

APPENDIX B

Notice of Preparation for the Draft Environmental Impact Report and Comment Letters

Notice of Preparation

Notice of Preparation

To: State Clearing
1400 10th St
Sacramento CA 95814 (Address)

From: San Luis Obispo
976 Osos St Room 200
San Luis Obispo, CA 93401 (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

County of San Luis Obispo will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Jennifer Guetschow at the address shown above. We will need the name for a contact person in your agency.

Project Title: Dana Reserve Specific Plan

Project Applicant, if any: Dana Reserve, LLC

Date June 24, 2021

Signature Jennifer Guetschow
Digitally signed by Jennifer Guetschow
DN: C=US, E=jguetschow@co.slo.ca.us, O=San
Luis Obispo, CN=Jennifer Guetschow
Date: 2021.06.24 11:18:06-0700

Title Project Manager

Telephone 805-781-5600

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.



Preliminary Initial Study – Environmental Checklist

Dana Reserve Specific Plan ED21-094 (PLN-1118)
Preliminary Initial Study in Support of the Project Notice of Preparation (NOP)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. The purpose of the following discussion is to provide a summary of the environmental impact issue areas that will be analyzed further in the proposed project Environmental Impact Report (EIR).

Table with 3 columns of environmental factors, each with a checked checkbox. Factors include Aesthetics, Agriculture & Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Mineral Resources, Noise, Population & Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities & Service Systems, and Wildfire.

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- Options for environmental determination: 1) The proposed project COULD NOT have a significant effect... 2) Although the proposed project could have a significant effect... 3) The proposed project MAY have a significant effect... 4) The proposed project MAY have a "potentially significant impact"... 5) Although the proposed project could have a significant effect...

Signature and date lines for Emily Creel (June 23, 2021) and Jennifer Guetschow (June 24, 2021).

Preliminary Initial Study – Environmental Checklist

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies, or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. Project

DESCRIPTION: A request by Dana Reserve, LLC for the adoption of a Specific Plan, Vesting Master Tentative Tract Map No. 3149 (VTTM), Conditional Use Permit, and Development Agreement to allow for the phased development of a master planned community (Project). The project would allow for the future phased development of residential uses, flex commercial uses, open space, trails, and a public neighborhood park within an approximately 300-acre specific plan area. Future proposed development of individual neighborhoods would require the submittal of additional future tract maps to further subdivide the neighborhoods into individual lots; this EIR is intended to provide CEQA streamlining and tiering benefits for those future developments.

The Dana Reserve Specific Plan (DRSP) area is located within the South County Inland sub area of the South County Planning Area (Figures 1 and 2). On January 26, 2021, the Board of Supervisors authorized a related General Plan Amendment (LRP2020-00007) to allow for the processing of the Dana Reserve Specific Plan (DRSP); to ensure consistency between the DRSP, the County General Plan, and Land Use Ordinance, Title 22 of the County Code; and to change the land use category of the site to allow for the DRSP.

The DRSP area is within the unincorporated area of San Luis Obispo County and adjacent to the Urban Reserve Line (URL) of the community of Nipomo (Figures 1 and 2) and within the sphere of influence of the Nipomo Community Services District (NCSD). The project would require annexation to the NCSD to establish new connections to existing NCSD water, and wastewater infrastructure and modification of the Nipomo URL to include the DRSP area. Annexation of the specific plan area into NCSD service area would be subject to the review and approval of the San Luis Obispo Local Agency Formation Commission (LAFCO).

The County of San Luis Obispo General Plan identifies the project site as the Canada Ranch specific plan area, which is subject to preparation and adoption of a specific plan prior to annexation of the site into the Nipomo URL to accommodate development proposals and address pertinent issues. The property is designated as an expansion area under the South County Area Plan (SCAP; Sections 4.5 and 4.8) as well as the San Luis Obispo County Code (Inland) – Title 22, Land Use Ordinance (LUO) (Section 22.98.072).

Implementation of the DRSP would provide a guide for future private and public development in conformance with requirements set forth in the California Government Code (CGC) Sections 65450 through 65457. The

Preliminary Initial Study – Environmental Checklist

DRSP would provide a bridge between the County's General Plan and specific development and subdivision plans of the property.

Project Overview

The DRSP provides a vision and would guide development of "The Dana Reserve" by defining land uses and development standards, circulation, parks and trails, and infrastructure for the future residential, commercial, and open space land uses. The DRSP also provides a phasing/implementation plan and public facility financing options to accommodate this future development. Components of the DRSP include site and building design guidelines that reflect the history of the property, a variety of housing types for developers to choose from to allow a range of opportunities for home ownership or rental; north-to-south roadway connections within the Nipomo community; implementation of an interconnected network of walking, bicycling, and equestrian facilities; the generation of new employment opportunities; and access to day-to-day goods and services.

The following goals/objectives of the DRSP have guided the design, layout, and configuration of the specific plan area:

- Goal 1:** Provide a mix of land uses that provides a range of amenities accessible to residents and community members. To respect Old Town Nipomo, the small, neighborhood-oriented village commercial area has been designed to complement, rather than compete with this area.
- Goal 2:** Provide a public neighborhood park, pocket parks, and open space areas within each residential neighborhood, linking the neighborhoods together through a network of trails and open spaces.
- Goal 3:** Incorporate the rural history of the community through architectural design, as guided by Appendix A of the DRSP – Design Guidelines.
- Goal 4:** Provide a diversity of housing types and opportunities for home ownership and apartments, including affordable homes consistent with the goals and policies of the Housing Element of the General Plan, the County's Inclusionary Housing Ordinance, and regional housing needs.
- Goal 5:** Create new employment and job training opportunities for the community and the broader South San Luis Obispo County area.
- Goal 6:** Enhance circulation within the DRSP and existing community by continuing the existing public roadway network through the property to connect to Willow Road, providing a new park and ride lot to encourage carpooling, and creating new public transportation points of connection to facilitate public transit use and reduce single-occupant automobile use.
- Goal 7:** Integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community.
- Goal 8:** Maintain the large, centrally located oak woodland area as a site feature. Minimize impacts to special status plants and animals on-site.
- Goal 9:** Meet the Building Code requirements for energy efficiencies and water savings.

County Benefits

In addition to the above DRSP goals, the San Luis Obispo County Board of Supervisors, on January 26, 2021, entered into an MOU with the applicant that states the project would have the following benefits to the County:

Preliminary Initial Study – Environmental Checklist

1. Implementing the County's stated land use goals.
2. Dedication of an Open Space easement, community park, and trail system.
3. Providing the County with anticipated increased sale tax, property tax, and transient occupancy tax revenues.
4. Providing for affordable housing in furtherance of the County's Housing Element and inclusionary housing goals and to assist in meeting the County's Regional Housing Needs Allocation.
5. Providing a portion of the site to be developed as a business park, commercial area, or such related uses, in support of the County's further economic development.
6. Permanent conservation of 388 acres of oak woodlands or similar habitat located off-site.

Land Use and Development Standards

The DRSP would allow land use designations to accommodate the future development of single-family and multi-family residential land uses within 10 identified neighborhoods, as well as commercial land uses planned near the project's frontage along U.S. Highway 101 (US 101). Anticipated commercial land uses include a village center, flex commercial uses, a neighborhood barn to accommodate events, a hotel, a daycare center, and an educational campus. The DRSP also identifies areas reserved for public recreation, neighborhood parks, trails, and open space.

The Specific Plan area consists of four parcels: one 274-acre primary parcel (APN 091-301-073) and three approximately 7-acre parcels connecting the primary parcel to Willow Road (APNs 091-301-030; 091-301-031, and 091-301-029). The parcels combined total approximately 300 acres.

The proposed land use designations are separated into three primary categories: Residential, Commercial, and Recreation and Open Space. The DRSP proposes the following land uses (Figure 3):

- Residential Land Uses
 - Residential Single-Family-1 (DR-SF1)
 - Residential Single-Family-2 (DR-SF2)
 - Residential Multi-Family (DR-MF)
- Commercial Land Uses
 - Village Commercial (DR-VC)
 - Flex Commercial (DR-FC)
- Recreation and Open Space Land Uses
 - Recreation (DR-REC)
 - Open Space (DR-OS)

An overview of proposed land uses within the DRSP is identified in **Table 1** below.

Preliminary Initial Study – Environmental Checklist

Table 1. Land Use Summary

Land Use	Acres ¹	Density Range (dwelling units/acre)	Potential Units	Potential Square Feet
Residential				
Residential Single-Family-1 (DR-RSF1)	132.6	4-7	709	-
Residential Single-Family-2 (DR-RSF2)	16.9	7.5-8.5	124	-
Residential Multi-Family (DR-MF)	23.5	18-24	458	-
Public Park (DR-REC)	9-11	-	-	-
Pocket Parks ³	-	-	-	-
Primary Roads	21.9	-	-	-
Residential Rural (RR) – Existing	10	-	-	-
Subtotal	215.9	-	1,291	-
Commercial and Non-Residential				
Village Commercial (DR-VC)	4.4	-	-	10,000–23,000
Flex Commercial (DR-FC)	17.9	-	-	100,000–180,000
Internal Neighborhood Roads ²	-	-	-	-
Park and Ride ³	-	-	-	-
Subtotal	22.3	-	-	110,000–203,000
Open Space/Recreation				
Open Space (DR-OS)	49.8	-	-	-
• Open Space				
• Trails				
• Basins				
Subtotal	49.8	-	-	-
TOTAL	288.0	-	1,291	110,000–203,000

¹ All acreage and potential units can be adjusted up to 10% to address site-specific constraints and more suitable site design.

² Internal Neighborhood Roads and Pocket Parks acreage located within Residential Single-Family land use acreage calculation.

³ Park and Ride acreage located within Public Collector Roads.

In addition to new residential, commercial, and recreation/open space uses, future buildout of the DRSP area would include internal roads, trails, and expanded utility infrastructure to serve the community. The DRSP includes goals and policies identified within the County's Housing Element and proposes a dedicated neighborhood for future development of affordable homes. The County's Accessory Dwelling Unit (ADU) Ordinance would also allow for ADUs as a permitted use in all areas of the specific plan area that allow for residential uses, consistent with State ADU law.

Phasing Improvements

There are three phases shown in the VTTM. The grading balances on-site as follows:

- **Phase 1:** Includes the Frontage Road improvements, public utility connections, onsite public roads, Frontage Road extension from Sandydale to Willow Road (Collector A) including intersections and returns for future Neighborhood connections, Cherokee Place modifications, equestrian paths, and public drainage facilities. The export from Phase 1 and 2 will be used as fill for Phase 3.

Preliminary Initial Study – Environmental Checklist

- **Phase 2:** Onsite public roads, Pomeroy to Willow Road (Collector B) including intersections, returns for future neighborhood connections, Cherokee Place modifications, equestrian/pedestrian paths, public utility connections including lift stations and public drainage facilities. The export from Phase 1 and 2 will be used as fill for Phase 3.
- **Phase 3:** Onsite public roads, public utility connections including the public park, and public drainage facilities. The export from Phase 1 and 2 will be used as fill for Phase 3.

Drainage Improvements

The existing site does not have any defined watercourses or wetlands. The topography of the site creates three distinct drainage sub-basin areas. About one-third of the specific plan area drains toward US 101, where there are three existing culverts that drain under the highway. The other two-thirds of the site trends to drain towards the west; however, because the site's soil conditions consist of highly permeable sandy soils, most of the existing site absorbs rain without any flows leaving the site.

Each development area will need to incorporate its own stormwater mitigation measures within the individual DRSP neighborhoods and commercial areas. Sample stormwater mitigation measures are described in Appendix A to the DRSP – Design Guidelines. Neighborhood and internal road sections have been designed to also include roadside LID areas to treat and mitigate runoff. Inlets and/or catch basins will also be integrated within these areas for larger storm event overflow. Storm drain inlets/culverts would be added and spaced appropriately to collect and convey large storm event overflow runoff towards proposed downstream basins. As shown in the preliminary grading scheme for the site, there are four deep stormwater basins to detain the peak runoff from the project while discharging at or below the predeveloped peak runoff generated from the 2-year event. These basins will be designed for safety with fencing where needed and fully landscaped.

Circulation

The DRSP would allow for the future development of primary roadways that connect the DRSP area to off-site roads within the vicinity to act as a continuation of County-maintained roadways. Primary roadways are identified as Collector A, Collector B, and Collector C. Additional private roadways in the DRSP include Local Road D, local roads, and motorcourts within Neighborhood 3.

Collector A – North Frontage Road

Collector A would be designed as a County-maintained public collector road and would be located in the eastern portion of the DRSP area. Collector A is proposed as an extension of the existing North Frontage Road that currently terminates near the southeast corner of the DRSP area. This road would provide a through connection from Tefft Street in the south to Willow Road to the north.

Collector B – Pomeroy to Willow Road

Collector B would be designed as a County-maintained public collector road and would be located in the western portion of the DRSP area. The roadway would provide a direct connection through the DRSP area from Pomeroy Road to Willow Road. At the proposed future Pomeroy Road connection, there would be a one-way stop intersection. Collector B would act as a functional alternative to Hetrick Avenue.

Collector C

Collector C would be designed as a County-maintained public collector road that would be located centrally within the DRSP area. It would provide a direct east-to-west connection between the planned Collector A and planned Collector B. Roundabouts are proposed at the Collector A and Collector B intersections.

Preliminary Initial Study – Environmental Checklist

Local Streets - Residential

Residential roadways would be located within the individual residential neighborhoods of the DRSP area and would vary in orientation and design. Local streets are intended to provide connection from the residential neighborhoods to collector roads and may be privately maintained by a Homeowners Association(s) (HOA).

Private Motorcourts

Private motorcourts are proposed within Neighborhood 3. Private motorcourts are private streets that would vary in orientation and are intended to provide access to adjacent local streets within the DRSP area. These roads would be privately maintained by an HOA.

Intersections and Roundabouts

The DRSP area would include five connection points to the surrounding community:

- Proposed Collector A at Willow Road: a new signalized three-way intersection (located approximately 1,000 feet west of the US 101 on-ramps)
- Proposed Collector B at Willow Road: a one-way stop-controlled intersection
- Proposed Collectors A and B at Cherokee Place: treated as a driveway
- Proposed Collector B at Pomeroy Road: a one-way stop intersection

In addition to connection points, there are two proposed roundabouts within the DRSP area. One of these roundabouts would be located along Collector A at the Village Commercial area where Collector A intersects with Collector C. The other roundabout would be located along Collector B adjacent to proposed Neighborhoods 6 and 9 where the roadway intersects with Collector C.

Emergency Access

Two additional emergency access points are proposed in the DRSP: through proposed Neighborhood 9 adjacent to Hetrick Road and through Neighborhood 7 as a continuation of Cory Way. Emergency access points would be constructed in compliance with California Department of Fire Protection and Forestry (CAL FIRE) standards.

Bicycle, Equestrian, and Pedestrian Networks

In addition to new interior roads, the DRSP identifies a bicycle network, an equestrian network, a pedestrian network, and public transit areas. The bicycle network would close existing gaps within the County's bicycle network and aims to promote non-motorized transit use within the DRSP area. An equestrian network is proposed for use by future residents of the DRSP area and other members of the community. One primary equestrian trail loop is proposed. The DRSP also includes a proposed equestrian trailhead facility in the southeast corner of the specific plan area, which would include parking for vehicles with trailers to support equestrian uses. In addition to the sidewalks on both sides of internal streets (except the private motorcourts), the proposed pedestrian network includes pedestrian trails that would provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas within the DRSP area.

Public Transit

In addition, public transit stops would be included in the DRSP area to encourage transit use by DRSP residents, employees, and visitors. Public transit improvements would include a transit stop within the Village Commercial area and a park-and-ride lot along Collector A just south of Willow Road.

Preliminary Initial Study – Environmental Checklist

Utilities

Potable water and wastewater services for the DRSP area would be provided by the NCS D through an annexation into the NCS D service area. Water and wastewater would be provided via existing NCS D infrastructure within North Frontage Road, near the southeast corner of the DRSP, and expanded water and wastewater infrastructure routed within public roads throughout the specific plan area.

In addition to expanded water and wastewater services, the DRSP area would require the expansion of telecommunication, cable, electric, and natural gas utility infrastructure.

This project will be served by the following public utility providers:

- NCS D – water and wastewater
- Pacific Gas and Electric (PG&E) – electricity
- American Telephone & Telegraph Company (AT&T)/Pac-West Telecomm Inc./Satin Satellite – telephone and data
- Charter Communications – cable television
- SoCalGas – natural gas

Biological Resources

The property has several habitats that have been studied for several years by Althouse and Meade.

Oak Trees and Habitats

The development of the specific plan area has been designed to preserve the dense oak woodlands in the center of the property along with several dense clusters of historic oak trees. The oak trees throughout the rest of the site will be impacted by development of the project and will result in the removal of an estimated 99 acres of oak woodland and approximately 2.5 acres of scattered oak canopy in chaparral. Oak woodland removal and proposed mitigation will be reviewed through a Conditional Use Permit. Mitigation measures for the impact will include the offsite dedication of a 388-acre parcel known as Dana Ridge (APNs 090-301-003 and 090-301-004) with approximately 200 acres of oak woodland and 120 acres of chaparral containing scattered oaks. On-site mitigation will include planting up to 1,500 oak trees to provide approximately 24 acres of oak canopy in open space areas and as street trees. Additionally, this project will provide funds for off-site tree planting in the Nipomo area.

Pismo Clarkia

After several spring surveys, Althouse and Meade biologists identified several clusters of Pismo clarkia on the northern edge of the oak woodlands. This is a rare plant and the DRSP has been designed to protect these clusters on the site. An incidental take permit (ITP) application has been filed with the California Department of Fish and Wildlife (CDFW).

ASSESSOR PARCEL NUMBER(S): 091-301-073; 091-301-031; 091-301-030; 091-325-022; 091-301-029; 090-031-003 and 090-031-004

Latitude: 35° 02 ' 43.59" N **Longitude:** 120° 30' 01.73" W **SUPERVISORIAL DISTRICT #** 5

B. Existing Setting

Plan Area: South County **Sub:** South County Inland **Comm:** Rural

Preliminary Initial Study – Environmental Checklist

Land Use Category: Residential Rural

Combining Designation: None

Parcel Size: 288 acres

Topography: Nearly level to steeply sloping

Vegetation: Oak woodland, Chaparral, Grasses

Existing Uses: Undeveloped, seasonal grazing

Surrounding Land Use Categories and Uses:

North: Agriculture; Rural Residential; rural residences **East:** Agriculture; US 101; Nipomo High School

South: Residential Suburban; Commercial Service; rural residences **West:** Residential Suburban; rural residences

Preliminary Initial Study – Environmental Checklist



Figure 1. Project Vicinity Map

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Figure 2. Project Location Map

Preliminary Initial Study – Environmental Checklist



Figure 3. Proposed Land Use Map

Preliminary Initial Study – Environmental Checklist

C. Environmental Analysis

The Preliminary Initial Study Checklist provides introductory information about the potential environmental impacts of the proposed project that will be analyzed in the Environmental Impact Report (EIR).

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state “with . . . enjoyment of aesthetic, natural, scenic and historic environmental qualities” (California Public Resources Code [PRC] Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

Scenic Highways within San Luis Obispo County include US 101, State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive. The project site is located along a portion of US 101 that is listed as eligible for designation as a state scenic highway by the California Department of Transportation (Caltrans). The portion of the project site within approximately 300 feet of US 101 is subject to Highway Corridor Design Standards in Land Use Ordinance Section 22.10.095D.

Preliminary Initial Study – Environmental Checklist

The County of San Luis Obispo General Plan Conservation and Open Space Element (COSE) identifies several goals for visual resources in rural parts of the county, listed below:

- **Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.
- **Goal VR 2:** The natural and historic character and identity of rural areas will be preserved.
- **Goal VR 3:** The visual identities of communities will be preserved by maintaining rural separation between them.
- **Goal VR 7:** Views of the night sky and its constellation of stars will be maintained.

Discussion

The DRSP area is located within the viewshed of US 101, which is listed as an eligible scenic highway by Caltrans. The DRSP would allow for the future development of up to 1,290 single- and multi-family residential units, approximately 22.3 acres of commercial and light industrial development (Village Center), and approximately 64 acres of recreational uses and open space. Implementation and buildout of the DRSP would result in new development on previously undeveloped land within the viewshed of US 101. Proposed development could potentially affect scenic vistas, views from an eligible state scenic highway, visual character and quality, and nighttime views. Potential impacts related to visual resources are considered potentially significant and will be further evaluated in the EIR.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California’s agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered “agricultural land.” Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

In addition, the County of San Luis Obispo General Plan Agriculture Element provides soil classifications based on local conditions and agricultural uses and includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. Figure SL-1 of the COSE identifies the Nipomo Mesa, including the project site, as containing Important Agricultural Soils.

Based on the FMMP, the project site contains Farmland of Local Potential and Grazing Land (CDOC 2016). The project property is located in the Nipomo Mesa Agricultural Preserve Area; however, the property is not subject to a Williamson Act contract.

Discussion

The proposed project area is not underlain by soils classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the FMMP. However, the project area is classified as Farmland of Local Potential and Grazing Land, and the project site has been previously used for seasonal grazing. In addition, the project will be subject to the agricultural policies of LAFCO and must be evaluated under the definitions of prime agricultural land under the Cortese-Knox-Hertzberg Local Government Reorganization Act. LAFCO policies prohibit annexations of Prime Farmland unless mitigation at a substitution ratio of at least 1:1 is applied. The project will substantially increase demand for water resources, which could result in further

Preliminary Initial Study – Environmental Checklist

indirect impacts to proximate agricultural uses. Therefore, potential impacts related to agricultural resources are considered potentially significant and will be further evaluated in the EIR.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Air quality is defined by the concentration of pollutants in relation to their impact on human health. Concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and the atmosphere’s ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions within the local air basin are influenced by natural factors, such as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources.

The project site is part of the South Central Coast Air Basin, (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (CARB), and San Luis Obispo County Air Pollution Control District (SLOAPCD).

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project-specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result. This handbook includes established thresholds for both short-term construction emissions and long-term operational emissions.

Discussion

Implementation of the DRSP would allow for the phased future development of single-family residential (DR-RSF1 and DR-RSF2), multi-family residential (DR-MF), village commercial (DR-VC), flex commercial (DR-FC),

Preliminary Initial Study – Environmental Checklist

public recreation (DR-REC), and open space (DR-OS) land uses within the 300-acre DRSP area. Future construction activities would result in temporary air pollutant emissions, including ozone precursors and fugitive dust. Operation of the project would result in a substantial increase in vehicular trips to and from the site, which has the potential to increase long-term emissions of criteria air pollutants. The project has the potential to be inconsistent with the air quality goals and/or objectives of the SLOAPCD CEQA Air Quality Handbook and other applicable air quality plans. The project also has the potential to result in short-term and/or long-term air pollutant emissions in exceedance of SLOAPCD thresholds, including pollutant concentrations that could adversely affect proximate sensitive receptors. Future development of the DRSP area would have the potential to generate construction-related odors from equipment and fuels used during grading and construction activities. Therefore, potential impacts related to air quality are considered potentially significant and will be further evaluated in the EIR.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The DRSP area and adjacent landscapes are comprised of gently rolling hills that generally slope from the highest point in elevation near Hetrick Avenue on the western portion of the site toward US 101. On-site elevations generally range from approximately 343 feet to 420 feet above mean sea level, with the lowest point adjacent to Pomeroy Road in the southwest corner of the property.

According to a Biological Report prepared for the project (Althouse and Meade, Inc. 2020), the DRSP area supports six habitat types: coast live oak woodland alliance, chamise – black sage chaparral alliance, California perennial grassland group, Mediterranean California naturalized (annual and) perennial grassland group, annual brome grasslands, and developed anthropogenic areas. Coast live oak woodland and chamise – black sage chaparral are considered sensitive natural communities. No wetlands or waters of the U.S. or state are located within the DRSP area. The nearest mapped surface water feature is Nipomo Creek located approximately 670 feet east of the DRSP area boundary on the other side of US 101.

Floristically timed botanical surveys were conducted from 2017 to 2020 and identified eight special-status plant species within the DRSP area: sand mesa manzanita, Lompoc ceanothus, Nipomo Mesa ceanothus, Pismo clarkia, mesa horkelia, California spineflower, Michael’s rein-orchid, and sand almond. Though not observed during seasonal botanical surveys, habitat and soil conditions were determined suitable to support an additional 10 special-status plants. The Biological Report further identified suitable habitat for 18 special-status wildlife species, including nine special-status animals that were detected on-site: Cooper’s hawk, pallid bat, oak titmouse, silver-haired bat, hoary bat, Yuma myotis, Blainvilles’s (coast) horned lizard, Nuttall’s woodpecker, and American badger. In addition, though not observed on-site, suitable habitat conditions were determined present capable of supporting nine additional special-status species: sharp-shinned hawk, Northern California legless lizard, burrowing owl, obscure bumble bee, western bumble bee, monarch butterfly – California overwintering population, white-tailed kite, western red bat, and Lawrence’s goldfinch. The sharp-shinned hawk, Northern California legless lizard, and western red bat were determined to have moderate-to-high potential to occur on-site.

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of urban or village reserve lines within the inland portions of the county (not within the Coastal Zone). “Clear-cutting” is defined as the removal of 1 acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. The ordinance applies

Preliminary Initial Study – Environmental Checklist

to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition.

Discussion

The project site has the potential to support special-status plant and animal species. Future construction and operational activities would have the potential to disturb special-status plant and animal species and/or sensitive habitat areas that are present within the project area.

Although the project site does not directly support identified water features, future construction activities may result in increased erosion and/or polluted stormwater runoff that could result in adverse effects to nearby wetland, riparian, or other sensitive natural communities.

The project is not located within a Wildlife Linkage area by the California Department of Fish and Wildlife (CDFW) Northern Sierra Nevada Foothills (NSNF) wildlife connectivity project (California Department of Technology 2020) or as an essential habitat connectivity area (CDFW 2010). However, the DRSP area supports oak woodlands along a ridge and other tree species that could support migratory bird species that may use the site for nesting or foraging.

County LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. The project property supports substantial oak woodland habitat. The DRSP proposes to preserve existing oak woodlands to the extent feasible; however, future development of the DRSP area would result in impacts to oak woodlands present on-site and may result in a conflict with local policies or ordinances.

The project includes a Conditional Use Permit application for oak woodland clear-cutting as required by the County’s Oak Woodland Ordinance. The project also includes the offsite dedication of a 388-acre parcel known as Dana Ridge, with approximately 200 acres of oak woodland and 120 acres of chaparral containing scattered oaks.

Future construction activities have the potential to adversely affect biological resources located within or adjacent to the project area. Potential impacts to biological resources will be further evaluated in the EIR.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

According to Design Constraints Map and Background Information on Cultural Resources on the 250 Acre Canada Ranch, San Luis Obispo County, CA (Gibson’s Archaeological Consulting 2005), at least one prehistoric archaeological site has been previously identified within the DRSP area. Some limited subsurface testing has been conducted within the DRSP area; however, the subsurface extent of previously identified sites is currently unknown.

Discussion

The project site is currently undeveloped; therefore, future development of the DRSP area is not expected to result in disturbance to historical buildings or structures. However, project components will disturb limited built resources (proximate roadways, utility infrastructure) that could be of historic age (though not likely to be significant historic resources).

At least one known prehistoric archaeological site has been identified within the DRSP area. Site design and layout of the property has been designed to avoid impacting this location by integrating it within open space and avoiding excavation of the resource site. However, the subsurface extent of the site has not been officially delineated; therefore, it is impossible to determine whether proposed development would avoid the site entirely. In addition, due to the limited nature of previous studies conducted at the site, there is a potential for additional sites or resources, including human remains, to be identified in other areas of the DRSP area. Development consistent with the DRSP would potentially disturb these resources, which would be considered a significant impact. Therefore, a Phase I Archaeological Survey Report will be prepared covering the entire project area, and cultural resources will be further evaluated in the EIR.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 39% of electricity provided by PG&E is sourced from renewable

Preliminary Initial Study – Environmental Checklist

resources and an additional 47% is sourced from non-renewable greenhouse gas (GHG)-free resources (PG&E 2019).

Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030.

The COSE establishes goals and policies that aim to reduce vehicle miles traveled (VMT), conserve water, increase energy efficiency and the use of renewable energy, and reduce GHG emissions. The COSE provides the basis and direction for the development of the *County of San Luis Obispo EnergyWise Plan* (EWP), which outlines in greater detail the County's strategy to reduce government and community-wide GHG emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

Discussion

Future construction activities would require the use of energy in the form of diesel fuel and gasoline for worker and construction vehicles and equipment. Implementation and full buildout of the project would result in the construction and operation of up to 1,290 residential units and 22.3 acres of commercial uses. While future development would be subject to applicable green building standards, operation of the project would potentially result in a substantial increase in the use of electricity and other energy sources on-site, which would have the potential to result in wasteful, inefficient, or unnecessary energy consumption. Therefore, potential impacts related to energy-use and consistency with applicable energy-efficiency plans will be further evaluated in the EIR.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

San Luis Obispo County is in a geologically complex and seismically active region. The County of San Luis Obispo General Plan Safety Element identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The DRSP area is located approximately 0.26 mile west of the potentially capable Santa Maria fault, 5.25 miles west of the potentially capable West Huasna fault, and 0.84 mile east of the inactive Oceano fault.

Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Ground shaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code (CBC) includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The DRSP area is not located within the County LUO GSA combining designation. Based on the Safety Element, the project site is located in an area with low landslide risk potential and moderate liquefaction potential. Based on the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Soil Survey of the project site, on-site soils have a low potential for shrink swell.

Preliminary Initial Study – Environmental Checklist

The COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment and mitigation plan be prepared to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources. The project site is underlain by Older Surficial Deposits (Qos) which contains sand of older stabilized dunes (U.S. Geological Survey [USGS] 2006).

Discussion

The DRSP area is not located near an Alquist-Priolo fault; however, it is located approximately 0.26 mile west of the potentially capable Santa Maria fault and 5.25 miles west of the potentially capable West Huasna fault. The project site has low potential for landslide and moderate potential for liquefaction to occur. Due to the project's location near identified potentially active faults, there is risk of loss, injury, or death involving seismic hazards and seismic-related ground failure. According to the USGS Areas of Land Subsidence in California Map, the project site is not located in an area with known subsidence (USGS 2021). The project site is located on sandy soil with a low shrink-swell potential (NRCS 2021).

Implementation and full buildout of the DRSP would allow for the future phased development of up to 1,290 residential units, 22.3 acres of commercial development, and associated infrastructure within the 300-acre DRSP area. The project would require grading and other earthwork that has the potential to increase soil erosion and the loss of topsoil that has the potential to result in erosive runoff. Projects that disturb more than 1 acre of soils are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) pursuant to the State Water Resources Control Board (SWRCB) General Construction Permit. The SWPPP is required to include best management practices (BMPs) to reduce or avoid the release of erosion and other pollutants during project activities.

The project proposes annexation into the NCSD service area and would be served by the NCSD wastewater system. No septic systems are proposed; therefore, no impacts related to the site's ability to support the use of septic tanks would occur.

The project site is underlain by Older Surficial Deposits (Qos), which contains sand of older stabilized dunes (USGS 2006). Future buildout of the DRSP area would include earthwork to develop residential units and commercial buildings on the 300-acre property. The disturbance of unknown paleontological resources (if present within the project area) would be considered a potentially significant impact. Therefore, potential impacts related to geology, soils, and disturbance of paleontological resources will be further evaluated in the EIR.

Preliminary Initial Study – Environmental Checklist

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

GHGs are any gases that absorb infrared radiation in the atmosphere and are different than the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrogen oxides (NO_x), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

In October 2008, the CARB published the Climate Change Proposed Scoping Plan, which is the state’s plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state’s GHG inventory. Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state’s GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

- Reduce GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40% below 1990 levels by 2030; and
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

When assessing the significance of potential impacts for CEQA compliance, an individual project’s GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. The EWP, adopted in 2011, serves as the County’s GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is

Preliminary Initial Study – Environmental Checklist

not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

Discussion

Implementation of the DRSP would allow for the future development of DR-RSF1 and DR-RSF2, DR-MF, DR-VC, DR-FC, DR-REC, and DR-OS land uses. Future buildout would include up to 1,290 residential units and 22.3 acres of commercial uses. Heavy-duty off-road equipment, materials transport, and worker commutes during construction and build-out of the DRSP area would result in exhaust-related GHG emissions. Based on the rural location of the project site and the substantial amount of development proposed, buildout of the project would result in an increase in regional vehicle trips and/or VMT, which would contribute to and increase regional GHG emissions over the life of the project. The DRSP includes plans for trails and a pedestrian-friendly connected community with mixed land uses that would help minimize vehicle GHG emissions within the project vicinity. However, the change in land use, increase in local population, and increase in VMT may result in a significant contribution to overall GHG emissions in the County that could conflict with applicable GHG-reduction plans. Therefore, potential impacts related to GHG emissions will be further evaluated in the EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The project is not located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (SWRCB 2015; California Department of Toxic Substance Control [DTSC] 2021).

Based on the SLOAPCD Naturally Occurring Asbestos (NOA) screening map, the project is not located in an area with potential for soils containing NOA.

The County has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and Tsunami Response Plan.

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire-resistant building and roofing materials and other fire-related construction methods. The Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high Fire Hazard Severity Zones (FHSZs). The project would be located within the State Responsibility Area (SRA) in a high FHSZ. Emergency response time to the project site is less than 5–10 minutes.

Discussion

The project site is not located within or adjacent to an area of known hazardous material contamination and is not on a site listed on the Cortese List pursuant to CGC Section 65962.5. However, implementation and buildout of the DRSP would result in development of new residential and commercial land uses on a previously undeveloped 300-acre property. Future light industrial uses may result in other potential

Preliminary Initial Study – Environmental Checklist

hazardous emissions or involve routine handling of hazardous materials. Construction and operation would likely require the use of acutely hazardous materials, including gasoline, fuel, paints, solvents, etc. These materials have the potential to result in accidental spill or upset conditions if handled, stored, or used incorrectly. The project site is located adjacent to US 101 and would allow for future grading within proximity of the roadway; therefore, the future development of the project site may result in release of aerially deposited lead. Potential impacts associated with the routine transport, use, or disposal of hazardous materials and creation of a hazard through reasonably foreseeable upset or disturbance would be considered potentially significant.

The nearest school to the project site is Nipomo High School, located 0.2 mile east of the project site, on the opposite side of US 101. Nipomo High School is located within 0.25 mile of the project site; therefore, potential impacts will be evaluated in the EIR.

The project is not located within an airport land use plan and is not located within 2 miles of any public or private airport; therefore, there would be no risk of exposing persons to a safety hazard or excessive noise from the operation of an airport.

The DRSP proposes to generally improve regional circulation by providing additional connections between Tefft Street and Willow Road and would implement additional emergency vehicle access points, street names, directional signage, and building identification within the area. However, temporary construction-related traffic and disturbances have the potential to temporarily interfere with an adopted emergency response plan or emergency evacuation plan.

The proposed project would allow for future development within high and very high FHSZs. Future development of residential and commercial areas and associated development has the potential to expose people and structures to wildfire hazards. Planned neighborhoods proposed on-site adjacent to the central oak woodland and other future development within the DRSP area would be subject to fire protection and vegetation management that is compliant with CAL FIRE and County requirements; however, any increase in the potential for wildfires in the project area as a result of implementation of the DRSP would be considered a potentially significant impact. Therefore, potential impacts related to hazards and hazardous materials will be further evaluated in the EIR.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The Regional Water Quality Control Board (RWQCB) *Water Quality Control Plan for the Central Coast Basin* (Basin Plan; RWQCB 2019) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other waterbodies. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent.

Preliminary Initial Study – Environmental Checklist

The County LUO also dictates that an erosion and sediment control plan is required year-round for all construction and grading permit projects and site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction that disturbs 1 acre or more must obtain coverage under a SWPPP prepared per the requirements of the SWRCB Construction General Permit. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan, as required by the County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element establishes policies to reduce flood hazards and flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. The project site is not located within or adjacent to a 100-year flood zone.

There are no surface water features located within the property.

Discussion

The DRSP area consists of relatively flat to moderately sloping topography. The property does not support any surface water features on-site and the nearest surface water feature is Nipomo Creek located 670 feet east of the DRSP boundary on the other side of US 101. Future construction activity would require grading and other earthwork that has the potential to increase erosion and sedimentation on-site. The use of construction vehicles and equipment also has the potential to increase pollution on-site that could runoff and result in degradation to sensitive on-site and proximate habitats.

Potable and non-potable water needs of the DRSP area would be supplied by the NCS D. The Santa Maria Groundwater Basin is a high-priority basin and adjudicated portions of the groundwater basin are managed by the Northern Cities Management Areas and Nipomo Mesa Management Area (County of San Luis Obispo 2019, 2021). Other major NCS D water supply sources include the State Water Project, Lopez Lake Reservoir, and recycled water from the City of Pismo Beach Wastewater Treatment Plant (WWTP) (County of San Luis Obispo 2019). Implementation and buildout of the DRSP would result in an increased demand in potable and non-potable water supplies. The NCS D has reviewed the conceptual design for the DRSP area and has determined it could supply the community with its existing water supply; the NCS D is also in the process of preparing water and wastewater capacity studies to evaluate the ability to serve the DRSP area and its effect on other NCS D systems and facilities.

The project site is not located in a 100- or 500-year flood zone and is not at risk for tsunami or seiche. However, implementation and buildout of the DRSP would result in substantial changes to existing drainage patterns and increase the amount of impervious surface area, and the rate and volume of runoff, within the DRSP area. Alteration of drainage patterns and an increase in impervious surface area on-site has the potential to increase erosion and siltation, the potential to increase surface water and stormwater runoff, and may substantially impede or redirect surface flows within the DRSP area.

Therefore, impacts related to hydrology and water quality will be further evaluated in the EIR.

Preliminary Initial Study – Environmental Checklist

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The project property is currently located within the RR land use designation, and the DRSP area is currently under the jurisdiction of the County. The property is designated as an expansion area under SCAP Sections 4.5 and 4.8 and County LUO Section 22.98.072. The General Plan requires that a specific plan be adopted for the area.

Discussion

The project would not result in the removal or blockage of existing public roadways or other travel patterns and would not otherwise include any features that would physically divide an established community. The DRSP area is located on the northern fringe of the community of Nipomo and would provide improved regional access through the site to Willow Road. Therefore, the project is not expected to physically divide an established community.

The DRSP area is currently located within the RR land use designation. Implementation of the DRSP would result in DR-RSF1 and DR-RSF2, DR-MF, DR-VC, DR-FC, DR-REC, and DR-OS land uses. A detailed analysis of project consistency with applicable land use plans, including, but not limited to the SCAP and the General Plan, will be evaluated in the EIR.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the land (California PRC Sections 2710–2796).

The County LUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County of San Luis Obispo General Plan Land Use Element (LUE) from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production. The project area is not located within an EX or EX1 combining designation.

Discussion

The County does not identify the property as an EX or EX1 zone (County of San Luis Obispo 2016). The likelihood of future mining activities on the site is low, due to the adjacent rural residential uses and proximity to Nipomo; however, there is potential for future development activities to result in the loss of availability of valuable mineral resources if present on-site. Therefore, impacts related to mineral resources will be further evaluated in the EIR.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The County of San Luis Obispo General Plan Noise Element provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise-sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools (preschool to secondary, college and university, and specialized education and training)
- Health care services (e.g., hospitals, clinics, etc.)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums
- Hotels and motels
- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

The County LUO establishes acceptable standards for exterior and interior noise levels and describe how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use. The maximum allowable exterior noise level standards are included in **Table 2**.

Preliminary Initial Study – Environmental Checklist

Table 2. Maximum Allowable Exterior Noise Level Standards¹

Sound Levels	Daytime (7:00 a.m. to 10:00 p.m.)	Nighttime ²
Hourly Equivalent Sound Level (L _{eq}) (dB)	50	45
Maximum level (dB)	70	65

Note: dB = decibel

¹ When the receiving noise-sensitive land use is outdoor sports and recreation, the noise level standards are increased by 10 db.

² Applies only to uses that operate or are occupied during nighttime hours.

Discussion

Construction-related noise would result in a temporary increase in ambient noise levels in the project vicinity. Based on the scale of proposed future development, associated construction activities have the potential to result in a substantial temporarily increase in ambient noise levels and groundborne noise levels within the DRSP and surrounding areas.

The project property is currently undeveloped; therefore, future buildout of new residential and commercial land uses would permanently increase ambient noise levels within the DRSP area. New sources of noise would be generated by vehicle trips to and from the project site and noise from residential and commercial land uses. A *Determination of Sound Level Contours* prepared by the project applicant (45dB Acoustics 2017) identified existing noise levels within the DRSP area adjacent to US 101 in excess of 75 decibels (dB). Therefore, the project has the potential to conflict with maximum allowable noise levels identified in the County LUO and Noise Element. The project property is not located within an Airport Land Use Plan or public or private airstrip and future development of the project would not result in exposure of airport noise to proposed commercial or residential land uses. Future construction and operation would increase ambient and groundborne noise levels in the project vicinity and would potentially conflict with policies in the County LUO and Noise Element, a potentially significant impact. Therefore, impacts related to noise and vibration will be further evaluated in the EIR.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

Setting

The County's current Housing Element (2020-2028) is intended to facilitate the provision of needed housing in the context of the County LUE and related ordinance. It is also intended to meet the requirements of state law. It contains a number of relevant goals, objectives, policies, and implementation programs to ensure the County meets its goals of meeting the housing needs while remaining consistent with state law.

County LUO Section 22.12.080 contains policies and procedures related to inclusionary housing that is a requirement as part of development projects. New single-family dwelling units over 2,200 square feet in size, residential subdivisions, commercial/industrial uses with a cumulative floor area of 5,000 square feet or more, mixed-use development, and subdivision of land are subject to these requirements. Projects subject to the inclusionary housing provisions are required to make 8% of the project's base density affordable.

This 8% inclusionary housing mix is broken down by 2% increments between Workforce, Moderate income, Low income, and Very Low income households. The ordinance gives applicants a variety of options for meeting this requirement, including onsite and offsite construction of affordable housing. Applicants may also opt to pay an in-lieu fee per the Affordable Housing Fund, Title 29 of the County Code. As noted in Section 22.12.080.G.2, the County provides for a reduction in required inclusionary housing by 25% for those units constructed on-site.

Requirements for inclusionary housing for residential dwelling units are based on the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units.

Discussion

The DRSP includes the future development of new single-family and multi-family residential units, commercial uses, and flex commercial/light industrial uses that could directly induce population growth. Implementation and buildout of the DRSP would be consistent with the County's housing goals but could also result in a substantial increase in population growth; therefore, impacts related to population growth will be further evaluated in the EIR.

Preliminary Initial Study – Environmental Checklist

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The South Station in Oceano is the closest in proximity to the DRSP area, located approximately 10 miles to the northwest.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the Lucia Mar Unified School District (LMUSD).

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public (County) facilities and schools (CGC Section 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as

Preliminary Initial Study – Environmental Checklist

needed to finance the construction of and/or improvements to public facilities required to serve new development, including fire protection, law enforcement, schools, parks, and roads.

Discussion

Implementation and buildout of the DRSP area would result in an increase in population in the Nipomo area through the future development of new single-family and multi-family residential units. Additionally, the DRSP includes future development of commercial and flex commercial/light industrial development that would increase visitors to the DRSP area. An increase in on-site population and visitor-serving uses would increase the demand on public services, including, but not limited to, fire protection, police protection, emergency services, schools, and parks. Potential impacts associated with the need for physical improvements to public services and facilities will be further evaluated in the EIR.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The County of San Luis Obispo General Plan Parks and Recreation Element establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities.

The *County Bikeways Plan* identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding (County of San Luis Obispo 2016). The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents.

Preliminary Initial Study – Environmental Checklist

Discussion

Implementation and buildout of the DRSP would result in an increase in population in the Nipomo area through the future development of new residential units, including single-family and multi-family residential units. The DRSP also includes future commercial development and flex commercial/light industrial development that could include schools or lodging facilities. A major component of the DRSP includes areas reserved for public recreation, neighborhood parks, trails, and open space. The DRSP area is anticipated to include approximately 64.1 acres of open space, which includes open space, trails, and basins, and 10 acres of public recreation, including neighborhood parks. Although the project allocates land that is designated for open space and public recreation, buildout of the proposed project would induce population growth, which could increase the demand on existing local and regional recreation facilities, including Nipomo Regional Park, located within 1,500 feet of the southwest corner of the project property. Potential future development of educational facilities and/or a lodging facility would increase the number of visitors to the area that may increase use of existing local and regional recreation facilities. Increased demand on existing recreation facilities may result in physical deterioration of existing facilities or require new or physically altered facilities. Therefore, impacts related to recreation facilities are considered potentially significant and will be further evaluated in the EIR.

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study. Caltrans maintains annual traffic data on state highways and interchanges within the county, and the San Luis

Preliminary Initial Study – Environmental Checklist

Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing a Regional Transportation Plan (RTP); programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities.

In 2013, SB 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The County's Framework for Planning (Inland) includes the of the County of San Luis Obispo General Plan Land Use and Circulation Elements. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. In addition, projects are required to pay standard road improvement fees to address their fair share of cumulative growth impacts and future infrastructure needs.

Discussion

The project applicant prepared a Transportation Impact Study (TIS) and a Vehicle Miles Traveled (VMT) Analysis (Central Coast Transportation Consulting [CCTC] 2020) to evaluate potential transportation-related impacts of the DRSP. The TIS concluded that the project would generate 16,665 net new daily trips, including 1,133 net new AM peak hour trips and 1,334 net new PM peak hour trips. The VMT analysis concluded that the project would increase regional VMT under all analysis years, a potentially significant impact. The County evaluates project-specific VMT impacts against a threshold of 15% below the regional average, consistent with state guidance. Per the VMT analysis, the full project's VMT per service population ranges from 76–79% of the regional average, which would indicate a less-than-significant impact if this metric and the OPR guidance limiting VMT to 15% below existing levels were applied. However, the project residential VMT per capita is higher than the regional average, which would indicate a significant impact under OPR guidance. The residential-only scenario generates more VMT and results in longer trip lengths than the proposed project with mixed uses.

Therefore, impacts related to transportation are considered potentially significant and will be further evaluated in the EIR. The County has retained GHD to independently review the TIS and VMT Analysis; the results of that peer review will be used to support the analysis in the EIR.

The DRSP includes site design features designed to create a connected community including a network of pedestrian, bicycle, and equestrian trails. The proposed circulation system and improvements would also be evaluated to determine whether the project may conflict with a program plan, ordinance, or policy related to the circulation system; create or increase hazards due to geometric design or incompatible uses; and/or result in inadequate emergency access.

Preliminary Initial Study – Environmental Checklist

XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the CRHR; or
 - b. Included in a local register of historical resources as defined in California PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.1(c).

Preliminary Initial Study – Environmental Checklist

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area.

Discussion

As described in Section V, Cultural Resources, there are prehistoric archaeological resources known to exist within the DRSP area. A Phase I Archaeological Survey Report will be prepared that covers the entire DRSP area, which will include outreach to local tribes. The County will also be responsible for conducting tribal outreach consistent with AB 52 and SB 18. The results of that consultation will be further evaluated and summarized in the Tribal Cultural Resources section of the EIR.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Initial Study – Environmental Checklist

Setting

The County Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater “will serve” letters. The County Department of Public Works currently maintains a CSA for the community of Nipomo. Other unincorporated areas in the county rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for on-site wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy). The project would be served by the NCS D, subject to annexation approval.

Per the County’s Stormwater Program, the County Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB’s Construction General Permit through approval of a SWPPP.

PG&E is the primary electricity provider and both PG&E and SoCalGas provide natural gas services for urban and rural communities within the county. There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles.

Discussion

New development would require the installation of new roadways and utility connections to serve the DRSP neighborhoods and commercial areas. The project would require new connections to existing NCS D water and wastewater services, new connections to PG&E electrical services, and other new utility connections including stormwater, natural gas, cable, telephone, and data service connections.

The project proposes new connections to NCS D potable and non-potable water supplies to serve the proposed community. According to the Draft DRSP, the total estimated potable water demand at full buildout of the project is estimated at 336.25 acre-feet per year (AFY), with a 10% contingency estimated at 369.88 AFY. An estimated 75.12 AF of the 336.25 AFY would be used for commercial development and landscaping. Implementation of the DRSP would result in a long-term increase in water demand, which is considered a potentially significant impact and will be further evaluated in the EIR.

Wastewater services would be supplied by the NCS D, subject to annexation approval. Wastewater would be collected from the DRSP area using NCS D infrastructure and would be conveyed and treated at the Southland WWTP, located approximately 2.5 miles south of the DRSP area west of US 101 on Old Windmill Place. According to the Draft DRSP, generation of wastewater at full buildout of the project is estimated to be 228.68 AFY during average flow conditions and 571.70 AFY during peak flow conditions. Implementation of the DRSP would result in an increase of wastewater and demand on NCS D infrastructure, which is considered a potentially significant impact.

Solid waste, recycling, and green waste would be serviced by South County Sanitary Services and will be disposed of at Cold Canyon Landfill. Cold Canyon Landfill has an expected close date of 2040 (California Department of Resources Recycling and Recovery [CalRecycle] 2015). South County Sanitary Services and Cold Canyon Landfill are compliant with existing state and local regulations related to disposal of solid waste. Implementation of the proposed project would result in an increase in solid waste during construction and operation. Construction waste would be similar to other development projects within the county and would result in a temporary increase in solid waste. Cold Canyon Landfill has enough permitted capacity to accommodate the temporary increase in construction-related waste. According to the Estimated Solid Waste

Preliminary Initial Study – Environmental Checklist

Generation Rates by the CalRecycle, the project may generate approximately 21,092.3 pounds of waste per day, as shown in **Table 3**.

Preliminary Initial Study – Environmental Checklist

Table 3. Estimated Solid Waste Generation Rates for the DRSP Project

Waste Generation Source	Generation Rate	Unit of Measure	Proposed Development	Total
Commercial	13	lb/1,000 sf/day	823,284 sf	10,702.7 lbs
Multi-family	5.31	lb/dwelling unit/day	458 units	2,432.0 lbs
Single-family	9.8	lb/dwelling unit/day	812 units	7,957.6 lbs
Total				21,092.3 lbs

Note: lb = pound, sf = square feet
Source: CalRecycle 2019

Buildout of the DRSP area would result in a long-term increase in solid waste generation; therefore, impacts are considered potentially significant. Potential impacts related to utilities and services systems will be further analyzed in the EIR.

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| (a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Preliminary Initial Study – Environmental Checklist

Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. FHSZs are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." The project would be located within the SRA in high and very high FHSZs (CAL FIRE 2021). Emergency response to the project site is less than 10 minutes.

The *San Luis Obispo County Emergency Operations Plan* (EOP) addresses several overall policy and coordination functions related to emergency management. The Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

Discussion

The DRSP area is located within high and very high FHSZs (CAL FIRE 2021). Topography of the project area is relatively flat to moderately sloping. The average windspeed of the project area is 7 to 9.5 miles per hour year-round (WeatherSpark 2021). The proposed project would result in future development areas within high and very high FHSZs. Proposed neighborhoods 3, 7, 8, and 9 are anticipated to be located adjacent to the central oak woodland present on-site.

Future development of residential and commercial areas and associated development has the potential to expose people and structures to wildfire hazards. In addition, on-site construction and operational activities have the potential to increase the risk or severity of wildfire hazards of the DRSP area and surrounding areas. Although the project proposes to implement fire protection and vegetation management measures, impacts associated with new development within high and very high FHSZs are considered potentially significant and will be further evaluated in the EIR.



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director
801 K Street, MS 18-05
Sacramento, CA 95814
T: (916) 445-9686

07/20/2021

County: San Luis Obispo - Planning & Building
Jennifer Guetschow
976 Osos Street, San Luis Obispo, CA 93408, USA

Construction Site Well Review (CSWR) ID: 1012271

Assessor Parcel Number(s): 091301073, 091301030, 091301031

Property Owner(s): Dana Reserve, LLC

Project Location Address: Willow Road and Cherokee Place, California, 93444

Project Title: Dana Reserve Specific Plan

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 7/20/2021. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in San Luis Obispo County, within the boundaries of the following fields:

Our records indicate there are 0 known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil,



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gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Coastal district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact me at (661) 334-3665 or via email at Rohit.Sharma@conservation.ca.gov

Sincerely,

Rohit Sharma

Rohit Sharma
Acting Coastal District Deputy

[EXT]Dana Reserve Draft EIR

Martin, Jordan@DOC <Jordan.Martin@conservation.ca.gov>

Mon 7/19/2021 1:33 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello Jennifer,

Thank you for notifying CalGEM of the above project. Can you please provide the contact information for the property owner Dana Reserve, LLC C/O Nick Tompkins (phone number, mailing address, email, etc). The CalGEM response will be sent to you, but the property owner contact information is required for CalGEM's review form.

Thank you,



Jordan Martin, P.G.

Associate Oil & Gas Engineer | Coastal District

California Department of Conservation

Geologic Energy Management Division

195 S Broadway, Suite 101, Orcutt, CA 93455

T: (805) 465-9638

E: Jordan.Martin@conservation.ca.gov



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LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

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Special District Member

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STAFF

ROB FITZROY
Executive Officer

DAVID CHURCH
Interim Deputy Executive
Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

July 20, 2021

County of San Luis Obispo
976 Osos St. Room 200
San Luis Obispo, CA 93408
ATTN: Jennifer Guetschow, Senior Planner

Subject: Notice of Preparation for an Environmental Impact Report
(EIR) regarding the Dana Reserve Project

Dear Jennifer Guetschow:

Thank you for the opportunity to provide comments regarding the scope and content of the draft EIR for the Dana Reserve Project. It is our understanding that the project would be served by the Nipomo Community Services District (NCSD) and is currently located within the Sphere of Influence of the NCSD. However, the project is not currently within the service area of NCSD and therefore an annexation into NCSD would be required prior to NCSD serving the project. Annexations are subject to the approval of the Local Agency Formation Commission (LAFCO). Once the project has been approved by the Board of Supervisors, an application will need to be submitted to LAFCO for approval of the annexation. In this circumstance, LAFCO intends to act as the Responsible Agency for the project and may use the EIR and other project materials for considering an annexation of the project into the NCSD. Please also note that LAFCO has specific application requirements beyond those necessary for CEQA purposes.

Please consider the following comments when drafting the EIR:

- Name of Contact Person.** Rob Fitzroy, Executive Officer, San Luis Obispo Local Agency Formation Commission, 1042 Pacific Street, Suite A, San Luis Obispo, CA 93401. (805) 788-2096.

2. **Permit(s) or Approval(s) Authority.** Under the Cortese, Knox, Hertzberg Act (CKH) of 2000, LAFCO is responsible, in part, for annexation approvals for jurisdictions throughout the County. A proposed annexation would be subject to LAFCO's local policies and procedures which can be found on our website at www.slolafco.com. These policies and procedures should be reviewed as part of the CEQA process if the EIR is to be adequate for LAFCO to use as a Responsible Agency in considering the project. Of particular note are prime farmland definitions and preservation policies for any loss of prime agricultural land. CKH Act defines prime farmland differently than other State criteria. Additionally, specific findings must be made by LAFCO related to the provision of affordable housing for a wide range of demographics.

3. **Environmental Information.** In order to consider the annexation of the area into the NCS D, an adequate environmental document must be prepared for LAFCO's use. To expedite LAFCO's approval process, the EIR should address the potential environmental impacts of adding this area to the NCS D. The EIR should address the capability of the NCS D to provide public services to existing and future residents with regard to sewer capacity and demand and financial constraints and opportunities to funding the necessary improvements. The project description should include information about the LAFCO process and need for approval of annexation.

4. **LAFCO Agricultural, Water and Housing Policies.** As noted above, please refer to the goals, policies, and guidelines of LAFCO regarding Agricultural Resources, Water and Housing. These policies should be reviewed and analyzed for consistency with the proposed project. A key policy to be considered is the 1:1 substitution ratio to preserve prime agricultural land. Housing policies for affordable housing should be reviewed and analyzed. Lastly, LAFCO policies require the substantiation of a reliable, adequate and sustainable water supply.

5. **Mitigation Measures.** Mitigation Measures that assist LAFCO in achieving its legislative goals such as reducing the impacts to agriculture and open space should be considered. While LAFCO has discretion over the annexation proposal, mitigation measures that reduce impacts to resources assist LAFCO in the decision making process and should be referenced in this section.

6. **Alternatives.** Any analysis of alternatives should include an evaluation of the impacts the proposed annexation might have on the environment. LAFCO has the discretion to modify a boundary change proposal.

We appreciate being contacted with regard to this project and look forward to hearing more about the plan as it progresses through the environmental review and planning process. If you have any questions regarding our comments please contact me at 788-2096.

Sincerely,

A handwritten signature in cursive script that reads "Rob Fitzroy".

Rob Fitzroy,
LAFCO Executive Officer

Enc.

cc. Commissioners
Brian Pierik, LAFCO Legal Counsel



Engage.Challenge.Inspire

BUSINESS SERVICES DEPARTMENT
Jim Empey
Assistant Superintendent, Business Services
602 Orchard Street, Arroyo Grande, CA 93420
Tel 805.474.3000 x1070 | Fax 805.473.1593

July 20, 2021

By U.S. Mail & E-Mail: jguetschow@co.slo.ca.us

County of San Luis Obispo
Jennifer Guetschow, Senior Planner
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Re: Response of Lucia Mar Unified School District to Notice of Preparation of Environmental Impact Report for the Dana Reserve Specific Plan

Dear Ms. Guetschow:

Lucia Mar Unified School District (“District”) appreciates the opportunity to provide comments and input regarding the Notice of Preparation of the Environmental Impact Report that the County of San Luis Obispo (“County”) plans to prepare for the Dana Reserve Specific Plan (“Project”). Specifically, this letter responds to the County’s invitation to submit comments on the proposed scope and content of the Environmental Impact Report (“EIR”).

It is our understanding that the Project is proposed to include over 1,400 residential units and approximately 200,000 square feet of commercial space. It goes without saying that the Project will generate hundreds of new students, creating significant impacts on the District. Any environmental analysis related to the proposed Project must address potential effects related to traffic, noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee Unified School District v. County of Madera, et al.*, (2011) 196 Cal.App.4th 1016.)

We will continue to work with the Project applicant to resolve issues related to the Project and its impacts on the District. In the meantime, the District desires to engage the County through the CEQA process, as we remain concerned about the significant impacts that this Project will undoubtedly have on the District. The District therefore requests that the County address the following categories of information in the EIR to adequately evaluate the potential environmental impacts of this Project:

- 1. Describe the existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites.**

- 2. Assess the impact(s) of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, and busing activities.**
- 3. Estimate travel demand and trip generation, trip distribution, and trip assignment by including consideration of school sites and home-to-school travel.**
- 4. Assess cumulative impacts on schools and the community in general resulting from increased vehicular movement.**
- 5. Discuss the direct, indirect, and cumulative impacts on the circulation and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project.**
- 6. Assess the impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.**
- 7. Identify any noise sources and volumes which may affect school facilities, classrooms and outdoor school areas.**
- 8. Describe historical, current, and future population projections for the District.**
- 9. Assess the impacts of population growth within the District on the District's ability to provide its educational program.**
- 10. Describe the type and number of anticipated dwelling units indirectly resulting from the Project.**
- 11. Describe the average square footage for anticipated dwelling units, broken down by type of unit, indirectly resulting from the Project.**
- 12. Estimate the amount of development fees to be generated by development in accordance with implementation of the Project.**

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth. California school districts are dependent on developer fees authorized by the provisions of Government Code Sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. These funding concerns translate directly into physical, environmental impacts, in that inadequate funding for new school construction results in overcrowding of existing facilities. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Resources Code § 21001(g); 14 Cal. Code Regs. §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impact on schools. The timing of the development will determine when new students are expected to be generated, and therefore is an important consideration particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

Conclusion

District does not oppose development within District boundaries, and recognizes the importance of housing on the health and welfare of the community. However, the District maintains that the community can only thrive if the District's educational program and its facilities are viable and sufficient, and District staff, families, and students are safe. Accordingly, the needs of the District must be appropriately considered in the environmental review process for all proposed new development that will impact the District, such as the Project.

The District is hopeful that its continued collaboration with the Project applicant and the County will yield solutions that alleviate the impacts caused by the Project, and is prepared to provide any information necessary to assist the County in preparation of the EIR.

Please feel free to contact me directly if we can be of any assistance.

Sincerely,



Jim Empey
Assistant Superintendent, Business Services



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Ave
Fresno, California 93710
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 23, 2021

Jennifer Guetschow
Project Manager
County of San Luis Obispo Planning and Building Department
976 Osos Street
San Luis Obispo, California 93401

**Subject: Dana Reserve Specific Plan (Project)
Notice of Preparation (NOP) of an Environmental Impact Report (EIR)
SCH No.: 2021060558**

Dear Ms. Guetschow:

The California Department of Fish and Wildlife (CDFW) received a NOP of an EIR from County of San Luis Obispo Planning and Building Department for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 2

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: Dana Reserve, LLC

Objective: The Project consists of an adoption of a Specific plan, vesting master tentative tract map number 3149, conditional use permit, and development agreement for a phased master planned community. The objective of the Project is to define a guide for development of the Reserve, by defining land use and development standards for residential, commercial, and open space land uses.

Location: The Project area is located within the unincorporated area of San Luis Obispo County and adjacent to the Urban Reserve Line of the community of Nipomo. The cross streets are Willow Road and Highway 101. The Project is a total of 288-acres.

- Longitude: 35° 2' 43.59"; Latitude: -120° 30' 1.73"
- Assessor's Parcel Numbers: 091-301-073; 091-301-031; 091-301-030; 091-325-022; 091-301-029; 090-031-003

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist County of San Luis Obispo Planning and Building Department in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. There are many special-status resources present within and adjacent to the Project area. These resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 3

The NOP indicates there is potential for significant impacts unless mitigation measures are implemented, however, the measures listed are general and non-specific and/or may be inadequate to reduce impacts to less than significant. CDFW is concerned regarding potential impacts to special-status species including, but not limited to: Federal candidate Monarch butterfly (*Danaus plexippus pop. 1*), the State species of special concern and federally threatened California red-legged frog (*Rana draytonii*), State species of special concern American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), legless lizard (*Anniella pulchra*), coast horned lizard (*Phrynosoma blainvillii*), special-status bat species, and federally and State-listed special-status plant species.

In order to adequately assess any potential impacts to biological resources, CDFW recommends that focused protocol-level surveys be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether any special-status species and/or suitable habitat features are present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture, and to identify any Project-related impacts under CESA and other species of concern.

Additionally, when an EIR is prepared, mitigation measures must be specific and clearly defined and cannot be deferred to a future time. The specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation, when an EIR is prepared. The CEQA document must provide quantifiable and enforceable measures as needed that will reduce impacts to less than significant levels.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS)?

COMMENT 1: Monarch Butterfly

Issue: Monarchs can be found overwintering along the California coast, specifically in non-native eucalyptus trees (Pelton 2016). Project-related activities have the potential to impact special-status species. Overwintering monarchs have been documented to occur near the Project area (CDFW 2021). CDFW recommends that the EIR includes an impact analysis on monarchs with the potential to occur in the Project area.

Specific impact: Without appropriate avoidance and minimization measures for the species mentioned above, potential significant impacts associated with the Project's construction include roost destruction, inadvertent entrapment, reduced reproductive

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 4

success, reduction in health and vigor of eggs and/or young, and direct mortality of individual monarchs.

Evidence impact would be significant: During the last decade overwintering monarch populations have declined by nearly 90-percent (Jepsen et al. 2015). Habitat loss and fragmentation is among the primary threats to the population (USFWS 2020). Project activities have the potential to significantly impact the species by reducing possible roosting habitat.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts of the Project to special-status species, CDFW recommends conducting the following assessment of the Project area, including the following mitigation measures, and requiring them as conditions of approval in the Project's EIR.

Recommended Mitigation Measure 1: Monarch Butterfly Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment, well in advance of Project implementation, to determine if individual project area or its immediate vicinity contain habitat suitable to support monarchs.

Recommended Mitigation Measure 2: Monarch Butterfly Surveys

If suitable habitat is present, CDFW recommends assessing presence of monarchs by conducting surveys following recommended protocols or protocol-equivalent surveys.

Recommended Mitigation Measure 3: Monarch Butterfly Take Avoidance

Detection of monarchs within or in the vicinity of the Project area, warrants consultation with CDFW and USFWS to discuss how to implement ground-disturbing activities and avoid take.

COMMENT 2: American Badger

Issue: American badger are known to occur in the area near the Project site (CDFW 2021). Badgers occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e. ground squirrels, pocket gophers, etc.) (Zeiner et al. 1990). The Project site may support these requisite habitat features. Therefore, the Project has the potential to impact American badger.

Specific impact: Without appropriate avoidance and minimization measures for American badger, potentially significant impacts associated with ground disturbance include direct mortality or natal den abandonment, which may result in reduced health or vigor of young.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 5

Evidence impact is potentially significant: Habitat loss is a primary threat to American badger (Gittleman et al. 2001). The Project has the expectation to promote the growth of the City of Nipomo, resulting in a high degree of land conversion and potential habitat fragmentation. As a result, ground-disturbing activities have the potential to significantly impact local populations of American badger.

Recommended Potentially Feasible Mitigation Measure(s):

To evaluate potential impacts to American badger associated with the Project, CDFW recommends conducting the following evaluation of the Project sites, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: American Badger Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for American badger and their requisite habitat features (dens) to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 5: American Badger Avoidance

Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around occupied dens and a 250-foot no-disturbance buffer around natal dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

COMMENT 3: California Red-Legged Frog (CRLF)

Issue: CRLF primarily inhabit ponds but can also be found in other waterways including marshes, streams, and lagoons, and the species will also breed in ephemeral waters (Thomson et al. 2016). CRLF have been documented to occur in the vicinity of the Project site (CDFW 2021). The Project site contains upland habitat that may support the species. Avoidance and minimization measures are necessary to reduce impacts to CRLF to a level that is less than significant.

Specific impact: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the Project's activities include loss of upland refugia, inadvertent entrapment, destruction of eggs and oviposition (i.e., egg-laying) sites, degradation of water quality, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals.

Evidence impact would be significant: CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 6

(Thomson et al. 2016, USFWS 2017). Project activities have the potential to significantly impact CRLF.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to CRLF, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 6: CRLF Surveys

CDFW recommends that a qualified wildlife biologist conduct protocol level surveys for CRLF in areas where potential habitat exists. CDFW recommends surveys in accordance with the "Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog" (USFWS 2005) to determine if the species is within or adjacent to the Project area. Please note that dip-netting would constitute take as defined by Fish and Game Code section 86, so it is recommended this survey technique be avoided. In addition, CDFW advises surveyors adhere to Appendix E "The Declining Amphibian Task Force Fieldwork Code of Practice," of the CDFW "Considerations for Conserving the Foothill Yellow-Legged Frog" (CDFW 2018a).

Recommended Mitigation Measure 7: CRLF Avoidance

If any CRLF are found during pre-construction surveys or at any time during construction, consultation with CDFW is warranted to determine if the Project can avoid take. CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (October 15 and May 1). When ground-disturbing activities must take place between October 15 and May 1, CDFW recommends a qualified biologist monitor construction activity daily for CRLF.

COMMENT 4: Burrowing Owl (BUOW)

Issue: The Project location is within the known range of BUOW and the species occurs throughout the area (CDFW 2021). BUOW inhabit open grassland or adjacent canal banks, rights-of-ways (ROWs), vacant lots, etc. containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. Review of aerial imagery indicates that the Project site has annual grassland, thus BUOW has the potential to occur on the Project site.

Specific impact: Potentially significant direct impacts associated with subsequent activities include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Jennifer Guetschow, Project Manager
 County of San Luis Obispo Planning and Building Department
 July 23, 2021
 Page 7

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California (Gervais et al. 2008). The Project site is some of the only remaining undeveloped land in the vicinity, which is otherwise intensively managed for agriculture and residential use. Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to BUOW, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 8: BUOW Surveys

CDFW recommends that a qualified biologist assess if suitable BUOW habitat features are present within or adjacent to the Project site (e.g., burrows). If suitable habitat features are present, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's Staff Report on Burrowing Owl Mitigation" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable.

Recommended Mitigation Measure 9: BUOW Avoidance

CDFW recommends no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 8

Recommended Mitigation Measure 10: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 5: Western spadefoot

Issue: Western spadefoot inhabit grassland habitats, breed in seasonal wetlands, and seek refuge in upland habitat where they occupy burrows outside of the breeding season (Thomson et al. 2016). Review of aerial imagery indicates that the Project contains upland habitat and near vicinity of the site there are other habitat elements where the species could be supported.

Specific impact: Without appropriate avoidance and minimization measures for western spadefoot, potentially significant impacts associated with ground disturbance include; collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to breeding sites, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: Habitat loss and fragmentation resulting from agricultural and urban development is the primary threat to western spadefoot (Thomson et al. 2016). The Project area is within the range of western spadefoot, contains suitable upland habitat (i.e., grasslands interspersed with burrows) and near possible breeding sites (i.e., seasonal wetlands, vernal pools and swales). As a result, ground-disturbing activities associated with development of the Project site have the potential to significantly impact local populations of this species.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to western spadefoot associated with the Project, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 9

Recommended Mitigation Measure 11: Western Spadefoot Surveys

CDFW recommends that a qualified biologist conduct focused surveys for western spadefoot and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 12: Western Spadefoot Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows. If western spadefoot are observed on the Project site, CDFW recommends that Project activities in their immediate vicinity cease and individuals be allowed to leave the Project site on their own accord. Alternatively, a qualified biologist with appropriate take authorization can move them out of harm's way and to a suitable location.

COMMENT 6: Other Special-Status Species

Issue: Project-related activities have the potential to impact other special-status species. Northern California legless lizard, coast horned lizard, Pallid bat, Townsend's big-eared bat, and western mastiff bat has the potential to occur within the vicinity of the Project area (CDFW 2021). CDFW recommends that the CEQA document includes an impact analysis on all species with the potential to occur in the Project area including, but not limited to, these species listed above.

Specific impact: Without appropriate avoidance and minimization measures for the species mentioned above, potential significant impacts associated with the Project's construction include burrow or den collapse, nest or roost destruction, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individual special-status wildlife species.

Evidence impact would be significant: Habitat loss resulting from development is among the primary threats to special-status species. As a result, ground disturbance resulting from development of the Project has the potential to impact habitat that supports special-status species, which may result in significant impacts to local populations of these species.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts of the Project to special-status species, CDFW recommends conducting the following assessment of the Project area, including the following mitigation measures, and requiring them as conditions of approval in the Project's CEQA document.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 10

Recommended Mitigation Measure 13: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment, well in advance of Project implementation, to determine if individual project areas or their immediate vicinity contain habitat suitable to support special-status plant or animal species, including, but not limited to, those mentioned above.

Recommended Mitigation Measure 14: Species-Specific Surveys

If suitable habitat is present, CDFW recommends assessing presence/absence of special-status species by conducting surveys following recommended protocols or protocol-equivalent surveys. Recommended protocols vary by species. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>).

Recommended Mitigation Measure 15: Take Avoidance

Detection of special-status plant or animal species within or in the vicinity of the Project area, warrants consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take.

Recommended Mitigation Measure 16: Take Authorization

In the case of State-listed species, detection warrants consultation with CDFW to discuss how to avoid take, or if avoidance is not feasible, to acquire an incidental take permit (ITP) prior to ground-disturbing activities, pursuant to Fish and Game Code section 2081 subdivision (b).

COMMENT 7: Special-Status Plant Species

Issue: Several special-status plant species have been documented to occur within and near the vicinity of the Project area (CDFW 2021). The Project site contains habitat suitable to support numerous special-status plant species meeting the definition of rare or endangered under CEQA Guidelines Section 15380 including, but not limited to, the federally endangered and state threatened La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*) and the federally endangered and State Rare Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*). The NOP states that these species may be impacted, but does not list any mitigation measures to reduce impacts to a level that is less than significant. CDFW recommends that the EIR includes an impact analysis on all species with the potential to occur in the Project area including, but not limited to, these species listed above.

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts resulting from ground- and vegetation-

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 11

disturbing activities associated with Project construction include inability to reproduce and direct mortality.

Evidence impact would be significant: Special-status plant species known to occur in the vicinity of the Project site are threatened by residential development, road maintenance, vehicles, grazing, trampling, and invasive, non-native plants (CNPS 2021), all of which may be unintended impacts of the Project. Therefore, impacts of the Project have the potential to significantly impact populations of the species mentioned above.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to special-status plant species associated with the Project, CDFW recommends conducting the following evaluation of the Project area, editing the IS/MND to include the following additional measures, and including the following mitigation measures as conditions of approval.

Recommended Mitigation Measure 17: Special-Status Plant Surveys

If suitable habitat is present, CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities” (CDFW 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 18: Special-Status Plant Avoidance

CDFW recommends that special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 19: State-Listed Plant Take Authorization

If a plant species listed pursuant to CESA or State designated as rare is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081 subdivision (b) for State listed threatened or endangered plants or pursuant to the Native Plant Protection Act and Fish and Game Code section 1900 et seq. for State designated rare plants.

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 12

II. Editorial Comments and/or Suggestions

Nesting birds: CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, monarch butterfly and CRLF. Take under FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 13

supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist County of San Luis Obispo Planning and Building Department in identifying and mitigating Project impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Aimee Braddock, Environmental Scientist at (559) 977-3352 or aimee.braddock@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Bob Stafford
5343A684FF02469...
Julie A. Vance
Regional Manager

Attachments

- A. MMRP for CDFW Recommended Mitigation Measures

cc: Office of Planning and Research, State Clearinghouse, Sacramento

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 14

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Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 15

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Jennifer Guetschow, Project Manager
 County of San Luis Obispo Planning and Building Department
 July 23, 2021
 Page 16

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
 RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
 (MMRP)**

PROJECT: Dana Reserve Specific Plan

SCH No.: 2021060558

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: Monarch Butterfly Habitat Assessment	
Mitigation Measure 2: Monarch Butterfly Surveys	
Mitigation Measure 4: American Badger Surveys	
Mitigation Measure 6: CRLF Surveys	
Mitigation Measure 8: BUOW Surveys	
Mitigation Measure 10: BUOW Passive Relocation and Mitigation	
Mitigation Measure 11: Western Spadefoot Surveys	
Mitigation Measure 13: Special-Status Species Habitat Assessment	
Mitigation Measure 14: Species-Specific Species Surveys	
Mitigation Measure 16: Special-Status Species Take Authorization	
Mitigation Measure 17: Special-Status Plant Surveys	
Mitigation Measure 19: State-Listed Plant Take Authorization	
<i>During Construction</i>	
Mitigation Measure 3: Monarch Butterfly Take Avoidance	
Mitigation Measure 5: American Badger Avoidance	
Mitigation Measure 7: CRLF Avoidance	
Mitigation Measure 9: BUOW Avoidance	

Jennifer Guetschow, Project Manager
County of San Luis Obispo Planning and Building Department
July 23, 2021
Page 17

Mitigation Measure 12: Western Spadefoot Avoidance	
Mitigation Measure 15: Special-Status Species Take Avoidance	
Mitigation Measure 18: Special-Status Plant Avoidance	

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
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*Making Conservation
a California Way of Life.*

July 23, 2021

SLO US101 PM 6.24
SCH# 2021060558

Jennifer Guetschow, Project Manager
County of San Luis Obispo
Planning and Building Department
976 Osos Street, Rm 200
San Luis Obispo, CA 93401

COMMENTS FOR THE NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT
REPORT (EIR) FOR THE DANA RESERVE SPECIFIC PLAN

Dear Ms. Guetschow:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the NOP for the Dana Reserve Specific Plan. We look forward to reviewing the EIR with the completed traffic report and vehicle miles traveled (VMT) analysis. Of particular interest to us is the impacts and proposed mitigations at the US101/ Willow Road intersection. At this time, we offer the following comments in response to the NOP:

Caltrans supports development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local and state jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.

As a result of Senate Bill (SB) 743, effective July 2020 Caltrans replaced vehicle level of service (LOS) with vehicle miles traveled (VMT) as the primary metric for identifying transportation impacts from local development. The focus now will be on how projects are expected to influence the overall amount of automobile use instead of traffic congestion as a significant impact. For more information, please visit: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

Employing VMT as the metric of transportation impact Statewide will help to promote Green House Gas (GHG) emission reductions consistent with SB 375 and can be achieved

Ms. Jennifer Guetschow

July 23, 2021

Page 2

through influencing on-the-ground development. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting Sustainable Community Strategies (SCS) developed under SB 375.

Climate change impacts on the State Highway System (SHS) and local roadways should be addressed given the forecasted regional increase in wildfires, precipitation, and temperature. The SHS is the backbone of most county-level evacuation plans and often provides the only high-capacity evacuation routes from rural communities. Further, the SHS serves as the main access routes for emergency responders, and may serve as a physical line of defense such as a firebreak or an embankment against floodwaters, etc.

Please be aware that if any future work is completed in the State's right-of-way it will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits>.

Caltrans requests to be included in any future public noticing regarding this project to allow us to prepare for and participate in the public process.

We look forward to continued coordination with the County on this effort. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6432 or Jenna.Schudson@dot.ca.gov.

Sincerely,



Jenna Schudson
Development Review Coordinator
Caltrans District 5, LD-IGR South Branch



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July 23, 2021

VIA ELECTRONIC MAIL jguetschow@co.slo.ca.us

Jennifer Guetschow
Senior Planner
County of San Luis Obispo
976 Osos Street, Room 200
San Luis Obispo, California 93408

Re: Notice of Preparation - Draft Environmental Impact Report for the Dana Reserve Specific Plan

Dear Ms. Guetschow:

This firm represents the Nipomo Community Services District (“NCS D”), for which I serve as General Counsel. NCS D will be a responsible agency for this project, if approved by San Luis Obispo County (“County”). I write on behalf of NCS D to provide comments on the scope and content of the environmental information which will be germane to NCS D’s statutory responsibility to consider the annexation of the proposed project area for water, sewer and solid waste services, and to comment on the Initial Study (“IS”) the County has prepared and circulated. NCS D requests that these comments be addressed in the Environmental Impact Report (“EIR”) for the proposed project, and that this letter be made a part of the record of the County’s consideration of the proposed project.

NCS D agrees with the Lead Agency’s decision to prepare an EIR for the County’s consideration of the Dana Reserve Specific Plan (“DRSP”). NCS D will serve as a responsible agency, as defined in Public Resources Code Section 21069, because the DRSP applicant has filed an application for annexation into NCS D for water and sewer services, and solid waste disposal services provided by NCS D’s franchisee. NCS D expects that County staff will consult with NCS D staff as necessary throughout the County’s preparation of the EIR on issues within NCS D’s jurisdiction, as required by 14 Cal. Code of Regs. Sections 15072(b) and (f), and NCS D staff will respond to such requests for consultation.

As a responsible agency, and based on the information currently available to us, NCS D expects that the DRSP, if approved by the County, will require NCS D’s consideration of the following proposed elements:

1. Annexation application pursuant to NCS D's Annexation Policy
2. Annexation Agreement(s)
3. Will Serve and Intent to Serve Letters
4. Plan Check and Inspection Agreement ("PCIA")
5. Infrastructure improvement plans and specifications

Our comments on the IS are as follows:

1. As a part of the stated goals of the project, NCS D requests that an additional goal be added: "Meet or exceed the requirements of the NCS D District Code to ensure that the DRSP constructs the water and wastewater infrastructure necessary to serve the project without adverse impacts on NCS D's ability to serve existing and future users."

2. The IS inconsistently uses such terms as "public utility connections" and "utility infrastructure" to describe the on-site and off-site improvements the DRSP developer would be required to construct in order for NCS D to provide water and wastewater services to the DRSP site. "Connections" are different than "infrastructure" and both would be required. During the EIR process, NCS D staff will be available to the County to define the significant water and wastewater infrastructure that the developer would be required to construct in order to have services for the DRSP project. In short, there will be no "connections" unless the "utility infrastructure" is constructed. NCS D requests that this issue be clarified in the EIR project description specifically, and throughout the document, so that readers and decision-makers can be assured that the EIR fully examines the impacts of the infrastructure-related impacts of the project. For example, given the extent of the excavation and construction that may be necessary to extend water and wastewater mains to service the DRSP area, those construction activities may create temporary impacts in the areas of traffic, noise and air quality that must be adequately evaluated in the EIR.

3. Examples of the comment above can be found on pages 5 and 6 of the IS, where the text describing Phase 1 and Phase 2 work should accurately and consistently identify that the developer will be required to provide off-site and on-site utility infrastructure early in the phasing of the project to ensure that water and wastewater services will be available when needed.

4. On page 8 of 44, under "utilities" we note that it is premature to say that the project "will" be served by the NCS D for water and wastewater services. The DRSP applicant has proposed that NCS D annex the property for services, and the application is subject to discretionary review by the NCS D Board and San Luis Obispo County LAFCO if the County first approves the DRSP. In that regard, NCS D's provision of services to the property is different than the regulated public utility providers listed after NCS D.

5. On page 29 of 44, in the second paragraph under "[d]iscussion" the description of the NCS D's major water supply sources is not correct. Please consult with NCS D staff to better define the sources of the water NCS D supplies to its customers. Further, NCS D has not yet

finally determined that it “could supply the community with its existing water supply” and that statement should not be made in the EIR. As noted in the next sentence, NCS D is in the process of preparing capacity studies to make those determinations about the water and wastewater demand created by the DRSP. Over time, NCS D’s ability to serve the DRSP and other properties in its service area will depend on NCS D’s ability to take its full allocation of water under the referenced Santa Maria Groundwater Basin adjudication. That may depend on NCS D’s ability to import water from the City of Santa Maria through the Nipomo Supplemental Water project, free from the unnecessary physical limitations on that water delivery that have been maintained by Santa Barbara County in violation of the above-referenced adjudication.

6. On page 41 of 44, in the discussion of utilities, it is unclear why the IS refers to the County’s provision of water and wastewater services to County Service Areas in a discussion of a site that is currently undeveloped and, to our knowledge, does not currently take water or wastewater services.

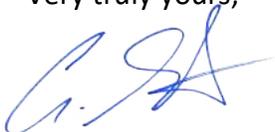
7. NCS D understands that the projections of future water and wastewater demand from the DRSP, based on estimates provided by the developer, are projections for the purposes of the IS only. NCS D expects that its own analysis of future DRSP water and wastewater demand will be the bases for analysis of impacts in the EIR.

8. It should be noted that South County Sanitary Services currently is the NCS D franchisee to provide solid waste disposal services to properties within the District, and would provide services if NCS D approves the annexation. In addition, at the bottom of page 41 of 44, the IS indicates that Cold Canyon Landfill has an expected close date of 2040. Where would DRSP solid waste be disposed of after the closure date?

On behalf of NCS D, thank you for the opportunity to comment on the IS. NCS D looks forward to contributing to a legally adequate and informative EIR. If you have any questions regarding these comments, please contact me. Further, please add me to the list to receive notices and further information regarding the DRSP, including those items listed in Public Resources Code Section 21167(f).

To consult with NCS D staff throughout the preparation of the EIR, please contact General Manager Mario Iglesias at miglesias@ncsd.ca.gov.

Very truly yours,



Craig A. Steele

cc: Mario E. Iglesias, General Manager

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Air Pollution Control District
San Luis Obispo County

VIA EMAIL ONLY

July 26, 2021

Jennifer Guetschow
County of San Luis Obispo Planning and Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408
jguetschow@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Initial Study/Notice of Preparation for the Draft Environmental Impact Report of the Dana Reserve Specific Plan

Dear Jennifer Guetschow:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Initial Study (IS)/Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (DRSP). On July 21, 2020, APCD submitted a comment letter on the Tract Map and Conditional Use Permit for this project. While today's letter will reiterate many of our previous comments, our comments today represent the latest and most complete recommendations that APCD has to offer on the project.

The project is a request by Dana Reserve, LLC for the adoption of a Specific Plan, Vesting Master Tentative Tract Map No. 3149, Conditional Use Permit, and Development Agreement to allow for the phased development of a master planned community. The project would allow for the future phased development of residential uses, flex commercial uses, open space, trails, and a public neighborhood park within an approximately 288-acre specific plan area. Future proposed development of individual neighborhoods would require the submittal of additional future tract maps to further subdivide the neighborhoods into individual lots; this EIR is intended to provide CEQA streamlining and tiering benefits for those future developments.

Proposed uses for the project are: 833 single family residences (149.5 acres); 458 multi-family residences (23.5 acres); up to 203,000 sq. ft. of commercial and office space (22.3 acres); open space, parks, and roads (92.7 acres).

On January 26, 2021, the Board of Supervisors authorized a General Plan Amendment (LRP2020-00007) to allow for the processing of the DRSP; to ensure consistency between the DRSP, the County General Plan, and Land Use Ordinance, Title 22 of the County Code; and to change the land use category of the site to allow for the DRSP.

The DRSP area is within the unincorporated area of San Luis Obispo County, adjacent to the Urban Reserve Line (URL) of the community of Nipomo and within the sphere of influence of the Nipomo Community Services District (NCSD). The project would require annexation to the NCSD to establish new connections to existing NCSD water and wastewater infrastructure and modification of the Nipomo URL to include the DRSP area. Annexation of the specific plan area into NCSD service area would be subject to the review and approval of the San Luis Obispo Local Agency Formation Commission.

The County of San Luis Obispo General Plan identifies the project site as the Cañada Ranch specific plan area, which is subject to preparation and adoption of a specific plan prior to annexation of the site into the Nipomo URL to accommodate development proposals and address pertinent issues. The property is designated as an expansion area under the South County Area Plan (Sections 4.5 and 4.8) as well as the San Luis Obispo County Code (Inland) – Title 22, Land Use Ordinance (Section 22.98.072).

Implementation of the DRSP would provide a guide for future private and public development in conformance with requirements set forth in the California Government Code Sections 65450 through 65457. The DRSP would provide a bridge between the County's General Plan and specific development and subdivision plans of the property.

The following comments are formatted into 3 sections. The **(1) General Comments** section states information pertinent to the applicant, lead agency, and/or public. The **(2) Air Quality** and **(3) Greenhouse Gas Emissions** sections may state mitigation measures and/or rules and requirements which the APCD recommends be set as conditions of approval for the project.

The **applicant** or **agent** should contact the APCD Engineering & Compliance Division about permitting requirements stated in the **(1) General Comments** section. The **lead agency** may contact the APCD Planning Division for questions and comments related to proposed conditions of approval in the **(2) Air Quality** and **(3) Greenhouse Gas Emission** sections. Both Divisions can be reached at 805-781-5912.

Please Note: The APCD recently updated the [Land Use and CEQA Webpage](#) on the [slocleanair.org](#) website. The information on the webpage displays the most up-to-date guidance from the SLO County APCD, including the [2021 Interim CEQA Greenhouse Gas Guidance](#), [Quick Guide for Construction Mitigation Measures](#) and [Quick Guide for Operational Mitigation Measures](#).

(1) General Comments

South County Particulate Matter Air Quality Impacts

Environmental Setting

The proposed project is in an area that is impacted by periods of high particulate matter concentrations during blowing dust events. To keep the public informed of periods of deteriorating air quality, the APCD provides a daily air quality forecast for SLO County, which is partitioned into nine air quality forecast zones. Air quality forecast for a six-day period is provided for each zone. In

the Nipomo Mesa area, there are four forecast zones as shown in the map below. The zones are named for the monitoring stations that are located within each zone; CDF, MESA 2, NRP and SLO:

The darker colors signify the typical location of the dust plume and the greater impacts during a typical blowing dust event. The public can experience adverse health impacts in areas with blowing dust. This proposed project is in the NRP zone.



Zone Name	Annual Exceedances (days)
CDF	45 - 95
Mesa 2	30 - 60
NRP	0 -20
SLO	0 - 3

The blowing dust events are typically most frequent in the spring, however, dust events can occur at any time of the year. As shown in the map above, the greatest impacts occur when the strong winds blow from the northwest which direct the dust plume inland over the Nipomo Mesa where it can impact residents. Residents can plan to avoid peak dust impacts by being aware of typical dust plume characteristics. A typical event tends to start around noon and end by the early evening, with peak impacts between 1 pm to 5 pm. The strongest events can result in blowing dust from 9 am to 7 pm, with peak impacts between noon and 6 pm. Outdoor activities and exercise should be planned in late evenings and mornings due to lower particulate matter concentrations.

Children and individuals with compromised cardiac and respiratory systems or related health problems are called sensitive receptors. Sensitive receptors can experience greater health impacts than the general population during blowing dust events. Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals. Individuals can receive daily air quality forecasted conditions via email by registering on the EPA's EnviroFlash website <http://www.enviroflash.info> and entering ZIP code 93444.

Efforts to reduce particulate matter on the Nipomo Mesa are underway through [Stipulated Abatement Order 17-01](#) entered between the APCD and California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division. The Order was approved by the APCD Hearing Board on April 30, 2018. This stipulated abatement order calls for specific actions to ensure significant reductions in particulate matter are achieved on the Nipomo Mesa over a five-year period.

Support of Mixed-Use Development

APCD staff would like to commend the proponents for this project on their promotion of mixed-use development. When people can walk or bike to nearby businesses or parks, traffic is reduced, and we create healthy communities. This is consistent with several of the APCD's land use goals and policies in the Clean Air Plan and helps meet the SB 32 and SB 375 emission reduction targets set by California legislation and the California Air Resources Board (CARB). To help improve the project and region's jobs-housing balance APCD recommends the project commercial components be conditioned to provide preferential incentives for Commercial Allowable Uses that support head of household jobs. This would support jobs-housing balance goals, policies, and strategies in Section 4.5 of the South County Area Plan, the 2019 San Luis Obispo Council of Governments' (SLOCOG) Regional Transportation Plan and Sustainable Communities Strategy, and the APCD's Clean Air Plan.

Developmental Burning

[APCD Rule 501](#) prohibits developmental burning of vegetative material within San Luis Obispo County.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require a California statewide portable equipment registration (issued by CARB) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive:

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines;
- Tub grinders; and
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [CEQA Air Quality Handbook](#) (April 2012).

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive:

- Portable generators and equipment with engines that are 50 hp or greater;
- Chemical product processing and or manufacturing;
- Electrical generation plants or the use of standby generators;
- Food and beverage preparation (primarily coffee roasters);

- Furniture and fixture products;
- Metal industries, fabrication;
- Small scale manufacturing;
- Auto and vehicle repair and painting facilities;
- Dry cleaning;
- Boilers;
- Internal combustion engines; and
- Sterilization units(s) using ethylene oxide and incinerator(s).

For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's [CEQA Air Quality Handbook](#) (April 2012). Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do an additional health risk assessment.

Health Risk from Nearby Diesel Trucks

The development plans for the DRSP show that sensitive receptors (housing units, day care centers, residential care homes, etc.) could be developed in close proximity to Highway 101 where mobile sources producing diesel particulate matter can present health risks to sensitive receptors. Diesel particulate matter has been classified by CARB as a toxic air contaminant and a carcinogen. Because of this, the APCD does not support sensitive receptor development near Highway 101. Non-sensitive uses and developments such as commercial, parking lots and offices – in which occupants are exposed to the health risk for a shorter duration – are better suited to be nearest to Highway 101. Health risks decrease with decreased rate of exposure to the toxic source.

Should the development continue, the APCD recommends the following:

- Orient the sensitive receptors as far back as possible from the toxic source, which will directly reduce cancer risk;
- Incorporate strategies stated in Table 1 from the CARB's technical advisory document [Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways](#); *(Note: Implementing strategies such as air filtration systems, sound walls, and vegetation barriers have not been proven to be as effective as moving a sensitive receptor farther from the toxic source.)*
- Disclose potential health risks from US Highway 101 to the future sensitive receptors for informational purposes.

Low-income community members often face existing health disparities, so siting affordable housing near pollution sources should be reconsidered ([See Page 57 of the CARB's 2017 Scoping Plan update](#)). To be in alignment with State goals, specifically Assembly Bill 617 (which aims to reduce exposure of toxic air contaminants in low-income and disadvantaged communities and protect public health), housing that is or could become affordable should be sited in a fair, environmentally just way. On their [Environmental Justice website](#), the U.S. EPA defines fair treatment as, "No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies". It is important to consider that current land use decisions could create a neighborhood that may bear more of the environmental impacts that come from pollution sources in the future.

When siting new housing near potential sources of pollution, APCD recommends incorporation of layout and design considerations to reduce exposure to sensitive receptors. For example, policies can identify minimum setbacks and orientation strategies to situate sensitive receptors as far as possible from the toxic source to reduce health risks. Further, ensuring affordable housing is located near or developed with transit services and active transportation infrastructure offers the opportunity to minimize trip and commute distances and provide alternative transportation options to employment, schools, and services which can help reduce emissions and improve our region's air quality.

(2) Air Quality

CONSTRUCTION PHASE

Construction Phase Impacts - Insufficient Information

The project referral includes grading quantities for the proposed project of 670,000 cubic yards of cut and 585,000 cubic yards of fill as well as a general understanding of the proposed residential and commercial development. However, sufficient information regarding the construction phase emissions for this project was not provided to quantify the air quality impacts. An air quality impact assessment of the construction phase needs to be completed that quantifies the impacts, and incorporates mitigation if impacts are above the APCD's significance threshold values identified in Table 2-1 of the [CEQA Air Quality Handbook](#) (April 2012). The APCD recommends the use of the current [CalEEMod](#) to accomplish the air quality assessment.

At a minimum, the construction phase air quality assessment needs to document the following information/assumptions that were used in the modeling:

- Area of disturbance;
- An estimation of the number and type of construction equipment operating throughout the construction phase of the project;
- Identify sensitive receptors within 1,000 feet of the construction boundary (see Section 2.1.1 in the CEQA Air Quality Handbook);
- If project includes cut and fill, hauling (on-site or off-site), identify fleet mix, hauling route (must minimize sensitive receptor impact) and number of trips per day;
- Time frame for the operation of construction equipment during the project, which includes:
 - Estimated construction schedule for all phases including anticipated phase overlaps;
 - An estimation of the number of daily operating hours for the equipment;
 - An estimation of equipment that would operate simultaneously on a given day;
- Total square footage of the property;
- Square footage and other relevant metrics for the buildings of each proposed land use type (e.g., number of units, hotel/motel rooms etc.);
- Square footage of each building footprints if this area differs from the total square footage (i.e. multi-story buildings);
- Square footage and type of parking facilities;
- Square footage of open space/landscaped area; and
- Square footage of roads/driveways.

Based on the preliminary information contained in the referral, the APCD recommends the following mitigation measure be set as a condition of approval for the project. More

mitigation measures such as APCD's Standard and Best Available Control Technology, and a Construction Activity Management Plan may be necessary for the project upon completion of a construction air quality assessment.

South County Particulate Matter Standard Air Quality Mitigation Measures

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit ([APCD Rule 401](#)) and minimize nuisance ([APCD Rule 402](#)) impacts:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. As stated previously, please refer to the following link for potential dust suppressants to mitigate dust emissions: [Products Available for Controlling Dust](#);
- c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- g. All fugitive dust mitigation measures shall be shown on grading and building plans;
- h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD

Compliance Division prior to the start of any grading, earthwork or demolition (Contact the Compliance Division at 805-781-5912);

- i. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible; and
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

Based on the preliminary information contained in the referral, the APCD recommends the following special condition be set as a condition of approval for the project. More special conditions may be necessary upon completion of a construction air quality assessment.

Limits of Idling During Construction Phase

State law prohibits idling diesel engines for more than 5 minutes. All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the CARB In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines. The specific requirements and exceptions for the on-road and off-road regulations can be reviewed at the following web sites: arb.ca.gov/sites/default/files/classic/msprog/truck-idling and arb.ca.gov/regact/2007/ordiesl07/froal.pdf.

In addition, because this project is within 1,000 feet of sensitive receptors (residences), the project applicant shall comply with the following more restrictive requirements to minimize impacts to nearby sensitive receptors:

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
2. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
3. Use of alternative fueled equipment is recommended; and
4. Signs that specify no idling areas must be posted and enforced at the site.

OPERATIONAL PHASE

Operational Phase Impacts – Insufficient Information

Sufficient information regarding the operational phase emissions for this project was not provided to quantify the air quality impacts. An air quality impact assessment of the operational phase needs to be completed that quantifies the impacts and incorporates mitigation if impacts are above the APCD's thresholds in Table 3-2 of the CEQA Air Quality Handbook. The APCD recommends the use of the current CalEEMod (caleemod.com) to accomplish the air quality assessment.

At a minimum, the operational phase air quality assessment needs to document the following information/assumptions that were used in the modeling:

- Total square footage of the property;
- Square footage and other relevant metrics for the buildings of each proposed land use type (e.g., number of units, hotel/motel rooms, etc.);
- Square footage of each building footprint if this area differs from the total square footage (i.e., multi-story buildings);
- Square footage and type of parking facilities;
- Square footage of open space/landscaped area;
- Square footage of roads/driveways;
- If trip rates other than CalEEMod default rates are used, traffic study or other justifiable traffic information must be documented;
- Trip mileage differences from CalEEMod default mileage values if these defaults do not represent the project's anticipated trip distances (e.g. motels/hotels);
- If project includes hauling, identify fleet mix, hauling route (must minimize sensitive receptor impact) and number of trips per day;
- Identify sensitive receptors within 1000 feet of property boundary (see Section 2.1.1 in the CEQA Air Quality Handbook); and
- Identify operational activity that will release toxic air contaminant (e.g., diesel back-up generator, loading dock, gasoline station).

Operational Phase Traffic and Air Quality

The traffic study for the DRSP identifies that with the project, all freeway segments operate unacceptably during at least one peak hour in all scenarios evaluated. The APCD supports the development of mitigation measures in coordination with Caltrans to minimize congestion related air quality impacts from the project.

The proposal identifies measures to reduce traffic related air quality impacts including two transit hubs in coordination with the San Luis Obispo Regional Transit Authority and a park and ride lot that should be coordinated with SLOCOG. The proposal also identifies that the project could install highspeed fiber to allow the community to connect into future extensions of high-speed fiber infrastructure to the property. Realizing this connectivity for the project would support better opportunities for work and school from home. The APCD supports the full implementation of these measures which would reduce vehicle miles traveled and related air quality impacts.

(3) Greenhouse Gases (GHG)

SLO County APCD's 2021 CEQA Greenhouse Gas (GHG) Guidance

Beyond criteria pollutant impacts, the project should also evaluate the construction and project life operational phase impacts of the DRSP project. **The bright-line and service population GHG thresholds in the SLO County APCD Handbook are AB 32 based and project horizons are now beyond 2020. The SLO County APCD does not recommend the use of these thresholds in CEQA evaluations.** The APCD developed the [2021 Interim CEQA Greenhouse Gas Guidance](#) document (CEQA GHG Document) to provide administrative clarification on the SLO County APCD Handbook's thresholds of significance for GHG emissions and to provide information on current trends, best practices, and legislation.

The APCD recommends calculating the greenhouse gas emissions for this project and using the threshold (or other interim thresholds adopted by the lead agency) and mitigation recommendations in the CEQA GHG Document.

Additionally, the guidance in CEQA GHG Document should be used to compare the project to existing applicable plans, policies or regulations that have been adopted for the purpose of reducing GHG emissions.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



VINCE KIRKHUFF
Air Quality Specialist

VJK/jjr

cc: Dora Drexler, APCD
Emily Creel, SWCA Environmental Consultants
Nick Tompkins, Applicant



July 14, 2021

Via Email and U.S. Mail

County of San Luis Obispo
Attn: Jennifer Guetschow
976 Osos St.
San Luis Obispo, CA 93401
jguetschow@co.slo.ca.us

RE: Public Records Act Request and Request for Mailed Notice of Public Hearings and Actions – Dana Reserve Specific Plan, Sandydale Dr and Briarwood Ln. Nipomo, CA 93444

Dear Ms. Guetschow,

CREED LA is writing to request a copy of any and all records related to the project, the Dana Reserve Specific Plan, located at Sandydale Drive and Briarwood Lane in Nipomo. The project will be the adoption of a specific plan for the construction of 833 single-family units, 458 apartment units, 180,000 square feet of flex commercial space, and 23,000 square feet of village commercial space. We are also writing to request copies of all communications and mailed notice of any and all hearings and/or actions related to the Project.

Our request for mailed notice of all hearings includes hearings, study sessions and community meetings related to the Project, certification of the MND (or recirculated DEIR), and approval of any Project entitlements. This request is made pursuant to Public Resources Code Sections 21092.2, 21080.4, 21083.9, 21092, 21108 and 21152 and Government Code Section 65092, which require local agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body. Our request includes notice to any City actions, hearings or other proceedings regarding the Project, Project approvals and any actions taken, or additional documents released pursuant to the California Environmental Quality Act.

Our request for all records related to the Project is made pursuant to the California Public Records Act. (Government Code § 6250 et seq.) This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

We will pay for any direct costs of duplication associated with filling this request up to \$200. However, please contact me at (877) 810-7473 with a cost estimate before copying/scanning the materials.

Pursuant to Government Code Section 6253.9, if the requested documents are in electronic format and are 10 MB or less (or can be easily broken into sections of 10 MB or less), please email them to me as attachments.

My contact information is:

U.S. Mail

Jeff Modrzejewski
CREED LA
501 Shatto Place, Suite 200
Los Angeles, CA. 90020

Email

creedla@creedla.com

Please call me if you have any questions. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Modrzejewski", with a long horizontal flourish extending to the right.

Jeff Modrzejewski
Executive Director



California Wildlife Foundation/California Oaks, 201 University Avenue, Berth H-43 Berkeley, CA 94710, (510) 763-0282

July 15, 2021

Jennifer Guetschow
Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

RE: Dana Reserve Specific Plan Initial Study, ED21-094 (PLN-1118)

Transmitted via email: jguetschow@co.slo.ca.us

Dear Ms. Guetschow:

The California Oaks program of California Wildlife Foundation (CWF/CO) works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, providing wildlife habitat, and sustaining cultural values. CWF/CO reviewed the Preliminary Initial Study for Dana Ridge Specific Plan (DRSP). The planned removal of greater than one third of the site's oak woodlands runs counter to the expressed goals for protecting biological resources in the Conservation and Open Space Element of the San Luis Obispo County General Plan; the watershed management, erosion control, soil conservation, greenhouse gas reduction, biodiversity and ecological stability goals of the county's Oak Woodland Ordinance; the South County Area Plan's call to evaluate the parcel for preservation because of its habitat values; and Countywide Design Guidelines that call for conservation of areas with high ecological sensitivity.

Oak impacts

The Conservation and Open Space Element of the San Luis Obispo General Plan identifies diminishing oak woodlands due to tree cutting, urban conversion, and displacement by non-native species as a "Major Issue" with respect to Biological Resources. Further, the plan calls for increased protection of oak woodlands.¹

Section 4.5 of the South County Area Plan addresses the site's oak woodland: "The property has a large oak woodland that should be evaluated for preservation as a long-term habitat."

Section 22.58.060 of San Luis Obispo County's oak ordinance states:

Cumulative removal cannot exceed 5% of site's total canopy, or result in the conversion of the Oak Woodland for an allowed use as identified in table 2-2, without an approved land use permit pursuant to section 22.58.050.

Section 22.58.050 B states:

Clear-cutting of more than three acres of Oak Woodland. Conditional Use Permit approval is required to clear-cut more than three (3) acres of a Site's Oak Woodland over a ten year period. Clear cutting shall be cumulative where the

¹ See 18, 70, and 71.

clear-cutting may not exceed the permitted amount during one event or multiple events occurring over a ten-year period.

Discussion: San Luis Obispo County’s General Plan and Oak Woodland Ordinance all clearly state the value the County places on its native oak heritage. The South County Area Plan specifically addresses the oak woodlands at the site for the proposed development. The Initial Study plan to remove greater than one third of the parcel’s oaks and to mitigate for the oak removal at a site of unknown habitat value is inconsistent with oak protections articulated by the county. Further detail is provided below.

Special status plant impacts

The unique habitat values of the Dana Reserve site are an argument for continued uses that support the sensitive ecological communities that it supports. General Plan Biological Resources Policy 3.1 Native Plant Protection states: “Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible.”²

Biological Resources Policy 3.2, Protection of Native Trees in New Development, states: “Require proposed discretionary development and land divisions to avoid damage to native trees (e.g., Monterey Pines, oaks) through setbacks, clustering, or other appropriate measures. When avoidance is not feasible, require mitigation measures.”³

Biological Resources Policy 3.3, Oak Woodland Preservation, states: “Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.” Includes specific implementation strategies. High Priority.⁴

San Luis Countywide Design Guidelines specify that development should conserve special areas identified as having high ecological sensitivity, listing oak woodlands as examples of natural resources to preserve: Development should be designed to preserve and protect existing native trees on site if feasible.”⁵

Four of the eight sensitive plant species found on the property during the botanical surveys reported in the Initial Study are associated with oaks, including the federally endangered Pismo clarkia (*Clarkia speciosa ssp. immaculata*). California Natural Diversity Database (CNDDDB) occurrence data show an average of 28.72 % occurrences of sand mesa manzanita with oaks, 41.6% of Nipomo Mesa ceanothus occurrences, 44.5% of Pismo clarkia occurrences, and 18.7% of mesa hokelia occurrences.⁶

² See 89.

³ See 90.

⁴ See 90 and 105.

⁵ See 1 and 99.

⁶ These data were generated by California Department of Fish and Wildlife (CDFW), first with a cross-reference of CNDDDB occurrence records with the oak woodland dataset in CDFW’s Areas of Conservation Emphasis system. This search generated a list of all special-status species that had at least part of an occurrence overlapping with oak ecosystems. CDFW then calculated the percentage of the CNDDDB occurrence polygon(s) that overlapped with oak woodlands.

Mitigation

Page 8 of the Initial Study discusses planned removal of the estimated 99 acres of oak woodland as well as oaks in chaparral, yet page 19 appears to suggest the impacts could be greater:

The DRSP proposes to preserve existing oak woodlands to the extent feasible; however, future development of the DRSP area would result in impacts to oak woodlands present on-site and may result in a conflict with local policies or ordinances.

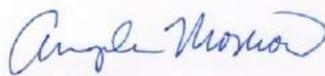
It is not possible to fully assess the adequacy of the plan to conserve 200 acres of oak woodland and 120-acres of chaparral containing oaks at Dana Ridge without knowing the full impact of the proposed project on the site's oaks. The April 2021 DRSP states: "Off-site mitigation for loss of oak woodland habitat will be provided by oak woodland habitat acquisition and conservation at a 2:1 ratio (two acres conserved for every acre of oak woodland habitat impacted)." The 2:1 figure should be qualified if the quoted text above from page 19 is suggesting that oak removals may exceed the estimates. Additionally, the Initial Study provides very little information on the habitat values of Dana Ridge and thus it is not possible to assess the parcel's suitability for mitigation.

This letter is being sent in advance of the July 19 scoping meeting to convey CWF/CO concerns about the environmental impacts of the proposed oak removals. San Luis Obispo County's Voluntary Oak Management Plan states: "Fragmented habitats provide fewer values for the plant and animal species that remain, increasing competition for resources, and isolating populations, which can lead to a decrease in both plant and animal diversity."⁷ The habitat values of the Dana Ridge site will be degraded by the proposed development. An alternate site may be a more appropriate location for the development.

Sincerely,



Janet Cobb
Executive Officer
California Wildlife Foundation



Angela Moskow
Manager
California Oaks Coalition

cc: Kelly Reed Daulton, Templeton Heritage Tree Foundation, templetonoaks@gmail.com

Brian Trautwein, Environmental Defense Center,
btrautwein@environmentaldefensecenter.org

Tiffany Yap, DEnv, PhD, Center for Biological Diversity, tyap@biologicaldiversity.org

⁷ See 10.

[EXT]Dana Reserve Project

Nipomo Recreation <nipomorecreation@gmail.com>

Mon 7/19/2021 11:11 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello

I am the CEO/Executive Director of Nipomo Recreation. We have been in Nipomo for over 32 years as the strongest organization for families and the community. I feel that this project is a strong part of Nipomo as a whole. Nipomo is growing and this project is part of that growth. I support this project in its entirety.

--

Jeff Long

Nipomo Recreation Association

CEO/Executive Director

nipomorecreation@gmail.com

c: 805-215-9295

[EXT]FW: Support for Dana Reserve

Kenneth Trigueiro <kennetht@pshhc.org>

Mon 7/19/2021 1:31 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

Cc: Kenneth Trigueiro <kennetht@pshhc.org>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

County of San Luis Obispo

Planning Department

EIR and Scoping Process Comments

RE: Support for Dana Reserve Project

Dear Airlin Singewald, Planning Manager

Jennifer Guetschow, Project Manager

Et al,

People's Self-Help Housing is the longest-serving nonprofit affordable housing organization on the Central Coast, founded in San Luis Obispo County in 1970. With a mission of building homes and providing services to strengthen communities and change lives, People's serves low-income households, working families, seniors, veterans, farmworkers, those living with disabilities and the formerly homeless. We provide rental and homeownership opportunities, with over 3000 homes successfully completed, in San Luis Obispo, Santa Barbara, Ventura and Monterey counties, and employing over 200 staff members locally.

We are supportive of processing the Dana Reserve Specific Plan (SP) and General Plan Amendment (GPA) to develop the 288-acre "Cañada Ranch" property in Nipomo. It is our understanding that this well-planned project will provide critically needed housing, affordable to various levels of income earning households, including wage earners and middle income salary earners, both groups of which are sorely undersupplied of affordable options within the County. We believe the housing proposed will be designed to meet a substantial level of the target population. There are limited opportunities to address the County's unincorporated areas needs for housing, in such a comprehensive manner. The proposed housing will serve various income levels, helping achieve the County's economic strategy by housing workers and their families, who represent the workforce across all six of the County's priority business clusters. The project can go a long way toward meeting Regional Housing Needs Assessment targets and meeting the Housing Element goals of the County's General Plan, and is a unique opportunity in that regard.

The community-based Developer's proposed concept meets the most critical needs for the community, for the most challenging categories of households, and provides the opportunity to go beyond the basic requirements for the project to contribute toward affordable housing. We are very pleased to see the collaborative Developer's goal is to make available this valuable resource to address affordable housing needs through a land donation. We have experienced how such donations can leverage substantial more investment into the community and create more units than required, and at much more affordable terms to the future residents. We have studied the proposal and believe it is a well thought out concept and very feasible. Additionally, we support the project's provision of substantial mitigation measures, including approximately 14,000 trees permanently conserved along with 1,500 replanted.

 www.pshhc.org

 facebook.com/pshhc

 twitter.com/pshhc

Kenneth Trigueiro
CEO & President

 [linkedin.com/company/pshhc](https://www.linkedin.com/company/pshhc)
 [instagram.com/pshhc](https://www.instagram.com/pshhc)
 www.neighborworks.org

3533 Empleo St
San Luis Obispo, CA 93401
Office (805) 540-2453

[EXT]Dana Reserve Scoping Call

Melissa James <melissa@reachcentralcoast.org>

Mon 7/19/2021 1:31 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

Cc: Julie Sinton Pruniski <julie@reachcentralcoast.org>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello Jennifer,

My name is Melissa James and I represent REACH, a regional economic action coalition serving San Luis Obispo and Santa Barbara Counties. I understand that you will be considering a project today that would add a substantial amount of housing at a time and location that would benefit the Central Coast workforce.

The State of California, including San Luis Obispo County is experiencing a serious housing shortage and the need for immediate relief has been prioritized both at the local and state level. The pressure of high housing costs and low wages are felt broadly across the region according to a public opinion poll conducted by REACH prior to the COVID-19 pandemic. This poll told us only 1/529 of our region's workforce believe housing is affordable, and 86% of our workforce don't believe our young people today will have the opportunity to live on the Central Coast when they enter the workforce.

Simply put, the need for housing cannot be overstated which is why investing in, planning for, and ultimately creating more housing options across the Central Coast is an economic imperative for our region and a key pillar of our REACH 2030 economic strategy. Second only to the global pandemic of COVID-19, the lack of housing affordable to our workforce is widely considered one of the biggest drags on our economy, hindering the region's ability to attract and retain a talented workforce.

With that in mind, we ask that you advance the consideration of the Dana Reserve project as this project would:

- Make a measurable and meaningful impact on the housing shortage for the low- and middle-income residents across the County who desperately need housing
- Implement the County's stated land use goals
- Provide affordable housing to meet the County's affordable housing/RHNA goals
- Provide the County with increased tax revenues.
- The project would provide a portion of the Real Property to be developed as a business park, commercial area, or such related uses
- Finally, the project also includes a conservation easement, community park, and trail system for community recreation, and community benefits such as childcare and a college satellite campus

Thank you for your leadership and thoughtful consideration.

Best,
Melissa



Melissa James

President & CEO | REACH

P: (805) 476.0412 E: melissa@reachcentralcoast.org

reachcentralcoast.org/datacenter

[Sign up to receive REACH news](#)





Coastal San Luis Resource Conservation District

1203 Main Street, Suite B, Morro Bay, CA 93442
805-772-4391 | www.coastalrcd.org

July 21, 2021

Ms. Jennifer Guetschow
Department of Planning and Building
County of San Luis Obispo
976 Osos Street, Room 300
San Luis Obispo, CA. 93408

RE: Dana Reserve Specific Plan and Environmental Impact Report
Transmitted via email: jguetschow@co.slo.ca.us

Dear Ms. Guetschow:

The Coastal San Luis Resource Conservation District (CSLRCD) has followed the proposal for urban development of the 288 acre Dana Reserve project with considerable interest. We request that the following issues be fully evaluated in the project's Environmental Impact Report (EIR).

1. **Biological impacts.** The project proposes to develop between 1,200 and 1,300 dwelling units, and certain commercial development covering approximately 75% (210 acres) of the site. A conditional use permit is being requested as part of the project to allow the removal of over 3,400 mature oak trees and associated vegetation and wildlife habitat. Proposed mitigation appears to be offered in the form of dedication of an off-site property some miles away. Is this truly mitigation? We are not convinced of the propriety of such a proposal as mitigation, since conservation of that site does not establish any new oak trees, woodland habitat, or other habitat to replace that which is proposed to be removed. Therefore we request a detailed study and discussion of this proposal, its legal and social acceptability, and how it provides appropriate mitigation for identified impacts upon native woodland and shrub habitat, and upon rare or endangered plant and animal species.
2. **Water Availability.** There is considerable uncertainty about the availability of water in the Nipomo Mesa area. Local measurements have shown a decline in the groundwater table on the Mesa over the past ten years, and imported water may or may not be able to stem or reverse this decline, if such water will in fact be available in the future. Indeed, the RCD was asked to conduct certain inquiries into a similar matter, when a rural development proposal for the Laetitia Winery and Vineyard was brought forward some years ago, and it was ultimately determined that the groundwater supply in the area was not sufficient to support the proposed development. While the Laetitia site is some miles away from Dana Reserve, it illustrates some of the challenges that water development in the Nipomo area must face. For this and other reasons, we request a detailed and independent analysis of the current status of the Nipomo Mesa area's water supply, past issues, historical trends, future prospects (especially in the event of continued drought), and how the proposed project will affect those matters.

Thank you for the opportunity to comment on this project EIR.

Sincerely,

p.p. Jackie Crabb, District Manager

Neil Havlik, PhD.
President, Board of Directors
Coastal San Luis Resource Conservation District



CALIFORNIA
NATIVE PLANT SOCIETY

July 23, 2021

Jennifer Guetschow
County of San Luis Obispo Planning and Building Department
976 Osos Street, Room 300
San Luis Obispo, CA 93408

RE: Dana Reserve Tract Map with Conditional Use Permit (SUB 2020-00047) and General Plan Amendment (LRP2020-00007) Scoping Documents

Transmitted via email: jguetschow@co.slo.ca.us

Dear Ms. Guetschow,

The San Luis Obispo Chapter of the California Native Plant Society focuses on the protection of and education about native plant species and their natural habitats in San Luis Obispo County and portions of northern Santa Barbara County. We have reviewed the Notice of Preparation and Initial Study for the Dana Reserve development, proposed for the site known as Canada Ranch in Nipomo. This development contemplates a total of 1,270 new residential units on a 280-acre site outside the Urban Reserve Line in the Nipomo Mesa area. A General Plan Amendment would be required to expand the Urban Reserve Line. Land uses would be changed from Residential Rural to Residential Single Family, Recreation, Residential Multi-Family and Commercial. The developer proposes to dedicate 388 acres offsite as permanent open space to mitigate for impacts. We understand that a Specific Plan is required to adjust the Urban Reserve Line to include the site, and that annexation to the Nipomo CSD is being proposed. A Conditional Use Permit is required under the County Oak Ordinance to remove the oaks as proposed.

CNPS has also reviewed selected portions of the application materials for this project, made available on the County's website, including the Initial Study, Biological Constraints Analysis Report prepared by Althouse and Meade (dated August 2018), and the updated Biological Report dated May, 2021 (hereafter 2021 Report). Thank you for making these reports available to us.

On June 17, 2021, our conservation team was given the opportunity to visit the site. We spent approximately 2 hours on site. We are thankful for the opportunity to visit the site. We have also examined historical aerial photographs and reviewed other information for the project. Based on our review of the project materials and knowledge of the site and the region, we offer the following comments and suggestions. Note that any photographs of the site that we have attached were taken from public roads offsite.

1. Reduced Project Must be Evaluated

CNPS would like to register its strong opposition to this project as currently proposed, and **we repeat our request of April 2, 2021 (letter to Board of Supervisors) that a much-reduced alternative to the project be brought forth for co-equal evaluation with the proposed project.** CNPS recognizes that San Luis Obispo County has a housing shortage. However, the

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community of Nipomo should not be expected to bear the brunt of what is a County-wide problem. Therefore, we suggest consideration of a reduced alternative project, for the following primary reasons:

- a) The project threatens thousands (3,430 to be removed according to the 2021 Report) of mature coast live oak trees on a unique dune habitat with destruction, making a mockery of the County's Native Tree Protection Ordinance. The EIR should evaluate the loss and the manner in which any loss is mitigated. As this is some of the last remaining contiguous oak woodlands on the Mesa, the cumulative impact of its destruction should be addressed.
- b) The project puts forth a false mitigation of street tree plantings and off-site conservation of a wooded property (referred to as Dana Ridge), located in an entirely different watershed and ecosystem some several miles away. The EIR should evaluate mitigation in comparison with the imposed mitigation for the adjacent Willow Road project and the intent of the Oak Tree Ordinance, evaluate the proponents proposed mitigation against commonly applied mitigation standards, and evaluate the ecological equivalence of street trees vs. natural habitat. The problems of using coast live oak as a street tree, particularly in regard to natural limb spreading and constant leaf fall should be evaluated in terms of practicality, and also in terms of long-term management goals over the centuries-long life of an oak. As it is possible to redesign this project to minimize loss of oaks through project redesign such as clustering and increased density in a reduced area, such possible reconfigurations should be discussed in the EIR.
- c) The project would significantly impact hundreds of acres of recovering Burton Mesa Maritime Chaparral on site, including several rare and/or special status plants. This natural community is one of the rarest in San Luis Obispo County and is rapidly decreasing on the Nipomo Mesa. The EIR should evaluate losses to this habitat and discuss mitigation.
- d) The project contrasts significantly from surrounding rural residential development. Changing the General Plan to accommodate a massive upzoning should be evaluated in regard to neighborhood concerns.
- e) The project is inconsistent with several County policies, including the current land use designation of Residential Rural; the South County Area Plan recommendation that the oak woodlands on site be *evaluated for preservation*, and the County Land Use Ordinance which includes *as a first priority* in type of uses: "open space uses within the oak woodlands." The EIR should discuss all inconsistencies of this project with the current General Plan.
- f) The project will severely strain the water resources of the Nipomo community (including imported water and groundwater), which in turn demands a full accounting of water need for the entire Nipomo community, not just the Dana Reserve project. The project should analyze both the input provided by the project proponent, input from Nipomo CSD, and the implications of a falling Key Well Index in the light of expected changes in annual rainfall. Input from other significant water users should also be included in the analysis.
- g) The cumulative impacts on water demand from this and other foreseeable projects on the wetlands of Black Lake Canyon and Black Lake would be significant and must be



evaluated, particularly because those resources have already been severely impacted by lowered water tables. This should be addressed in the EIR.

San Luis Obispo County does not need to trade its unique, irreplaceable and valuable natural resources for the development of housing. The above issues and recommendations for the EIR are discussed further below.

2. Environmental Setting

“Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed in the EIR on environmental resources that are rare or unique to that region and would be affected by the project.” CEQA Guidelines 15125 (c). The proposed project is located on the Nipomo Mesa, part of the dune sheet of the Callendar complex (Cooper, 1967). These dunes contain “Nipomo Mesa” maritime chaparral that has affinities to the rare and sensitive natural community called Burton Mesa chaparral in Santa Barbara County (Davis, Hickson, and Odion 1988), and the Fort Ord sand hills in Monterey County (Griffin, 1978). This is one of the last remaining areas of its type on Nipomo Mesa and in San Luis Obispo County. Due to its unique sand dune nature, there are floral displays that occur adjacent to Highway 101, and the site has provided springtime displays for commuters for years. The County’s Land Use Standards reflect this, as specialized botanical and/or biological studies are required in areas of the Mesa (e.g., Porter Pacific, Green Canyon, and Summit Station areas to name a few) and make specific mention of maritime chaparral. See Section 22.98.070 H (3)f, 22.98.070 H (11)a, and 22.98.070 H (9)e Of the County Land Use Ordinance.

Furthermore, the 4-mile long Black Lake Canyon, located on the Mesa within 2 miles of this project, plays an important part in the greater Nipomo-Guadalupe Dunes Ecosystem due to its hydrologic influence and as an important habitat migration corridor. These resources are unique to this area and must be addressed adequately in the EIR.

3. Impact Analysis

a. Visual Concerns

The project site is visible from Highway 101, Thompson Road, and Dana Foothill Road. Views of the project site from these vantage points should be addressed in the EIR. The impacts of losing one of the last remaining pieces of open space between Santa Maria and Pismo Beach should be evaluated in the EIR.

b. Biological Resources

Loss of Oak Trees. This project proposes to remove over 3,000 mature oak trees on the site, covering approximately 100 acres (2021 Report). This is undoubtedly one of the most significant such clearing efforts in recent County history; certainly the largest that is seeking County sanction. We do not know the age or size ranges of the oaks on site, but a cursory inspection shows considerable variation in both. We understand that some cutting was done years ago for livestock feed and for firewood or charcoal, and the trees then re-grew with multiple trunks. This

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seems to be the case for many but by no means all of the oaks on site. A site history would be helpful in understanding the character and richness of this important area of Nipomo Mesa. We note the Specific Plan (page 3-3) indicates that the site continues to be managed for grazing. **Please provide the site history with regard to grazing in the EIR (numbers and types) and indicate the most recent grazing activity on site. “In recent decades” is not specific enough.**

The project sponsor also announced in a public presentation that, while the project would "impact oaks," it was planned to plant some 1,500 coast live oaks as street trees. This seemed to imply that such planting was suitable as mitigation. CNPS rejects this implication, as it is more than just trees that would be destroyed; it would be an entire, functioning habitat. Please refer to Exhibit A to see the potential contrast between existing site trees and proposed mitigation trees planted for a recent development project in San Luis Obispo.

As discussed above, **the project EIR should develop a reasonable mitigation proposal along the model of the mitigation for the Willow Road** extension project of some years ago, with at least the same ratio of mitigation to tree removal (and in similar soils), at a site that can then be dedicated to permanent conservation.

Loss Of Maritime Chaparral. Appropriate detail should be provided in the EIR to explain how the boundaries of the vegetation types were decided upon, and how the particular vegetation types and Alliances (e.g., Coast Live Oak Woodland and chamise-black sage chaparral alliances) were chosen, given the presence of characteristic species such as sand mesa manzanita, mesa horkelia, rush rose (*Crocianthemum*, =*Helianthemum scoparium*), and sand almond (see page 44, 51, 52 of 2021 Bio Report) on the site. The updated 2021 Biological Report identifies coast live oak woodlands (117 acres) and chamise-black sage chaparral (36 acres) alliances as the primary natural communities on site (Table 3, 2021 Report). These communities have Global and State rarity ranks of G5/S4 and G4/S4, respectively. CNPS disagrees with this assessment and therefore requests that the EIR evaluate losses to all impacted vegetation types. It is worth noting that oaks are a common component of the maritime chaparral/coastal scrub mosaic, especially the multi-stemmed oaks seen on this site (Davis Hickson and Odion, 1988).

CNPS requests that the following additional issues concerning Maritime Chaparral be addressed in the EIR. Components of Maritime Chaparral habitat are currently present over a large portion of the site. We believe that the *Arctostaphylos (purissima, rudis)* Shrubland Special Stands (CDFW, 2020), also known as Burton Mesa Chaparral, or a form thereof, are present on site. This is one of the rarest natural communities known in San Luis Obispo County and has a Global rarity ranking of G1 indicating there are less than 6 viable occurrences worldwide and a State rarity ranking of S1, indicating there are less than 6 viable occurrences statewide. These stands are characterized by the presence of sand mesa manzanita (*Arctostaphylos rudis*) in the shrub canopy, along with several other species (Sawyer Keeler-Wolf and Evens, 2009). Page 18 of the initial constraints analysis (and pg. 44 of the 2021 Report) indicates that sand mesa manzanita “is known to occur on sandy soils in maritime chaparral and coastal scrub habitats...” Page 20 of the report (pg. 52 in 2021 Report) also indicates that sand almond occurs in maritime chaparral and coastal dune scrub. Table 1 below presents 2021 observations from 3 locations on the Dana Reserve site relative to the characteristic species of this alliance, in addition to those seen last year in the maritime chaparral at Nipomo Regional Park. Maritime chaparral is further defined



and characterized by Vasey et al., (2014), and sand mesa manzanita, among other species noted on the site, is included in the maritime climate zone. A Price Canyon variant of Maritime Chaparral is described in the Price Canyon Planning Area EIR (LFR, 2008, now ARCADIS, in the Price Canyon General Plan Update).

Table 1. Characteristic Species of Maritime Chaparral Noted in 3 areas of the Project Site. (Special Status species in **Bold**.)

Alliance Defining Species (per Sawyer Keeler-Wolf and Evens 2009)	Dana, Site 5 (6-17-21)	Dana, Site 6 (6-17-21)	Dana, Site 7 (6-17-21)	Nipomo Park (7-28- 20)
<i>GPS (degrees)</i>	Lat 35.049634 Long -120.501634	Lat 35.045667 Long -120.507005	Lat 35.043953 Long -120.501764	
Deerweed <i>Acmispon glaber (Lotus scoparius)</i>	x	x	x	x
Sand mesa manzanita <i>Arctostaphylos rudis</i>	x	x	x	x
Chamise <i>Adenostoma fasciculatum</i>	x	x	x	x
California sagebrush <i>Artemisia californica</i>	x	x	x	x
Coyotebrush <i>Baccharis pilularis</i>		x		x
Lompoc Ceanothus <i>Ceanothus cuneatus var. fascicularis</i>	x			
Nipomo Mesa Ceanothus <i>Ceanothus impressus var. nipomensis</i>	x			
Bush monkeyflower <i>Diplacus aurantiacus</i>	x	x	x	x
Mock heather <i>Ericameria ericoides</i>		x		x
Rush-rose <i>Helianthemum (Crocianthemum) scoparium</i>	x	x	x	x
Black sage <i>Salvia mellifera</i>		x		x

These data show that the site, at these specific areas and beyond, based on our observations and analysis, contains the characteristic species of what can be called Burton Mesa Chaparral, or the *Arctostaphylos (purissima, rudis) Shrubland Special Stands*. We also call your attention to a 1994 aerial photograph from GoogleEarth (Exhibit B, Figure 1, attached) wherein the majority of the site can be seen to contain a dense shrub cover intermixed with the oaks on site. The aerial

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signature of this site can be seen to be the same as that of Nipomo Regional Park, which also contains maritime chaparral (Exhibit B, Figure 2). **We request that the EIR thoroughly address the history of the site and assess the present vegetation in light of the current and historical presence of the species listed above on the project site.** CEQA (Section 15125) requires an adequate description of baseline environmental conditions present on the site at the time the NOP is published. The above species are present on site now (See 2021 Report, Table 6) and are characteristic species of the Special Stands identified above, per Sawyer, Keeler-Wolf and Evens (2009). **This must be addressed in the EIR.**

The Nipomo Native Garden, located in the immediate area of the site, refers to Central Maritime Chaparral on its website and also refers to many of the same species found on this site. As noted by its name, this “Nipomo Mesa” maritime chaparral has affinities to the rare and sensitive natural community called Burton Mesa chaparral in Santa Barbara County (Davis, Hickson, and Odion 1988), and the Fort Ord sand hills in Monterey County (Griffin, 1978). It appears to fit best into “Coastal Sand-plains and Stabilized Dunes” recognized by Hoover (1970), which he says is “most extensively developed on Nipomo Mesa.”

The County’s website (CSS portal, Assessor’s Parcel 091-301-073) indicates at least two code enforcement cases based on reports of brush-clearing on the site, one as recently as 2017. The effects of past vegetation management and type conversion of habitat, and the observed natural regeneration of habitat at the site should be examined in terms of evaluating the ecological future of the parcel under different development scenarios.

Impacts identified in the 2021 biological report include the loss of 99 acres of oak woodland and 35 acres of chamise-black sage chaparral, with 18 acres of oak woodland preserved on site. Again, CNPS believes this is an inaccurate characterization of the site vegetation and that an unknown amount of maritime chaparral would be lost as a result of the project.

The EIR consultant needs to contact CDFW VegCamp staff and identify accepted methods (e.g., CNPS Rapid Assessment protocol) to clarify the existence (or lack thereof) of sensitive natural communities onsite, specifically maritime chaparral. In addition, we believe this project needs to be completely revamped given the rare plants, rare natural communities, and oak woodlands constraints that are present on the site.

Loss of Habitat for eight Special Status plant species. The April 2021 Specific Plan on page 3-4 indicates that “on-site habitat on DRSP occupied by sensitive species will be placed in protected easements. Appropriate off-site habitat will be preserved and/or restored to mitigate for impacts to rare plant species.” **This off-site habitat for mitigation of rare plant species needs to be identified in the EIR.** It is not likely that the proposed Tematatte Ridge off-site mitigation area will be an ecologically appropriate location for these plant species with habitat preference for sandy soils of the dune ecosystem.

Biological Mitigation Proposal. The applicant proposes to dedicate roughly 388 acres outside the property on which the project would be constructed as permanent open space to mitigate (compensate) for impacts to biological impacts (oak woodlands and chamise-black sage chaparral). The site is located in the upper reaches of Los Berros Canyon, and is only accessible



via unpaved roads. Ninety-nine percent of the site (shown on Figure 1 of Appendix F of the 2021 Report and Exhibit 3-2 of the April 2021 Specific Plan) is not even visible from Nipomo¹. The California Native Plant Society does not recognize offsite compensation as mitigation; rather, the Society fully endorses only avoiding the impact (See Appendix A to CNPS Policy on Mitigation Guidelines, 1998). Note that this CNPS Policy does not appear to be characterized correctly in the 2021 Biological Report on pg. 19. First, the 2021 Report references CNPS 2001, and there is no CNPS Mitigation Policy dated 2001. (The link in the references goes to the 1998 Policy.) Secondly, it ignores the Appendix to the Policy which states the above position of endorsing avoidance. Our concerns regarding the proposed off-site mitigation are as follows:

- The mitigation site does not contain the maritime chaparral community that is being impacted by the project; thus it is not “like for like;”
- The mitigation site does not contain the one characteristic species, *Arctostaphylos rudis*, and several other characteristic and/or special status species, that make up the on-site maritime chaparral habitat;
- The mitigation site is in an entirely different watershed from the proposed project site;
- The resources present on the mitigation site are not threatened (the land is zoned Agriculture);
- The mitigation does not compensate for the loss of over 3,000 mature coast live oak trees, nor for the loss of maritime chaparral.

We reiterate that a reduced alternative that avoids the significant impacts to oaks and adjacent habitat must be addressed in the EIR.

c. Land Use and Planning (Policy Inconsistency)

The Initial Study indicates that the EIR will contain a detailed analysis of project consistency with applicable land use plans. We offer the following to be addressed:

The *Conservation and Open Space Element* identifies "Major Issues" for Biological Resources on pg. 3.5:

- “1) Integrated management approach. Increasing risk of degradation and/or elimination of natural resources requires coordinated and integrated management of the county’s biological resources by public, private, nonprofit, and agricultural organizations at ecosystem and site-specific levels.
- 2) Land use conversion. Changing land uses, particularly conversion of agricultural and rural lands to residential and urban uses, adversely impact species and their habitats.
- 3) Wildlife protection. Changing land uses impact wildlife movement corridors and displaces wildlife.

¹ Note that the map of the Mitigation site presented at the July 19 scoping meeting and in the Initial Study (Figure 1) is different from that shown in these documents. This needs to be clarified. It appears that Fig. 1 in the Initial Study is incorrect.



- 4) Oak woodlands. Areas of oak woodlands and native trees are diminishing due to tree cutting, urban land conversion and displacement by exotic/non native species.”

The proposed project clearly produces a further aggravation of these issues, and this should be addressed in the EIR. The environmental review must examine impacts under these 'Major Issues.'

Section 4.5 of the *South County Area Plan* (Rural Area Land Use, pg. V.4-17) states the following with regard to the Canada Ranch:

“...The property has a large oak woodland that should be evaluated for preservation as a long-term habitat...A specific plan should be accompanied by market feasibility and fiscal impact studies and an environmental impact report **to determine the logical extent and location of development.**”

This implies the EIR is intended to help determine the extent and location of development, and points to the importance of a careful and detailed alternatives analysis in the EIR.

Section 22.58.010 of the *County Land Use Ordinance* identifies the purpose and intent of the County’s Oak Woodland Ordinance as follows:

“The intent of this ordinance is to maintain the character of the existing landscape and promote oak woodland management independent of regulation.”

Note this says “maintain the character of the existing landscape...” It was not intended to allow for wholesale destruction of oak woodlands just by virtue of requiring a Conditional Use Permit.

Section 22.98.070 South County Sub-Area Standards, Subsection D, regarding Open Space preservation, has a cluster subdivision incentive. We note that the County’s “info-hold” letter dated July 24, 2020 indicated that “the map is not compliant with 86% of existing oaks to be removed.” The letter goes on to suggest that a cluster design that would reduce these impacts should be considered. **We agree and suggest this be included in the Alternatives analysis of the EIR.**

Section 22.98.072.H (8) of the *County Land Use Ordinance* (Canada Ranch) includes as a first priority in type of uses: “open space uses within the oak woodlands.” This section of the LUO also calls for:

“Oak Habitat Preservation. Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.”

As noted above, the project proposed to remove 3,430 oak trees and retain 516 (14% of the existing trees). According to the 2021 Report, 99 acres of coast live oak woodland habitat would be removed. This is wholly inconsistent with this policy. Preserving an isolated 388-acre parcel that is inaccessible to the public as mitigation for the loss of oak woodland and chaparral does not meet the intent of this policy.



In light of the above policy inconsistencies, the EIR must consider alternatives that avoid the inconsistencies and avoid and reduce the significance of these impacts.

d. Utilities and Service Systems (Water Resources)

The project site lies within the Nipomo Mesa Management Area (NMMA) of the Santa Maria Groundwater Basin, which has been subject to litigation for years. The availability of water resources will require critical analysis in the EIR, particularly in the expectation of continued drought conditions due to climate change and made evident in current literature.

According to the IS, the total estimated water demand at full buildout is estimated at 336.25 AFY, with a 10% contingency estimated at 369.88 AFY. While the developer argues that it can use as-yet-unallocated water from the Nipomo CSD water imports under the Stipulation and Judgment for the Santa Maria Groundwater Litigation (*Santa Maria Valley Water Conservation District vs. City of Santa Maria, et al.* Superior Court for the County of Santa Clara Case No. 770214), there is no evidence yet presented on the impacts of the water supply and future development on the entire Santa Maria Groundwater Basin. The Stipulation referred to above requires the determination of water shortage condition in the NMMA using the Key Wells Index as criteria as part of the Annual Report. According to the 2020 Annual Report, the Key Wells Index indicated severe water shortage conditions. The import of water through the NCSO pipeline was in part to offset overdraft within that basin, and as the Stipulation does not apply to, or limit, the pumping of overlying property owners such as agriculturalists on the Mesa, the cumulative impacts must be analyzed in the EIR.

Regarding anticipated water supply deficiencies, the County Resource Summary Report of 2016-2018 recommends a Level of Severity III for the Nipomo Mesa portion of the groundwater basin (San Luis Obispo County, 2018).

Black Lake Canyon is a significant ecological resource on the Nipomo Mesa. It provides wetland habitat for two plants listed as Endangered under the Federal ESA, in addition to a number of other wetland-dependent species. These plants are narrow endemics and require water-saturated dune sands as habitat. A study in 1994 (Chipping 1994) showed that the water table in the Black Lake Canyon area is variable, but the wetlands in the lower canyon are drying up. Further degradation of the lower canyon wetlands has the potential to threaten the habitat of each of these plants. The relation of the lower canyon waters to those of the regional aquifer must be addressed and the cumulative impacts on the hydrology and wetlands of Black Lake Canyon and Black Lake should be evaluated in the EIR.

In light of the above situation, **the environmental analysis should include discussion and analysis of the NMMA Key Wells Index and the observations and conclusions of the Nipomo Mesa Management Area 13th Annual Report, Calendar Year 2020 (NMMA Technical Group, 2021).**

4. Alternatives



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An EIR must describe a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain **most of** the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project, CEQA Guidelines Section 15126.6(a), (f). The proposed project would potentially affect 99 acres of sensitive oak woodland and maritime chaparral habitat, in addition to several special status plant and animal species. The EIR must identify an alternative that avoids these impacts.

CNPS SLO requests that a much-reduced alternative be evaluated that preserves the majority of the oak trees and maritime chaparral on site and that this alternative be evaluated co-equally with the proposed project. At a minimum, the EIR should evaluate the following alternatives:

- No project alternative;
- Allowable buildout under the General Plan;
- A clustered development alternative;
- A reduced density alternative;
- Alternative locations for the neighborhoods that reduce their size and impacts to sensitive resources, specifically oak woodlands and maritime chaparral.

Alternative project designs should be evaluated in consideration of the 'Major Issues' for Biological Resources as listed in the County's Open Space and Conservation Element, as discussed above.

We appreciate the County's careful consideration of our concerns in this process. Please include our organization on the list of interested parties for any future notices related to the project. Again, CNPS recognizes that the County has a housing shortage. We do not believe, however, that the County's unique and irreplaceable natural resources need to be sacrificed in order to make progress toward the goal of additional housing. Otherwise, what is the point of living here vs. living in downtown Los Angeles?

Sincerely,

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Exhibit A



Photo taken looking southeast from intersection of Hetrick Avenue and Glenhaven Place, east of Calimex Pl. These mature oak trees would be removed for proposed Neighborhood 8.



Photo of a small coast live oak street tree at a recent development in San Luis Obispo.

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Exhibit B



Figure 1. 1994 Aerial photo showing Dana Reserve and dense shrubland on site.



Figure 2. 1994 Aerial photo showing Nipomo Regional Park with similar shrubland aerial signature.

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July 26, 2021

Sent via email and U.S. Mail

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Re: Comments on Notice of Preparation for Dana Reserve Specific Plan (ED21-094 (PLN-1118))

Dear Jennifer,

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding County of San Luis Obispo’s (“County”) Notice of Preparation (“NOP”) of a Environmental Impact Report (“EIR”) for the Dana Reserve Specific Plan (the “Project”). The Center is concerned about the significant impacts the Project may impose. The Center urges the County to fully evaluate, disclose, and plan to mitigate the environmental impacts of this Project as required by the California Environmental Quality Act (“CEQA”). The Project would result in loss of native oak woodlands, amplified wildfire risk, and increased greenhouse gas emissions. The Project must include substantial mitigation efforts to preserve habitat and biodiversity, address wildfire risks, and reduce and offset greenhouse gas emissions.

The Center for Biological Diversity (“Center”) is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in California.

I. *The Project would significantly impact oak woodlands and associated biodiversity. The EIR must thoroughly analyze such impacts and plan adequate mitigation measures.*

The California Environmental Quality Act (“CEQA”) requires an Environmental Impact Report (“EIR”) to provide decision-making bodies and the public with detailed information about the effect a proposed project is likely to have on the environment, to list ways in which the significant effects of a project might be minimized, and to indicate alternatives to the project. (Pub. Res. Code § 21061.) In particular, CEQA requires a lead agency to mitigate to the extent feasible significant impacts, including a significant cumulative climate change impact. (CEQA Guidelines § 15064.4.) The Initial Study states that the project will involve the conversion of oak woodlands and chaparral, resulting in the destruction habitat for several species of plants and animals. The EIR must sufficiently detail these impacts and the County must develop robust mitigation plans to offset those impacts.

The Initial Study indicated that the Project will result in the conversion of 99 acres of oak woodlands. Oak woodlands are critically important ecosystems that provide habitat, sequester carbon, and maintain healthy watersheds. (Rice et al., 2008; Tietje et al., 1997; Tietje et al., 2002.) Moreover, oak woodlands provide habitat for and coincide with several sensitive plant species found on the Project site, including the federally endangered Pismo Clarkia. (Initial Study, p. 8.) The Project includes a plan to preserve 388 acres of oak woodlands and chaparral offsite to mitigate the impacts on the Project site. (*Id.*) However, the off-site mitigation proposal does not explain whether those 388 acres provide equivalent habitat value for oaks and other sensitive species, nor does the proposal indicate whether the off-site parcel is at risk of conversion or degradation and in need of further preservation. The EIR must extensively analyze and disclose impacts resulting from destruction of oak woodlands, and must develop detailed mitigation plans that sufficiently offset those impacts.

Destruction of oak woodlands runs counter to several of the County’s stated policy objectives, and otherwise requires special permits and mitigation. The San Luis Obispo General Plan states that destruction and degradation of oak woodlands is a major concern, and the County has adopted numerous ordinances to preserve oaks. (San Luis Obispo General Plan, Conservation and Open Space Element, p. 70.) The South County Area Plan specifically stated that the oak woodlands on the Project site should be evaluated for long-term preservation. (South County Area Plan § 4.5.) The County’s Oak Woodland Ordinance prohibits clear-cutting of more than 3 acres of oaks or destruction of more than 5 percent of a site’s total canopy without a conditional use permit. (San Luis Obispo County Code § 22.58.050-060.) The County’s Biological Resources Policy demands protection of oak woodlands “to the maximum extent feasible” and otherwise requires mitigation. (San Luis Obispo General Plan, Conservation and Open Space Element, p. 89.)

The proposed mitigation plan involves preservation of some on-site oaks, on-site planting of oaks, and off-site preservation of 388 acres of oak woodlands and chaparral. (Initial Study, p. 4.) These mitigation measures raise several concerns. First, on-site planting of oak trees as street trees and in recreational areas does not sufficiently offset the destruction of natural oak woodlands. Oaks planted throughout a residential development or as part of managed

recreational spaces are qualitatively different than native oak woodlands. Native oak woodlands support biodiversity and provide ecological services far beyond that provided by planted trees. (Standiford, et al. 2002; Pulido et al, 2013.) Oaks planted in developed areas do not provide contiguous habitat nor support undergrowth species at a level comparable to oak woodlands. (*Id.*) Second, it is not clear that the off-site preservation plan would protect oak woodlands that are of substantially the same character and value as the on-site woodlands. The EIR must provide a detailed analysis of the woodlands that will be converted and that analysis should inform the proposed off-site preservation plan. To serve as meaningful mitigation, the off-site preserve should provide substantially similar habitat value for oaks and other species that will be impacted by the Project. Third, it is not evident that the off-site preserve is at any risk of conversion or degradation. Preserving woodlands that are not suitable for development or conversion does not mitigate the destruction of other woodlands. The First District Court of Appeals disagreed that preservation of existing woodlands provided adequate mitigation for a project when it was not clear that such preservation was “additional” and the woodlands were not under threat of development. (*Living Rivers Council v. Cty. of Napa*, (2019) Nos. A154253, A154300, A154314, 2019 Cal. App. Unpub. Lexis 6612.) Regarding this Project, the proposed preserve is already protected by the County’s oak preservation policies and it is unclear whether the proposed preserve is under threat of development.

The EIR must disclose substantial impacts resulting from destruction of oak woodlands and the County must develop a plan to sufficiently mitigate those impacts. The proposed mitigation plans do not adequately replace the ecological value provided by the woodlands on the Project site.

II. Because the Project would increase wildfire risk, the EIR must evaluate both the increased likelihood of fire and risk of more severe fire impacts.

The Initial Study and maps maintained by CalFire show that the Project site includes and is proximate to Fire Hazard Severity Zones (FHSZ). (Initial Study, p. 44.) The Project site itself is within a high FHSZ and is close to very high FHSZs. (*Id.*) California’s recent wildfire seasons have been incredibly volatile and destructive, a trend that is likely to become worse with climate change. Developments in areas vulnerable to fires, including the proposed project, increase both the risk that fires will occur and the danger such fires will pose to communities. The EIR must analyze the fire risks posed by the Project, including increased probability of human-caused ignition, potential loss of life and property damage, carbon and other pollutant emissions, and ecological damage to the Project site and surrounding areas.

Continued development in California’s highly fire-prone woodlands and grasslands results in the continual release of large amounts of carbon into the atmosphere by removing significant carbon sinks, increasing wildfire frequency, and degrading habitats and ecosystem function. The past few decades have seen significant housing growth near natural areas in California’s wildland urban interface (*i.e.*, the transition zone between human development and wildlands), including more than one million homes built between 1990 and 2010 (Radeloff et al. 2018). And scientists project that at least 640,000 to 1.2 million new homes will be built in the state’s highest wildfire risk areas by 2050 under current land use practices (Mann et al. 2014). In addition, rampant fire suppression and logging since European colonization have led to an

increase in wildfire intensity and spread when fires ignite, which leads to compounding carbon release events (Bradley et al. 2016; Morrison 2019; Hanson 2020).

Almost all (95-97%) wildfires in California's Mediterranean regions are caused by humans or human infrastructure in the wildland urban interface (Syphard et al. 2007; Balch et al. 2017; Keeley and Syphard 2018; Radeloff et al. 2018; Syphard and Keeley 2019; Keeley and Syphard 2020; Syphard and Keeley 2020). For example, the 2019 Kincade Fire, 2018 Camp and Woolsey fires, and 2017 Tubbs and Thomas fires were sparked by powerlines or electrical equipment. And although many of the 2020 fires were sparked by a lightning storm, the Apple Fire was caused by sparks from a vehicle, the El Dorado Fire was caused by pyrotechnics at a gender-reveal party, and electrical equipment is suspected to have ignited the Silverado and Zogg fires. Expanding development in high fire-prone areas leads to increased risk of human ignitions while placing more people in harm's way when fires ignite (Keeley and Syphard 2019).

Progressively hotter, drier, and windier conditions and more extreme weather events due to climate change are making it easier for wildfires to ignite and spread. The number of days with extreme fire weather conditions in California has doubled since 1980, and further climate change will amplify that trend (Goss et al. 2020). Although wildfires are a natural and necessary process in California's landscapes and much of the state's diverse shrubland and grassland communities in its Mediterranean ecosystems are adapted to wildfire to varying degrees, increases in fire frequency in these systems disrupt the historical fire regimes they have evolved with. This can lead to the establishment of more flammable non-native grasses that increase fire threat over time (Keeley 2005; Keeley 2006; Syphard et al. 2009; Safford and Van de Water 2014; Syphard et al. 2018; Syphard et al. 2019) and have less carbon storage capacity than native vegetation communities (Koteen et al. 2011). Other disturbance and associated edge effects from roads and development, such as nitrogen deposition from vehicle emissions, can also lead to the establishment of such invasive grasses (Keeley et al. 2011) as well as reduced native biodiversity (Hernández et al. 2016). Thus, continued development in fire-prone wildlands ultimately perpetuates a feedback loop of increased carbon release and wildfire that fuels climate change while eliminating and degrading California's Mediterranean shrubland and grassland communities and their carbon storage potential. California is especially vulnerable with development pressures to extend the wildland urban interface into adjacent high fire-prone shrublands and grasslands. The Project would likely increase the risk of wildfire and contribute to this feedback loop, thereby further degrading local ecosystems.

The Project poses substantial risk of significant fire impacts, including increased likelihood of fire ignition, more severe loss of life and property, and higher risk of carbon and other pollutant emissions. The EIR must address these impacts and consider alternatives to the proposed project that avoid or minimize these impacts.

III. Because the Project would contribute to cumulatively significant greenhouse gas emissions, the EIR must thoroughly analyze and mitigate the Project's anticipated greenhouse gas emissions.

The Initial Study posits that the Project would generate greenhouse gas (GHG) emissions during construction and that the resulting development would produce GHG emissions. Though the quantity of GHG emissions may not be significant in a vacuum, CEQA guidelines require

analysis of a project's contribution to a cumulative impact that is significant. (CEQA Guidelines § 15130.) Climate change and GHG emissions fall under that requirement. (*Golden Door Props., LLC v. Cty. of San Diego*, (2020) 50 Cal. App. 5th 467, 264 Cal. Rptr. 3d 309.) The Initial Study does not propose any mitigation for construction-related emissions and points only vaguely to pedestrian infrastructure as a mitigation measure for GHG emissions associated with the development. The EIR must comprehensively assess the GHG emissions produced in construction, destruction of oak woodlands, residential and commercial use, and increased vehicular traffic. The County must also develop mitigation plans to offset and minimize the impacts of GHG emissions. The mitigation measures mentioned in the Initial Study are altogether inadequate.

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and climate change threats are becoming increasingly dangerous. In a 2018 *Special Report on Global Warming of 1.5°C* from the Intergovernmental Panel on Climate Change (IPCC), the leading international scientific body for the assessment of climate change describes the devastating harms that would occur at 2°C warming, highlighting the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth. The report provides overwhelming evidence that climate hazards are more urgent and more severe than previously thought, and that aggressive reductions in emissions within the next decade are essential to avoid the most devastating climate change harms.

The impacts of climate change will be felt by humans and wildlife. In California, climate change will transform our climate, resulting in such impacts as increased temperatures and wildfires, and a reduction in snowpack and precipitation levels and water availability. In light of inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. (Health & Saf. Code § 38550; *see also* Executive Order B-30-15 (2015); Executive Order S-3-05 (2005); Executive Order B-55-18 (2018).) Enforcement and compliance with these state-level actions are essential to help stabilize the climate and avoid catastrophic impacts to our environment. However, regional and municipal agencies also have a vital role in reducing our GHG emissions and fighting the climate crisis. Fundamental changes and hard choices in land use planning for the future by local land use agencies will be necessary to fully address and meet the state GHG emissions reduction goals.

Therefore, if the County concludes the Project will have significant GHG impacts, the Center urges the adoption of mitigation measures to reduce GHG emissions to net zero, with a priority given to direct emission reduction measures and on-site mitigation measures. The EIR must also account for greenhouse gas impacts of increased travel to the Project, and mitigate those impacts to the greatest extent feasible. If offsets are used as GHG mitigation, they should only be used when all direct emission reduction measures and on-site mitigation options are exhausted. Any offsets should be tied to local projects and allow for local direct investments that help the surrounding community through the creation of local jobs, reduction in nearby air pollution, and improve impacted infrastructure.

The EIR must also account for the climate impacts of removing native vegetation. The removal and degradation oak woodland and chaparral landscapes would result in large amounts of carbon release. Above-ground biomass of these woodlands and shrub communities were found to be as high as 3461 g/m², with the amount of carbon stored increasing with the age of the stand (Bohlman et al. 2018). In addition, a substantial amount of carbon may be stored belowground in their roots and in the microbial communities and symbiotic fungi that are associated with the roots (Bohlman et al. 2018; Kravchenko et al. 2019; Soudzilovskaia et al. 2019). The removal and degradation of these systems have been found to result in the loss of both above- and below-ground carbon storage (*e.g.*, Austreng 2012). And although these systems are often overlooked in the fight against climate change, they are adapted to hot and dry weather conditions and have been found to be resilient to drought (Luo et al. 2007; Vicente-Serrano et al. 2013), which makes them an untapped opportunity to sequester more carbon as the climate crisis becomes exceedingly urgent. Therefore, the County should be prioritizing the preservation of carbon in existing ecosystems instead of releasing more greenhouse gases and destroying habitats with carbon storage potential for a Project that would destroy native ecosystems and exacerbate traffic congestion and air pollution.

In a November 2018 report, the California Air Resources Board concluded that California is currently not on track to meet its greenhouse gas reduction targets, primarily due to GHG emissions from the transportation sector. Projects such as the one proposed in the NOP have the potential to widen the gap between where California needs to be to tackle the climate crisis and where it is headed. Therefore, the Center urges the County to take a hard and thorough look at the Project's anticipated GHG emissions, as well as associated air quality, traffic, and transportation impacts, when preparing the EIR, and consider mitigation measures and alternatives to avoid or minimize these impacts.

IV. Conclusion

Given the possibility that the Center will be required to pursue appropriate legal remedies to ensure enforcement of CEQA, we would like to remind the County of its duty to maintain and preserve all documents and communications that may constitute part of the "administrative record" for this Project. As you may know, the administrative record encompasses any and all documents and communications which relate to any and all actions taken by the County with respect to the Project, and includes "pretty much everything that ever came near a proposed [project] or [] the agency's compliance with CEQA . . ." (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further contains all correspondence, emails, and text messages sent to or received by the County's representatives or employees, which relate to the Project, including any correspondence, emails, and text messages sent between the County's representatives or employees and the project proponent's representatives or employees. Maintenance and preservation of the administrative record requires that, *inter alia*, the County (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made.

Thank you for the opportunity to submit comments on the NOP for the Dana Reserve Specific Plan. The Center is deeply concerned by the potentially significant environmental impacts of the proposed Project. We urge the County to carefully prepare an EIR and associated mitigation plans for public review and comment so that the extent of Project impacts can be assessed in a legally compliant manner. Please include Center attorney J.P. Rose (jrose@biologicaldiversity.org) on the County's notice list for all future updates, notices, and materials associated with the Project and its environmental review, and do not hesitate to contact the Center with any questions at the email listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J.P. Rose', with a long horizontal flourish extending to the right.

J.P. Rose
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Mail: P.O. Box 1014
San Luis Obispo, CA 93406
Office: 1012 Pacific St., Ste B-1
San Luis Obispo, CA 93401



Phone: (805) 544-1777
Email: info@ecoslo.org
Online: www.ECOSLO.org

Protecting and preserving San Luis Obispo County's natural environment since 1971

To Whom It May Concern,

As a representative of the Environmental Center of San Luis Obispo (ECOSLO), I am writing to encourage that equal consideration be given to a reduced project alternative for the Dana Reserve Specific Plan (DRSP) when developing the Environmental Impact Report (EIR), and to ensure that SWCA Environmental Consultants conducts equal amounts of environmental analysis for a reduced project alternative as the project itself.

The Dana Reserve Project is located on 288 acres of undeveloped land in the Nipomo community. The region's mediterranean climate makes it a suitable habitat for many unique flora and fauna. The proposed Project site itself is characterized by open grasslands, oak savannahs on gently rolling hills, and oak woodlands along several steeper slopes along with small clusters of native plants. The Project site is located just a few miles inland of the world's largest intact coastal dune ecosystems, which has been a flashpoint for conflict between community groups and state agencies for decades. Development of this unique site will result in irreversible environmental impacts, as the Project is proposing the removal of an estimated 99 acres of oak woodland and approximately 2.5 acres of scattered oak canopy. This will negatively impact local species that rely on the oak woodland habitat and conflicts with local policies and ordinances. The proposed project has the potential to disturb special-status plant and animal species and their habitats as well as increase erosion and/or polluted stormwater runoff that will have a negative impact on nearby wetland, riparian, or other sensitive natural communities.

In addition to the adverse environmental impacts that the Project will incur, the currently proposed mitigation measures are not enough to mitigate the potential negative impacts to the oak woodland habitat on site. The DRSP outlines mitigation efforts that provide an off-site oak and chaparral habitat mitigation site, which will not make up for the unique habitat loss.

As such, ECOSLO is urging that equal analysis be conducted on a reduced project alternative for the DRSP EIR. We firmly believe that a reduced project alternative is the only way to truly reduce the resulting significant environmental impacts that will negatively affect the Nipomo community.

Thank you for your attention to this matter,

Grant Helete, Community Organizer
ECOSLO - Environmental Center of San Luis Obispo



Ms. Jennifer Guetschow
Department of Planning and Building
County of San Luis Obispo
976 Osos Street, Room 300
San Luis Obispo, CA. 93408

RE: Dana Reserve Specific Plan and Environmental Impact Report

Transmitted via email: jguetschow@co.slo.ca.us

Dear Ms. Guetschow:

The League of Women Voters of San Luis Obispo County (LWV-SLO) has followed the proposal for urban development of the 288 acre Dana Reserve project. We offer the following requests for evaluation in the project's Environmental Impact Report (EIR).

1. **Biological impacts.** The project proposes to develop between 1,200 and 1,300 dwelling units, and certain commercial development covering approximately 75% (210 acres) of the site. A conditional use permit is being requested as part of the project to allow the removal of over 3,400 mature oak trees and associated vegetation and wildlife habitat. Proposed mitigation appears to be offered in the form of dedication of an off-site property some miles away. We are uncertain as to the propriety of such mitigation, as conservation of that site does not in fact create any new oak woodland or other habitat to replace that which is proposed to be removed. Therefore we request a detailed study and discussion of this unusual mitigation, and whether it does in fact provide appropriate mitigation for identified impacts upon native woodland and shrub habitat, and upon rare or endangered plant and animal species.
2. **Neighborhood Compatibility and Regional Housing Needs Allocation.** The project proposes a significant change in the existing County General Plan. The proposal is in sharp contrast to existing surrounding development, being much denser, and the project is being promulgated at least in part to meet certain housing needs for the unincorporated areas of the County. We therefore request an analysis of those needs, and what the proper share of those needs for the Nipomo area would be if proportionally distributed throughout the unincorporated areas of the County.
3. **Water Availability.** There is some uncertainty about the availability of water in the Nipomo Mesa area. Local measurements have shown a decline in the groundwater

table on the Mesa over the past ten years and imported water may or may not be able to stem or reverse this decline if such water will in fact be available in the future. Therefore we request a detailed analysis of the current status of the area's water supply, historical trends, future prospects, especially in the event of continued drought, and how the proposed project will affect these matters.

Thank you for the opportunity to comment on this project EIR.

Sincerely,

Cindy Marie Absey, President
League of Women Voters of San Luis Obispo County

RE: [EXT]RE: Inquiry regarding property at 886 Hetrick [EIR Submission]

Eric Lykens <elykens@charter.net>

Thu 7/15/2021 7:03 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

Jennifer,

Thank you for taking my call yesterday. I'm concerned that the Dana Reserve Developers have already made a decision for me to abandoned my private easement. Of course this is not acceptable to me. Please add these to the EIR and where appropriate.

Here's my list of items for the EIR:

- The proposed Collector B off of Pomeroy and distance to the "private driveway" or easement of 886 Hetrick Avenue.
 - The collector B intersection has been proposed to be roughly thirty feet off of the corner of Pomeroy and Hetrick Avenue. Hetrick Avenue at this location is not in San Luis Obispo road system and is only a "private" easement of 886 Hetrick Avenue residence. A proposed alternate easement approach called "Access Drive" on drawing section 2-5 has been proposed by the Dana Reserve developer, but has not been accepted by the current home owner at 886 Hetrick Avenue and will not be used. Also on page 4.4.3 Dana Reserve Developer is making a statement on my rights as an easement owner. Here is the direct statement: **"Currently, Hetrick Avenue right-of-way at the southwest corner of the property near Pomeroy road would be abandoned, re-routed, or deeded to the adjacent existing residential property owners to the west. Access for the three (3) existing residential properties to the west of Hetrick Avenue, most immediate to Pomeroy Road, would be maintained via a connection to Collector B."** In section 5.7.2 it repeats the statement **"Currently at the southwest corner of the DRSP, Hetrick Avenue is an existing driveway, with a 30-ft right-of-way, which would be abandoned, rerouted to Collector 'B' or deeded to the adjacent existing residential property owners to the west"**. It is the intent of the owner at 886 Hetrick Avenue to continue to retain his right of way on to Pomeroy from his private easement.
 - I would like the record to show that the owners of 886 Hetrick Avenue have not given up their right to their "Private" easement and access directly onto Pomeroy.
- Corner basin elevation at the corner of Pomeroy and 886 Hetrick Avenue.
 - Hydrology/Flood Hazards: NBD-8 and NBD-7 have roughly 220 homes at a 60% lot coverage along with road and sidewalk coverage reducing rain water percolation directly into the ground. The direct run off of these homes and roadways will fill two small 8 foot basins (Zone B). What will be the overflow plan and will a levy be required along the west boundary of Zone B? The easement elevation between properties is level at roughly 70 feet off of Pomeroy where the retention basin will be level with the 886 Hetrick property. Currently during winter months standing water after a few days of rain stays above ground at the proposed Connector B location for a day or two. The run off comes from the Pomeroy culvert currently. Before the basin overflows where will the water be pumped too? the next lower elevation is 886 Hetrick.
- Noise concerns with roughly 2400 hundred additional cars on Pomeroy from the Dana Reserve project.
 - How will Dana Reserve mitigate the additional road noise at the Connector B location on existing neighbors?
- Proposed Pomeroy road widening from the Connector B intersection through the property end of 886 Hetrick southwest corner.
 - Current roadway is 15 feet from 886 Hetrick south property line and 5 feet from 910 Calle De Topo north property line. Its not currently in the Dana Reserve document but the county has a proposed new road redesign on file. A third lane has been proposed and additional space will be required to accommodate this lane. It will be a left turn lane heading east widening the road from west back yard property line of 886 Hetrick Avenue up to Connector B that will directly impact Neighbors that use the 886 Hetrick Private easement onto Pomeroy. Property owner of 886 Hetrick has second Pomeroy driveway at the west backyard property line. How will this access be impacted with this additional third lane and access rights to this driveway?
 - How will neighbors of Calle De Topo and three neighbors of 886 Hetrick Avenue be allowed right of way?
 - Cross traffic hazard are a concern for neighbors of Calle De Topo and Hetrick Avenue with this proposed new road.
- Light pollution
 - Dana Reserve project currently does not propose a light pollution plan. How will this project mitigate light pollution from streetlights, commercial building, single and multihomed dwellings on to current neighbors properties and flood the night sky with unwanted light pollution?

Thank you,
Eric Lykens

Sent from [Mail](#) for Windows 10

From: [Jennifer Guetschow](#)
Sent: Tuesday, July 13, 2021 4:18 PM
To: [Charter](#)
Subject: RE: [EXT]RE: Inquiry regarding property at 886 Hetrick

Good afternoon,

The Scoping meeting is being held Tuesday, January 19th P.M. and access to the virtual meeting link will be on our website shortly. Comments for the scoping meeting, which you were noticed about, should focus on environmental concerns. Other concerns will be addressed in the Specific Plan review with the Planning Commission and Board of Supervisors when the project moves forward to those hearing bodies. You are welcome to submit environmentally-focused comments/questions to me if you cannot attend, or do not want to participate in, the scoping meeting. I hope this information is helpful to you.

Jennifer

From: Charter <elykens@charter.net>
Sent: Tuesday, July 13, 2021 1:20 PM
To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>
Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

Jennifer,

I received a letter from you for the EIR meeting coming up. Do I need to submit to you my concerns about the Dana Reserve project? My concerns are about the widening of Pomeroy, road noise, congestion, and easement modifications to the area surrounding 886 Hetrick Ave. I am not sure what is all covered in a EIR. Probably more environmental concerns not personal property concerns.

Thank you,
Eric Lykens.

Sent from my iPhone

On Apr 9, 2021, at 4:39 PM, Eric Lykens <elykens@charter.net> wrote:

Jennifer,

Thank you for all this good information. I discussed this proposal with Nick Tompkins the property owner of the Dana Reserve project. The three of us neighbors that use this road are opposed to this design. What it will bring is extra traffic on to our easement we currently have to manage now along with a potential 1200 homes times two cars accessing our property. Our proposal is to gate Hetrick 20-30 feet off of Pomeroy and allow us to use our driveway like the neighbors directly across from this proposed entrance. Connector B appears to be 30 feet off of my drive way if it were to be built. I don't see how me leaving my property would be any safer than my neighbors directly across from me. The proposed B connector could create a dangerous situation with a lot of cross traffic, not from me but all that use Pomeroy. When the traffic study is done the county will then know what the potential danger will be to the proposed connector B and the cross traffic speeds will be during peak times of the day. Current rates of speed down this stretch of road are around 40-50 miles an hour based on me being pushed down the road if I am not going these speeds currently. RMM design doesn't care about the rights of us as current owners just that they get this project through and this section of road will become dangerous to current Sandydale and Calle De Topo neighbors directly across from this intersection. Nick seems to be a good guy and is taking the recommendation of RRM to make this work and I don't oppose the project in general. But to propose a road directly on my fence line and remove my 300 year old oak trees to make this work is unacceptable to me as a new approach to my property. I also think of my property value and having it attached to a project entrance like this.

I am also pretty concerned about the size of the basin directly at my property level capturing all of the Pomeroy road water currently and the lost of percolation space the houses and roads above me will reduce. The basin design must be levied on the Dana Reserves west basin wall along the property line to not allow this basins overflow to cross onto my property. RMM says it's a 100 year rated basin but the connector B is going to be much higher than my property and when RMM is long gone my property will be the one with the problem.

Thank you,
Eric Lykens

Sent from [Mail](#) for Windows 10

From: [Jennifer Guetschow](#)
Sent: Friday, April 9, 2021 1:42 PM
To: [Eric Lykens](#)
Cc: [Brian Pedrotti](#)
Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

Good afternoon Mr. Lykens,

I have checked with the Development Services Manager in the County Public Works Department. The County does not maintain this portion of Hetrick. It is a road that was originally offered to the public on an old subdivision map (~1880s), but never accepted by the County into the maintained roadway system. In such cases, it is our understanding that fronting property owners of the offered road retain private access rights. As such, the County would not be able to extinguish those rights or eliminate access back to a County road.

That being said, the Dana Reserve project proposes to construct a new north-south collector road near this location connecting Pomeroy with Willow, through the subject property. Because this new road connection to Pomeroy may present vehicular turning conflicts with vehicles entering/exiting Hetrick, we have asked the applicant to present alternatives. One such alternative is to provide a new point of access to Hetrick from the new collector road and to close the Hetrick/Pomeroy intersection. We have not "approved" a concept plan, but it will be an option that is analyzed as we look at all of the traffic impacts related to the project.

The applicant provided staff with a proposal for the Hetrick/Collector B connection - please see the attachment. It has **not** been reviewed/approved by the County as this will be part of the EIR analysis coming in the next several months. We would appreciate your thoughts as we move forward. I hope this information is useful to you and helps answer your questions.

I will add your email to the "Interested Parties" contact list for updates with the Dana Reserve Project.

Thank you,
Jennifer

Jennifer Guetschow | Senior Planner

Long Range Division

(p) 805-788-2352 jguetschow@co.slo.ca.us

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From: Eric Lykens <elykens@charter.net>
Sent: Friday, April 9, 2021 12:59 PM
To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>
Subject: RE: [EXT]RE: Inquiry regarding property at 886 Hetrick

Thank you Jennifer, yes a project this size and at my front gate makes me worry what my road will become.

Sent from [Mail](#) for Windows 10

From: [Jennifer Guetschow](#)
Sent: Friday, April 9, 2021 9:09 AM
To: [Eric Lykens](#)
Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

Good morning,

I wanted to reach out and let you know that I am working on a comprehensive response to you and I hope to send an email update by the end of the day today or Monday. This is still on my radar and you have not been forgotten. Thank you for your patience as we navigate responses to inquiries and comments about Dana Reserve.

Thank you,
Jennifer

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From: Eric Lykens <elykens@charter.net>

Sent: Saturday, April 3, 2021 9:51 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

Subject: RE: [EXT]RE: Inquiry regarding property at 886 Hetrick

Jennifer,

A few months back I had a conversation with Stephanie Fuhs on the new Dana Reserve project and our conversation is below. I was told by Nick Tompkins the property owner of the Dana Reserve project that the county will Hetrick Ave. Hetrick Ave is about 80 feet from the new proposed road entrance off of Pomeroy just east of Hetrick. Stephanie tells me that the county doesn't maintain Hetrick as a county road any longer so how would the county close it? SLO county has a stop sign at the top of Hetrick and 15 feet of asphalt until it turns to dirt which is the easement between Nick and I. The currently proposal is if the county approves the Dana Reserve project my road will be closed which would impact three houses that use this dirt road. Does the county just in the books abandon the first 15 feet take the stop sign and not recognize my address anymore? How will I and my other two neighbors get off of our property's? would this be a question for Public Works? I would like to get an answer to this before the Dana Reserve gets started. Last question how do I find out how the county now has the easement recorded between my property and Nick Tompkins property (Dana Reserve). Is it recorded as public or a private easement? as Stephanie mentions below. If it truly is private as Stephanie has stated than I should be able to still use it as my driveway the way it was designed in 1984 and allow my neighbors to continue to cross over my easement.

From: Stephanie Fuhs

Sent: Tuesday, December 22, 2020 5:08 PM

To: elykens@charter.net

Subject: Inquiry regarding property at 886 Hetrick

"Hi Eric,

I received your message regarding the property at 886 Hetrick Avenue.

Hetrick Avenue is not a county maintained road, so this is a private civil matter between property owners, the County would not be involved unless the driveway would involve grading/site disturbance over 10% slope or over 5,000 cubic yards in which case you would need a grading permit. "

From: Stephanie Fuhs <sfuhs@co.slo.ca.us>

Sent: Tuesday, January 05, 2021 7:38 AM

To: Eric Lykens <elykens@charter.net>; Eric Lykens <lykense@lompocvmc.com>

Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

CAUTION: This email was sent from outside LVMC. Do not click links or open attachments unless you are expecting the content and know it is safe.

Hi Eric,

All of the road matters are private and should be handled between the land owners and perhaps a real estate attorney. Fences taller than 3 feet need to be placed 25 feet from the property line.

[County of San Luis Obispo](#)

[Department of Planning and Building](#)

Stephanie Fuhs

Planner

976 Osos Street, Room 300

San Luis Obispo, CA 93408

(805) 781-5721

sfuhs@co.slo.ca.us

Thank you,
Eric Lykens
886 Hetrick Ave, Nipomo, CA
805-588-5729

From: [Stephanie Fuhs](#)
Sent: Tuesday, January 5, 2021 12:47 PM
To: [Eric Lykens](#); [Eric Lykens](#)
Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

I haven't seen any of the plans for subdivision or development, so I don't know which way the parcels will be oriented. The 3-foot height limit is for front setbacks, if it is a rear or side setback the fence can be 6 feet, 6 inches. As for road offers of dedication or widening, that is a determination made by public works, not planning.

[County of San Luis Obispo](#)

[Department of Planning and Building](#)

Stephanie Fuhs

Planner

976 Osos Street, Room 300

San Luis Obispo, CA 93408

(805) 781-5721

sfuhs@co.slo.ca.us

I am currently working remotely and the best way to reach me is by email.

For updates on COVID-19 in SLO County: Visit [ReadySLO.org](https://www.ready.slo.org) or call the recorded Public Health Information Line at (805) 788-2903. A staffed phone assistance center at (805) 543-2444 is available seven (7) days a week from 8 a.m. to 5 p.m. for questions related to COVID-19.

From: Eric Lykens <lykense@lompocvmc.com>
Sent: Tuesday, January 5, 2021 9:16 AM
To: Stephanie Fuhs <sfuhs@co.slo.ca.us>; Eric Lykens <elykens@charter.net>
Subject: RE: [EXT]RE: Inquiry regarding property at 886 Hetrick

Stephanie,

Thank you, we got notice of this project this summer and directed to the website via a flyer. The fences taller than 3 feet rule will be in relation to when NKT places new homes across from me that set back will need to be 25 feet inside of Dana's property line correct. Creating an easement essentially inside of his own property? Because the current easement between us is 60 between us, would that allow NKT to take 5 feet of the current easement away? That would remove the road the two neighbors above me have. Thank you again for your help and sorry to bother you.

Eric Lykens
Senior System Analyst
Lompoc Valley Medical Center
1515 E Ocean Ave

Lompoc, CA 93436
P. (805) 737-5729
C. (805) 588-5729
www.LompocVMC.com



From: Stephanie Fuhs <sfuhs@co.slo.ca.us>
Sent: Tuesday, January 05, 2021 7:38 AM
To: Eric Lykens <elykens@charter.net>; Eric Lykens <lykense@lompocvmc.com>
Subject: Re: [EXT]RE: Inquiry regarding property at 886 Hetrick

CAUTION: This email was sent from outside LVMC. Do not click links or open attachments unless you are expecting the content and know it is safe.

Hi Eric,

All of the road matters are private and should be handled between the land owners and perhaps a real estate attorney. Fences taller than 3 feet need to be placed 25 feet from the property line.

As for the Dana project, actual construction is a few years off. The applicant will need to work with the planning department to develop a specific plan for development, have an environmental impact report prepared, then have the subdivision and conditional use permit reviewed and approved. All of these steps have ample opportunity to provide public comments on the proposed project. The planner assigned to the project is Jennifer Guetschow (jguetschow@co.slo.ca.us). The applicant's representative is RRM Design Group (805) 543-1794 and the owner shows at NKT Development, LLC, 684 Higuera Street, SLO, CA 93401. These contacts will be aware of any public meetings.

Drainage will be reviewed by the Public Works Department and the Building Division. It will include retaining all new drainage on site and completion of a stormwater management plan and stormwater pollution prevention plan.

County of San Luis Obispo

Department of Planning and Building

Stephanie Fuhs

Planner

976 Osos Street, Room 300

San Luis Obispo, CA 93408

(805) 781-5721

sfuhs@co.slo.ca.us

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From: Eric Lykens <elykens@charter.net>
Sent: Tuesday, January 5, 2021 12:07 AM
To: Stephanie Fuhs <sfuhs@co.slo.ca.us>; lykense@lompocvmc.com <lykense@lompocvmc.com>
Subject: [EXT]RE: Inquiry regarding property at 886 Hetrick

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Stephanie,

I am not sure if you got a chance to review my email below, but I had a few more question on how the county determines who owns this easement between properties when the county no longer has interest in it. This is an additional 62 feet of space and I have a more than a few question below about it. When my house was built, Hetrick Ave only served my house and road past it turns into a walking path 200 feet past my property. I review the Dana Reserve homes proposed and I have a concern about the water run off that will be directly in front of my property. When that basin fills and it will, where will the water go? My property is currently at the same elevation as Dana's property. Where is this waters spillway if not on to my property? As you know when pads are created for homes and asphalt and concrete collect the water instead of the sand that basin will quickly fill. What is Dana proposed use of the boundary of our two properties as far as fencing material? Wood, Block Wall, etc. Current in the design its not specified where most current housing West and South of this development will be. I know you tell me this is a civil matter, but the county must have some interest in how this track will be built down this property line.

Thank you,
Eric Lykens
805-588-5729

Sent from [Mail](#) for Windows 10

From: [Eric Lykens](#)
Sent: Tuesday, December 22, 2020 7:22 PM
To: [Stephanie Fuhs](#)
Subject: RE: Inquiry regarding property at 886 Hetrick

Stephanie,

Thank you for your reply. Between my property and the Dana property which is going to be developed next year, Dana and I share 60 feet of space between properties. I have a few questions I hope you can help me answer.

- Who owns that property? Since the county doesn't own it and its outside of both of our property lines is it additional land that I share with Dana?
- How can this space be managed, fenced, roads, etc.
- I have an Oak tree on my side of this space and my neighbors above me on Calimex have created a road that goes down Dana's side of the property above me. This requires them to come across Dana and my property's. Do these two land owners have easement rights to Dana and my property? 858 Hetrick Ave was created right before the last owner sold the property and created a road above connecting above address 873 / 867 Calimex Place
- Currently my fence is 18 feet off of the Hetrick Ave road, what is the minimum offset to this road? Red line that I have at top. This is where I am thinking of placing a gate.

Why I have so many questions is the traffic burden I will soon have with this Dana devlopement. It will create additional traffic that will miss the proposed new road just above mine. Currently I have around 10 cars a day that come down onto my property because they think Hetrick goes through to upper Hetrick. I am considering gating the entrance to close the road. I am not opposed to my neighbors above me having access to this gate. But the road that they have created is on Dana side of this 60 foot expanse hasn't been a problem, but they would also would like to know. Last question how do I get ahold of the Dana's since no one currently living on the property and is there a public meeting coming up to address concerns about this new development. I find this will probably impact me the most so I need to know what my options are.



Thank you,
Eric Lykens
805-588-5729

Sent from [Mail](#) for Windows 10

From: [Stephanie Fuhs](#)
Sent: Tuesday, December 22, 2020 5:08 PM
To: elykens@charter.net
Subject: Inquiry regarding property at 886 Hetrick

Hi Eric,
I received your message regarding the property at 886 Hetrick Avenue.

Hetrick Avenue is not a county maintained road, so this is a private civil matter between property owners, the County would not be involved unless the driveway would involve grading/site disturbance over 10% slope or over 5,000 cubic yards in which case you would need a grading permit.

County of San Luis Obispo

Department of Planning and Building

Stephanie Fuhs

Planner

976 Osos Street, Room 300

San Luis Obispo, CA 93408

(805) 781-5721

sfuhs@co.slo.ca.us

I am currently working remotely and the best way to reach me is by email.

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[EXT]Notice of Preparation of a Draft Environmental Impact Report for the Dana Reserve Specific Plan

Tallman, Karen L <Karen.Tallman@charter.com>

Fri 7/16/2021 9:33 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Jennifer,

My name is Karen Tallman, my husband James and I live at 858 Hetrick Ave, the third property east of Pomeroy Rd. We are concerned with the plans pertaining to having access to and from our residence. We have a county approved address with a mailbox at the corner of Pomeroy Rd and Hetrick Ave. We have lived here for years and was not aware the easement did not extend to our entrance. This road is our only access in and out, we are extremely worried about these upcoming plans. For more information or questions you can email me or contact me at 661 978-0521.

Thanks,

Karen Tallman

The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

[EXT]Fwd: Dana Reserve Environmental Impact Report

richard hartwig <hartwighome@att.net>

Fri 7/16/2021 11:21 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Sent from my iPhone

Begin forwarded message:

From: richard hartwig <hartwighome@att.net>
Date: July 16, 2021 at 11:19:24 AM PDT
To: Joyce Hartwig <hartwighome@att.net>
Subject: Fwd: Dana Reserve Environmental Impact Report

Sent from my iPhone

Begin forwarded message:

From: richard hartwig <hartwighome@att.net>
Date: July 15, 2021 at 10:03:28 AM PDT
To: jquetschow@co.slo.ca.us
Subject: Dana Reserve Environmental Impact Report

As a resident of Nipomo for 45 years, I have seen and expect growth for the community. I'm not opposed to growth but not sure if a development of this size with so many houses and planned new businesses is a good idea at this time.

We are already dealing with extreme traffic conditions and concerns about safety in residential areas throughout Nipomo and bringing in such a large volume of homes and businesses will only add to the problem.

Another concern is the need for additional water at this time during an unprecedented drought in our state and the entire western region. I'm not sure how we can safely allow more demands on our water resources.

Therefore, I'm hoping for a denial from the county to allow such a large development.

Thank you,

Richard and Joyce Hartwig
Nipomo, Ca.
July 15, 2021

Sent from my iPhone

[EXT]Dana Reserve

angie mello <angmello@hotmail.com>

Mon 7/19/2021 4:24 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Jennifer,

Thank you for taking the time to read my email. I truly appreciate it. I have been told many times it is not good to assume anything, so I would be remiss if I didn't take some time to share how important the Dana Reserve is to the Nipomo Community and the surrounding communities at large.

I have been a member of this community my entire life. My 98 year old grandmother has lived in Nipomo her entire life and her roots are generations deep.

I am a single income homeowner in the city of Arroyo Grande, have served and am currently serving on community boards, and have live here for over 45 years.

I am 100% positive that we need to do everything possible to make the Dana Reserve a reality.

We need affordable FAMILY housing to both buy and rent. The Dana Reserve does this with over 1,300 homes. I know so many single and young families that want to come back to the area or know a good thing when they experience it.

I know that both the Santa Maria and Arroyo Grande rotating hospital staff struggle to find housing which affects us all.

We are in short supply of parks and trails. Biking and hiking is at an all time high.

If done well it should elevate some horrible(I speak from experience) Nipomo traffic.

A Cuesta College campus would be beneficial in so many ways. I know for a fact several students who attend are from the Nipomo and Arroyo Grande area. A closer campus would reduce traffic and pollution.

Nipomo is ready for affordable family growth. The benefits of this project will be seen for generations to come for both the San Luis Obispo and Santa Barbara counties.

Thank you again for your time.

Sincerely,

Angie Mello

[EXT]Dana Reserve Specific Plan

Audrey Lariz <audrey.e.lariz@gmail.com>

Mon 7/19/2021 3:42 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

I'm writing to urge the approval of the Dana Reserve Specific Plan. This county continues to need housing of all types and this project will provide next-generation housing with incredible amenities that people desperately need. This project is well thought out and will serve a great need in our community. Please keep this project moving forward as quickly as possible.

Regards,

Audrey Lariz
SLO County Resident

--

Audrey Lariz (Bigelow)
she/her
audrey.e.lariz@gmail.com
(805) 704-2489

[EXT]A resident of SLO county, in Cambria-on Dana Reserve :)

David Horwitz <daveed-ari-4hateva@pacbell.net>

Sun 7/18/2021 9:04 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear Jennifer Guetschow,

I am a resident of Cambria, and dearly love the entire central coast of California. I am writing to you today, to discuss the project you're heading. It is my understanding that the Dana Reserve seeks to develop 100 acres of wild oak woodland and coastal shrub-land. While I dearly support the need for housing in our ever growing and expanding state, this area is a dangerous place to develop in for a few reasons. One, which you will likely hear others mention, is it is fire prone. Both oak woodland, and chaparral are prone to burn frequently, but this is the catch, only when disturbed by weeds and soil upheaval. Left alone, they are resilient to mega fires like we've been experiencing in the Sierra foothills, and southern coastal chaparral. They essentially take a lot to burn, and naturally, are only prone to burn every few decades to a few centuries. *If you take a bulldozer to the oak soil biomes' mycorrhizal fungal symbionts, little fungi underground that thread the soil together to transfer water and nutrients to the oak trees, upheaving the ground for construction purposes, more weeds than the introduced grasses capitalize on the easy takings of not having to navigate unfriendly fungi to them, that are friendly to oaks and the plants that have grown with em' for thousands of years. These weeds you'll see show up at the Dana Reserve, are things like star thistle, bull thistle, milk thistle, mustard, and prickly lettuce.* **This matters, because these weeds burn HOT AND FAST! You'll lose the whole venture, all the money you put into it, not too long after its been finished. It might take anywhere from a few years to arrive at the state of diminished health, maybe a decade at most, but it will get there. It has in other developments in the state, such as the Creek Fire, or the fires of recent, around Southern California developments. And eventually, the whole project will burn down, as chaparral and oak studded with these and other WEEDS BURN REALLY HOT AND REALLY FAST. This has been documented by scientists and ecologists across the state. You may think, "someone has to start the fire, right?" Not really. Old cars that spark, an electricity pole that sparks from PG&E, a careless new resident having a BBQ, someone having a cigarette or cigar smoke, or even a homeless person who is camped illegally nearby and has to burn something to keep cool in the coastal lows of a summer's night, all would enable a fire to start.**

Last thing to consider—we on the central coast don't want the traffic and quaintness of a lower populace that brings us so much peace from modern life's hectic drill-neck pace. That, though, is really an after thought. We mostly don't want the smoke and air pollution from burning homes.

Consider this is to help you know that you, for the sake of everyone in Nipomo, and SLO, must challenge your superiors on this, and remind them, it's expensive to rebuild. A LOT MORE EXPENSIVE THAN THE FIRST BUILDING PROCESS. **THERE ARE ALTERNATIVES. There will be folks discussing those at the Zoom meeting, Monday, July 19, tomorrow.**

Please, for your sake, your company's sake, and the people of Nipomo and SLO as a whole's sake, don't let this happen. Don't be a cause for pollution by a natural disaster, unintentionally and indirectly. **Build where it's FIRE SAFE. Wilds are generally not the place.**

-Concerned Cambrian Citizen

[EXT]Central coast needs housing.

Jared Worthen <jaredwworthen@gmail.com>

Mon 7/19/2021 10:45 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi,

My wife and I just finished a search for our first home for our family and it was a brutal process. There is a huge shortage of homes especially entry level family homes. Any additional housing, especially homes that can house the next generation of central coast families, is a win for the coast and Nipomo.

Can't wait to see this project move forward!

Jared

[EXT]Dana Reserve EIR Scoping Meeting 07/19/2021

John Siemens <john.c.siemens@gmail.com>

Mon 7/19/2021 12:22 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

To Whom It May Concern,

I am a Licensed Marriage Family Therapist with a private practice. It has become alarmingly apparent the numbers of families that cannot find housing in the SLO county. We need housing! Especially affordable housing. The Dana Reserve community appears to provide an outlet for the housing gap that is poorly met in our locale. It will not only provide needed domiciles, but will do so offering a unique balance of diverse housing and environmental forethought that appear to be congruent with the lifestyle consciousness we hope to promote in our neighborhood.

Thank you.

John Siemens, MS, LMFT

[EXT]Public Comment re: Dana Reserve

Katy McGrath <kmcgrath73@gmail.com>

Mon 7/19/2021 9:58 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

To whom it may concern:

I have lived in SLO County for over 25 years and I have seen the housing needs here rise year over year. I think the Dana Reserve has been very thoughtful in their approach to building a self-sustaining community in Nipomo. The expansion of a Cuesta Campus and including a daycare shows insight into meeting community needs during development, rather than addressing a problem the development created later. Same with the water plan. It's a bummer that trees will be cut down in order to create the development, but that would be true for nearly anywhere in SLO County. The fact that they set aside a conservation area shows they are at least interested in helping preserve nature, even if not onsite.

[EXT]FW: Support for Dana Reserve

Kenneth Trigueiro <kennetht@pshhc.org>

Mon 7/19/2021 1:31 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

Cc: Kenneth Trigueiro <kennetht@pshhc.org>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

County of San Luis Obispo

Planning Department

EIR and Scoping Process Comments

RE: Support for Dana Reserve Project

Dear Airlin Singewald, Planning Manager

Jennifer Guetschow, Project Manager

Et al,

People's Self-Help Housing is the longest-serving nonprofit affordable housing organization on the Central Coast, founded in San Luis Obispo County in 1970. With a mission of building homes and providing services to strengthen communities and change lives, People's serves low-income households, working families, seniors, veterans, farmworkers, those living with disabilities and the formerly homeless. We provide rental and homeownership opportunities, with over 3000 homes successfully completed, in San Luis Obispo, Santa Barbara, Ventura and Monterey counties, and employing over 200 staff members locally.

We are supportive of processing the Dana Reserve Specific Plan (SP) and General Plan Amendment (GPA) to develop the 288-acre "Cañada Ranch" property in Nipomo. It is our understanding that this well-planned project will provide critically needed housing, affordable to various levels of income earning households, including wage earners and middle income salary earners, both groups of which are sorely undersupplied of affordable options within the County. We believe the housing proposed will be designed to meet a substantial level of the target population. There are limited opportunities to address the County's unincorporated areas needs for housing, in such a comprehensive manner. The proposed housing will serve various income levels, helping achieve the County's economic strategy by housing workers and their families, who represent the workforce across all six of the County's priority business clusters. The project can go a long way toward meeting Regional Housing Needs Assessment targets and meeting the Housing Element goals of the County's General Plan, and is a unique opportunity in that regard.

The community-based Developer's proposed concept meets the most critical needs for the community, for the most challenging categories of households, and provides the opportunity to go beyond the basic requirements for the project to contribute toward affordable housing. We are very pleased to see the collaborative Developer's goal is to make available this valuable resource to address affordable housing needs through a land donation. We have experienced how such donations can leverage substantial more investment into the community and create more units than required, and at much more affordable terms to the future residents. We have studied the proposal and believe it is a well thought out concept and very feasible. Additionally, we support the project's provision of substantial mitigation measures, including approximately 14,000 trees permanently conserved along with 1,500 replanted.

 www.pshhc.org

 facebook.com/pshhc

 twitter.com/pshhc

Kenneth Trigueiro
CEO & President

 [linkedin.com/company/pshhc](https://www.linkedin.com/company/pshhc)
 [instagram.com/pshhc](https://www.instagram.com/pshhc)
 www.neighborworks.org

3533 Empleo St
San Luis Obispo, CA 93401
Office (805) 540-2453

[EXT]Dana Reserve comment

Elizabeth Worthen <emt.worthen@gmail.com>

Mon 7/19/2021 1:02 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello,

I am writing to communicate my support for this project. I grew up on the central coast and recently moved back. The housing search was very difficult and very expensive for my husband and me. We are excited to raise our family here and are big advocates of projects that bring more affordable housing to the community. We love the dynamic nature of this project and would be thrilled to live in a community like this one. We also love the parks that are planned for this and appreciate the open spaces that will be preserved.

California desperately needs more housing. We would love to have our WA family move here and be near us, but CA is simply too expensive.

We are looking forward to seeing this project come to life.

Sincerely,
Liz Worthen

[EXT]Dana Reserve Project

Megan Sawey <meganesawey@gmail.com>

Mon 7/19/2021 11:08 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Good morning!

I'm writing to express my support for the proposed Dana Reserve project. Specifically, I love that it would add more affordable housing to the area. As someone with a large family, I recognize the need for new housing and appreciate this project's potential.

Thank you,

Megan

[EXT]Dana Reserve

michael realteam360.com <michael@realteam360.com>

Mon 7/19/2021 1:35 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

To Whom It May Concern,

I write to you today to voice my vehement support for the proposed Dana Reserve project in Nipomo.

I was fortunate to live in Nipomo during my high school years and hope one day to return to it. I'm a firm believer that everybody should experience everything this city has to offer and what it will become. The people/community of Nipomo is what makes the city so special, more homes and more opportunities to add people to this incredible community is only a positive. As a local realtor, I see daily the struggle it is for so many to purchase a home in our area. The housing crisis in this state and area has to do with simple supply and demand, we need more homes. Home construction in the United States as a whole is down 75% in the last decade and it's down even more on a state and local level. Housing, housing, and more housing...that's how we can solve so many issues on a local and state level. Not to mention the other infrastructure proposed that will benefit the local economy and the fact that there doesn't seem to be any potential traffic issues that will come of the project once completed, this is a win-win for all involved.

I hope that the proposed project is approved for the benefit of the city of Nipomo and the county of San Luis Obispo. Thank you and God Bless!

Sincerely,

Michael Massey

Realtor

RE/MAX Success

1213 Vine Street

Paso Robles, CA

DRE# 02056801

805.305.8383

Michael@realteam360.com

"Inspires others to do what inspires them."

[EXT]Dana Reserve

Rudy Stowell <rudystowell@gmail.com>

Mon 7/19/2021 1:34 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

I am writing in support of the Dana Reserve project. I am a Nipomo resident of over 25 years and my family pioneered the area in the 1870's. I have looked into the impacts of this development as well as the proposed mitigations and find the project to be thoughtfully planned while fulfilling a desperate need for housing. The developer is a local resident which is far preferable to an out-of-area conglomerate looking only to make a quick profit. Please allow this process to proceed without the unreasonable delays that inevitably drive up the final price to homeowners.

Rudy Stowell
Nipomo Resident
Nipomo Business Owner

[EXT]Comments / Questions regarding Dana Reserve Project

rtduchene <rtduchene@gmail.com>

Mon 7/19/2021 12:36 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Jennifer,

Hope you are well. I might be unable to attend today's scoping meeting regarding the Dana Reserve project in Nipomo, but I had a comment and some questions about the project so I thought I would send them through to you in advance.

I moved to SLO county 1.5 years ago and we spent nearly 1 year searching for a home within our budget. The market was so competitive and prices were so high we nearly gave up. I wish this Dana Reserve development had been completed when we were actively searching, as it seems like it will bring a lot of much needed new, affordable homes to the area. Overall, I also love that the current plan has parks and biking / hiking trails, as there are not many great options in South county for this and it will be great to see some in Nipomo that we can use.

I also have a few questions that I was hoping you could address:

- As someone that works from home predominantly, I am curious to know if the house development will have high speed fiber as this is something we can't really find in the area we live?
- I often grocery shop at Vons in Nipomo, but would love to see an alternative option in the area. Are there any plans for another grocer in this development? What other shopping options will there be?
- Can you give me more details on the park(s) and hiking and bike trails?

Thanks,

Ryan DuChene

[EXT]Dana Preserve

Steve Hollister <steve@rockingspade.com>

Mon 7/19/2021 12:40 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Good Afternoon Jennifer,

My name is Steve Hollister, and I have followed with interest the progress of the Dana Preserve project proposed for the Nipomo area. I have been a lifelong resident of the Central Coast, most of it in the South Coast of San Luis Obispo County. I've seen Nipomo grow from a wide spot on the 101, with only Tefft as an artery across the freeway, to a large, unincorporated city housing many commuters up and down the coast. The addition of the Willow road underpass and freeway access was long overdue. My understanding of the Dana Preserve project is that it will connect Pomeroy to Willow, and connect the frontage road by the swap meet to Willow. This is a long overdue improvement to the area, as anyone who drives the 101 or tries to navigate the Tefft and Willow on/off ramps knows.

Additionally, housing continues to be problem for the area in general, and South County in particular. There are few affordable areas that can be built upon, due mainly to land costs. Nipomo is the only place in South County that can generate affordable housing, and I believe that's a part of the Dana Preserve plan. The addition of the additional housing presents plenty of opportunity to attract additional retail business, such as another grocer and other ancillary consumer goods providers. As an avid outdoorsman, the opportunity to have bike paths in that area that connect to other parts of South County are inviting.

I've known Nick Tompkins for some time, and his projects always seem to be well done and meet the needs of the area. He is not a speculative builder, and he seems to have connections to the retail and commercial community that can greatly benefit South County, and San Luis Obispo County in general. The tax dollars alone will undeniably help the County, which is always a need, especially in light of the State neglecting counties financially in the recent past.

I hope you will consider this project on its numerous merits and recommend it to the Supervisors. In my opinion, this is just what Nipomo, South County and San Luis Obispo County need.

Please reach out to me if you have questions or would like clarification on my comments.

Regards,
Steve Hollister

[EXT]Dana Reserve Project- Nipomo

wanda marsalek <wpmars@sbcglobal.net>

Mon 7/19/2021 12:54 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Good Afternoon,

We are writing in support of the proposed Dana Reserve project in Nipomo.

We are both life long residents of Nipomo, and own various properties near the proposed development. As we have watched the area grow, we are disappointed in the infrastructure planning that has occurred previously in Nipomo. We feel the Dana Reserve will address many of the problems we are experiencing.

The traffic situation needs to be addressed. By extending North Frontage Road (as has been long planned) to Willow Road, would greatly help the traffic congestion on Tefft and Mary St. If Pomeroy Road is connected to Willow Road, the traffic thru the neighborhoods around Ten Oaks and Glenhaven would be alleviated. An additional route along the 101 and Tefft Street is much needed!

Growth is unavoidable. Nipomo needs more affordable homes, both for rent and for sale. As the drought continues, this development will help with future water costs by importing water from outside sources, not draining our local aquifer.

The trails, park, and community buildings will be a benefit to all Nipomo residents and will be much appreciated! Hopefully, more commercial services (i.e. grocery, gas, and retail) will be added near the development in the future, to alleviate the problem on Tefft St.

We see many benefits in allowing the Dana Reserve to proceed! We support the Dana Reserve project and are looking forward to a better future for Nipomo!

Sincerely,

Paul and Wanda Marsalek
443 Pioneer Ave
Nipomo
805-710-3328

[EXT]Dana Reserve Project/ traffic impact

larry cools <2coolsaints@att.net>

Tue 7/20/2021 1:21 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello Ms Guetchow,

Unfortunately we missed the environmental impact meeting held yesterday. As residents in the neighborhood of this planned development, living on Ten Oaks Way, we would like to voice our support of closing Hetrick Road to through traffic at the locations of Ridge Road and the end of Glenhaven place where it turns into Hetrick. Our neighborhood has been severely impacted by increasingly heavy traffic using our street and Hetrick Rd as a corridor to reach Willow Rd. Correspondence and on site meetings over the years with the county will show the numerous times residents have attempted to have this issue dealt with. The Project, going forward, will only exacerbate this unfortunate situation unless proposed mitigation efforts are enacted.

Respectfully,

Lawrence and Margaret Cools

Margo

[EXT]Dana Reserve

Alison Martinez <ajaymum@charter.net>

Fri 7/23/2021 12:43 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Jennifer

I was unable to log onto the recent scoping meeting regarding the Dana Reserve but believe you are the assigned county planner person. I wanted to write as a neighbor to the project and state that I am in favor of the road closure at the sharp corner on Glenhaven Place and at Ridge Road. Our street have become unsafe due to heavy trucks and increased traffic taking a short cut through our neighborhood

I have also submitted a letter to the Board of Supervisors signed by about 30 neighbors in support of the road closure

Thank you

Alison Martinez

724 Glenhaven Place

Nipomo

805 896-2075

Sent from [Mail](#) for Windows 10

[EXT]CNPS Dana Reserve Scoping Letter

Melissa Mooney <mjmoon@charter.net>

Fri 7/23/2021 11:35 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

 1 attachments (1 MB)

DanaReserveFinal Scoping7-23-21.pdf;

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Good Morning Jennifer -

Attached is the CNPS SLO response to the SLO County Notice of Preparation of EIR for the Dana Reserve project.

Thanks again for your assistance in the review of this project.

If you could kindly acknowledge receipt of this letter, it would be appreciated.

Best -

Melissa

Melissa Mooney

President

California Native Plant Society, San Luis Obispo Chapter

mjmoon@charter.net

cnpslo.org

[EXT]Dana Reserve Plan Comments

Cindy Jelinek <cjelinek@calpoly.edu>

Sat 7/24/2021 2:59 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

I am writing to voice my objections to the Dana Reserve Project proposed for the north side of our community. My objections fall mainly into 3 categories: water resources (or lack thereof), habitat loss, and traffic. I have lived in Nipomo since 1976 and have seen many changes over the years. Most of them have been positive in the big picture of things, although we are now reaching a tipping point in my opinion.

Water: Nipomo's water comes mainly from groundwater with very little above ground storage. A few years ago, the NCDS contracted with Santa Maria to purchase a portion of their excess allocation from the State Water Project to supplement their water supply. As I understand from the presentation the developers made to the NCSD, their argument to get the NCSD to support their project is that by allowing their 1200 unit development to tap into this resource, it will lower water prices for all of the existing customers of NCSD. This does nothing to address the real issue which is water scarcity.

We are currently experiencing a severe drought. Water tables are dropping in our area. Climate change is creating strange and unpredictable weather patterns as witnessed by the extreme temperatures that occurred from northern California into Canada a few weeks ago. There will be very little snow melt in the fall to replenish reservoirs and rivers that store the water for the State Water Project. Today in the Tribune there was a story about how the State Water Project Commission is voting to curtail all water deliveries to farmers in the San Joaquin Valley in an effort to save endangered fish species. The main reservoirs that feed the project are well below their average for this time of the year. And we have no way of knowing if this drought is going to continue for another year or another five. And this is the water that the Dana Reserve is proposing to use? Will it be there when these houses come on line?

Our water company(Golden State) asked its users to cut back their water consumption by 30% in 2018. The governor has recently asked everyone to voluntarily cut back another 15% because of the severe drought. Are all of us current users of water on the Mesa supposed to cut back and watch our fruit trees and landscaping die so that new houses can be built to suck up more of our limited water resources? It seems foolhardy to consider such a large development when so much is uncertain.

Habitat Loss: This development proposes to eliminate a large swath of oak woodland. I am the president of The Nipomo Native Garden. We are a group of citizens who banded together in the early 90's to adopt 12 acres of parkland from the county and convert it into park that demonstrated the diversity of native plants of the Nipomo Mesa. We have been successful, but it is only 12 acres. Over the years, we have watched as more and more of the native plants have been plowed over for development of housing and farming operations. The corner of Willow Rd and Pomeroy used to be called Ceanothus corner because of the huge grouping of native Ceanothus impressus var. nipomensis that bloomed there every spring along with mazanita and huge oak trees. It was all lost to the expansion of Black Lake Golf Course. Little by little the landscape that sustains wildlife and replenishes the groundwater is being removed and replaced with concrete, roads, and water thirsty plants. The Nipomo Mesa complex of plants is fairly unique and deserves to be preserved and protected.

Traffic: In 1976 when I moved here, there were no traffic lights or stop signs on Tefft St. and traffic on Hwy 101 was non-existent. Now at certain times of the day, it is extremely frustrating. The commercial corridor of Nipomo is mainly on Tefft street from Thompson Ave to a little west of Mary St. This corridor is bisected by the freeway access to Hwy 101. The amount of traffic on this road is staggering at times---when Dana school lets out; when the farm workers from the Mesa and Eucalyptus agricultural enterprises get off from work; when the Swap Meet

happens on weekends. Traffic backs up and it sometimes takes 4 or more light changes to get through the intersection and onto the freeway.

In addition, Hwy 101 also clogs up from Los Berros Rd through the Tefft St exit every afternoon from around 3 to 5 or 6. More commuters feeding into this congested bit of road is going to make things much worse. I remember when the Trilogy Golf Course Community was approved. The planners assured everyone that most of the people that lived there would use Hwy 1 to get to shopping and other amenities, or they would use the commercial district that was planned for the Trilogy community(which never got built) But like the rest of us, they shop at Von's and Miner's Hardware, go to the Post Office on Tefft, and the restaurants and coffee shops right there in that congested corridor. The Dana Reserve people will do the same.

It seems to me that this is the wrong time to approve something as big as this project that will have such a detrimental effect on our small community. We do not know what climate change and weather will be like in the next few years. We already know that we have water scarcity issues and poorly planned traffic management. Habitat loss is also very concerning.

Please consider these issues carefully before you approve this project..

Sincerely,

Cindy Jelinek
480 Calle Cielo
Nipomo

[EXT]Dana Reserve

Lila Henry <henrylila42@yahoo.com>

Sat 7/24/2021 9:43 PM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear County Planning Commission,

I am writing to comment on the proposed Dana Reserve. My first concern is about water. Nipomo has two rains all last winter, each was about 3". I know Nipomo gets water from Santa Maria, and has not used all the water it has contracted for. The problem is that all of California is in a drought. Pismo Creek has stopped flowing to the ocean. Creeks all over the state are drying up, so the canal that brings Santa Maria water is also threatened. There is no certainty that Santa Maria will continue to be a source of water.

My second concern is about traffic. Have you ever driven, or tried to drive, downtown Nipomo on a Sunday when the Swap Meet is open? Teft is totally overcrowded. People trying to get onto Teft stop in the middle of their turn frpm traffic stopped ahead of them, thus blocking traffic that should be able to move through the intersection. 1200 houses would be at least another 1200 cars needing to use downtown, either shopping or accessing the 101.

Third, this is not a time when we should be chopping down mature Oak trees. Anywhere. For any reason. Trees are our biggest ally in mitigating or stopping climate change.

Please do not approve this development.

Thank you.

Sincerely,
Lila Henry, resident of Nipomo Mesa

Alexander Glotov Shtein
1344 N. Martel Ave., Unit 302
Los Angeles, CA 90046

To: **Board of Supervisors of the County of San Luis Obispo**
boardofsups@co.slo.ca.us
Mrs. Lynn Compton, District 4 Supervisor of the County of San Luis Obispo
cmott@co.slo.ca.us, district4@co.slo.ca.us
Mrs. Jennifer Guetschow, Senior Planner of the County of San Luis Obispo
jguetschow@co.slo.ca.us
Department of Planning and Building of the County of San Luis Obispo
planning@co.slo.ca.us
Department of Public Works of the County of San Luis Obispo
publicworks@co.slo.ca.us

July 25, 2021

RE: Neighbor's comments and suggestions regarding Dana Reserve project in Nipomo

I want to provide my opinion on an issue that is far beyond that of a county level due to its massive environmental impact.

INTRODUCTION

Dana Reserve is very ambitious and daring project.

It is understood that the County welcomes a well-known local investor-developer.

It is also clear that the County and all interested organizations expect some protests from the local neighbors regarding such a project.

In all similar situations the protests and arguments are common.

Existing residents usually do not like changes in the environment, either urban or rural, and their protests are most often based on emotions rather than on laws or technical details.

I am an immediate neighbor. My site directly borders on Dana Reserve.

But I am trying to be objective in my analysis of the situation.

Dana's owners purchased their land at the same time I bought my land, **in 2016**.

Below is a photo that I personally took in 2016, when I was exploring the surroundings of the previously unfamiliar town of Nipomo.

This photo of 2016 shows a portion of the site that Dana Reserve operates on today, as well as an advertisement banner for the sale of this site



In the summer of 2016, I called the phone number listed in the banner and was told that the asking price for this 288ac piece of land is \$ 6 million (as far as I remember).

After that, I was not interested in this land, since I did not have that kind of money.

I completed my search in 2016 by purchasing 5 acre lot located very close, at 750 Sandydale Drive, Nipomo.

Dana's owners purchased their land for the purpose of development, and I act in the same capacity.

The difference between us is that they are large (they want to build 1200 residences on 288ac parcel) while I am small (I want to subdivide my 5ac parcel into 4 parts and build 4 residences).

The project presentation with conceptual site plan and the specific plans presented by Dana Reserve are not good.

The main mistake that Dana operators made is that they did not set a firm and definite nature-protection task for the plan designers, but, on the contrary, followed the lead of the designers.

I do not understand why we need to kill nature first, and then apply mitigation measures to restore it.

It doesn't work that way.

The result of Dana's approach was that the designers and their customers squeezed everything from the available territory, sticking as many houses there as possible.

At the same time, the licensed design professionals, the NCSA, and the SLO county officials seemed to have conspired with aggressive land developer and forgot that we are talking about construction in a sensitive wild habitat in unique oak forest on a flat area.

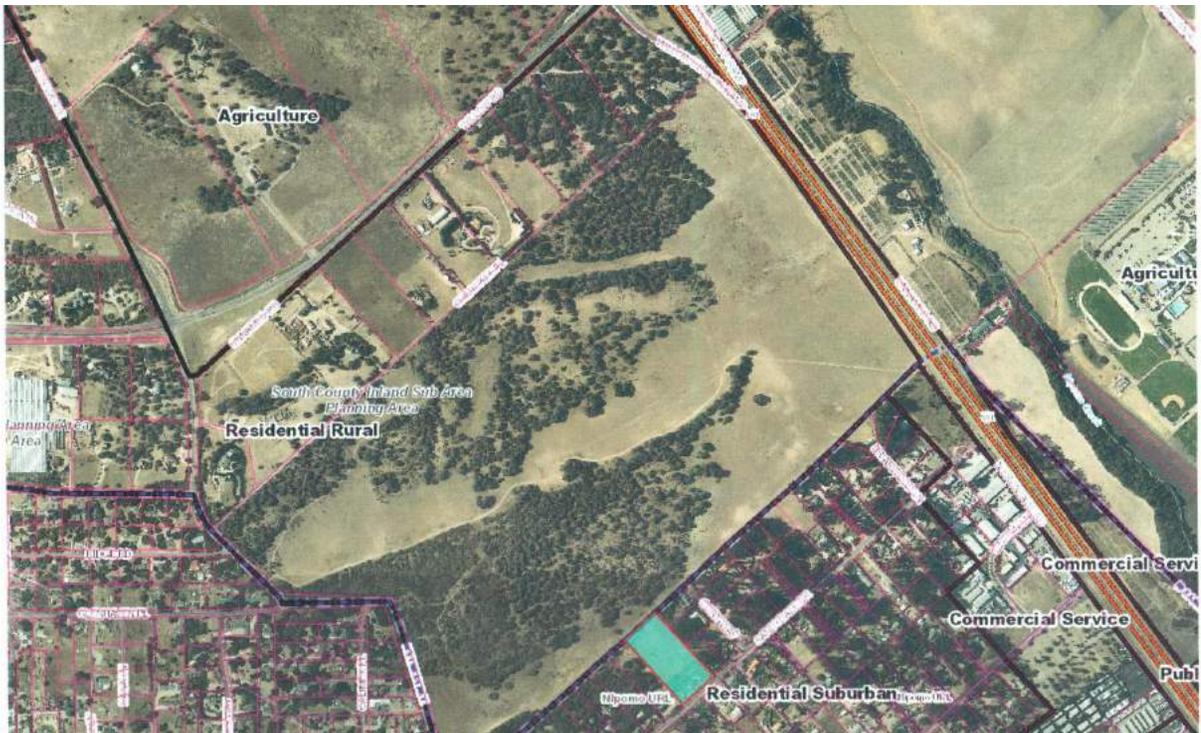
Most of the oak trees in California grow in higher elevations (where the air temperature is lower), but here oak trees grow on almost flat terrain and are well visible from busy and popular Freeway 101 (path to the well-known Hearst Castle, Big Sur, Monterrey etc.).

There are very few oak forests in such locations in California.

Even a layman understands that this unique forest cannot be destroyed for any reasons



Oak forest on a vacant land is well visible on a County land use map below.

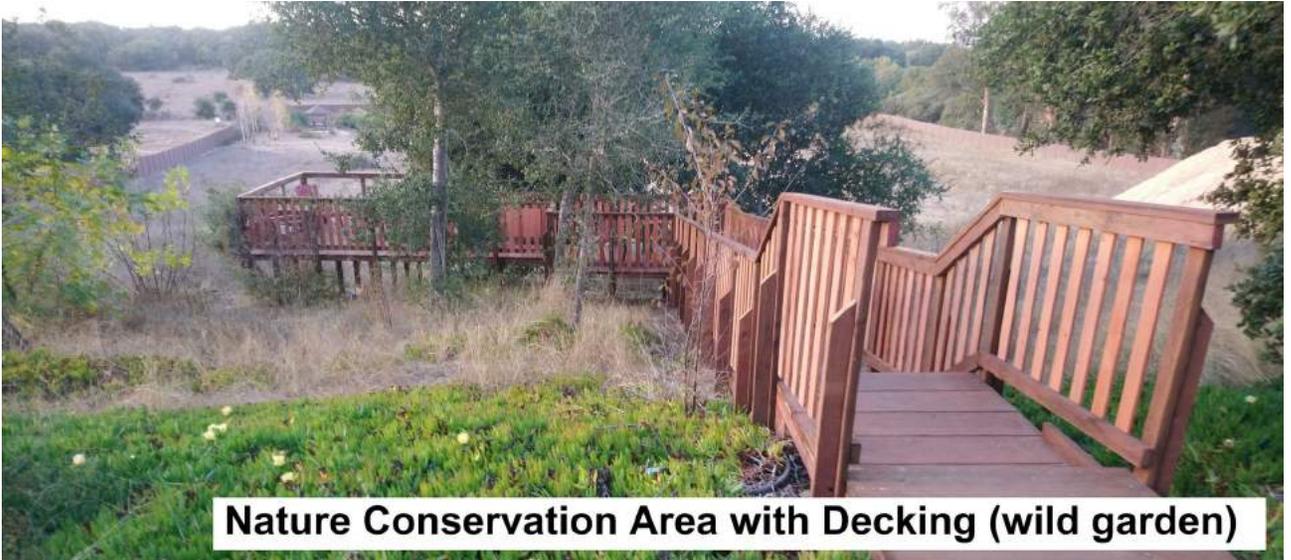


But, despite obvious abnormality of proposed project, I see a serious discussion of the issue by respectful people for a long time.

I am very bitter and offended to see how local developers whose families have lived in these places for generations are ready to easily destroy the rich nature of the Central Coast at the time when I (an alien in this area) am making great efforts to conserve the nature.

Please see below the pictures of Natural Conservation Areas and related improvements that I have created on my site at 750 Sandydale Dr. in Nipomo.





I PROPOSE TO CHANGE CONCEPTUAL SITE PLAN OF DANA RESERVE TO PRESERVE THE UNIQUE OAK FOREST

I am an experienced developer and licensed California general building contractor. I propose to consider an alternative conceptual plan for my neighbor Dana Reserve. The alternative informal conceptual plan is my work product. Of course this plan requires elaboration and specification by licensed California civil engineers - planners. My plan allows the developer to avoid destroying oak trees (excepting very few). As you can see below, my plan allows for the insertion of building spots into clearings where oak trees do not grow. Local collector roads and residential roadways are also provided in my proposed plan.

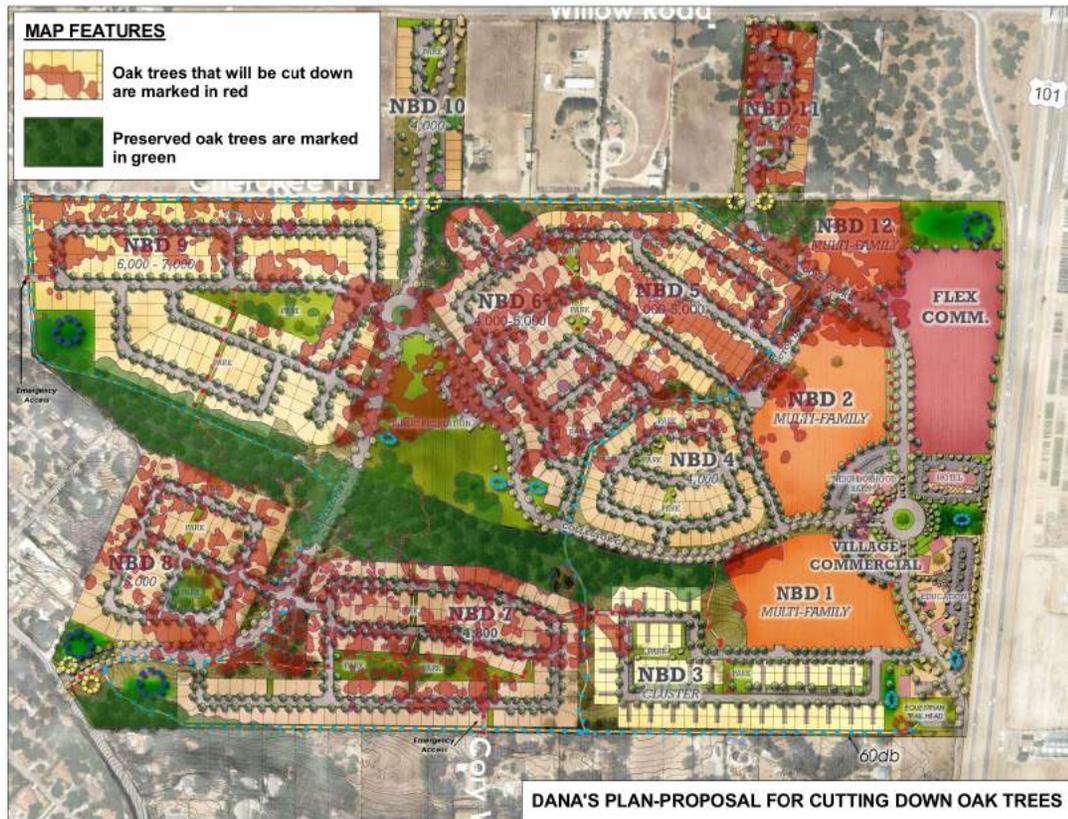
Current woody vegetation on Dana's 288 ac parcel in question



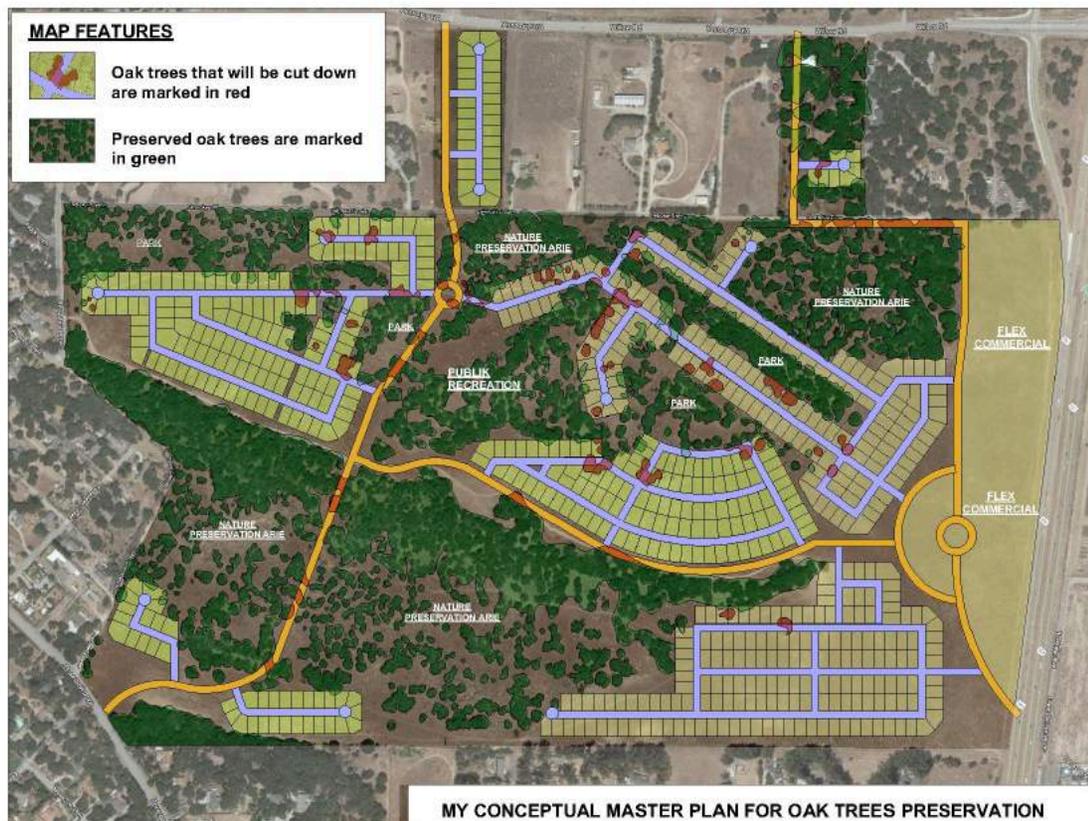
Current Dana's Conceptual Site Plan



Dana's vision of dealing with the existing oak forest: **50% destruction**



My vision of dealing with the existing oak forest: **99% preservation**



Please compare my conceptual plan with Dana's plan above (which is now being actively discussed by the County and all interested agencies)

The difference is well visible.

Ideally, it would be better to change Dana's plan entirely and divide Dana's plot into 34 parcels of 5 acres each, without changing the zoning, and build up this area with larger size residences (like what I'm building on my parcel now).

Such an approach would make it possible to preserve a unique natural habitat in this place. Now I understand that, unfortunately, posing the issue like this is like trying to stop the mountain river.

But in any case Dana's current plan is unacceptable.

This is because Mr. Nick Tompkins (Dana's direct beneficiary) did not correctly assign the task to the planning engineers he hired.

It is clear that the planners are not to blame, as they were fulfilling the task assigned to them by their customer (money payer) - to build as many square feet for sale as possible, that is, to maximize the economic profitability of the project.

The plan that I propose is also not perfect.

Unfortunately, it does not provide for the complete preservation of the natural habitat.

But my plan at least saves a unique forest from destruction.

As for the new location for inclusive housing area, such new location is to be determined by the plan designers of Mr. N. Tompkins.

I fully respect Mr. Nick Tompkins as experienced local developer.

Of course I am trying to be loyal to the county where my parcel is located.

In spite of this I want to officially warn all involved parties that I will not allow oak trees to be cut on the scale Mr. Nick Tompkins suggests.

When I invested my money for purchasing and developing my property on 750 Sandysdale Dr., Nipomo, in 2016, I was appreciating the amazing oak forest next door.

I did not even imagine that someone would want to destroy this forest, and the county would not put a ban to this.

I knew that California was pushing for oak trees destruction prevention policy.

I reasonably expected the SLO municipal government would never permit the destruction of the unique oak forest on 288 acres – the one of such kind just next to 101 Freeway on Central Coast area.

Now I see that I made a mistake.

Current attempt to destroy the forest in question directly affects not only public interests but also my private legitimate interests, my personal investment and my life's work.

Any attempt to approve Dana Reserve project in the version proposed by Mr. Nick Tompkins (with the massive destruction of oak trees) will face administrative grievances as well as legal action on my part with the claim for damages.

I have a standing in this case, as an immediate neighbor – investor/developer.

Returning to the concept of the impossibility of stopping the river, I propose to seriously consider my alternative plan.

I AM AGAINST THE CONSTRUCTION OF COMBUSTIBLE WOOD-FRAME VILLAGE NEXT TO ME

Even if the land use concept in Dana's project will be changed and my concept will be adopted (prohibiting the mass destruction of oak trees), the problem still remains.

Both projects - Dana's (with massive destruction of oaks trees and wild habitat) and mine (with the attempt to save oak trees and wild habitat) involve the division of 288ac into small lots and the massive construction of houses in wooded areas.

I don't think we need to remind everyone that California burns every year.

California is not Canada or New York.

God created California so that wild fires are frequent here.

Perhaps people also had a hand in this.

In New York, the Hudson River flows into the ocean in a wide stream all year round.

All rivers in Canada, on the East Coast of the United States and in the Europe pour into the oceans and seas with the same streams.

But in California, rivers are only active in rainy seasons (like in the Middle East).

All rivers in California are dammed, and water is taken to irrigate strawberry, grape, fruit trees, vegetables and even cannabis fields. These are the realities of life.

As a result, most of the rivers in California reach the ocean in small creeks for most of the year (such as in Arroyo Grande or Avila Beach).

Perhaps this is one of the reasons for the frequent wild fires.

Here are the photos that I personally took in the city of Paradise, California which was completely burned out in 2018 (as it turned out, allegedly through the negligent fault of quasi-private utility company PG&E, which suspiciously hastily admitted it's guilt, filed for bankruptcy and settled the case for **13,5 billion**).

These photos were taken personally by me, and not by the reporters of SNN or other news channels.





The photo clearly shows that, although the trees were damaged, they were mostly preserved, while the houses burned down like matches.



You can see the stucco plaster, which has not burned (after all, it is cement), while all the wooden parts of the house (OSB, 2x4 boards) have burned down completely.



Time and experience have shown that wood frame technology is dangerous for California at large. It's time to remember the experience and stop turning a blind eye to the problem. I firmly oppose to wood frame houses of such kind (see my photos below) being massively built by Dana Reserve in their 288ac piece of land just next to my site.



I do not want a repetition of Paradise's horror (see below) in my city Nipomo, right on the neighboring site.



After all, the city of Nipomo at large and the neighborhood of Dana Reserve (area between Sandydale Drive and Willow Road) in particular, are all planted with old eucalyptus trees, which make Nipomo city environment very similar to those of Paradise and serve as an indisputable factor of fire hazard.

In addition, directly on Dana's site and around there is a massive oak forest (even in Dana's version, it is partially preserved, although it is partially destroyed), and such a forest is very susceptible to wild fires.

Those who today ignore the above fire hazard in the 288ac area of Dana's project in Nipomo in favor of monetary profit, political advantages or any other factors - are criminals.

If my protest will be ignored, if I wouldn't not win the trial due to lack of resources, and if the village of Dana Reserve consisted of combustible houses will be nevertheless built next to my door (as Dana lobbies), then in the event of future fire, fire-related deaths/injuries and/or fire-related property damages in Dana's area or in the area of Villa Victoria Estates (my own subdivision on 750 Sandydale Drive, Nipomo, next to Dana Reserve), **THIS MY LETTER WILL BE PROVIDED AS EVIDENCE IN THE COURT and TO THE CRIMINAL INVESTIGATORS OF BUREAU OF INVESTIGATION OF CALIFORNIA DEPARTMENT OF JUSTICE and/or FEDERAL BUREAU OF INVESTIGATION**, and all related Dana's officers/owners/affiliates, all licensed professionals employed by Dana, and all county officials involved in the review/approval process - will be personally liable/responsible for ignoring my warnings and my position.

MY PROPOSAL AS TO CONSTRUCTION METHOD

If Mr. Tompkins needs help in building incombustible homes on Dana's 288ac site, then I can help. I know how to do it.

I built this way in Ukraine and I want to implement this idea in California.

Please compare what Mr. Tompkins is proposing to build on Dana Reserve site with what I am already building on my site, in the territory of future Villa Victoria Estates.



The difference is visible to the naked eye.

Below are some photos of my construction in progress. Only the person who is related to the construction business can understand what I went through.

This kind of building technology is very unusual in the market of single-family homes in the Central Coast area where wood-frame technology is dominates.





















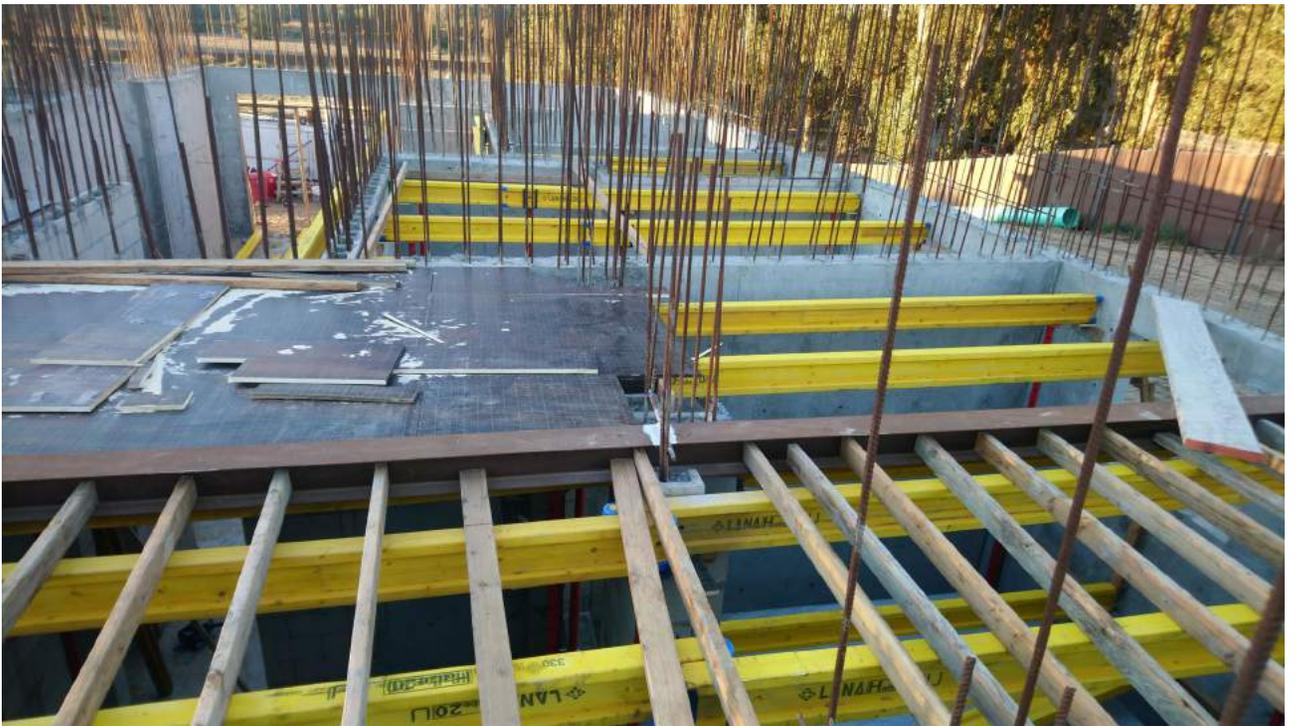


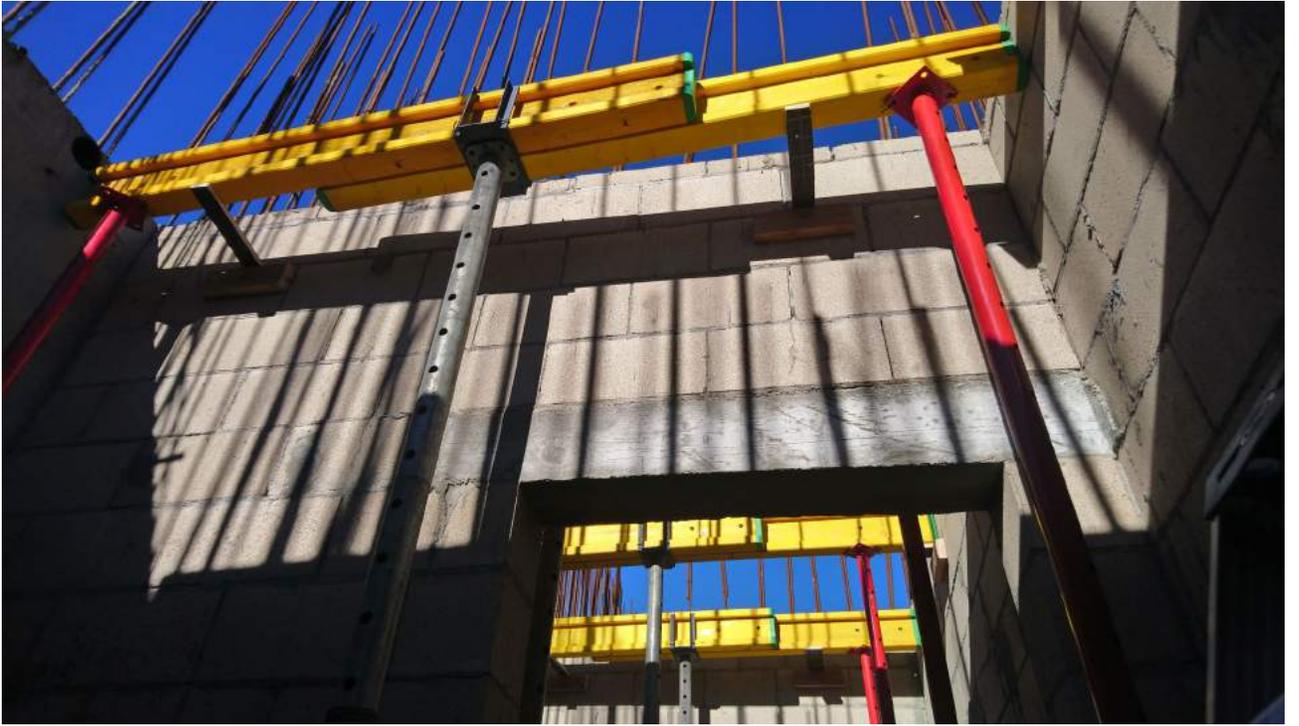






















The houses in Villa Victoria Estates will be incombustible and non-flammable, and therefore this whole small village consisted of such houses will not sustain combustion. In the event of a wild fire in such a village (bushes, trees, dry grass) firefighters will be able to focus on saving nature, rather than rescuing cats from burning houses.

The houses in Dana Reserve in the version proposed by Mr. Nick Tompkins will be as combustible as matches. As practice has shown, firefighters are powerless to extinguish the fire in such villages. A village consisting of such plywood houses, surrounded by large eucalyptus and oak trees, has no chance of surviving in the event of a severe wildfire.

The cost of my concrete-frame boxes of houses will be very close to the cost of traditional easily combustible wood-frame houses built of 2x4 boards, plywood and OSB. In terms of exterior and interior finishing, Mr. Tompkins probably doesn't need my help in this.

I beg you to understand me correctly.

I'm not trying now to promote some new idea at the expense of poor Mr. N. Tompkins.

My idea of building non-combustible houses is old and I have been trying to implement and promote this idea since 2018-2019 (when I initiated my construction and subdivision cases). I knew nothing then about Dana Reserve project.

My words can be confirmed by witnesses from SLO County Department of Planning and Building who know me personally and my projects – **SLO County Planner III Ms. Cindy Chambers** and **SLO County Plans Examiner III Mr. Matt Varvel**.

Please do not hesitate to ask the above mentioned persons for the details of my projects, the start time of these projects, and my state of mind as to construction technology.

After that, you will see that I started promoting the idea of non-combustible construction long before the public and I have learned about Mr. N. Tompkins's plans to build huge quantity of combustible plywood houses in the middle of oak forest in Nipomo (including multifamily and "cluster" homes of extremely high combustibility).

So, as General Contractor, it will be my pleasure to help Mr. Nick Tompkins to build his dream village on his 288 acres that he says belonged to his ancestors 100 years ago.

Of course, the village in my design will be built without destroying oak trees and will only consist of non-combustible concrete-frame houses with flat roofs (roofs are built of reinforced concrete without wood trusses, wood rafters, wood posts etc.).

I am ready to be responsible for building concrete frames of all houses/buildings with concrete slabs/ceilings and leave to Mr. Nick Tompkins freedom of making design decisions (this freedom will be limited only by the structural requirements for load-bearing members, which in concrete-frame construction differ from wood-frame construction, but I do not think that when building houses of small square-footage it will create a problem).

However, I do not impose my service.

If Mr. Tompkins or his investors or the County of San Luis Obispo for some reason do not want to involve me in such a project, the project could be done without my participation.

But my requirements, as the owner of the neighboring plot, remain unchanged: **it is forbidden to destroy oak trees in the neighborhood of future Villa Victoria Estates and it is forbidden to build new village consisted of combustible materials, such as so popular plywood, OSB, 4x4 boards, plastic water-barrier films in this high fire hazard area.**

THE ISSUE WITH NEW TRANSPORTATION ROUTS AND THEIR POTENTIALLY NEGATIVE IMPACT ON TRAFFIC IN THE EXISTING COMMUNITY

I received a letter from Jennifer Guetschow, Senior Planner of San Luis Obispo County, inviting me to provide my comments on Dana Reserve project by July 25, 2021.

In the course of preparing my comments, I studied the available materials associated with the project, including Dana Reserve initial presentation of 2020, Dana Reserve Specific Plan (version of June 2020), Dana Reserve Specific Plan (version of April 2021), Preliminary Initial Study – Environmental Checklist of Department of Planning and Building of San Luis Obispo County of June 2021).

I noticed gradual but significant changes in the proposed land use for a future project.

In particular, in earlier presentation versions dated June 2020 and April 2021, there were no signs of joining the piece of land at the corner of North Frontage Road and Sandydale Drive in Nipomo (APN 091-325-022) to the Dana Reserve project, as can be seen on the Specific Plans produced by Dana Reserve on June 2020 and April 2021.

Much to my surprise, in a document prepared by the San Luis Obispo County under the title “Preliminary Initial Study – Environmental Checklist” dated June 25, 2021, I discovered that this 5ac piece of land at the bottom of Sandydale Drive (APN 091-325-022) already became a part of the Dana Reserve project.

Please compare the three plans below (06/2020, 04/2021 and 06/2021) and pay attention to the blue arrows

I have not found an explanation for such documentary evolution (**marking 5ac parcel on Sandydale Drive, APN 091-325-022, a part of Dana Reserve project**) in official documents.

Of course, I understand the line of thought of Mr. N. Tompkins, his engineers and the County planners in this matter - they want to provide future residents of Dana Reserve with direct and easy access to the center of Nipomo where supermarkets, pharmacies, restaurants etc. are located.

The easiest way to organize such an easy access is through North Frontage Road (where large trailer park and crowded flea market are already situated).

I want to emphasize that directing busy Dana's traffic directly to intersection of North Frontage Road and Sandydale Drive will make the newly reconstructed three-way intersection on Sandydale Drive and North Frontage Road almost impassable on weekends when the famous Nipomo Flea Market on North Frontage Road is open.

Traffic from Dana Reserve and Trailer Hitch RV will meet on the narrow North Frontage Road, blocking the exit from Sandydale Drive which is unacceptable.

North Frontage Road and lower part of Sandydale Drive are already often blocked by the maneuvers of large trailers belonging to a recreation trailer rental business located on this street called Trailer Hitch RV.

This is well illustrated by the photographs I have taken.



This issue requires close attention, separate discussion and analysis, and obligatory widening of the North Frontage Road using the territory of businesses along the way (if it would be possible to agree with Trailer Hitch, Flea Market and other businesses in this regard). **WITHOUT SUCH ROAD WIDENING, DANA'S ROAD CONNECTION TO INTERSECTION OF NORTH FRONTAGE ROAD AND SANDYDALE DRIVE - IS INAPPROPRIATE, WILL MEET RESISTANCE, AND WILL END IN A LEGAL ACTION.**

REASONS OF MY SKEPTICISM ABOUT JUDGEMENTS OF THE COUNTY REGARDING DANA RESERVE DEVELOPMENT PROJECT

Usually ordinary citizens, including small businessmen, do not get involved in politics and trust their governments.

And I am not an exception.

Unfortunately, practice has shown that municipal governments are often corrupt and fall under the control of local commercial groups, most often large local building developers.

I differ from ordinary small construction businessmen in that I have a law degree, law enforcement background, and an exceptional ability to investigate and analyze the events.

I have been visiting the County of San Luis Obispo since August 2016 (while conducting my due diligence check before buying property, submitting many applications, coordinating many issues on my construction and subdivision projects, communicating with various inspectors and planners of the County, obtaining various permits and correcting deficiencies), but until July 2021 I have not conducted any private investigations regarding my county.

Over the past 5 years, I was only interested in my small business and my projects on 750 Sandydale Dr. in Nipomo and was not at all interested in gossip and discrediting information about the activities of local officials.

But now everything has changed.

I studied the presentation and official documents regarding the Dana Reserve project (DRSP) drawn up by County officials, and found the following outwardly correct phrases there:

“The DRSP provides a vision and would guide development of “The Dana Reserve” by defining land uses and development standards, circulation, parks and trails, and infrastructure for the future residential, commercial, and open space land uses”

“The DRSP also provides a phasing/implementation plan and public facility financing options to accommodate this future development”

“Provide a mix of land uses that provides a range of amenities accessible to residents and community members. To respect Old Town Nipomo, the small, neighborhood-oriented village commercial area has been designed to complement, rather than compete with this area”

“Provide a public neighborhood park, pocket parks, and open space areas within each residential neighborhood, linking the neighborhoods together through a network of trails and open spaces”

“Incorporate the rural history of the community through architectural design”

“Provide a diversity of housing types and opportunities for home ownership and apartments, including affordable homes consistent with the goals and policies of the Housing Element of the General Plan, the County’s Inclusionary Housing Ordinance, and regional housing needs”

“Create new employment and job training opportunities for the community and the broader South San Luis Obispo County area”

“Integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community”

“Maintain the large, centrally located oak woodland area as a site feature. Minimize impacts to

special status plants and animals on-site”

“Meet the Building Code requirements for energy efficiencies and water savings”

“San Luis Obispo County Board of Supervisors, on January 26, 2021, entered into an MOU with the applicant that states the project would have the following benefits to the County:

1. Implementing the County’s stated land use goals
2. Dedication of an Open Space easement, community park, and trail system
3. Providing the County with anticipated increased sale tax, property tax, and transient occupancy tax revenues
4. Providing for affordable housing in furtherance of the County’s Housing Element and inclusionary housing goals and to assist in meeting the County’s Regional Housing Needs Allocation
5. Providing a portion of the site to be developed as a business park, commercial area, or such related uses, in support of the County’s further economic development
6. Permanent conservation of 388 acres of oak woodlands or similar habitat located off-site”

“In addition to new interior roads, the DRSP identifies a bicycle network, an equestrian network, a pedestrian network, and public transit areas”

“The development of the specific plan area has been designed to preserve the dense oak woodlands in the center of the property along with several dense clusters of historic oak trees”

“On-site mitigation will include planting up to 1,500 oak trees to provide approximately 24 acres of oak canopy in open space areas and as street trees. Additionally, this project will provide funds for off-site tree planting in the Nipomo area”

The above phrases are written in the official professional language that not every average person will understand.

But I understood everything, although English is not my native language.

The above phrases are full of optimism towards Dana Reserve project and it is obvious to me that the respected County staff has little or no objection to this project.

It would seem that society should trust the public servants from the county who serve the community without any personal interest.

But in the course of preparing my comments, I studied the available information about the SLO County leadership and was upset.

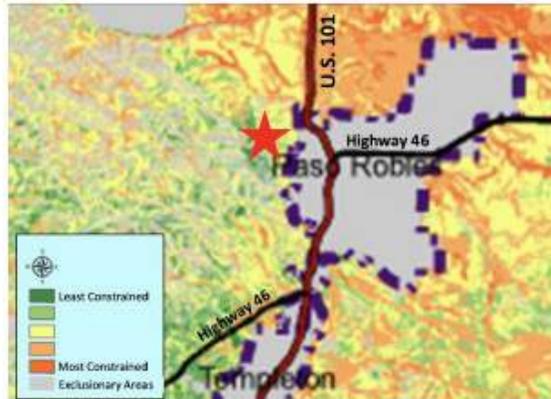
It turns out that in the period from August 2016 to April 2020 (that is, during the period when I was actively working on my construction and land subdivision projects), strange things were going on in the County of San Luis Obispo.

First of all, I drew attention to an archival article in the Cal Coast Times on **August 21, 2018**, which states that the San Luis Obispo Board of Supervisors took the following actions **back in 2017**: "directed county staff to identify large tracts of land could be rezoned for housing developments", "instructed staffers to consider factors including: proximity to job centers; availability of water, wastewater and road infrastructure and police and fire services; resource availability, particularly water supply and consumer preferences". At the time of the article’s release, in **August 2018**, the following actions took place: “county staffers crafted a list of eight potential locations for new development which will be presented to the board of supervisors on Tuesday”, "the eight locations under consideration for new housing development” were included **North Nipomo**.

Please see the Cal Coast Times article below.

SLO County identifies eight rural areas for new housing

August 21, 2018



Search...

The San Luis Obispo County Board of Supervisors will discuss Tuesday the possibility of new housing being built in eight unincorporated areas of the county ranging from west Paso Robles to southeast Nipomo.

Last year, the board of supervisors directed county staff to identify large tracts of land that could be rezoned for housing developments. The board instructed staffers to consider factors including: proximity to job centers and services; availability of water, wastewater and road infrastructure and police and fire services; resource availability, particularly water supply; and consumer preferences.

County staffers crafted a list of eight potential locations for new development, which will be presented to the board of supervisors on Tuesday. Some of the areas are considered potential locations for annexation into cities, such as San Luis Obispo and Paso Robles.

The eight locations under consideration for new housing development are:

- West Paso Robles
- West Templeton
- South Atascadero
- Pozo Road area
- Los Osos Valley Road area (near the city of SLO)
- Edna Valley area
- South Arroyo Grande and north Nipomo
- Southeast Nipomo

Additionally, county officials are considering possible new housing developments in San Miguel and Shandon. Both San Miguel and Shandon recently updated their community plans, allowing for new development within planned expansion areas.



Facebook



At 2017-2018, none of the uninitiated persons (including myself) heard about Dana Reserve project in Nipomo.

Perhaps I would now believe in a coincidence in which Mr. Nick Tompkins in 2017-2018 knew nothing about the County's decision to allow large-scale housing development in North Nipomo. But I am confused by the fact that in North Nipomo there is only one large housing development project, namely already widely known to all as Dana Reserve.

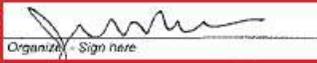
As for **Mr. Nick Tompkins**, he bought the land in question in Nipomo in **2016**.

That is, in **2017-2018** (when "county staffers" crafted "potential locations", including the location in North Nipomo), **Mr. Nick Tompkins** already controlled the parcel in question in North Nipomo.

After a short research, I learned that the **Vice Chairman of the Board of Supervisors of the County of San Luis Obispo in 2016-2017** was **Mr. Adam Hill** (who first was elected as 3-d District Supervisor in 2008). In the years **2018-2020** **Mr. Adam Hill** served as the **Chairman of the Board of Supervisors of the County** (that is, he was actually the first person in my County, in the territory of which I decided to settle and invest all my money). This period of **2016-2020** coincided with my work on the projects for the construction of a house and land division at **750 Sandydale Drive in Nipomo**. I want to repeatedly emphasize: I have invested all my money in these projects. I am always trying not to believe in gossip, not to believe in newspaper publications and to double-check all information personally. Unfortunately, my personal check showed that **Mr. Adam Hill** has done things that are incompatible with being the second and the first ranking official in the County. I was amazed that the information published by the enemies of Mr. Adam Hill was confirmed. I personally checked the website of the California Secretary of State and personally verified that **Mr. Adam Hill** was a **Manager** at the privately-owned **San Luis Consulting LLC** (see printout of Statement of Information of this legal entity below)

		State of California Secretary of State		88 <i>of</i>	L
STATEMENT OF INFORMATION (Limited Liability Company)					
Filing Fee \$20.00. If this is an amendment, see Instructions.					
IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM					
1. LIMITED LIABILITY COMPANY NAME San Luis Consulting, LLC					
FILED Secretary of State State of California FEB 02 2015					
2/6/2015 CC					
This Space For Filing Use Only					
File Number and State or Place of Organization					
2. SECRETARY OF STATE FILE NUMBER 201419610023		3. STATE OR PLACE OF ORGANIZATION (If formed outside of California) CA			
No Change Statement					
4. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no Statement of Information has been previously filed, this form must be completed in its entirety. <input type="checkbox"/> If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 15.					
Complete Addresses for the Following (Do not abbreviate the name of the city. Items 5 and 7 cannot be P.O. Boxes.)					
5. STREET ADDRESS OF PRINCIPAL OFFICE 3480 S. Higuera Street, Suite 130		CITY San Luis Obispo	STATE CA	ZIP CODE 93401	
6. MAILING ADDRESS OF LLC, IF DIFFERENT THAN ITEM 5		CITY	STATE	ZIP CODE	
7. STREET ADDRESS OF CALIFORNIA OFFICE 3480 S. Higuera Street, Suite 130		CITY San Luis Obispo	STATE CA	ZIP CODE 93401	
Name and Complete Address of the Chief Executive Officer, if Any					
8. NAME	ADDRESS	CITY	STATE	ZIP CODE	
Name and Complete Address of Any Manager or Managers, or if None Have Been Appointed or Elected, Provide the Name and Address of Each Member (Attach additional pages, if necessary.)					
9. NAME	ADDRESS	CITY	STATE	ZIP CODE	
Adam Hill	165 Country Club Drive	San Luis Obispo CA	CA	93401	
10. NAME	ADDRESS	CITY	STATE	ZIP CODE	
11. NAME	ADDRESS	CITY	STATE	ZIP CODE	
Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California address, a P.O. Box is not acceptable. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 13 must be left blank.					
12. NAME OF AGENT FOR SERVICE OF PROCESS Adam Hill					
13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL 165 Country Club Drive		CITY San Luis Obispo	STATE CA	ZIP CODE 93401	
Type of Business					
14. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY consulting services					
15. THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.					
1/23/15 DATE	Adam Hill TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	Managing Member TITLE	 SIGNATURE		

This company in question was created by **Mr. John Belsher** from San Luis Obispo (see printout of Articles of Organization of this legal entity below)

LLC-1	Articles of Organization of a Limited Liability Company (LLC)	201419610023
<p>To form a limited liability company in California, you can fill out this form, and submit for filing along with:</p> <ul style="list-style-type: none"> - A \$70 filing fee. - A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form. <p>Important! LLCs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to https://www.ftb.ca.gov.</p> <p>LLCs may not provide "professional services," as defined by California Corporations Code sections 13401(a) and 13401.3.</p> <p>Note: <i>Before submitting the completed form</i>, you should consult with a private attorney for advice about your specific business needs.</p>		<p>FILED </p> <p>Secretary of State State of California</p> <p>JUL 10 2014</p>
<p>For questions about this form, go to www.sos.ca.gov/business/befiling-tips.htm.</p> <p>LLC Name (List the proposed LLC name exactly as it is to appear on the records of the California Secretary of State.)</p> <p>① San Luis Consulting, LLC <i>Proposed LLC Name</i></p> <p><small>The name must include: LLC, L.L.C., Limited Liability Company, Limited Liability Co., Ltd. Liability Co. or Ltd. Liability Company; and may not include: bank, trust, trustee, incorporated, inc., corporation, or corp., insurer, or insurance company. For general entity name requirements and restrictions, go to www.sos.ca.gov/business/befiling-tips.htm.</small></p>		<p><i>19C</i> This Space For Office Use Only</p>
<p>Purpose</p> <p>② The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.</p>		
<p>LLC Addresses</p> <p>③ a. <u>3480 S. Higuera Street, Suite 130</u> <u>San Luis Obispo</u> <u>CA</u> <u>93401</u> <small>Initial Street Address of Designated Office in CA - Do not list a P.O. Box City (no abbreviations) State Zip</small></p> <p>b. _____ <small>Initial Mailing Address of LLC, if different from 3a City (no abbreviations) State Zip</small></p>		
<p>Service of Process (List a California resident or a California registered corporate agent that agrees to be your initial agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may not list an LLC as the agent. Do not list an address if the agent is a California registered corporate agent as the address for service of process is already on file.)</p> <p>④ a. <u>John W. Belsher</u> <small>Agent's Name</small></p> <p>b. <u>412 Marsh Street</u> <u>San Luis Obispo</u> <u>CA</u> <u>93401</u> <small>Agent's Street Address (if agent is not a corporation) - Do not list a P.O. Box City (no abbreviations) State Zip</small></p>		
<p>Management (Check only one.)</p> <p>⑤ The LLC will be managed by:</p> <p><input type="checkbox"/> One Manager <input checked="" type="checkbox"/> More Than One Manager <input type="checkbox"/> All Limited Liability Company Member(s)</p>		
<p>This form must be signed by each organizer. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of organization.</p>		
<p><i>Organizer - Sign here</i> </p>		<p>John W. Belsher <small>Print your name here</small></p>
<p>Make check/money order payable to: Secretary of State Upon filing, we will return one (1) uncarbonated copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.</p>		<p>By Mail Secretary of State Business Entities, P.O. Box 944228 Sacramento, CA 95834-2288</p>
		<p>Drop-Off Secretary of State 1500 11th Street, 3rd Floor Sacramento, CA 95834</p>

Mr. John Belsher is a lawyer who specializes in land use, construction, water resources in San Luis Obispo County.

In addition, attorney **Mr. John Belsher**, together with his partner **M-r Ryan Petetit**, was himself a construction developer running construction projects in downtown of the city of San Luis Obispo.

The County Supervisor (i.e. the top ranking official of the County) should not work as a manager in the company and receive money from the company which belongs to the lawyer who handles legal matters in the County and who itself is a developer whose business is heavily depends on County's review, permits and supervision.

This is an axiom. Period.

Such affiliation is clearly indicative of corruption.

The affiliation and friendship of Mr. **Adam Hill** with Mr. **John Belsher** and published joint family photos with their wives were touching.

A similar friendship and cooperation was observed between **Mr. Adam Hill** and another major local developer, **Mr. Gary Grossman** of Pismo Beach.

And here I had to observe touching joint photographs.

As for the developer **Mr. Nick Tompkins** (operator of my neighbor Dana Reserve), there are no joint photos of him with **Mr. Adam Hill**.

But there is strong evidence that all three of the above developers, including my neighbor **Mr. Nick Tompkins**, were donors to **Mr. Adam Hill's** election campaigns.

The above facts in themselves are not evidence of crimes.

But these facts themselves raise ethical and conflict of interest issues.

I cannot ignore these issues as well as the louder events that happened in 2020.

I mean the well-known searches that the FBI conducted in the administrative building of County of San Luis Obispo and in the office of Mr. Adam Hill charging Mr. Adam Hill in alleged illegal lobbying in favor of cannabis growers.

Such scandals are rare in the United States.

Unfortunately, such a scandal happened in the County, on whose decisions my investment depends, and therefore my well-being and my whole life.

The culmination of the County scandal was the disappearance of Mr. Adam Hill, his attempted suicide, drug overdose, pronounces mental illness, and ultimately his sad suicide death in August 2020.

I do not want to comment on the above facts too deeply, because it is not customary to speak badly about the dead.

I don't want to be a judge for Mr. Adam Hill.

I want his soul to rest in peace.

But after all of the above, I DON'T HAVE to believe everything the County officials say.

The image of the County was significantly tarnished by the above events, and it will take a long time to restore this image.

I do not have to believe that the developer Mr. Nick Tompkins in 2018 (when the Chairman of Supervisors Mr. Adam Hill was in command of the County of San Luis Obispo) did not discuss Dana Reserve project in Nipomo with County officials informally.

But I have not seen the official application or presentation of Dana Reserve in 2018. (when the zoning was changed in North Nipomo).

In 2018 - 2019, I did not know anything about the Dana Reserve project, although I am directly interested person (the neighbor) that spent big amount of money on own projects in the immediate vicinity of Dana Reserve during these years.

I see this as a hidden violation of the principles of publicity, openness and disclosure.

I suspect the illegal lobbying by the County of private interests under the guise of concern for society.

After perceiving and analyzing all of the above information on unusual events in the County, it is hard for me to take seriously the seemingly correct and clever phrases that make up the report drawn up by SLO County Senior Planner Mrs. Jennifer Guetschow in the document titled "Preliminary Initial Study – Environmental Checklist of Department of Planning and Building of San Luis Obispo County" regarding Dana Reserve development project.

The combination of experience as a criminal investigator and a land developer allows me to see things differently from the average citizen.

I see what the average citizen cannot see.

In my opinion, the obvious support by the County of a project that is clearly killing nature may indicate the illegal motives of those County officials who instruct ordinary County employees to turn a blind eye to obvious violations of environmental laws by the developer.

As immediate neighbor and California citizen I cannot voluntarily make my fate dependent on presumably illegal actions of third parties.

Based on the above, I officially request:

1. Reconsider the complacent attitude towards the Dana Reserve project and apply necessary caution and due diligence.
2. Refrain from any relationship with Mr. Nick Tompkins "under the table", non-publicly disclosed, in a manner not prescribed by law; replace all County employees involved in Dana Reserve project who previously worked on this project and negotiated with Mr. Nick Tompkins or his agents (lawyers, architects, engineers, etc.) on issues related to Dana Reserve.
3. Do not allow Dana Reserve to cut oak trees in the quantity they want. Take as a basis my conceptual site plan of Dana Reserve (inserted above in this letter), which does not provide for the massive destruction of the oak forest with the exception of a few trees.
4. Do not allow Dana Reserve to build a village in Nipomo from combustible materials (plywood, OSB, 2x4 boards, plastic waterproof films etc.). Suggest to Dana Reserve LLC and Mr. N. Tompkins to build all structures in Dana Reserve using concrete-frame technology, with flat roofs made of reinforced concrete, **without roof trusses/rafters/posts/boards**, with the purpose to eliminate the fire hazard (if necessary, I can help with this, as a building contractor, but my participation here is optional).
5. In the event that Dana Reserve plans to build a road connection to the center of Nipomo by virtue of direct insertion of new road into the intersection of North Frontage Road and Sandydale Drive, then I request that Dana Reserve be ordered to negotiate with the respective land owners and users, and to widen the section of

North Frontage Road from Sandydale Drive to Mary Avenue as well as to widen the section of Mary Avenue to Tefft Street in order to provide the necessary traffic efficiency and prevent traffic collapse in the area where my home is under construction and my Villa Victoria Estates is under development.

Otherwise the above road connection should not be permitted.

I ask everyone not to perceive me as an enemy. I am not to blame for this situation.

I didn't come up with the idea of destroying the well visible ancient oak forest in Nipomo (where thousands of local residents and tens of millions of 101 Freeway travelers enjoy it) in exchange for a cunning "mitigation-dedication" of the forest in a remote, physically inaccessible area, in a place where people do not live/travel and will never live/travel.

It is necessary now to find a solution that will not be harmful to society and neighbors.

I am ready to meet and confer with all interested persons and personally defend my position.

I will be grateful for a quick response to my letter in writing (preferably by email).

Please note that this letter and the answers to it can be used as evidence in future legal proceedings.

Sincerely yours

Alexander Glotov Shtein

Alexander Glotov Shtein L L.M.

Naturalized U.S. citizen of Ukrainian origin

Master of Laws, Transnational Business Practice (Graduate of State University School of Law, Kyiv, Ukrainian Republic, former Soviet Union, and McGeorge School of Law, Sacramento, California)

At past the Criminal investigator in the former Soviet Union

Owner of parcel of land located at 750 Sandydale Drive, Nipomo, CA since 2016

Owner of Federal Trademark "Wholecrete" (USPTO registry # 5747001)

Licensed California building contractor (contractor's license # 1037879)

President of Prime Build Co., Inc. (contractor's license # 1038968)

Developer and operator of 4-parts subdivision project **Villa Victoria Estate** at 750 Sandydale Drive, Nipomo, CA (Parcel Map # SUB2019-00080)

Builder-contractor of concrete-frame single family home of 7000 sq.ft. in 1ac part (future separate parcel upon subdivision and creation of Villa Victoria Estates) at 750 Sandydale Drive, Nipomo, CA (Construction Permit # PMTR2019-00412)

Neurologically disabled person with Progressive Motor Neuron Disease (neuro-muscular atrophy that limits flexion movements of hands and shins and is the cause of hand weakness, bilateral foot drop and movement disorder)

Current address for correspondence:

1344 N. Martel Ave., Unit 302, Los Angeles, CA 90046

Email: alexsvita@gmail.com

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[EXT]Re: Dana Reserve

AlexxVita AlexxVita <alexsvita@gmail.com>

Mon 7/26/2021 8:30 AM

To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear Jenifer

I just sent my comments on Dana Reserve to everybody cc to you.

I apologize for some harshness, but I see no other way to save the oak trees in danger.

Please don't take my letter personally.

I understand that you are a soldier, not a general.

After all, there is a way to avoid complete deforestation on 50-60% of Dana's land - to apply my new conceptual plan.

I am seriously preparing for legal action.

Sorry.

I have sent several versions of my letter, including one with the wrong address and an unsigned one.

The last option, marked with @@, is correct.

I am sending it now directly to your email.

Please attach this my letter to Dana's file.

I would be grateful for the County's prompt reply to my letter.

Best Regards,

Alexander

[@@ A.Glotov's - Comments on Dana Reserve projec...](#)



Sender notified by

[Mailtrack](#)

On Tue, Mar 30, 2021 at 12:50 AM AlexxVita AlexxVita <alexsvita@gmail.com> wrote:

To: Department of Planning and Building of the County of San Luis Obispo

Copy to: Supervisor Compton

Hello Jenifer

Many thanks for the quick reply and frank answers.

Noted.

Tank you very much for adding me to the Interested Parties List maintained by the County.

I am a directly interested party (as immediate neighbor - developer of Villa Victoria Estates at 750 Sandydale Dr., Nipomo), and I would very appreciate proper email notification of all steps taken by Dana Reserve developer.

Honestly speaking, I am very surprised that the County at the **earliest stage** of Dana Reserve project (prior to execution of formal environmental report or any other documentation) doesn't require the developer to provide information about the number of oak trees that are subject to cut at the project.

This question is core, in my opinion.

Everything else is secondary upon circumstances.

It is so easy to count such trees prior to the introduction of such a global project to the public and to the County.

Simple mathematical counting doesn't require any special skills of engineering license.

Any private land surveyor can mark the spot/spots of proposed construction on the field (based on proposed site plan), and then the developer can easily count the number of trees in question and include this information in his introductory documentation.

Of course the developer voluntarily wouldn't do it if the County doesn't require him to do it.

As far as I understand, the developer doesn't want to attract attention in this topic now, but mainly talks about the great benefits that the County and its residents will receive from this project.

Maybe I am wrong but I believe there is nothing to discuss at Community Virtual Meeting "through polling technology" or at any other formal or informal meetings prior to understanding the approximate number of oak trees that are subject to death.

Unique oak forest doesn't belong to County staff or County officials.

Not only me and not only the residents of Nipomo and the County of San Luis Obispo are interested in the preservation of this unique forest.

The people of California and the people of the United States of America are also interested in this.

When the developer bought this plot in 2016, he clearly saw that there was an oak forest full of living creatures growing there.

The destruction of the old California oak forest with its flora and fauna on the flat parcel of land next to Highway 101 at the Central Coast on such a scale (**278 ac**) is a national issue.

I am sorry but this is my preliminary opinion.

According to my neighbor, she already observed a cut of oak trees on this piece of land a few years ago.

I did not ask her about the details, but now I will check with her.

I ask you to warn the developer that any destruction of oak trees now without the permission of the County could lead to civil and criminal liability.

I will provide my formal point of view on the merit later.

Thank you in advance for your understanding of my (immediate neighbor's) concern.

Sincerely yours

Alexander Glotov



Sender notified by

[Mailtrack](#)

On Thu, Mar 25, 2021 at 1:43 PM Jennifer Guetschow <jGuetschow@co.slo.ca.us> wrote:

Good afternoon Mr. Glotov,

Thank you for your email comments and questions about the proposed Dana Reserve. We have added your email correspondence to our files and your contact information to our Interested Parties list, to stay in touch with you.

Please see our responses to your questions below:

- 1. HOW MANY LIVE OAK TREES IS PLANNED TO CUT WHEN CARRYING OUT DANA RESERVE PROJECT IN NIPOMO ?** **The impact to the Oak Tree population will be evaluated in the Environmental Impact Report. Since the Project may be changed from what was presented at the meeting last night, we do not have a definitive answer at this time.**
- 2. Does the County have an independent clear report of competent professionals about sufficiency water resources to supply the occupancy of 1,270 residences and 200,000 sq. feet of commercial and light industrial space in the Dana Reserve development project in Nipomo? As part of the Environmental Impact Report contract we will have independent review by an expert as to the water supply and sufficiency for the proposed development.**

Warm Regards,

Jennifer

Jennifer Guetschow | Senior Planner

Long Range Division

(p) 805-788-2352 jguetschow@co.slo.ca.us