

The Shape of Water in Cambria and Los Osos

The County has a chronic coastal behavioral problem

On April 19, the California Coastal Commission sent two letters to the SLO County Planning Department concerning its permitting practices in the communities of Cambria and Los Osos, which are in both the County's unincorporated area and in California's Coastal Zone.

In practice, this means that project proponents must apply to the County for Coastal Development Permits (CDPs), and those permits are appealable to the Coastal Commission.

It's fair to say that SLO County has been sending the Coastal Commission a lot of work lately in the appealable permits department. And it's clear in both letters to the County that the Commission would very much like the County to finally understand that continuing to issue development permits in regions facing some of the most critical water shortages in the state is something it would like the County to stop doing. Instead, the County should focus on updating its Local Coastal Plan (LCP) in order to provide direction on sustainable growth and buildout within water supply constraints.

This is not news to the County or the two communities – [especially the Cambria Community Services District \(CCSD\)](#) – and the Commission is clearly done with five years of repeating itself.

A typical passage:

“One of the most obvious foundations on which CDP decisions are based under the County's LCP is a determination that projects can be served by an adequate and sustainable water source, including one that does not lead to corollary adverse resource impacts. The Commission has repeatedly made it abundantly clear that the required LCP findings for water supply cannot be made in Cambria.”

And another one:

“There is insufficient water supply to serve even *existing* development in Los Osos without coastal resource harm (including where an over-drafted groundwater basin can adversely impact sensitive natural resources such as wetlands and marshes, coastal streams and adjacent riparian areas, and marine habitats,



I can haz permit? County planners' "pattern of disregard" for Coastal Development Permit requirements is testing the restraint of the California Coastal Commission.

as well as adversely impact coastal priority uses such as agriculture and lower-cost visitor-serving development), let alone adding to it *new* water using development.”

The Commission’s core message to the County is spelled out in painstaking, not to say blistering, detail:

“Unless and until measurable steps are taken that improve water supply issues in Cambria [same as Los Osos]. The County should not be even accepting applications for development in Cambria [same as Los Osos] that cannot show evidence of an adequate water supply. A will-serve letter does not provide such evidence, and the County under the LCP is required to make its own finding that an adequate water supply is available to serve a proposed development, and cannot abrogate that responsibility to the CCSD [or in Los Osos to any of the water purveyors]. The County is giving applicants a sense of ‘false hope’ when it does, and is doing a disservice to these applicants and the broader community. It is also leading to a significant number of appeals to, and subsequent CDP denials by, the Commission, each of which require an expenditure of scarce public resources to process.”

And just to make it clear:

“Please be advised that the terms and conditions of Commission-issued CDPs are enforceable. The County needs to take its continuing obligations, commitments, and requirements...more seriously. The Commission has thus far exercised restraint as it has tried to work with the County as it relates to cases where the County has committed to providing wastewater service to new development when to do so is prohibited by the CDP.”

This is a reference to the fact that, in Los Osos, new permits must meet the conditions stipulated when the town’s wastewater project was approved and issued a Coastal Development Permit. Because the Coastal Commission has detected “a pattern of disregard” of those permit requirements, “going forward, we will have to consider County intent to serve in such cases, including approval of CDPs...to be knowing and intentional violations of the CDP.”

The letters end with an expression of the hope that the County “will share our view that it is simply not good public policy or good planning for there to be any more appeals of County CDP approvals for such water intensifying development” in Cambria and Los Osos.

One hopes.