onto the neighboring properties.

HKA-15

The wave run-up calculations indicate that ocean wave runup will exceed the basement floor level and reach the basement windows. The calculations have inconsistencies and require additional detailed review to determine the appropriate floor levels and structural requirements.

HKA-16

We disagree with GeoSoils that coastal erosion at the Loperena property is not a significant hazard over the next 100 years. The reason that bedrock is exposed along the full width of the Loperena property at the landward edge of the beach sand is because of active marine (coastal) erosion processes acting there. Sea level rise will result in increased future erosion rates compared to the historical erosion rates.

HKA-17

The D-EIR does not address what impact to the Access Easement will occur during construction.

HKA-18

Given the 2 foot diameter boreholes necessary for the shoring pilings and the 25 foot lot width, we are concerned whether the shoring can be installed without any impact on the neighboring properties. It appears that there is the potential for the borehole drilling or excavations for the shoring to encroach on the neighboring properties or damage those neighboring properties.

HKA-19

Please call us to discuss these plans and this project if you have any questions.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

John E. Kasunich  
G.E. 455



Mark Foxx  
C. E. G. 1493

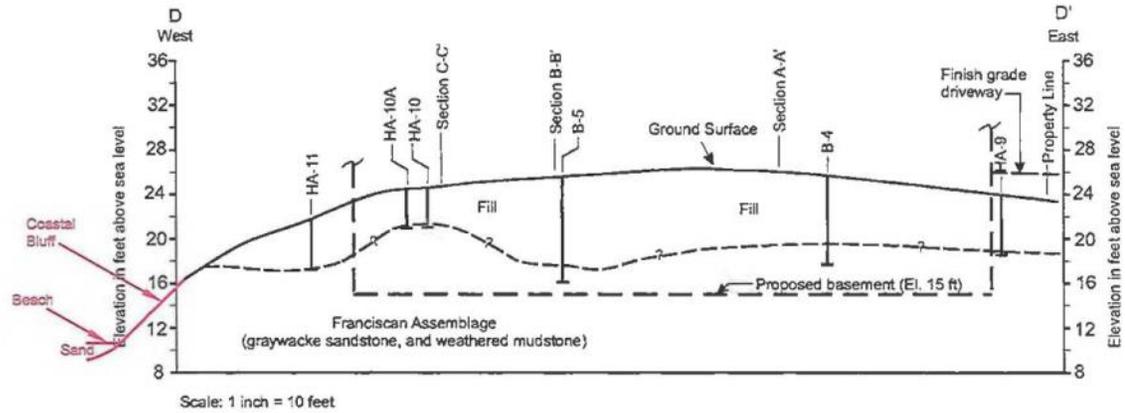
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Figure 1: Cleath-Harris Geologic Map

Figure 1  
 Geologic Map  
 Loperena Property, Studio Drive  
 Cayucos, California  
 May 18, 2012  
 Cleath-Harris Geologists

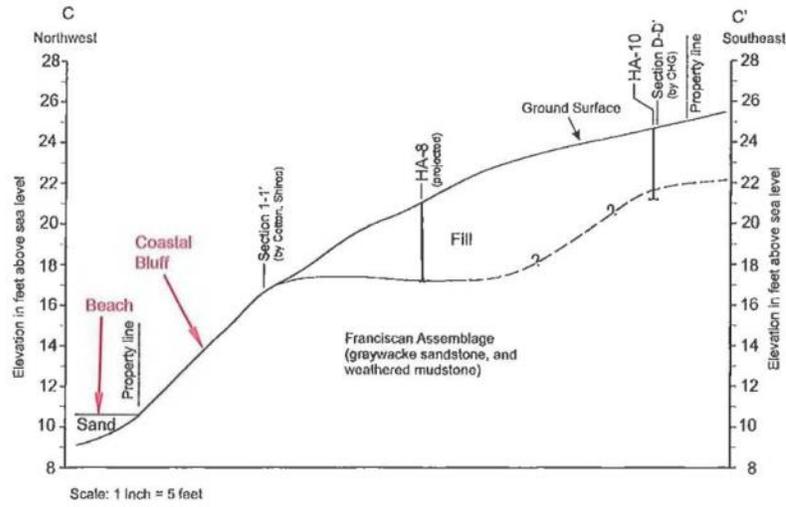


Explanation	
HA-11	Hand auger boring location (by CHG)
B-5	Power auger boring location (by GSI)
---	Geologic contact, queried and dashed where inferred

Figure 2  
Cross Sections D-D'  
Loperena Property, Studio Drive  
Cayucos, California  
May 18, 2012  
Cleath-Harris Geologists

Figure 2: Cleath-Harris Geologic Cross Section D-D' Modified to Show Coastal Bluff and Beach

HKA-20  
(continued)

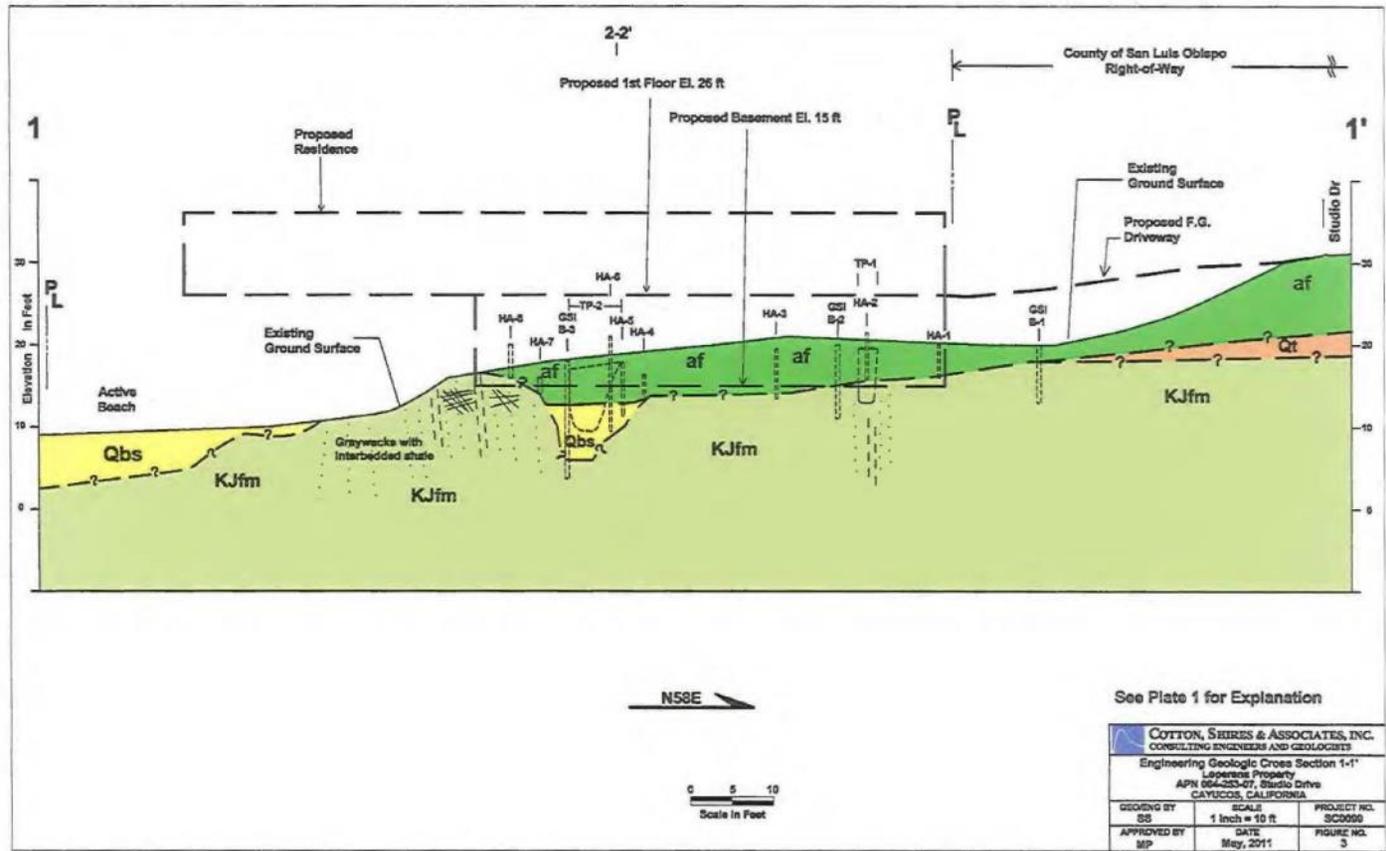


Explanation	
HA-10	Hand auger boring location
---	Geologic contact, queried and dashed where inferred

Figure 3  
Revised Cross Section C-C'  
Loperena Property, Studio Drive  
Cayucos, California  
May 18, 2012

Cleath-Harris Geologists

Figure 3: Cleath-Harris Geologic Cross Section C-C' Modified to Show Coastal Bluff and Beach



HKA-20  
(continued)

Figure 4: Cotton Shires Geologic Cross Section 1-1' Showing Proposed Home Extending Over Coastal Bluff and Beach

HKA-20  
(continued)

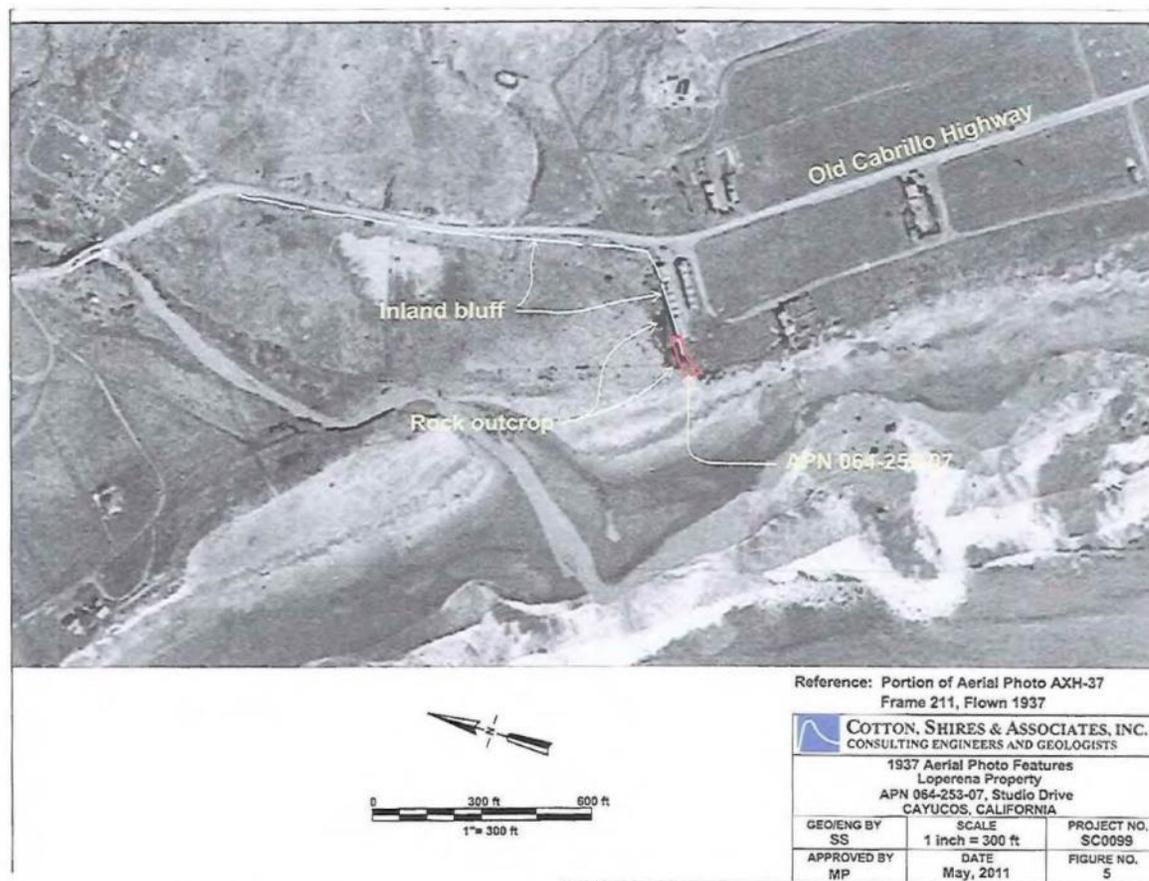


Figure 5: Cotton Shires 1937 Aerial Photo Features. Their Interpretation of Coastal Bluff.



Figure 6: Cotton Shires Bluff Edge Delineation. Their Interpretation of Bluff Termini.

HKA-20  
(continued)

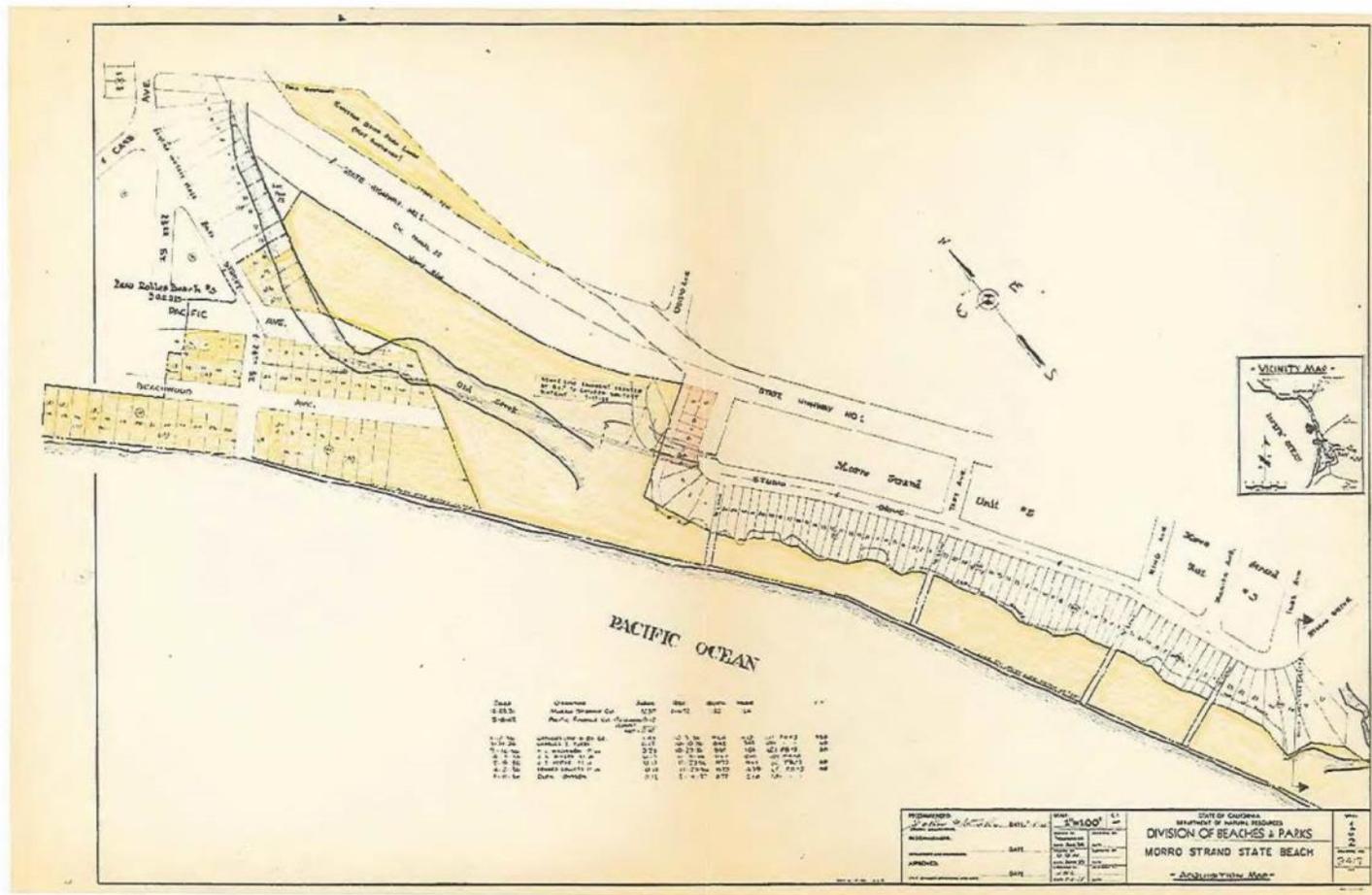
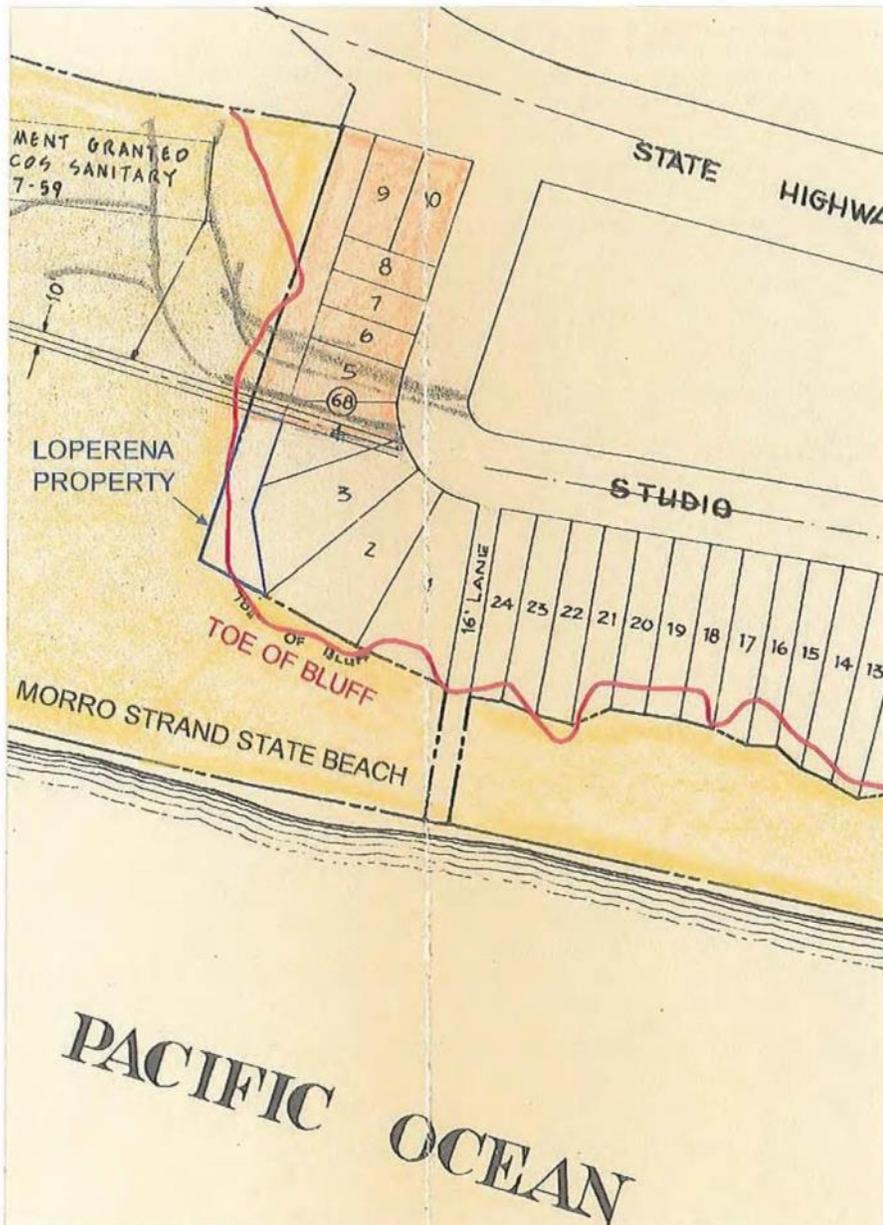


Figure 7: State of California Acquisition Map from 1955 showing the Toe of Bluff that existed on the Loperena property in 1955



HKA-20  
(continued)

Figure 8: Enlarged Portion of State of California Acquisition Map from 1955 showing the Toe of Bluff that existed on the Loperena property in 1955



**HKA-20  
(continued)**

**Photograph 1: 2002 Aerial Photograph from [www.CaliforniaCoastline.org](http://www.CaliforniaCoastline.org)**



HKA-20  
(continued)

Photograph 2: Site photograph showing the Pacific Ocean, beach and portion of the coastal bluff face where bedrock is exposed

HKA-20  
(continued)



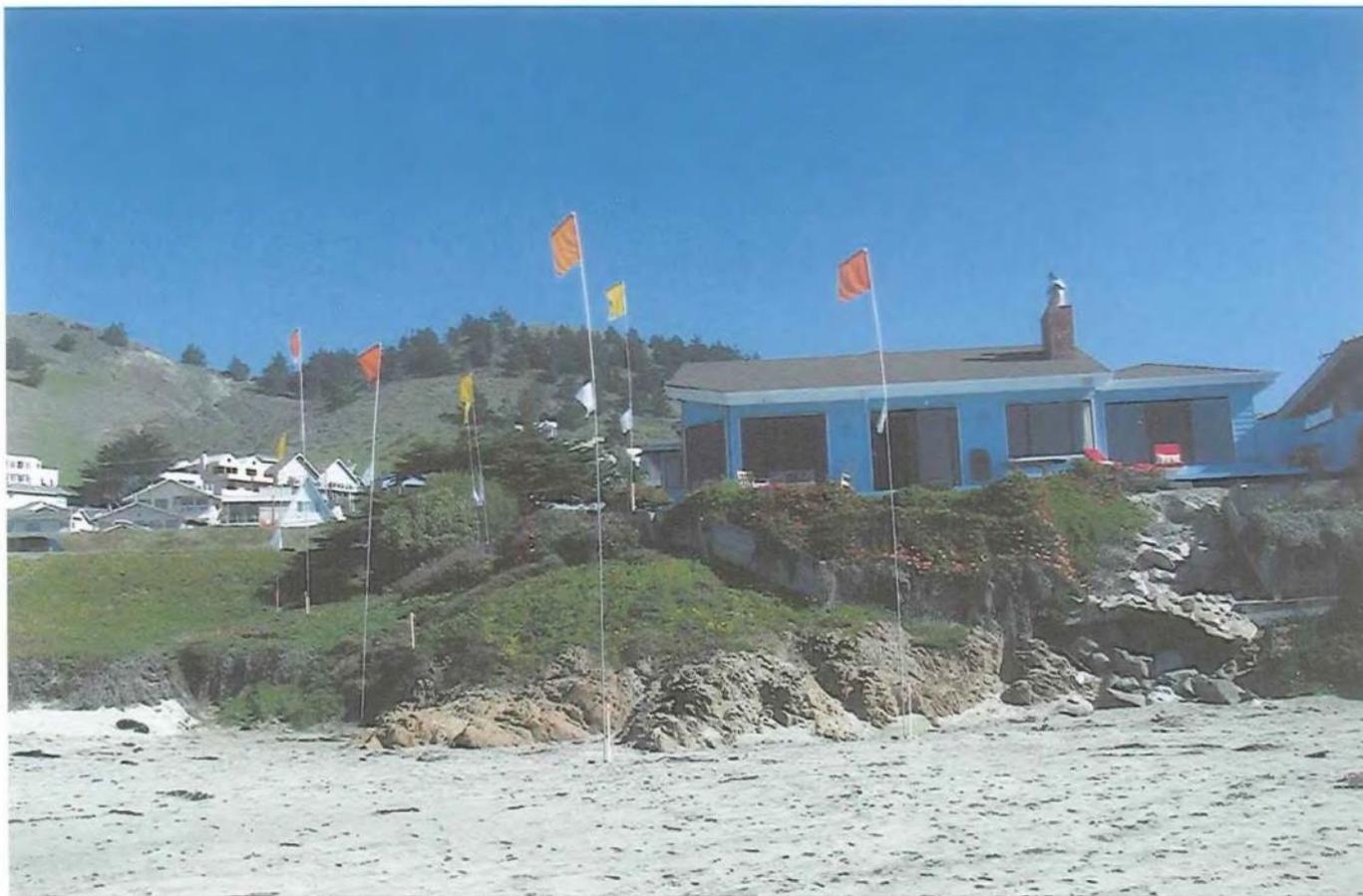
Photograph 3: 2002 Aerial Photograph showing the coastal bluff on the Loperena property, the beach at the base of the bluff, the Pacific Ocean wave action on the beach, and a sketch of the Loperena property boundaries



HKA-20  
(continued)

Photograph 4: Shows the coastal bluff on the Loperena property, the beach at the base of the bluff, and Pacific Ocean wave action on the beach

**HKA-20  
(continued)**



**Photograph 5: Photograph of Flag Study showing Beach and Coastal Bluff**

Exhibit B  
Photographs of Property and Ocean at Typical High Tide

HKA-20  
(continued)

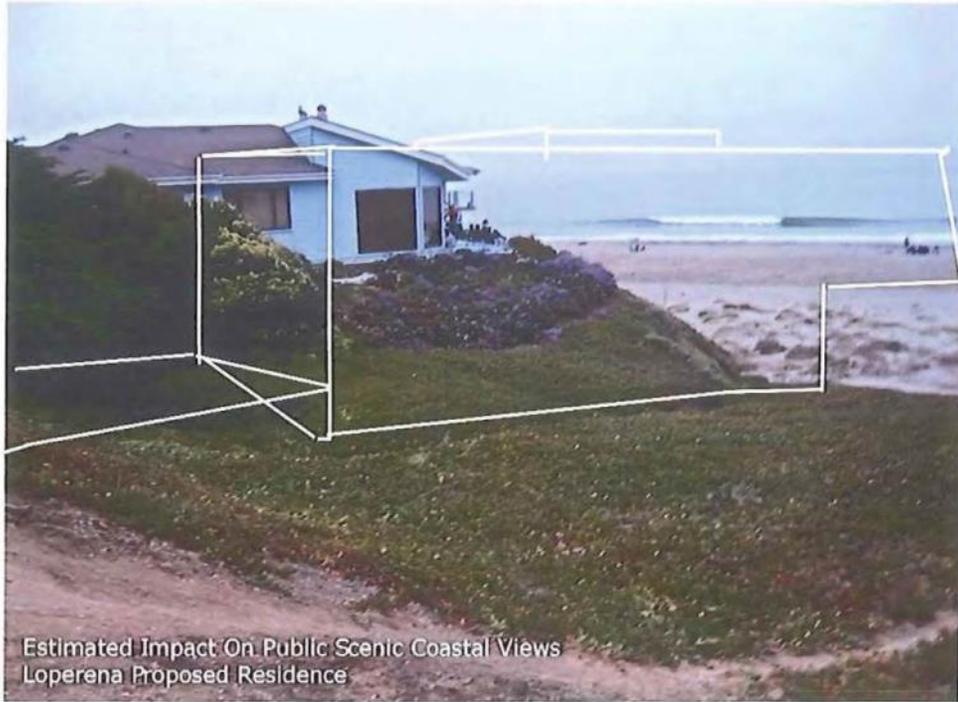


**HKA-20  
(continued)**



Exhibit C  
Photo Graphic Showing Effect of Project on View of Ocean

HKA-20  
(continued)



#### 9.4.24 Response to Letter from Sinsheimer Juhnke McIvor & Stroh, LLP, on behalf of Ethel Pludow and Cynthia R. Sugimoto

Comment No.	Response
SJMS-1	Comment noted.
SJMS-2	Comment noted. Please refer to responses to specific comments below.
SJMS-3	Please refer to response to comment CCC-4, which summarizes the assessment in the EIR and Appendix, and supports the EIR's determination that the project site is not located on a coastal bluff. No changes to the EIR are necessary.
SJMS-4	Please refer to response to comment CCAC-2, which addresses lateral access, and refers the reader to Table 3-1 Consistency with Plans and Policies. The project would provide 25 feet of lateral access within the parcel, on the sandy beach. The EIR also discloses that the structure would extend overhead for approximately 10 feet within the lateral access. If the decision makers recommend a reduced alternative, there will be additional area included in the lateral access easement. No changes to the EIR are necessary.
SJMS-5	Please refer to response to comment SSSE-9 and EIR Chapter 5 Alternatives Analysis. No changes to the EIR are necessary.
SJMS-6	The proposed project does not include a shoreline protective device. Please refer to response to comment CCC-5, which includes a response to the California Coastal Commission regarding the basement wall and purpose of reinforced materials. No changes to the EIR are necessary.
SJMS-7	Please refer to response to comment SJMS-32. Noted clarifications do not change the analysis or impact determinations identified in the EIR.
SJMS-8	Please refer to response to comment CCC-3 regarding impacts to visual resources. No changes to the EIR are necessary.
SJMS-9	<p>The EIR has been clarified to note that a NOP scoping meeting was not held (please refer to Executive Summary Section F Scoping and Notice of Preparation Process and Section 1.2 Introduction, Scoping and Notice of Preparation Process). Based on review of CEQA Guidelines Section 15206(b), the County determined that the project was not of statewide, regional, or areawide significance because: it is not a proposed local general plan, element, or amendment (criteria 1); the project does not have the potential to cause significant effects on the environment extending beyond the county limits (criteria 2); the project is one residence, which does not meet the criteria of 500 dwelling units (criteria 2A); the project would not result in the cancellation of an open space contract (criteria 3); the project would not substantially impact the California Coastal Zone (criteria 4C); the project would not substantially affect sensitive wildlife habitat (criteria 5); the project would not interfere with attainment of regional water quality standards (criteria 6); and, the project would not provide housing, jobs, or occupancy for 500 or more people (criteria 7).</p> <p>However, the County did provide several opportunities for public comment, including review of the proposed Initial Study, the posting of the Notice of Preparation, and the Draft EIR. Additional opportunities include posting and review of the Final EIR, and public hearings for consideration of the use permit and EIR (forthcoming). This clarification does not change the analysis or findings of the EIR.</p>
SJMS-10	Comment noted. Please refer to responses to specific concerns regarding policy consistency and environmental impact analysis. Please refer to response to comment CCC-4 regarding the determination and supportive evidence related to the bluff determination. No significant, unavoidable, adverse impacts were identified, and no Statement of Overriding Considerations

Comment No.	Response
	would be required. No changes to the EIR are necessary.
SJMS-11	EIR Chapter 5 Alternatives Analysis includes two alternatives that propose a smaller footprint (Design Alternative A and Design Alternative B) and no basement (Design Alternative A), and no upperstory/cantilever (Design Alternative B), all which are consistent with recommendations made by the public. As noted in Section 4.3 (Geology and Soils), the project as proposed would withstand erosion and wave action for a period of 100 years, including consideration of scour and sea level rise. As noted, the project would provide a 25-foot lateral access on the sand; Design Alternative B does not include a cantilevered section, which would allow the 25-foot lateral access to be clear from the ground up. Additional photo-simulations are not provided; however, the public and decision-makers can apply the wording of the alternatives to the photographs and simulations that provided in the EIR to make a reasonable determination regarding the visual appearance of the potential design options. No changes to the EIR are necessary.
SJMS-12	The County complied with all noticing requirements identified in the California Environmental Quality Act. In addition, the public was able to provide comments during public circulation of the Initial Study for the project, during the Notice of Preparation period, and circulation of the Draft EIR. Additional opportunities for public review and comment include availability of the Final EIR and public hearing process to consider the use permit and certification of the Final EIR. The project hearing will be noticed pursuant to existing regulations. All commenters on the EIR will be added to the public notice list. No changes to the EIR are necessary.
SJMS-13	Please refer to response to comments HKA-1, HKA-2, and HKA-3 related to the bluff interpretation. No changes to the EIR are necessary.
SJMS-14	Please refer to response to comments HKA -1 and HKA-3 regarding the California Coastal Commission guidance regarding the definition of a coastal bluff. No changes to the EIR are necessary.
SJMS-15	Photographs of the story poles used to conduct the visual analysis are not printed in the EIR; however, the photos are available for review in the County file. No changes to the EIR are necessary.
SJMS-16	The story poles were used for the visual analysis, and were not part of the geology and soils and coastal hazards analysis. The photo is available for review in the County file, and is included in the Final EIR (refer to Figure 4.1-8 Story Poles). Provision of this photograph does not affect the analysis or conclusions presented in the Draft EIR.
SJMS-17	Please refer to EIR Section 4.1.4.1 Aesthetic Resources, Impact Assessment and Methodology, Analysis and Methodology, which explains the use of the story poles during the visual analysis. A stand-alone study was not conducted; the full analysis is presented in the EIR section itself. The photograph of the story poles is included in the project file for public review, and is included in the Final EIR (refer to Figure 4.1-8 Story Poles). Provision of this photograph does not affect the analysis or conclusions presented in the Draft EIR.
SJMS-18	Please refer to response to comment Hka-8 regarding the wave runup analysis. No changes to the EIR are necessary.
SJMS-19	Please refer to response to comments HKA-9 and HKA-10 regarding the basement wall and wave refraction and deflection. No changes to the EIR are necessary.
SJMS-20	Please refer to response to comment HKA-13. The noted clarification will further enforce the determination that potential short-term effects would be less than significant. This clarification does not affect the analysis or conclusions presented in the Draft EIR.

Comment No.	Response
SJMS-21	Please refer to response to comments CCC-5, HKA-1, HKA-2, HKA-3, HKA-11 regarding the bluff interpretation and applicability of the setback standard. No changes to the EIR are necessary.
SJMS-22	The EIR has been clarified to include plans including surveyed corners and boundaries of development (Shoreline Engineering, James Maul, May 4, 2006) (please refer to Figures ES-8 and 2-8). As shown on the plans, the basement will not extend into the 25-foot lateral easement. Construction of the cantilevered element would result in an extension of the floor above the ground, leaving approximately 16 feet of open space (from the ground up), and approximately 10 feet of the easement would be located under the extended floor. As noted, this will allow for persons to walk on the sand under the residence, if necessary, potentially meeting the intent of the lateral easement.
SJMS-23	As noted in the EIR (Table 3-1 Consistency with Plans and Policies, Coastal Zone Land Use Ordinance), wave run-up is expected to occur over the lifetime of the project (assumed to be 100 years), which would extend into the proposed lateral access easement. Under typical situations, dry sand would be available along the toe of the bluff, and there will be approximately 200 feet of dry sand between the project and the mean high tide line. When storm surge and high tides result in wave run up splashing over the exposed rock this would limit the sandy beach not only on the project site but along the beach to the south, although the depth of the water on the project site would be very shallow (approximately 0.5 feet prior to hitting the exposed rock, and 0.14 feet deep at the point it reaches the basement wall). Therefore, the proposed 25-foot lateral easement appears to meet the intent of the measure by maximizing public access, consistent with the LCP and California Coastal Act. No changes to the EIR are necessary.
SJMS-24	The lateral access requirement is identified in existing regulations (Coastal Zone Land Use Ordinance), and will be included as a condition of approval. No changes to the EIR are necessary.
SJMS-25	Please refer to Figure 2-4a Project Floor Plans, which identifies the approximate location of the 25-foot lateral access easement. No changes to the EIR are necessary.
SJMS-26	Please refer to response to comments SJMS-22 and SJMS-23 above, which address the lateral access and wave run-up. The intent of the standard is to maximize public access, which will occur under typical (mean high tide) situations. There will be no physical barrier that would obstruct persons from walking along the lateral access. The County acknowledges that persons using the beach typically use portions of the beach that are located farther from existing residences, and a majority of people are more likely to use the greater expanse of beach area between the mean high tide line and property; however, this assumption does not eliminate the need for the access easement, and would provide legal protection for public use of this portion of the applicant's property. No changes to the EIR are necessary.
SJMS-27	The intent of the standard requiring a lateral access easement from the mean high tide line to the toe of the bluff is to address situations where the mean high tide line encroaches on the property. The mean high tide line does not encroach on the property, and the 25-foot lateral access easement would extend to the approximate edge of the existing rock outcrop. As identified in the EIR and responses above (refer to SJMS-23 and SJMS-26), the easement requirement meets the intent of the Coastal Zone Land Use Ordinance. No changes to the EIR are necessary.
SJMS-28	The Draft EIR addressed County Parks' concerns by including exhibits showing the underlying geology of the site, and edge of the coastal bluff to the south, and buried fluvial bluff (please refer to Section 4.3 Geology and Soils, and Appendix C, Geology and Soils Background Information). Regarding lateral access, as noted in response to comment SJMS-27, 25 feet of unobstructed lateral access would be provided on the sandy beach. The County decision makers will review this issue, including consideration of identified alternatives presented in EIR Chapter 5 (Alternatives Analysis), which includes an alternative that does not include a cantilevered element. No changes to the EIR are necessary.

Comment No.	Response
SJMS-29	As noted in Table 3-1 Consistency with Plans and Policies, lateral access would be provided extending from the mean high tide line to the property line (off-site, on the public beach) and an additional 25 feet into the property up to the exposed rock. It should be noted that the easement would only apply to the property itself; the easement would not extend onto State Parks property. As proposed, the project would be consistent with this standard. No changes to the EIR are necessary.
SJMS-30	As documented in the EIR, the project would not result in any significant, unavoidable, adverse impacts. The purpose of Alternatives evaluation in an EIR is to identify alternatives to the project that would avoid or reduce identified significant effects. The alternatives identified in EIR Chapter 5 Alternatives Analysis address potential impacts identified in the respective EIR sections, and also extend consideration of visual impacts in response to documented community concerns. While the No Project Alternative would avoid all environmental effects, it is not consistent with the objectives of the project, which include developing a residence. No changes to the EIR are necessary.
SJMS-31	There are some limitations to the reasonable range of alternatives considered for this residential parcel; however, EIR Chapter 5 Alternatives Analysis includes two alternatives that propose a smaller footprint (Design Alternative A and Design Alternative B) and no basement (Design Alternative A), and no upperstory/cantilever (Design Alternative B), all which are consistent with recommendations made by the public. As noted in EIR Section 4.3 (Geology and Soils), the project as proposed would withstand erosion and wave action for a period of 100 years, including consideration of scour and sea level rise. Additional photo-simulations are not provided; however, the public and decision-makers can apply the wording of the alternatives to the photographs and simulations that provided in the EIR to make a reasonable determination regarding the visual appearance of the potential design options. No changes to the EIR are necessary.
SJMS-32	<p>The Coastal Plan Policies were last updated by the County in 2007, as documented in the EIR. The Coastal Zone Land Use Ordinance standards identified in the EIR, including Table 3-1 Consistency with Plans and Policies, were reviewed to verify that language had not changed since initiation of the EIR and adoption of the most recent versions of the documents.</p> <p>Noted changes and updates in the November 2011 CZLUO include: updated Table of Contents; Section 23.04.090 Affordable Housing Density Bonus; Section 23.04.094 Housing Affordability Standards; Section 23.04.097 Affordable Housing Density Bonus and Development Standard Modifications-Requirements), Section 23.04.166 Required Number of Parking Spaces [note two per dwelling for single-family residences, no change from 2010 CZLUO]; and Chapter 8 Special Uses.</p> <p>No changes to the cited and applicable language occurred; therefore, the language identified in the EIR is consistent with the most current language. EIR Chapter 8 References has been amended to reflect the most current version of the CZLUO (November 2011) at the time this Final EIR. These clarifications do not change the analysis or findings identified in the EIR.</p>
SJMS-33	EIR Section 4.3.5.8 Geology and Soils, County's Safety Element Consistency has been amended to include noted Policy S-23 and associated Program S-63. Please note that based on the analysis presented in the EIR, the project site is not located on an "eroding coastal bluff" and the analysis summarized in EIR Section 4.3 (Geology and Soils) and EIR Appendix C (Geology and Soils Background Information) includes an assessment of potential erosion. The additional clarification does not change the analysis or determinations presented in the EIR.
SJMS-34	The EIR has been clarified to note that a NOP scoping meeting was not held (please refer to Executive Summary Section F Scoping and Notice of Preparation Process and Section 1.2 Introduction, Scoping and Notice of Preparation Process). Based on review of CEQA Guidelines Section 15206(b), the County determined that the project was not of statewide, regional, or areawide significance because: it is not a proposed local general plan, element, or amendment (criteria 1); the project does not have the potential to cause significant effects on the environment

Comment No.	Response
	<p>extending beyond the county limits (criteria 2); the project is one residence, which does not meet the criteria of 500 dwelling units (criteria 2A); the project would not result in the cancellation of an open space contract (criteria 3); the project would not substantially impact the California Coastal Zone (criteria 4C); the project would not substantially affect sensitive wildlife habitat (criteria 5); the project would not interfere with attainment of regional water quality standards (criteria 6); and, the project would not provide housing, jobs, or occupancy for 500 or more people (criteria 7).</p> <p>However, the County did provide several opportunities for public comment, including review of the proposed Initial Study, the posting of the Notice of Preparation, and the Draft EIR. Additional opportunities include posting and review of the Final EIR, and public hearings for consideration of the use permit and EIR (forthcoming). The EIR was submitted to the State Clearinghouse because it is located within the Coastal Appealable Zone, which does not by itself result in a determination by the lead agency that the project is of statewide, regional, or areawide significance. The clarification regarding the scoping meeting does not change the analysis or findings of the EIR.</p>
SJMS-35	<p>The EIR analysis applies existing definitions of “coastal bluff” and does not include new language regarding this definition. As noted, the project does not include a seawall, and the proposed expansion of an upper floor into the lateral access setback is clearly disclosed in the EIR and all information available to the public for comment. No changes to the EIR are necessary.</p>
SJMS-36	<p>The commenter’s statement that the project would set a precedent does not by itself elevate the project to a status that mandates a public meeting. The intention of the standard is to allow public review and comment on the proposed project, which has been achieved through the process of project review, including CEQA, as noted above in response to comment SJMS-34. The County met all statutory requirements, and no changes to the EIR are necessary.</p>
SJMS-37	<p>Please refer to response to comments SJMS-34 and SJMS-36. The County considered the comments and concerns identified during public review of the Initial Study and initiated an EIR, which documents further technical analysis of the issues and concerns raised by the public. All notices were posted throughout the process pursuant to CEQA, and information was available that the County Department of Planning and Building for review. In addition to review and response to the Draft EIR, the public will be able to review the Final EIR and provide comments at the public hearing. Prior to the public hearing, the County will meet all project hearing noticing requirements. The county met all statutory requirements, and no changes to the EIR are necessary.</p>
SJMS-38	<p>As noted in EIR Section 4.1.4.1 Aesthetic Resources, Analysis Methodology “representative viewpoints were determined for further analysis, based on dominance of the site within the view, duration of views, and expected sensitivity of the viewer group. Of those representative viewpoints, Key Viewing Areas were selected which best would illustrate the visual changes proposed by the project.” The photo shown in Exhibit C appears to be taken from a point immediately north of the project site. The EIR analysis includes a similar, more common view, located on Studio Drive, as the road curves southeast into the existing neighborhood. Potential impacts are analyzed as seen from this location. Additional representative viewpoints are identified in the EIR, which include areas frequented by the public including Highway 1, Studio Drive, Morro Strand State Beach, and the Morro Strand parking area. The EIR properly analyzes the impact resulting from construction of the project, and the subsequent effect on the scenic view. The EIR identifies a less than significant impact based on the identified thresholds of significance, and the analysis considers the condition of the environmental baseline (existing residential development), what scenic views would be obstructed, and the extent of the effect, including duration. In addition, the project would not exceed 15 feet in height above the centerline of Studio Drive, which is consistent with required planning area standards. No changes to the EIR are necessary.</p>

Comment No.	Response
SJMS-39	The existing environmental setting consists of a residential neighborhood, with a variety of architectural styles and designs, providing an eclectic visual character. As noted in the EIR, the design of the proposed residence is unique and modern, and due to its location as the last residence on the northern end of the row of houses, the north-facing wall is clearly visible; however, its construction would not significantly degrade the scenic landscape, which is the defined threshold of significance. Regarding the existing residence to the south, while the existing residence was built prior to the Coastal Act, it is part of the environmental baseline setting. The EIR recognizes that architectural preference is subjective, and identifies alternatives to the project for consideration by the County decision makers (i.e., Planning Commission, Board of Supervisors), including a reduced design that eliminates the cantilevered portion, a reduced design that eliminates the basement, and recommendations for visual articulation. No changes to the EIR are necessary.
SJMS-40	Please refer to response to comment SJMS-39 above. In addition, as noted in Table 3-1 Consistency with Plans and Policies County of San Luis Obispo Coastal Plan Policies, Visual and Scenic Resources Policy 2 states that "Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors." The project site is located within an existing developed neighborhood, and would not significantly block views of the ocean or other scenic landscapes. Therefore, the project appears to be consistent with this policy. Therefore, based on the CEQA analysis, the project would not result in a significant, adverse, and unavoidable impact to visual resources; however, the decision makers may review the project and identified alternatives and either deny the project application or approve a project that appears more in line with community expectations for coastal residential development.
SJMS-41	Please refer to response to comment SJMS-38 and SJMS-40 regarding determination of impact severity and commenter's submitted Exhibit C. No changes to the EIR are necessary.
SJMS-42	As noted in Table 3-1 Consistency with Plans and Policies County of San Luis Obispo Coastal Plan Policies, Visual and Scenic Resources, Policy 10 Development on Beaches and Sand Dunes, the project would be in line with the existing development, and would not include structural development on the sandy portion of the lot. The project generally is compatible with the eclectic visual character of the area, and appears to be consistent with this policy. No changes to the EIR are necessary.
SJMS-43	The design of the proposed residence is unique, and modern, and complies with the Small Scale Neighborhood design standards and guidelines for new construction in this area, including limitations on scale and mass (please refer to EIR Table 3-1 Consistency with Plans and Policies, Estero Area Plan, Planning Area Standards V. Cayucos Urban Area Standards, D. Community Small Scale Design Neighborhoods, 3. Standards. No changes to the EIR are necessary.
SJMS-44	The EIR recognizes that architectural preference is subjective, including the appearance of massing and overall consistency with the neighborhood character, and identifies alternatives to the project for consideration by the County decision makers (i.e., Planning Commission, Board of Supervisors) including recommendations for visual articulation (refer to EIR Chapter 5 Alternatives Analysis). The decision makers may consider a project that appears more in line with community expectations for coastal residential development. No changes to the EIR are necessary.
SJMS-45	Pursuant to the Estero Area Plan, the standards identified in Planning Area Standard 7.V.D.3.d.2 and referenced Table 7-3 (Maximum Gross Structural Area, Non-Bluff-Top Sites Greater Than One Story or 15') do not apply to the project site, because they apply to non-bluff-top sites. The standard applicable to the project is Planning Area Standard 7.V.D.3.d.1: "One-story development, and all development on bluff top sites, is limited to a maximum gross structural area, including the area of all garages, of 3,500 square feet." Regarding the comment related to the mezzanine, the County does not consider this as a second story because a portion of the mezzanine would be open, and would share the ceiling with the "main floor". The project would

Comment No.	Response
	not exceed 15 feet in height above the centerline of Studio Drive. The proposed project is consistent with this standard, and no changes to the EIR are necessary.
SJMS-46	As noted in the EIR, the project would be located on the remnants of a fluvial bluff. Please refer to response to comment SJMS-45 regarding the applicability of Estero Area Plan Planning Area Standards. No changes to the EIR are necessary.
SJMS-47	The Residential Development Design Concepts included as guidelines in the Estero Area Plan (Figure 7.37) were considered upon review of the proposed project. The project meets some, but not all of the recommended concepts. Please refer to EIR Chapter 5 Alternatives Analysis, which includes design alternatives for consideration by the decision makers. These alternatives include a residence that does not include a basement (Design Alternative A – Reduced Project, Pilings), a more traditional design (Design Alternative B – Reduced Project, Traditional Design), and an option that includes additional visual articulation (Design Alternative C – Vegetation and Articulation). No changes to the EIR are necessary.
SJMS-48	Comment noted. Please refer to responses to specific comments above.

Responses to the Haro, Kasunich and Associates, Inc. attachment are provided in the table below.

### 9.4.24.1 Response to Haro, Kasunich and Associates, Inc. Attachment

Comment No.	Response
HKA-1	<p>Preparation of the EIR included review of information provided by the public, in addition to an independent assessment of the bluff interpretation. The methodology and analysis is summarized in EIR Section 4.3 (Geology and Soils) and the appended Technical Report (Cotton Shires and Associates 2011). A detailed analysis of the site terrain, development history, geologic setting, surface conditions, and interpretation of coastal bluff were provided (see CSA, 2011, Section 2.1 Terrain, 2.2 Development History, 2.3 Geologic Setting, 3.1 Surface Conditions, and 3.4 Coastal Bluff Interpretation). In addition, the EIR addresses differing opinions regarding the bluff determination, and presents the assessment in Section 4.3.1.3 Coastal Bluff Interpretation Alternate Interpretation. Following review of additional information presented in the response to the EIR, the determination identified in the EIR and Technical Report (Appendix C) remains the same.</p> <p>The response to the EIR includes additional information and comment, partially in support of the commenter's opinion that coastal bluffs and inland bluffs can consist of artificial fill slopes, and that the crest of fill slopes graded for roadway (Studio Drive) and highway (Highway 1) across an alluvial river valley should now be considered coastal bluff or inland bluff. The coastal bluff interpretation presented in the EIR Technical Report (Appendix C) is based on strict application of the definition of bluff edges and coastal bluff termini contained in the California Code of Regulations, along with guidelines (a PowerPoint presentation) prepared by, and received from, California Coastal Commission geologist Mark Johnson in a personal communication from April, 2011. HKA refers to this as "an obscure determination of bluff edge termination"; however, these materials were received from the CCC and presented in our report just over three years ago and are considered current. Those guidelines state the following important items:</p> <ul style="list-style-type: none"> <li>• A bluff line or edge shall be defined as the upper termination of a bluff, cliff, or seacliff.</li> <li>• A bluff edge line is the locus of points defining bluff edge in profile</li> <li>• Fill adjacent to a bluff edge does not change a bluff edge</li> <li>• Fill on a bluff face does not alter the position of the bluff edge</li> <li>• Grading resulting in fill generally does not alter a bluff edge</li> </ul> <p>Therefore, it is inappropriate to consider that manmade features such as artificial fill prisms graded for roadway developments comprise "bluffs". An analysis to determine the terminus of a natural feature, such as a coastal bluff, should not be based upon manmade topographic features.</p> <p>No changes to the EIR are necessary.</p>
HKA-2	<p>Please refer to response to comment HKA-1 above. In addition, the Technical Report (Cotton Shires and Associates 2011) included in Appendix C, and incorporated by reference in EIR Section 4.3 (Geology and Soils) clearly acknowledges and represents that there is an active beach on the property, adjacent to a bedrock outcropping that faces partially southwest (oceanward). This outcropping is capped by fill soils placed circa 1960. The outcropping (identified as "Toe Of Bluff") is shown in the 1955 State of California Acquisition Map for Morro Strand State Beach produced by HKA (2013) and is very consistent with the location of outcropping mapped by Cleath (2006) and CSA (2011), the latter using the project survey and topography prepared by Volbrecht, regardless of the subdivision map indicating the site as a "corner lot". The position of the top of the bedrock outcrop, mapped on a topographic survey map of the property, is consistent with the bluff edge line (blue line) presented on CSA Figure 6 (2011). Therefore, notwithstanding the scale used in the analysis, it is of sufficient accuracy to determine that the project site is located immediately north of the coastal bluff terminus. No changes to the EIR are necessary.</p>
HKA-3	<p>Based on the analysis presented in EIR Section 4.3 (Geology and Soils) and Appendix C (Geology and Soils Background Information, Technical Report), the buried fluvial bluff underlying the project site is clearly oriented perpendicular to the general trend of the coastal bluff along Studio Drive. The commenter notes that 300-foot general trend was used for the inland bluff</p>

Comment No.	Response
	<p>component of the analysis. The logic for this approach is explained in detail (please refer to the EIR Appendix C, Technical Report [CSA 2011], Section 3.4, page 17). Beyond 300 feet, the inland bluff turns to a N15W trend on the east side of the Old Creek drainage. The report notes that any reasonable interpretation of a general trend for the inland bluff will result in a determination of the coastal bluff terminus being located southeast of the project site. If an additional 200-foot long segment of inland/fluviat bluff trending N15W is considered to establish the general trend of the inland bluff, the coastal bluff terminus would plot hundreds of feet south of the project site. In another example, if the oceanward 300-foot long segment of fluviat/inland bluff that is perpendicular to the coast is considered, plus a 200-foot long segment of fluviat/inland bluff that trends N15W up Old Creek, the resultant vector between the endpoints of these segments trends approximately N30E, and the coastal bluff terminus still plots southeast of the project site. Therefore, no changes to the EIR are necessary.</p>
HKA-4	<p>Please refer to response to comments HKA-1 and HKA-2 above. No changes to the EIR are necessary.</p>
HKA-5	<p>Please refer to response to comment HKA-2 above. No changes to the EIR are necessary.</p>
HKA-6	<p>Photographs of the story poles used to conduct the visual analysis are not printed in the EIR; however, the photos are available for review in the County file. No changes to the EIR are necessary.</p>
HKA-7	<p>As noted above (please refer to HKA-2), the Technical Report (Cotton Shires and Associates 2011) included in Appendix C, and incorporated by reference in EIR Section 4.3 (Geology and Soils) clearly acknowledges and represents that there is an active beach on the property, adjacent to a bedrock outcropping that faces partially southwest (oceanward). The Technical Report and EIR analysis also assess potential impacts related to coastal hazards including erosion and wave run-up (please refer to EIR Section 4.3.5.10 Geology and Soils, Coastal Hazards). No changes to the EIR are necessary.</p>
HKA-8	<p>The Coastal Hazard Study (GSI Soils, Inc. 2011) and EIR analysis (Section 4.3 Geology and Soils) meet the current standard of practice for coastal engineering and wave run up analysis. The methods are from the United States Army Corps of Engineers Coastal Engineering Manual.</p> <p>As noted in the Coastal Hazard Study, the analysis included review of available regional and site-specific oceanographic and geotechnical reports and aerial photographs. The shore platform along this section of coastline is typical of coastlines of this tectonic setting, and the shore platform slopes from 1 to 2 degrees. There is ample visual evidence of this in the Coastal Records aerial photograph collection. These photos show rocks outcroppings in the surf zone and broad low tide terraces. If the platform slope was steeper there would not be any visible low tide terrace as is seen in the photos. In addition, the design still water elevation chosen for the analysis was 2.5 feet greater than the highest recorded water elevation in the area. The base of the slope at the back of the beach fronting the site is a visible rock outcropping. Therefore, the scour depth at the base of the site of about + 3 feet NAVD88 is reasonable.</p> <p>The wave run up analysis was conducted to determine if waves would overtop the rock outcrop, and if construction of the project would result in a significant adverse impact resulting from exposure to the overtopping waves. The calculated overtopping wave converted to a height of water and a velocity using empirical formulas. These formulas have a factor of safety incorporated into them. For an overtopping rate of about 1.0 ft<sup>3</sup>/s-ft the height of water overtopping the revetment is about 0.5 feet and the velocity is 3.2 feet per second. The actual water height and velocity is less than reported in the EIR, which presents a more conservative number. The EIR are supporting analysis and conclusions are conservative and clearly meet the current standard of practice. No changes to the EIR are necessary.</p>

Comment No.	Response
HKA-9	The project does not include, or require, the construction of protection structures. Based on the wave run-up analysis, the structure may be exposed to spray and splash from waves striking and overtopping an existing rock outcropping, and would be constructed with steel reinforced concrete to withstand potential weathering. The depth of the water reaching the wall would be 0.14 feet. The EIR analysis and supportive technical reports determined that based on the location of the basement wall, geology of surrounding landforms, and analysis of wave run-up and storm surge, the project would not cause off-site erosion. Based on the location and design, no shoreline protection structures would be required over the next 100 years, which exceeds the 75-year standards identified in the policy. Therefore, no changes to the EIR are necessary.
HKA-10	Please refer to EIR Section 4.3.5.10 Geology and Soils Coastal Hazards, Wave Runup Hazard. This section of the EIR addresses the potential for wave deflection and scour. Based on the low overtopping rate, low water height, and low velocity, the project would not result in a significant impact on the neighboring property. No changes to the EIR are necessary.
HKA-11	In addition EIR Section 4.3 (Geology and Soils), the Additional Geotechnical and Coastal Engineering Review (Cotton Shires and Associates 2013) provide technical information supporting the conclusion that potential impacts related to erosion, including consideration of sea level rise over the next 100 years, would be less than significant. No changes to the EIR are necessary.
HKA-12	The lateral access easement would be established following construction of the project. General public access within the project site would be limited by building and construction materials; however, the lot is currently private property and the easement to be established, would allow for legal lateral access. No changes to the EIR are necessary.
HKA-13	Construction of the project would occur pursuant to existing regulations, including the California Building Code. The shoring plan was prepared in response to comments and questions identified during peer review of the technical reports prepared by the project applicant (please refer to EIR Appendix C, Geology and Soils Background Information), including concerns that construction of the project may adversely affect the neighboring structure. In addition to compliance with existing regulations and building inspections, which will require detailed engineering and construction plans, mitigation measure GS/mm-3 has been clarified to require further verification in the plans that construction of the project would not compromise the neighboring structure and require daily monitoring reports to be submitted to the County, prepared by the project Engineer. This clarification will further enforce the determination that potential short-term effects would be less than significant. This clarification does not affect the analysis or conclusions presented in the Draft EIR.
HKA-14	Please refer to responses to comments HKA-1 through HKA-3 above regarding the bluff interpretation. No changes to the EIR are necessary.
HKA-15	Please refer to responses to comments HKA-8 through HKA-10 above regarding the basement, wave runup, scour, and wave deflection. No changes to the EIR are necessary.
HKA-16	Please refer to response to comments HKA-8 and HKA-9 regarding wave runup. No changes to the EIR are necessary.
HKA-17	Please refer to response to comment HKA-11 regarding erosion and sea level rise. No changes to the EIR are necessary.
HKA-18	Please refer to response to comment HKA-12 regarding impacts to the access easement. No changes to the EIR are necessary.

<b>Comment No.</b>	<b>Response</b>
HKA-19	Please refer to response to comment HKA-13 regarding potential impacts during construction of shoring elements. As noted, mitigation measures GS/mm-3 has been clarified to further mitigate the potential impact. This clarification does not affect the analysis or conclusions presented in the Draft EIR.
HKA-20	Please note that attachments including figures are identified in the commenter's text, and are addressed accordingly in the response to comments.

**Shawna Scott**

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**From:** rhostetter@co.slo.ca.us  
**Sent:** Tuesday, August 06, 2013 5:24 PM  
**To:** Shawna Scott  
**Subject:** Fw: Comments to Draft Environmental Impact Report for Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216)

Ryan Hostetter, LEED AP  
County of San Luis Obispo  
Current Planning and Permitting  
(805) 788-2351  
----- Forwarded by Ryan Hostetter/Planning/COSLO on 08/06/2013 05:23 PM  
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From: Beatrice Pludow <BntheBoys@cox.net>  
To: rhostetter@co.slo.ca.us  
Date: 08/06/2013 04:58 PM  
Subject: Comments to Draft Environmental Impact Report for Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216)

August 5, 2013

Ryan Hostetter, Project Manager  
San Luis Obispo County  
Planning and Building Department  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408-2040

Subject: Comments to Draft Environmental Impact Report for Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216)

Dear Ms. Hostetter:

Please accept these comments to the June 2013 Draft Environmental Impact Report ("D-EIR") for the Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216). The D-EIR was prepared in response to applicant Jack Loperena's ("Applicant") proposal to build a 3,097 square foot residence on a 3,445 square foot lot on Studio Drive in Cayucos California (the "Project"). As California property owners we have several issues and areas of concern that the D-EIR has not adequately addressed or provided adequate mitigation measures.

The following are some of our issues and concerns.

The proposed residence is designed with its structure up to the toe of the bluff with no setback and cantilevers part of the house and a covered deck 28 feet over the sand. Not only will this cause a major reduction in the view from Highway 1, it also impacts everyone who visits Morro Strand State Beach. If allowed to proceed as proposed it will set a detrimental

**BP-1**

**BP-2**

precedent for future development throughout many areas of the California coast.

**BP-2  
(continued)**

The SLO County's D-EIR state that this property is not on a coastal bluff, but instead finds it is a fluvial bluff caused by the nearby Old Creek.

**BP-3**

Therefore the coastal bluff requirements are not being applied to this property. This includes the requirement for bluff setback, which is intended to protect the house on a bluff for 100 years of erosion, and the limitation on cantilever to three (3) feet beyond the setback line. We strongly disagree and believe the property is obviously part of the coastal bluff. The toe of the bluff is clearly within the property and is routinely subject to marine erosion.

The concrete reinforced seaward facing basement wall is essentially a seawall or shoreline protective device that should not be permitted because it violates several County policies. If allowed, it will deflect waves toward the neighboring properties and adversely impact them. The D-EIR understates the impact and potential damage to the other properties.

**BP-4**

Although lateral access is discussed in the D-EIR, it seems that access is not being dedicated as required by the Estero Area Plan (CZLUO 23.04.420) and other policies. The lateral access is supposed to be available at all times of the year, and therefore would include periods of high tide. The project plans show the cantilevered deck encroaching 10 feet into the proposed lateral access area. The various rationalizations for allowing the access as proposed are not appropriate. The lateral access should be provided as required from the mean high tide to the toe of the bluff and be free of encroachment by the residence's cantilevered deck.

**BP-5**

The D-EIR states that the visual impact is not significant because it is similar to the existing residences along Studio Drive in Cayucos. However, the proposed development is not at all similar to the existing conditions. None of the existing houses are cantilevered over the beach. One nearby house, which was built in 1964, is built out to the edge of the bluff. It is wrong for the D-EIR to compare the proposed development to this old house built long before the California Coastal Commission was established and the associated rules to protect the coast were enacted. Additionally, none of the existing houses have 31 feet high structures visible from the public beach, as this proposed residence is designed. The proposed residence causes significant visual impact on scenic resources. The house should be reduced in size, not be allowed to cantilever over the sand, and should be setback an appropriate distance.

**BP-6**

The 3,097 sf size of the proposed residence including the basement is not appropriate for a 3,445 sf lot and does not fit within the character of the community or the intent of Studio Drive small-scale neighborhood requirements. Since about half the lot is sandy beach, we believe the proposed house should be considered to be about 180% of the usable lot size and therefore is much too large.

**BP-7**

The D-EIR failed to propose adequate project alternatives as required by CEQA. There are several alternatives described, but we feel none of them offer sufficient. Another alternative should be developed to further mitigate all of the environmental impacts. Visualizations of all alternatives should be provided for comparison to the proposed project.

**BP-8**

The D-EIR applied outdated versions of the CZLUO and other County Policies for the basis for the land use analysis. It failed to apply the current versions of ordinances. The D-EIR should be amended to properly review the project using the current versions of all ordinances. Additionally, the D-EIR failed to address applicable sections of the County's General Plan Safety Element related to coastal bluffs. These sections should be addressed in an amended D-EIR.

**BP-9**

We are also upset about the lack of sufficient public outreach conducted related to this EIR.

There was no scoping meeting held as required by the California Environmental Quality Act (CEQA), and the D-EIR falsely reported that a scoping meeting was held. This project, which proposes to evade the bluff top setback requirement, includes a seawall, cantilevers over the beach, and encroaches on the required lateral access is clearly a project of statewide, regional and area-wide significance. A scoping meeting should have been held. Written notification of the D-EIR was only sent to one property owner in the vicinity of the project who requested notification; none of the other nearby property owners or residents were notified. SLO County provided the notification to some, but not all interested organizations and agencies. A copy was not even provided to the local library. SLO County provided minimal information to the Cayucos Citizens Advisory Council (CCAC), and the Project Manager failed to attend a Land Use Committee (LUC) meeting to discuss the proposed development as requested by the CCAC.

**BP-10**

The D-EIR recommends the project as proposed. However, we recommend that the County Planning Commission and Board of Supervisors deny the Project as proposed because it is inconsistent with several provisions of the certified Local Coastal Plan related to bluff top setbacks, geologic hazards, alteration of natural landforms, protection of views from public vantage points and scenic areas, and public access. The bluff should be defined as a coastal bluff.

**BP-11**

If the Applicant desires to continue pursuing development of the property, the County should require development of a new “eco-friendly house” alternative that can meet the requirements necessary to build on this coastal bluff property. It is recommended that the new alternative be designed to provide adequate set-back (minimum 25 feet, and to withstand bluff erosion and wave action for a period of 100 years of erosion) from the bluff edge; limit cantilever to 3 feet beyond set-back line; forego inclusion of a basement and associated seawall; provide unobstructed 25-foot lateral access easement dedication from toe of bluff; and provide a visualization of the new alternative for consideration.

**BP-12**

Additionally, it is recommended that the County Planning Commission and Board of Supervisors require the County Planning Department staff to hold a well-advertised county-wide scoping meeting on the new alternative, and send written notices of an amended D-EIR and public hearings to all Cayucos property owners and residents.

**BP-13**

We appreciate your considered review and analysis of these comments.

Sincerely,  
Beatrice Pludow  
1408 Bermuda Lane  
El Cajon Ca, 92021

Bea Pludow, Canine Behavior Specialist  
619-938-2918  
www.SDCanineBehaviorSpecialist.com  
K9sbehave@cox.net

### 9.4.25 Response to Letter from Beatrice Pludow

Comment No.	Response
BP-1	Please refer to specific responses to comments, as noted below.
BP-2	Please refer to response to comment SJ-2. No changes to the EIR are necessary.
BP-3	Please refer to detailed responses to comments CCC-4, HKA-1, and JJ-2. No changes to the EIR are necessary.
BP-4	Please refer to response to comment SJ-4. No changes to the EIR are necessary.
BP-5	Please refer to response to comment SJ-5. No changes to the EIR are necessary.
BP-6	Please refer to response to comment SJ-6. No changes to the EIR are necessary.
BP-7	Please refer to response to comment SJ-7. No changes to the EIR are necessary.
BP-8	Please refer to response to comment SJ-8. No changes to the EIR are necessary.
BP-9	Please refer to response to comment SJ-9. The additional clarification does not change the analysis or determinations presented in the EIR.
BP-10	Please refer to response to comment SJ-10. The additional clarification does not change the analysis or determinations presented in the EIR.
BP-11	Please refer to response to comment SJ-11. No changes to the EIR are necessary.
BP-12	Please refer to response to comment SJ-12. No changes to the EIR are necessary.
BP-13	Please refer to response to comment SJ-13. The additional clarification does not change the analysis or determinations presented in the EIR.

Michele Jacobson, AICP  
Temporarily at:  
1043 Cecil Place NW  
Washington, DC 20007

August 7, 2013

Ryan Hostetter, Project Manager  
San Luis Obispo County  
Planning and Building Department  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408-2040

Subject: Comments to Draft Environmental Impact Report for Loperena Minor Use  
Permit/Coastal Development Permit (DRC2005-00216)

Dear Ms. Hostetter:

Please accept these comments on the June 2013 Draft Environmental Impact Report (D-EIR) for the Loperena Minor Use Permit/Coastal Development Permit(DRC2005-00216). The D-EIR was prepared in response to the proposal to build a 3,097 square foot residence on a 3,445 square foot lot on Studio Drive in Cayucos, California (the "Project"). As a second generation California native who fell in love with the central coast while attending Cal Poly in SLO, I am deeply distressed that the pressure to build in that precious and delicate part of the world appears to be overcoming good common sense.

**MJ-1**

The D-EIR recommends the project be built as proposed but the D-EIR has not adequately addressed the impacts or provided adequate mitigation measures. The analysis was flawed, the legally required processes were not followed and I join others in strongly urging the County Planning Commission and Board of Supervisors to deny the Project as proposed. It is inconsistent with several provisions of the certified Local Coastal Plan related to bluff top setbacks, geologic hazards, alteration of natural landforms, protection of views from public vantage points and scenic areas, and public access. The bluff should be defined as a coastal bluff.

**MJ-2**

1. The proposed residence is designed with its structure up to the toe of the bluff with no setback and cantilevers part of the house and a covered deck 28 feet over the sand. Cantilever!? Are they going for the look of pre-built beach erosion? Not only will this cause a major reduction in the view from Highway 1, it also impacts everyone who visits Morro Strand State Beach – a beautiful place. If allowed to proceed as proposed it will set a detrimental precedent for future development throughout many areas of the California coast. This was not adequately addressed in the D-EIR.

**MJ-3**

2. The D-EIR states that this property is not on a coastal bluff, but instead finds it is a fluvial bluff caused by the nearby Old Creek. Therefore the coastal bluff requirements are not being applied to this property. I strongly disagree and believe the property is

**MJ-4**

- |  |                                    |
|--|------------------------------------|
| <p>obviously part of the coastal bluff. The toe of the bluff is clearly within the property and is routinely subject to marine erosion.</p>  | <p><b>MJ-4<br/>(continued)</b></p> |
| <p>3. The concrete reinforced seaward facing basement wall is essentially a seawall or shoreline protective device that should not be permitted because it violates several County policies. If allowed, it will deflect waves toward the neighboring properties and adversely impact them. The D-EIR understates the impact and potential damage to the other properties.</p>   | <p><b>MJ-5</b></p>                 |
| <p>4. Although lateral access is discussed in the D-EIR, it seems that access is not being dedicated as required by the Estero Area Plan (CZLUO 23.04.420) and other policies. The lateral access is supposed to be available at all times of the year, and therefore would include periods of high tide. The project plans show the cantilevered deck encroaching 10 feet into the proposed lateral access area. The various rationalizations for allowing the access as proposed are not appropriate. The lateral access should be provided as required from the mean high tide to the toe of the bluff and be free of encroachment by the residence's cantilevered deck.</p>  | <p><b>MJ-6</b></p>                 |
| <p>5. The D-EIR states that the visual impact is not significant because it is similar to the existing residences along Studio Drive in Cayucos. However, the proposed development is not at all similar to the existing conditions. None of the existing houses are cantilevered over the beach. One nearby house, which was built in 1964, is built out to the edge of the bluff. It is wrong for the D-EIR to compare the proposed development to this old house built long before the California Coastal Commission was established and the associated rules to protect the coast were enacted. Additionally, none of the existing houses have 31 feet high structures visible from the public beach, as this proposed residence is designed. The proposed residence causes significant visual impact on scenic resources. The house should be reduced in size, not be allowed to cantilever over the sand, and should be setback an appropriate distance.</p> | <p><b>MJ-7</b></p>                 |
| <p>6. The Floor Area Ratio is not appropriate for the lot and does not fit within the character of the community or the intent of Studio Drive's small-scale neighborhood requirements. Since about half the lot is sandy beach, the proposed house should be considered to be about 180% of the usable lot size and therefore is much too large.</p>  | <p><b>MJ-8</b></p>                 |
| <p>7. The D-EIR fails to propose adequate project alternatives as required by CEQA. There are several alternatives described, but we feel none of them offer sufficient mitigations. An alternative should be developed to mitigate all of the environmental impacts. Visualizations of all alternatives should be provided for comparison to the proposed project.</p>  | <p><b>MJ-9</b></p>                 |
| <p>8. The D-EIR applies outdated versions of the CZLUO and other County Policies for the basis for the land use analysis. It fails to apply the current versions of ordinances. The D-EIR should be amended to properly review the Project using the current versions of all ordinances. Additionally, the D-EIR fails to address applicable sections of the County's</p>  | <p><b>MJ-10</b></p>                |

General Plan Safety Element related to coastal bluffs. These sections should be addressed in an amended D-EIR.

**MJ-10  
(continued)**

9. Public outreach was insufficient. There was no scoping meeting held as required by the California Environmental Quality Act (CEQA), and the D-EIR falsely reports that a scoping meeting was held. This project, which proposes to evade the bluff top setback requirement, includes a seawall, cantilevers over the beach, and encroaches on the required lateral access is clearly a project of national, statewide, regional and area-wide significance. A scoping meeting should have been held. Written notification of the D-EIR was only sent to one property owner in the vicinity of the project who requested notification; none of the other nearby property owners or residents were notified. SLO County provided the notification to some, but not all interested organizations and agencies. A copy was not even provided to the local library. SLO County provided minimal information to the Cayucos Citizens Advisory Council (CCAC), and the Project Manager failed to attend a Land Use Committee (LUC) meeting to discuss the proposed development as requested by the CCAC.

**MJ-11**

If the Applicant desires to continue pursuing development of the property, the County should require development of a new “eco-friendly house” alternative that can meet the requirements necessary to build on this coastal bluff property. It is recommended that the new alternative be designed to provide adequate set-back (minimum 25 feet, and to withstand bluff erosion and wave action for a period of 100 years of erosion) from the bluff edge; limit cantilever to 3 feet beyond set-back line; forego inclusion of a basement and associated seawall; provide unobstructed 25-foot lateral access easement dedication from toe of bluff; and provide visualizations of the new alternative from several angles.

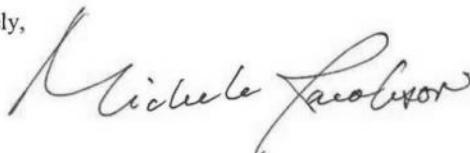
**MJ-12**

Additionally, the County Planning Commission and Board of Supervisors should require the County Planning Department staff to hold a well-advertised county-wide scoping meeting on the new alternative, send written notices of an amended D-EIR and public hearings to all Cayucos property owners and residents.

**MJ-13**

I appreciate your considered review and analysis of these comments.

Sincerely,



### 9.4.26 Response to Letter from Michele Jacobson, AICP

Comment No.	Response
MJ-1	Please refer to specific responses to comments, as noted below.
MJ-2	Please refer to response to comment SJ-11. No changes to the EIR are necessary.
MJ-3	Please refer to response to comment SJ-2. No changes to the EIR are necessary.
MJ-4	Please refer to detailed responses to comments CCC-4, HKA-1, and JJ-2. No changes to the EIR are necessary.
MJ-5	Please refer to response to comment SJ-4. No changes to the EIR are necessary.
MJ-6	Please refer to response to comment SJ-5. No changes to the EIR are necessary.
MJ-7	Please refer to response to comment SJ-6. No changes to the EIR are necessary.
MJ-8	Please refer to response to comment SJ-7. The usable lot percentages and floor area ratio standards are not applicable to this lot. No changes to the EIR are necessary.
MJ-9	Please refer to response to comment SJ-8. No changes to the EIR are necessary.
MJ-10	Please refer to response to comment SJ-9. The additional clarification does not change the analysis or determinations presented in the EIR.
MJ-11	Please refer to response to comment SJ-10. The additional clarification does not change the analysis or determinations presented in the EIR.
MJ-12	Please refer to response to comment SJ-12. No changes to the EIR are necessary.
MJ-13	Please refer to response to comment SJ-13. The additional clarification does not change the analysis or determinations presented in the EIR.

Jane Osborne  
42444 Meadow Sage Drive  
Ashburn VA 20148

August 15, 2013

Ryan Hostetter, Project Manager  
San Luis Obispo County  
Planning and Building Department  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408-2040

Subject: Comments to Draft Environmental Impact Report for Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216)

Dear Ms. Hostetter:

Please accept these comments to the June 2013 Draft Environmental Impact Report ("D-EIR") for the Loperena Minor Use Permit/Coastal Development Permit (DRC2005-00216). The D-EIR was prepared in response to applicant Jack Loperena's ("Applicant") proposal to build a 3,097 square foot residence on a 3,445 square foot lot on Studio Drive in Cayucos California (the "Project"). As beach lover we have several issues and areas of concern that the D-EIR has not adequately addressed or provided adequate mitigation measures.

**JO-1**

The following are some of our issues and concerns.

1. The proposed residence is designed with its structure up to the toe of the bluff with no setback and cantilevers part of the house and a covered deck 28 feet over the sand. Not only will this cause a major reduction in the view from Highway 1, it also impacts everyone who visits Morro Strand State Beach. If allowed to proceed as proposed it will set a detrimental precedent for future development throughout many areas of the California coast.
2. The SLO County's D-EIR state that this property is not on a coastal bluff, but instead finds it is a fluvial bluff caused by the nearby Old Creek. Therefore the coastal bluff requirements are not being applied to this property. This includes the requirement for bluff setback, which is intended to protect the house on a bluff for 100 years of erosion, and the limitation on cantilever to three (3) feet beyond the setback line. We strongly disagree and believe the property is obviously part of the coastal bluff. The toe of the bluff is clearly within the property and is routinely subject to marine erosion.
3. The concrete reinforced seaward facing basement wall is essentially a seawall or shoreline protective device that should not be permitted because it violates several County policies. If allowed, it will deflect waves toward the neighboring properties and adversely impact them. The D-EIR understates the impact and potential damage to the other properties.

**JO-2**

**JO-3**

**JO-4**

- |  |                     |
|--|---------------------|
| <p>4. Although lateral access is discussed in the D-EIR, it seems that access is not being dedicated as required by the Estero Area Plan (CZLUO 23.04.420) and other policies. The lateral access is supposed to be available at all times of the year, and therefore would include periods of high tide. The project plans show the cantilevered deck encroaching 10 feet into the proposed lateral access area. The various rationalizations for allowing the access as proposed are not appropriate. The lateral access should be provided as required from the mean high tide to the toe of the bluff and be free of encroachment by the residence's cantilevered deck.</p>  | <p><b>JO-5</b></p>  |
| <p>5. The D-EIR states that the visual impact is not significant because it is similar to the existing residences along Studio Drive in Cayucos. However, the proposed development is not at all similar to the existing conditions. None of the existing houses are cantilevered over the beach. One nearby house, which was built in 1964, is built out to the edge of the bluff. It is wrong for the D-EIR to compare the proposed development to this old house built long before the California Coastal Commission was established and the associated rules to protect the coast were enacted. Additionally, none of the existing houses have 31 feet high structures visible from the public beach, as this proposed residence is designed. The proposed residence causes significant visual impact on scenic resources. The house should be reduced in size, not be allowed to cantilever over the sand, and should be setback an appropriate distance.</p> | <p><b>JO-6</b></p>  |
| <p>6. The 3,097 sf size of the proposed residence including the basement is not appropriate for a 3,445 sf lot and does not fit within the character of the community or the intent of Studio Drive small-scale neighborhood requirements. Since about half the lot is sandy beach, we believe the proposed house should be considered to be about 180% of the usable lot size and therefore is much too large.</p>  | <p><b>JO-7</b></p>  |
| <p>7. The D-EIR failed to propose adequate project alternatives as required by CEQA. There are several alternatives described, but we feel none of them offer sufficient. Another alternative should be developed to further mitigate all of the environmental impacts. Visualizations of all alternatives should be provided for comparison to the proposed project.</p>  | <p><b>JO-8</b></p>  |
| <p>8. The D-EIR applied outdated versions of the CZLUO and other County Policies for the basis for the land use analysis. It failed to apply the current versions of ordinances. The D-EIR should be amended to properly review the project using the current versions of all ordinances. Additionally, the D-EIR failed to address applicable sections of the County's General Plan Safety Element related to coastal bluffs. These sections should be addressed in an amended D-EIR.</p>   | <p><b>JO-9</b></p>  |
| <p>9. We are also upset about the lack of sufficient public outreach conducted related to this EIR. There was no scoping meeting held as required by the California Environmental Quality Act (CEQA), and the D-EIR falsely reported that a scoping meeting was held. This project, which proposes to evade the bluff top setback requirement, includes a seawall, cantilevers over the beach, and encroaches on the required lateral access is clearly a project of statewide, regional and area-wide significance. A scoping meeting should have been held. Written notification of the D-EIR was only sent to one property owner in the vicinity of the project</p>   | <p><b>JO-10</b></p> |

who requested notification; none of the other nearby property owners or residents were notified. SLO County provided the notification to some, but not all interested organizations and agencies. A copy was not even provided to the local library. SLO County provided minimal information to the Cayucos Citizens Advisory Council (CCAC), and the Project Manager failed to attend a Land Use Committee (LUC) meeting to discuss the proposed development as requested by the CCAC.

**JO-10  
(continued)**

The D-EIR recommends the project as proposed. However, we recommend that the County Planning Commission and Board of Supervisors deny the Project as proposed because it is inconsistent with several provisions of the certified Local Coastal Plan related to bluff top setbacks, geologic hazards, alteration of natural landforms, protection of views from public vantage points and scenic areas, and public access. The bluff should be defined as a coastal bluff.

**JO-11**

If the Applicant desires to continue pursuing development of the property, the County should require development of a new "eco-friendly house" alternative that can meet the requirements necessary to build on this coastal bluff property. It is recommended that the new alternative be designed to provide adequate set-back (minimum 25 feet, and to withstand bluff erosion and wave action for a period of 100 years of erosion) from the bluff edge; limit cantilever to 3 feet beyond set-back line; forego inclusion of a basement and associated seawall; provide unobstructed 25-foot lateral access easement dedication from toe of bluff; and provide a visualization of the new alternative for consideration.

**JO-12**

Additionally, it is recommended that the County Planning Commission and Board of Supervisors require the County Planning Department staff to hold a well-advertised county-wide scoping meeting on the new alternative, and send written notices of an amended D-EIR and public hearings to all Cayucos property owners and residents.

**JO-13**

We appreciate your considered review and analysis of these comments.

Sincerely,



Jane Osborne

### 9.4.27 Response to Letter from Jane Osborne

Comment No.	Response
JO-1	Please refer to specific responses to comments, as noted below.
JO-2	Please refer to response to comment SJ-2. No changes to the EIR are necessary.
JO-3	Please refer to detailed responses to comments CCC-4, HKA-1, and JJ-2. No changes to the EIR are necessary.
JO-4	Please refer to response to comment SJ-4. No changes to the EIR are necessary.
JO-5	Please refer to response to comment SJ-5. No changes to the EIR are necessary.
JO-6	Please refer to response to comment SJ-6. No changes to the EIR are necessary.
JO-7	Please refer to response to comment SJ-7. No changes to the EIR are necessary.
JO-8	Please refer to response to comment SJ-8. No changes to the EIR are necessary.
JO-9	Please refer to response to comment SJ-9. The additional clarification does not change the analysis or determinations presented in the EIR.
JO-10	Please refer to response to comment SJ-10. The additional clarification does not change the analysis or determinations presented in the EIR.
JO-11	Please refer to response to comment SJ-11. No changes to the EIR are necessary.
JO-12	Please refer to response to comment SJ-12. No changes to the EIR are necessary.
JO-13	Please refer to response to comment SJ-13. The additional clarification does not change the analysis or determinations presented in the EIR.

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