



Air Pollution Control District
San Luis Obispo County

VIA EMAIL ONLY

July 27, 2022

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 Draft Environmental Impact Report for 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 Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (DRSP). The APCD submitted comment letters for this project on July 21, 2020, and July 26, 2021. While some of the items outlined in those letters have been addressed in the DEIR, others have not yet been addressed or cannot be addressed until construction plans are finalized. Our comments today are a supplement to our previous comment letters.

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: 831 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 DRSP proposes a preliminary phasing plan and identifies an anticipated buildout schedule for development but acknowledges that development may occur in a different order than anticipated. **To maximize potential reductions of VMT and related criteria pollutant and GHG emissions, APCD recommends that all commercial land use development for the project be completed within the first phase.**

Dana Reserve Specific Plan Draft Environmental Impact Report

Section 4.3 Air Quality

- Table 4.3-6 presents a preliminary evaluation of consistency with existing air quality goals, policies, plans, programs, and standards. The table lists many policies and goals supported by the APCD which would improve jobs/housing balance and reduce air pollution, greenhouse gas (GHG) emissions, and vehicle miles travelled (VMT), and states that the project is “potentially consistent” with most of these. However, the DEIR demonstrates that the project is materially inconsistent with these policies and goals in the following ways:
 - *County General Plan Policy AQ 3.3 to avoid air pollution increases:* The Nipomo Mesa is classified as severity level III for PM₁₀ & PM_{2.5} in the San Luis Obispo County 2016-2018 Resource Summary Report. With the proposed mitigation measures, daily operational ROG+NO_x and PM will be above APCD thresholds of significance, therefore the project is inconsistent with this policy.
 - *County General Plan Policies AQ 4.1, AQ 4.4 to reduce GHG emissions:* With the proposed mitigation measures, GHGs will be reduced "to the maximum extent feasible" but will still be increased. Project is not proposed to be "no net increase" and does not reduce GHGs and is therefore inconsistent with these policies.

- *Framework for Planning (Inland), Principle 5, Policy 2 to reduce air pollutants, GHGs and VMTs:* With the proposed mitigation measures, the project will increase the generation of air pollutants, GHG and VMT and is therefore inconsistent with this policy.
- *Framework for Planning (Inland), Principle 7 to encourage mixed land uses; 2019 RTP Policy Objectives 5.3, 5.4; and 2019 SCS: Community Planning & Development Standards 2 to support development to reduce VMT, GHG and other air pollutants:* With the proposed mitigation measures, the project will increase VMT per employee and overall VMT and is therefore inconsistent with these principles, objectives, and standards. APCD recommends that the neighborhood commercial overlay be expanded to provide a more appropriate ratio of residential to commercial space so the project can be consistent with this Principle 7.

The DEIR found the project impacts to be significant and unavoidable but also states that some measures are “potentially consistent” with emission reducing policies and goals (e.g. *Framework for Planning (Inland), Principle 7*). The term “potentially consistent” creates doubt in that if the project is potentially consistent with a goal, it is at the same time potentially inconsistent. **Therefore, the APCD recommends the DEIR remove the terms “potentially consistent” and “potentially inconsistent” and specifically define whether the project is consistent or inconsistent with the various policies.**

- Likewise, the project is inconsistent with the land use planning strategies of the APCD Clean Air Plan in that it will further exasperate the existing jobs-to-housing imbalance in the Nipomo area, leading to increased VMT and decreased transportation mobility. **The DEIR states this inconsistency.**
- Table 4.3-8 presents a summary of VMT impacts with the conclusion that impacts would be significant and unavoidable. The table lists County VMT thresholds, but it is unclear how these thresholds were formulated. (The report text mentions *country* thresholds, but this would appear to be a typo and should be *county* thresholds.) SLOCOG has confirmed that these numbers are not from their RTP/SCS and neither SLOCOG nor APCD are aware of an adopted VMT threshold for SLO County. **APCD recommends additional clarification as to the source or methodology used to determine the VMT thresholds and re-analysis of the impacts.**
- In several places, including the conclusion section for AQ Impact 1 in section 4.3.5 on page 4.3-27 and the Residual Impacts section on page 4.3-28, the DEIR states that impacts would be significant and unavoidable, and because the project would further divide the jobs/housing balance and would increase regional VMT, it would be inconsistent with the APCD Clean Air Plan. It is beneficial to note that it would also be inconsistent with the 2019 RTP/SCS and the SLO County General Plan. **APCD recommends that the commercial portion of the project be expanded to provide a more appropriate ratio of residential to commercial space to bring the project into consistency with these planning documents.**
- Table 4.3-9 on page 4.3-30 presents a summary of construction emissions before mitigation. Daily emissions for ROG+NOx exceed the APCD thresholds, and quarterly emissions exceed APCD Tier 1, but are below Tier 2 thresholds. The technical appendix indicates that the Tier 1 threshold for ROG+NOx will be exceeded for each quarter from Qtr 1 of 2024 through Qtr 4 of 2030. As recommended by APCD, the DEIR proposes mitigation for the Tier 1 exceedance including standard mitigation measures and best-available control technology. Elsewhere in the DEIR, it is acknowledged that the exact development plan for future buildout of the DRSP

area is currently not known. Because of this uncertainty, it is not possible to gauge the accuracy of the construction emissions estimates. **APCD recommends that additional emission estimates be performed for construction periods that exceed the Tier 1 threshold using actual contractor's equipment lists after construction plans are formulated. If the project then exceeds APCD Tier 2 quarterly thresholds, additional mitigation would be called for, possibly including a Construction Activity Management Plan (CAMP) and off-site mitigation.**

- Table 4.3-12 presents a summary of mitigated operational emissions. Per Table 3-4 of the APCD CEQA Handbook, the project's operational phase ROG+NOx and PM emissions are enough to necessitate "All Feasible" measures be implemented by the project to reduce its air quality impacts. Mitigation measure AQ/mm-3.3 on page 4.3-34 prescribes 30 individual measures to reduce operational emissions. Of the 30 proposed measures, 8 (20, 21, 23-27, 29) propose to "meet or exceed" existing building codes, rules, or regulations. Two others (28, 30) propose mitigation by complying with existing building codes, rules, or regulations. A measure is only mitigation when it requires action above and beyond that which is already required. **To be in line with the implementation of "All Feasible" mitigation measures, APCD recommends that the "comply with" and "meet or exceed" conditions language be replaced with "Exceed by 20%" (or other County Planning recommended specific percentage).**

Dana Reserve Specific Plan Draft Environmental Impact Report

Section 4.8 Greenhouse Gas Emissions

- Several places in section 4.8, including Table 4.8-2, refer to a SLOAPCD GHG threshold of significance. SLOAPCD adopted GHG thresholds in 2012, including residential and commercial thresholds based on a gap analysis to demonstrate consistency with the state's 2020 GHG emission reduction goal from the Global Warming Solutions Act (AB 32) and the 2008 California Air Resources Board's (CARB) Climate Change Scoping Plan. In 2015, the California Supreme Court issued an opinion in the *Center for Biological Diversity vs California Department of Fish and Wildlife* (Newhall Ranch) which determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. **The APCD does not currently have GHG thresholds of significance that are applicable to this project.**
- The methodology used to calculate the service population threshold in Table 4.8-2 relies on statewide data developed by the California Air Resources Board. In 2018, the Fourth District Court of Appeal in *Golden Door Properties, LLC v. County of San Diego* invalidated the County of San Diego's use of this metric for analyzing the significance of greenhouse gas emissions. The Court of Appeal found that without additional analysis explaining why statewide data is relevant to projects proposed in the County, a local agency's use of the metric was improper for purposes of complying with CEQA. **APCD does not recommend the use of the threshold identified in Table 4.8-2.** The [2021 APCD Interim GHG Guidance](#) document presents some alternatives to this threshold, including:
 - Consistency with a Qualified Climate Action Plan: (not applicable to San Luis Obispo County at this time).
 - No-net Increase: The Newhall Ranch project demonstrated that this method is feasible and defensible.

- Meeting Local GHG Targets with Best Management Practices: This method was adopted by the Sacramento Metro Air Quality Management District (SMAQMD) for Sacramento County in 2020.
 - Establishing Thresholds Using Local Emission Sectors and Local GHG Inventories: This method was discussed in a SMAQMD draft document prior to their adoption of their 2020 GHG thresholds and was also effectively used in the 2035 Cal Poly Master Plan, also adopted in 2020.
- In section 4.8.5, the DEIR finds that the GHG emission impacts will be less than significant with mitigation; however, the method used to determine the threshold of significance is neither based on substantial evidence nor legally defensible. **APCD recommends re-analysis of the GHG impacts using one of the above listed recommended methods to determine significance and identify applicable mitigation as discussed below.**
- Table 4.8-3 presents a consistency analysis with existing GHG reduction goals, policies, plans, programs and standards. As with the air quality policies identified above in Table 4.3-6, Table 4.8-3 lists many policies and goals supported by the APCD which would improve jobs/housing balance and reduce air pollution, greenhouse gas (GHG) emissions, and vehicle miles travelled (VMT), and states that the project is “potentially consistent” with most of these. However, the DEIR demonstrates that the project is materially inconsistent with the following policies and goals:
 - County General Plan: Policies AQ 1.5, AQ 1.6, AQ 4.1, AQ 4.4.
 - Framework for Planning (Inland): Principle 5., Policy 2.; Principle 7.
 - 2019 RTP: Policy Objectives 5.3, 5.4
 - 2019 SCS: Community Planning & Development Standards 2.
- Mitigation measure GHG/mm-1.1 on page 4.8-27 prescribes nine individual measures to reduce operational emissions. Of the proposed measures, five (4, 5, 6, 7, 9) propose mitigation by complying with existing building codes, rules, or regulations. A measure is only mitigation when it requires action above and beyond that which is already required. **APCD recommends that the “complying with existing” conditions language be replaced with “Exceed by 20%” (or other County Planning recommended specific percentage).**
- The DEIR finds that the GHG impacts from off-site improvements (GHG Impact 2) would be less than significant with implementation of mitigation measure AQ/mm-3.1. Mitigation measure AQ/mm-3.1 is designed to reduce emissions of ozone precursors and particulate matter but would have a negligible effect on GHG emissions. **APCD recommends re-analysis of the GHG impacts from off-site improvements using one of the recommended methods to determine significance, and the implementation of appropriate GHG-reducing mitigation. For GHG mitigation guidance, see the 2021 APCD Interim GHG Guidance.**
- The DEIR determines GHG Impact 3 to be significant and unavoidable due to inconsistency with the VMT requirements of the RTP/SCS. It is beneficial to note that it would also be inconsistent with the SLO County General Plan. The impact analysis uses County VMT thresholds, but it is unclear how these thresholds were formulated. SLOCOG has confirmed that these numbers are not from their RTP/SCS and neither SLOCOG nor APCD are aware of an adopted VMT threshold for SLO County. **APCD recommends additional clarification as to the source or methodology used to determine the VMT thresholds and re-analysis of the impacts.**

Dana Reserve Specific Plan Draft Environmental Impact Report Air Quality & Greenhouse Gas Impact Assessment Technical Appendix

- Comments on CalEEMod:
 - It is unclear why the modeling used a vehicle fleet mix based on the San Joaquin Valley APCD residential fleet mix for year 2030 or 2031 (p. 137, 197, 250, 499, 555, 604). **APCD recommends re-running the emission models using the default fleet mix for San Luis Obispo County.**
 - The mitigated land use calculations do not appear to have taken into account the absence of residential natural gas (p. 186, 187, 244, 245, 297, 298, 339, 340, 341, 386, 387, 388, 427, 428, 429, 448, 449, 472, 473, 492, 493, 544, 545, 597, 598, 646, 647, 667, 668, 691, 692, 710, 711) and therefore estimated operational phase emissions may be overestimated.

Dana Reserve Specific Plan Draft Environmental Impact Report Energy Impact Assessment Technical Appendix

The Energy Impact Assessment on pages 1 through 3 indicates that PG&E and Central Coast Community Energy (3CE) provide electric service to the site, and that PG&E and Southern California Gas provide natural gas service. Since the County of San Luis Obispo has not opted in to 3CE, they are not available as an electric supplier, and PG&E does not provide gas service in San Luis Obispo County.

Collaborative Mitigation Opportunity

APCD is open to working with County Planning staff and the applicant to identify potential projects to mitigate air quality and GHG impacts from this project that would benefit South County residents. For example, any available funds could be used to purchase electric car share vehicles and fund bike share or micro mobility projects that would reduce VMTs and associated impacts.

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, ddrexler@co.slo.ca.us
Nick Tompkins, Applicant, nick@nktcommercial.com

Notes On Dana Preserve Draft EIR

B.K. Richard, July 27
, 2022

The following are some summary comments, from having browsed the Draft EIR. They concentrate on the overall density and design of the project and not on the specifics of the long list of Class I impacts. My plan is to look at each of these in the next week or so.

1. The primary project and the Applicant Preferred Alternative are almost indistinguishable, in spite of the long list of Class I impacts. There is no sense of any effort to compromise on the approach. This is evident when looking at the two graphics side by side (next page).
2. There should be maps of each of the Alternatives. Summary statistics would also help understand the relationships between Alternatives and impacts.
3. The Burton Mesa Chaparral Avoidance and the Alternative 4 (“Development on Non-Native Grassland) are disingenuously posed. The compression of development is extreme and the visual impact, in particular, is not creatively dealt with. This Alternative seems blatantly designed to be rejected. The **scatter plot** shows where to look for an alternative that might work. It’s hard to imagine how a creative company like RRM couldn’t find an alternative in this space, if motivated to do so and given a little more flexibility

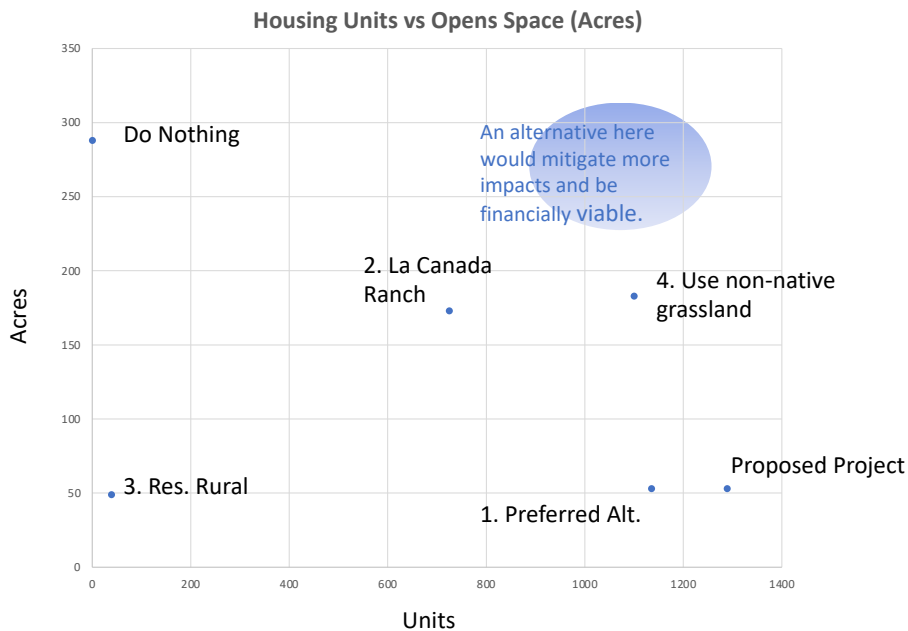




Figure 2-9. DRSP Proposed Conceptual Master Development Plan.

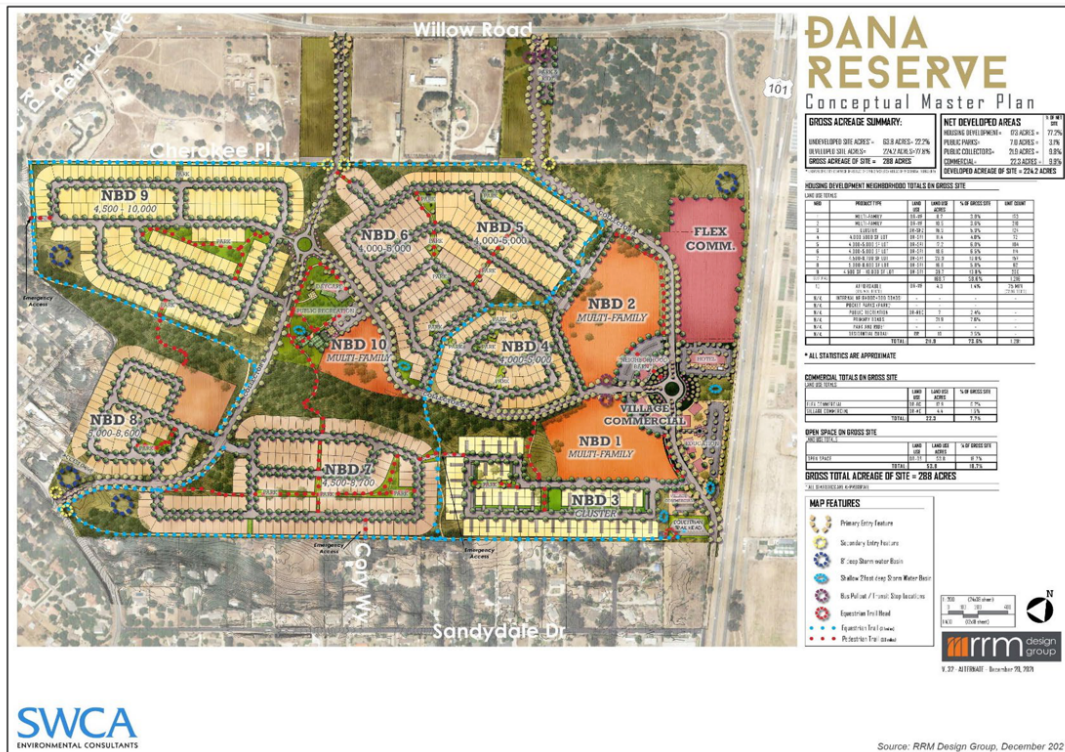


Figure 5-3. Alternative 1 conceptual master plan.

4. Frontage road North Frontage Road through APN 091-325-022. The County has no formal community separator goals, but it would make sense to route this road away from US 101 into the project to enable some form of mitigation (e.g. a berm (see next point)) to reduce visual impacts. See how this was done at Pleasant Valley Fields in Camarillo. See OS 4.2 in the COSE.
5. I've created my own version of Alternative 4 (4B, next page). This is a crude Photoshop effort, but I think it provides some idea of what might be possible or what might be considered.
The idea is to concentrate development along the eastern side of the project, leaving most of the oaks alone, while mitigating the visual issues associated cited in the review. The key changes include:
 - a. Putting a buffer for US 101 ("bermed" for visual and noiseisolation) on the east side.
 - b. Adding a trail for nature/recreation. Developer should get credit for this as (long, skinny) recreation space with other neighborhood access. This could become Nipomo's "Central Park" or "Pismo Preserve".
 - c. Compensating for the loss of space near the freeway with some impacts to woodland.
 - d. Rerouting the frontage road away from the freeway for more isolation.
 - e. Use of some commercial space for co-located housing (mixed use)
 - f. Potential use of basins for some recreation.
6. The offsite piece seems irrelevant. It would seem that this parcel would have very limited development without conservation. And it doesn't seem suitable for any scaled effort in planting oaks. Given the scale of the Dana Preserve it might be a great time to apply a key idea from the COSE dealing with Land Banking¹. This project would be a great place to start a bank with a contribution of dollars for mitigation instead of the offsite land.
7. Impacts should be quantified. Language like "less" or "more" is vague when quantitative estimates could be applied. MTCO2e numbers are a good example. They should be estimated for each Alternative.
8. It would seem that a lot more could be done for affordable housing. We'll stay perpetually behind if we don't take more aggressive goals in this area. 75 units is

¹ Implementation Strategy COSE-2 Conservation and Open Space Mitigation Program Within one year of adoption of this Element, conduct a feasibility study of a Conservation and Open Space Mitigation Program that would establish an in-lieu fee, mitigation program, open space district, and/or land bank to offset or mitigate potential development project impacts to the environmental resources identified in this Element, including cumulative impacts. The feasibility study should consider use of a land bank concept for a variety of open space purposes. The feasibility study shall evaluate the use of in-lieu or mitigation fees for implementation of this Element, consistent with AB 1600. Develop and implement the Program based on the findings of the feasibility study.

generous, but I think far more could be done, potentially giving the project a higher total unit ceiling to enable this type of construction.

Burton Mesa Alternative (like Alternative 4)

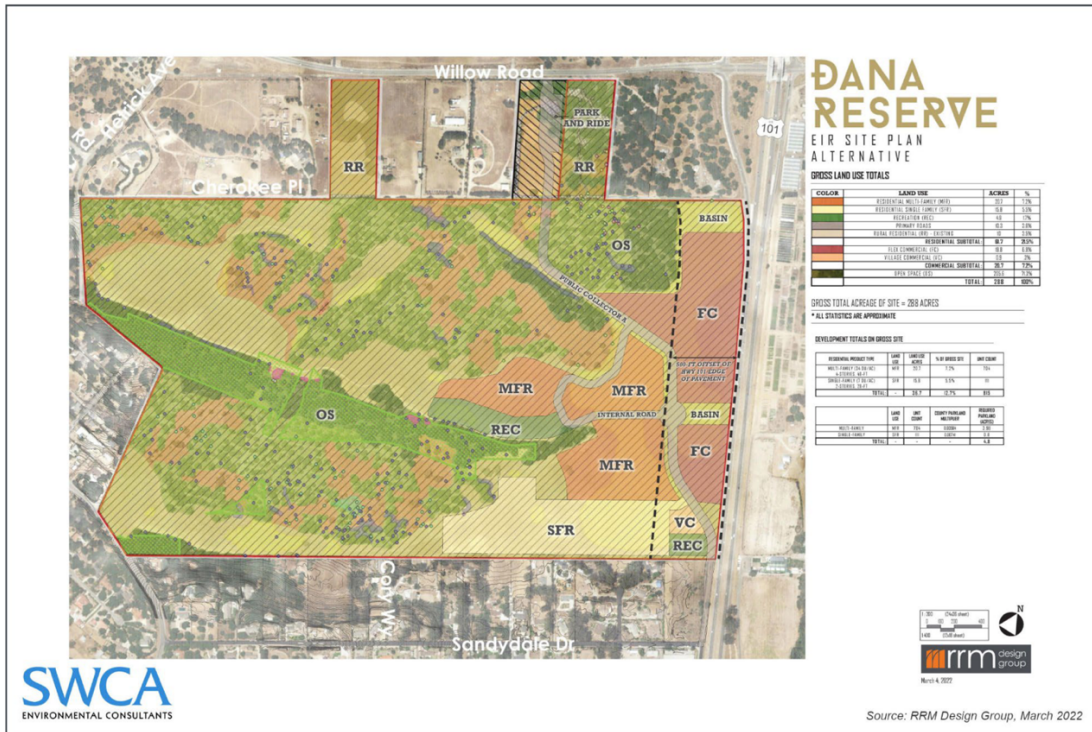


Figure 5-1. Burton Mesa chaparral avoidance alternative.

“Alternative 4B” (described in the text, item 5)

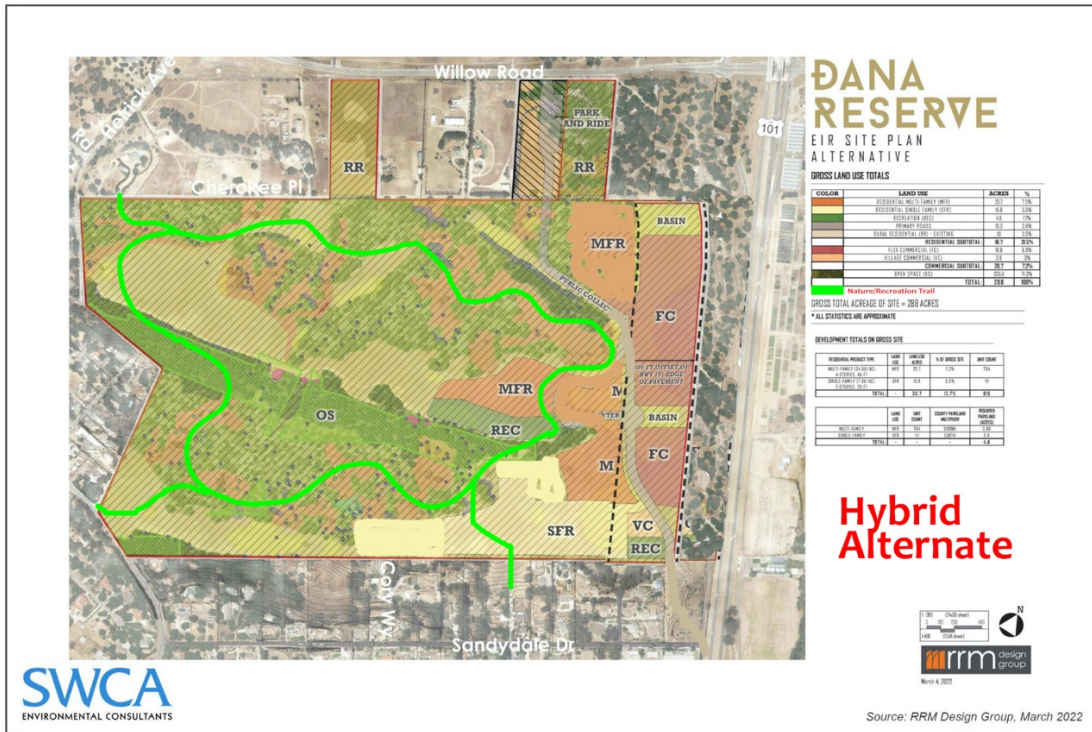


Figure 5-1. Burton Mesa chaparral avoidance alternative.

[EXT]Dana Reserve Preserve DEIR

Betty Sleeth <bettysleeth@me.com>

Mon 7/25/2022 2:38 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.

SLO Planning Commission

c/oJennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a building project that will develop 288 acres in the Unincorporated County Community of Nipomo. The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project.

Draft Environmental Impact Report (DEIR) Comments:

1. It is difficult to understand any of the alternative project plans without visuals. Alternative 1 and 3 are the only alternatives to have a visual representation. Alternative 2, 4, and 5 are described but no visual of housing location is provided. This makes comparison to the original proposed project map challenging for the layperson to understand.
2. None of the biological surveys were done during the overwintering months for monarchs. The only survey done during this period was on January 20th for birds and badgers. The DEIR states that "The Nipomo Mesa is largely under-surveyed for monarch butterfly aggregation sites because most of the land is privately owned." It is also documented in the DEIR that monarchs do aggregate, although less commonly, "in oak trees." (CDFW 2021a) DEIR 4.4-25 During the winter months on Sandydale, numerous monarch butterflies can be found looking for nectar in yards. Neighbors near Highway 101 on Sandydale/Briarwood have reported clusters there. Are the monarchs also in the oaks on the proposed development? How do we know they are not? One of the primary drivers affecting the health of the monarch population as stated by The US Fish and Wildlife SSA (Species Status Assessment) of September 2020 is "incompatible management of overwintering sites in California,"
3. In section 4.4.1.2.6 Special-Status Wildlife Species it states that the "adjacency of the North Frontage Road Extension Parcel to the Specific Plan Area, the CNDDDB search conducted for the Specific Plan Area applies to the extension parcel. The eucalyptus trees provide potential for.....roosting monarch butterflies." I again point out that monarchs would only be found roosting there October through March and the DEIR was not conducted during this time frame. Are we again mismanaging an overwintering site at a time when we need to be preserving it? The very least we can do is survey during an appropriate time frame for this beleaguered but much loved insect.
4. 4.4-33 again states that North Oakglen Avenue, "which is lined with coast live oak trees and large eucalyptus trees...could potentially provide suitable habitat for monarch butterflies." This applies to the proposed waterline extension area. See my comments regarding overwintering monarchs in point 2 and 3 above.
5. BIO Impact 18 (Class 1) BIO/mm-18.4 pg 4.4-92 The Applicant Proposed Mitigation is 187 acres on the Dana Ridge Ranch. "A Conservation easement over the protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo." Has the applicant met and talked with the board of the Dana Adobe and offered them the opportunity to be the "conservation organization?" This small non-profit does not have the financial support, training, expertise, or staff to manage additional land, especially land that is not contiguous to its current property. What are the specific requirements to be a "qualified conservation organization?"

General Comments:

Additionally, more alternatives including a reduction in the overall neighborhood clusters should be assessed. Public comment on July 14th has shown that there are concerns with the project from the community of Nipomo. Alternatives in the EIR and additional alternatives not assessed, would take into account the concerns of the Nipomo community which include a project with less units, which would reduce the overall traffic and jobs/housing imbalance identified in the EIR, more buffer room between high density housing and rural homes on the perimeter of the project to account for

future conflicts between land uses, and protection of more native oak trees onsite, which in turn would lessen the overall biological and aesthetic impacts on the rural character of the area.

I took offense to comments made by Don Campbell (District 5) during the July 14th public meeting. In this meeting he made comments that neighbors with 1+ acre lots adjacent should “get over” (having high density houses immediately behind their lots), stated that the project “is not AG land” and then made comments about having met with the developer to discuss the project and had known said developer for 30 years. I do not think that Don Campbell comes off as unbiased, which was what was asked by the land planning manager at the beginning of the meeting. Additionally, there are real concerns from neighbors on these lots when the zoning for the neighboring property is proposed to be changed from Rural Residential (RR) to Single Family (SFR) or Multi Family Residential (MFR) zoning. Neighbors adjacent to this project have roosters, chickens, horses and cattle, despite Don’s comments that this area “is not AG”, they are allowed these animals in certain densities on their land. Unfortunately, new families moving into these SFR and MFR lots will not be so understanding of these animals. In many cases, the only space between these lots is a 15 ft setback with an equestrian trail. Although this equestrian trail is an amenity of the project, the buffer will not be enough to prevent the future conflicts that will occur between these lots with drastically different zoning on the other side.

What organization is in place to monitor the proposed mitigation acreage? Although the Dana Adobe non-profit meets the qualification for the historical sales pitch by the applicant, the Dana Adobe Amigos organization is a small non-profit with no formal conservation training or expertise. What are the specific requirements to be a “qualified conservation organization?”

As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

Respectfully submitted,

Betty Sleeth
betty sleeth@mac.com

[no subject]

Bonnie Watson <bwatson1755@gmail.com>
To: Bonnie Watson <bwatson1755@gmail.com>

Fri, Jul 22, 2:44 PM

Letter/email to SLO Planning Commission re: Dana Reserve Project.

SLO Planning Commission
c/o Jennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 238 acres in the Unincorporated County Community of Nipomo.

After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is: (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
 - Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)

Writes in other issues of concern (i.e. Water, public services) not determined to be a class 1 issue in the DEIR
THE POSSIBLE ALTERING OF THE ETHOS OF OUR SMALL TOWN ATMOSPHERE HERE IN NIPOMO!!!

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1827.

DATE: 7/22/2022 SIGNED: Michael D. Watson
email: MIKE WATSON 827@YA.HO.COM

*copy this letter into your word processing program.
Highlight or circle your concern from list.
Date/Sign/add email.
Copy and paste into your email program.
send to jguetschow@co.slo.ca.us

OR
mail to: Department of Planning and Building
ATTN: Dana Reserve/Jennifer Guetschow
976 Osos Street, Room 300
San Luis Obispo, CA 93408
MUST BE RECEIVED BY AUGUST 1
(Quoted text hidden)

Brock Lyster
612 Sandydale Dr.
Nipomo, Ca 93444
949-874-1641

brocklyster@mac.com

7/29/22

County of San Luis Obispo

Attention Jennifer Guetschow

The Dana Reserve reserves nor preserves nothing. It is proposed on a very large parcel with an incredible stand of protected Oak trees. All of the items that are listed by the developer that he wants to add to Nipomo can be done by infill development within the existing footprint of Nipomo as it is built.

There is no need to expand the footprint of the town into this large parcel to the North of town that should not be divided up in small parcels for the high-density development proposed.

The county should adhere to their standards of not allowing large parcels to be divided into smaller ones for development. I have heard sometimes land gets split to one house per 20 acres or in some cases one house per 5 acres.

Nipomo does not need this project. The destruction of nature and the adverse affects on the city infrastructure far outweigh any social or economic benefit to the people in Nipomo.

Nipomo is the Last Best Place on The Central Coast; let's keep it that way.

Sincerely,

Brock Lyster

A handwritten signature in cursive script that reads "Brock Lyster". The signature is written in black ink and is positioned below the typed name.

CALIFORNIA *Fresh* MARKET

2886 Mission Drive, Solvang CA 93463

555 Five Cities Drive, Pismo Beach CA 93449

771 E Foothill Blvd, San Luis Obispo, CA 93405

Jennifer Guetschow

County of San Luis Obispo

Via email: jguetschow@co.slo.ca.us

Draft Environmental Impact Report Dana Reserve

Dear Jennifer Guetschow,

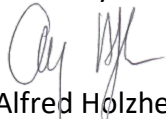
I am writing on behalf of California Fresh Markets to express support for the proposed development of Dana Reserve (Cañada Ranch).

California Fresh Markets are a locally owned chain who have served the Tri-Counties for over 50 years with stores in Solvang, Pismo Beach and San Luis Obispo, specializes in freshly prepared wholesome foods, along with a complete supermarket selection of conventional/organic/gourmet vegetables, grocery products, deli meats and cheeses, local wines, adult beverages from many local sources and all of the USA and the world. We roast our own coffees, prepare all our deli salads, hot foods, Sushi, freshly made juices and much more from scratch every day.

Dana Reserve in Nipomo is a perfect location for us, located in the growing Central Coast area and conveniently between our other stores. We look forward to the added housing for employee's close to our Pismo and San Luis Obispo locations and of course this location as well. And, due to our focus on customer service, and the need to make so many of our products fresh every day, we expect at least 120 employees, with over half fulltime and a management staff of highly trained department managers, ie. Service Deli, Produce, Fresh Service Meats, Grocery and Adult Beverages.

We are excited about bring our special brand of commitment to Fresh Foods to Dana Reserve and the Nipomo area and of course completely support the Dana Reserve Specific Plan.

Sincerely



Alfred Holzheu

President

California Fresh Markets.



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

July 27, 2022

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

RE: Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (PLN- 1118, SUB2020-00047, LRP2020-00007, ED21-094)

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

Dear Ms. Guetschow:

The [California Oaks](#) program of [California Wildlife Foundation](#) works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, providing plant and wildlife habitat, and sustaining cultural values. This letter follows the July 15, 2021 comments that California Wildlife Foundation/California Oaks (CWF/CO) submitted on the Dana Reserve Specific Plan Initial Study.

CWF/CO reviewed the Draft Environmental Impact Report (DEIR), focusing our attention on the project's impacts on the site's oak communities. CWF/CO has reached the conclusion that the County of San Luis Obispo should not advance this project, which will degrade the county's biodiversity while not necessarily advancing affordable housing.¹

The **no project alternative** should be the **preferred alternative** because of proposed removal of over 3,943 oak trees, including 96% of the site's coast live oak woodland, which supports imperiled biodiversity; inadequate mitigation, including the possibility that suitable coast live oak woodland habitat within the range of Burton Mesa chaparral mitigation habitat may not be available in the county; many inconsistencies with county habitat protection policies; the conclusion of the DEIR (BIO Impact 19) that off-site transportation improvements and/or trenching of new water and wastewater pipelines could result in additional oak tree impacts; and the conclusion of the DEIR (BIO Impact 20) that development would induce substantial unplanned population growth on the Nipomo Mesa with additional cumulative impacts.²

¹ Page 70 of the Executive Summary of the DEIR states: *However, based on the clustered development and other site constraints, this alternative may not meet project goals for the provision of affordable market rate housing units.*

² The discussion of "over" 3,943 reflects the omission of trees smaller than 4 inches at breast height in the calculation of tree removals.

Lastly, the Greenhouse Gas (GHG) Emissions chapter (4-8) fails to analyze or propose to mitigate for the impacts of proposed tree removals.

Environmental impacts will degrade unique and irreplaceable San Luis Obispo County oak habitat and proposed mitigation is inadequate: The project proposes to remove greater than 3,943 oaks growing in woodland, forest, and Burton Mesa chaparral and grassland habitat. A great deal of the proposed mitigation for the oak impacts is meant to be accomplished through conservation of lands on Dana Ridge, which the DEIR states is of lower biological value than the land that the project would impact. Page 42 of the Biological Resources Chapter notes this deficiency (underline is used for emphasis):

Policy BR 1.9 Preserve Ecotones. Require that proposed discretionary development protects and enhances ecotones, or natural transitions between habitat types because of their importance to vegetation and wildlife. Ecotones of particular concern include those along the margins of riparian corridors, baylands and marshlands, vernal pools, and woodlands and forests where they transition to grasslands and other habitat types.

Potentially Inconsistent. It is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by mitigation measure BIO/mm 13.1, because that combination of habitats is not a common occurrence. It is within this unique transitional area where certain special-status plant species thrive. Similar ecotones will be preserved on the Dana Ridge Mitigation Site, but it does not preserve the same habitat types or support the same woodland species.

Page 74 of the Biological Resources Chapter of the DEIR provides further clarification of the problem, including discussion of the vegetation matrix that the project proposes to destroy and the possibility that the proposed mitigation strategy may not be feasible (underline is used for emphasis):

BIO Impact 15: The project will directly impact coast live oak woodland. Impacts would be significant and unavoidable (Class I).

Approximately 78.3 acres of the project area consists of coast live oak woodland. The proposed development will remove 75.3 acres (approximately 96%) and preserve 3 acres (approximately 4%) of this habitat on-site. The *Quercus agrifolia/Adenostoma fasciculatum – (Salvia mellifera)* alliance has a Global/State rank of G3/S3 and is considered a sensitive natural community by the CDFW (CDFW 2021b). Therefore, loss of almost all (approximately 96%) *Quercus agrifolia/Adenostoma fasciculatum – (Salvia mellifera)* habitat would be considered significant, and mitigation is necessary to reduce project impacts. On-site mitigation opportunities are limited; therefore, off-site conservation and restoration would be required to fully mitigate for project impacts.

County COSE Policy BR 3.3.1 requires the maintenance of the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation as part of the compliance with the Oak Woodlands Preservation Act (PRC Section 21083.4). The coast live oak woodland in the project area regularly integrates with the Burton Mesa chaparral. The main difference between the designation of Burton Mesa chaparral and coast live oak woodland is that the canopy threshold of coast live oak trees does not exceed 20% absolute cover. Other than this, these two vegetation communities are virtually identical in terms of species composition. Many of the species described within Burton Mesa chaparral are also present in coast live oak woodland and vice versa. These two vegetation communities, along with the coast live oak forest and California native perennial grassland, create a habitat matrix that, when left intact, supports a wide range of native and special-status species. Specifically, this diverse habitat supports a unique assemblage of nine special-status plants, most of which are highly endemic to coastal communities in San Luis Obispo and Santa Barbara Counties. In order to maintain the diversity of oak woodlands in the County, per County COSE Policy BR 3.3.1, mitigation for coast live oak woodlands should occur adjacent to the conservation/restoration of Burton Mesa chaparral on sites with sandy soil conditions suitable to support the special-status plant species that occur in the project area. This would effectively maintain and/or recreate the habitat matrix that supports the unique assemblage of species that would be lost as a result of the proposed project. However, implementation of this mitigation may not be feasible; therefore, potential impacts would be *significant and unavoidable*.

The Biological Resource's chapter's discussion on pages 73 and 74 of BIO Impact 14 notes that the applicant may fulfill half of the mitigation requirement through Restoration of Mesa chaparral in Santa Barbara County. The trade-off of San Luis Obispo County's unique biological resources for a housing development that may not achieve affordable housing goals is not supportable. Further, the Biological Resource chapter's discussion on page 95 of BIO Impact 20 indicates additional anticipated development will further degrade remaining sensitive vegetation areas that support threatened and endangered plant populations, as noted below.

The DEIR also discusses wildlife habitat provided by the site's oak woodlands, noting that analysis conducted to-date has not been adequate to determine the presence of some special status species (page 6 of Executive Summary). (Underlined text is added for emphasis.):

Coast live oak woodland habitat within the Specific Plan Area supports Blainville's (Coast) horned lizard (*Phrynosoma blainvillii*), a CDFW SSC (CDFW 2022), which was observed on-site during surveys (Althouse and Meade 2022a). The following special-status species are also supported by coast live oak woodland habitat but are unlikely to be observed without appropriately timed focused surveys: northern California legless lizard, pallid bat, silver-haired bat, western red bat, hoary bat, Yuma myotis. USFWS BCC observed in oak

woodlands include the cavity-nesting oak titmouse and Nuttall's woodpecker (USFWS 2008). Coast live oak woodlands support many songbirds, raptors, and common rodents, such as mice, voles, and woodrats. Oak tree canopies, cavities, and loose bark may provide roosting habitat for multiple bat species, including little brown bat and California myotis.

Project impacts to the oak forest and plants and wildlife dependent upon the habitat are also profound, as described on page 82 of the Biological Resources chapter:

The project will result in the permanent loss of up to 21.7 acres in the proposed plan of available coast live oak forest habitat. Approximately 17.0 acres of coast live oak forest will be protected as a biological open space easement on site. The remaining 21.9 acres the coast live oak forest and remnant woodland patches would be indirectly impacted by recreational activities from the surrounding community, the invasion of non-native species used in landscaping, and regular fire fuel management activities that would occur within a 100-foot buffer of any structures.

Coast live oak forest contributes significantly to the project area's overall biological diversity, indirectly supporting eight special-status plants (Pismo clarkia, mesa horkelia, Nipomo Mesa ceanothus, mesa manzanita, Michael's rein orchid, California spineflower, sand almond, and sand buck brush) and directly supporting four special-status nesting birds (Cooper's hawk, oak titmouse, white-tailed kite, and Nuttall's woodpecker). Sensitive reptiles such as Blainville's horned lizard are also supported by this habitat. California's Central Coast contains 90% of the state's coast live oak forests (Gaman 2008). This habitat type is considered sensitive due to its biological diversity and presence of sensitive plant and animal species; therefore, impacts are considered significant, and mitigation is required to reduce project impacts.

Additional inconsistencies with San Luis Obispo County policies: The project also results in a net loss of oak trees, which is inconsistent with Biological Resources Policy 1.4 No Net Loss. The DEIR conclusion that there is a "potential" inconsistency in the proposal to remove greater than 3,943 oak trees and to replant 194 trees is intellectually dishonest. As described on page 42 of the DEIR's Executive Summary: "Of the 3,943 oak trees to be removed, Mitigation Measure BIO/mm-17.2 only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the County." The replacement trees will require many years to reach maturity and, if the restoration is successful, replace the habitat value of the trees that are meant to be removed. Further, the mitigation strategy does not include a plan for the lost ecosystem services as the trees mature, nor does it mitigate for GHG impacts of the tree removals, as discussed below.

Among the project's many other inconsistencies with San Luis Obispo County policies, the General Plan Conservation and Open Space Element's Biological Resources Goal 1 is that "native habitat and biodiversity will be protected, restored, and enhanced." Again, the DEIR

describes the native oak tree impacts as “potentially inconsistent” when the proposal clearly runs counter to this goal.

The DEIR continues to characterize “potential inconsistencies” with the following Biological Resource policies from the General Plan (see pages 4 and pages 41-44 of the Biological Resources chapter of the DEIR) despite the proposal’s clear plan to violate these policies:

Policy BR 3.1 Native tree protection. Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible.

Policy BR 3.2 Protection of native trees in new development. 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.

Policy BR 3.3 Oak Woodland Preservation. Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.

Policy BR 1.2 Limit development impacts. Regulate and minimize proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors as necessary to ensure the continued health and survival of these species and protection of sensitive areas.

Policy BR 2.6 Development impacts to listed species. Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design. Ensure that proposed development avoids significant disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. When avoidance is not feasible, require no net loss of sensitive natural plant communities and critical habitat areas.

The proposed project is also inconsistent with County of San Luis Obispo Inland Land Use Ordinance (Title 22) Section 22.98.072(H)(1)(e) Landscaping: “Retain and incorporate existing vegetation as much as feasible into the subdivision design.” (See pages 47-48 of Biological Resources chapter of DEIR.)

As noted in CWF/CO’s July 2021 letter, 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.” The letter also referenced San Luis Countywide Design Guidelines, which 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.”³ Lastly, the letter referenced San Luis Obispo County’s Voluntary Oak Management Plan, which 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.”⁴ The proposed oak destruction has risen, since the Initial Study was released, from greater than one third of the site’s oaks to greater than three quarters (76%).

Additional impacts: The proposed removal of greater than 3,943 oaks—1,073 from oak forest, 2,676 from oak woodland, and 194 from Burton Mesa chaparral and grassland habitat—is, according to the discussion of BIO Impact 19 on page 93 of the Biological Resources chapter of the DEIR, not representative of the full extent of oak removals that would result from the build-out of the proposed project: “Off-site transportation improvements and/or trenching of new water and wastewater pipelines could result in direct and indirect impacts to oak trees.”

Cumulative impacts resulting from loss of open space and associated habitat from development generated by the proposed project will further degrade San Luis Obispo County’s biodiversity, as articulated in the discussion of BIO impact 20 on page 95 of the Biological Resource’s chapter:

Several of the projects occur on or in the vicinity of a limited number of potential mitigation areas for Burton Mesa chaparral on the Nipomo Mesa (Figure 4.4-14). Each project individually may not have a significant impact on this natural community or the plant species that rely on it, such as mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita. However, considered collectively with the proposed project, these projects could potentially be significant in preventing the recovery of this natural community or these species on the Nipomo Mesa.

The construction of the DRSP would result in significant cumulative impacts to Burton Mesa chaparral and coast live oak woodland and the rare plant species that are endemic to these areas, such as the Nipomo Mesa ceanothus and mesa horkelia. The project would induce substantial unplanned population growth on the Nipomo Mesa. The addition of new commercial infrastructure that supports residential developments (e.g., grocery stores, gas stations, etc.) will increase the appeal for additional homes to be built in rural residential areas on the Nipomo Mesa, thus further reducing and degrading remaining sensitive vegetation areas that support threatened and endangered plant populations. Therefore, the project would result in a *significant and unavoidable cumulative impact* to biological resources

DEIR does not analyze nor provide mitigation for greenhouse gas impacts of tree removals: Chapter 4-8, GHG Emissions, and Appendix D, Air Quality and Greenhouse Gas Emissions Background Information, have no discussion of the GHG emissions of the proposed tree

³ See 1 and 99.

⁴ See 10.

removals. The only discussion of trees is about attempts to avoid tree damage in constructing roadway infrastructure and the cooling and shading attributes of trees that will be planted—with no discussion of the heating impacts of the proposed tree removals.

California requires the analysis and mitigation of greenhouse gas emissions associated with proposed oak woodland or forest conversions. California Environmental Quality Act's (CEQA) sole GHG focus is “the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions.” Net present value of GHG emissions forms the foundation of the state's greenhouse reduction objectives, as well as the California Forest Protocol preservation standards. Every ton of carbon dioxide (CO₂) released into the atmosphere by oak woodland or forest conversion represents a measurable potential adverse environmental effect, which is covered by CEQA.

If this ill-conceived project advances, it is necessary to include mitigation for these impacts. Mitigation that is based on the preservation (“avoided conversion”) of existing natural lands does not adequately mitigate GHG emissions of natural lands conversion. Existing trees, understory, and soil conserved by the mitigation, do not, suddenly, upon the protections afforded by their conservation sequester more carbon to mitigate impacted biomass GHG emission effects of the conversion.

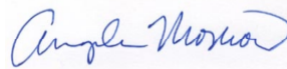
The proposed project runs counter to necessary steps to protect biodiversity and carbon sequestration, which are articulated in many San Luis Obispo County policies. The proposed retention and installation of trees along the highway to create a “visual screening zone” (AES/mm-3.1) is reminiscent of clear-cut practices of the timber industry—window dressing for a project that would unravel vital habitat without addressing the state's affordable housing crisis. This project must not go forward as proposed.

Thank you for your consideration of our comments.

Sincerely,



Janet Cobb
Executive Officer
California Wildlife Foundation
jcobb@californiawildlifefoundation.org



Angela Moskow
Manager
California Oaks Coalition
amoskow@californiaoaks.org

cc: Neil Havlik, PhD, California Native Plant Society, neilhavlik@aol.com

Nicholas Jensen, PhD, California Native Plant Society, njensen@cnspp.org

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

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

SLO Planning Commission
c/o Jennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo.

After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
 - Write in other issues of concern (i.e Water, public services) not determined to be a class 1 issue in the EIR

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

DATE: 7-22-22 SIGNED: 
email: tuppercheryl@gmail.com

*copy this letter into your word processing program.
Highlight or circle your concern from list.
Date/Sign/add email.
Copy and paste into your email program.
send to jguetschow@co.slo.ca.us
OR
mail to: Department of Planning and Building
ATTN: Dana Reserve/Jennifer Guetschow
976 Osos Street, Room 300
San Luis Obispo, CA 93408

MUST BE RECEIVED BY AUGUST 1

[EXT]Dana Reserve Project

Freytag, Christine L. - US <christine.freytag@caci.com>

Sun 7/24/2022 1:10 PM

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

Cc: Freytag, Christine L. - US <christine.freytag@caci.com>

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July 24, 2022

SLO Planning Commission

Re: Dana Reserve Project:

C/O Jennifer Guetschow

jguetschow@co.slo.ca.us

Dear Jennifer Guetschow,

I am writing to express my concern regarding the proposed Dana Reserve Project, a development project that will develop 288 acres in the unincorporated County community of Nipomo. After seeing the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 Issues that concern me most is:

- **Imbalanced jobs to housing ratio in Nipomo** – Nipomo does not have enough local jobs to support the number of proposed dwellings which will result in much more traffic than we already have, in Nipomo and all along 101. More traffic yields more road rage, and more environmental harm.
- **Misguided Land Planning** – Multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed versus the present project.
- **Habitat impacts** – Removal of nearly 4,000 live oak trees and the habitat they provide for the natural wildlife, vulnerable and endangered species who live in this project area.
- **Water Concerns** – I can't fathom how water was not considered to be a Class 1 Issue in the DEIR. I do everything I can to conserve water. I might as well stop that altogether because if this faulty project goes forward, the State and County are going to be telling ME to cut back even more on MY water consumption because the Dana Reserve Project is consuming way more water than the DEIR projected.

The limited social and economic benefits of the Dana Reserve Project will not outweigh the detrimental impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. Nipomo deserves a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land.

Sincerely,

Christine Freytag

519 Charro, Nipomo, CA, 93444

christine.freytag@caci.com

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SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT

Jill Stearns, Ph.D., Superintendent/President

July 12, 2022

Department of Planning and Building
Attn: Planning Commission
976 Osos St., Room 300
San Luis Obispo, CA 93408

Dear Commissioners,

I am writing on behalf of the San Luis Obispo County Community College District/Cuesta College, to express support for the proposed development of Dana Reserve (Cañada Ranch).

Cuesta College provides open access to exceptional quality higher education in San Luis Obispo County. The educational programs at Cuesta College include university transfer preparation, career education, and technical upskilling for job advancement. The Dana Reserve project supports that same community and is in line with the institution's mission, vision, and values.

Cuesta College has been searching for a suitable South County location to provide improved access to higher education for residents south of the Shell Beach straits and the surrounding-communities. The Dana Reserve Specific Plan includes a 4-acre improved parcel that will provide for a South County site for Cuesta College classes and services. This offering creates access for students that otherwise may not attend due to lack of transportation by expanding the reach of the Cuesta Promise.

The plan also includes a non-profit day care facility near the Cuesta Campus, creating more opportunities for parents with young children to attend classes and childcare options for Cuesta employees. In addition to the benefits of a South County campus for Cuesta College, the increase in available housing is significantly important to 1,100 members of the Cuesta College workforce and will improve the College's opportunity to attract and retain talented employees.

For these reasons, along with the preservation of oak habitat, open space, recreation areas, trails, and associated infrastructure and other planned services, Cuesta College strongly supports the Dana Reserve Specific Plan.

Sincerely,

Jill Stearns, Ph.D.
Superintendent/President

Build Your Future

Jennifer Guetschow

From: david biklen <davidbiklen@yahoo.com>
Sent: Wednesday, July 27, 2022 10:23 PM
To: Jennifer Guetschow
Subject: [EXT]Against further Nipomo development

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

WATER- where dos it come from- Makes NO SENSE

To: SLO Planning Commission re Dana Reserve Project: SLO Planning Commission c/o Jennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo. After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
- Write in other issues of concern (i.e Water, public services) not determined to be a class 1 issue in the EIR
- Nipomo's infrastructure is not sufficient to handle the increase in traffic and population that this project will impose on the surrounding community.
- Areas of Nipomo are currently on water restriction. This can only negatively impact the already limited supply.
- I am local, 5th generation, and have lived in this house for 44 years directly across the street from the project, removal of these old oaks will break my heart.

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

DATE: 7.26.2022

SIGNED: Elaine Von Achen

email: elainevonachen@hotmail.com

Signature: 
Elaine Von Achen (Jul 26, 2022 14:58 PDT)

Email: elainevonachen@hotmail.com

Jennifer Guetschow

From: Flora Arguilla <abiarguilla@me.com>
Sent: Thursday, July 28, 2022 1:10 PM
To: Jennifer Guetschow
Subject: [EXT]STOP Nipomo development

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I honestly just want to know how people think this development will do anything other than lower the quality of the natural ecosystem in our rural Nipomo and also the quality of life of incumbent Nipomo residents. Myself and many of my Nipomo neighbors are very against this Dana Reserve development. Leave the oak trees alone! To quote a former natural resource manager for the city of SLO, "Replacing 4,000 200-year-old oaks with 4,000 tree saplings does not mitigate the loss of 2.25 million pounds of carbon dioxide sequestered by these trees every year." The Nipomo area is already experiencing a jobs/housing imbalance which will get **significantly** worse with the building of 1,441 new dwelling units. There is simply not enough infrastructure, roads, or jobs in this area for this. Please consider the detrimental ecological & social impacts that this project will have on our town. Do you really want a bunch of resentful agricultural residents at your doorstep? We take care of our own out here and will not hesitate to get in people's faces for unjust and explicitly greed-driven projects in our town. Think with morals, not wallets **for once!**

Signed, a concerned and exasperated citizen of Nipomo,
Flora Arguilla, MBA

Jennifer Guetschow

From: Lori <mendezlv@aol.com>
Sent: Thursday, July 28, 2022 2:03 PM
To: Jennifer Guetschow
Cc: District 4
Subject: [EXT]Concerns & Opposition to the Dana Reserve Project as Currently Proposed

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

ATTENTION: SLO Planning Commission
Dana Reserve/Jennifer Guetschow

As residents of Nipomo, we are writing this letter to voice our concerns with regard to what we consider adverse impacts to the community that will be created by this development as currently proposed.

First and foremost, the size of this project is of major concern with the drought/water issues in Nipomo. Considering the severe drought which has been ongoing for many years, with no end in sight it's irresponsible to add a development of this magnitude. We are currently struggling with water issues for existing residents so it is illogical to think this problem will not be greatly exacerbated by the addition of several thousand more residents.

Another major concern is the infrastructure to support a project of this size. Traffic is already a problem and does not appear to be mitigated in any way by the current design and density of this project. Public services are very limited and will not be adequate for a population increase of this size. One can only guess that additional parcel taxes (Mello-Roos) will be added to already high property taxes to cover these expenses. These costs will of necessity be passed on to individuals who rent their homes rather than own them. In many cases this will make living in this area even more difficult for both owners and renters.

Should this project be approved, there will undoubtedly be complaints about the nearby properties which are currently zoned for a limited number of livestock, which most likely will not be well received by the incoming residents.

Also removing such a large number of mature trees and replacing them with small trees certainly does not mitigate the adverse impact on the environment and should be a serious consideration of whether this project is allowed to go forward.

While additional housing is a major concern, there is no logical reason for a project of this magnitude and density at this particular site other than profit for the developer. Considering the size of San Luis County, there could certainly be considerably smaller developments spread throughout the county and better serve those in need of housing. Greatly reducing the density of this project would certainly mitigate some of the adverse affects to the community of Nipomo and existing residents.

In view of the foregoing concerns it is requested that approval of this project be denied.

Thank you in advance for considering our concerns.

Concerned Residents,
George & Lori Mendez
515 Tejas Place
Nipomo, CA 93444

[EXT]Dana Reserve Project Concerns DEIR

Greg Sturgeon <blue-skies@charter.net>

Mon 7/25/2022 10:13 AM

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

Cc: District 4 <district4@co.slo.ca.us>

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Jennifer Guetschow

Department of Planning and Building

County of San Luis Obispo California

Re Dana Reserve Project Concerns DEIR

Biological Resources:

The removal of thousands of mature oak trees is an absolute disaster. The county has a tree ordinance for a reason, and it needs to be applied in this situation. Why have it just so a developer can come along buy a parcel on a hill to mitigate the loss of thousands of mature oaks. Not acceptable.

Land Planning:

There seems to be some improprieties, although subtle, in the comment made by Planning Commissioner Campbell regarding his having known the developer Mr. Tompkins for over 30 years. Having known Mr. Tompkins for any amount of time should be deemed biased and he be removed from this decision making process for the duration. His comment that houses on acreage surrounding the project should "get over" having high density housing immediately adjacent to their properties during the EIR public meeting. Although the equestrian trail is an amenity of the project the proposed buffer will not be enough to prevent future conflicts from one side of the "trail" to the other. We need to see a redesigned development plan that will drastically reduce the housing on the perimeter of the development in order to avoid future conflicts.

Water:

This is a fluid situation. The state of California is in a drought situation and it is getting worse by the year. We, the residents of Nipomo, are already being asked to conserve and it is only going to get worse until we see significant rain. The fact that NCSO made a bad deal years ago by not connecting to state water and we have to "use it or lose" it is an argument that just can't be won. Put the water in the aquifer for future use for the residents and farms that already exist in Nipomo. The water the developer is counting on may not be there in the second, third or even first phase of this project. If a new development in a water parched area is approved all water saving measures at our disposal should be utilized. A waste water recycling line plan to supplement water resources was not developed for this project as it should have been.

Public Facilities:

The EIR states that Nipomo High School is already full and the completion of this project would further contribute to the excess of students at the high school and the traffic getting them there. Dorthea Lange is the elementary school that the future children from this project would attend. When that facility gets full these children will have to go over to Nipomo Elementary. Lucia Mar has concerns about this project but the mitigated FEES are acceptable? Money instead of the safety of their students? Not acceptable.

Affordable Housing:

Since when did \$600 thousand become affordable housing? Along with HOA fees? That goes up for ever. This is not affordable housing. Don't call it such.

Transportation:

The increase in traffic from this development will cause huge backups on Mary and Tefft streets and both north and south bound off ramps as all of the Nipomo amenities are accessed by using Tefft Street. Adding 4500+ new people and who knows how many cars to this one intersection is a Public Safety concern. Nipomo is not a walking town or a safe bike riding town. Development of those amenities should be discussed if you are going to add 4500+ new people. Pomeroy is a thoroughfare to get from one side of town to the other. One street? There has been a fatal crash on Pomeroy in the middle of the day. The increase of traffic on Pomeroy will be very dangerous for those living on Sandydale and other attached streets. Sandydale has a large cement island in the middle for no reason. When walking on that end of the street and a car is coming you have to climb a dirt mound to get out of the way. CALTRANS has deemed that our area is too rural for improvements on this section of the highway. No help from them. Too Bad Nipomo! Listen to them! Too rural for this large of a development!

Having lived in Nipomo in the same house for 36 years we have enjoyed some "progress" we would be lying if we said otherwise. The Dana Reserve Project is not a change we are willing to accept as is. We see no social/economic benefits to this plan. The demise of Nipomo is all we can see.

Send this project back for the development of more alternatives like 5 acre ranchettes or rural residential property as is the surrounding properties.

Respectfully

Greg & Pamela Sturgeon

blue-skies@charter.net

July 26, 2022

Comments on the Dana Reserve Specific Plan
Draft Environmental Impact Report
SWCA Project No. 64873, Dated June 2022
By: Gregg Reimers
556 Charro Way, Nipomo
805-610-5569

1. Section 2.1.1 states 1,259 residential units are planned. The expected population that will occupy those units is not provided. Assuming 2.5 people per unit (which is conservatively low) equates to 3,222 people. The NCSD 2020 Urban Water Management Plan (MKN Final December 2021) (NCSD website: [2020 Water Management Plan](#)), Table 3-1a, estimates the population served with water to be 14,223 in the year 2025. Should the DRSP be completed on or about 2025, that's a 22.3 percent increase! The 5 year historical growth rate from 2015-2020 was only 1.3 percent. Additionally, the same planning report (also prepared by MKN) predicts a 2045 water usage population of 16,031 people. That's a planned growth rate of less than 1 percent per year. Regardless of the year of completion, the DRSP will exceed the 2045 planning basis. This must be considered adverse.

The proposed population increase resulting from the DRSP alone will exceed current NCSD planning by an order of magnitude and potentially decades early. This is definitely not 'Less Than Significant.' The subject EIR should not be approved as it fails to reconcile this significant growth rate difference with that of the NCSD water management planning report.

2. The groundwater evaluation documented in Section 4.19.1.1.2 is based on an annual average precipitation of 15.65 inches. This value is based on data going back to 1958, a very broad time frame. Given that climate change has been recently recognized as a threat, the 1958 basis conservatively biases the average rainfall high. Data tabulating the yearly average rainfall is documented in a "Technical Memorandum from Brad Newton, Ph.D., P.G. to Mario Iglesias, General Manager NCSD Dated December 22,2021" (NCSD website: [Technical Memorandum](#)). From 2012 to 2021 the average rainfall was only 13.49 inches. Additionally, the "Nipomo Mesa Management Area 2022 Key Wells Index-Severe Water Shortage Conditions" (NSCD website: [NCSD Key Well Index](#)) indicates that the groundwater index has been below the "severe criterion" threshold since 2015.

The subject EIR should not be approved until it addresses recent climate change trends, local and state wide. The baseline for EIR comparison should be the current Stage IV drought conditions. The EIR should rely on a shorter historical reference (e.g. past 10

years) to predict if, and when, the NCSD can recover from the current “Stage IV” drought conditions. Starting from an actual *severe* water shortage and demonstrating a *less than significant* impact will necessitate a more detailed study. The EIR should consider reductions of the Santa Maria supplemental water supply resulting from potential state mandates. Non-conformances / deviations from the NCSD strategic plan (NCSD website: [Strategic Plan](#)) regarding water affordability and sustainability should also be documented.

3. Section 4.19.3 “Thresholds of Significance,” Item (b), states that one of the significance thresholds is based on sufficient water being available “...to serve the project and reasonably foreseeable development...” As presented in Comment #1 above, the population increase associated with DRSP project would preclude any other future development based on the NCSD 2020 Urban Water Management Plan (MKN Final December 2021) (NCSD website: [2020 Water Management Plan](#)). That is a ‘Significant’ impact.
4. An obvious omission from Section 4.19.3 is a threshold relating to how long project implementation may extend or necessitate the reinstatement of NCSD water shortage restrictions. Any adverse impact would not be considered ‘less than significant’ as a Stage IV shortage is classified as ‘severe.’
5. Section 4.19.6 “Water,” concludes that “...potential project impacts would be potentially cumulative considerable, and the cumulative impacts related to water supply would be less than significant with mitigation.”
 - a. Please clarify what considerable but less than significant actually means.
 - b. “Executive Summary,” Section 4, Goal #13, reads “To meet or exceed the requirements of the Nipomo Community Services District (NCSD) District Code to ensure that the DRSP constructs the water and wastewater infrastructure necessary to serve the project without adverse impacts on the NCSD’s ability to serve existing and future users.” The phrases ‘*without adverse impacts*,’ ‘cumulatively considerable,’ and ‘less than significant’ have entirely different meanings. Please provide a more detailed basis to justify a ‘Class III less than significant impact’ conclusion. Also address the failure to meet DRSP Goal #13.
 - c. “Executive Summary,” Section 5, Significant Environmental Impact Identified, Table ES-2, HYD Impact 3 (Pg. ES-51), reads in part “The project could substantially decrease groundwater supplies...” The impact response states that “Mitigation is not necessary.” This directly contradicts the Section 4.19.6 “Water” conclusion. What differentiates ‘substantially’ from ‘not significantly?’

- d. Add a definition section to the EIR. Include qualitative terms and phrases used in the report. This is necessary to assist the reader in validating the authors conclusions regarding the relative scale or magnitude of an effect (e.g. substantially but not significantly; without adverse impacts; cumulatively considerable; less than significant; and etc.). Better yet, consistently use a more limited set of terminology.
6. Explain why there is no conflict of interest in MKN authoring both the subject EIR and the NCSD planning report.
7. What is the basis for, and sizing criteria applied to, the installation of 2 million gallons of additional water tank storage at the NCSD's existing Foothill water tank site at the North Dana Foothill Road and East Tefft Street intersection and a second water storage tank at the NCSD's existing Joshua Road pump station? Is the additional storage necessary to accommodate periods of peak water demand and / or ensure adequate head throughout the NCSD distribution system?

Conclusion:

The draft Dana Reserve Specific Plan environmental impact report currently lacks sufficient detail and clarity to adequately demonstrate a "less than significant" impact on the affordability and sustainability of NCSD water to the existing community.

[EXT]Comments: Dana Reserve Draft Environmental Impact Report - SWCA Project No. 64873

G Reimers <greim416@gmail.com>

Mon 7/25/2022 2:14 PM

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

📎 1 attachments (20 KB)

Dana Reserve EIR Comments.docx;

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

Please see attached for comments regarding the subject draft report. Upon review, my conclusion is that the draft Dana Reserve Specific Plan environmental impact report currently lacks sufficient detail and clarity to adequately demonstrate a "less than significant" impact on the affordability and sustainability of NCS D water to the existing community.

Thank you for the opportunity to review and comment.

Gregg Reimers, PE
556 Charro Way
Nipomo, CA 93444
805-610-5569

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

Sent: Thursday, June 16, 2022 8:30 AM

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

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

Subject: Dana Reserve Draft Environmental Impact Report - Notice of Availability

Good morning,

*Please find attached the official **Notice of Availability for the Dana Reserve Draft Environmental Impact Report**. Please note, the public comment period closes on August 1, 2022. Thank you.*

*Jennifer Guetschow
Project Manager*

**NOTICE OF
AVAILABILITY**

DRAFT ENVIRONMENTAL IMPACT REPORT

WHO: County of San Luis Obispo Department of Planning and Building

WHAT: A Draft Environmental Impact Report (DEIR) for the *Dana Reserve Specific Plan (PLN-1118, SUB2020-00047, LRP2020-00007, ED21-094)* is complete and available for

public review and comment. The document addresses the environmental impacts that may be associated with activities related to the adoption of the Dana Reserve Specific Plan (DRSP), including adoption of the Specific Plan, Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, Vesting Tentative Tract Map (VTTM) 3159, Development Agreement, annexation into the Nipomo Community Services District's (NCSD) service area for provision of water and wastewater services, and a County-initiated General Plan Amendment to change the land use categories within the Specific Plan Area and reflect the proposed incorporation of the Specific Plan Area into the Nipomo Urban Reserve Line (URL). The *Dana Reserve Specific Plan* is a primarily residential project with a majority of the Specific Plan Area designated for residential uses, which would accommodate up to 1,289 single- and multi-family residential units. The DRSP would also allow for the future phased development of village and flex commercial uses (including a hotel, educational/training facilities, and retail/light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area. State Clearinghouse #2021060558.

The Specific Plan Area is within the Residential Rural land use category on three adjoining parcels totaling approximately 288 acres, including Assessor's Parcel Numbers (APNs) 091-301-030, 091-301-031, and 091-301-073, and is adjacent to the northern boundary of the Nipomo Urban Reserve Line and NCSD service area. The project site evaluated in the EIR also includes offsite water, wastewater, and transportation improvement areas located within the vicinity of the Specific Plan Area.

WHERE: The DEIR is available for review or downloading on the Planning Department's web site at: <https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Dana-Reserve-Specific-Plan.aspx>. Copies of the DEIR, and all documents referenced in the DEIR, are also available for review at the County Department of Planning & Building, 976 Osos St., Rm 300, San Luis Obispo. Due to COVID-19 restrictions, it is recommended that you

contact the project manager (contact information below) to arrange for an appointment. A copy of the DEIR is also available for review at the Nipomo Library (see SLOLIBRARY.org for hours and COVID-19 requirements).

HOW TO COMMENT OR GET MORE INFORMATION:

Anyone interested in commenting on the DEIR should email your comments or questions to: jGuetschow@co.slo.ca.us or submit a written statement directed to Jennifer Guetschow of the San Luis Obispo County Department of Planning and Building at 976 Osos St., Rm 300, San Luis Obispo, CA 93408. Comments must be received between **June 16, 2022** and **August 1, 2022**.

If you need more information about this project, please contact Jennifer Guetschow at (805) 788- 2352.

ENVIRONMENTAL IMPACTS:

The EIR focuses on the following issues: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

Per CEQA Section 15087(c)(6), based on a search of the California Department of Toxic Substance Control's EnviroStor database, the State Water Resources Control Board's GeoTracker database, and CalEPA's Cortese List website, there is one open cleanup program site located within the offsite water system improvement area near the Tefft and Carrillo Streets intersection.

<<https://geotracker.waterboards.ca.gov/>>.

PUBLIC STUDY SESSION

The project will be presented at a public study session before the San Luis Obispo County Planning Commission on July 14, 2022, beginning at 9:00 a.m. Planning Commission meetings are currently being held virtually. For information on how to attend virtually (via Zoom platform), refer to the agenda on the Planning Commission Meetings website:

<https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Meetings,-Hearings,-Agendas,-and-Minutes/Planning-Commission-Meetings.aspx>. **This date is potentially subject to change.**

The project is also planned to be presented at a public study session before the San Luis Obispo County Local Agency Formation Commission (LAFCO) on July 21st, beginning at 9:00 a.m. LAFCO meetings may be held virtually. For information on how to attend the LAFCO study session, refer to the agenda on the LAFCO meetings website:

<https://www.slolafco.com/commission-meetings>. **This date is potentially subject to change.**

DATED:

June 16th, 2022

Jennifer
Guetschow
Supervising
Planner

1786 Trilogy Pkwy

Ahler

SLO Planning Commission
c/o Jennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo.

After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
 - Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
 - Write in other issues of concern (i.e Water, public services) not determined to be a class 1 issue in the EIR

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

DATE: 7/27/2022 SIGNED: 
email: jimahler7947@gmail.com

*copy this letter into your word processing program.

Highlight or circle your concern from list.

Date/Sign/add email.

Copy and paste into your email program.

send to jguetschow@co.slo.ca.us

OR

mail to: Department of Planning and Building

ATTN: Dana Reserve/Jennifer Guetschow

976 Osos Street, Room 300

San Luis Obispo, CA 93408

MUST BE RECEIVED BY AUGUST 1

Jennifer Guetschow

From: jason@hartcre.com
Sent: Friday, July 29, 2022 9:04 AM
To: Jennifer Guetschow
Subject: [EXT]Dana Reserve Specific Plan

Importance: High

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

Good morning Jennifer,

I have a question regarding the Dana Reserve Specific Plan. I live on Cory Way, a street that is designated as a fire emergency road for the project. I have not been able to find where in the documents it addresses what that means for this street. Is there the possibility of needing to widen this road? If so, has that been looked at? My house not only has a very small front yard, but also has a drainage basin that all of the street and much of Sandydale's run off captures. If widening is needed it could have a major impact not only on my property, but also drainage issues for the immediate area.

Thank you,

Jason Hart
Broker/Owner
BRE #01334694



Hart Commercial Real Estate
170 West Grand Ave, Suite 203
Grover Beach, CA 93433

T. 805.481.9010
F. 805.880.8100
C. 805.709.6491
Jason@HartCRE.com
www.HartCRE.com

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Jennifer Guetschow

From: Nipomo Recreation <nipomorecreation@gmail.com>
Sent: Friday, July 29, 2022 12:32 PM
To: Jennifer Guetschow
Subject: [EXT]Re: Dana Reserve Project

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

Dear Jennifer,

The Mission of the Nipomo Recreation Association is to enhance the quality of life for all residents of the Greater Nipomo are by providing diverse and quality recreation programs, services, athletic opportunities, and facilities in direct response to the needs of Nipomo.

Nipomo Recreation has many programs that benefit the Nipomo community. We offer Special Events throughout the year, Youth Basketball League, before and after school care, we own and operate three Little Bits Preschool & Toddler Centers, and we team up with LMUSD with the Bright Futures program, and much, much more. We provide service for families of children ages 6 weeks through 8th grade.

Our organization played a key role during the pandemic in meeting the needs of the most vulnerable families in our community. We support the Dana Reserve project for several reasons. The main reason is the land donation for a daycare center. This is a very real need in Nipomo. Families in our community have limited options for childcare. Our three preschools hear from families daily about the struggle for childcare and the impacts to their life at home and work.

The Dana Reserve will add to the childcare capacity for the community. While we recognize that the EIR considers the environmental impacts to the community we hope this will be weighed against the human impacts and benefits to the community.

Sincerely,

--

Jeff Long

Nipomo Recreation Association

CEO/Executive Director

nipomorecreation@gmail.com

c: 805-215-9295

Jennifer Guetschow

From: Jim Taber <james.michael.taber@gmail.com>
Sent: Friday, July 29, 2022 2:47 PM
To: Jennifer Guetschow
Subject: [EXT]Dana reserve project

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

C/O Planning Commission

The idea that buying land with trees is a solution to cutting down trees sounds really bizarre. You buy a piece of land that no one wants on the side of a mountain with trees and say it is preserving something is the kind of thinking some ass hat would have. I thought old growth trees were suppose to be preserved. I know your the ecologist here but in my business, most would laugh at me for such an idea.

I'm not from California (Chicago)but i do like the quiet that rural locations provide. This is how we ended up buying a home here.

My big concern now, as with the first meeting, traffic. If they start the project without opening the road to Willow, all the trucks will use Sandydale. The results will be our street will be beat into a gravel road. The the traffic pattern will be set and all future traffic will use this and frontage. Both streets (Sandydale and Frontage) are not made for this.

In addition, our streets are filled with pedestrians in the morning until evening. The commercial RV business and tree business seems to be the limit for Sandydale.

I would like to see stop signs at the T intersections (Coryway and Briarwood Lane). On Sandydale and Frontage adding traffic bumps as another possible preventive measure, however, if Willow is opened first maybe this can be avoided. **I don't like the inconvenience of this idea but the alternatives would be worse.**

I think all traffic from Dana to Frontage and Sandydale should be banned!

The Swap-meet traffic on Sundays already make Frontage, Juniper and Mary useless and we all avoid these streets one day a week. Special events close the streets use on other occations.

Best regards
Jim

Sent from my iPad

Joyce Hartwig

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo.

After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
- Write in other issue of concern (i.e Water.

* all issues are a concern for this
= project !!

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

DATE: July 25, 2022

SIGNED: Joyce Hartwig

email:

hartwighome@att.net ...

Comments on the EIR:

Transportation

Comment: Although bike and pedestrian paths consistent with county standards are part of the proposed plan within the development, the overall goal is to reduce VMT regionally and within Nipomo. The bike paths on Pomeroy are class 2, but are dangerous due to the lack of separation from fast moving vehicles and ingrown vegetation into the bike lane. It is unlikely that residents will use this to reduce VMT within the plan area. Additionally the North Frontage has no bike lane and sidewalks are difficult to bike on due to power poles and hydrants within the sidewalk paths. Although frontage will connect from Sandydale to Willow, walkability and bike use would increase from the development to major shopping centers on Tefft with the improvements to this section of road. Improvement of the sidewalk corridor (removal of poles and hydrants from walkway) and the addition of a bike lane should be incorporated into the off-site improvements.

TR Impact 4: Off-site improvements would not generate VMT in a manner that would be inconsistent with State CEQA Guidelines Section 15064.3(b). Impacts would be less than significant (Class III).

OFF-SITE TRANSPORTATION IMPROVEMENTS

The proposed project would include off-site transportation improvements (e.g., Frontage Road extension near Sandydale Drive adjacent to the southeast corner of the plan area, widening of Willow Road, new traffic signals at Willow Road intersection with Collector A). In addition, fair-share contributions to other off-site improvements such as the new traffic signals at Willow Road/US 101 northbound and southbound ramps would be required as part of the individual projects within the Specific Plan Area boundaries. As noted above, transportation projects that add roadway capacity on local or collector streets can be presumed to have a less-than-significant impact if a project also substantially improves conditions for pedestrians, cyclists, and transit. Because the project would develop an interconnected system of pedestrian and bicycle facilities that connect with existing pedestrians and bicycle facilities in the community of Nipomo, the project's off-site transportation improvements would have a *less-than-significant impact* to VMT as it relates to induced demand.

- Comment: this Impact needs to be clarified as the language is confusing. Additionally, if what's stated is that impacts to collector roads will be less than significant because of the addition of pedestrian and bike paths, this is incorrect. The bike paths and pedestrian paths within the development should be classified as "recreational" and do not really impact VMT as pedestrians and bikers will be unlikely to use existing bike/sidewalk connectors due to hazardous conditions in the sidewalks on North Frontage and class two bike lanes Pomeroy. This impact needs to be re-assessed after being clarified.

TR Impact 5: Phased buildout of the Specific Plan Area would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant (Class III).

Comment: Hazards will be substantially increased to due to the design of the project. In order to access the elementary school identified for this project (Dorthea Lange Elementary), there will be increased traffic on Pomeroy. This traffic and entry/exit on Pomeroy will increase hazards for residents on Sandydale Drive. Access for this collector road is on a blind corner, where residents have to turn left across traffic. There has already been one fatality in 2019 and multiple crashes into the residence on the corner of Sandydale and Pomeroy. In order to mitigate this increased hazard, a left hand turn lane should be incorporated into the design of the Project. Additionally, increased

traffic will utilize small rural roads such as Camino Caballo and Osage in order to access Dorothea Lange Elementary. The hazards at the intersection at Camino Caballo and Pomeroy will increase due to the design of the project, where there is no stoplight and visibility is low when turning left towards the development. A stoplight at this intersection should be incorporated into the design. This will also increase VMT opportunities as there would be a safe crosswalk across Pomeroy to access the Nipomo Park and Native Garden, so walkability and bike-ability will be increased.

Utilities and Service Systems

Comment: The EIR includes a “conceptual” recycled water line that was obviously analyzed during project development as acre foot projections from this line were included in the EIR. However, it is unclear why this conceptual line was included if not fully developed and part of the project? As the EIR states “the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth” the development and inclusion of the recycled water line should be included as a mitigation measure for this project.

Biological

page 4.4-47; Principle 1: Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources.

Potentially Consistent. The project will protect the densest area of oaks on the property in an attempt to preserve the scenic natural beauty of the area.

Comment: Why is this considered “Potentially consistent”? The oaks preserved by this project are the least visible from the community and hwy 101 based on the visual analysis for the project and the need to plant screening oaks of certain sizes. This impact should be considered “potentially inconsistent”

Page 4.4-47; Policy Objective 6.4. Conserve and protect natural, sensitive, and agricultural resources. Again, why is this considered “Potentially consistent”? Based on the rest of the biological analysis, there would be a net loss of oaks in the County, therefore the project does not conserve and protect natural, or sensitive resources. This impact should be considered “potentially inconsistent”

Page 4.4-56; BIO/mm-2.3 doesn't appear to include a clarkia mitigation plan required or timeframe for monitoring of this mitigation. Additionally, there appears to be limited connected “undeveloped area” adjacent to oak woodland in order to complete this mitigation. Areas where mitigation is proposed should be included in figures as it is unclear how this mitigation will be implemented. Concerns with this plan includes: residential and recreational uses immediately adjacent to the “preserved” oak woodland on-site and potential mitigation sites, potential distance between existing populations and “mitigation” populations for pollination, and the lack of necessary disturbance in order to continue to provide open spaces for germination of this species in the future.

Page 4.4-73;

If appropriate habitat is not available in San Luis Obispo County at a 2:1 ratio, the applicant may fulfill half of this mitigation requirement through restoring Burton Mesa chaparral in Santa Barbara County at an additional 2:1 ratio (e.g., if only 35 acres can be preserved/restored within San Luis Obispo County, then an additional 70 acres would be required to satisfy the mitigation if purchased in Santa Barbara County).

A combination of preservation and restoration at a 2:1 ratio would allow for a no-net-loss of cover by Burton Mesa chaparral constituent elements and maintain species diversity within the county.

Comment: Allowing for preservation of these communities outside of the county is not acceptable mitigation. Additional preservation on-site in the form of conservation easements over existing habitat needs to be considered.

Page 4.4-78;

Small residential parcels along the southeastern and southwestern boundaries of the project area inhibit wildlife movement south or west from the project area.

Comment: This statement is a generalization and is not factually correct. Wildlife routinely utilizes the SBR residential parcels on Sandydale, and the property on north frontage to connect to the Nipomo Native Garden and Nipomo Community Park. Coyotes, garter snakes and jackrabbits are species commonly seen in these areas. This statement needs to be corrected.

Alternatives Analysis

Although Alternatives 1-5 are assessed in the EIR, there are no accompanying figures for anything other than Alternative 3. Alternative 4 only shows a figure showing the habitats on-site. How can the public determine that the alternatives analysis was sufficient if figures similar to Alternative 3 are not available within the EIR. Figures showing the development footprint for each alternative should be included for public viewing within the EIR.

Since alternative figures were not included, it is unclear if an additional alternative where the total number of housing units in NBD 4-9 were reduced overall to cluster housing in smaller, denser neighborhoods. Perhaps this is Alternative 2, but it's unclear as Alternative 2 states "Based on the significantly reduced development footprint, ***if properly situated***, Alternative 2 could largely avoid direct removal and impacts to oak woodland and Burton Mesa chaparral." It appears that Alternative 2 was not fully analyzed as it's not clear "if the development was properly situated" to actually reduce impacts. Alternative 2 needs to be re-analyzed and a figure showing the proposed Alternative 2 should be included in the EIR.

The alternatives are un-inspired, it appears the only goal of this project is maximum buildout of the project with no regard for biological resources. High density apartments that are not SFR should be built in the grasslands in the middle of the project to add housing that doesn't conflict with biological resources. The fact that this impacts visual resources is not an issue as all of the alternatives already impact visual resources.

[EXT]ATTN: Dana Reserve/Jennifer Guetschow

Kelly Kephart <mountainviolet@gmail.com>

Sun 7/24/2022 3:27 PM

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

Cc: Justin Kephart <Kephartjustin@gmail.com>

 1 attachments (71 KB)

Dana Reserve EIR Specific Comments.pdf;

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Dear Ms. Guetschow,

I am sending this email which contains a letter about the Dana Reserve Project and a separate document with comments on the EIR, located at the end of the email.

I am very concerned with the amount of significant impacts the current applicant preferred Dana Reserve Project will have on the Nipomo Community.

This project makes a mockery of and stands to undermine the existing Oak Tree Ordinance for all future developments to come in the county. It took the wholesale removal of over 2,000 oaks at Justin Winery to get this current ordinance, what is it going to take for us to get tough on developers with regards to oak removal? 4,000 trees? 10,000 trees? When is enough, enough? The developer wants us to think that he is environmentally responsible because he is preserving the oaks in the middle of the project site, and buying a hill top parcel with oak trees. However, this is really hypocritical because neither of these locations are really developable. In fact, the Dana Ridge mitigation site has vastly different species and contains none of the special-status species found on-site. Shouldn't mitigation really be like for like? If this project is approved as is, in the future, developers will continue to clear large swaths of trees in prime habitat for oaks and other sensitive species, in favor of undesirable locations on the fringes of where oaks can survive, leading to a total net loss of oaks in the county. As a land manager I have recently seen many of these large oak trees die of drought, loss of multiple limbs, uprooting and other diseases. Many of the locations where oak trees occur are seeing no new regeneration, meaning these systems are dying. There is a way to reduce the impacts to onsite oaks and rare plants and habitats, look at additional alternatives! This project is overly packed with homes, to the detriment of the biological resources on-site. Reduce the overall amount of houses in each neighborhood, maintain linkage of the native habitats left onsite or consider alternative 3 as the more acceptable alternative for this development.

In the EIR it's stated that "The County's South County Area Plan includes an outline for future development of La Canada Ranch on the project site, which identified the following land uses in order of priority: open space uses, industrial park(s) retail uses, commercial retail uses, and residential areas. The prioritization of these land uses show that preservation of on-site oak woodlands and development of job-generating commercial and industrial uses were intended to be the primary focus of future development on-site for La Canada Ranch." Why did this project not follow the South County Area Plan? If we were to follow the south county plan, Alternative 3 is the most in-line alternative vs this project with bloated housing, jobs/housing imbalance, and blatant removal of oak trees, in which preservation was supposed to be the top priority. Additionally, the Dana Reserve project proposes some 1,290 dwelling units on 288 acres; thus this one project, if fully built out, would absorb almost 40 percent of the county's state-mandated Regional Housing Needs Allocation (RHNA). Further development in Nipomo will only exacerbate this imbalance, since Nipomo holds only about 25 percent of the population of the county's unincorporated area. Nipomo should not be the "fix-it" area for the county-wide shortage of housing, especially since most of the people that live in Nipomo commute to either Santa Maria or SLO, there are so few jobs locally. And what does this mean for the affordable housing on-site? These people will need to commute in order to get to their work, doesn't it make more sense to build affordable housing closer to the jobs in the county?

The EIR itself states that although water allocations from the NCSO should exceed buildout of the project, "the specific timing of buildout of the DRSP is not currently known and the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth." In the project's own EIR, they are concerned that the drought will exceed the stage V drought analysis, so much so that in order to develop each stage, water allocations will have to be deemed sufficient. However, despite all the work to bring water into the new development, a solid water recycling line plan to supplement water resources was not developed for this project. If we build a new development in a water parched area, we should include all water saving measures at our disposal, not just leave it to chance that the developer will do it when the time comes.

Despite Planning Commissioner Don Campbell saying neighboring houses on acreage should "get over" having high density housing immediately adjacent to their properties during the July 14th public meeting, there are real concerns from neighbors on these lots when the zoning for the neighboring property is proposed to be changed from Rural Residential (RR) to Single Family (SFR) or Multi Family Residential (MFR) zoning. Neighbors adjacent to this project have roosters, chickens, horses and cattle, despite Don's comments that this area "is not AG", these residences are allowed these animals in certain densities on their land. Unfortunately, new families moving into these SFR and MFR lots may not be so understanding of these animals. In many cases, the only space between these lots is a 15 ft setback with an equestrian trail. Although this equestrian trail is an amenity of the project, the buffer will not be enough to prevent the future conflicts that will occur between these lots with drastically different zoning on the other side. We need to see a redesign of the plan to include less housing along the perimeter of the neighborhoods in order to mitigate this zoning discrepancy.

This model of viable commercial sites within the mixed use space has not worked locally. Trilogy is one example. Fifteen years later Shea is still trying to find a workable solution for the land that was proposed to be a hotel, and other amenities/businesses (and we are speaking about an experienced developer). Dignity Health and an investment firm office are the only takers so far. The Dana Reserve project developer described the mixed use buildings to be exactly what Trilogy promised to its home buyers. How will that look if the developer sells these amenities only to have them fall through? Especially since this project already has a housing/jobs imbalance.

The EIR states that Nipomo High School is already at capacity and buildout of the Specific Plan Area would further contribute to this exceedance, which would impact the experience for all existing Nipomo residents. Additionally, this development is within the Lange Elementary boundary, which doesn't

have the capacity for all students expected to attend, so the EIR states its likely all of these students will need to go to Nipomo Elementary. This school is on the other side of the freeway, and it's likely that this will cause additional backup on either North Frontage and Tefft or Thompson as most kids will be picked up and dropped off. The EIR consultant stated during the July 14th call that Lucia Mar Unified School District (LMUSD) had concerns about this plan, but that fees mitigated this concern under CEQA. However, I would say that additional alternatives to this development plan, which would reduce the overall amount of homes on-site would help to alleviate LMUSD's and existing residents' concerns.

Although the development of a park in the middle of the development seems like an amenity, County Parks comments in the EIR state that "the proposed park site is too small and encumbered with drainage features that should not count toward acres used for park land" with regards to the CEQA analysis. Additionally, the developer requested that a Quimby Fee credit for conveyance of the park land to the County be waived. However, County Parks stated that "a waiver of Quimby Fees would mean the long-term maintenance of the park would not be adequately accommodated." How can we let a developer propose a park, then not help pay for the long term maintenance? If Quimby fees are not paid, does the developer expect that long-term maintenance of the park will be paid out of HOA fees as discussed in the Dana Reserve Specific Plan? How does this affect the costs incurred by the affordable housing residents on-site?

With regard to affordable housing, there are many amenities within the development that are proposed that would be beneficial. However, these amenities come with a cost. As stated in the Dana Reserve Specific Plan, HOA's would be used for long term maintenance of facilities. As we know, HOA fees typically go up over a period of time. Add in the requirements for all electric homes required to mitigate GHG and air emissions, there may be many hidden costs for those residents we are hoping to provide this housing to, so much so, can we say that the operating costs of these houses will be affordable?

Have you driven through Nipomo lately? Do you know where Nipomo gas stations are? Grocery stores? Pharmacies? Hardware store? They are all accessed by using Tefft st. This project's access to Willow Road and 101 will do little to ease the traffic flowing to Tefft street as the additional 4,500 plus new people to Nipomo need these same services. The Nipomo Swap Meet on North Frontage road causes huge backups on Mary street and Tefft as people enter and exit on Sundays, so much so that additional enforcements on that day is needed just to keep all traffic flowing on Tefft street. Although the extension of frontage (which is a small two lane road) appears to be a benefit, it doesn't work if the rest of Mary and Tefft is backed up from other traffic. The increased traffic from this development will cause safety hazards at Camino Caballo's entry and exit to Pomeroy, which has limited visibility and is difficult to access due to speeding cars. Same issue at Pomeroy and Sandysdale. A fatality in 2019 on the blind curve highlights the safety concerns with additional traffic for residents trying to turn left onto their street. As stated in the EIR, the majority of people in Nipomo commute north or south on Highway 101 to work. This large development is only going to exacerbate the backup on 101 as it is inevitable that the head of household jobs needed to afford the 600k starting price for these new homes will not be made up with the likely low paying service jobs created by this project. Unfortunately for us in Nipomo, we are too rural for improvements on this section of highway.

Apparently the applicant and county believe otherwise, that Nipomo is ready for 4,500 plus new people even though our infrastructure, and services are lacking. Despite the fact that Nipomo is taking an un-equal share of the housing which will mean destroying 96% of all oak woodland, and 97% of all special status habitats on this rare piece of land. Maybe high density and affordable housing should be closer to the actual jobs in the county instead of Nipomo which already has an imbalance of housing vs jobs, which contributes to commuting and traffic issues. SLO county continually touts itself as an Environmental leader, this project is a test of that. Do not let a developer get away with an overly ambitious project that has 6 significant class 1 impacts, **the social and economical benefits do not outweigh the significant impacts this project will have on the existing habitat and community members.** Send this project back for development of more alternatives!

Kelly Kephart

Jennifer Guetschow

From: Team Mojoe Termite <team@mojoetermite.com>
Sent: Friday, July 29, 2022 1:59 PM
To: Jennifer Guetschow
Subject: [EXT]Dana Adobe

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SLO Planning Commission
c/o Jennifer Guetschow;

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo. How can this not affect out air quality, water (I thought we were in a drought), not to mention the additional traffic! How many of these are going to be low income? My biggest concern is that you will be removing almost 4000 oak trees. This is unacceptable! We don't want this housing project!

Lisa Swiontek
Office Manager
1445 Grand Ave. Suite H
Grover Beach CA 93433
Phone : 805-548-8990
Fax: 805-574-1991
www.mojoetermite.com



Jennifer Guetschow

From: Team Mojoe Termite <team@mojoetermite.com>
Sent: Friday, July 29, 2022 2:01 PM
To: Jennifer Guetschow
Subject: [EXT]Dana Adobe

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SLO Planning Commission

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo.

After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern):

- Housing (imbalanced housing vs job creation, which also increases traffic)
- Transportation (increase traffic, impacts on many roads throughout Nipomo)
- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
- Write in other issues of concern (i.e Water, public services) not determined to be a class 1 issue in the EIR

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

Pay Now



Lisa Swiontek
Office Manager
1445 Grand Ave. Suite H
Grover Beach CA 93433
Phone : 805-548-8990
Fax: 805-574-1991
www.mojoetermite.com



Recd: 7.28.22

Mr. GREG MANOSAR
828 INGA RD.
NIPOMO, CA. 93444

Dear Jennifer Guetschow,

I am a resident of Nipomo, and will be living 2 blocks away from the proposed project "Dana Reserve."

Here are my concerns:

1. Housing density- changing land zoning from rural residential to single family or multi-family residential. There are concerns from myself and neighbors adjacent to this project that have livestock and roosters, chickens, etc. so close to this development.
2. Land planning- Many of the project plans are out of alignment with the south county area plan. The preservation of oak trees and open space uses was to be the first priority. If we consider alternatives, Alternative 3 is the most beneficial, and reduces the overall impact for the oak woodlands.
3. Biological impacts-Over 3,900 oak trees would be removed, federally endangered species, and special habitats removed, as indicated in the draft EIR. This will undermine the existing Oak Tree Ordinance for all future developments to come.
4. Water- Although NCS D has assured water should be adequate for this project, the current drought situation for California makes water reliability for the future supply a concern.
5. Transportation- All amenities for Nipomo are accessed by way of Teft Street. The Nipomo Swapmeet on North Frontage causes huge backups on Sundays. There are no additional improvements planned for this area and the additional 4,000 plus people travelling to businesses or the freeway which will just add to the congestion already evident. The Highway 101 will be impacted as well, with people commuting north or south for jobs or services.
6. Schools- The EIR states that Nipomo High School is already at capacity and buildout of the Specific Plan Area would further impact this community. D. Lange Elementary doesn't have the capacity to accommodate the student increase expected if the Dana Reserve Project goes through, and most likely students would be shifted to Nipomo Elementary which would contribute to more traffic and congestion of Teft Street.

Jennifer, the benefits of this project do not really benefit Nipomo as proposed. Many of these project concerns are voiced by the residents of the majority of Nipomo. Just consider postponing any decisions until the concerns are fully addressed.

Sincerely,



Lory Manosar

lmanosar@yahoo.com

Cell 805-878-3514

Marci Lyster
612 Sandydale Dr.
Nipomo, Ca 93444
949-294-2651
marcilyster@mac.com

7/29/22

County of San Luis Obispo

Attention Jennifer Guetschow

The impact of the Dana Reserve Project will not overcome the social and economic benefits of the project.

Nipomo does not need housing. There is not a shortage of houses here.

Nipomo does not need anymore tract house developments. There are many tracts that have already been built here.

Nipomo and the South County do not need anymore affordable housing. The South County has the majority of affordable housing in all of San Luis Obispo County.

If large parcels are to be divided for development it should be per the standards in place in the county.

I have heard this to be one house per twenty acres, or in more rare cases one house per five acres if it is even allowable at all.

Most working people commute from the South County to San Luis Obispo for work on Highway 101.

If one wants to develop more tract houses for working people they should be placed nearer to San Luis Obispo to cut down on commuters and lessen traffic.

With the exception of infill development of lots and land that are not built on in Nipomo, this area is built out. We do not need to sprawl out further. There is no need for this Dana Reserve Project and the impacts to the community due to destruction of open space around the town, Oak Destruction, increased traffic on the roads, increased strain on infrastructure and water use, far outweigh the social and financial benefit of this project for the people living in Nipomo.

Sincerely,

Marci Lyster

A handwritten signature in black ink, appearing to read "Marci Lyster", written in a cursive style.

[EXT]Dana Reserve Project

Melissa Peterson <mlssap@live.com>

Mon 7/25/2022 2:05 PM

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

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Melissa and Jack Peterson
850 Sandydale Drive
Nipomo CA 93444

July 25, 2022

Department of Planning and Building
ATTN: Dana Reserve/Jennifer Guetschow
976 Osos Street, Room 300
San Luis Obispo, Ca 93408
jguetschow@co.slo.ca.us

RE: Dana Reserve Project

Dear Ms Guetschow,

As residents of Nipomo for the past 12 1/2 years, we would like to express some of our concerns regarding the proposed Dana Reserve Project. We moved to Nipomo because it has a small town feel with numerous agricultural and rural properties. The added subdivision will make our small town feel more like a typical city in Southern California.

Our home is on Sandydale Drive and the Dana Reserve project will impact us considerably due to an increase in traffic. With increased traffic comes increased air and noise pollution.

We are also very concerned with the number of homes proposed and the amount of water that will be required to take care of the families living there. As it is, our water rates have gone up considerably since we moved here and that trend promises to continue. We are encouraged to conserve water and yet apparently, the Planning Commission sees no problem with adding over 1200 new living spaces and increasing the Nipomo population by roughly 20%, all which means more water consumption. Nipomo does not have the infrastructure in place to accommodate this project.

The impacts from the Dana Reserve Project will not overcome the social and economic so-called benefits of the project and we would like to see a much more modest proposal for the property, one that respects more open space and its many oak trees. Coastal Live Oak trees take up to 75 years to reach maturity and can live for up to 250 years. The proposed removal of more than 3500 of these majestic trees is beyond comprehension. We feel this project, if it goes ahead as planned, will destroy the charm and warmth of Nipomo.

Sincerely,

Melissa Peterson

Jack Peterson

Melissa Peterson, mlssap@live.com
Jack Peterson, K6dmm@live.com

cc: Lynn Compton, County Board of Supervisor
district4@co.slo.ca.us

[EXT]Fw: Dana Reserve EIR

Milly Bruno <jomibru@att.net>

Sat 7/23/2022 9:31 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.

I am a resident of Nipomo and have lived here for almost 24 years.

I want to voice my concern about the huge proposed development called Dana Reserve. I believe it has too many houses for the area to handle. The impact on traffic, schools and water will be enormous. Where are they going to get the water if this drought continues? Will Santa Maria be willing to provide more water when their own population might suffer as a result?

The loss of 3,948 native Oaks is unbelievable and the so-called mitigation of buying some land on the fringe of where oaks can survive would be laughable, if it wasn't tragic. The loss of Oaks goes along with the loss of Oak Woodland and habitats for federally endangered species.

Please consider all of the ramifications of a project this size and send the developers back to the drawing board.

Thank you,

Milly Bruno
1020 La Serenata Way
Nipomo, CA 93444

Jennifer Guetschow

From: gardenrose@nwlinc.com
Sent: Thursday, July 28, 2022 9:46 PM
To: Jennifer Guetschow
Subject: [EXT]Dana Reserve Development - RESIDENT STRONGLY OPPOSED

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

Letter/email to SLO Planning Commission re Dana Reserve Project:
SLO Planning Commission
c/o Jennifer Guetschow; jguetschow@co.slo.ca.us

ATTENTION: SLO PLANNING COMMISSION
c/o JENNIFER GUETSCHOW
jguetschow@co.slo.ca.us

I am a Nipomo resident writing to express strong concerns about the Dana Reserve Project which is being planned for 288 acres of the unincorporated county community of Nipomo. I believe this project is being expedited by the County without due consideration or concern for the many problems it will bring for the semi-rural community of Nipomo, and the county as a whole.

The Draft Environmental Impact Report lists several Unmitigatable Significant Class 1 issues, all of which concern me as a resident who will be directly impacted. The following are some of my greatest concerns:

1) DEIR Unmitigatable Significant Class 1 issue: BIOLOGICAL IMPACTS/UNIQUE ECOSYSTEM/FEDERALLY ENDANGERED SPECIES TO BE REMOVED.

Millions are spent each year trying to save California forests from wildfire, but SLO County plans to virtually set fire to 4,000 OLD GROWTH OAKS in an environmentally sensitive, unique area of the county - my home on the Nipomo Mesa. Each tree is a living work of art, having survived for hundreds of years, providing habitat for protected plants, animals, and birds that is irreplaceable. As a long time resident, I am in shock at the thought of such a wantonly irresponsible act. The destruction of this unique woodland will change the character of the Mesa and wipe out abundant wildlife that make living here so wonderful. This habitat should be placed off limits to development and protected, not replaced with a sprawling, artificial urban complex that will benefit no one but developers and others looking to profit from it. This project could be built anywhere. But **these trees can never be replaced**, and the wildlife that depend on this pristine woodland will not survive its loss. The project must not proceed.

2) DEIR Unmitigatable Significant Class 1 issue: LAND PLANNING, TRANSPORTATION.

The proposed development is not in alignment with the South County Area Plan, including how this land was intended to be developed. The size and scope is totally out of character with the rural nature of the Nipomo Mesa and will adversely impact this area. **Nipomo does not have a local police force.** Thousands of additional residents with thousands more vehicles on rural roads never designed for heavy traffic will have a devastating effect on this community. Inflating population density far beyond what this area can handle will create unmanageable crime and traffic problems, turning our quiet, safe neighborhoods into dangerous, unpatrolled havens for criminal activity.

3) WATER. NOT A CONSIDERATION DESPITE HISTORIC MEGADROUGHT?

Water sources throughout the County and State are evaporating, water tables are plummeting, but NCS&D and other

agencies declare that water is not an issue in proceeding with this enormous development. For years, NCSD has advised us in the strongest terms to conserve, emphasizing that supply is inadequate even for existing residents. The NCSD website says:

"The District remains in a Stage IV water shortage. No new actions will be enforced. The District is still not accepting new applications for service.

It is important that water suppliers recognize conservation fatigue as a real threat to gaining customer support in times when communities need to come together. On the Nipomo Mesa, many District customers have been practicing water conservation and, through their efforts, have successfully reduced water consumption over the past 18 years by 40%. When you factor in the pressures a growing community puts on water supplies, the amount of water saved is significant."

Why should Nipomo residents continue to heroically conserve water when NCSD has abruptly changed its priorities? Conservation is apparently no longer needed, as evidenced by its acquiescence to adding thousands of new customers with their attendant landscaping and other intensive water needs. Our water comes from outside SLO County and is dependent on Santa Barbara County/Santa Maria supply. In a few years when this historic megadrought has further depleted water tables, Santa Maria will have to reprioritize the needs of its own residents and Nipomo could be last in line at the pump. Instead of adding thousands of new users, we should be working to guarantee future water supplies for Nipomo's existing population.

The limited social and economic benefits of the Dana Reserve Project will not outweigh its many negative impacts. Existing residents will NOT BENEFIT from this poorly planned and conceived behemoth. As a citizen of Nipomo, I ask that this project be **denied** unless revised to such an extent that the development is greatly decreased.

DATE: _____7/28/2022_____ SIGNED: __Nancy Ellison_____

email: _____gardenrose@nmlink.com_____

[EXT]Dana Reserve Project Concerns

Nicole Duran <4nduran@gmail.com>

Mon 7/25/2022 1:11 PM

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

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Good afternoon,

As someone who has lived their entire life in Nipomo, I'm very concerned about this Dana Reserve Project. We are already in the middle of a drought and have had to cut back water usage and we do not have enough water for that many new households. The destruction of so much habitat for wildlife is unthinkable. Even with replanting oaks, it will not take the place of all the old growth oak trees. Just look at the oak mitigation project where they are attempting to grow oaks across the creek from the Dana Adobe, that has been in the works for years and still has very little progress. Traffic on the Tefft bridge is horrendous and driving on Willow has it's own hazards and blind corners. The roads are not setup for such a large influx of people. The social and economic benefits of this project do not outweigh the detrimental impacts this project will have.

Thank you,

A concerned citizen

Der Jenifer

My name is Sue Shaleen I live at 749 Glenhaven Place, Nipomo CA. I am submitting a public comment regarding Dana Reserve Development, for Paula Brown, 765 Glenhaven Place, Nipomo CA. Paula does not have internet but would like to make a comment.

“I have lived here in Nipomo since 1970. I have seen many changes over the years. The DRD has me concerned over the many houses that will be squeezed together on this parcel. The housing is too condensed, it will create an overload of traffic, pollution, hurt our wild life, and stress our current Public Services.

My water bill continues to go up- we are told we are in a severe drought. The water company is guaranteeing water for this project. If they have the power to guarantee water for all, then end the drought. They do not have that absolute power. I'm asking the planning commission to rethink the scope of this project.

I oppose it. Thank you , Paula Browne.”

Received 7-22-22 from USPS

R. A. Hazen

1347 Black Sage Cir.
Nipomo, CA 93444

7-22-22

Dept. of Planning & Building
Jennifer Luetschow:

I have read what is planned for the Clara Reserve in Nipomo and strongly object to the project. Mowing down almost 4,000 oak trees is an extreme act of poor judgement in our time of climate change crisis.

Add to that an extreme once every 1500 years drought in our area and those alone add up to imprudent action.

Then add up all the negatives the EIR has shown to those. We do not have the water for this project. It will negatively affect our air quality and our traffic. You cannot replace almost 4,000 200 year old oaks with some saplings on the other side of the freeway.

Please reject this project. Put in high density housing on open land - without oaks - somewhere where you have water.

Thank you, Randal Hazen,
Black Lake

Jennifer Guetschow

From: Becky Williams <dogslaw@gmail.com>
Sent: Friday, July 29, 2022 11:48 AM
To: Jennifer Guetschow
Subject: [EXT]Dana Reserve Project

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July 29, 2022

Department of Planning & Building
ATTN: Dana Reserve/Jennifer Guetschow
976 Osos St Rm 300
San Luis Obispo CA 93401

Re: Proposed Dana Reserve Project

To All It May Concern:

THE IMPACTS FROM THE DANA RESERVE PROJECT WILL NOT OVERCOME THE SOCIAL AND ECONOMIC BENEFITS OF THE PROJECT.

Initially, I find it incomprehensible that a project of this magnitude would even be considered for the land area proposed. The biological impacts alone should have had Mr. Tompkins decline any further consideration.

This project does not follow the South County Area Plan (SCAP). For the types of uses for the SCAP, the preservation of oak trees and open space was to be the first priority. The Draft EIR results – detailing the severe and significant impacts to the property – is gut wrenching. Removal of almost 4,000 oak trees, federally endangered species and special habitats for the purpose of cramming another few thousand people into already over-crowded Nipomo should be criminal. Mr. Tompkins is delusional if he feels that he is mitigating the loss of 4,000 oaks by purchasing another (undevelopable) parcel of land outside the area he intends to destroy.

My one-acre property backs up to the Dana Reserve property. The proposed plan would put high density multi-family residences a mere few feet from my back fence with views into my living room, bedroom, and kitchen. Mr. Campbell's remark about those of us concerned about this type of housing immediately adjacent to our property to "get over" it is flat out rude and ignorant. Get over yourself, Mr. Campbell. You will not, however, be able to get over the fact that you have a selfishly ill designed and overly ambitious project.

WATER. How on earth could any reasonable person or entity even consider this type of project in Nipomo at all, much less with the lack of water in the area during an extreme drought? Isn't our water already precious enough? The EIR states that the DRSP is not known and the reliability of our future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth.

As addressed in the EIR, the proposed project presents six significant and unavoidable immitigable issues, including population and housing, transportation, air quality, greenhouse gas emissions, land planning and biological impacts.

"The project would induce substantial unplanned population growth in the Nipomo area, resulting in a significant impact. Build-out of the DRSP would result in substantial population growth within the Inland

South County Planning Area that is not specifically projected or planned for in local or regional County planning documents and would result in excess of the projected population growth for the unincorporated community of Nipomo.

“The project would result in a cumulatively considerable impact related to substantial and unplanned population growth, resulting in a significant cumulative impact.”

Dressing up your model with attractive public facilities isn't a true rendering of what is going to result, especially putting supposedly “affordable housing” and small lots on the back steps of our larger properties. It's going to be a nightmare.

The homeless population in Nipomo is growing. While some choose to live on the street, the project's proposed “affordable housing” isn't going to offer any relief to those homeless individuals who do want a roof over their heads.

Traffic in and through Nipomo is already bad and accidents are common. Traffic laws and signs mean nothing in this area. There is little to no law enforcement in this regard. Highway 101 is regularly backed up through the area, even without an accident (or two) to make it worse. And you want to add another 4,500+ people to the Nipomo population? For what? As for Mr. Tompkins being a native of this area and the public being “advised” that he has the best interests of Nipomo at heart, I will never be convinced of that. Mr. Tompkins is interested only in deepening his own pockets.

The homeless population in Nipomo is growing. While some choose to live on the street, the project's proposed “affordable housing” isn't going to offer any relief to those homeless individuals who do want a roof over their heads.

Traffic in and through Nipomo is already bad and accidents are common. Traffic laws and signs mean nothing in this area. There is little to no law enforcement in this regard. Highway 101 is regularly backed up through the area, even without an accident (or two) to make it worse. And you want to add another 4,500+ people to the Nipomo population? For what? As for Mr. Tompkins being a native of this area and the public being “advised” that he has the best interests of Nipomo at heart, I will never be convinced of that. Mr. Tompkins is interested only in deepening his own pockets.

Rebecca Williams
534 Briarwood Ln
Nipomo CA 93444
DogsLaw@gmail.com

PS: I see no reason to cc Lynn Compton with these comments. She has proved that she is in favor of this horrendous insult to Nipomo.

[EXT]A letter of concern regarding the Proposed Dana Reserve Project

Gmail <spoblitz@gmail.com>

Fri 7/22/2022 8:25 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.

Attn: Jennifer Guetschow I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo. After reading the Draft Environmental Impact Report (DEIR), the Unmitigatable Significant Class 1 issue which concerns me most is (circle item/highlight or write in your greatest concern): • Housing (imbalanced housing vs job creation, which also increases traffic) • Transportation (increase traffic, impacts on many roads throughout Nipomo) • Air Quality • Greenhouse Gas Emission • Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project) • Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed) • Write in other issues of concern (i.e Water, public services) not determined to be a class 1 issue in the EIR The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837. DATE: July 22, 2022

SIGNED: Samantha Myers

Email: spoblitz@gmail.com

Jennifer Guetschow

From: Sandy Garcia <sgarcia.skg@gmail.com>
Sent: Wednesday, July 27, 2022 11:35 PM
To: Jennifer Guetschow
Subject: [EXT]Dana Reserve Housing

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

I OPPOSE the Dana Housing proposal. We do not have enough water to support a new development. Also, Nipomo doesn't have the Infrastructure to support this large increase in population. I live south of Tefft and already have difficulty accessing the freeway to go north on 101 for work. During the weekends the traffic is so bad it's challenging to shop locally in Nipomo. It's easier to drive south to Santa Maria, but then I'm not able to support local business. Please preserve Nipomo and not make it unlivable due to overcrowding.

Sandy Garcia
718 January St, Nipomo, CA 93444

Jennifer Guetschow

From: SHARON L. ASHWORTH <leklein@aol.com>
Sent: Thursday, July 28, 2022 3:25 PM
To: Jennifer Guetschow
Subject: [EXT]Growth in Nipomo

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

Please do not let the Dana Reserve Development get approved. Nipomo is very special because it is rural and allows for horse trails which are presently being taken over by construction and population growth. No longer can you walk or ride a horse on paths by trees or fields. Now one has to walk or ride a horse next to car traffic, houses and cross over streets.

The Dana Reserve Development will increase the population in Nipomo by 25% and ruin its rural flare. I moved here from and left a suburb area to find open spaces in Nipomo. Trilogy has already destroyed much of the uniqueness of Nipomo. What little open spaces we have left need to stay open for Nipomo to stay different and special.

Water is and continues to be an issue for our area.

SAVE NIPOMO STOP DANA RESERVE DEVLEOPMENT.



SIERRA CLUB

SANTA LUCIA

July 29, 2022

Sierra Club comment on the Draft Environmental Impact Report for the Dana Reserve Specific Plan

The Santa Lucia Chapter of the Sierra Club represents the 3,000 members and supporters of the Sierra Club, the nation's oldest and largest grassroots environmental group, residing in San Luis Obispo County. We find the Dana Reserve Specific Plan's Draft Environmental Impact Report to be inadequate on multiple fronts:

Loss of carbon sequestration via mature oaks must be part of the EIR's Greenhouse Gas emissions evaluation

This project proposes to clear 75 acres of coast live oak woodland and oak forest on the ranch—about 4,000 individual trees, covering 40 percent of the project area -- and plant “anywhere from 1,500 to 3,000 oak trees” as mitigation.

While it has always been obvious that the replacement of mature trees with saplings is a gesture toward mitigation as opposed to actual mitigation, it has become even less appropriate as the most urgent environmental issue of our time has taken shape over the last 30 years. With carbon emissions and climate change as the issue that all proposed developments must address, the full mitigation of such impacts must be a priority. This project proposes to remove @ 4,000 of [the most efficient carbon absorbing trees](#) -- six mature oaks can sequester 1 ton of CO₂ per year -- replacing them with saplings that have nowhere near the CO₂ absorption rate of mature oaks and which will take decades to achieve it.

Timothy J. Fahey, professor of ecology in the department of natural resources at Cornell University, states that “An approximate value for a 50-year-old oak forest would be 30,000 pounds of carbon dioxide sequestered per acre. The forest would be emitting about 22,000 pounds of oxygen.”

Further: “Forests need to have a permanence of 100 years to be effective carbon stores. So you plant your saplings and then you have to maintain the forest for 100 years.”

Better to retain the existing woodlands. Per the [California Oak Foundation](#), “if we assume that our current oak woodlands and forests average 100 years of age, then we can expect to sequester almost three million tons of additional carbon a year by protecting and conserving these trees throughout the 21st century.”

The annual precipitation rate is overstated and unlikely to occur in the future

The DEIR does not consider the project to present a significant and unavoidable impact on water supply. The reader is assured that the Nipomo CSD has sufficient water supply to serve the project, and by 2025 the CSD will be “contractually required to increase the purchase of water from Santa Maria by an additional 700 acre-feet.”

Contrary to the evident belief of the authors of the DEIR, water is not a “voluntary groundwater reduction goal,” or a “Wholesale Water Supply Agreement,” or “minimum required water delivery,” or “the license agreement between the County of Santa Barbara and the NCSD,” or “the NSWP’s designed capacity,” or “pump replacements and additional system pipelines,” all of which the DEIR offers as proofs that the water to support the proposed development will be available.

In its discussion of actual water, the DEIR notes that one of the two sources of water for the proposed project is the Santa Maria River Valley Groundwater Basin. The DEIR states:

“Groundwater recharge of the basin occurs from rainfall percolation, riverbed recharge, subsurface inflows, and return flows. The average annual precipitation within the basin is 15.65 inches, based on data collected between 1958 and 2020 (MKN 2021).” In the Project Setting, the DEIR estimates annual rainfall as between 15 and 20 inches per year.

Per the NOWData program of the National Weather Service, mean precipitation in the region since 2000 has been 11.67 inches. Recent annual precipitation in the area has been as follows:

2018	8.63
2019	17.10
2020	8.28
2021	11.20

NWS precipitation levels for the first five months of 2022 are:

Jan.: 0.17

Feb.: 0.07

Mar.: 1.07

Apr.: 0.39

May: 0.00

In 22 years of measurements, the NWS recorded 1 year when precipitation for the project area met or exceeded 20 inches of rain, which was solely due to a record-breaking month in December 2010. Of the records lows set for minimum monthly precipitation over the last 22 years, 9 of the 12 record minimums (0.00) were set in the last 4 years.

This corresponds with California Drought Action’s finding that “2022 had the driest January, February, and March in over 100 years” (<https://drought.ca.gov>). Per the State of California, the last 3 years have produced “a historic level of dryness...and it’s only getting worse.”

This data should be weighed against the DEIR’s statement that average annual precipitation for the area -- if the average is calculated using data stretching back six decades -- is 15.65 inches. For current precipitation levels, see the National Weather Service data above.

In noting that the region is currently in a Stage 4 drought condition, the DEIR appears to rely on the belief that the “voluntary reduction measures” triggered by Stage 4 and Stage 5 designations will assure available water in any drought condition of any duration. We note that the Governor has asked that Californians cut their water use by 15% from 2020 levels, but this has produced no more than a 3.7% reduction.

The Draft EIR omits to mention or analyze the impact of [aridification](#). The Final EIR should include current data on this phenomenon and analyze how the effect of increasingly arid conditions in California that are drying out soils may affect groundwater recharge and otherwise impact previous projections of the region’s future water supply.

Significant air quality impacts are not “potentially consistent” with existing policies

In Table 4.3-7 “Project Consistency with the SLOAPCD’s CAP Transportation and Land Use Control Measures,” much reliance is placed on AQ/mm-3.3, repeatedly cited as a mitigation measure that will achieve potential consistency with policy goals on the avoidance of air pollution increases and toxic exposure, strategic growth, reduction of greenhouse gas emissions, transportation control measures, etc. However, the DEIR states at 4.2-25: “With incorporation of Mitigation Measure AQ/mm-3.3...to reduce operational air emissions, operational emissions of fugitive dust would exceed daily SLOAPCD thresholds; however, emissions would not exceed quarterly thresholds.”

We note that residents and wildlife in the area breathe on a daily, not quarterly, basis, and therefore quarterly non-exceedance cannot be said to render the project’s air quality impacts “potentially consistent” with policies designed to protect residents from the impacts of breathing unhealthful air. No impacts that result in the conclusion that “the generation of criteria pollutants in exceedance of established daily emissions thresholds would be significant and unavoidable” can be said to be “potentially consistent” with existing policies.

Proposed mitigations for significant impacts to biological resources won’t work

The coast live oak woodland on the project site “provides important native habitat for plants and wildlife” and “contributes significantly to...the region’s overall biological diversity.” But virtually all the proposed mitigations of significant impacts to sensitive biological resources share one feature in common: They are more than likely to fail, as noted repeatedly at [5.2.2.:](#)

“...feasible mitigation may not be possible for all species....”

“...there is a lack of information about the cultural requirements to successfully propagate California spineflower at a large scale and Sand almond propagation is very difficult....”

“...due to the limited range of [Burton Mesa chaparral] and the limited availability of off-site mitigation parcels, implementation of this mitigation may not be feasible....”

“...mitigation for coast live oak woodlands should occur adjacent to the conservation/restoration of Burton Mesa chaparral on sites with sandy soil conditions suitable to support the special-status plant species that occur in the project area. This would effectively maintain and/or recreate the habitat matrix that supports the unique assemblage of species that would be lost as a result of the proposed project. However, implementation of this mitigation may not be feasible.”

We note the manner in which these impacts differ from the usual category of Class I “significant and unavoidable” impacts encountered in an EIR -- i.e. impacts are considered Class I because the mitigation measure will partially reduce the impacts but not below a level of significance (“Mitigation has been included to reduce VMT and associated emissions; however, VMT would still exceed established thresholds”). The Class I impacts to biological resources this project will inflict are significant not because mitigations will be unable to reduce impacts below an established threshold of significance, but because there will be no mitigation at all. The loss of impacted biological resources will be total. Terms such as “very difficult” and “may not be possible” – all impermissibly vague per the requirements of the CEQA Guidelines -- mask the fact that, at this point, the EIR is going through the motions, describing mitigations that cannot be attempted or will not work but which fulfill the obligation of proposing mitigations rather than admitting that there will be no mitigation measures for the impacts described.

No overriding consideration can outweigh the project’s unmitigable significant impacts

In noting that the County of San Luis Obispo’s approval of this project will require the adoption of a Statement of Overriding Considerations due to its significant impacts, the DEIR suggests that “the County may determine the long-term benefits of the project, such as fostering additional regional housing opportunities, including affordable housing, [provide] substantial overriding considerations for approving the project despite the identified adverse environmental impacts that would result from implementation of the project.”

Before the County determines that a legally defensible Statement of Overriding Considerations can be based on the project’s affordable housing component, it would do well to note the project’s “cumulative impacts associated with substantial unplanned population growth,” which “would be significant and unavoidable” (5.2.2.5 - Population and Housing). Specifically, “The project would induce substantial unplanned population growth in the Nipomo area, resulting in a significant impact. Buildout of the DRSP would result in substantial population growth within the Inland South County Planning Area that is not specifically projected or planned for in local or regional County planning documents and would result in the exceedance of projected population growth for the unincorporated community of Nipomo.”

In other words, the project would provide an affordable housing component while significantly impacting population and housing and “increasing the jobs/housing gap.”

It would be affordable housing provided by a project that relies on a future rate of annual precipitation that is extremely unlikely, while putting pressure on a water supply in a region that is already in Stage 4 drought conditions. It would be affordable housing provided by a project that will mean “maximum daily operational air pollutant emissions [that] exceed SLOAPCD’s operational significance thresholds” (and deteriorating air quality is not a selling point for potential home buyers). It would be affordable housing provided by a project that will result in “a cumulatively considerable impact to greenhouse gas emissions,” not even including the current and future sequestered carbon lost in the destruction of 4,000 mature oak trees. It would be affordable housing provided by a project that will run counter to the “goals and policies identified within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), LUO, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character.”

The DEIR also notes that the project’s “air emissions and water usage...could indirectly impact agricultural operations near the project site and within the region” and that “it is reasonable to assume that development of the project site with residential and commercial uses could increase the development pressure on agricultural lands nearby the project site,” resulting in “conversion of farmland to non-agricultural use,” accelerating the loss of farmland. Hence, the County’s approval of a Statement of Overriding Considerations would risk sacrificing South County’s agriculture for a promise of affordable housing while assuring that a “deterioration in a jobs-to-housing imbalance would be anticipated to hinder regional and local improvements related to increased transportation mobility and potential increase in VMT.”

In short, the inclusion of a percentage of affordable housing will not override this project’s impacts to the environment and the economy of the region and the County. The Dana Reserve Specific Plan illustrates the reason why affordable housing should be an outcome of public policy, not left to the largesse of developers, inserted into a project proposal like a carrot on a stick for the sole purpose of persuading elected officials to ignore their project’s highly destructive environmental impacts.

Select the Burton Mesa chaparral avoidance alternative

The DEIR’s alternatives analysis states that “While the Burton Mesa chaparral avoidance alternative would substantially avoid and reduce impacts to biological resources; reduce air pollutant and GHG emissions, VMT, and unplanned population growth; and improve project consistency with applicable plans and policies, this alternative would not reduce significant impacts related to aesthetic resources.”

Aside from the attempt to claim that an aesthetic impact outweighs the avoidance of multiple significant impacts to the environment, the DEIR equates “aesthetic impact” with density and multi-family residential units.

The DEIR argues that this alternative does not “meet the basic project objective of providing a range of housing types, including affordable housing.” It’s clear that this alternative does provide a range of housing types, merely in a different ratio (“Single-family units would be reduced from 831 to 111 and multi-family units would be increased from 458 units to 704 units...resulting in a higher density of commercial and residential development along U.S. Route (US) 101.”

We cite the Urban Land Institute’s report “Higher Density Development: Myth and Fact:”

“Most public leaders want to create vibrant, economically strong communities where citizens can enjoy a high quality of life in a fiscally and environmentally responsible manner, but many are not sure how to achieve it.... Arguably, no tool is more important than increasing the density of existing and new communities, which includes support for infill development, the rehabilitation and reuse of existing structures, and denser new development.”

The argument that this alternative would not provide affordable housing is contradicted by the statement in the alternative analysis that “This alternative would also have the potential to facilitate the development of accessory dwelling units (ADUs).” And while the developer may not feel inclined to retain its promised percentage of this alternative’s 704 multi-family units and/or 111 single-family units as affordable housing, the County is able to require that designation.

As this alternative is the only one that would substantially avoid or reduce impacts to biological resources while reducing air pollutants, GHG emissions, VMT, and unplanned population growth while rendering the project consistent with applicable plans and policies, and as the DEIR’s arguments against housing density and its attempts to allege the loss of affordable housing are without merit, we urge the County to require Burton Mesa chaparral avoidance alternative.

Thank you for this opportunity to comment,

Andrew Christie, Director
Sierra Club – Santa Lucia Chapter
P.O. Box 15755
San Luis Obispo, CA 93406

Jennifer Guetschow

From: Steve Yamaichi <yamafam@att.net>
Sent: Thursday, July 28, 2022 8:24 PM
To: Jennifer Guetschow
Cc: District 4
Subject: [EXT]Public Comment to the Dana Reserve Specific Plan Draft EIR

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

Jennifer Guetschow,

My name is Steve Yamaichi and I am a 20-year resident of Nipomo. I am writing to you regarding the Dana Reserve Specific Plan Draft Environmental Impact Report (DEIR). I am in strong support of the County of San Luis Obispo to require a **full** Environmental Impact Report for the Dana Reserve residential project.

As a 30-year California State Park Ranger/Park Superintendent (retired). I have prior work experience, knowledge and understanding of the DEIR process.

After reading the submitted DEIR, in my opinion, the County must require a **full** EIR for the Dana Reserve residential project. I have listed all of the project DEIR categories that are identified as having Potentially Significant Impact to the environment.

DEIR Environmental Checklist	"Potentially Significant Impact"
Aesthetics	4 of 4 boxes checked
Air Quality	4 of 4 boxes checked
Cultural	2 of 3 boxes checked
Energy	2 of 2 boxes checked
Geology and Soils	8 of 10 boxes checked
Greenhouse Gas Emissions	2 of 2 boxes checked
Hazard and Hazardous Waste	5 of 7 boxes checked
Hydrology and Water Quality	7 of 9 boxes checked
Land Use and Planning	2 of 2 boxes checked
Public Services	6 of 6 boxes checked
Recreation	2 of 2 boxes checked
Transportation	4 of 4 boxes checked
Tribal Cultural Resources	2 of 2 boxes checked
Utilities and Service Systems	5 of 5 boxes checked
Wildfire	4 of 4 boxes checked

I have specific concerns regarding the Nipomo Community Service District to provide sufficient water and current CalFire staffing to be able to provide fire protection for 1291 additional residences. The DIRE also states the County is to build and maintain the Collector A, B and C roadways.

The project identifies the removal of 99 acres of oak woodland and approximately 2.5 acres of scattered oak canopy in chaparral. As part of their mitigation measures the project includes an "offsite 388-acre parcel known as Dana Ridge 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."

All of which may sound good but the removal of 99 acres of old growth oak trees will have a significant environmental impact to native vegetation. The removal of 99 acres of old growth oak trees is to be mitigated by the planting of 1500 oak seedlings is a terrible trade off. It will take decades and decades to replace the existing oak trees. I recall the County has a moratorium on the removal of oak trees. The DEIR did not identify who and how the 1500 new oak seedlings are going to be watered. The seedlings must be watered in order for them to survive and theoretically replace the existing oak trees.

I support the County in requiring a **full** Environmental Impact Report for the proposed Dana Reserve Specific Plan residential project.

Steve Yamaichi
California State Park Superintendent (Ret.)

[EXT]Commissioner Don C

sue <suequilting@gmail.com>

Mon 7/25/2022 9:13 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.

Jennifer, I would like to say to the head of the planning commission that Commissioner Don Cambel . should be removed from the Dana Reserve Development panel. My issue is the last meeting, I reviewed the tape, he stated he went to lunch the day before the meeting with the developer who has been a close friend for over 30 years. This seems like a major conflict of interest. Also, he stated the land has never been used for algaculture and cattle purposes . This shows he doesn't have information about Nipomo and its history. As I write this there are cattle NOW on the Dana Reserve grazing. Maybe he should have had lunch in Nipomo?

Sent from [Mail](#) for Windows

[EXT]Proposed Dana Reserve Project

SNanasCPA <SNanasCPA@aol.com>

Sat 7/23/2022 4:08 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.

SLO Planning Commission c/oJennifer Guetschow; jguetschow@co.slo.ca.us

I am writing to express my concern regarding the Proposed Dana Reserve Project, a development project that will develop 288 acres in the Unincorporated County Community of Nipomo. After reading the Draft Environmental Impact Report (DEIR), the issues which concern me the most are:

- Air Quality
- Greenhouse Gas Emission
- Land Planning (multiple elements of the project are out of alignment with the south county area plan, including how this land was intended to be developed vs the present project)
- Biological impacts (3,948 oak trees to be removed, federally endangered species to be removed, special habitats to be removed)
- Water Shortage

The limited social and economic benefits of the Dana Reserve Project will not outweigh the many significant impacts of the project. As a citizen of Nipomo, I ask that this project be denied until revised to such an extent that the impacts of the development are greatly decreased. We owe it to Nipomo to present a project that does not significantly decrease the quality of life for existing residents and retains the natural beauty of the land given to Captain Dana in 1837.

07.23.23

Susan Nanas Calvert

SNanasCPA@aol.com

Susan

Jennifer Guetschow

From: togfrog@aol.com
Sent: Wednesday, July 27, 2022 9:02 PM
To: Jennifer Guetschow
Cc: togfrog@aol.com
Subject: [EXT]Dana Reserve Plan

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

To County of San Luis Obispo,

I am writing this letter because I am against this plan (Dana Reserve). I, as a tax payer and property owner for the last 42 years here in Nipomo, feel that this is not a good plan. There is definitely not enough water to be building this many homes. We have had to cut back to watering only 2 days a week on our property and they have invoked surcharges if we go over a very small amount. We have no grass on one and a half acres and we still had a surcharge this month. If you read the news you would be aware that the whole west is in a drought. Look at Lake Mead, Lake Powell, Shasta Lake, Trinity Lake, Lake Orville, and even the Great Salt Lake in Utah. Open your eyes. No large building plans should be allowed at this time.

The area they want to put small lots on if allowed should only be 1 acre home sites or 5 acre home sites.

This plan will have a negative impact on our schools, our grade schools and High school are at capacity. It will also cause more traffic problems.

Environmentally, it's horrible that they would allowed to take out over 3,000 trees. Most of these trees are over 100 yrs old. There is no replacing oaks this old. That was proven on the 100 acre property across from the Dana Adobe. As a Dana docent in the past I have watched the replanting of seedling oaks that have failed in the last 20 years. They have replanted these tree and watered and protected these tree and they are failing again. The trees on the Dana Reserve are enjoyed every day by thousands of commuters on Hwy 101. If they think the trees on the other side of the Temetate Ridge will be enjoyed by the public that is false.

We don't have the infrastructure or the services to provide for these homes and over 4,000 new residents here in Nipomo.

Please vote No on allowing this Plan.

Thank you,
Susan Duran
934 Division
Nipomo, Ca

Jennifer Guetschow

From: togfrog@aol.com
Sent: Wednesday, July 27, 2022 9:02 PM
To: Jennifer Guetschow
Cc: togfrog@aol.com
Subject: [EXT]Dana Reserve Plan

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

To County of San Luis Obispo,

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The area they want to put small lots on if allowed should only be 1 acre home sites or 5 acre home sites.

This plan will have a negative impact on our schools, our grade schools and High school are at capacity. It will also cause more traffic problems.

Environmentally, it's horrible that they would allowed to take out over 3,000 trees. Most of these trees are over 100 yrs old. There is no replacing oaks this old. That was proven on the 100 acre property across from the Dana Adobe. As a Dana docent in the past I have watched the replanting of seedling oaks that have failed in the last 20 years. They have replanted these tree and watered and protected these tree and they are failing again. The trees on the Dana Reserve are enjoyed every day by thousands of commuters on Hwy 101. If they think the trees on the other side of the Temetate Ridge will be enjoyed by the public that is false.

We don't have the infrastructure or the services to provide for these homes and over 4,000 new residents here in Nipomo.

Please vote No on allowing this Plan.

Thank you,
Susan Duran
934 Division
Nipomo, Ca

Sylvi Lyster
612 Sandydale Dr.
Nipomo, Ca 93444
949-500-0146

sylvilyster@mac.com

7/29/22

County of San Luis Obispo

Attention Jennifer Guetschow

The impact of the Dana Reserve Project will not overcome the social and economic benefits of the project.

Nipomo does not need housing. There is not a shortage of houses here.

Nipomo does not need anymore tract house developments. There are many tracts that have already been built here.

Nipomo and the South County do not need anymore affordable housing. The South County has the majority of affordable housing in all of San Luis Obispo County.

If large parcels are to be divided for development it should be per the standards in place in the county.

I have heard this to be one house per twenty acres, or in more rare cases one house per five acres if it is even allowable at all.


Most working people commute from the South County to San Luis Obispo for work on Highway 101.

If one wants to develop more tract houses for working people they should be placed nearer to San Luis Obispo to cut down on commuters and lessen traffic.

With the exception of infill development of lots and land that are not built on in Nipomo, this area is built out. We do not need to sprawl out further. There is no need for this Dana Reserve Project and the impacts to the community due to destruction of open space around the town, Oak Destruction, increased traffic on the roads, increased strain on infrastructure and water use, far outweigh the social and financial benefit of this project for the people living in Nipomo.

Sincerely,

Sylvi Lyster

A handwritten signature in black ink, appearing to read 'Sylvi Lyster', with a long horizontal flourish extending to the right.

Jennifer Guetschow

From: Wanda Cook <wjcook12@hotmail.com>
Sent: Thursday, July 28, 2022 6:29 PM
To: Jennifer Guetschow
Subject: [EXT]Proposed Dana Reserve Project

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

I have some concerns/questions that pertain to the Proposed Dana Resrve Project. What concerns me most is the high concentration of housing (1200 units) on 288 acres. Trilogy, which is just a few miles away, is on 950 acres for the same number of 1200 houses. Black Lake in Nipomo is 554 homes on 421 acres. Yes, they have golf courses or grape vineyards, but these make the communities less crowded. Also, Nipomo is a mixture of suburban and rural neighborhoods, and the increased density and traffic will really impact the rural areas, which are adjacent to this new proposed housing project. Was this how the land was intended to be developed? I realize we need more housing, especially affordable housing, and that builders need to make money, but I believe that 1200 homes are too many for this area. The project needs to be downsized!

The 3,948 oak trees to be removed is also a concern. When the Willow onramp was built and oak trees removed, to mitigate the loss of oak woodlands, oak trees were planted on property at the Dana Adobe to be used in their trails and nature walking areas, to be enjoyed by all. This site chosen to mitigate the loss of oak woodlands is "in the middle of nowhere". These old oak trees on the Proposed Dana Reserve Project provide habitats and nourishment to wildlife that took 100 years to develop and that now thrive. Oak trees eat up air pollutants, so our air quality will be negatively affected also. This is too many oak trees to be removed, and with less dense housing many more oaks could be saved/retained. Black Lake left many oak trees when they built their community, and these oaks are an amazing addition to the surrounding properties there, add much value.

Of course, I am concerned about the water issue, or lack of it in our area. Water is an unpredictable resource. Trilogy has their own water and sewage system that recycles water reusing treated urban wastewater on golf courses and common areas. It also recaptures storm water. Will this new development also include a water and sewer system that recycles and recaptures water?

Thank you for your concern.

Sincerely,

Wanda Cook
1994 Northwood Road
Nipomo, Ca 93444
wjcook12@hotmail.com