

Q.5.1 - Land Use and Planning

The following impact evaluation is based on the environmental setting, regulatory setting, and thresholds of significance discussions provided for the proposed projects in Draft EIR Section 5.1, Land Use and Planning, and in Appendix C-1, Expanded Land Use and Planning Analysis. These previous discussions are not repeated in the following evaluation. The evaluation is a comparative analysis between the Preferred Project and Proposed Project 4.

Divide an Established Community

Q5.1-A: The project would not physically divide an established community.

Project Specific Impact Analysis

Collection System

Similar to Proposed Project 4, the collection system under the Preferred Project is a gravity system. As described in Table Q.5-1, the Preferred Project includes additional collection system facilities such as pump stations, standby power stations, and pipelines, as well as modifications to specific locations and size of facilities such as the central pump station, pipelines within streets, and pipelines crossing creeks compared to Proposed Project 4. Based on a review of the additions and modifications of the collection system facilities, the Preferred Project would not divide an established community similar to Proposed Project 4.

Treatment Plant Site

Similar to Proposed Project 4, the proposed treatment plant facilities under the Preferred Project include treatment facilities, appurtenant structures and storage facilities located on the Tonini parcel. As described in Table Q.5-1, the Preferred Project will include an Oxidation Ditch or Biolac® facility that encompasses less area and requires substantially less grading than the facultative ponds proposed under Proposed Project 4. Based on the revision to the proposed treatment process, the Preferred Project would also not divide the established agricultural community in the vicinity of the Tonini parcel similar to the finding provided for Proposed Project 4.

Disposal Sites

Similar to Proposed Project 4, the proposed disposal systems under the Preferred Project include sprayfields at the Tonini parcel and leachfields at the Broderson parcel. Under the Preferred Project, the type of spray was revised to exclude percolation and as a result approximately 73 more acres of sprayfields are proposed to accommodate the 842 acre-feet of spray at Tonini compared to Proposed Project 4. The Preferred Project also includes setbacks from Turri Road and the property south of Tonini; Proposed Project 4 did not include setbacks. Based on a review of the increase in sprayfield area and since the proposed sprayfields closely resemble facilities associated with agricultural uses, the proposed facilities would not represent a physical division of the established agricultural community in the vicinity of the Tonini parcel. This finding is similar to the finding for Proposed Project 4.

Combined Project Effects

Similar to Proposed Project 4, the proposed facilities for the treatment and sprayfields under the Preferred Project would be located on the Tonini parcel. The combination of the two facilities on the Tonini parcel would encompass approximately 268 acres of the approximate 650-acre parcel. Similar to Proposed Project 4, since the proposed facilities at the sprayfields under the Preferred Project closely resemble facilities associated with agricultural uses, and the proposed treatment plant facilities would encompass approximately 20-acres, the facilities at the Tonini parcel under the Preferred Project encompass a relatively small area and would not divide the established multi-square mile agricultural community in the vicinity of the Tonini parcel.

Since the remainder of each component of the Preferred Project would not result in dividing an established community, the combined effect of implementing the proposed collection, treatment plant, and disposal facilities within the existing urban area and agricultural area of Los Osos would not result in the division of an established community.

Cumulative Impact Analysis

Similar to Proposed Project 4, the Preferred Project would result in no impacts relating to physically dividing an established community. Therefore, the Preferred Project would not contribute to any potential cumulative impacts on physically dividing an established community.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.

Cumulative

No impact.

Conflict with Applicable Plans, Policies, or Regulations

Q5.1-B:	The project would not conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
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Project Specific Impact Analysis

Collection System

Similar to Proposed Project 4, the collection system under the Preferred Project is a gravity system. As described in Table Q.5-1, the Preferred Project includes additional collection system facilities such as pump stations, standby power stations, and pipelines, as well as modifications to specific locations and size of facilities such as the central pump station, pipelines within streets, and pipelines crossing creeks compared to Proposed Project 4. Based on a review of the additions and modifications of the collection system facilities, the Preferred Project would not conflict with applicable land use plans, policies or regulations similar to Proposed Project 4.

Treatment Plant Site

Similar to Proposed Project 4, the proposed treatment plant facilities under the Preferred Project include treatment facilities, appurtenant structures and storage facilities located on the Tonini parcel. As described in Table Q.5-1, the Preferred Project will include an Oxidation Ditch or Biolac® facility that encompasses less area and requires substantially less grading than the facultative ponds proposed under Proposed Project 4. In addition, the excavation requirements for the proposed biosolids handling area under the Preferred Project would be approximately one-half the excavation required under Proposed Project 4. Given the reduction in size of the treatment plant, the feasibility of the two alternative locations for the treatment plant facilities as well as for the disposal facilities that is presented in the Draft EIR and is evaluated and presented below under Combined Project Effects for the Preferred Project. As described below, there are no feasible alternative locations for the proposed treatment plant and sprayfield facilities; therefore, similar to Proposed Project 4, the Preferred Project would be consistent with Section 23.08.288 of the Coastal Land Use Ordinance. Based on the revision to the proposed treatment process and reduction in size of the treatment plant, the Preferred Project would also not conflict with applicable land use plans, policies or regulations similar to Proposed Project 4.

Disposal Sites

Similar to Proposed Project 4, the proposed disposal systems under the Preferred Project include sprayfields at the Tonini parcel and leachfields at the Broderson parcel. Under the Preferred Project, the type of spray was revised to exclude percolation and as a result approximately 73 more acres of sprayfields are proposed to accommodate the 842 acre-feet of spray at Tonini compared to Proposed Project 4. The Preferred Project also includes setbacks from Turri Road and the property south of Tonini, and Proposed Project 4 did not include setbacks. The additional 73 acres extended to the boundary of the existing Sensitive Resource Area (SRA) on the Tonini parcel; however, the sprayfield is located outside of this existing SRA. Given the increase in size of the sprayfields, the feasibility of the two alternative locations for the sprayfields as well as the treatment plant facilities that is presented in the Draft EIR is evaluated and presented below under Combined Project Effects for the Preferred Project. As described below, there are no other feasible locations for the proposed sprayfield facilities; therefore, similar to Proposed Project 4, the Preferred Project would be consistent with Section 23.08.288 of the Coastal Land Use Ordinance. Based on the revision to the proposed

treatment process and reduction in size of the treatment plant, the Preferred Project would also not conflict with applicable land use plans, policies or regulations similar to Proposed Project 4.

Combined Project Effects

Similar to Proposed Project 4, the proposed facilities for the treatment and sprayfields under the Preferred Project would result in the removal of prime agricultural soil which is considered a sensitive environmental area. The combination of the two facilities on the Tonini parcel would encompass approximately 268 acres of the approximate 650-acre parcel. Given the increase in size of the sprayfields, the feasibility of the two alternative locations for the sprayfields as well as the treatment plant facilities that is presented in the Draft EIR is evaluated and presented below under Combined Project Effects for the Preferred Project. As described below, there are no other feasible locations for the proposed sprayfield facilities and treatment plant facilities; therefore, similar to Proposed Project 4, the Preferred Project would be consistent with Section 23.08.288 of the Coastal Land Use Ordinance. Based on a review of the additions and modifications to the collection system, treatment plant, and disposal sites, the Preferred Project would also not conflict with applicable land use plans, policies or regulations similar to Proposed Project 4.

Feasibility of Alternative Locations for Treatment Plant and Sprayfield Facilities

Alternative locations for the treatment plant facilities are considered throughout the Draft EIR. A screening analysis was conducted as described in Section 7 of the Draft EIR to identify the sites that could feasibly accomplish the fundamental goals of the project, while minimizing environmental impacts. The wastewater treatment plant sites that are determined to be feasible are located east of Los Osos Creek. As described in the Draft EIR, Los Osos Creek establishes the dividing line between agricultural land uses to the east and environmentally sensitive habitat areas to the west. In 2001, the Los Osos Wastewater Project was approved and the proposed treatment plant was located west of Los Osos Creek at the Mid-Town site. However, shortly after construction began, the majority of the Los Osos Community Service District board members were recalled and the new board members immediately halted construction on the wastewater project. This action demonstrated that the placement of a wastewater treatment plant west of Los Osos Creek would not be feasible from a social (community) standpoint. Therefore, feasible locations east of Los Osos Creek were reviewed for the location of a wastewater treatment plant. In addition, because of the relatively large area (approximately 228-acres which is modified from 175 acres identified in the Draft EIR) that is required for the proposed spray disposal, locations for the proposed sprayfield facilities were also reviewed east of Los Osos Creek. Although 228 acres are required for spray disposal, the Preferred Project includes 248 acres for potential spray disposal to account for any further future refinement of the sprayfield area.

In evaluating potential sites for the proposed treatment plant and sprayfield facilities, various constraints were identified. These constraints are shown on Exhibit 5.1-1 in the Draft EIR and include the following:

- No treatment plant would be located on slopes greater than 10 percent and no sprayfield facilities would be located on slopes of greater than 20 percent, due to the need for substantial grading for treatment plant facilities and the increased potential for surface water runoff from the sprayfields. This slope constraint for the sprayfields was revised from the 10 percent slope constraint identified in the Draft EIR. Given that the distance between 10 percent and 20 percent slope in these areas is only a few hundred feet in distance, the additional available land for sprayfields did not increase substantially.
- No treatment plant or sprayfield facilities would be located within a Environmentally Sensitive Habitat Area or a Sensitive Resource Area as defined by County of San Luis Obispo.
- No treatment plant or sprayfield facilities would be located on or within existing urban areas.

Based on a review of the revised constraints and requirements, no additional potential locations within the Los Osos Valley have been identified as potential sites for the proposed treatment plant site and/or sprayfields.

As discussed in the Draft EIR, the unconstrained areas were evaluated next to determine prime agricultural and non-prime agricultural. This evaluation utilizes the California Coastal Commissions definition of prime farmland. Farmland is considered Prime Farmland under the California Coastal Commission definition when one of the four following criteria is met:

- The soils are classified as Class I and/or Class II irrigated soils.
- The soils have an 80 to 100 Storie Index rating.
- The land has a gross crop return of \$200 or more per acre per year.
- The land has an annual carrying capacity of one animal unit per acre per year.

Based on the above definition, there are no substantial areas within the Los Osos valley floor that are classified as non-agricultural land and outside of the constraints identified above. Areas classified as non-prime agricultural land are reviewed to determine whether there are feasible, alternative locations for the proposed treatment plant and sprayfield facilities. Large areas classified as prime agricultural land were not reviewed because the objective of the analysis is to reduce the potential impact of the proposed facilities on prime agricultural land while taking into consideration various environmental constraints.

As discussed in the Draft EIR, two areas with the most acres and classified as non-prime agricultural land includes the parcel immediately south of the Tonini parcel and the series of parcels east of the Cemetery parcel known as the Andre, Robbins 1, and Robbins 2 parcels as well as one additional parcel east of the Robbins 2 parcel. The Andre, Robbins 1, and Robbins 2 parcels constitute a series of parcels identified as an alternative for treatment plant facilities in Section 7 of the Draft EIR.

The area south of the Tonini parcel encompasses approximately 181-acres of prime agricultural land and approximately 73-acres of non-prime agricultural land. Within this parcel, there is Warden Creek that extends west to east across the site. In addition, this site has multiple streams classified as coastal streams (ESHAs). In addition, this parcel includes an approximately 3-acre surface water feature in the middle of the non-prime agricultural land area. Based on a review of the aerial photograph from the County of San Luis Obispo Interactive GIS Mapping System, there are no drainages that convey water away from the surface water feature. Therefore, the surface water feature is assumed to be a depression within the non-prime area.

Based on the constraints that include 100-foot setbacks from all coastal streams and the 3-acre surface water feature, this parcel could accommodate approximately 198 acres of sprayfields. Given that this location could accommodate only 198 acres for sprayfields, this location would not be adequate to accommodate the 228 acres of sprayfields required for spraying 842 acre-feet of treated water per year. Therefore, this site which is located south of the Tonini parcel is not considered feasible as an alternative location for sprayfields.

This parcel south of Tonini could accommodate the proposed treatment plant facilities of approximately 20-acres. If this parcel was selected only for treatment plant facilities, it would result in the loss of a nominal amount of prime agricultural land since the facilities could be placed within the non-prime farmland area, but an access road would need to be extended through a prime farmland area. The sprayfields would still be required at the Tonini site and approximately 179 acres of prime farmland would be lost. The removal of the treatment plant site at Tonini would allow the sprayfields to be located at less steep slopes. Therefore, the implementation of the treatment plant at the site south of Tonini and the sprayfields on Tonini would still result in the loss of approximately 179 acres of prime farmland. Additional issues related to using this alternative location for the treatment plant is that locating the treatment facilities closer to Los Osos Valley Road could cause visual issues from the primary entrance into the community of Los Osos, and the County would need to purchase the approximately 254-acre site. As a result of not reducing the impact on prime farmland, potentially causing a visual impact, and increasing the land cost for proposed facilities compared to the Preferred Project, the placement of a treatment plant on the parcel south of Tonini would not be feasible.

The area east of the Cemetery parcel is primarily classified as non-prime agricultural land. These parcels encompass approximately 128-acres; however, 46-acres include environmental constraints such as an environmentally sensitive habitat area. The area outside of the environmental constraints encompasses approximately 63-acres of non-prime agricultural land and 0.09-acre of prime agricultural land. The total 63.09 acres of this unconstrained area are not enough to accommodate the required sprayfield area of 228-acres. Therefore, this area is not feasible for a sprayfield. This area could accommodate treatment plant facilities of approximately 20 acres. The sprayfields would still be required at the Tonini site and approximately 179 acres of prime farmland would be lost. As

discussed above, the removal of the treatment plant site at Tonini would allow the sprayfields to be located at less steep slopes.

Additional issues related to using this alternative location for the treatment plant include:

1. These parcels are owned by private individuals that does not want to sell their property; and therefore, the County would be required to obtain the property through eminent domain which is not desired by the County.
2. The area is located immediately adjacent to Los Osos Valley Road and would result in a significant impact on views while entering the community of Los Osos.
3. Los Osos Valley Road is proposed as a scenic corridor and the placement of treatment plant facilities adjacent to this roadway would not be consistent with a scenic corridor designation.
4. Due to these issues, the County considers that this series of parcels would not be feasible to accommodate the proposed treatment plant facilities.

Based on the above evaluation, there are no feasible alternative locations for the proposed treatment plant facilities and sprayfields compared with the location of the facilities under the Preferred Project. Therefore, the combined effects associated with Preferred Project would be consistent with the local goals, policies, and ordinances.

Cumulative Impact Analysis

Similar to Proposed Project 4, the Preferred Project would result in no impacts relating to existing goals, policies, and ordinances. Therefore, the Preferred Project would not contribute to any potential cumulative impacts to existing goals, policies, and ordinances.

Mitigation Measures

Project-Specific

Preferred Project

No mitigation measures are required.

Cumulative

Preferred Project

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

Preferred Project

No impact.

Cumulative

Preferred Project

No impact.

