CHAPTER 9. RESPONSE TO COMMENTS

The Response to Comments chapter of the Environmental Impact Report (EIR) presents responses to comment letters that were received on the Draft EIR for the Dana Reserve Specific Plan, Conditional Use Permit, Vesting Tentative Tract Map, Development Agreement, and associated County-initiated General Plan amendment (project). These comment letters were received from multiple entities, including state and local agencies, non-agency organizations, and members of the public. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15132(d) and 15088, this Final EIR presents the County of San Luis Obispo's (County) response to comments submitted during the Draft EIR review and consultation process.

The comment letters are in chronological order with the responses following the individual letters. Comment letters are reproduced in total, and numerical annotation has been added as appropriate to delineate and reference the responses to those comments. A set of Master Responses has been developed to address certain topical issues raised multiple times by different commenters. These Master Responses are provided in Section 9.1 and referenced throughout the chapter.

Information received in this Response to Comments chapter clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR that would result in a new or substantially increased environmental impact as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document under State CEQA Guidelines Section 15088.5.

9.1 MASTER RESPONSES

Many comments submitted by members of the public related to substantially similar issues. The following responses are master responses intended to address all of the comments submitted in relation to these issue areas. All individual responses set out in the following sections related to comments regarding one of these issue areas are referred back to the appropriate master response to avoid unnecessary length and duplication in this document.

Table 9.1-1. Master Responses

Master Response #	Master Response
MR-1	**Groundwater Management and Impacts** The Santa Maria Groundwater Basin is fully adjudicated and its management is dictated by the courts (https://www.countyofsb.org/2535/Santa-Maria-River-Valley-Groundwater-Bas). Following ongoing litigation regarding management of the basin beginning in 1997, a final court judgment was filed in 2008, which required a minimum of 2,500 acre-feet per year (AFY) of supplemental water from the City of Santa Maria to be transmitted to the Nipomo Mesa Management Area (NMMA) by the Nipomo Community Services District (NCSD). The intent of the requirement was to bring water from outside areas within the larger Santa Maria Groundwater Basin onto the Nipomo Mesa to reduce demands on groundwater in the Nipomo Mesa subbasin. NCSD included in the initial agreement with the City of Santa Maria an additional 500 AFY to be transmitted to the Nipomo Mesa for future growth and development. Per the terms of the 2005 Stipulation and 2008 Judgment resulting from the Santa Maria Groundwater Litigation (1997), all new urban uses are required to provide a source of supplemental water to offset the water demand associated with the development. Currently, the only source of supplemental water dedicated to new urban uses is the 500 AFY allotted to the NCSD per the Nipomo Supplemental Water Project (NMMA Technical Group 2023). Since the date of the final court judgement, the NCSD has committed to holding approval to any new water connections to the already allotted 500 AFY, unless and until the NCSD defines and acquires additional sources of supplemental water. Therefore, the proposed project would not result in new groundwater pumping. In accordance with the final court judgement, the NCSD executed a Wholesale Water Supply Agreement (Wholesale Agreement) with the City of Santa Maria in 2013. Groundwater from the Nipomo Mesa subbasin was

Master Response #	Master Response
	the sole source of the NCSD water supply until 2015, when the NCSD began importing water from the City of Santa Maria as part of the Nipomo Supplemental Water Project per the terms of the Wholesale Agreement. The final court judgment established the Nipomo Mesa Management Area Technical Group (Technical Group), which is the court-assigned entity responsible for assessment of the groundwater within the Nipomo Mesa Management Area. The Technical Group has identified voluntary groundwater pumping reduction targets based on the level of water severity condition for the Nipomo Mesa Management Area subbasin. The Technical Group assigned a Stage IV water severity condition for the subbasin, resulting in a voluntary reduction goal of 50% below the 5-year (2009-2013) average production rate – the Technical Group's established production measurement for its Water Shortage Response Stages plan (NMMA Technical Group 2023; refer to Appendix C – Well Management Plan). This 50% reduction in average groundwater pumping rates would leave NCSD with 1,267 AFY of available groundwater supplies. The EIR analysis assumed the NCSD's groundwater supply would be limited to 1,267 AFY per the 50% reduction goal, and therefore, did not rely on any improved condition of the basin or any potential increase in groundwater availability in future years. It should be noted that the NMMA Technical Group's most recent 15th Annual Report – Calendar Year 2022 (as well as previous annual reports) identifies agricultural uses as the majority groundwater user on the Nipomo Mesa compared to urban/industrial uses, with an approximately 55% to 45% split (NMMA Technical Group 2023). As described in Section 4.19.1.1.2 of the EIR, the Nipomo Community Services District (NCSD) now relies on water from the Nipomo Supplemental Water Project (NSWP) and groundwater as its two primary water sources, with the majority of its water supply coming from the NSWP. Table 4.19-2 of the EIR depicts projected NCSD water supply sources, including the 1,267 AFY of groundwater. Per the terms of the final court judgement and Wholesale Agreement, NCSD and other water providers on the Nipomo Mesa (Golden State Water Company, Woodlands Mutual Water Company) have brought a minimum of 1,000 AFY of water onto the Nipomo Mesa through the Nipomo Supplemental Water Project every year since 2020. On July 1, 2025, the minimum amount of water required to be brought onto the Nipomo Mesa will increase to no less than 2,500 AFY. In all scenarios evaluated, including a multiple drought year scenario under a maximum anticipated infill development scenario throughout the NCSD's entire service area, the NCSD is projected to have a surplus in water supplies assuming the 50% reduction in groundwater supply compared to average groundwater production rates (limit of 1,267 AFY groundwater supply) in combination with the increased minimum delivery of water onto the Nipomo Mesa via the Nipomo Supplemental Water Project required per the terms of the final court judgment and Wholesale Agreement (2,500 AFY minimum). This surplus exists even without the additional 500 AFY supply source for new growth/development, which is another reliable supply source for the NCSD through the Nipomo Supplemental Water Project, if needed. The NCSD recently adopted its 2020 Urban Water Management Plan (UWMP), which characterizes the NCSD's existing and future water supply during normal, single-dry, and multiple-dry year conditions. As identified in Section 3.4.1 of the UWMP, Growth Scenario 1, which identifies a population of 18,398 people in the year 2045, was used to determine future water supply projections. This population projection includes the existing NCSD population, infill development within the existing service area (parcels with reserved NCSD capacity, parcels currently served by private wells, and development of vacant parcels), and future population associated with annexations under review. Annexation of the DRSP area was under review at the time of preparation of the UWMP; therefore, the project population from buildout of the DRSP is included in the population projections throughout the UWMP. The UWMP concludes that the NCSD has more than enough available water supply for the existing and future NCSD service area during normal, single-dry, and multiple-dry year conditions. As part of the California Water Code, the California Urban Water Management Planning Act (UWMP Act) requires all urban water suppliers with more than 3,000 connections or distributing more than 3,000 AFY to complete an UWMP every five years. The UWMP Act is administered by the California Department of Water Resources (DWR), who reviews the plans for completeness. Note, the DWR submitted comments on the Draft EIR for the project, though none of them questioned the water availability or sustainability for the project. As described in Section 1.2 of the UWMP, the most recent version of the NMMA Technical Groups annual report (13th Annual Report) was used in developing the UWMP. The UWMP evaluates the reliability of water supply sources, and the NCSD's 2020 UWMP determined that based on the existing infrastructure already in place and existing contractual obligations between the NCSD and City of Santa Maria, Nipomo supplemental water is considered 100% reliable and available during normal, single dry, and multiple dry years (NCSD 2020 UWMP [MKN 2021]). To identify potential water supply reliability concerns, the NCSD's UWMP included a preliminary climate change vulnerability screening analysis (including impacts from extreme heat, water quality, sea level rise, flooding, and wildfire) for its supplies. Changes to the Water Code in 2020 require new UWMPs to analyze a five-consecutive year drought, compared to 2015 UWMPs that analyzed a three-consecutive year drought. Based on the redundancy of the NCSD system, multiple well sites throughout the system, and groundwater management practices under the NMMA, the UWMP determined the NCSD's water supply sources were 100% reliable and available during normal, single dry, and multiple dry year conditions (refer to Sections 7.2 and 7.3 of the NCSD 2020 UWMP). Another component of the UWMP Act is that urban water management plans must include a water shortage contingency plan, including identifying key attributes of its water supply reliability analysis, standard ranges for

Master Response #	Master Response

identifying water shortage levels, locally appropriate shortage response actions for each shortage level, procedures for conducting an annual water supply and demand assessment, and a reevaluation and improvement process to assess the functionality of the water shortage contingency plan and process to make appropriate adjustments when warranted. The details of the water shortage contingency plan include both voluntary and mandatory measures, such as: water conservation education and public outreach, requirements for timely leak repair, landscape irrigation limitations, restriction on decorative water uses (such as fountains), requirements to cover swimming pools and spas, and prohibition of potable water use for construction and dust control, along with other more restrictive landscape restriction and prohibition measures.

The City of Santa Maria is likewise required to prepare an UWMP per the UWMP Act. The City's UWMP identified two sources of water supply: (1) State Water Project surface water imported from northern California through canals and pipelines, and (2) groundwater. The City's UWMP determined that the City's water supply resources are expected to provide adequate water through the year 2045. As described in the City's UWMP:

> The State of California set a goal for all cities to reduce their water use by 20% and to achieve this goal by the year 2020. To reach this goal, the City needs to limit water use to 118 gallons per day for each person. In 2020, the City met this goal with a per person use of 109 gallons per day and will continue water conservation programs to keep meeting this goal in the future.

The City's UWMP also describes the City's water conservation programs that would be implemented in the event of drought or other water supply issues, as further detailed in the City's water shortage contingency plan. The City's UWMP concludes that "the City will typically not experience water shortages unless there is a catastrophic interruption in supply" (City of Santa Maria 2020 UWMP [Provost & Pritchard 2021]). The City's UWMP includes water demands resulting from the sale of water to other water agencies, including NCSD per the terms of the final court order and Wholesale Agreement (refer to Section 4.4 of the City of Santa Maria UWMP).

Additionally, a Water Supply Analysis (WSA) per the requirements of Senate Bill (SB) 610 was prepared for the proposed project, which concluded (consistent with the 2020 UWMP) that the NCSD would have adequate available water supply to supply water for the proposed project at full-buildout during normal, single-dry, and multiple-dry year conditions.

The NMMA's 14th Annual Report – Calendar Year 2021 (submitted April 2022) reported that severe water shortage conditions continue in the Nipomo Mesa Management Area subbasin in 2021 and that only 1,064 AFY of imported water was delivered through the Nipomo Supplemental Water Project in 2021. Section 4.10.5 of the EIR has been corrected to reflect that currently a minimum of 1,000 AFY is delivered to the Nipomo Mesa via the Nipomo Supplemental Water Project and that amount will increase to a minimum of 2,500 AFY in 2025. Section 9.2 of the NMMA's 14th Annual Report provides technical recommendations for continued management of the Nipomo Mesa subbasin. The first recommendation (not organized in order of priority) is that reducing groundwater pumping is the most effective method to reduce the stress on aquifers and allow the groundwater to recover. The recommendation also suggests that the Nipomo Supplemental Water Project is another viable method to achieve these goals and should continue to be implemented consistent with the final court judgement.

The Dana Reserve project would facilitate further implementation of the Nipomo Supplemental Water Project consistent with the recommendation of the NMMA by bringing water onto the Nipomo Mesa and applying it to land uses within the mesa, a large majority of which would be recaptured through wastewater collection and treated at the NCSD's Southland wastewater treatment facility, where it can percolate back into the Nipomo Mesa subbasin.

There is evidence that some of the water from the Southland wastewater treatment facility flows east towards Nipomo Creek. Even these flows eventually percolate back into the larger Santa Maria groundwater basin. Per the NMMA's 15th Annual Report, there is a lack of detailed understanding of the flow path of rainfall, applied water, and treated wastewater to specific aquifers underling the NMMA; however, the NCSD's Southland WWTF discharges treated wastewater into infiltration basins, a portion of which percolates and returns to the groundwater system and a portion of which evaporates. The NMMA Technical Group's 15th annual report estimated percolation of approximately 475 AFY from the NCSD Southland facility. Even if some water percolates and flows to the east, toward Nipomo Creek, because the water to serve the project would come from outside of the mesa, and some portion of it would stay on the mesa and recharge the Nipomo Mesa subbasin, the project would result in a net benefit to the Nipomo Mesa subbasin, consistent with the recommendations of the NMMA.

Inevitably, there is a certain level of uncertainty regarding the availability of future water supplies, particularly given recent drought conditions, climate change, and the years-long anticipated build-out schedule of the project. Therefore, even though the analysis in the EIR consistently shows adequate water supply to serve the project, the EIR conservatively included Mitigation Measure USS/mm-3.1, which requires that prior to the issuance of development permits for any future project development phase, the project developer is required to provide proof of water supply sufficient to meet the estimated water demand for proposed development. With implementation of Mitigation Measures USS/mm-3.1 and required compliance with existing regulations, court judgements, the Wholesale Agreement, and terms of applicable urban water management plans, residual impacts related to groundwater would be less than significant.

The results of the UWMP and WSA were summarized in detail in Section 19, *Utilities and Service Systems*, of the EIR.

Master Response #	Master Response
MR-2	**Public Facilities Impacts** The need for another fire station and Sheriff's substation in the Nipomo area is the result of increased demand for public safety services over the last several years from all past, current, and planned future development, in addition to the Dana Reserve project. Increased demand results in longer response times. This is evidenced by the fact that the need for a new fire station was identified in the Strategic Plan for the San Luis Obispo County Fire Department, in order to keep pace with growth and meet response time goals on the west side of Highway 101. The Strategic Plan estimated the cost of a new fire station in Nipomo at $10 million; more recent calculations estimate the cost at $15 million. The location of a new Sheriff's substation in Nipomo has been identified (at the corner of Tefft and Carrillo) and the County has dedicated $1.2 million in Fiscal Year 23-24 towards the first phase of the design-build process. Build out of the Dana Reserve project will increase demand and contribute to the existing need for these public services. All development in the County is required to pay proportionate public facility fees (PFF) per a County-adopted rate schedule, which are intended to be utilized to construct and operate a variety of public facilities and services, like fire, law enforcement, libraries, parks, and general government. The County Board of Supervisors established the PFF program to ensure new development projects contribute to the cost of public facilities and services. The Dana Reserve is required to pay full PFF fees per the County's current rate schedule, consistent with all other development in Nipomo, each of which contributes to the increasing demand and need for public services, including the current need for a new fire station and Sheriffs' substation in Nipomo. PFF requirements for the Dana Reserve project are estimated to total approximately $8.5 million, including approximately $2.9 million for fire services and $1 million for Sheriff services. The remainder includes approximately $2 million for parks, $1 million for library services, and $1.5 million for general government services. The County's 5-Year Capital Improvement Plan (CIP) is a multi-year document designed to identify, prioritize, and track the progress of capital projects with estimated costs over $100,000 that relate to the maintenance, improvement, or building of infrastructure and facilities during the 5-year planning period. PFF is one type of funding source that is used to advance capital projects that are identified in the CIP. In addition to payment of PFF (consistent with all other development in the County), the EIR for the project identified mitigation requiring the identification and dedication of land for the future construction and operation of a new fire station in the community of Nipomo (Mitigation Measure PS/mm-1.1). Although designating a site for the fire station was a mitigation requirement of the EIR (Mitigation Measure PS/mm-1.1), San Luis Obispo County/CalFire confirmed a location within the Dana Reserve Specific Plan Area would be ideal. The applicant modified the project site plan to accommodate a fire station within the site (adjacent to the Collector A connection to Willow) and is not seeking PFF credits that the applicant would otherwise be entitled to in exchange for the land donation. Therefore, although PS/mm-1.1 does not require that the project actually construct a fire station (at an estimated cost of $15 million) or Sheriff's substation (at an estimated cost of $10 million), the Dana Reserve project would be required through the negotiated terms of the Development Agreement to provide additional contributions, above and beyond its normal fair share PFF, to help facilitate the County's development of these facilities. As discussed under PS Impact 1, the future development of these facilities may require additional CEQA review, which would be led by the County. CEQA mitigation requirements are limited by the nexus and rough proportionality rules established in *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374 (1994), which held that mitigation measures must have a reasonable "nexus" to the impact and be "roughly proportionate" both in nature and extent to the level of severity of the impact resulting from the proposed development. The EIR determined that the mitigation requirements in the EIR were appropriate based on the standards of the *Nollan* and *Dolan* cases, notwithstanding any additional contributions that could be negotiated through the terms of the Development Agreement. Requiring the project to actually construct the fire station, a $15 million project, or other public service facilities, above and beyond the payment of PFF and the additional contributions required through the Development Agreement would not be roughly proportionate to the project's contribution to the already established need for a new fire station and Sheriff's substation in Nipomo based on current and expected demand. Under CEQA, the focus on public services-related impacts is on the physical effects of the construction of new or expanded facilities to provide those services, the construction or expansion of which could result in physical changes to the environment. These potential environmental effects that could result from construction of a new fire facility in Nipomo are discussed in detail in Chapter 4.15 of the EIR, under the discussion of PS Impact 1. The need for additional services is not an environmental impact that CEQA requires a project to mitigate. Any requirement for expensive public capital projects would also inhibit the project's goals of providing a mix of housing, including affordable and workforce housing. For these reasons, the mitigation in the EIR is appropriate for the project and has the required nexus and rough proportionality to the project's potential impacts as required by state law.

Master Response #	Master Response
MR-3	**Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts** Several comments on the Draft EIR related to impacts to oak trees and/or oak woodland and Burton Mesa chaparral, including the inconsistency between existing County policies for protection of oak trees and the proposed loss of 4,000 oak trees and associated Burton Mesa chaparral habitat, the viability of numerous project alternatives that would reduce impacts to oak trees and Burton Mesa chaparral, and the inadequacy of identified mitigation to reduce the project's significant effects on oak trees. **Impacts to Oak Trees** These comments make apparent the challenge in balancing the project's basic underlying purpose of providing a range of housing types, including affordable and workforce housing, with the desire to reduce environmental impacts. The decision makers will have to balance the environmental effects of the project with the potential benefit of needed housing within the county. Minor revisions to the EIR have been made in response to these comments and can be reviewed as tracked changes in Section 4.4, *Biological Resources*, of the EIR. The comments and this master response will be made part of the administrative record and provided to local decision makers for their consideration. The EIR fully evaluated potential impacts related to oak tree removals, ultimately concluding the project would result in significant and unavoidable impacts due to the inability to maintain the diversity of oak woodland habitat within the range of Burton Mesa chaparral that currently exists in the Specific Plan Area. With regards to oak woodlands, the Class I impact was based on the lack of comparable oak woodland habitat within the range of Burton Mesa chaparral, which could be comparable to the unique and diverse oak woodland/Burton Mesa habitat within the Specific Plan Area. The EIR determined that 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 (1) adjacent to the conservation/restoration of Burton Mesa chaparral and (2) on sites with sandy soil conditions suitable to support the special-status plant species that occur in the Specific Plan Area. These requirements would be necessary to establish, restore, and/or maintain the habitat matrix created by the oak woodland and Burton Mesa chaparral on-site. The areas in which the two interact in the same way they do at the Dana Reserve are very limited; therefore, adequate mitigation was determined to be likely infeasible due to a variety of reasons (e.g., lack of available land, cost of implementation) and impacts were identified as significant and unavoidable. As reflected in Figure 4.4-14, the locations where Burton Mesa chaparral is known to occur in San Luis Obispo County is very limited. The project proposes to plant over 1,500 oak trees on-site to mitigate for the removal of and/or indirect impacts to oaks within the Specific Plan Area. The likelihood of successfully replanting oaks to the degree of magnitude anticipated (over 1,500 oaks), in the limited areas where Burton Mesa chaparral is known to exist, is very low. Not only are the occurrences of oak woodland on the Nipomo Mesa and the range of Burton Mesa chaparral both very limited, but the establishment of oak woodlands through replanting in off-site locations is also known to be challenging. This is in part why the project proposes the replanting of 1,500 oaks on-site, where it is known oaks can be successful. Appendix E of the EIR, Biological Resources Background Information, and in particular Appendix H of the Biological Report for the Dana Reserve Specific Plan, provides a thorough evaluation of the off-site locations where this mitigation could perhaps be achieved. The locations are limited, many are privately owned, and none are owned by the project applicant. Even if a suitable location were to exist, the success of recreating oak woodlands where they don't already exist is known to be challenging. Therefore, this mitigation was ultimately identified as likely infeasible, resulting in a Class I impact. However, that does not mean the project would not be required to mitigate significant adverse impacts to the greatest extent feasible as required by CEQA. Mitigation for significant impacts to oaks and oak woodlands is specifically discussed in Public Resources Code Section 21083.4 of the CEQA Statute. As discussed in Section 4.4, *Biological Resources,* substantial mitigation has been identified for impacts to coast live oaks. That mitigation has been specifically crafted to be in line with the requirements of Public Resources Code Section 21083.4, which requires a County to mitigate for the significant loss of oak woodlands by: (1) conserving oak woodlands through the use of conservation easements; (2) requiring replanting of oaks, though the replanting of oaks cannot fulfill more than 50% of the mitigation requirement; or (3) contributing funds to the Oak Woodland Conservation Fund. Mitigation Measure BIO/mm-15.1 requires the permanent protection of oak woodland through a permanent conservation easement to be managed by a qualified conservation organization approved by the County, such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The project proposes to meet this mitigation requirement through the permanent conservation of approximately 388 acres, including 238 acres of Coast live oak woodland at an off-site mitigation site (known as Dana Ridge). The project would remove approximately 75.3 acres of oak woodland; therefore, the conservation of 238 acres of oak woodland at Dana Ridge would permanently protect oak woodlands at that location at a greater than 3:1 ratio to oak woodland removed within the Specific Plan Area. This requirement is consistent with Public Resources Code Section 21083.4 mitigation option (1). The loss of oak forest would similarly be mitigated for at a 2.5:1 ratio. In addition, Mitigation Measures BIO/mm-18.1 through BIO/mm-18.4 provides an extensive set of mitigation requirements to minimize oak removal within the Specific Plan Area; protect oak trees to be retained onsite; require replanting at a 4:1 ratio of oaks not mapped within oak woodland or oak forest; and replanting requirements for indirect impacts to oaks to be retained onsite. As currently proposed, the project would be

Master Response #	Master Response

required to plant approximately 1,500 oak trees within the Specific Plan Area. This requirement is consistent with Public Resources Code Section 21083.4 mitigation option (2).

Public Resources Code Section 21083.4(e)(1) specifies that:

> A lead agency that adopts, and a project that incorporates, one or more of the measures specified in this section to mitigate the significant effects to oaks and oak woodlands shall be deemed to be in compliance with this division only as it applies to effects on oaks and oak woodlands.

Therefore, per the requirements of Public Resources Code Section 21083.4, the identified mitigation would be sufficient to comply with CEQA as it applies to oaks and oak woodlands.

A variety of mitigation measures has been identified to address impacts, including off-site mitigation for coast live oak woodland; an on-site tree protection plan for trees retained; a tree replacement plan; protection for on-site oak woodland resources; off-site preservation for oak woodlands; and oak tree monitoring. Impacts in which identified mitigation may not be sufficient to feasibly reduce impacts to less than significant have been classified as significant and unavoidable (Class I) for the reasons described above. Even though mitigation to reduce impacts to less-than-significant may be insufficient, the project is still required to mitigate impacts to the greatest extent feasible under CEQA through implementation of Mitigation Measures BIO/mm-3.1, BIO/mm-15.1, and BIO/mm-18.1 through BIO/mm-18.4.

Impacts to Burton Mesa Chaparral

The EIR also fully evaluated potential impact to Burton Mesa chaparral under Bio Impact 14. Approximately 36 acres of the 288-acre project area is characterized as Burton Mesa chaparral. The project would remove 35 acres of Burton Mesa chaparral and preserve 1 acre of this habitat on-site. As described in the EIR, under the current project design, on-site mitigation opportunities are limited. In addition, Burton Mesa chaparral is a fire prone and fire dependent natural community, achieving its highest species diversity following fires (CDFG 2007). Incorporating fire, in the form of controlled burns, as a habitat management tool to maintain species diversity is challenging in an urban setting. Given this management constraint, off-site conservation of Burton Mesa chaparral would be the best option to offset significant impacts. However, due to the limited range of this vegetation type and the limited availability of off-site mitigation parcels as further described above, implementing off-site mitigation may also not be feasible. Therefore, the EIR concluded that impacts to this habitat would be significant and unavoidable.

Mitigation Measure BIO/mm-14.1 includes a requirement that Burton Mesa chaparral shall be mitigated through a combination of conservation, enhancement, restoration, and recreation of Burton Mesa chaparral to avoid any net loss of habitat quality. Burton Mesa chaparral habitat within the Specific Plan Area has been subject to periodic mowing since at least the 1930s and is in poor condition. There is disagreement among experts as to whether this habitat should have been characterized as Burton Mesa chaparral due to the lack of the characteristic high coverage of sand mesa manzanita in the shrub canopy. However, because sand mesa manzanita is present (albeit at very low levels) in the shrub layer at Dana Reserve, which occurs on old, stabilized dune sands on the Nipomo Mesa, the EIR concluded it was not unreasonable to characterize the habitat as Burton Mesa chaparral.

Recognizing mitigation within San Luis Obispo County may not be feasible, the EIR required mitigation in Santa Barbara County at a higher ratio. Due to the very limited range of Burton Mesa chaparral (within the stabilized sand dunes of northern Santa Barbara County and southern San Luis Obispo County), mitigation within that limited range is considered like-for-like, consistent with CEQA requirements. Though that mitigation was ultimately determined to likely be infeasible for the reasons discussed above, the Class I impact determination does not absolve the project from the requirement to avoid and minimize impacts to the greatest extent feasible per the requirements of CEQA. Therefore, Mitigation Measure BIO/mm-14.1 has been revised to include minimum performance standards for the permanent protection, enhancement, and/or restoration of Burton Mesa chaparral as follows to avoid any net loss of habitat quality:

The applicant shall mitigate for the loss of Burton Mesa chaparral to achieve a performance standard of *no net loss of habitat quality*. As described in the EIR, this habitat has been subjected to periodic mowing since at least the 1930s and is currently in poor condition, with less than 2% cover of constituent species (i.e., sand mesa manzanita). The performance standard shall be achieved through a combination of conserving, enhancing, restoring, and/or re-creating Burton Mesa chaparral removed by the project at the following mitigation ratios:

a. Conservation of currently unprotected Burton Mesa chaparral habitat in excellent condition at a 1.5:1 ratio;
b. Enhancement of protected Burton Mesa chaparral habitat in moderate to poor condition at a 2:1 ratio;
c. Restoration of damaged protected Burton Mesa chaparral habitat at a 0.5:1 ratio; and/or
d. Recreate high-quality Burton Mesa chaparral at a 0.25:1 ratio in appropriate habitat that has been completely disturbed (e.g., abandoned farmland).

Based on the 35 acres of Burton Mesa chaparral to be removed by the project, and depending on the mitigation option(s) utilized to mitigate impacts, Burton Mesa chaparral would be mitigated through the conservation, enhancement, restoration, and/or recreation of between 8.75 acres and 70 acres of Burton Mesa chaparral, calculated as follows:

Master Response #	Master Response

a. Conservation of unprotected Burton Mesa chaparral habitat in excellent condition at a 1.5:1 ratio (52.5 acres conserved:35 acres removed);
b. Enhancement of protected Burton Mesa chaparral habitat in moderate to poor condition at a 2:1 ratio (70 acres enhanced:35 acres removed);
c. Restoration of damaged protected Burton Mesa chaparral habitat at a 0.5:1 ratio (17.5 acres restored:35 acres removed); and/or
d. Recreate high-quality Burton Mesa chaparral at a 0.25:1 ratio in appropriate habitat that has been completely disturbed (8.75 acres recreated:35 acres removed).

California courts have established that adequate mitigation under CEQA and the California Endangered Species Act (CESA) need not always require acre-for-acre mitigation. In *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1038 (commonly referred to as the "ECOS" case), the court upheld a Habitat Conservation Plan that required mitigation through purchase of 0.5 acre of habitat reserves for every 1 acre that was to be development. The court reasoned, in part, that the habitat to be developed was of limited value, whereas the habitat to be preserved was large and biologically viable, would provide higher quality habitat than the lands to be developed, and would provide permanently protected habitat managed for the covered species.

This requirement would be a minimum requirement for the project to be verified by the County regardless of the potential infeasibility of additional mitigation requirements for the habitat as described in BIO Impact 14. This requirement establishes performance standards that would achieve no net loss of habitat quality consistent with the findings of the ECOS case and would ensure impacts would be mitigated to the greatest extent feasible. Minor revisions to BIO Impact 14 have been made in response to these comments and can be reviewed in tracked changes in Section 4.4 of the EIR.

Carbon Sequestration

The California Emissions Estimator Model (CalEEMod) was used to calculate potential GHG impacts in the EIR. CalEEMod includes default settings to account for potential GHG impacts associated with vegetation removal, including those related to the loss of GHG reductions associated with carbon sequestration. Subsequent to circulation of the Draft EIR, and in coordination with the SLOAPCD, air quality and GHG emissions modeling was modified to address minor changes in model inputs, updated SLOAPCD guidance, and other refinements in statewide guidance regarding the evaluation of GHG impacts in CEQA documents. The updated model outputs and analysis have been added to Appendix D. The updated modeling resulted in a lower (more stringent) GHG efficiency significance threshold (2.9 $MTCO_2e$/year) compared to the one utilized in the Draft EIR (3.4 $MTCO_2e$/year). The updated modeling also more specifically identifies GHG emissions associated with the amortized loss of sequestration emissions based on the anticipated loss of approximately 266.5 acres of vegetation, including 21.7 acres of coast live oak forest, 75.3 acres of coast live oak woodland, 35.0 acres of Burton Mesa chaparral, 125.0 acres of California perennial grassland, 3.2 acres of annual brome grassland, 5.1 acres of Mediterranean California naturalized perennial grassland on-site, as well as off-site impacts to approximately 0.05 acres of scrub land and 0.81 acres of grassland. With these changes, the revised modeling confirmed and verified the conclusions in the Draft EIR related to the project's potential effects related to GHG impacts. As indicated in updated Tables 4.8-5 and 4.8-6 in the EIR and Appendix D, even when measured against the reduced GHG efficiency significance threshold of 2.9 $MTCO_2e$/year, and specifically accounting for an amortized loss of sequestration emissions of 394.9 $MTCO_2e$/year, the project would still result in emissions within the acceptable threshold for GHG emissions with implementation of identified mitigation. Therefore, potential impacts were verified to be less than significant with mitigation and no further changes to the EIR analysis are required.

Alternatives Evaluated to Reduce Impacts to Biological Resources

The EIR also identified and included analysis of several reduced project alternatives that would avoid and/or reduce impacts to oak trees and other biological resources.

A range of project alternatives was evaluated in Chapter 5, *Alternatives Analysis,* to evaluate ways in which the project's significant and unavoidable impacts could be reduced or avoided. In addition to the No Project Alternative, Alternatives 2, 3, and 4 all include modified site plans which would result in reduced development footprints and an associated reduction in the number of oak trees that would be impacted by the project. The EIR determined that the No Project Alternative and Alternatives 2, 3, and 4 would all result in reduced impacts to biological resources compared to the proposed project, resulting in impacts that could be avoided or reduced to less than significant levels with mitigation. Alternative 1 would also reduce impacts to oak trees, by retaining approximately 4 acres of oak woodland habitat in the northeastern portion of the site, ultimately reducing the number of impacted oak trees. However, due to the similar intensity and density of development under Alternative 1, the remaining extent of impacts to biological resources was determined to remain significant and unavoidable, similar to the proposed project.

Under Alternative 2, approximately 137 acres of land would be retained for open space, reducing the number of impacted oak trees and native habitat (i.e., Burton Mesa chaparral) at the project site. 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. Buildout of the site under Alternative 3 would include lower density clustered residential development, which would significantly reduce the horizontal extent/footprint of disturbance and the amount of impacted oak woodland and Burton Mesa chaparral habitat at the project site. Under

Master Response #	Master Response
	Alternative 4, buildout would be predominantly limited to areas of non-native grassland and the potential to disturb special-status plant and wildlife species would be substantially reduced compared to the proposed project; however, minimized impacts to special-status plant and wildlife species and natural communities, including oak woodland and Burton Mesa chaparral, would continue to occur. The EIR identified that under each of these alternatives, impacts to oak trees, oak habitat, and other sensitive habitat within the Specific Plan Area would be substantially avoided or minimized. However, the EIR also determined, due to the substantial reduction in the number of housing units under each of these alternatives, the number of affordable units and affordability of market rate units would be significantly decreased in order to provide necessary financing for infrastructure and other improvements needed for site development. Therefore, each of these reduced project alternatives would fail to meet some of the basic project objectives, including providing a mix of housing types, including affordable homes and workforce housing. Ultimately, it will be the decision of the lead agency's decision-making body whether or not to reject or approve the proposed project or an alternative. Pursuant to CEQA Guidelines Sections 15042 and 15043, the lead agency's decision-making body will review the CEQA document prepared for the proposed project and may reject the project if necessary in order to avoid one or more significant effects on the environment, or approve the project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant impact and identified benefits from the project outweigh the policy of avoiding significant environmental impacts of the project. **Project Modifications Since Circulation of the Draft EIR** Subsequent to circulation of the Draft EIR and in response to public and agency comments, the County and project applicant have coordinated extensively on ways to modify the proposed project to further avoid impacts to oaks (and other significant environmental impacts), while still meeting the basic project objectives for a mix of housing types, including affordable and workforce housing. As a result, the following changes have been incorporated into a revised site plan: a. Relocation of the Collector A connection to Willow Road to APN 091-301-029. This modification would avoid removal of 200 oak trees. b. Reorientation of Neighborhood 9 to the north to avoid removal of oaks along the northern edge of the oak forest ridge/Open Space area. This modification would avoid removal of 69 oak trees. c. Split of 10-acre Neighborhood 10 into 5-acre Neighborhood 10A to remain in its original location, configured to avoid oak trees, and a new 5-acre Neighborhood 10B to be located centrally within the Specific Plan Area in an area of predominantly non-native grassland adjacent to the proposed neighborhood park. This modification would avoid removal of 186 oak trees at the original Neighborhood 10 location. d. Redesign/reimagination of the proposed 10-acre public neighborhood park to be an approximately 7.5-acre passive public park with limited amenities (public restrooms, trails, picnic tables, small parking lot, etc.). This modification would avoid removal of 110 oak trees at the modified park location. The trees to be preserved include two high-quality (not previously cut down) stands of oaks at the south end of the proposed park location, which would be preserved in perpetuity through a conservation/open space easement. e. Re-review and re-design of grading plans with a focus on restricting limits of disturbance to avoid removal of oak trees. This modification would avoid removal of 293 oak trees, primarily due to restrictions at pocket park locations and trail alignment around the perimeter of the Specific Plan Area. These modifications would result in the net avoidance of an additional 858 oak trees. While the project would still result in a significant impacts to oak trees, considerable effort has been put towards minimizing impacts throughout the site to the greatest extent feasible through a modified site design. These project modifications, and other modifications incorporated into the project since circulation of the Draft EIR to further avoid and minimize impacts, are described in detail in Chapter 10.

9.2 AGENCY COMMENT LETTERS AND RESPONSES

The following agencies have submitted comments on the Draft EIR.

Table 9.2-1. Agency Comments

Respondent	Code	Contact Information	Page
Governor's Office of Planning and Research State Clearinghouse EIR posted: 06/16/2022	SCH	1400 10th Street Sacramento, CA 95814	9.2-3
California Department of Toxic Substances Control Letter dated: 06/24/2022	DTSC	Site Evaluation and Remediation Unit Site Mitigation and Restoration Program 8800 Cal Center Drive Sacramento, California 95826-3200 *Contact: Gavin McCreary, M.S., Project Manager*	9.2-7
Cuesta College Letter dated: 07/12/2022	Cuesta	P.O. Box 8106 San Luis Obispo, CA 93403-8106 *Contact: Jill Stearns, Superintendent/President*	9.2-13
California Department of Water Resources Letter dated: 07/18/2022	DWR	Division of Operations and Maintenance damanvir.badyal@water.ca.gov *Contact: Daman Badyal, P.E., SWP Right of Way Section (Unit) Manager*	9.2-15
California Department of Parks and Recreation Letter dated: 07/21/2022	DPR	**Oceano Dunes District** 340 James Way, Suite 270 Pismo Beach, CA 93449 *Contact: Kevin Pearce, Acting District Superintendent*	9.2-17
San Luis Obispo County Air Pollution Control District Letter dated: 07/27/2022	APCD	3433 Roberto Court San Luis Obispo, CA 93401 *Contact: Vince Kirkhuff, Air Quality Specialist*	9.2-20
Coastal San Luis Resource Conservation District Letter dated: 07/31/2022	RCD	1203 Main Street, Suite B Morro Bay, CA 93442 *Contact: Jackie Crabb, Executive Director*	9.2-30
California Department of Transportation Letter dated: 08/01/2022	Caltrans	District 5 50 Higuera Street San Luis Obispo, CA 93401-5415 *Contact: Jenna Schudson, Development Review Coordinator*	9.2-33
County of San Luis Obispo Parks and Recreation Department Letter dated: 08/01/2022	SLOPRD	1144 Monterey Street, Suite A San Luis Obispo, CA 93408 *Contact: Elizabeth Kavanaugh, Parks and Trails Planner*	9.2-37
Nipomo Community Services District (via RWG Law) Letter dated: 08/01/2022	NCSD	847 Monterey Street, Suite 207 San Luis Obispo, California 93401 *Contact: Craig Steele, Counsel*	9.2-50
San Luis Obispo Council of Governments Letter dated: 08/01/2022	SLOCOG	1114 Marsh Street San Luis Obispo, CA 93401 *Contact: Sara Sanders, Transportation Planner*	9.2-166
San Luis Obispo Local Agency Formation Commission Letter dated: 08/01/2022	LAFCO	1042 Pacific Street, #A San Luis Obispo, CA 93401 *Contact: Rob Fitzroy, Executive Officer*	9.2-170

Respondent	Code	Contact Information	Page
California Department of Fish and Wildlife Letter dated: 08/03/2022	CDFW	Central Region 1234 East Shaw Avenue Fresno, California 93710 *Contact: Julie Vance, Regional Manager*	9.2-172

9.2.1 California Governor's Office of Planning and Research State Clearinghouse

Dana Reserve Specific Plan

Summary

SCH Number	2021060558
Lead Agency	San Luis Obispo County
Document Title	Dana Reserve Specific Plan
Document Type	EIR - Draft EIR
Received	6/16/2022
Present Land Use	Use: undeveloped/grazing Designation: Residential Rural (RR)
Document Description	The proposed project includes a request for a Specific Plan, Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, Vesting Tentative Tract Map 3159, Development Agreement, annexation into the Nipomo Community Services District service area, and County-initiated General Plan Amendment to allow for the phased development of the Dana Reserve Specific Plan Area. The DRSP is a primarily residential project with a majority of the area designated for residential uses, which would accommodate up to 1,289 single- and multi-family units. The DRSP would allow for the future phased development of residential uses, 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 approximately 288-acre Specific Plan Area.

Contact Information

Name	Jennifer Guetschow
Agency Name	County of San Luis Obispo
Job Title	Supervising Planner
Contact Types	Lead/Public Agency
Address	976 Osos Street, Room 200 San Luis Obispo, CA 93408
Phone	(805) 788-2352
Email	jGuetschow@co.slo.ca.us
Name	Emily Creel
Agency Name	SWCA Environmental Consultants
Job Title	Planning Team Lead
Contact Types	Consulting Firm
Address	1422 Monterey Street, Suite B200 San Luis Obispo, CA 93401
Phone	(805) 539-2870

SCH-1

1/3

Email	ecreel@swca.com
Name	Nick Tompkins
Agency Name	Dana Reserve, LLC / NKT Development, LLC
Job Title	Project Applicant
Contact Types	Project Applicant
Address	648 South Higuera Street, Suite B San Luis Obispo, CA 93401
Phone	(805) 478-9009
Email	Nick@nktcommercial.com

Location

Coordinates	35°2'42.05"N 120°30'8.03"W
Cities	Nipomo
Counties	San Luis Obispo
Regions	Southern California, Unincorporated
Cross Streets	Willow Road and Hetrick Avenue
Zip	93444
Total Acres	288
Parcel #	091-301-030, -031, -073
State Highways	US 101
Railways	N/A
Airports	N/A
Schools	Nipomo High School, Lange Elementary
Waterways	Nipomo Creek
Township	11N
Range	34W
Section	7 1218
Base	MDBS

Notice of Completion

State Review Period Start	6/16/2022
State Review Period End	8/1/2022
State Reviewing Agencies	California Air Resources Board (ARB), California Coastal Commission (CCC), California Department of Education, California Department of Fish and Wildlife, Marin Region 7 (CDFW), California Department of Forestry and Fire Protection (CAL FIRE), California Department of Housing and Community Development (HCD), California Department of

SCH-1 (cont'd)

2/3

	Parks and Recreation, California Department of Transportation, District 5 (DOT), California Department of Water Resources (DWR), California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Public Utilities Commission (CPUC), California Regional Water Quality Control Board, Central Coast Region 3 (RWQCB), California State Lands Commission (SLC), Department of General Services (DGS), Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, State Water Resources Control Board, Division of Drinking Water, District 6, State Water Resources Control Board, Division of Water Quality, Department of Toxic Substances Control, California Department of Fish and Wildlife, Central Region 4 (CDFW)
State Reviewing Agency Comments	Department of Toxic Substances Control, California Department of Fish and Wildlife, Central Region 4 (CDFW)
Development Types	Residential (Units 1289, Acres 183), Commercial (Sq. Ft. = max. potential floor area; employees based on max sf)(Sq. Ft. 203000, Acres 22.3, Employees 273), Recreational (60.8 acres of park/recreation, open space, trails, and basins), Transportation:Local Road (21.9 acres)
Local Actions	General Plan Amendment, Specific Plan, Use Permit, Land Division (Subdivision, etc.), Annexation, Development Agreement
Project Issues	Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Cumulative Effects, Drainage/Absorption, Economics/Jobs, Energy, Flood Plain/Flooding, Geology/Soils, Greenhouse Gas Emissions, Growth Inducement, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mandatory Findings of Significance, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Schools/Universities, Sewer Capacity, Solid Waste, Transportation, Tribal Cultural Resources, Utilities/Service Systems, Vegetation, Wetland/Riparian, Wildfire
Local Review Period Start	6/16/2022
Local Review Period End	8/1/2022

SCH-1 (cont'd)

Attachments

Draft Environmental Document [Draft IS, NOI_NOA_Public notices, OPR Summary Form, Appx,]	DRSP Draft EIR_June 2022_Vol 1_EIR PDF 41174 K DRSP Draft EIR_June 2022_Vol 2_Apps A-E PDF 89091 K DRSP Draft EIR_June 2022_Vol 3_Apps F-K PDF 88637 K Notice of Availability - DEIR for SUB2020-00047 PDF 132 K SCH Summary_Form_for_Document_Submittal PDF 196 K
Notice of Completion [NOC] Transmittal form	Notice of Completion (NOC) PDF 359 K
State Comment Letters [Comments from state reviewing agencies]	2021060558_CDFW Comment PDF 607 K 2021060558_DTSC Comment PDF 357 K

Disclaimer: The Governor's Office of Planning and Research (OPR) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at state.clearinghouse@opr.ca.gov or via phone at (916) 445-0613. For more information, please visit OPR's Accessibility Site.

3/3

9.2.1.1 Response to Posting from California Governor's Office of Planning and Research State Clearinghouse

Comment No.	Response
SCH-1	The Draft EIR was received by the California Governor's Office of Planning and Research State Clearinghouse and the public review period began on June 16, 2022. The Draft EIR, Draft EIR Appendices, Notice of Completion, Notice of Availability, and State Clearinghouse Summary Form were made available for public review at https://ceqanet.opr.ca.gov/2021060558/3 for the full duration of the 45-day review period.

9.2.2 California Department of Toxic Substances Control

Department of Toxic Substances Control

Jared Blumenfeld
Secretary for
Environmental Protection

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

June 24, 2022

Ms. Jennifer Guetschow
County of San Luis Obispo
976 Osos Street, Room 300
San Luis Obispo, CA 93408
JGuetschow@co.slo.ca.us

DRAFT ENVIRONMENTAL IMPACT REPORT FOR DANA RESERVE SPECIFIC PLAN – DATED JUNE 2022 (STATE CLEARINGHOUSE NUMBER: 2021060558)

Dear Ms. Guetschow:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for the Dana Reserve Specific Plan (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

The EIR refers to the Hazardous Waste and Substances Sites List commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous materials will be found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities and sites in order to determine a comprehensive listing of all sites impacted by hazardous waste or hazardous materials within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites for a county, city, or a specific address. **DTSC-1**

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR:

Printed on Recycled Paper

1. The EIR should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight. **DTSC-2**
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the EIR. **DTSC-3**
3. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material*. **DTSC-4**
4. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*. **DTSC-5**

DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website.

Ms. Jennifer Guetschow
June 24, 2022
Page 3

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary, M.S.
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

9.2.2.1 Response to Letter from California Department of Toxic Substances Control

Comment No.	Response
DTSC-1	The comment states that a review of the Hazardous Waste and Substances Sites List (Cortese List) should be supplemented with review of databases developed by other agencies that may have oversight of hazardous waste facilities and sites including the DTSC's EnviroStor Database. The project site is located within the southwestern portion of the unincorporated area of San Luis Obispo County. The project site includes the Specific Plan Area (Dana Reserve), and the location of various offsite transportation, water, and wastewater improvements (see Figures 2-3 through 2-7 in Chapter 2, Project Description). The exact location of proposed off-site transportation improvements and NCSD water system and wastewater system improvements is currently not known; however, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road, among others. EIR Section 4.9, *Hazards and Hazardous Materials*, presents the baseline hazards conditions for the Specific Plan Area and off-site improvement areas and their surroundings. The summaries under the "Recorded Hazardous Materials Sites" subsections of EIR Section 4.9.1 (Existing Conditions) for the Specific Plan Area and the off-site improvement areas cite the databases queried. The DTSC EnviroStor Database as well as the SWRCB GeoTracker Database and the CDOC Geologic Energy Management Division (CalGEM) Well Finder Map Database were all queried and reviewed. A map of known hazardous materials sites, sensitive uses, and hazards within a 1,000-foot buffer of the Specific Plan Area and off-site improvement areas is presented in EIR Figure 4.9-1. No hazardous sites were identified within the Specific Plan Area; however, there are several closed cleanup sites and one open cleanup program site located in proximity to off-site water and/or wastewater improvements. These sites are discussed under HAZ Impact 7. The EIR identified a potentially significant impact (HAZ Impact 7) due to the fact that off-site improvements would be located near hazardous materials sites. Mitigation Measure HAZ/mm-7.1 requires that, prior to any vegetation removal, demolition activities, or earth-moving activities within 1,000 feet of any open hazardous materials site, the project contractor shall prepare and implement a Hazardous Materials Management Plan that details procedures that will be taken to ensure the appropriate handling, stockpiling, testing, and disposal of excavated materials to prevent the inadvertent release of contaminated soil and demolished materials to the environment during construction activities. The specific requirements of the Hazardous Materials Management Plan are detailed under HAZ Impact 7. No changes to the Draft EIR are required in response to this comment.
DTSC-2	The comment states that the EIR should acknowledge historic and future activities on or near the project site with potential to result in release of hazardous waste/substances on the project site. The commenter further states that the EIR should identify the mechanism(s) to initiate investigation and/or remediation as well as the agency responsible for regulatory oversight in the event releases have or may occur on the site. EIR Section 3.1.2.1, Existing Site Characteristics, presents the baseline conditions for the Specific Plan Area and off-site improvement areas and their surroundings. The Specific Plan Area is largely undeveloped, with the exception of unpaved ranch roads traversing portions of the site. Off-site improvement areas are anticipated to be located within previously paved roadways, intersections, and road shoulder areas within existing County rights-of-way and other disturbed areas on nearly level to gently sloping land throughout the community of Nipomo. As discussed under Response DTSC-1, above, and under HAZ Impact 7, the EIR identified a potentially significant impact associate with the construction of off-site water and wastewater facilities in proximity to a known hazardous materials site. Mitigation was required (HAZ/mm-7.1) that describes when additional investigation would be required (prior to ground disturbance within 1,000 feet of a cleanup site) and establishes requirements for notification and reporting procedures, including with local agencies (e.g., California Department of Forestry and Fire Protection, County of San Luis Obispo Environmental Health Services). The hazards analysis on EIR under HAZ Impact 1 and HAZ Impact 2 identifies the applicable federal, state and local regulations that each future development as well as associated off-site improvement activities would be required to comply with such as CCR Title 22 for the routine use, storage, and transport of hazardous materials and HSC Division 20, Chapter 6.95 which requires development of a Hazardous Materials Response Plan. The agencies associated with the compliance and monitoring are also identified, e.g., the San Luis Obispo County Environmental Health Services and the Integrated Waste Management Agency. As noted, construction-related and operational impacts associated with buildout of the Specific Plan Area and completion of proposed off-site transportation, water, and wastewater system improvements at off-site areas would be less than significant due to required compliance with existing regulations and mitigation measures. The hazards analysis under HAZ Impact 3 and HAZ Impact 4 notes that required compliance with existing regulations such as CCR Title 22 would reduce the potential for hazardous substances exposure due to foreseeable upset or accident conditions associated with the routine use, storage, and transport of hazardous materials during construction. As noted under HAZ Impact 3 the potential occurrence of aerially

Comment No.	Response
	deposited lead (ADL) in the Specific Plan Area is low due to the lack of paved roads; however, the eastern boundary of the Specific Plan Area extends parallel to US 101 where ADL is known to occur. Because buildout of the Specific Plan Area and the proposed off-site transportation, water, and wastewater system improvements would not occur within the Caltrans right-of-way or within 30 feet of US 101, the potential for the disturbance of substantial amounts of ADL is low. Although the Specific Plan Area is not located in an area with potential for soils containing naturally occurring asbestos (NOA) due to the proximity of areas with potential for NOA to occur including those areas proposed for off-site transportation, water, and wastewater improvements, Mitigation Measure AQ/mm-7.1 is identified to reduce potential exposure to NOA during future ground-disturbing activities. Mitigation requires a geologic evaluation prior to grading and development of an Asbestos Dust Mitigation Plan if NOA is found to be present. The agency associated with the compliance and monitoring if NOA is present is also identified, i.e., the San Luis Obispo County Air Pollution Control District. Thus, construction-related and operational impacts associated with build-out of the Specific Plan Area would be less than significant due to required compliance with existing regulations and implementation of identified mitigation measures. In addition, due to the varied locations for the off-site transportation, water, and wastewater system improvements, Mitigation Measures BIO/mm-16.1, BIO/mm-16.2, and BIO/mm-16.3 were identified to minimize the risk of hazardous material contamination near sensitive areas (e.g., drainages and Nipomo Creek near the location of proposed water system improvements). Section 4.2, *Agriculture and Forestry Resources*, of the EIR, under AG Impact 1, reports that the Specific Plan Area has been utilized periodically for seasonal grazing over the past 100 years with limited intense agricultural operations due to lack of irrigation and limited dryland farming success. As noted in Section 4.9.1, *Existing Conditions*, in Section 4.9, *Hazards and Hazardous Materials*, although the Specific Plan Area has not historically been used for agricultural purposes it is highly likely that nearby active agricultural lands, including, but not limited to, covered and uncovered row crops located approximately 250 feet to the east (on the opposite side of US 101 and adjacent to Nipomo Creek) and 0.25 mile to the northwest and southwest, utilize pesticides and/or fertilizers during typical operations. Proposed off-site water system improvements are also located adjacent to several active agricultural operations, including, but not limited to, uncovered row crops located along Tefft Street. Due to the lack of present or historic intensive agricultural activities within the Specific Plan Area or the location of off-site improvements, substantial levels of residual agricultural chemicals including pesticides, arsenic, and herbicides are not expected to be present. No changes to the Draft EIR are required in response to this comment.
DTSC-3	The comment states that tailpipe emissions for vehicles using leaded gasoline resulted in aerially deposited lead (ADL) in and along roadways throughout the State of California. The commenter recommends soil testing for ADL prior to any intrusive activities for the Project that are described in the EIR. As discussed under Response DTSC-2, above, ADL is discussed under EIR Section 4.9.1, *Existing Conditions*, for the Specific Plan Area and the off-site improvement areas. The Specific Plan Area's eastern boundary is coterminous with the Caltrans ROW along US 101 and extends to within approximately 30 feet of the paved roadway. Off-site improvement areas would utilize an existing culvert to cross US 101 and would not require ground disturbance within 30 feet of the traveled roadway. Therefore, the potential for disturbance of substantial levels of ADL is low. As discussed under HAZ Impact 3 for the Specific Plan Area: > The Specific Plan Area is currently undeveloped and does not consist of any internal paved roads that would have been heavily used during the time lead was a component in gasoline; therefore, the potential for ADL to occur within the Specific Plan Area is very low. However, the eastern boundary of the site extends adjacent to US 101 and includes areas within approximately 30 feet of the paved roadway. ADL is known to occur in road shoulder areas along US 101 in the project vicinity and elsewhere in the state; however, the highest lead concentrations are usually found within 10 feet of the edge of the pavement and within the top 6 inches of the soil. In some cases, lead is as deep as 2 to 3 feet below the surface and can extend 20 feet or more from the edge of pavement. No project development would occur within the Caltrans ROW or within 30 feet of US 101; therefore, the potential for the disturbance of substantial amounts of ADL as a result of development within the Specific Plan Area is low. Therefore, potential impacts related to ADL that could create a significant hazard to the public would be less than significant. As discussed under HAZ Impact 4 for the off-site improvement areas: > Proposed off-site wastewater system improvements would require ground disturbance approximately 35 feet from US 101, along North Frontage Road, and proposed off-site water system improvements would occur within a previously developed culvert under US 101. ADL is known to occur in road shoulder areas along US 101 in the project vicinity and elsewhere in the state. The highest lead concentrations are generally located within 10 feet of the edge of the pavement and within the top 6 inches of the soil. In some cases, lead is as deep as 2 to 3 feet below the surface and can extend 20 feet or more from the edge of pavement. Proposed off-site wastewater system improvements would not occur within 30 feet of US 101 and is not anticipated to disturb substantial amounts

Comment No.	Response
	of ADL. In addition, proposed off-site water system improvements would occur within a previously developed culvert, which would avoid additional soil disturbance within 30 feet of US 101 that could result in potential disturbance of ADL. Since proposed improvements would not require soil disturbance within 30 feet of US 101, the potential for the disturbance of substantial amounts of ADL as a result of off-site improvements is low. Therefore, potential impacts related to the accidental release of ADL-contaminated soils would be less than significant. No changes to the Draft EIR are required in response to this comment.
DTSC-4	The comment states that, if soil import is necessary, soil sampling should be conducted in accordance with DTSC's 2001 Information Advisory Clean Imported Fill Material to ensure that imported soil is free of contamination. Due to the phasing of the project and the size of the Specific Plan Area an on-site import/export balance of soil would be expected, i.e., on-site borrow areas would be identified within the DRSP development footprint. Therefore, it is currently anticipated that the project would not require import of soils from an off-site location. As noted in EIR Section 4.9, Hazards and Hazardous Materials, based on the site's history as grazing land and open space on-site cut and fill associated with grading and excavating for site preparation and road and utility installation for development of the Specific Plan Area would not be expected to encounter contaminated soils. However, if soil import is necessary, as discussed in EIR Section 4.7, *Geology and Soils*, under GEO Impact 5 and specifically under bullet 6 of Mitigation Measure GEO/mm-5.2 (Grading) all import materials are required to be "approved" before being used. Mitigation Measure GEO/mm-5.2 (Grading) has been further clarified as follows: "6. On-site material and approved import materials evaluated and approved by the geotechnical engineer pursuant to the DTSC's *2001 Information Advisory Clean Imported Fill Material* may be used as general fill. All imported soil shall be free of contamination and non-expansive. The proposed imported soils shall be evaluated by the geotechnical engineer before being used, and on an intermittent basis during placement on the site." No further changes to the Draft EIR are required in response to this comment.
DTSC-5	The comment states that proper investigation for pesticides should be discussed in the EIR in accordance with DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision) for any development areas previously used for agricultural, weed abatement, or related activities. As discussed in Response to DTSC-2. The Specific Plan Area has historically supported grazing activities but has limited agricultural production due to lack of irrigation and limited dryland farming success. Therefore, the site has not supported historical uses that that would have resulted in residual agricultural chemicals including pesticides, arsenic, and herbicides to be present in the on-site soils. Similarly, off-site improvement areas are located almost entirely within existing County rights-of-way and have not supported intensive agricultural operations in the past. No changes to the Draft EIR are required in response to this comment.

9.2.3 Cuesta College

CUESTA COLLEGE

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.

Cuesta-1

Sincerely,

Jill Stearns, Ph.D.
Superintendent/President

Build Your Future

Cuesta College P.O. Box 8106, San Luis Obispo, CA 93403-8106 (805) 546-3118 www.cuesta.edu

9.2.3.1 Response to Letter from Cuesta College

Comment No.	Response
Cuesta-1	The comment expresses support for the proposed project and specifically the education and childcare components and the fact that the project would provide an increase in available housing for the Cuesta College workforce and improve the College's ability to attract and retain talented employees. The commenter does not raise any issues related to the CEQA analysis. No changes to the Draft EIR are required in response to this comment.

9.2.4 California Department of Water Resources

[EXT]Dana Reserve Specific Plan (SCH2021060558)

Badyal, Damanvir (Daman)@DWR <Damanvir.Badyal@water.ca.gov>
Mon 7/18/2022 12:52 PM
To: Jennifer Guetschow <jGuetschow@co.slo.ca.us>

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

Hi all,

In accordance with Water Code section 12899, DWR regulates the use of DWR right of way by third parties through the issuance of an encroachment permit. The permit process requires the submission of plan drawings signed and stamped by a registered engineer for review and approval by DWR in accordance with California Code of Regulations, Title 23, Chapter 6 Articles 1 -10. Please visit the DWR website link below for links to the Regulations and the Encroachment Permit application. Please note the Regulations spell out the minimum requirements used by DWR to ensure the safety and integrity of the State Water Project when reviewing proposed drawings. The application has 4 requirements, including evidence of CEQA compliance, that must be submitted before DWR will begin its review. CEQA evidence includes biological and cultural resources surveys, studies, and results of records researches in the CHRIS and NAHC databases. https://water.ca.gov/Work-With-Us/Real-Estate/Encroachment-Permits

In accordance with Business and Professions Code Section 8771, DWR's Encroachment Permit Program requires the permittee to ensure there is a designated individual in responsible charge for the protection of survey control and monument preservation within the area in which construction will be conducted. The designated individual shall be a person legally authorized to practice Land Surveying in the State of California. Here is a link to the DWR monuments. https://dwr.maps.arcgis.com/apps/webappviewer/index.html?id=d139ce32be9e43059b932c21521acfe1

After reviewing the above, if there are any questions, please direct those questions to Delia Grijalva, Senior Right of Way Agent at Delia.Grijalva@water.ca.gov or (916) 621-8646.

DWR-1

Note: This proposed project will cross a DWR pipeline to the East of Hwy 101 which would require and Encroachment Permit. Also, as part of the EP process we will need to also review any impacts to drainage towards the DWR pipeline in the area as a result of the proposed project. It appears this project proposes to divert some flows to the East side of Hwy 101 to a creek that already experiences flooding in the area.

DWR-2

Thanks.

Daman Badyal, P.E.
SWP Right of Way Section (Unit) Manager
Division of Operations and Maintenance
Department of Water Resources
Desk Ph: 916.902.8058
Cell Ph: 916.820.8161

9.2.4.1 Response to Letter from California Department of Water Resources

Comment No.	Response
DWR-1	The comment references Water Code Section 12899 and DWR's responsibilities under California Code of Regulations, Title 23, Chapter 6, Articles 1 through 10. The commenter summarizes the encroachment permit application process and requirements. The comment does not raise any issues related to the CEQA analysis. No changes to the Draft EIR are required in response to this comment.
DWR-2	The comment states that the proposed project will cross a DWR pipeline to the east of Highway 101, which would require an encroachment permit. The commenter states that DWR will need to review any impacts to drainage toward the DWR pipeline as part of the encroachment permit process. The need for an encroachment permit from DWR has been noted in Table 2-12 of the EIR. The only proposed improvements east of US 101 are the off-site water improvements. As described in the EIR in Section 2.5.3.4.4, *Off-Site NCSD Improvements*: > These improvements have not been designed and their precise location is not currently known. However, all water system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Each of these improvements is evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals.* Similarly, grading and drainage plans have not been developed for these off-site improvements. A summary of DWR encroachment permit requirements has been added as Section 4.19.2.2.9 of the EIR. No additional changes to the Draft EIR are required in response to this comment.

9.2.5 California Department of Parks and Recreation

DocuSign Envelope ID: 05802DF6-8A73-4E8E-82A2-BA934FB868C0

State of California • Natural Resources Agency — Gavin Newsom, *Governor*
DEPARTMENT OF PARKS AND RECREATION — Armando Quintero, *Director*

Oceano Dunes District
340 James Way, Suite 270
Pismo Beach, CA 93449

July 21, 2022

Jennifer Guetschow
San Luis Obispo County Department of Planning and Building
976 Osos St., Roomm 300,
San Luis Obispo, CA 93408

Subject: Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (DRSP)

Dear Ms. Guetschow,

These comments are submitted on behalf of the California Department of Parks and Recreation (State Parks), Oceano Dunes District, regarding the Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (DRSP), herein referred to as the Project. State Parks appreciates this opportunity to provide comments regarding the DEIR.

State Parks is concerned that the DEIR does not sufficiently address the potential impacts to sustainable groundwater management of the Santa Maria Groundwater Basin (SMGB) and that continued groundwater pumping at current and/or increased levels will result in additional negative and cumulative impacts to sensitive wetland habitats and wetland dependent species, specifically within State Parks managed lands.

The Oceano Dunes District contains rare and diverse wildlife habitats and species many of which are dependent on an assemblage of wetlands, lagoons, and creeks influenced by the hydrology of the SMGB including lands within Nipomo Mesa Management Area (NMMA). These wetland features are already stressed from reduced groundwater levels resulting from chronic and seasonal groundwater overdraft and periodic drought. Multiple groundwater dependent dune slack wetlands within the Oceano Dunes District have disappeared or receded within recent years including Jack Lake, Lettuce Lake, and Surprise Lake. These and other affected wetlands have historically provided habitat for federally- and State- listed species including California red-legged frog (*Rana draytonii*), La Graciosa thistle (*Cirsium scariosum var. loncholepis*) and marsh sandwort (*Arenaria paludicola*). In addition, continuing the present amount of depletion of NMMA groundwater would likely contribute to further-reduced flows within both Oso Flaco Creek and Arroyo Grande Creek, resulting in additional wetland habitat loss including occupied habitat for federally and State listed tidewater goby (*Eucyclogobius newberryi*), steelhead (*Oncorhynchus mykiss*), California red-legged frog, and marsh sandwort.

DPR-1

The DEIR states in Section 4.10.5 under HYD Impact 3 concerning groundwater that, "NMMA receives a minimum annual delivery volume of 2,500 AFY from the NSWP [Nipomo Supplemental Water Project]" and that "there is more than sufficient water available to meet or exceed the needs of the project." State Parks is concerned that this is inconsistent with the findings from the Nipomo Mesa Management Area 14th Annual Report – Calendar Year 2021 (Submitted April 2022) which states on Page ES-2 that, "Severe Water Shortage Conditions continue to exist in the NMMA in CY 2021 as indicated by the lowest Key Wells Index on record of 8.7 ft msl" and that only "1,064 AF of imported water were delivered through the NSWP in CY 2021."

Despite the SMGB court adjudication, it is clear from the Key Wells Index that the responses required under Severe Water Shortage Conditions have not been sufficient at reversing the groundwater depletion. State Parks is concerned that in addition to current level of groundwater extraction within the NMMA, lingering impacts from past groundwater extraction is resulting in severe depletion of groundwater supply, not only within the NMMA but also within the neighboring Northern Cities Management Area (NCMA) which directly, negatively impacts adjoining Arroyo Grande Creek and its tributary Los Berros Creek.

Under the Severe Water Shortage Condition that exists in the NMMA, no new demand should be added until this condition is permanently reversed. It is apparent that groundwater conditions are getting worse every year. Even if the Project does not require new groundwater pumping, as the DEIR claims, in order to protect essential wetland resources within the SMGB it is apparent that the NMMA needs to pump less groundwater in the future and instead use any additional NSWP supply to make up for the recurring well-documented shortfall.

DPR-1
(cont'd)

Thank you for the opportunity to submit comments for this DEIR. We look forward to working with San Luis Obispo County Department of Planning and Building and other partners to ensure that the environmental review fulfills the requirements of State and federal law so that essential wetland habitat will not be impacted.

You may follow up with Ben Wagner, Senior Environmental Scientist (Specialist) at ben.wagner@parks.ca.gov, or by phone at (805) 574-4587.

DocuSigned by:
Kevin Pearce
6858CF4A691A464...

Kevin Pearce,
Acting District Superintendent

9.2.5.1 Response to Letter from California Department of Parks and Recreation

Comment No.	Response
DPR-1	The comment states that State Parks is concerned the Draft EIR does not sufficiently address the potential impacts to sustainable groundwater management of the Santa Maria Groundwater Basin and that continued groundwater pumping at current and/or increased levels will result in additional negative and cumulative impacts to sensitive wetland habitats and wetland-dependent species, specifically within State Parks managed lands. Please see Master Response MR-1, Groundwater Water Management and Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.

9.2.6 San Luis Obispo County Air Pollution Control District

SLO COUNTY apcd | 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.

APCD-1

T 805.781.5912 F 805.781.1002 W slocleanair.org 3433 Roberto Court, San Luis Obispo, CA 93401

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.

APCD-1 (cont'd)

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.**

APCD-2

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 PM_{10} & $PM_{2.5}$ in the San Luis Obispo County 2016-2018 Resource Summary Report. With the proposed mitigation measures, daily operational ROG+NOx 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.

APCD-3

- *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.

APCD-3 (cont'd)

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.**

APCD-4

- 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.**

APCD-5

- 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.**

APCD-6

APCD-7

- 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

APCD-8

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.**

APCD-8 (cont'd)

- 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).**

APCD-9

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.**

APCD-10

- 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.

APCD-11

  - 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.

APCD-11 (cont'd)

- 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.

APCD-12

- 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).**

APCD-13

- 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.**

APCD-14

- 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.**

APCD-15

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.

APCD-16

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.

APCD-17

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.

APCD-18

Sincerely,

Vince Kirkhuff

VINCE KIRKHUFF
Air Quality Specialist

VJK/jjr

cc: Dora Drexler, APCD, ddrexler@co.slo.ca.us
Nick Tompkins, Applicant, nick@nktcommercial.com

9.2.6.1 Response to Letter from San Luis Obispo County Air Pollution Control District

Comment No.	Response
APCD-1	The comment identifies the San Luis Obispo County Air Pollution Control District (SLOAPCD) as a responsible agency under CEQA, identifies previously submitted comment letters on the project since initiation of the environmental review process, and provides a summary of the proposed project. No changes to the Draft EIR are required in response to this comment.
APCD-2	The comment notes that the Dana Reserve Specific Plan will be implemented in phases and recommends that commercial land uses be developed as the initial phase to maximize potential reductions of VMT and related criteria pollutant and GHG emissions. The anticipated buildout schedule for the Specific Plan Area is presented in EIR Section 2.5.3.5.3, *Specific Plan Buildout*, and Table 2-11. As noted in Section 2.5.3.5.2, *Site Preparation Phasing*, and illustrated on Figure 2-24, "The Phase 1 initial site preparation and infrastructure establishment would generally facilitate the commercial and residential development within the Phase 1 area (see Figure 2-24). The Phase 2 initial site preparation and infrastructure establishment would generally facilitate the residential development within the Phase 2 area. The Phase 3 initial site preparation and infrastructure establishment would generally facilitate the neighborhood park and residential development within the Phase 3 area." The construction of backbone infrastructure to serve commercial uses as part of Phase 1 of the project will help ensure the commercial uses are allowed to be developed as early in the project build-out schedule as possible. However, build-out will ultimately depend on market and other forces. Therefore, the project does not inhibit, and in fact prioritizes and facilitates, the potential completion of commercial land use development in Phase 1, but it cannot be confirmed that all commercial development will be completed within the first phase. This comment does not relate to any other technical information in the EIR and no changes are necessary to respond to this comment. However, the comment will be made part of the administrative record and provided to local decision makers for their consideration.
APCD-3	The comment identifies several policies in Table 4.3-6 (Preliminary Policy Consistency Evaluation) and asserts that the project is inconsistent with these policies. The comment also requests that the use of the terms "potentially consistent" and "potentially inconsistent" be eliminated and that the EIR specifically define whether the project is consistent or inconsistent with the various policies. The project's consistency analysis for plans, policies, regulations and other strategies related to efforts to reduce criteria air pollutant (CAP) emissions, greenhouse gas (GHG) emissions, and vehicle miles traveled (VMT) in Section 4.3.2.4, *Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Air Quality*, and Table 4.3-6 (Preliminary Policy Consistency Evaluation) shows the project would be consistent with some, and potentially conflict with other, elements of applicable air quality, transportation, and land use planning efforts. Ultimately, it is a function of the local decision-making body (San Luis Obispo County Board of Supervisors) to make a determination regarding the project's consistency with applicable plans and policies. Therefore, the EIR preparers completed a consistency analysis of the proposed project, but only identified preliminary consistency findings (e.g., potentially consistent or potentially inconsistent). COSE Policy AQ 3.3 requires avoidance of a net increase in any criteria air pollutant emission in planning areas certified as Level of Severity II or III for Air Quality by the County Resource Management System. The Nipomo Mesa is identified as Level of Severity III for $PM_{2.5}$ and PM_{10} in the County RMS. Buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. Even with implementation of available mitigation, the project would still result in a net increase in PM; therefore, Sections 4.3, Air Quality, and 4.11, Land Use and Planning, of the Draft EIR have been revised to identify the project as potentially inconsistent with this policy. COSE Policies AQ 4.1 and AQ 4.4 do not require no net increase in GHG emissions, they only require implementation of state standards for the reduction of GHGs and reduction of GHGs from development projects. The project has incorporated all feasible mitigation for the reduction of GHG emissions, consistent with the intent of these policies. Framework for Planning (Inland) Principal 5, Policy 2 does not prohibit any increase in GHGs and VMTs. The policy requires that GHGs and VMTs from development be minimized. The project has incorporated all feasible GHG and VMT reduction measures, consistent with the intent of this policy. Framework for Planning (Inland) Principal 7 encourages mixed land uses. The project includes a range of residential and commercial uses, but its basic underlying purpose is to provide a mix of residential uses, including affordable housing and workforce housing. These uses are also encouraged throughout the County General Plan. Increasing commercial uses would inhibit the project's ability to provide the intended range of housing types, in conflict with other policies of the County's General Plan and is therefore not proposed. The EIR evaluated a potential project alternative that prioritized light industrial and commercial uses (Section 5.4.3, *Alternative 2: La Cañada Ranch Specific Plan*). The analysis determined that Alternative 2 would result in reduced impacts to Air Quality, GHG emissions, population and housing, and transportation. However, the reduction in the proposed number of residential units under Alternative 2 would significantly decrease the number of affordable units and affordability of market rate (workforce) housing. Therefore, the

Comment No.	Response
	EIR concluded that this alternative failed to meet some of the basic project objectives, including providing a mix of housing types, including affordable homes. No further changes to the EIR are required to respond to this comment. It should be noted that perfect conformity with every general plan policy is nether achievable nor required (*Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Board of Supervisors [1998] 62 Cal.App.4th 1332, 1341-1342*). The decision makers are required to evaluate the project's consistency with the General Plan as a whole and a project should only be found inconsistent with the General Plan as a whole when it conflicts with a general plan policy that is fundamental, mandatory, and clear.
APCD-4	The comment points out that the EIR correctly reflected potential inconsistencies with the APCD Clean Air Plan. The air quality analysis under AQ Impacts 1 and 2 and Table 4.3-7 (Project Consistency with the SLOAPCD's CAP Transportation and Land Use Control Measures) shows the project would conflict with applicable land use planning strategies to narrow the jobs-to-housing imbalance in the Nipomo area. However, the analysis also reflects the project would be consistent with certain transportation control measures such as improvements to the public transit and bicycle networks, particularly with implementation of mitigation measures (e.g., Mitigation Measures AQ/mm-3.3 and Mitigation Measure TR/mm-3.1). On balance, the project was determined to be inconsistent with the 2017 SLOAPCD CAP, and, due to the increase in regional VMT and inconsistency with the jobs-to-housing balance, this impact was considered significant and unavoidable. No changes to the EIR are required to respond to this comment.
APCD-5	The comment requests clarification for the county VMT threshold used in Table 4.3-8 (Project VMT Impact Summary). As noted in Draft EIR Section 4.17.2.2.2, *California Senate Bill 743*, "In October 2020, the County drafted Transportation Impact Analysis Guidelines that focus on VMT; these have yet to be approved." Although not approved, the County's Transportation Impact Analysis Guidelines (October 2020) provide the following thresholds of significance for VMT impacts: Residential Projects: 27.2 VMT per capita; Work Projects: 25.7 VMT per employee; Retail and other projects: no net increase in overall VMT. Refer to TR Impact 3 for additional information regarding the VMT analysis. To clarify the note in Table 4.3-8 has been revised to add "; San Luis Obispo County Transportation Impact Analysis Guidelines, October 2020" after "AMBIENT (2022)".
APCD-6	The comment requests additional language be added to the EIR stating that the project is inconsistent with the 2019 RTP/SCS and County General Plan. These potential inconsistencies are noted in Table 4.2-6 in the Air Quality section of the EIR, and elsewhere in the EIR analysis. The project would also be consistent with a number of elements of the RTP/SCS and the SLO County General Plan, particularly with implementation of Mitigation Measures AQ/mm-3.1 through AQ/mm-3.3 and TR/mm-3.1. Refer to Response to Comments APCD-3 and APCD-4, above. No changes to the Draft EIR are required in response to this comment.
APCD-7	The comment notes that the project should provide more commercial development (i.e., employment-generating land uses) to limit the impact on the County's existing jobs-housing imbalance and to be more consistent with the 2017 SLOAPCD CAP, RTP/SCS, and the County General Plan. Refer to Response to Comments APCD-3 and APCD-4, above. No changes to the Draft EIR are required in response to this comment.
APCD-8	The comment notes the project's estimated unmitigated construction emissions reported in Table 4.3-9 (Summary of Construction Emissions without Mitigation) and acknowledges the Draft EIR findings for daily and quarterly ROG and NOx emissions in relation to SLOAPCD thresholds including those for Tier 1 and Tier 2. The comment also acknowledges the identification of mitigation for the Tier 1 exceedance including standard mitigation measures and best-available control technology but expresses concern with timing and applicability of such measures due to the potential for the Specific Plan Area to be built out under a different scenario than that analyzed in the Draft EIR. The SLOAPCD recommends additional mitigation to address this uncertainty; therefore, Mitigation Measure AQ/mm-3.1 has been revised as follows: A Construction Activity Management Plan (CAMP) shall be prepared. The CAMP shall be submitted to SLOAPCD for review and approval at least three months before the start of construction. The CAMP shall include a dust-control management plan, tabulation of on and off-road construction equipment (age, horse-power, and usage rates), construction truck trip schedules, construction work-day period, and construction phasing. Each subsequent developer shall provide documentation establishing consistency with the CAMP prior to the start of construction activities. If there are any changes to these assumptions after completion of the CAMP, the subsequent developer shall coordinate with SLOAPCD to ensure alterations are not detrimental to emissions reduction strategies and that revisions to the CAMP are not required. If implementation of Standard Mitigation and Best Available Control Technology measures cannot reduce project emissions to below SLOAPCD's Tier 2 threshold, off-site mitigation shall be implemented in coordination with SLOAPCD to reduce NOX and ROG emissions to below the Tier 2 threshold. At a minimum, the following measures shall be implemented and included in the CAMP to reduce construction generated mobile-source and evaporative emissions:"…

Comment No.	Response
	No further changes to the Draft EIR are required in response to this comment.
APCD-9	The comment recommends mitigation required to exceed applicable building standards and code requirements, rather than just meeting or complying with standards. The SLOAPCD recommends requirements that the project exceed applicable building code standards, as simply complying with existing standards is not mitigation in the sense that it does not require anything more than is already required to be complied with. In this case, compliance with existing building codes and other rules and regulations was listed in Mitigation Measure AQ/mm-3.3 to ensure this could be tracked and verified through the MMRP, as compliance with these standards was assumed and included in the Air Quality modeling completed for the project. No exceedance of these standards is required or necessary to be consistent with the EIR analysis, and an exceedance of what are already very stringent building code requirements could add substantial cost to the project. This approach is consistent with past guidance from the APCD. Additional mitigation measures (e.g., GHG/mm-1.1(5), (6), and (7)) were also included in the MMRP to ensure consistency with measures that were included in the emissions modeling to reflect current building code requirements. No further changes to the Draft EIR are required in response to this comment.
APCD-10	The comment notes references to a SLOAPCD GHG threshold in the project's GHG emissions analysis in Draft EIR Section 4.8, *Greenhouse Gas Emissions*, including Table 4.8-2 (SLOAPCD GHG Thresholds of Significance). The comment further states that based on recent CEQA case law, e.g., the 2015 Newhall Ranch decision, projects with a development horizon beyond 2020 such as this project, cannot use the SLOAPCD's 2012 GHG threshold of significance. The analysis of GHG emissions in Draft EIR Section 4.8, Greenhouse Gas Emissions, was not conducted using the SLOAPCD's previously recommended GHG threshold. The Draft EIR has been corrected to read: "~~SLOAPCD~~ GHG threshold" where applicable. In addition, refer to Response to Comment APCD-11. No further changes to the Draft EIR are required in response to this comment.
APCD-11	The comment questions the method used to determine the threshold of significance based on the recent case law in *Golden Door Properties, LLC v. County of San Diego/Sierra Club, LLC v. County of San Diego, Cal. App. 5th (2018)* and recommends use of one of four other identified methodologies, including establishing thresholds using local emission sectors and local GHG inventories. The GHG significance threshold has been updated using County-specific data and growth forecasts. The Air Quality & Greenhouse Gas Impact Assessment prepared for the project (Appendix D of the Draft EIR) has been revised to reflect the County-specific data and text related to methodology has been revised as follows: > The efficiency threshold used for this analysis is based on SB 32 GHG emission reduction targets, which take into consideration the emission reduction strategies outlined in ARB's 2017 Scoping Plan. The efficiency threshold was calculated based on County of San Luis Obispo GHG emissions inventory identified in the 2011 EnergyWise Plan for the unincorporated areas of the County. The County's GHG inventory identifies major emission sectors, including agricultural, transportation, and non-transportation sectors, and associated GHG emissions (refer to Table 16). Emissions sectors that did not apply to the proposed project (i.e., agriculture & aircraft) were excluded from the threshold calculation. Population and employment projections were derived from the San Luis Obispo Council of Governments (SLOCOG) 2050 Regional Growth Forecast. For consistency with the State's 2020 GHG-reduction target, as outlined in AB 32, the County set an emissions reduction target of 15 percent below baseline year 2006 levels by 2020. The County adopted this emissions reduction target and the baseline emissions in inventory in 2010 as part of the Conservation and Open Space Element of the County's General Plan. This same baseline year GHG inventory was used for calculation of the projected future year 2030 GHG reductions required to achieve the State's GHG reduction target of 40 percent below baseline year 2006 emissions. > The GHG emissions inventory for the land use sectors applicable to the proposed project (refer to Table 16) were divided by the projected SP for future year 2030 (allowable emissions) to derive a GHG efficiency threshold of 2.9 MTCO2e/SP/year. The report in Appendix D (AMBIENT 2022) has been replaced with the revised Air Quality & Greenhouse Gas Impact Assessment (AMBIENT 2023) and Section 4.8 of the EIR, Greenhouse Gas Emissions, has been updated to reflect the revisions in the updated Air Quality & Greenhouse Impact Assessment. The localized analysis resulted in a slightly lower GHG efficiency significance threshold (2.9 $MTCO_2e$/year compared to the Draft EIR's 3.4 $MTCO_2e$/year); however, no changes to the impact determinations or mitigation requirements in the Draft EIR were necessary. No other changes to the EIR are necessary.
APCD-12	The comment references the project's consistency analysis for plans, policies, regulations and other strategies related to efforts to reduce GHG emissions and VMT in Draft EIR Section 4.8, Greenhouse Gas Emissions, including Table 4.8-3 (Consistency Analysis for Greenhouse Gas Emissions) in Section 4.8.2.4, *Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Greenhouse Gas Emissions*. As shown, the project would be consistent with some, and conflict with other, elements of applicable planning efforts.

Comment No.	Response
	General Plan Policies AQ 1.5 and 1.6 require projects to reduce vehicle travel demand and expand opportunities for multi-modal travel. Although the project would increase VMT, the project would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, transit stops along Collector A, and other mitigation requirements to reduce VMT, consistent with the intent of these policies. SLOCOG 2019 RTP Policies 5.3 and 5.4 encourage land planning that reduces GHGs and balances housing and jobs. Although the project would result in significant effects related to VMT and population and housing, it provides a mix of land uses in an area of planned growth, incorporates all feasible measures for reducing GHG emissions, and encourages alternative forms of transportation, consistent with the intent of these policies. SLOCOG SCS Community Planning and Development Standard 2 encourages development of land use types near urban downtowns and villages to support mixed-use, infill, and residential development. The project has incorporated many of the recommended actions in this policy in an area of planned growth proximate to downtown Nipomo, including increased bicycle parking requirements, intensification of land uses, modification of setbacks, provision of a mix of uses, and provision of residential uses. The project is also within the NCSD's Sphere of Influence, consistent with the intent of this policy. Refer also to response to Comments APCD-3 and APCD-4, above. No changes to the Draft EIR are required in response to this comment. See also Chapter 10, Supplemental Analysis of the 2023 DRSP, which included proposed project revisions that would further reduce environmental impacts related to GHGs and VMT and improve project consistency with applicable policies.
APCD-13	Refer to Response to Comment APCD-9, above.
APCD-14	Mitigation Measure AQ/mm-3.1 would include measures to reduce emissions from diesel-fueled construction equipment, which are a significant source of black carbon, which is a short-lived climate pollutant. Construction-generated GHG emissions were amortized and included with operational emissions for comparison to the GHG significance threshold. In addition, refer to Response to Comment APCD-8, above.
APCD-15	Refer to Responses to Comment APCD-3, APCD-4, APCD-5, APCD-6, and APCD-11, above.
APCD-16	The comment references the project's CalEEMod data and requests an update that uses a vehicle fleet mix for San Luis Obispo County rather than San Joaquin Valley County Air Pollution Control District (SJVAPCD) as currently shown. The emissions modeling in the updated Air Quality & Greenhouse Gas Impact Assessment (AMBIENT 2023) was revised using the CalEEMod vehicle fleet mix for San Luis Obispo County. Text and tables in Draft EIR Sections 4.3, Air Quality, and 4.8, Greenhouse Gas Emissions, have been updated accordingly, but did not affect impact conclusions or mitigation measures. No additional changes to the Draft EIR are required in response to this comment.
APCD-17	Section 4.6 of the EIR, Energy, has been revised to clarify that the County has not opted into 3CE and natural gas would be provided by SoCalGas. No further changes to the EIR are required in response to this comment. However, it should be noted that, partially in response to the recent Ninth Circuit Court decision in *California Restaurant Association v. City of Berkely (9th Cir., No. 21-16278, April 17, 2023)*, Mitigation Measure GHG/mm-1.1 has been revised to provide an alternative approach to mitigating GHG emissions associated with natural gas service. Per revised GHG/mm-1.1, compliance with this mitigation measure can be achieved by either (1) prohibiting natural gas service to residential development; or (2) constructing residential electrical systems with sufficient capacity and pre-wiring to accommodate future retrofit to all-electric, and preparation of a GHG-reduction plan identifying additional on-site or off-site GHG-reduction measures to be implemented sufficient to fully offset GHG emissions associated with natural gas service to residential uses. This approach is consistent with how SLOAPCD and other air districts in the state are addressing this issue.
APCD-18	The comment offers APCD collaboration with the County to identify potential projects to mitigate air quality and GHG impacts from this project that would benefit South County residents. The comment does not relate to any specific information or the findings in the EIR; therefore, no revisions to the Draft EIR are required in response to this comment. However, the comment will be made part of the administrative record and provided to local decision makers for their consideration.

9.2.7 Coastal San Luis Resource Conservation District

Coastal San Luis Resource Conservation District
1203 Main Street, Suite B, Morro Bay, CA 93442
805-772-4391 | www.coastalrcd.org

July 31, 2022

Ms. Jennifer Guetschow, Project Manager
County of San Luis Obispo
Department of Planning and Building
San Luis Obispo, CA 93401

RE: Dana Reserve Specific Plan Draft Environmental Impact Report

Dear Ms. Guetschow:

The Coastal San Luis Resource Conservation District (CSLRCD) is a special district in San Luis Obispo County that provides information, support, and technical and engineering services to landowners and government agencies in the southwestern portion of San Luis Obispo County. We appreciate the opportunity to comment upon the Draft Environmental Impact Report (DEIR) on the Dana Reserve Specific Plan and project in Nipomo.

We will leave to others comments on the technical details of the project and its impacts as discussed in the DEIR. We are primarily concerned with two areas of impact of the project: these are the impacts upon the oak woodlands of the project site, and on the water supply. Our review leads us to suggest that a smaller project at that site could still accomplish many of its goals while conserving most of the site and its valuable habitats.

Loss of Oak Woodland and Associated Habitat is Excessive. County policies call for protection of the oak woodlands of the Nipomo area, yet this project proposes to destroy some 4,000 oak trees and associated habitat, including a rare local vegetation type known as Burton Mesa chaparral, in order to develop several hundred tract lots on the project site. We find such a vast gap between existing County policies and what is proposed to be very disappointing. While some losses may be unavoidable, it would appear that they could be much reduced and possible to mitigate for on-site with a project with a smaller footprint. **RCD-1**

Having worked for years on habitat enhancement and restoration in the Oceano Dunes area, CSLRCD has first-hand knowledge of the challenges inherent in such efforts, especially as the scale of those efforts grows. In the case of Dana Reserve, the losses of the oak woodland and the so-called Burton Mesa chaparral would be extremely difficult to mitigate: such mitigation would require locating, purchasing, and successfully establishing an entirely new ecosystem somewhere on the Nipomo Mesa, presumably using propagules from the project site of at least nearby. We believe this to be unrealistic; a more reasonable and logical approach would be to preserve as much of the oak woodland and **RCD-2**

associated habitat as possible on-site, and utilize other portions of the property for mitigation, which would be at a much smaller scale.

RCD-2

Water Issues. The DEIR appears to say that water is not really an issue for the project, as the Nipomo Community Services District (NCSD) would be the purveyor of water to the site, and it can purchase water from a supply in the Santa Maria area. The DEIR goes on to argue that the discharge from the local water treatment facility would help to recharge the local groundwater basin, so that there is no net loss of water to the basin as a result of the project. We are uncertain of this, and suggest further evaluation of this claim. This is because some years ago, CSLRCD was asked to look into a situation where a property owner along Nipomo Creek east of Highway 1 was seeking permission to draw water from the creek for use on his crops. A site visit showed that the creek had significant flow, which suggested strongly that water from the treatment facility (which was across the highway from the property in question) was percolating into the soil, hitting an impermeable or poorly permeable subsoil, and running eastward atop that layer but still underground, and surfacing in Nipomo Creek.

The Nipomo groundwater basin has been declining for years, and is considered to be in serious overdraft. We believe that further evaluation of the ultimate fate of water imported for the project is prudent and in the best interests of the Nipomo community.

RCD-3

Recommendations. It is recommended that the DEIR further evaluate the alternatives to the project to more carefully determine whether a smaller project can meet the goals stated therein while conserving the majority of the site.

RCD-4

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

Jackie Crabb

Jackie Crabb, Executive Director
Coastal San Luis Resource Conservation District
1203 Main St., Ste. B
Morro Bay, CA 93442

9.2.7.1 Response to Letter from Coastal San Luis Resource Conservation District

Comment No.	Response
RCD-1	Please see Master Response MR-3, Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.
RCD-2	The comment states that the losses of oak woodland and Burton Mesa chaparral would be difficult to mitigate and would require locating, purchasing, and successfully establishing an entirely new ecosystem somewhere on the Nipomo Mesa and suggests a more reasonable and logical approach would be to preserve as much of the oak woodland and associated habitat on-site and utilize other portions of the property for mitigation, which would be at a much smaller scale. Please see Master Response MR-3, Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts, in Section 9.1, above. No changes to the environmental document are necessary in response to this comment; however, the comment will be made part of the administrative record and provided to local decision makers for their consideration.
RCD-3	The comment questions the claim in the Draft EIR that the discharge from the local water treatment facility would help recharge the local groundwater basin based on an observation that water from the treatment facility was percolating into the soil, hitting an impermeable or poorly permeable subsoil, and running eastward atop that layer but still underground, and surfacing in Nipomo Creek. Please see Master Response MR-1, Groundwater Water Management and Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.
RCD-4	The comment recommends further evaluation of alternatives to the project to more carefully determine whether a smaller project can meet the goals while conserving the majority of the site. Please see Master Response MR-3, Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.

9.2.8 California Department of Transportation

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

CALTRANS DISTRICT 5
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
(805) 549-3101 | FAX (805) 549-3329 TTY 711
www.dot.ca.gov

August 1, 2022

SLO US101 PM 6.24
SCH# 2021060558

Jennifer Guetschow
Planning & Building Department
County of San Luis Obispo
976 Osos Street, RM 200
San Luis Obispo, CA 93408

COMMENTS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE DANA RESERVE SPECIFIC PLAN

Dear Ms. Guetschow:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the DEIR for the Dana Reserve Specific Plan. The proposed project includes: 1,289 Residential units (831 single family residential units and 458 multi-family residential units), up to 203,000 sq ft of commercial (including a hotel, educational/training facilities, and retail/light industrial uses), open space, parks, and trails. Caltrans offers the following comments at this time.

General comments:

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

We support the project's goal of providing much needed housing in the region and for dedicating land for affordable housing while incorporating TDM strategies into the site plan. These strategies will help reduce Vehicle Miles Travelled (VMT) and auto dependency. These goals and strategies are consistent with the Caltrans *Strategic Management Plan 2020-2024* and State planning priorities.

Caltrans-1

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Jennifer Guetschow
August 1, 2022
Page 2

Traffic Operations:

Caltrans concurs that the project should contribute its fair share into the South County Traffic Impact Fee program to support future infrastructure improvements, in particular improvements at the US 101 & Willow Road intersection. Caltrans staff is engaging in discussions with the County and the applicant team on future improvements at the US 101 & Willow Road intersection, which will be determined by the outcome of an intersection control evaluation (ICE) and accompanying safety analysis. Future improvement at this location could include a signal or functional equivalent, ramp metering, or other intersection modifications.

As Caltrans and other agencies move away from prioritizing capacity expansion to reducing VMT and optimizing multimodal connectivity, we support and encourage local road network improvements that align with these goals and complement overall travel efficiency with the State Highway System. Additionally, we support local and parallel route development for access management purposes.

Caltrans supports the project's proposal to further the completion of the frontage road connection between West Tefft Street to Willow Road. Construction of this parallel route along US 101 will aid in relieving congestion on the surrounding roads and US 101. This aspect of the project will help in decreasing congestion, VMT, and improve connectivity in the area.

Caltrans-2

Transit:

We support the inclusion of two new transit stops and the Park and Ride within the footprint of the project. These features are in line with State planning priorities to increase alternative modes of transportation, reduce greenhouse gas emissions (GHG) and vehicle miles traveled (VMT). We recommend installation of electric vehicle (EV) charging stations at the proposed Park and Ride and throughout the project wherever feasible. EV charging stations can help to reduce GHG emissions by providing a sustainable transportation option through electric vehicles.

Caltrans-3

The proposed transit stops will provide a multimodal connection to and within the south county region helping to reduce VMT. Providing service to the new stops requires close coordination with the San Luis Obispo Regional Transit Authority (SLORTA). To determine how these stops would be incorporated into the existing transit system, we strongly recommend proactively engaging with SLORTA.

Caltrans-4

Hydraulics:

We look forward to receiving and reviewing the final drainage report. It should compare 100-year pre-development runoff with post-development conditions showing no increase in flows reaching Caltrans drainage facilities.

Caltrans-5

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Permits:

Please be aware that any future work completed in the State's right-of-way will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits. **Caltrans-6**

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

Sincerely,

Jenna Schudson

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

9.2.8.1 Response to Letter from California Department of Transportation

Comment No.	Response
Caltrans-1	The comment expresses Caltrans' general support of local planning projects that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety, including support for the housing, including affordable housing, component of the DRSP and the TDM strategies incorporated into the site plan as important elements in reducing vehicle miles traveled. This comment does not raise any issues related to the adequacy of the CEQA analysis. No changes to the Draft EIR are required in response to this comment.
Caltrans-2	The comment states Caltrans' concurrence with requiring project contribution to the South County Traffic Impact Fee program to support future infrastructure improvements, in particular improvements at the US 101 and Willow Road intersection and Caltrans' support for the completion of the frontage road connection between West Tefft Street and Willow Road as an improvement that will aid in relieving congestion on the surrounding roads and the US 101, reducing congestion/VMT, and improving connectivity in the area. The project would be required to pay its fair share contribution to the South County Traffic Impact Fees program and all transportation development impact fees shall be applied to the project in accordance with the County's standard practices. These requirements are consistent with the recommendations of this comment.
Caltrans-3	The comment notes Caltrans' support of the inclusion of two new transit stops and the Park and Ride within the DRSP footprint as consistent with State planning priorities and recommends the siting of electrical vehicle (EV) charging stations at the proposed Park and Ride and throughout the project wherever feasible to further reduce GHG emissions. Mitigation required in the EIR would help facilitate EV charging throughout the project site through, for example, through requirements that commercial land uses require 15% of fleet vehicles to be zero-emission, dedicated parking for high-efficiency vehicles, and exceedance of building standard requirements for EV charging infrastructure (refer to Mitigation Measure AQ/mm-3.3). In addition, a reference to EV charging stations has been added to Mitigation Measure AQ-3.3(7) and AQ-3.3(12). No additional changes to the Draft EIR are required in response to this comment.
Caltrans-4	The comment notes Caltrans' support of the inclusion of two new transit stops within the DRSP footprint to create a multimodal connection to and within the south county region helping to reduce VMT and recommends coordination with the San Luis Obispo Regional Transit Authority (SLORTA) to provide service to the new stops. The comment does not raise any issues related to the adequacy of the CEQA analysis. No changes to the Draft EIR are required in response to this comment.
Caltrans-5	The comment notes Caltrans' expectation of a final drainage report that would compare 100-year pre-development runoff with post-development conditions to verify no increase in flows reaching Caltrans drainage facilities. A final drainage report would be required at the time of subdivision improvements plan submittal. In addition, the conditions of approval for the project include the following: Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained/detained in a drainage basin on the property [21.03.010(5)(b)]. Calculations shall demonstrate that 100-year post-development flows do not exceed 100-year pre-development flows at each Caltrans culvert. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity. No changes to the Draft EIR are required in response to this comment.
Caltrans-6	The comment references Caltrans' encroachment permit process for work that would occur with the Caltrans right-of-way. The comment does not raise any issues related to the adequacy of the CEQA analysis. No changes to the Draft EIR are required in response to this comment.

9.2.9 County of San Luis Obispo Parks and Recreation Department

COUNTY OF SAN LUIS OBISPO
PARKSAND RECREATION DEPARTMENT

August 1, 2022

County of San Luis Obispo
Department of Planning and Building
Attn: Jennifer , Planner Via-email: jguetschow@co.slo.ca.us

RE: Dana Reserve Specific Plan Amendments Draft Environmental Impact Report

Hello Jennifer,

Thank you for the opportunity to comment of the Dana Reserve Specific Plan Amendments Draft Environmental Impact Report. I started with some general clarifications and questions that thred through the whole document and finish with specific comments on specific item within the documents. Blue text is suggested language.

Please clarify that the applicant does not proposed development of the neighborhood park. They propose to offer to dedicate undeveloped land for the neighborhood park for the County to development. The development will cost the 10s of millions of dollars and will take 20 to 50 years if at all. Based on the project description, analysis of policy consistency and impacts in the public Service and Recreation sections appears to assume the neighborhood park will be developed at the time the proposed residences are. **SLOPRD-1**

Please explain what a Quimby Fee is what its used for and that the applicant is asking for Quimby Fee Credit for the undeveloped land proposed as a future neighborhood park. **SLOPRD-2**

Please clarify the size of the neighborhood park site proposed is to be dedicated to the County for future development of a neighborhood park. it is referred to as 8, 10 and 11 acres throughout the DEIR. **SLOPRD-3**

Please clarify the net size of the proposed neighborhood park minus drainageways and drainage basins. **SLOPRD-4**
Does the applicant propose to develop the proposed equestrian staging? **SLOPRD-5**

Project Description Page ES-3 and all throughout the document "public neighborhood park" remove the word "Public" as the County Parks has not agreed to accept this park on behalf of the public or reword as open to public neighborhood park. The term public park may lead readers to believe it is a park operated and maintained by the County Parks. County Parks and Recreation Department does not have the funding to develop or maintain this park. **SLOPRD-6**

PS Impact 4:-The project **will** result in an increased demand on public park facilities. Is Implementation of Mitigation Measure PS/mm-1.1 sufficient. **SLOPRD-7**

REC Impact 1- The project could increase the use of existing neighborhood, community, or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. Why no mitigation necessary?? **SLOPRD-8**

Alternatives - Please provide an alternative that doesn't impact recreation facilities **SLOPRD-9**

ES-66 doesn't bring up the Public Park discussion. **SLOPRD-10**

Page 2-15 - The common area lots would be privately owned and maintained by an HOA or similar entity(ies) but would be accessible and available to the general public. The exception is the neighborhood park, which the applicant proposes to dedicate undeveloped land to be developed and maintained by the County". County Parks does not want to the add this Park into its inventory because of its location, size and lack of maintenance support. The proposed neighborhood park is less than one mile from Nipomo Community Park. This will locate two parks within a one-mile area of Nipomo. Leaving the other 14 miles that make up the community Nipomo without any parks close by. The applicant proposes only to offer the land for the neighborhood park leaving the County to fund construction, permitting, and maintenance of the proposed park. Finally, the applicant is asking for a waiver of 50% of the Quimby Funds. A Quimby Fee is a development fee paid to County at the creation of new residential lots to fund recreational facilities to off-set the increased use of existing recreation facilities by the new residents. Quimby fees are used to develop new parks and recreation amenities to accommodate the additional population brought to the community by development of residences. The applicant is requesting the County take undeveloped land in an undesirable location, that is subpar in size instead of paying Quimby Fees which could fund needed recreation amenities in Nipomo Community Park, which is less than a 1/4 mile away. Recent community surveys indicate there is a great need for active recreation features in the community of Nipomo. Quimby Funds generated from this project could add these recreation amenities. **SLOPRD-11**

Page 2-31-If County Parks is required to accept the neighborhood park parcel it should be free from the limitations outlined on this page. The applicant is not proposing to develop the park and it should be developed with the recreational elements needed by the community at the time. Considering uncertainty of funding for development/maintenance of the park it is likely 20 to 50 years until development if at all.

The recreational needs of Nipomo in 50 years from now is unknown. County Parks does not support the limited elements called out in this specific plan. I suggest this section be deleted or remove the word would and replace the word would with could in the following sentence. "Figure 2-11 provides a conceptual design of the park and the DRSP provides the following list of amenities that could be considered in final park design:". **SLOPRD-12**

Page 2-51 Phasing - The phasing plan proposed to provide the land for the neighborhood park in the 3rd phase of development. After 2/3 of the residents are built and occupied. These residents will be using existing recreational features in the community and nearby Nipomo Community Park. The applicant is requesting a Quimby credit be granted for units developed in all phases for exchange for the undeveloped neighborhood park to be provided in phase 3. This means the more than 5,000 new residents will be using the existing recreation features, without paying the full Quimby Fees needed to fund new recreational features to accommodate this population growth. Considering that uncertainty of when the County can develop the neighborhood park creates decades of recreation deficiency for the residents of this Nipomo. **SLOPRD-13**

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

4.11.21 Goal 7. Practice financial stewardship - Is allowing the applicant pay less Quimby Fees for providing land for an undeveloped neighborhood park that the County does not want that will cost the County 10s of millions of dollars to develop and more money to maintain practicing financial stewardship? Is allowing residents of Nipomo to be deficient of recreational funds (Quimby Fees) and subsequent recreational amenities developed from Quimby Fees for decades until the County can develop the proposed neighborhood park practicing financial stewardship? **SLOPRD-14**

4.15.7 EXISTING COMMUNITY PARKLAND LEVEL OF SEVERITY – Please mention that this measurement only measures park land and does not measure park land developed with recreational features. That even through Nipomo Community Park is 136 acres 100 acres are natural area and only 35 acres are development with recreation amenities. **SLOPRD-15**

4.15.9 THE QUIMBY ACT – The applicant proposes to dedication raw land for future use of a public park in lieu of having to pay 50% of Quimby fees. The County finds accepting this offer is inconsistent with the policies of the Park and Recreation Element and not to the recreational benefit of the residents of Nipomo. The purpose of the Quimby Act should be defined so the readers understand what is being proposed. **SLOPRD-16**

4.15.10 Parks and Recreation Element – Please include that the Park and Recreation Element includes policies regarding land acquisition, development and maintenance that are especially relevant to the application proposal to offer land in lieu of Quimby Fees. **SLOPRD-17**

4.15.12 Policy 2.1- Provide parks which are aesthetic and consistent with community needs.- Please be clear that the "10 acre park site" will not be developed as a park. It is a dedication of land. The project does not propose to develop neighborhood park so this site will not provide a recreational benefit for 20 to 50 years if at all. It will cost the County 10 's of millions of dollars to develop this park site and more to maintain. In the meantime, this project will add more than 4500 people to the existing recreational facilities in Nipomo. This is not consistent with the community's needs.

The applicant proposes providing this undeveloped neighborhood park site in lieu of paying Quimby Fees. Quimby Fees are used to develop recreational amenities as additional residents move to the area because of the additional proposed residences. The applicant's proposal of dedicating undeveloped land instead of paying Quimby fees creates a 20-to-50-year lag time in providing needed recreation amenities the community to offset the impact of the proposed 4554 new residents. This is not consistent with community needs. **SLOPRD-18**

4.15.12Policy 2.2- Please explain how dedication of undeveloped land "serves a good mix of users from within the Dana Reserve"?

Please add the text in blue "However, County Parks has stated that a waiver of Quimby Fees would" delay development of recreational amenities needed in Nipomo while increasing the number of people using existing recreational amenities. The Specific Plan will add 4554 people to the area without benefit of Quimby fees that are meant to expand recreational uses as residents are added to a community. The proposed dedicated of land for an undeveloped neighborhood park land will not provide recreation to residents of the Specific Plan or Nipomo until it is developed as a park. If the County accepted the **SLOPRD-19**

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

neighborhood park site, it would cost the County tens of millions of dollars to develop it into a park and it would likely take 20 to 50 years to fund development of this park.

Please add the text in blue "County Parks has commented that the neighborhood park would not serve an important existing or future need because the proposed park site is offered as undeveloped land that:

- Does not augment needed recreation opportunities. To develop a park on the neighborhood park site would cost the County 10's of millions of dollars and more money to maintain. The applicant does not propose to fund development of the neighborhood park with recreational amenities or maintain this park.
- The cost of development does not allow for development in a reasonable time period.
- Does not accommodate planned uses. A neighborhood park less than a quarter mile from Nipomo Community Park is not a good use sparce resources.
- Does not provide a long-term maintenance instrument.
- The net size of the park if drainage features and daycare site is removed appears to be less than 8 acres. This is smaller than the more than 10 acres needed to qualify for acquisition of a park site. The site is devoid of any special features that make acceptance of this sub-par sized site beneficial to the community.
- The location is less than a mile from Nipomo Community Park which does not allow for equitable distribution of parkland within the community of Nipomo creating two parks within a one-mile area and no parks in other 14 miles of the community of Nipomo.

SLOPRD-19 (cont'd)

4.15.13 Policy 2.4 - Please be clear that this project does not propose to develop the neighborhood park site. The project offers of dedication of undeveloped land that has little to no recreational components or recreational opportunities. This site will not provide a recreational benefit for 20 to 50 years if at all because it would cost the County 10 's of millions of dollars to develop and more to maintain. This project is inconsistent with this policy because it provides little to no recreational components.

SLOPRD-20

4.15.13 Policy 2.5 – The County accepting an offer of an undeveloped subpar sized lot for future development of a neighborhood park site that is located less than a mile from Nipomo Community Park that would cost the County 10s of millions of dollars to develop and more money to maintain does not encourage private development of parklands and facilities, to assist with meeting park needs.

SLOPRD-21

Page 4.16.8, Goal 1 - Please include that the public park is undeveloped? Will the applicant develop the Equestrian trailhead area?

Page 4.16.8 Objective A discussion – Please clarify that the applicant does not propose to develop the neighborhood park but instead proposed to offer the site for future development by the County. Will the applicant develop the Equestrian staging area?

Page 4.16.8, Policy 2.1- Potentially Inconsistent. Please be clear that the applicant is not developing the neighborhood park, they are dedicating undeveloped land that will cost the County 10 's of millions of dollars to develop into a park and more to maintain. This park site will not provide a recreational benefit to the community for 20 to 50 years. As proposed the park site won't be offered to the County

SLOPRD-22

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

until the final phase of the development. Per built out plans this Specific Plan will be built out by 2030. Adding 4500 additional people using existing recreation amenities for the 20 to 50 years until the County can fund the development of the new park is not consistent with the community's needs.

SLOPRD-22 (cont'd)

Quimby Fees are used to create new and improved recreation features to offset the increased demand for recreation amenities created by the new residents. The applicant is requesting a waiver of the Quimby Fees because they are providing the undeveloped neighborhood park site. Quimby Fees are used by the County to develop new recreational features needed to accommodate new residents. Waiving Quimby Fees for this park site is not consistent with the community's needs.

SLOPRD-23

The neighborhood park site is poorly located to serve the community of Nipomo. It is less than a mile from Nipomo Community Park. If this park site is accepted that would locate two parks in less than a mile from eachother in a community that is 15 miles in size. Leaving most of the Nipomo without a park nearby. This is not consistent with the community's needs.

SLOPRD-24

The park land discussion in the second paragraph is not relevant to the goal. The applicant does not propose to build the park so it isn't parkland until the County can provide park amenities to the site.

SLOPRD-25

Page 4.16.9, Policy 2.2, Determination 1-"of a new public park and smaller neighborhood parks within". It is confusing. Elsewhere in the document the parks are referred to as "new public neighborhood park and smaller pocket parks".
Determination 2 - Please mention that this project will offer undeveloped land for the neighborhood park. The County would need to development the park. The date this park could be developed in unknown but likely well be after build out of the proposed project.

SLOPRD-26

Determination 4- The applicant is not developing the neighborhood park. This proposal leaves that to the County at a cost of 10s of millions of dollars. This development will take 20 to 50 years to find funding for and complete construction. Based on the Specific Plan's build out time of 7 years leaves 15 to 43 years after Specific Plan buildout that this neighborhood park site will provide a recreational benefit to the community. This is not a reasonable development timeline. Especially if you consider the proposed project adds 4500 additional people using existing recreation amenities for the 20 to 50 years.

SLOPRD-27

Determination 5- This site does not serve an important existing or future need. The County's 2016–2018 Resources Summary Report concludes there is adequate regional and community parkland within the community of Nipomo. What residents of Nipomo need are park amenities and funds to build these amenities. The dedication of land for the neighborhood park is in-lieu of paying Quimby Fees, funds used to develop the recreation amenities needed in Nipomo. Nipomo is 15 miles in size. The location of the dedicated neighborhood park site is less than a mile from Nipomo Community Park. That would mean two parks are within a mile of each other and zero parks in the other 14 miles of the community.

SLOPRD-28

Determination 6 please add text in blue "stormwater basins and drainage ways .
The rest of that paragraph about the "park amenities have been designed to….." doesn't seem to match the policy topic. There are no proposed designs for this neighborhood park. The applicant does not propose to develop it.

SLOPRD-29

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

The proposed neighborhood parks site does not accommodate planned uses in terms of size and location. The Specific Plan encumbers the uses allow on this park site even though it is offered to the County. The neighborhood park site is encumbered by drainage ways and basins that serve the development not the future park. These encumbrances make the neighborhood parks site smaller than what is defined in the Parks and Recreation Element as land for future park development by the County. The location is encumbered because it is too close to Nipomo Community Park leaving the majority of Nipomo without a nearby park. **SLOPRD-30**

Determination 8 - This goal is about acquisition. The trails and pocket parks are not part of this discussion because the HOA will mange these. The neighborhood park site is encumbered with drainage features that make this site too small to be consistent with this goal and it does not have any outstanding characteristic or unique features that would justify accepting the neighborhood park site into the County Parks system. **SLOPRD-31**

4-16-10 Policy 2.3 - Please be clear this is for development of the pocket parks and that the applicant does not propose to develop the neighborhood park or prepare a Master Plan for the neighborhood park site. **SLOPRD-32**

Policy 2.4 - Please note the application does not plan to develop the neighborhood park. **SLOPRD-33**

Policy 2.5 – The Policy is about park development and your response refers to parkland. This is why the distinction between the applicants offer to dedicate the neighborhood park site and an actual developed park needs to be made clear in this EIR. The developer is developing pocket parks but they are not developing the neighborhood park so I call this partially inconsistent. **SLOPRD-34**

Page 4.16.10 Objective B- please mention that the applicant does not propose to develop the neighborhood park. and that accepting a sub par sized park site in a location that would leave most of Nipomo without a nearby park is not consistent with the Park and Recreation Element's project list. **SLOPRD-35**

Page 4.16.11 Policy 3.1.- Does this consistent determination remain even though the applicant will not develop the neighborhood park? **SLOPRD-36**

Policy 3.2- Please see response to Policy 2.1. **SLOPRD-37**

Objective C - Please mention that the proposed trails are consistent with the project list in the Park and Recreation Element. **SLOPRD-38**

Policy 3.7 - Please mention that the proposed trails connect to area trails called out in the Park and Recreation Element and nearby Nipomo Community Park. **SLOPRD-39**

Policy 3.12.- Discussion does not seem relevant. Please omit. **SLOPRD-40**

Policy 3.13 - Response Trails are shown in the Proposed Specific Plan. **SLOPRD-41**

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

Page 4.16.14 Policy 4.3. - Potentially Consistent**.** The project's proposed open space, trails and pocket park amenities. **SLOPRD-42**

Page 4.16.15 - Please include a discussion Policy 5.1 this will help explain how County Parks decides to direct resources needed to develop the neighborhood park that is offered but not developed with this project. **SLOPRD-43**

Page 4.16.15, Goal 6 and Objective H - Please include a discussion. These outline the need for outside funding for development and maintaining County Parks **SLOPRD-44**

Goal 7 and Objective I - Please include a discussion. These outline the need for maintenance funding for park facilities. The applicant does not propose to provide a maintenance mechanism for the maintenance of the neighborhood park. **SLOPRD-45**

Policy 6.4.- This project does not include the development of a new neighborhood park and it is inconsistent with this policy. **SLOPRD-46**

Policy 6.5-Please include a discussion on this policy. This policy requires County Parks to review a park site dedication based on the size minus infrastructure and easements. This relates to the offer of the neighborhood park. County Parks must review the sites potential based on the net size of the site. What is the net size of the neighborhood park? Does it meet the larger than 10-acre size called out in the Park and Recreation Element**?** **SLOPRD-47**

Policy 6.6.-The project is inconsistent with this Policy. The neighborhood park site is encumbered with drainage ways and basins that support the residential development of Specific Plan that detract from the use of the park for the benefit of the applicant. **SLOPRD-48**

Policy 6.7 - project is inconsistent because it does not proposed maintenance of the neighborhood park **SLOPRD-49**

Page 4.16,17 Parks South County Land Use Programs response- This project does not proposed to develop a neighborhood park and this response doesn't respond to the sited program. Maybe remove it because it doesn't appear to be relevant. **SLOPRD-50**

Page 4.16.19 - Discussion on regional parks is not relevant to this project. **SLOPRD-51**

Page 4.16.20 -Discussion assumes development of the neighborhood park will happen with the Specific Plan. The applicant does not propose to develop the neighborhood park and it will take decades for the County to fund development of the proposed neighborhood park. Based on the uncertainty of if and when the neighborhood park will be developed, the increased demand for recreation features created by this proposal will not be offset by the proposed neighborhood park for 20 to 50 years or at all. **SLOPRD-52**

Rec Impact 1 - Please revisit this section with the understanding that the applicant is not proposing to develop the neighborhood park. The County does not have funds to develop this park and it will take 20 to 50 years before the County can fund development of this park if at all. **SLOPRD-53**

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

REC Impact 2 - Please revisit this section with the understanding that the applicant is not proposing to develop the neighborhood park and it will take 20 to 50 years before the County can fund development of this park if at all.

REC Impact 3: Please revisit this section with the understanding that **the** applicant is not proposing to develop the neighborhood and it will take 20 to 50 years before the County can fund development of this park if at all.

SLOPRD-53 (cont'd)

Cumulative Impacts please revisit section considering the applicant is not proposing to develop the neighborhood and it will take 20 to 50 years before the County can fund development of this park if at all.

SLOPRD-54

Thank you for the opportunity to respond to this Draft EIR. Please feel free to contact me if you need additional information on any of these comments.

Sincerely,

Elizabeth Kavanaugh
Parks and Trails Planner

County of San Luis Obispo Parks and Recreation
1144 Monterey St reet , Ste. A| San Luis Obispo, CA 9340 8 | (P) 805-781-5930
www.slocountyparks.org

9.2.9.1 Response to Letter from County of San Luis Obispo Parks and Recreation Department

Comment No.	Response
SLOPRD-1	The comment requests clarification that the applicant does not propose development of the neighborhood park, and instead proposes to dedicate undeveloped land for the neighborhood park for the County to develop. As originally proposed, the project included dedication of an approximately 10-acre parcel for use as a public park within the Specific Plan Area. As discussed in Section 4.16, Recreation, the Quimby Act (AB 1191) authorizes counties and cities to require the dedication of land or payment of fees for park and recreational purposes as a condition of the approval of a tentative or parcel subdivision map if specified requirements are met. The County's Quimby Ordinance (Sections 21.09.010 through 21.09.060 of the County Code) requires, as a condition of any subdivision of land, a dedication of land or payment of fees in lieu of a dedication of land (referred to as "Quimby" fees) for the purpose of developing new or rehabilitating existing parks or recreational facilities. Where usable common open space that meets certain criteria is proposed to be dedicated, the Quimby Ordinance allows for partial credit (not to exceed 50%) of the required Quimby fees; this waiver of fees is contingent upon a County finding that it is in the public interest (Section 21.09.020). The project, as originally designed and evaluated in the Draft EIR, proposed a 10-acre dedication of usable open space and sought a 50% waiver of Quimby fees in exchange for that dedication of land, consistent with Section 21.09.020. This has been clarified in Section 2.5.3.2 of the EIR. Through further consultation with the County Parks and Recreation Department (County Parks) subsequent to circulation of the Draft EIR, it has become clear that County Parks does not recommend County approval of any dedication of land within the Specific Plan Area in lieu of full payment of Quimby fees. The primary reason for this is that the Nipomo area already has adequate and readily available undeveloped parkland (which is documented in Section 4.15, Public Services, and Section 4.16, Recreation, of the Draft EIR) and instead, what the area needs is funding (e.g., through payment of Quimby fees) to develop that land with additional recreational facilities/amenities. Therefore, the project has been modified to include an approximately 7.5-acre passive park/open space area (with limited amenities). The project also proposes to pay Quimby fees in accordance with the County's Quimby Ordinance and County Parks' recommendations. The passive park would be maintained by the development (likely an HOA or similar entity) but would be open to the general public. As evaluated in Section 4.15, *Public Services*, and Section 4.16, *Recreation*, based on regional and community parkland estimates identified in the County's *2016–2018 Resource Summary Report,* there is adequate existing regional and community park facilities to serve the existing population in addition to the additional population generated by the project; therefore, construction of new recreational facilities would not be necessary to reduce impacts related to an increase in demand on public park facilities. As such, this change would not result in a change to the impact determinations included in these sections. No further changes to the EIR are required to respond to this comment. This change in the project (and others made in response to comments received on the Draft EIR) have been more fully described and analyzed in Chapter 10.
SLOPRD-2	The comment requests explanation of what a Quimby Fee is and what it is used for and that the applicant is asking for Quimby Fee Credit for the undeveloped land proposed as a future neighborhood park. Refer to Response to Comment SLOPRD-1. Based on correspondence with County Parks, there would not be adequate funding for development or long-term maintenance of the proposed public neighborhood park, which could be inconsistent with General Plan policies related to provision and funding for public park facilities. This potential policy inconsistency is noted in Table 4.16-3 of the Draft EIR. No changes to the Draft EIR are required in response to this comment. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-3	The comment requests clarification regarding the size of the neighborhood park site proposed to be dedicated to the County. As stated in Chapter 2, *Project Description*, the DRSP includes a 10-acre public neighborhood park in addition to an approximately 1.01-acre equestrian trailhead and staging area and between 8.5 and 12 acres of publicly accessible (but privately maintained) pocket parks within residential neighborhoods. Refer also to Response to Comment SLOPRD-1.
SLOPRD-4	The comment requests clarification regarding the size of the proposed neighborhood park minus drainageways and drainage basins. Based on rough calculation estimates, the proposed neighborhood park would be approximately 9.6 acres excluding the drainageways and drainage basins. No changes to the Draft EIR are required in response to this comment. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-5	The comment asks if the applicant proposes to develop the proposed equestrian staging. The Applicant would develop the equestrian trailhead/staging area. This comment does not identify any deficiency in the Draft EIR; therefore, no changes to the environmental document are necessary.

Comment No.	Response
SLOPRD-6	The comment requests that the word "public" be removed from "public neighborhood park" throughout the EIR because County Parks has not agreed to accept this park on behalf of the public. A clarifying statement has been added to Section 2.5.3.2, *Conservation, Open Space, and Recreation*. Because the project proposed a "public" neighborhood park, the EIR correctly reflects the proposed project; therefore, no further changes to the EIR are required in response to this comment. Please also refer to Response to Comment SLOPRD-1 and Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-7	The comment refers to PS Impact 4 and states that the project will result in an increased demand on public park facilities and asks if Mitigation Measure PS/mm-1.1 is sufficient. As evaluated under PS Impact 4, based on regional and community parkland estimates identified in the County's *2016–2018 Resource Summary Report,* there is adequate existing regional and community park facilities to serve the additional population generated by the project, and implementation of the project would not facilitate the need for new or physically altered public park facilities. In addition, the project proposed dedication of land and partial (50%) payment of Quimby fees in accordance with the terms of the County's Quimby Ordinance. The ordinance is intended to ensure the County can provide necessary parks and recreational facilities within the county to serve development. Because the County has adequate existing parkland acreage to serve the existing population in addition to the population increase generated by the DRSP, impacts related to an increase in demand on public park facilities were determined to be less than significant, and mitigation measures were not required to reduce impacts. Refer also to Response to Comment SLOPRD-1 and Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-8	This comment refers to REC Impact 1 and asks why mitigation was not included. As evaluated under REC Impact 1, based on the amount of existing regional and community recreational facilities identified in the County's *2016–2018 Resource Summary Report,* the increase in population associated with the proposed project is not anticipated to result in substantial physical deterioration of existing parks or other recreational facilities. The County has adequate existing parkland and recreational facilities, including regional parks like Nipomo Community Park, regional trails, multiple golf courses, and recreational opportunities at the ocean, to serve the existing population in addition to the population increase generated by the DRSP. Therefore, impacts related to an increase in demand on public park facilities were determined to be less than significant, and mitigation measures were not required to reduce impacts. In addition, although not necessary to reduce impacts related to an increase in demand on public park and recreational facilities, buildout of the specific plan area includes dedication of land for a public park, 8.5 to 12 acres of pocket parks, an equestrian trailhead, and over 7 miles of trails, which would provide park and recreational facilities to residents of the DRSP area and reduce the need for DRSP residents to use other public park and recreational facilities in a manner that could lead to physical deterioration of existing off-site facilities. As described in Chapter 10, the project has been revised to propose a privately-maintained 7.5-acre passive park and full payment of Quimby fees. These fees would help fund additional park and recreational improvements as determined by County Parks. Therefore, no changes to the Draft EIR are required in response to this comment.
SLOPRD-9	This comment states that the Draft EIR should include an alternative that does not impact recreational facilities. As identified in Chapter 5, Alternatives Analysis, California Environmental Quality Act (CEQA) Section 15126.6(a) requires an Environmental Impact Report (EIR) to "describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." As evaluated in Section 4.15, Public Services, and Section 4.16, Recreation, impacts related to an increase in demand on public park and recreational facilities would be less than significant (refer to SLOPRD-7 and SLOPRD-8). Because these impacts have been identified as less than significant, the alternatives analysis is not required to include an alternative that would lessen the project's impacts on public parks and recreational facilities. In addition, as described in Chapter 10, the project has been modified to propose a 7.5-acre passive park and full payment of Quimby fees. This change was the result of increased coordination with County Parks. Therefore, no changes to the Draft EIR are required in response to this comment.
SLOPRD-10	This comment asserts that Section 6, Areas of Controversy, in the *Executive Summary* should include public parks. This revision has been made in the *Executive Summary*. Refer also to Response to Comment SLOPRD-1, above, and Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-11	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-12	Refer to Response to Comment SLOPRD-1, above. In addition, the referenced sentence in Section 2.5.3.2 has been revised to replace "would" with "could".
SLOPRD-13	Refer to Response to Comment SLOPRD-1, above. Also, Figure 2-24, *Off-Site Transportation Improvements*, of the EIR reflects the anticipated buildout of backbone infrastructure. As shown in Table 2-11, *Dana Reserve Specific Plan Anticipated Buildout Schedule*, the public park is anticipated to be constructed near the middle of the full buildout schedule for the Specific Plan Area. In addition, trails, pocket

Comment No.	Response
	parks, and similar amenities would be constructed concurrent with the neighborhoods they would be serving. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-14	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-15	This comment refers to the Existing Setting of Section 4.15.1, *Public Services*, which identifies existing parkland levels of severity and describes the existing regional and community levels of service as identified in the County's *2016–2018 Resource Summary Report.* Section 4.15.1.4.2 has been revised to clarify how the parkland level of severity is measured. No other changes to the Draft EIR are necessary in response to this comment.
SLOPRD-16	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-17	This comment states that General Plan policies related to land acquisition, development, and maintenance should be included in Section 4.15.10 of the EIR. The General Plan policies referred to in this comment are identified and evaluated in Section 4.16, *Recreation*, of the Draft EIR; a reference to these policies has also been added to Section 4.15.2.3.2 of the EIR.
SLOPRD-18	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-19	This comment refers to the evaluation of Policy 2.2 of the County's General Plan Parks and Recreation Element and requests that additional text be added to the evaluation. The additional text identifies the project's increase in demand on recreational facilities, the Applicant's request to waive the payment of 50% of the required Quimby fees, that the proposed public neighborhood park would not be developed within the same buildout timeframe as the DRSP area, and that the cost of development and maintenance would be tens of millions of dollars. This information has been added to the Draft EIR and substantiates the EIR's determination that the project could be potentially inconsistent with this policy. Refer also to Response to Comment SLOPRD-1, above, and Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-20	This comment refers to Policy 2.4 of the County's Parks and Recreation Element in Table 4.15-4, *Preliminary Policy Consistency Evaluation*, of the Draft EIR and asserts that the project would be inconsistent with this policy because the proposed public neighborhood park would have little to no recreational components, would have a buildout time of 20 to 50 years (if at all), and would cost the County tens of millions of dollars to develop and maintain. Even without the public neighborhood park, the DRSP area would still provide walking trails, equestrian trails, open space, and pocket parks within neighborhoods that would provide both active and passive recreation, consistent with this policy. The Draft EIR has been clarified to reflect the proposed dedication of undeveloped land; however, no additional changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above, and Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-21	This comment refers to Policy 2.5 of the County's Parks and Recreation Element in Table 4.15-4, *Preliminary Policy Consistency Evaluation*, of the Draft EIR and asserts that the project is inconsistent with this policy based on the small size, short distance from and existing community park, and cost of development and maintenance. Approximately 8.5 to 12 acres of pocket parks would be developed concurrently with the associated neighborhoods and trails would be developed during Phases 1 and 2 of the proposed project, which would be developed by the Applicant and maintained by the homeowner's association (HOA). These recreational features represent private development of recreational facilities, consistent with the intent of this policy. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-22	The Draft EIR's evaluation of Goal 1, Objective A, and Policy 2.1 Table 4.16-3, *Preliminary Policy Consistency Evaluation*, of the Draft EIR has been revised to clarify the project proposes dedication of undeveloped parkland. The Applicant would develop the equestrian trailhead/staging area. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-23	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-24	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-25	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-26	This comment refers to the evaluation of Policy 2.2 of the County's General Plan Parks and Recreation Element. Minor clarifications have been made to this section of the EIR, consistent with this comment. No further changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-27	Refer to Response to Comment SLOPRD-1, above.

Comment No.	Response
SLOPRD-28	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-29	Minor clarifications have been made to Table 4.16-3, *Preliminary Policy Consistency Evaluation*, of the EIR have been made in response to this comment. No other changes are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-30	Refer to Response to Comment SLOPRD-1, above.
SLOPRD-31	This section of the EIR has been revised to clarify that the project, as originally proposed, would dedicate approximately 10 acres of undeveloped land for future park/recreational uses. No further changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-32	This section of the EIR has been revised to clarify that the project, as originally proposed, would dedicate approximately 10 acres of undeveloped land for future park/recreational uses. No further changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-33	This section of the EIR has been revised to clarify that the project, as originally proposed, would dedicate approximately 10 acres of undeveloped land for future park/recreational uses. No further changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-34	This section of the EIR has been revised to clarify that the project, as originally proposed, would dedicate approximately 10 acres of undeveloped land for future park/recreational uses. No further changes to the EIR are required in response to this comment. Refer also to Response to Comment SLOPRD-1, above.
SLOPRD-35	This comment refers to the evaluation of Objective B of the County's General Plan Parks and Recreation Element found in Table 4.16-3, *Preliminary Policy Consistency Evaluation*, of the Draft EIR. This comment requests that this evaluation clearly state that the Applicant does not propose to develop the neighborhood park and that accepting the proposed park would be inconsistent with the County's Parks and Recreation Element based on its small size and location near an existing community park. This evaluation concludes that the project would be inconsistent with this objective, which is consistent with this comment. However, the evaluation of Policy 2.3 will be revised to clearly reflect that the Applicant does not include the development of the proposed public neighborhood park. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-36	This comment refers to the evaluation of Policy 3.1 of the County's General Plan Parks and Recreation Element. The comment asks if this evaluation would remain potentially consistent even though the applicant does not propose to develop the neighborhood park. Per the analysis in this section of the EIR, the conclusion that the project would be potentially consistent with Policy 3.1 remains the same. Refer also to Response to Comment SLOPRD-1 above.
SLOPRD-37	Refer to Responses to Comments SLOPRD-1 and SLOPRD-22 above.
SLOPRD-38	This comment refers to the evaluation of Objective C of the County's General Plan Parks and Recreation Element found in Table 4.16-3, *Preliminary Policy Consistency Evaluation*, of the Draft EIR. This comment requests that this evaluation state that the proposed trails are consistent with the project list in the Park and Recreation Element. This clarification has been added.
SLOPRD-39	This comment requests that the evaluation mention that the proposed trails connect to area trails called out in the Parks and Recreation Element and nearby Nipomo Community Park. This clarification has been added.
SLOPRD-40	This comment questions the relevance of the evaluation of Policy 3.12 of the County's Parks and Recreation Element. This policy has been deleted from Table 4.16-3.
SLOPRD-41	This comment states that trails are shown in the proposed specific plan. This is in compliance with this policy; therefore, no changes to the Draft EIR are necessary.
SLOPRD-42	This comment requests minor clarifications to the evaluation of consistency with Policy 4.3. This clarification has been made.
SLOPRD-43	This comment requests that Policy 5.1 of the County' General Plan Parks and Recreation Element be described in the Draft EIR. Policy 5.1 is described under Section 4.16.2.3.1, *County of San Luis Obispo General Plan*, which explains how County Parks decides to direct its resources needed to develop public parks. Therefore, no changes to the Draft EIR are necessary.
SLOPRD-44	This comment requests that an evaluation of Goal 6, Objective H of the County' General Plan Parks and Recreation Element be included in the Draft EIR. This revision has been made in the Draft EIR. Refer also to Response to Comment SLOPRD-1 above.

Comment No.	Response
SLOPRD-45	This comment requests that an evaluation of Goal 7, Objective 1 of the County' General Plan Parks and Recreation Element be included in the Draft EIR. This revision has been made in the Draft EIR. Refer also to Response to Comment SLOPRD-1 above.
SLOPRD-46	This comment refers to the evaluation of Policy 6.4 of the County's General Plan Parks and Recreation Element and states that the project is inconsistent with this policy because it does not propose the development of the public neighborhood park. The evaluation of this policy concluded that the project is potentially inconsistent with this policy, which is consistent with this comment. As such, no changes to the Draft EIR are necessary. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-47	This comment requests that an evaluation of Policy 6.5 of the County' General Plan Parks and Recreation Element be included in the Draft EIR. This revision has been made in the Draft EIR.
SLOPRD-48	This comment refers to the evaluation of Policy 6.6 of the County's General Plan Parks and Recreation Element and states that the project is inconsistent with this policy because the proposed public neighborhood park is encumbered with drainage ways and basins that detract from use of the park. The policy is intended to protect existing parks from new development. As stated in the EIR, the project site is not adjacent to and would not detract from adjacent park or natural area resources. Refer also to Response to Comment SLOPRD-48.
SLOPRD-49	This comment refers to the evaluation of Policy 6.7 of the County's General Plan Parks and Recreation Element and states that the project is inconsistent with this policy because it does not propose maintenance of the public neighborhood park. This proposal is consistent with the County Quimby Ordinance (Sections 21.08.010 through 21.09.060 of the County Code), which is codified in the County Code and meets the requirements of this Goal and Objective. No changes to the EIR are necessary. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which included revisions to the proposed neighborhood park in response to these comments.
SLOPRD-50	This comment suggests deletion of the South County Inland Area Plan Land Use Program analysis as not relevant to the proposed project. This item has been deleted.
SLOPRD-51	This comment refers to REC Impact 1 and asserts that the discussion of regional parks is not relevant to this project. As stated in Section 4.16.3, *Recreation Threshold of Significance*, thresholds of significance are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the county and discussion of regional parks is consistent with CEQA Appendix G guidelines. Therefore, no changes to the Draft EIR are necessary. Refer also to Response to Comment SLOPRD-1 above.
SLOPRD-52	Refer to Response to Comment SLOPRD-1 above.
SLOPRD-53	This comment asserts that the evaluation of REC Impact 1 through REC Impact 3 should be revised with the understanding that buildout of the proposed public neighborhood park would not occur within the timeframe for buildout of the DRSP area. REC Impact 2 refers to off-site infrastructure improvements; no changes to the EIR are necessary. Clarifications have been made to REC Impact 1 and REC Impact 3. Refer also to Response to Comment SLOPRD-1 above.
SLOPRD-54	Clarifications have been made to REC Impact 4 to reflect the proposed dedication of undeveloped land for future development of a public park, which could take several years beyond build-out of the Specific Plan Area. Refer also to Response to Comment SLOPRD-1 above.

9.2.10 Nipomo Community Services District (via RWG Law)

RWG LAW

Craig A. Steele

T 805.439.3515
F 800.552.0078
E csteele@rwglaw.com

847 Monterey Street, Suite 207
San Luis Obispo, California 93401
rwglaw.com

August 1, 2022

VIA ELECTRONIC MAIL jGuetschow@co.slo.ca.us & U. S. MAIL

Jennifer Guetschow
Supervising Planner
County of San Luis Obispo
976 Osos Street, Room 300
San Luis Obispo, California 93408

Re: Dana Reserve Specific Plan Draft Environmental Impact Report

Dear Ms. Guetschow:

I serve as legal counsel to the Nipomo Community Services District ("NCSD" or "District"). On behalf of NCSD, we submit the following comments on the Draft Environmental Impact Report ("DEIR"), State Clearinghouse No. 2021060558, dated June 2022, which was prepared by San Luis Obispo County ("County") in connection with the proposed Dana Reserve Specific Plan and associated land use entitlements (the "project"). As noted in the DEIR, NCSD is a responsible agency for the project as defined in CEQA Guidelines Section 15381, and would rely on the Final EIR (if certified by the County) as a part of its consideration of the project developer's application for annexation into the District.

NCSD requests that the DEIR be revised as requested in this letter, and that NCSD's comments and the County's responses be included in the Final EIR in accordance with CEQA Guidelines Section 15088.

Executive Summary

1. Table ES-1: The 22.3 acres shown for "Village and Flex Commercial" zones is not consistent with the 18.9 total acres listed for those use categories in table 4.19.19. 18.9 acres of commercial development was evaluated in NCSD's Water and Wastewater Service Evaluation for the project dated March 30, 2022 (See Table 2.5). The March 30, 2022 evaluation superseded the February 7, 2022 version that was incorrectly included in the DEIR as Appendix H. Please correct table ES-1 and replace the February version of the evaluation with the attached March 30, 2022 version. **NCSD-1**

2. Under Project Objectives, item 10 should include meeting State law requirements for energy efficiencies and State law and NCSD policies and ordinances relating to water conservation. In item 13 please add the words "and Annexation Policy" between "District Code" and "to ensure…." Also, please add the words "funds or" between "DRSP" and "constructs…." Same comments on pages 2-14 and 5-2. **NCSD-2**

3. Mitigation Measure AES/mm-3.1 (wherever it appears in the document): For clarity, this mitigation measure should refer to the numerical tree replacement ratio required in BIO/mm-18.2. **NCSD-3**

4. Mitigation Measure AQ/mm-3.2 (wherever it appears in the document): Please note that reclaimed water is not available from the District. Further, requiring the contractor or builder to "consider" use of an approved dust suppressant to reduce the amount of water used during construction is not a specific action to reduce or eliminate an impact of the project, and thus not an adequate mitigation measure. The contractor and developer should be required to use approved dust suppressants instead of water if feasible. *See*, AQ/mm-3.3(5). **NCSD-4**

5. Mitigation Measure BIO/mm-1.1 (wherever it appears in the document): Please clarify that this measure applies to both off-site improvements and the specific plan area (see BIO impact 11). **NCSD-5**

6. BIO impacts 11-13 (wherever this discussion appears in the document): Do these activities require permits from CDFW and USFWS? If so, the mitigation measures should so-specify and note that obtaining and complying with the permits would be the obligation of the applicant. **NCSD-6**

7. Mitigation Measures BIO/mm-12.1 and 13.1 (wherever they appear in the document): These mitigation measures should be revised to provide that the studies, project biologist's work, relocation, nesting bird surveys, other mitigations and their costs, permit costs, and costs of avoidance are all the applicant's responsibility. **NCSD-7**

8. BIO Impacts 16, 17, and 19, and Mitigation Measures BIO/mm-16.1, 17.1, 17.2, 17.3 and 19.1 (wherever they appear in the document): All existing NCSD water and sewer lines are attached to the underside of SLO County's Nipomo Creek Bridge, which reduces or eliminates impacts to the Creek. The proposed upsized water line in this area also would be attached to the underside of the bridge to avoid impacts and disturbance to the Creek. All compliance obligations in the mitigation measures must be made at the applicant's cost. **NCSD-8**

9. BIO/mm-17.1 and 17.2 (wherever they appear in the document): clarify that all requirements listed for NCSD including, without limitation, retaining a biologist and **NCSD-9**

complying with these measures and any permit conditions, shall be at the applicant's expense. **NCSD-9 (cont'd)**

10. Mitigation Measures CR/mm-1.1, 2.2, 2.3 and 2.4 (wherever they appear in the document): Please make the language of 1.1 consistent with 2.2, 2.3 and 2.4 to reflect that the applicant will fund and complete the Historical Resources Evaluation. Please revise all CR mitigation measures to provide that the mitigation measures would be the applicant's obligation to fund and complete. **NCSD-10**

11. GEO Impact 9, implementation of Mitigation Measures GEO/mm-8.1 through GEO/mm-8.3 (wherever they appear in the document): See comment regarding CR/mm-1.1. **NCSD-11**

12. Mitigation Measure N/mm-1.1 and discussion of noise impacts (wherever they appear in the document): Note that construction of off-site NCSD improvements may require night construction activities between the hours of 10 p.m. and 6 a.m. to avoid impacts to customers and systems associated with the connection of water and wastewater improvements to existing NCSD systems. Under County LUO Section 22.10.120(A)(7), the noise and construction hour limitations do not apply to NCSD's work on the maintenance or modification of its facilities. That correction should be throughout the document where the reference to Section 22.10.120 appears. **NCSD-12**

13. Noise Impact 2: See comment above regarding Mitigation Measure N/mm-1.1 and the applicability of the County's Land Use ordinance. **NCSD-13**

14. Impact PS 1: Mitigation Measure PS/mm-1 should be labeled in this chart. As drafted, the mitigation measure is inadequate to support the conclusion that the project's impact on the need for fire services will be mitigated. As drafted, the mitigation measure does not require that a new fire station be constructed, as the discussion of the impact seems to require. Simply dedicating land for a new fire station does not guarantee that fire services and responses will be improved. When will the dedication be required? When will the new fire station be constructed? What will be the mechanism be to guarantee that new fire station is constructed, equipped and staffed? Is a new fire station required before the first certificate of occupancy is issued, or at some later point? **NCSD-14**

15. Mitigation Measure WF/mm-3.1 (wherever it appears in the document): NCSD will require vehicular access for NCSD vehicles for all NCSD maintained water and sewer improvements located in any easement or open space area. However, note that NCSD typically does not accept facilities located in easements, unless no other reasonable alternative exists. **NCSD-15**

16. Mitigation Measure USS/mm-3.1: This measure should be revised to require the NCSD's "approval" rather than "affirmative concurrence" pursuant to the findings required under **NCSD-16**

NCSD's annexation policy and the District's standards for new water and wastewater services. NCSD-16 (cont'd)

17. Under Section 6, Areas of Controversy, please note that the adequacy of the potable water supply has also been raised as areas of controversy, although NCSD's evaluation shows that there is sufficient water supply available to serve the project, as detailed in the correct version of Appendix H. NCSD-17

18. Description of Alternate 5. It seems that this alternative might reduce identified impacts to public services including water and wastewater. See comments below regarding the alternatives analyses. NCSD-18

Project Description

19. Section 2.2.1.2.2: Item 2 under Wastewater System Improvements should include the words "and force main" after "sewer lift station" and, in item 4, note that the improvements at the Southland plant were analyzed in the EIR NCSD certified for the Southland Wastewater Treatment Facility in 2011. Same comment as to item 4 at the top of page 2-47. NCSD-19

20. Page 2-8, footnote 3: The text should be revised to note that the project was planned as a part of the NCSD's 2007 Masterplan. The CEQA analysis for the increased pipe size was completed and approved by the NCSD Board in March of 2020. Same comment as to footnote 6 on page 2-47. NCSD-20

21. Section 2.5.2, second paragraph: Please revise to note that a responsible agency also could be required to make consistency determinations relating to this EIR, not just the County. See the last sentence of Section 2.5.3.4.4, for example. NCSD-21

22. Page 2-25: Are ADU estimates included in the number of units listed in Table 2.5? NCSD-22

23. Section 2.5.3.4.3 and Figures 2-20, 2-21 and 2-22: The text should note that all water and sewer lines dedicated to, and accepted by, NCSD must be located within public streets or dedicated property. NCSD does not accept easements unless no reasonable alternative exists. For new development, the project can be designed to avoid using easements alternatives. On Figures 2-20 and 2-22, and on figures 4.19-2 and 4.19-3, please clarify that the labeled 16" water line and 12" sewer line do not currently exist. NCSD-23

24. Pages 2-46, item 2 under Off-Site Wastewater System Improvements please add the words "and force main" after "sewer lift station." NCSD-24

25. Table 2-11: Total units for NBD 9 shown is inconsistent with the information in Table 2-4. NCSD-25

26. Table 2-11: Please verify and correct the unit numbers in the vertical columns for residential multi-family development DR-SF2, which do not appear to match. Otherwise, clarify why the combined numbers in each NBD do not add up to the totals provided. **NCSD-26**

27. Page 2-57: The description of the NCSD Board's potential annexation actions following the County's potential approval of the requested project entitlements is not complete. The applicant has already submitted an annexation application to NCSD. If the requested entitlements are approved, the NCSD Board will consider the requested annexation pursuant to its Annexation Policy, approved through Resolution 2020-1549. As noted several times in this comment letter, NCSD's Annexation Policy is a critical policy document that should be included in the DEIR's analysis. The NCSD Board also will consider an annexation agreement between NCSD and the developer, and a Property Tax Revenue Exchange Agreement to be negotiated between NCSD and the County. If the applicant complies with the conditions of NCSD's annexation policy and the District's Board approves the above-described documents, SLOLAFCO would consider the annexation proposal thereafter. The last sentence of this paragraph should be revised to provide that "SLOLAFCO would then coordinate with the County and NCSD to ensure that a proper plan of services is in place to guide orderly development of the annexed property." **NCSD-27**

Environmental Setting

28. Section 3.2.1.10: The Nipomo Community Services District Code and its Annexation Policy, adopted through Resolution No. 202-1540, are applicable to the project and should be described in this Section. **NCSD-28**

Environmental Impacts Analysis

29. In general, for all mitigation measures that may be applicable to off-site improvements or work done by or with NCSD in connection with the project, NCSD requests that each mitigation measure be revised as necessary to clarify that all work required by that measure will be at the applicant's expense. **NCSD-29**

Section 4.4 Biological Resources

30. For discussion of potential biological impacts of off-site improvements in the area of Nipomo Creek, including in Section 4.4.1.3.3, please note our comments above regarding BIO Impacts 16 and 17, and the location of NCSD improvements in relation to Nipomo Creek. This issue is especially important to the analysis of potential impacts to habitat, since the Creek itself need not be disturbed. **NCSD-30**

31. Section 4.4.1.3.3: The "wetland delineation" for off-site improvements should not be deferred. While the off-site improvements are not designed, the general locations are **NCSD-31**

known. The DEIR makes a determination on these issues for the "Specific Plan Area" in Section 4.4.1.2.3. At a minimum, this section should specify that the "wetland delineation" for the off-site improvements must be completed at the applicant's expense and prior to the NCSD's consideration of any annexation application, but it is not clear that later completion would protect the EIR against a "deferred mitigation" challenge. NCSD believes the work should be done before the EIR is certified. **NCSD-31 (cont'd)**

32. Mitigation Measure BIO/mm-1.1: Please clarify whether the term "within the project area" includes off-site areas as well as the Specific Plan area. **NCSD-32**

Section 4.15 Public Services

33. PS Impact 1: See comment above regarding Mitigation Measure PS/mm-1. The text of Section 4.15 makes vague reference to the project's contribution to the County's Public Facilities Fees to off-set "project specific" impacts related to increased demand for fire services but does not identify how the developer's payment of those fees over a significant period of time (presumably tied to building permit applications) will guarantee that there is a fire station, firefighters and equipment on-site when the impacts of this development begin to be experienced by the residents of Nipomo. Section 4.15 also notes that the project's payment of the Facilities Impact Fee will fund improvements to County parks and libraries too, so it is not at all clear how the fire station will be funded and built, or when. The discussion of the impact notes that subsequent CEQA review of the fire station project will be required, but does not specify how, when, or at whose cost that review will be conducted. Without that level of specificity the DEIR's conclusion that impacts will be less than significant after mitigation is not supported. **NCSD-33**

34. Section 4.15.6: In the discussion of cumulative impacts on public services, the DEIR states: "Development of a new CAL FIRE station in the community of Nipomo would further reduce response times by providing additional firefighters, fire engines, and other equipment to serve the area." Again, the dedication of land for a fire station and the payment of a County fee over time, without more, will not "further reduce response times." Comments regarding Impact PS 1 are restated here. **NCSD-34**

Section 4.19 Utilities and Service Systems

35. Page 4.19-3, last paragraph: After the words "groundwater supply" please add "though diminishing as a result of the drought," and add "under current projections" after "is considered reliable." Also, please add the following sentence: "Under NCSD's Annexation Policy, any property annexed to the District is to be served only by imported water." This added sentence would also be appropriate to add to the imported water discussion on page 4.19-4. **NCSD-35**

36. Page 4.19-4, second full paragraph: The sentence that begins "[p]ortions of the…" should be revised to read as follows: "The Santa Maria River crossing 24-inch pipeline of the NSWP was designed with a delivery limit of 6,200 AFY of water. However, the license agreement between the County of Santa Barbara and NCSD, that limits the permissible delivery to 3,000 AFY, would need to be amended to allow NCSD full use of the NWSP's pipeline design limit of 6,200 AFY." **NCSD-36**

37. Tables 4.19-10, 11 and 12: The number of annexations under review should be 176, pursuant to NCSD's Urban Water Management Plan. **NCSD-37**

38. The years in Table 4.19-12 are mislabeled. The years should be 2021-2025. The groundwater supply total line should read 1,267 in each column. **NCSD-38**

39. Table 4.19-4: It is not entirely clear which data from the MKN report is incorporated in this table, but the "Peak Hour Flow" line appears to be incorrect. Based on Table 3-13 of the MKN report, however, this number should be 1.5 mgd. **NCSD-39**

40. Table 4.19-16: In the 10 year water production column, the "residential suburban" line should read 96,198 under the DR Evaluation, pages 3-6. **NCSD-40**

41. Pages 4.19-8 and 4.19-13: Appendix H, as circulated with the DEIR is the incorrect version of the water evaluation, as stated above. We do not believe that this update materially changes the impacts analysis. Please correct. **NCSD-41**

42. Page 4.19-17: IWMA does not actually "oversee local waste providers." The appropriate term instead of "waste producers" would be "waste hauler" or "waste disposal services provider." More important, each individual community member of IWMA "oversees" its waste hauler through a franchise agreement and, in the case of NCSD, local ordinances. IWMA provides compliance and monitoring services to its member agencies. **NCSD-42**

43. Section 4.19.2.3.4: Again, NCSD's Annexation Policy and the District Code are part of the regulatory framework applicable to the project. For example, the six stages of drought response noted in the text are enforced through the NCSD Code. The Annexation Policy, as just one example, requires that new annexations be served only with imported water, which emphasizes the need for Santa Barbara County to drop its arbitrary limit on the amount of water Nipomo may import under the license agreement for the Nipomo Supplemental Water Project, as NCSD has repeatedly requested. Table 4.19-17 should be updated accordingly. **NCSD-43**

44. Page 4.19-31, second paragraph under "Construction": Note that construction of off-site NCSD improvements may require night construction activities between the hours of 10 p.m. and 6 a.m. to avoid impacts to customers and systems associated with the connection of water and wastewater improvements to existing NCSD systems. Under **NCSD-44**

County LUO Section 22.10.120(A)(7), the noise and construction hour limitations do not apply to NCSD's work on the maintenance or modification of its facilities. This exception should be noted throughout. **NCSD-44 (cont'd)**

45. Pages 4.19-31 through 43: As to the implementation of the mitigation measures listed in the analysis of impacts UPS Impacts 1-6, inclusive, note our previous comments regarding the applicant's responsibility for the costs of mitigation. **NCSD-45**

46. Page 4.19-35, first full paragraph: Same comment as number 41 above regarding construction hours. **NCSD-46**

47. Table 4.19-19, see comment above regarding Table ES-1. **NCSD-47**

48. Page 4.19-41: The discussion of peak flow conditions should refer to "peak hour flow" not "daily peak flows." **NCSD-48**

49. Table 4.19-21: The "Project Total Average Daily Flow" should read 228.86 rather than 228.68. "Project Peak Flow" should reflect hourly peak flows, not daily. **NCSD-49**

50. Page 4.19-46: With regard to SB 1383 compliance, IWMA does not require that haulers provide customers with "compost/green waste bin." Each local jurisdiction, including NCSD, is required by SB 1383 and CalRecycle regulations to impose that requirement on the waste hauler, **and** to require that customers in the jurisdiction comply with the organics recycling mandates. NCSD has adopted these requirements for its customers in the District Code and the Board approved an amendment to the solid waste franchise agreement to implement SB 1383. These requirements would apply to the properties in the project area, if annexation is approved. IWMA's role is to monitor compliance and enforce. These requirements were effective January 1, 2022 and enforcement is scheduled to start January 1, 2023. **NCSD-50**

Alternatives Analysis

51. Section 5.4.3: Alternative 2 is alternately referred to as "La Cañada Ranch or "Cañada Ranch." **NCSD-51**

52. Section 5.4.4.3 Analysis of Alternative 3: It is unclear how the proposed alternative could reduce residential development and possibly "preclude" annexation into NCSD due to the cost of infrastructure improvements, yet increase impacts related to utilities and service systems. Section 5.4.4.3.15 states that under this alternative the "demand on public services and facilities also would be substantially reduced." This same section then states that the impacts of off-site improvements would be similar to the proposed project. Section 5.4.4.3.19 then says that this alternative would require the construction of new and expanded utility infrastructure, and may include water storage tanks and septic **NCSD-52**

systems, which would *increase* impacts to utilities and water service systems. NCSD disfavors any residential alternative that would not take domestic water service from the District due to the potential that such development would adversely impact groundwater resources. It is not clear that the County legally could approve such an alternative. Please clarify the impact statements in this section. **NCSD-52 (cont'd)**

53. Without further clarification of the impacts of Alternative 3, the conclusion that Alternative 3 is the Environmentally Superior Alternative is not supported by the text of the DEIR. **NCSD-53**

Chapter 7. Mitigation Monitoring and Reporting Program

54. Please ensure that NCSD's requested changes to mitigation measures are carried over into the MMRP. **NCSD-54**

Appendix C

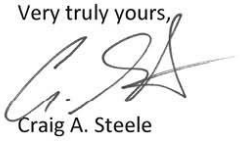
55. Page 3: The location of the proposed lift station should be labeled. **NCSD-55**

56. Page 4: Please note on the diagram that approximately at the intersection of Camino Caballo and Frontage Road a transition from force main to gravity main may be required. **NCSD-56**

57. For clarity, the sewer lines shown on pages 8, 9, and 10 are existing. **NCSD-57**

NCSD appreciates the opportunity to review and comment on the DEIR. We look forward to seeing these comments and the County's responses incorporated into the Final EIR. If you have any questions regarding these comments, please contact Peter Sevcik, NCSD's Director of Engineering and Operations, who participated in the development of these comments, or me.

Very truly yours,



Craig A. Steele

cc: President and Members of the NCSD Board
Mario E. Iglesias, General Manager
Peter V. Sevcik, Director of Engineering and Operations

Attachment

11415-0007\2698928v1.doc

RICHARDS WATSON GERSHON

NIPOMO COMMUNITY SERVICES DISTRICT
DANA RESERVE DEVELOPMENT WATER AND WASTEWATER SERVICE EVALUATION

MARCH 30, 2022

NCSD-58

PREPARED FOR:

NIPOMO COMMUNITY SERVICES DISTRICT
148 SOUTH WILSON STREET
NIPOMO, CA 93444

PREPARED BY:

530B PAULDING CIRCLE
ARROYO GRANDE, CA 93420
805 . 904 . 6530

NIPOMO COMMUNITY SERVICES DISTRICT

DANA RESERVE DEVELOPMENT WATER AND WASTEWATER SERVICE EVALUATION

March 30, 2022

NCSD-58 (cont'd)

Report Prepared Under the Responsible Charge of:

Insert Stamp Here

Michael K. Nunley, PE C61801

mkn ARROYO GRANDE | BAKERSFIELD | FRESNO | IRVINE | SANTA CLARITA | VENTURA MKNASSOCIATES.US

Table of Contents

1.0 INTRODUCTION 1-1
1.1 Description of Proposed Project 1-1
1.2 Purpose of Study 1-1
1.3 Scope of Work 1-1
2.0 WATER SYSTEM 2-1
2.1 Water Supply and Demand 2-1
2.1.1. Water Demand Projections 2-2
2.1.2. Dana Reserve Water Demand Projections 2-4
2.2 Water System Facilities 2-8
2.2.1. Existing Facilities 2-8
2.2.2. Proposed Master Plan Facilities 2-9
2.3 Hydraulic Analysis Results and Recommendations 2-9
2.3.1. Hydraulic Modeling Analysis 2-9
2.3.2. Recommended Offsite Pipeline Improvements 2-16
2.3.3. Evaluation of Proposed Onsite Pipeline Improvements 2-16
2.4 Storage Analysis and Recommendations 2-17
3.0 WASTEWATER COLLECTION SYSTEM 3-1
3.1 Wastewater Flows 3-1
3.1.1. Flow Monitoring 3-1
3.1.2. District Projections 3-4
3.1.3. Dana Reserve Wastewater Flow Projections 3-8
3.2 Collection System Facilities 3-11
3.2.1. Existing Facilities 3-11
3.2.2. Proposed Master Plan Facilities 3-12
3.2.3. Hydraulic Analysis Results and Recommendations 3-12
3.2.4. Recommended Offsite Improvements 3-16
3.2.5. Evaluation of Proposed Onsite Improvements 3-16
4.0 WASTEWATER TREATMENT FACILITY 4-1
4.1 Influent Flow and Loading Analysis 4-1
4.1.1. District Projections 4-1
4.1.2. Dana Reserve Projections and Impact on Flows and Loadings at Southland WWTF 4-2

NCSD-58 (cont'd)

4.2 Existing Facilities 4-3
4.3 Proposed Master Plan Facilities 4-3
4.4 Process Capacity Analysis 4-5
4.4.1. Influent Lift Station 4-5
4.4.2. Influent Screens 4-5
4.4.3. Grit Removal 4-5
4.4.4. Extended Aeration System 4-6
4.4.5. Secondary Clarifiers 4-6
4.4.6. Sludge Thickener 4-7
4.4.7. Sludge Dewatering Screw Press and Sludge Drying Beds 4-7
4.5 Future Water Quality Requirements 4-8
4.6 Recommended Improvements 4-10
5.0 PROJECT COST OPINIONS 5-1
5.1 Offsite Water Improvements 5-1
5.2 Offsite Wastewater Collection and Treatment Improvements 5-1
6.0 CONCLUSIONS AND RECOMMENDATIONS 6-1
6.1 Water 6-1
6.2 Wastewater 6-1

NCSD-58 (cont'd)

List of Tables

Table 2-1: Wholesale Water Agreement Delivery Schedule 2-1
Table 2-2: Total District Water Supply 2-2
Table 2-3 : Existing District Demands (2020) 2-2
Table 2-4: NCSD Potential Future System Demands (Maximum Anticipated Infill Development) 2-4
Table 2-5: Developer Provided Water Use Factor and Demand Projections (Table 5.1 from DRSP Update) 2-5
Table 2-6: Dana Reserve Water Demand Factor Comparison 2-6
Table 2-7: NCSD Dana Reserve Water Demand Comparison 2-6
Table 2-8: Water Supply Allocation and Demand 2-7
Table 2-9: Existing Water Pipeline Statistics 2-8
Table 2-10: Hydraulic Analysis Scenarios 1-9 2-11
Table 2-11: Hydraulic Analysis Scenarios 10-23 2-14
Table 2-12: NCSD Served Population Summary 2-17
Table 2-13: Water System Storage Capacity 2-18
Table 3-1: Summary of Flow Monitoring Results (Oct. 23 – Nov. 28, 2020) 3-1
Table 3-2: Historical Southland WWTF Influent Flow and Loading (January 2019 – December 2020) 3-2
Table 3-3: Sewer Flow Return Factors by Land Use 3-4
Table 3-4: Estimated Total Existing Sewer Flows 3-5
Table 3-5: Projected Future Sewer Flows (Not including Existing) 3-6
Table 3-6: Estimated Sewer Flow for FM01 Basin 3-7
Table 3-7: Estimated Sewer Flow for FM02 3-7
Table 3-8: Estimated Sewer Flow for FM03 3-8
Table 3-9: Historical Southland WWTF Influent Flow 3-8
Table 3-10: Developer Provided Wastewater Generation Factor and Demand Projections (Table 5.2 from DRSP Update) 3-9
Table 3-11: Dana Reserve Wastewater Flow Projections using Water Production-Based and 2007 Sewer Master Plan-Based Methods 3-10
Table 3-12: NCSD Dana Reserve Wastewater Flow Comparison 3-11
Table 3-13: Existing and Future Flows 3-11
Table 3-14: Existing Sewer Pipeline Statistics 3-12
Table 3-15: Dana Reserve Sewer Model Results 3-14
Table 4-1: Existing and Projected Influent Flows and Loadings from District Service Area 4-1
Table 4-2: Projected Influent Flows and Loadings from Dana Reserve Project 4-2
Table 4-3: Projected Influent Flows and Loadings from Dana Reserve Project and District Service Area 4-2
Table 4-4: Southland WWTF Phasing Plan 4-3
Table 4-5: Influent Lift Station Capacity (One Pump Operating) 4-5
Table 4-6: Influent Lift Station Capacity (Two Pump Operating) 4-5
Table 4-7: Extended Aeration Basin Capacity (One Basin) 4-6
Table 4-8: Secondary Clarifier Existing Capacity 4-7
Table 4-9: General Order R3-2020-0020 Secondary Treatment Effluent Limits (Tables 5 and 6 of the Order) 4-9
Table 4-10: Extended Aeration Basin Capacity for Denitrification via Wave Oxidation (Two Basins) 4-9
Table 4-11: Extended Aeration Basin Capacity for Denitrification via Wave Oxidation (Three Basins) 4-10
Table 4-12: Summary of Southland WWTF Evaluation 4-10
Table 5-1: Water Transmission Main to Serve Dana Reserve 5-1
Table 5-2: Water System Storage and Looping Improvements to Serve Dana Reserve 5-1
Table 5-3: Wastewater Improvements to Serve Existing Conditions and Dana Reserve 5-1
Table 6-1: Recommendations for NCSD Water System Improvements 6-1

NCSD-58 (cont'd)

List of Figures

Figure 2-1: Proposed Pipeline Improvements to the District Water System 2-13
Figure 3-1: Wastewater Flow Meter Locations 3-3
Figure 3-2: Sewer Collection System Improvements 3-15
Figure 4-1: Southland WWTF 4-4
Figure 6-1: Proposed Water Distribution System Improvements 6-3
Figure 6-2: Proposed Joshua Road Pump Station Reservoir Improvements 6-4
Figure 6-3: Wastewater Collection System Improvements 6-5
Figure 6-4: Proposed Southland WWTF Improvements 6-6
Figure 6-5: Proposed Water and Sewer Improvements 6-7

List of Appendices

Appendix A: Sewer Flow Monitoring 2020 Nipomo, CA
Appendix B: Process Flow Diagram
Appendix C: Opinions of Probable Cost

NCSD-58
(cont'd)

1.0 INTRODUCTION

1.1 Description of Proposed Project

The Dana Reserve Development (Project) is a proposed multiuse neighborhood encompassing 288 acres of currently undeveloped land. The property is not within the Nipomo Community Services District (District) service area but is within the District's Sphere of Influence (SOI). The development includes a variety of single-family residences, condominiums, townhomes, and multifamily apartments. The development also incorporates open spaces and public parks, as well as various commercial uses including a village center, flex commercial/light industrial, neighborhood barn, hotel, daycare center, and a community college campus.

The developer has applied for annexation to the Nipomo Community Services District for water and wastewater services.

1.2 Purpose of Study

This study evaluated the impact this proposed development will have on District water and wastewater facilities. Recommended improvements from the Water and Sewer Master Plan Update (Cannon, 2007) and Southland WWTF Facility Master Plan Amendment 1 (AECOM, 2010) were reviewed to identify the improvements required to provide service to the project.

1.3 Scope of Work

The Scope of Work for the project included the following tasks:

NCSD-58 (cont'd)

Evaluation of Water Supply, Storage, and Distribution Facilities (Offsite and Onsite)

- Review Water Supply Assessment provided by developer and compare to District projections.
- Update existing water distribution system model with current demands from billing data and future demand from proposed annexation area.
- Review Water Master Plan, confirm status of master-planned projects, and update model with completed projects that may be necessary to support the development.
- Identify Master Planned projects which should be implemented to support the development.
- Perform model runs to identify offsite improvements necessary to support development. An evaluation of fire flow requirements, typical operating pressure ranges, and ability of the system to deliver Supplemental Water were performed. System storage requirements were also identified.
- Provide master-planning level cost opinion for proposed improvements, using unit costs escalated from previous master plans or planning documents.
- Evaluate onsite improvements recommended for development to confirm pipe sizes and pressure ranges are adequate for fire protection, maximum day, and peak hour demands.

Evaluation of Wastewater Collection Facilities (Offsite and Onsite)

- Place flowmeters at three (3) locations in the District sewer system for up to 30 days (to be performed by MKN's subconsultant, ADS).
- Review wastewater flow projections provided by developer and compare to District projections.
- Update existing collection system model with current flows from water billing data and future flows from proposed annexation area.
- Review Sewer Master Plan, confirm status of master-planned projects, and update model with completed projects that may be necessary to support the development.
- Identify Master Planned projects which should be implemented to support the development.
- Perform model runs to identify offsite improvements necessary to support development.
- Provide master-planning level cost opinion for proposed improvements, using unit costs escalated from previous master plans or planning documents.

Wastewater Treatment Capacity Evaluation

- Develop design flow and loading for the Southland Wastewater Treatment Facility under existing conditions. This analysis will include a review of past flow and loading records since the Phase I facility was completed; review of flow and loading projections from the Southland Wastewater Treatment Facility Master Plan (WWTF Master Plan); and a review of the flow and loading projections from the annexation area. The total flow and loading with contribution from the annexation area will be tabulated and compared to flows anticipated in the WWTF Master Plan.
- Discuss the ability of each unit process to meet existing flows and loads including the annexation area will be discussed for each phase. A process model will not be developed but flows and loads will be compared to typical loading rates for similar facilities based on industry standards and vendor-supplied information. Provide a recommendation as to whether future phases of the WWTF Master Plan should be implemented to address increased flows and loading.
- Provide master-planning level cost opinion for proposed improvements, using unit costs escalated from the previous WWTF Master Plan or other planning documents.

NCSD-58 (cont'd)

2.0 WATER SYSTEM

2.1 Water Supply and Demand

Water Supply

Historically, the District has relied heavily on pumped groundwater from the Nipomo Mesa Management Area (NMMA), a subbasin within the Santa Maria Groundwater Basin. The NMMA Technical Group, which is the court-assigned entity responsible for managing groundwater within the NMMA, has declared a Stage IV water severity condition for the subbasin. This condition requires purveyors reduce groundwater deliveries to 50% of the average production recorded between years 2009 and 2013. This results in a voluntary groundwater reduction goal of 1,267 AFY of pumped groundwater for the District.

Groundwater was the sole source of the District's water supply until 2015, when the District began importing water from the City of Santa Maria (City) as part of the Nipomo Supplemental Water Project (NSWP), dictated by the Final Judgment. The District executed the Wholesale Water Supply Agreement (Wholesale Agreement) with the City on May 7, 2013. Supplemental Water consists of a "municipal mix" of both surface water from the State Water Project and groundwater from the City of Santa Maria. The Wholesale Agreement requires a minimum water delivery to the District of 2,500 AFY by the 2025-26 fiscal year, a readily available amount of 500 AFY, and a maximum allowable delivery of 6,200 AFY. Due to a current Santa Barbara County license agreement limitation, this report focuses on the minimum delivery of 2,500 and the readily available 500 AFY totaling 3,000 AFY.

In addition to the Wholesale Agreement, a Water Replenishment Agreement requires water delivery to Woodlands Mutual Water Company (WMWC), Golden State Water Company (GSWC), and Golden State Water Company Cypress Ridge (GSWCCR). Table 2-1 outlines the required Wholesale Agreement water delivery schedule.

NCSD-58 (cont'd)

Table 2-1: Wholesale Water Agreement Delivery Schedule

AFY	Effective Delivery Date
1,000	7/1/2020
2,500	7/1/2025
3,000	Planning Capacity
6,200	Maximum Capacity

While the District is obligated to meet the minimum delivery schedule from the Wholesale Agreement, the District still has to maintain and operate groundwater wells to meet additional demands that the NSWP cannot meet, and to comply with State regulations. **Table 2-1** outlines the required Wholesale Agreement water delivery schedule.

Table 2-2 depicts the total supply available to the District including delivered water from the NSWP based on the above delivery schedule and maximum groundwater allocation as required by the Final Judgment.

Table 2-2: Total District Water Supply	
Source	**Water Supply**
	AFY
NCSD Groundwater Available[1]	1,267
NSWP Allocation	2,500
Total Future Water Supply	3,767
NSWP New Development Allocation[2]	500
Maximum Future Water Supply[3]	4,267

Notes:
1. NCSD's current voluntary groundwater reduction goal based on fifty percent reduction from average production in the FY's 2009-10 through 2013-14 as required by the Final Judgment, or fifty percent of 2,533 AFY based on Stage 4.
2. While this additional allocation is available to the District for delivery under the Wholesale Agreement, it should only be taken as needed. After the District requests 3,001 AFY, the District must maintain that delivery. It is believed the District may not have enough demand to warrant additional water delivery past 2,500 AFY in the planning horizon contemplated in this report.
3. Table 7-4, NMMA Stage 4, 2020 UWMP.

2.1.1. Water Demand Projections

Existing 2020 water demands for the District are summarized in **Table 2-3** based on calendar year 2020 usage as reported in the annual water usage report submitted to DWR and the 2020 UWMP update.

NCSD-58 (cont'd)

Table 2-3 : Existing District Demands (2020)		
Use Type	**2020 Actual**	
	Level of Treatment When Delivered	**Volume (AF)**
Single Family	Drinking Water	1,326
Multi-Family	Drinking Water	122
Commercial	Drinking Water	76
Landscape	Drinking Water	271
Other	Drinking Water	4
Agricultural Irrigation	Drinking Water	12
Losses	Drinking Water	237
	TOTAL (AF)	**2,048**

Notes:
1. Demands = Annual water consumption by customer type as shown above.
2. Values represent use as reported to DWR for 2020.

Projections under future conditions were developed in the 2020 UWMP and are summarized in **Table 2-4**. Future demand conditions included water service to parcels within the existing service area that are not currently served. This included parcels with Reserved District Capacity allocation (parcels not currently on the District's system but have potential to be added to the system), parcels served by private wells, vacant parcels, and ADUs associated with that growth. Criteria used in this analysis for subdivision and/or adding an ADU are listed below:

1. District's GIS parcel mapping data was used to identify existing land use designation and acreage information.
2. Existing and vacant residential single family (RSF) parcels greater than 12,000 square foot (sf) and served by a community sewer are allowed by ordinance to subdivide into 6,000 sf lots.
3. Existing and vacant residential single family (RSF) parcels on septic have a 1.0-acre minimum lot size requirement.
4. Existing and vacant residential suburban (RS) parcels greater than 2.0 acres are allowed by ordinance to subdivide to 1.0 acre lots.
5. Existing and vacant residential rural (RR) parcels greater than 10.0 acres are allowed by ordinance to subdivide to 5.0 acre lots.
6. Blacklake Village residential parcels have ADU capability (based on Proposed Amendments to Title 22).
7. Residential Multi-Family (RMF) parcels do not have ADU capability, regardless of parcel size.
8. Land uses that allow ADU dwellings include the following:
    a. Commercial, Retail (CR)
    b. Office and Professional (OP)
    c. Recreation (REC)
    d. Residential, Rural (RR)
    e. Residential, Suburban (RS)
    f. Residential, Single Family (RSF)

This "Maximum Anticipated Infill Development" scenario assumes that every parcel that has the capability to subdivide based on the above criteria will subdivide. This does not affect the potential future demand for existing customers because neither the total area of the parcel nor the usage factor changes. This increase in subdivision does increase the total number of parcels available to add an ADU. It is assumed every new parcel able to add an ADU will do so. Total ADU demand is projected by multiplying all eligible parcels by a demand factor of 0.11 AFY/ADU. The "Maximum Anticipated Infill Development" scenario is a conservative approach, but is appropriate to assess future worst case scenario needs since the District does not control land use or zoning within its service area.

NCSD-58 (cont'd)

This scenario also includes current District water demand, as well as the required deliveries to the Woodlands Mutual Water Company (WMWC), Golden State Water Company (GSWC), and Golden State Water Company Cypress Ridge (GSWCCR) according to the Water Replenishment Agreement, and shown in **Table 2-4** below.

Table 2-4: NCSD Potential Future System Demands (Maximum Anticipated Infill Development)	
Description	**Water Demand AFY**
Current NCSD Customer Usage	
Existing District Customers[1]	2,048
Potential District Maximum Anticipated Infill	
Future Demand	340
Future Demand Subtotal[2]	**2,388**
District Interconnections	
WMWC	417
GSWC	208
GSWCCR	208
Interconnection Subtotal	**833**
Total Future Demand with Interconnections (AFY)[2]	**3,221**

Notes:
1. Table 4-1, 2020 UWMP.
2. Table 4-3, 2020 UWMP. Total District projected water demand for year 2045, excluding anticipated demand from the proposed Dana Reserve development.

2.1.2. Dana Reserve Water Demand Projections

NCSD-58 (cont'd)

The proposed Dana Reserve development includes approximately 1,270 residential units, 18.9 acres of commercial land use, and 37.8 acres of public parks and streetscapes. Applying usage factors derived from the 2016 NCSD Urban Water Management Plan (UWMP) and additional factors pulled from the City of Santa Barbara and the County of SLO, the Developer estimated a total water demand for the new development of 370 acre-ft/year (AFY). This estimate includes a 10% contingency to account for additional miscellaneous water use. **Table 2-5** shows the developer's water use factors used and total demand projections for the Dana Reserve development as outlined in the most recent Water Supply Assessment update by RRM Design Group (2020) as cited below. The water demands projected by the developer are different from water demands projected using the District's methodology, as discussed below. Therefore, the District's water demand projections were used in this Evaluation.

Table 2-5: Developer Provided Water Use Factor and Demand Projections (Table 5.1 from DRSP Update)				
Land Use Category	**Number of Units or Acres**	**Water Use Factor[3] (AFY)**	**Potable Water Demand (AFY)**	**Daily Demand[2] (gpd)**
Residential				
Condos	173 units	0.13 AFY/unit	22.14	-
Townhomes	210 units	0.14 AFY/unit	30.24	-
Cluster	124 units	0.21 AFY/unit	25.79	-
4,000-5,999 SF	463 units	0.21 AFY/unit	96.30	-
6,000-7,000+ SF	225 units	0.34 AFY/unit	75.61	-
Affordable	75 units	0.14 AFY/unit	10.84	-
Subtotal	*1270 units*		*261.13*	*232,900*
Commercial[1]				
Village Commercial	4.4 ac	0.17 AFY/1,000 sf	8.69	-
Flex Commercial	14.5 ac	0.17 AFY/1,000 sf	28.63	-
Subtotal	*18.9 ac*		*37.32*	*33,319*
Landscape				
Village and Commercial Area[4]	6.3 ac	1.0 AFY/ac	6.30	-
Public Recreation	10.0 ac	1.0 AFY/ac	10.00	-
Neighborhood Parks	15.0 ac	1.0 AFY/ac	15.00	-
Streetscape/Parkways	6.5 ac	1.0 AFY/ac	6.50	-
Subtotal	*37.8 ac*		*37.80*	*28,121*
		Project Total	*336.25 AFY*	*300,185 gpd*
		Project Total (with 10% contingency)	*369.88 AFY*	*330,207 gpd*

Notes:
1. Assumes 0.15 gpd/sf and 33% useable site area for buildings.
2. Conversion factor: 1 AFY equals 892.742 gpd.
3. Water usage factors used by the developer in the table above are derived from the following sources: 2016 NCSD UWMP, the City of Santa Barbara and the County of San Luis Obispo.
4. Assumed 33% of the total commercial acreage is available for landscape.
5. Updated Table 5.1 provided in email dated September 23, 2020, from Robert Camacho, RRM Design Group

NCSD-58 (cont'd)

The water demand factors provided by the developer were compared to the standard water demand factors from the 2007 Water Master Plan referenced in the District Water and Wastewater Standards as well as calculated demand factors based on the 5-year and 10-year District average annual water production. This comparison is shown below in **Table 2-6**. The land use categories used by the developer (RRM) do not line up with categories that the District has outlined in the 2007 Water Master Plan (WMP) or within the District's current water model. As such, the District land use factors were applied to the most appropriate Dana Reserve land use category.

Table 2-6: Dana Reserve Water Demand Factor Comparison				
Land Use Category	**Dana Reserve Water Supply Assessment[1] (AFY/acre)**	**2007 Water Master Plan (AFY/acre)**	**5-Year Production Average (2016-2020 – AFY/acre)**	**10-Year Production Average (2011-2020 – AFY/acre)**
Condominiums	2.29	3.75	2.22	2.47
Townhomes	2.60	3.75	2.22	2.47
Small Lots SFR[2]	1.27	2.10	1.26	1.40
Medium Lot SFR	1.42	2.10	1.26	1.40
Affordable	2.71	3.75	2.22	2.47
Commercial	1.96	1.42	1.33	1.49
Parks/Streetscapes	1.00	0.98	0.71	0.79

Notes:
1. Developer originally used residential demand factors in the form of GPD/unit to calculate anticipated demand for residential development. Using information provided in the Dana Reserve Water Supply Assessment describing total areas for each land use category, average demand factors in the form of AFY/acre were calculated by MKN.
2. Small Lot SFR (Single Family Residence) includes "Cluster" Land Use Category shown in **Table 2-2**.

These demand factors were used to calculate average day demand, maximum day demand (MDD), and peak hour demand (PHD) for the Dana Reserve development. MDD and PHD were calculated by multiplying the average day demand by peaking factors of 1.7 and 3.78 (according to current District Standard Specifications) respectively. Each of the District projections include a 10% contingency to account for miscellaneous demand and total demands are outlined below in **Table 2-7**. We recommend using the projection calculated based on the 10-year production average, because it represents a range of years including both drought and non-drought conditions. While this is a conservative approach, it is an appropriate baseline for planning to meet future water demands. This is also the approach applied to potential annexations in the 2020 UWMP.

NCSD-58 (cont'd)

Table 2-7: NCSD Dana Reserve Water Demand Comparison				
Projection Method	**Average Day Flow[1] (AFY)**	**Average Day Flow (MGD)**	**Maximum Day Flow (MGD)**	**Peak Hour Flow (MGD)**
Peaking Factor	-		*1.7 x ADD*	*3.78 x ADD*
Water Supply Assessment (RRM)	358	0.32	0.54	1.21
2007 Water Master Plan Demand Factors	512	0.46	0.78	1.73
10-year Production Average Demand Factors (as applied in 2020 UWMP)	352	0.31	0.53	1.19
5-year Production Average Demand Factors	316	0.28	0.48	1.07

1. All average day demand values include a 10% contingency per the method used in the Water Supply Assessment.

Total demands for existing and future conditions within the District system, including anticipated demands from the Dana Reserve development, were compared with the future delivery capacity from the Nipomo Supplemental Water Project and groundwater allocation in **Table 2-8**.

Table 2-8: Water Supply Allocation and Demand		
Source	**Existing Conditions with Deliveries to Purveyors**	**Maximum Anticipated Infill Development**
	AFY	**AFY**
Average District Demand[1]	2,048	2,048
Potential District Maximum Anticipated Infill	-	340
Dana Reserve Demand	352	352
WMWC Demand[2]	417	417
GSWC Demand[2]	208	208
GSWCCR Demand[2]	208	208
Total Demand	**3,233**	**3,573**
2025 NSWP Allocation	2,500	2,500
NCSD Voluntary Groundwater Reduction Goal[3]	1,267	1,267
Total Future Water Supply	**3,767**	**3,767**
Supply Surplus / (Deficit)	**534**	**194**
NSWP New Development Allocation[4]	500	500
Maximum Future Water Supply	**4,267**	**4,267**

Notes:
1. Table 4-1, 2020 UWMP.
2. 2025 purveyor wholesale estimate, Table 4-3, 2020 UWMP
3. NCSD current voluntary groundwater reduction goal based on fifty percent reduction from average production in the FY's 2009-10 through 2013-14 as required by the Final Judgment, or fifty percent of 2,533 AFY.
4. While this additional allocation is available to the District for delivery under the Wholesale Agreement, it should only be taken as a last resort. After the District requests 3000 AFY, the District must maintain that delivery. It is believed the District does not have enough demand to warrant additional water delivery past 2500 AFY.

NCSD-58 (cont'd)

This analysis estimates that in 2025, even with the Dana Reserve Project, District water supplies will exceed demand by 534 AFY under existing conditions (with delivery to purveyors) and by 194 AFY under the Maximum Anticipated Infill Development scenario. If the District elects to take the New Development Allocation of 500 AFY, the remaining supply surplus will increase. A considerable challenge facing the District will be maintaining the currently operating wells within the system while continuing to meet contractual obligations for NSWP water deliveries. This is addressed in the storage discussion in Section 2.4.

2.2 Water System Facilities

2.2.1. Existing Facilities

The District's existing water system includes the following supply, storage, and distribution facilities:

Supply

- Nipomo Supplemental Water Supply: Joshua Road Pump Station currently operating between 550 and 820 GPM with capacity to operate at 1,860 GPM (3,000 AFY).
- Sundale Well: Currently operating at 890 GPM.
- Via Concha Well: Currently operating at 610 GPM.
- Black Lake Well #4: Currently operating at 360 GPM.
- Knollwood Well: Currently operating at 240 GPM.
- Eureka Well #2: Currently inoperable. Future design capacity of 1000 GPM (To be online by 2022).

Storage

- Foothill Tanks: 4 tanks totaling 3,000,000 gallons of useful storage.
- Standpipe: 280,000 gallons of useful storage.
- Joshua Road Tank: 500,000 gallons; No useful storage for District system since it is a partially-buried tank intended primarily as operational buffer for Joshua Road Pump Station. Flow from the Tank must be pumped into the District system.

Distribution

- Pipeline Statistics:

NCSD-58 (cont'd)

The following table summarizes pipe lengths in the distribution system as extracted from District's Water System GIS. The majority of pipelines (67%) are 8-inch diameter and smaller.

Table 2-9: Existing Water Pipeline Statistics

Pipe Diameter (inches)	Pipe Length (feet)	% of Total
2	120	0.02%
4	1,189	0.24%
6	121,722	24.18%
8	215,531	42.82%
10	81,703	16.23%
12	48,052	9.55%
14	1,265	0.25%
16	22,746	4.52%
18	101	0.02%
24	10,898	2.17%
Total	**503,327**	**100%**

2.2.2. Proposed Master Plan Facilities

MKN reviewed the District's 2007 Water and Sewer Master Plan (Master Plan) for potential proposed improvements that may be necessary to support the development. Of the proposed improvements, the following were identified:

- 12" pipeline along Northeastern length of proposed Dana Reserve development from the corner of Sandydale Drive and North Frontage Road to Willow Road to loop the water system.
- 16" pipeline from the Foothill Tanks to Sandydale Drive and North Frontage Road. The pipeline was reduced from the 24" diameter originally proposed in the WMP. A 16" pipeline is more appropriate given the updated future demands and flows necessary to meet District demand as a result of future development and the Dana Reserve Project.

As an alternative, District staff recommended MKN evaluate a 16-inch pipeline on North Oakglen Avenue from West Tefft Street to Sandydale Drive and North Frontage Road.

2.3 Hydraulic Analysis Results and Recommendations

2.3.1. Hydraulic Modeling Analysis

MKN utilized the District's current WaterCAD hydraulic model to evaluate the impact of the proposed Dana Reserve development on the existing and future District water system based on existing and future projected demands.

For the purpose of this report, scenarios were modeled for both current and future conditions within the District's Water System. All scenarios assumed delivery to the Woodlands Mutual Water Company (WMWC), Golden State Water Company (GSWC), and Golden State Water Company Cypress Ridge (GSWCCR) as outlined in **Table 2-4**. The existing conditions scenarios also assumed a delivery of 1,336 gpm (2,157 AFY) from the NSWP at the Joshua Road Pump Station (JRPS), which is based on the District's current delivery from JRPS (820 gpm) plus future required deliveries to other purveyors (516 gpm total). Model runs were performed under steady state conditions based on the following model settings:

NCSD-58 (cont'd)

- Existing System Demands
  - Average day demand (ADD) conditions: 1850 gpm
  - Maximum day demand (MDD) conditions: 2,784 gpm (1.7 peaking factor)
  - Peak hour demand (PHD) conditions: 5,559 gpm (3.78 peaking factor)
  - Residential fire-flow: 1,000 gpm per 2016 California Fire Code
  - Commercial fire-flow: 3,000 gpm
- Delivery to WMWC at Trail View Place: 258 gpm (417 AFY)
- Delivery to GSWC at Primavera Lane: 129 gpm (208 AFY)
- Delivery to GSWCCR at Lyn Road: 129 gpm (208 AFY)
- Joshua Road Pump Station at 1336 gpm (2157 AFY)
- Available Well Production
  - Blacklake #4: 360 gpm
  - Knollwood: 240 gpm

- Sundale: 890 gpm
- Via Concha: 610 gpm

- Foothill Tanks in service
  - Tank level during ADD: 17 feet (540 feet)
  - Tank level during MDD: 15 feet (538 feet)
  - Tank level during PHD: 13 feet (536 feet)
- Standpipe in service
  - Tank level during ADD: 80.4 feet (540 feet)
  - Tank level during MDD: 78.4 (538 feet)
  - Tank level during PHD: 76.4 (536 feet)

The scenarios were assessed based on the following criteria, in conjunction with current District Standards and Specifications for Water System Design:

- System Pressure
  - Minimum Operating Pressure (ADD, MDD, PHD) = 40 psi
  - Minimum Operating Pressure (MDD plus fire-flow) = 20 psi
  - Maximum Recommended Operating Pressure (All conditions) = 80 psi
- Pipeline Velocity
  - Maximum Pipeline Velocity (All conditions – as a goal not a requirement) = 5 ft/s

Table 2-10 provides a description of Scenarios 1 through 9 and results of the analysis for baseline conditions as well as existing conditions with the addition of the proposed Dana Reserve Development. Modeled system pressures were observed at the following nine locations within the District's water distribution system to identify pressure impacts to the District's low pressure service area customers, high pressure service area customers, interconnection with WMWC, interconnection with GSWC, interconnection with GSWCCR, and four locations within the Dana Reserve development:

NCSD-58 (cont'd)

- Low Pressure (high elevation) Area in Summit Station: Futura Lane
- High Pressure (low elevation) Area in Main Zone: Honeygrove Lane
- WMWC Interconnection: Trail View Place
- GSWC Interconnection: Primavera Lane
- GSWCCR Interconnection: Lyn Road west of Red Oak Way
- Dana Reserve Connection: Sandydale Drive
- Dana Reserve Connection: Pomeroy Road
- Dana Reserve Connection: Willow Road (west)
- Dana Reserve Connection: Willow Road (east)

Table 2-10: Hydraulic Modeling Results with NSWP Delivery at 2157 AFY

WaterCAD Scenario and Settings								Futura Lane (EL = 454')	Honeygrove Lane (EL = 306')	Dana Reserve at Sandydale Drive (EL = 355')	Dana Reserve at Pomeroy Road (EL = 351')	Dana Reserve at Willow Road 1 (EL = 385')	Dana Reserve at Willow Road 2 (EL = 378')	WMCC Interconnect at Trail View Place (EL = 222')	GSWC Interconnect at Primavera Lane (EL = 312')	GSWCCR Interconnect at Lyn Road (EL = 328')
Scenario	Description	Total Demand (GPM)	NSWP Delivery (GPM)	Wells	Quad Tanks Level (Feet)	Standpipe Level (Feet)	Dana Reserve Delivery Flow (GPM)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)
Baseline System Conditions without Delivery to Dana Reserve																
1	Average Day Demand	1850	1336	Off	17	80.4	-	37	102	80	81	-	-	137	99	91
2	Maximum Day Demand	2784	1336	Off	15	78.4	-	37	101	79	81	-	-	136	98	91
3	Maximum Day Demand + 1000 GPM Fire-flow at Futura Lane	3784	1336	Off	15	78.4	-	19.9	101	79	80	-	-	136	98	80
4	Peak Hour Demand	5559	1336	Off	13	76.4	-	36	93	72	73	-	-	129	91	90
System Conditions with Delivery to Dana Reserve																
5	Average Day Demand	2069	1336	Off	17	80.4	218	37	102	80	81	67	70	137	99	91
6	Maximum Day Demand	3155	1336	Off	15	78.4	371	36	99	78	79	65	68	135	97	90
7	Maximum Day Demand + 1000 GPM Fire-flow at Futura Lane	4155	1336	Off	15	78.4	371	19	99	78	79	65	67	135	97	79
8	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6155	1336	Off	15	78.4	3371	35	92	68	70	54	57	127	90	89
9	Peak Hour Demand	6383	1336	Off	13	76.4	824	34	89	56	58	68	70	125	87	88

Legend:
Falls within recommended range
Falls under recommended pressure (40 psi for ADD, MDD, PHD; 20 psi for Fire-flow)
Exceeds recommended pressure (80 psi for all scenarios)

NCSD-58
(cont'd)

Scenarios 1 through 4: Existing System Conditions

Scenarios 1-4 modeled existing pressures at the nine monitoring locations with NSWP delivery at 820 gpm, all storage tanks in service, and no wells in service under ADD, MDD, MDD plus fire-flow, and PHD conditions. Pressures throughout the water system under existing conditions vary slightly between ADD, MDD, MDD plus fire-flow, and PHD, but largely remain within the District's recommended pressure ranges. The District's high point, Futura Lane, faces pressures below the District's recommended range during all existing system condition scenarios. All purveyor interconnection sites experience high pressures (above 80 psi) throughout most existing system condition scenarios.

Scenarios 5 through 9: Existing System Conditions with Dana Reserve Addition

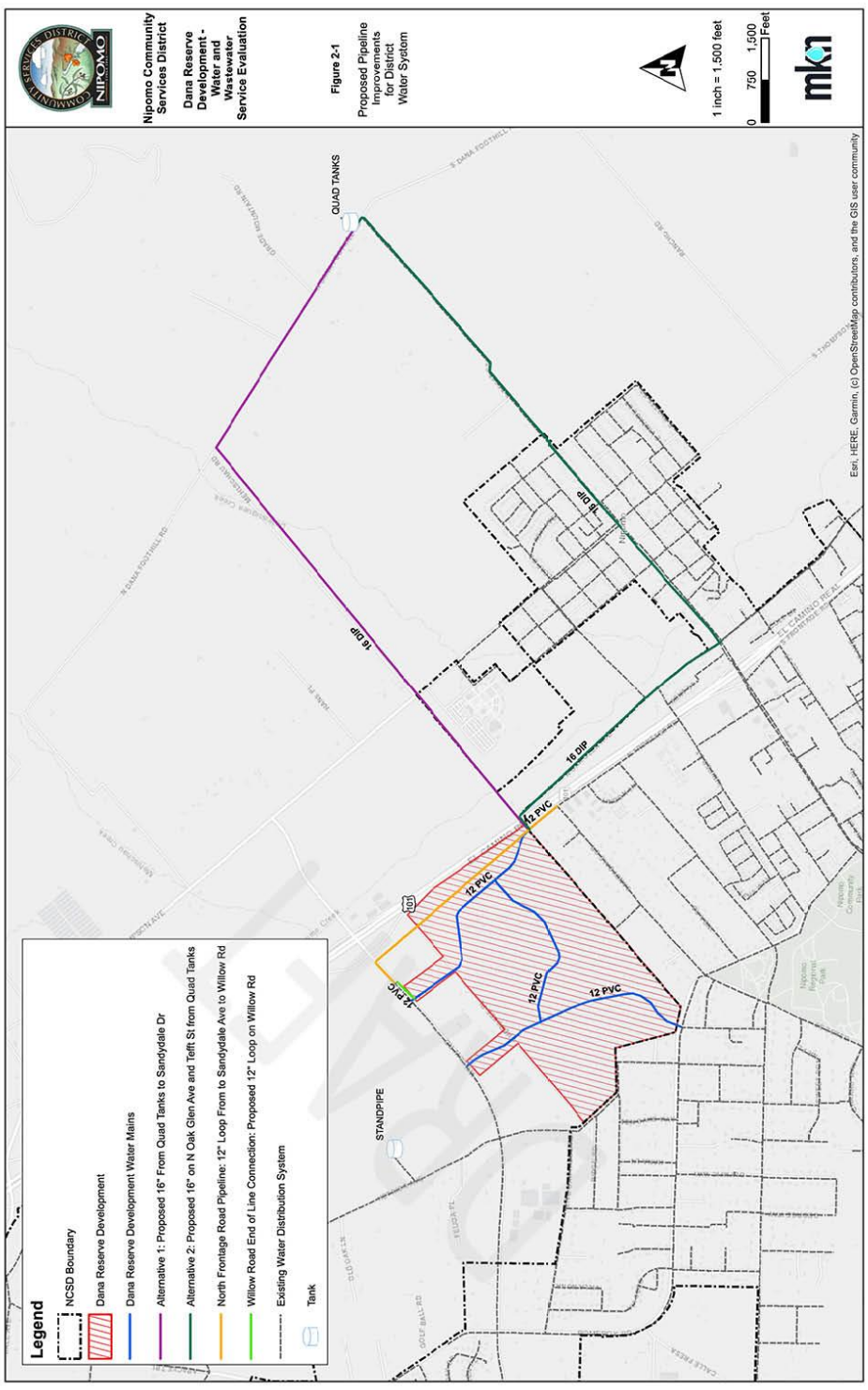
Results from Scenarios 5 through 9 show a minor decrease in system pressures (1-2 psi) during MDD plus fire-flow and PHD conditions across much of the system when compared to those same scenarios during existing conditions.

Figure 2-1 outlines the developer proposed water mains as well as four proposed improvement alternatives to mitigate the system impact made by the Dana Reserve Development. The impacts these alternatives have on the District's system in conjunction with increased future system demands were assessed in the hydraulic modeling analysis and are included in **Table 2-11** and the discussion to follow.

Table 2-11 summarizes Scenarios 10 through 23 and results of the analysis for future demands based on maximum anticipated infill development and increased NSWP delivery. These scenarios also included potential improvement projects in the analysis. The same assumptions were used as stated previously except for the following:

- Future System Demands
  - Average day demand (ADD) conditions: 2,277 gpm
  - Maximum day demand (MDD) conditions: 3,509 gpm (1.7 peaking factor)
  - Peak hour demand (PHD) conditions: 7,170 gpm (3.78 peaking factor)
- Joshua Road Pump Station at 1,550 gpm (2,500 AFY)

NCSD-58 (cont'd)



NCSD-58
(cont'd)

Table 2-11: Dana Reserve Hydraulic Modeling Results with NSWP Delivery at 2500 AFY

WaterCAD Scenario and Settings							Dana Reserve Delivery	Futura Lane (EL = 454')	Honeygrove Lane (EL = 306')	Dana Reserve at Sandydale Drive (EL = 355')	Dana Reserve at Pomeroy Road (EL = 351')	Dana Reserve at Willow Road 1 (EL = 385')	Dana Reserve at Willow Road 2 (EL = 378')	WMCC Interconnect at Trail View Place (EL = 222')	GSWC Interconnect at Primavera Lane (EL = 312')	GSWCCR Interconnect at Lyn Road (EL = 328')
Scenario	Description	Total Demand (GPM)	NSWP Delivery (GPM)	Wells	Quad Tanks Level (Feet)	Standpipe Level (Feet)	Flow (GPM)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)	Pressure (PSI)
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential																
10	Average Day Demand	2277	1550	Off	17	80.4	199	37	102	80	81	67	70	137	102	91
11	Maximum Day Demand	3509	1550	Off	15	78.4	339	36	101	78	80	65	68	136	99	90
12	Maximum Day Demand + 1000 GPM Fire-flow at Futura Lane	4509	1550	Off	15	78.4	339	19	101	78	80	65	68	135	98	79
13	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	92	68	70	54	57	126	90	89
14	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve & NO JRPS	6509	0	Off	15	78.4	3339	34	85	63	65	50	53	122	83	89
15	Peak Hour Demand	7170	1550	Off	13	76.4	754	33	92	70	72	58	60	127	90	87
16	Peak Hour Demand	7170	1550	All Wells On	13	76.4	754	34	97	76	78	63	66	137	95	88
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential with Proposed 16" Pipeline From Quad Tanks																
17	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	97	73	75	59	62	131	95	89
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential with Proposed 16" Pipeline on N Oak Glen and Tefft																
18	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	95	73	74	58	62	130	93	89
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential without 10" Pipeline from Quad Tanks on Tefft																
19	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	93	68	70	54	57	127	90	89
20	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve & NO JRPS	6509	0	Off	15	78.4	3339	34	80	59	61	45	48	117	78	88
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential with Proposed 12" Loop on North Frontage from Sandydale to Willow																
21	Maximum Day Demand + 1000 GPM Fire-flow at Futura Lane	4509	1550	Off	15	78.4	339	19	101	78	80	65	68	135	98	79
22	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	95	70	72	56	59	128	93	89
23	Peak Hour Demand	7170	1550	Off	13	76.4	754	33	92	70	72	58	60	127	90	87
System Conditions with Delivery to Dana Reserve and Future Flows Based on Subdivision Potential with Proposed 12" End-of-Line Loop on Willow																
24	Maximum Day Demand + 3000 GPM Fire-flow at Dana Reserve	6509	1550	Off	15	78.4	3339	35	92	68	70	54	57	126	90	89

Legend:
Falls within recommended range
Falls under recommended pressure (40 psi for ADD, MDD, PHD; 20 psi for Fire-flow)
Exceeds recommended pressure (80 psi for all scenarios)

NCSD-58
(cont'd)

Scenarios 10 through 16: Future System Conditions with Dana Reserve Addition

System pressures at the monitoring locations increased by 1-2 psi for flow conditions with the higher demands and NSWP delivery (3000 AFY) compared to existing system conditions. Futura Lane remains consistently below allowable system pressures for all conditions except MDD plus fire-flow at Dana Reserve, which is consistent with the existing conditions scenarios. It should be noted that the worst-case scenario run, MDD plus fire-flow conditions at Dana Reserve (3000 gpm) with JRPS not operating, still yielded acceptable pressures at all monitored nodes.

Scenario 17: Future System Conditions with Dana Reserve Addition and Proposed Alternative 1

Alternative 1 includes a 16" pipeline from the Foothill Tanks to the connection point at Dana Reserve as shown in **Figure 2-1**. This scenario was performed assuming MDD plus fire-flow conditions at Dana Reserve (3000 gpm) and improves system pressures by 2-3 psi at all nodes except for Futura Lane and the GSWCCR Interconnection. This improvement was modified from the original 24" Master Plan improvement recommended to account for low pipeline velocities.

Scenario 18: Future System Conditions with Dana Reserve Addition and Proposed Alternative 2

Alternative 2 includes a 16" pipeline on North Oak Glen Avenue from Tefft Street to the connection point at Dana Reserve, and the replacement of the 10" AC pipeline on Tefft with a new 16" ductile iron pipe as shown in **Figure 2-1**. This scenario was performed assuming MDD plus fire-flow conditions at Dana Reserve (3000 gpm) and the pipeline improves system pressures by 1-2 psi at the Dana Reserve site, but lowers system pressures by less than 1 psi at Honeygrove Lane (low elevation system location) and the WMCC Interconnection. It should be noted that both of those nodes are consistently above recommended system pressures for the District system, so lower pressures at these sites are of less concern.

Scenarios 19 through 20: Future System Conditions with Dana Reserve Addition and Without 10" Pipeline from Foothill Tanks on Tefft (Proposed Alternative 2)

NCSD-58 (cont'd)

These scenarios were run performed to demonstrate the degree to which the District relies on the 10" and 12" pipelines running from the Foothill Tanks to the rest of the District's distribution system. The 10" pipeline is asbestos cement and is over 50 years old (originally installed in 1966). These scenarios assumed MDD plus fire-flow at Dana Reserve (3000 gpm) condition and the same condition without JRPS online, to demonstrate the effects on the distribution system without NSWP delivery and with limited flow from the Foothill Tanks. The first scenario lowers system pressures by 1-3 psi across the system, and most significantly impacted the Dana Reserve development. This scenario increased the pipeline velocity in the parallel 12" pipeline coming from the Foothill Tanks, but not above the District's limit of 5 ft/s. Scenario 20 without JRPS online decreased system pressures by 10-15 psi when compared to Scenario 13 (Future System Conditions at MDD plus fire-flow at Dana Reserve). This scenario also increased the pipeline velocity in the parallel 12" pipeline coming from the Foothill Tanks to approximately 6.08 ft/s, exceeding the maximum recommended velocity outlined by the District Standards.

Scenarios 21 through 23: Future System Conditions with Dana Reserve Addition and North Frontage Road Pipeline

These scenarios analyze approximately 4750 LF of 12" pipeline along North Frontage Road to the existing dead-end on Willow Road as shown in **Figure 2-1**. Results from these scenarios indicate that this pipeline will not improve system pressures by a significant margin, however, this improvement promotes looping from the tanks to Dana Reserve which is an important benefit to eliminate dead end water mains and minimize water age throughout the system. The District requires looping of water mains to prevent dead ends.

Scenario 24: Future System Conditions with Dana Reserve Addition and Willow Road End-of-Line (EOL) Connection

This scenario includes a 12" loop on Willow Road to prevent a dead-end line on Willow Road as an alternative to the North Frontage Road Pipeline as shown in **Figure 2-1**. This alternative causes no change to system pressures shown in Scenario 13 (Future System Conditions at MDD plus fire-flow at Dana Reserve) but does satisfy District looping requirements with minimal off-site improvements.

2.3.2. Recommended Offsite Pipeline Improvements

The hydraulic analysis indicated that the Dana Reserve development will likely impact the District's water distribution system most significantly during MDD plus fire-flow at Dana Reserve and PHD conditions with minor decreases of less than 1 psi under other ADD and MDD conditions. The District should consider either Alternatives 1 or 2 to ensure reliable water delivery and adequate pressures throughout their system with the addition of the Dana Reserve Development.

1. Alternative 1: Construction of the new 16-inch pipeline (shown in Figure 2-1) from the Foothill Tanks to the Sandydale connection point would allow the District to maintain high system pressures during MDD plus fire-flow conditions at Dana Reserve and provide an additional freeway crossing, adding required redundancy to the existing distribution system.

2. Alternative 2: Construction of the new 16-inch pipeline on North Oak Glen Drive from Tefft Street to the Sandydale connection point; and replacement of the existing 10-inch AC pipeline from the Foothill Tanks to North Oak Glen Drive on Tefft Street with a new 16-inch PVC pipeline (shown in Figure 2-1). These improvements would allow the District to maintain high system pressures during MDD plus fire-flow conditions at Dana Reserve and provide an additional freeway crossing, adding required redundancy to the existing distribution system (shown in Figure 2-1). These improvements would also provide required redundancy to the District's water supply from the Foothill Tanks. The existing 10-inch is at high risk of failure because of the age of the pipeline. This pipeline also provides much of the system's water supply, and if it were to fail, pressures would fall across the system.

NCSD-58 (cont'd)

2.3.3. Evaluation of Proposed Onsite Pipeline Improvements

The Developer proposed four connection points for the Dana Reserve water system based on anticipated projects. However one proposed connection does not connect to the District's existing system. As such, it is recommended that the southeast connection point be moved to the intersection of Sandydale Drive and North Frontage Road.

Figure 2-1 shows the Developer-proposed water mains for the Dana Reserve development per the most recent copy of the Draft DRSP (April 2020). The proposed 12-inch mains are appropriate for maintaining District recommended pressures and velocities. **Figure 2-1** shows the North Frontage Road Pipeline that provides looping for the overall system and prevents a dead end on Willow Road. While looping is required to meet District standards, it is recommended the District pursue the Willow Road EOL Connection, outlined in **Figure 2-1**, to avoid a dead-end connection, while maintaining services at the end of the 12-inch line on Willow Road. This alternative maintains looping requirements but avoids unnecessary off-site improvements.

It should be noted that the Draft DRSP only identifies transmission mains to serve the Dana Reserve development, so the extent of onsite improvements that could be reviewed and modeled was limited. Further evaluation will be needed after preliminary design of onsite improvements is submitted by the developer.

2.4 Storage Analysis and Recommendations

Table 2-13 outlines the water system storage capacity for the District system under three scenarios, with and without the Dana Reserve Development. The first scenario represents existing conditions of the current District system based on current system demands and service population. The second scenario represents the maximum anticipated infill potential based on parcels that could be added to the District system, particularly those designated NCSD Reserved Capacity, those on private wells, and vacant parcels. This scenario assumes that those parcels that can subdivide will subdivide, increasing ADU potential. The final scenario represents the future conditions outlined in the Storage Capacity Analysis of the 2007 Water and Sewer Master Plan. This scenario anticipated the construction of 1,000,000 gallons of additional storage, increasing the overall system storage to a total of 4,280,000 gallons. The 2007 Water and Sewer Master Plan analysis also included Sundale Well as an emergency supply. It was assumed that Sundale Well could reliably produce 1,000 gpm of emergency water supply for a three-day period, which is equivalent to 3,710,000 gallons. This assumption is not valid if the wells are not operated sufficiently.

The District is required by State law (California Code of Regulations Title 22) to maintain sufficient water storage capacity within its system to meet three basic needs: fire storage, equalization storage, and emergency storage. Fire flow storage must be greater than that required to produce the maximum anticipated fire-flow for a specified duration. Equalization storage is necessary to maintain availability of demand during peak conditions when system demands are greater than that being fed directly from supply sources. Emergency storage must be on hand to produce at least 50 gallons per capita per day for three days.

Fire-flow storage is calculated by multiplying fire-fighting flowrate by the duration of the fire-fighting event. A 3,000 gallon per minute flowrate for a duration of three hours was used to determine the minimum fire storage required for the system (540,000 gallons). This minimum value was assumed to be equal for both existing and future conditions.

NCSD-58 (cont'd)

Equalization storage is estimated by the formula: (1.5 – 1) x (MDD in GPM) x (14 hours) x (60 minutes per hour). The calculated values are displayed in **Table 2-13** for three scenarios.

Emergency storage is calculated by multiplying population by 50 gallons per day for three days. Existing population within the NCSD service area is estimated at 13,771 for the year of 2020 as calculated using the Department of Water Resources (DWR) Population Tool. Existing and future population projections from the 2020 DWR service population estimates are shown in **Table 2-12,** including future projections from the 2020 UWMP.

Table 2-12: NCSD Served Population Summary

Conditions	2020 Population	2045 Population with Maximum Anticipated Infill Development
District Service Area	13,771	16,031
District Service Area with Dana Reserve Project	13,771	18,398

Notes:
1. Per Tables 3-1 and 3-1a from the District's 2020 UWMP update.

Table 2-13: Water System Storage Capacity			
Storage Requirements	**Existing Conditions[1]**	**Existing Conditions with Dana Reserve**	**Maximum Anticipated Infill Development[2] with Dana Reserve**
	gallons	**gallons**	**gallons**
Fire	540,000	540,000	540,000
Equalization	952,489	1,108,198	1,256,843
Emergency	2,065,650	2,486,250	2,550,600
Total	**3,558,139**	**4,134,448**	**4,347,443**
Existing Above-Ground Storage Capacity	3,280,000	3,280,000	3,280,000
Gross Surplus/(Deficiency)	(278,139)	(854,448)	(1,067,443)

Notes:
1. Existing conditions based on 2019 NCSD customer usage data.
2. Maximum anticipated infill development based on current land development status and potential future development status.

The District's existing tank storage is not adequate to meet current and future needs including the Dana Reserve. While current storage does not adequately provide storage for existing conditions, the addition of Dana Reserve increases the storage need by almost 577,000 gallons.

NCSD-58 (cont'd)

As delivery from the NSWP increases, the District will require more operational storage for the water distribution system. Unlike wells, which can be sequenced to match daily diurnal usage fluctuations, the NSWP delivers constant flow into the District system. This requires additional equalization or "buffer" storage to prevent overflowing tanks or draining them below typical operating levels. As the District continues to operate their existing groundwater wells, the District will operate them during times when the cost for energy is low, which typically falls during low water demand hours (late night to early morning). This increased production during low consumption periods will dictate the District's need for additional storage. It is recommended that the District invest in additional aboveground storage in order to maintain enough storage to improve flexibility in operating with higher NSWP deliveries alongside continued groundwater well pumping. The preferred location for new storage is at the Foothill Tanks site.

Adding the new 1.0 MG storage tank recommended in the Water Master Plan will require that the District purchase additional land. The expanded storage capacity will allow the District to meet the identified storage requirements and will provide required redundancy. The additional tank will also facilitate tank maintenance as cleaning and recoating can require taking a tank out of service for months at a time. The addition of a new tank at the Foothill Tanks site would necessitate improvements to the District's current chemical injection as well as valving between tanks. The current chemical injection system relies on manual injection of chemicals to the water stored in the elevated tanks. The construction of an additional storage tank would warrant automation and improvements to the existing chemical injection. It is also recommended that the District automate the current manual isolation valves between tanks to control water quality and manage constant flow from the NSWP.

Operational storage for NSWP delivery is another area of concern. The existing 500,000 gallon partially-buried reservoir at JRPS receives water from the City of Santa Maria. Pressure conditions in the City's system can fluctuate, necessitating the inclusion of this reservoir to provide a constant water supply to JRPS. The reservoir is

one of the only major components of NSWP with no redundancy. If the existing JRPS Reservoir is taken out of service for repairs, cleaning or maintenance, NSWP may not have adequate supply from the City to operate which could leave the District unable to meet system demands. Adding a second 500,000-gallon reservoir at JRPS is required to provide redundancy in case the reservoir must be taken out of service for maintenance or repairs.

NCSD-58
(cont'd)

3.0 WASTEWATER COLLECTION SYSTEM

3.1 Wastewater Flows

3.1.1. Flow Monitoring

To aid in estimating existing wastewater flows and the distribution across the District wastewater collection system, MKN's subconsultant, ADS, placed three (3) depth-velocity flow meters in the District's collection system at locations indicated on **Figure 3-1**. MKN and District staff worked with ADS to identify manholes for placement. Five-minute depth and velocity data were collected between October 23, 2020, and November 28, 2020 and converted to flow in gallons per minute (GPM). The report from ADS (Appendix A) describes the flow meter type and data collection methodology and provides graphs of calculated flows at each location.

The sewershed upstream of Flow Meter No. 1 (FM01) includes contributions from the two other flow meters (FM02 and FM03).

The flow conditions used throughout the next two sections of the Study are defined below.

- *Average Annual Flow (AAF):* The flow rate averaged over the course of the year and the base flow for the collection system and WWTF.
- *Average Daily Flow (ADF):* The flow rate averaged by day over a monitoring period.
- *Maximum Month Flow (MMF):* The average daily flow during the month with the maximum cumulative flow. MMF is often the basis for a WWTF permitted flow limit.
- *Peak Day Flow (PDF):* The maximum daily flow rate used to design or evaluate hydraulic retention times for certain wastewater treatment processes.
- *Peak Hour Flow (PHF):* The maximum one-hour flow experienced by the facility is typically used for sizing collection system mains, WWTF piping, pump stations, flow meters and WWTF headworks systems. Peak hour flow is typically derived from facility influent records, flow monitoring, or empirical equations used to estimate PHF based on service area population.

NCSD-58 (cont'd)

The following table summarizes results for each flow meter during the flow monitoring period.

Table 3-1: Summary of Flow Monitoring Results (Oct. 23 – Nov. 28, 2020)

		Flow Meter		
Parameter	**Units**	**FM01**	**FM02**	**FM03**
Pipe Diameter	Inches	24	12	10
Average Daily Flow	GPD	560,000	191,000	74,000
Average Daily Flow	GPM	389	133	52
Average Flow Depth	Inches	4.75	2.95	2.25
Peak Hour Flow	GPM	747	258	101
Peak Hour Flow Depth	Inches	5.08	3.00	2.32
Peak Hour Peaking Factor (PHF/ADF)	-	1.9	1.9	1.9
Peak Instantaneous Flow (5-minute data)	GPM	875	643	172

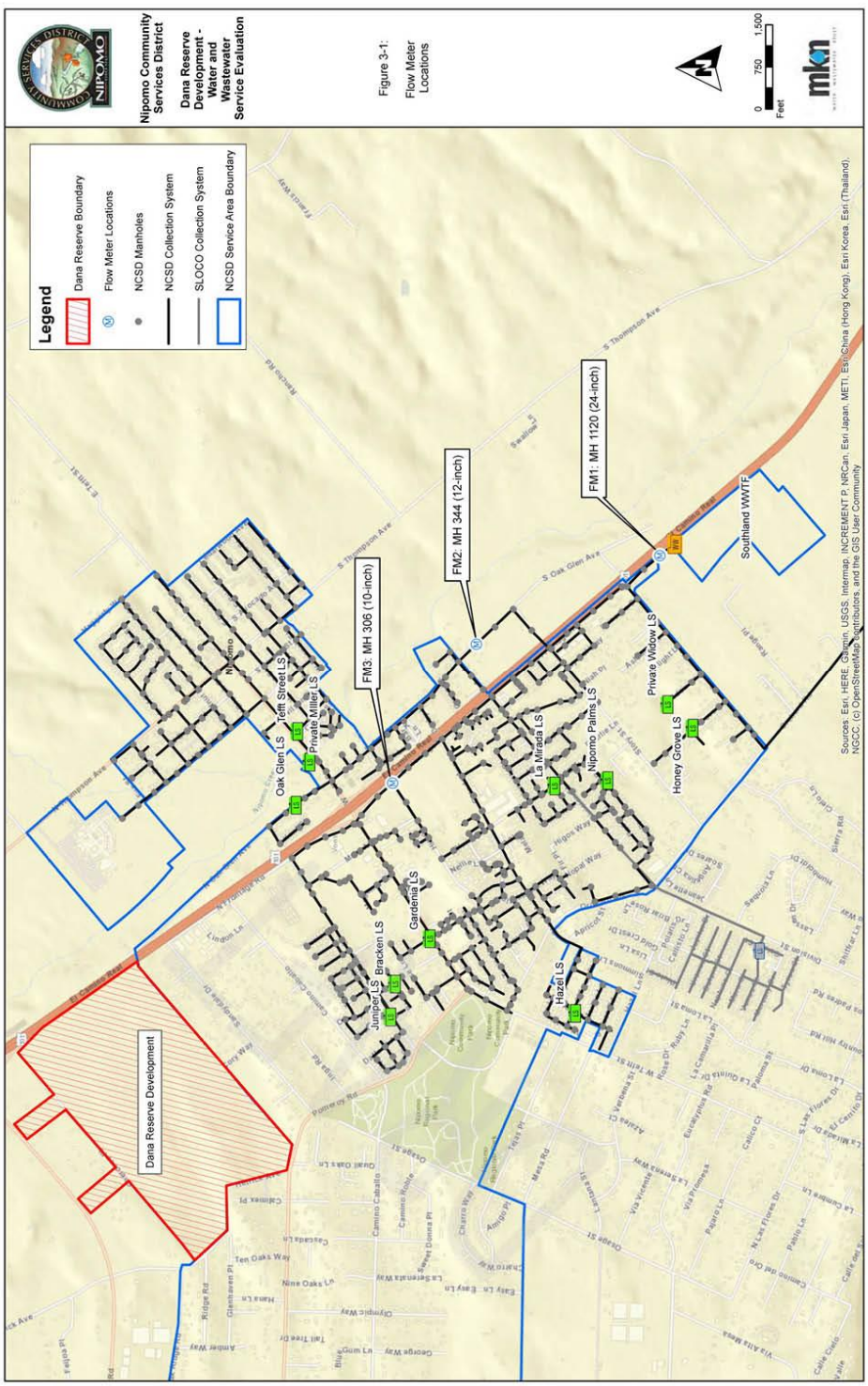
Results for FM01 during the study period were compared to flows at the Southland WWTF influent flow meter during the study period and between January 2019 and December 2020.

Table 3-2: Historical Southland WWTF Influent Flow and Loading (January 2019 – December 2020)

Parameter	Unit	Value
Average Flow During Study Period (Oct/Nov 2020)	MGD	0.50
Average Annual Flow (AAF)	MGD	0.49
Maximum Month Flow (MMF)	MGD	0.51
Peak Day Flow (PDF)	MGD	0.57
Peak Hour Flow (PHF)[1]	MGD	1.3

NCSD-58
(cont'd)

[1] Peak hour was determined from data collected between July 2018 and June 2020 for another study being conducted by the District.



NCSD-58
(cont'd)

3.1.2. District Projections

The District includes two wastewater service areas: Town and Blacklake. District staff is developing the Blacklake Sewer Consolidation Project to regionalize wastewater treatment at a central District facility. Existing influent wastewater from the Blacklake sewer collection system will be diverted from the Blacklake Water Reclamation Facility (WRF) to the Southland Wastewater Treatment Facility (WWTF). This project will require installation of a lift station at the existing Blacklake WRF site and construction of a force main to convey wastewater from the Blacklake system to the Town Sewer system for conveyance and treatment at the Southland WWTF. The existing Blacklake WRF will be decommissioned.

County sewer customers are also connected to the Town System through the Galaxy and People's Self Help (PSH) Lift Stations. These customers are identified separately in **Table 3-4**.

Future District projections in **Table 3-5** include both Blacklake and Town service areas since both will be served in the future. District GIS has identified parcels which are not yet tied into District sewer mains but could be served in the future, therefore these parcels were included. Two different methods were considered to estimate future AAF:

- Method 1: Return flows applied to 10-year (2011-2020) water production records[2].
- Method 2: Duty factors from the 2007 Water and Sewer Master Plan Update

Method 1 results were developed from average daily demand (ADD) calculated as described in Section 2.1 for the Maximum Anticipated Infill Development Scenario and potential ADUs with return factors applied based on land use of each parcel. Return factors are summarized in the table below.

NCSD-58 (cont'd)

Table 3-3: Sewer Flow Return Factors by Land Use

Land Use	Sewer Flow Return Factor (%)
Agriculture	-
Commercial Retail	90%
Commercial Service	90%
Multi-Land Use Category	90%
Office and Professional	90%
Open Space	65%
Public Facility	65%
Recreation	-
Rural Lands	-
Residential Multi-Family	90%
Residential Rural	90%
Residential Suburban	50%
Residential Single Family	60%

[2] Historical demands by parcel, based on billing records, were adjusted using the 10-year production average. These demands by individual parcel were then used to calculate water usage factors per acre based on land use category.

Both methods are summarized below for the entire Town Sewer service area, including the County service areas. Both methods are also compared to the flow metering results discussed in Section 3.1.

Table 3-4: Estimated Total Existing Sewer Flows

Land Use	No. of Sewered Parcels	Area (Ac)	% of Total	10-yr Water Production (gpd)	% of Total	Return Factor (%)	Estimated Sewer Flow based on Return Factors (gpd)	Estimated Sewer Flow with MP Sewer Factors (gpd)
Commercial Retail	3	57	7%	76,151	9%	90%	68,536	61,113
Commercial Service	9	8	1%	3,464	0%	90%	3,117	2,032
Multi-Land Use Category	1	3	0%	359	0%	90%	323	0
Office and Professional	18	5	1%	2,992	0%	90%	2,693	942
Public Facility	5	12	1%	4,186	0%	65%	2,721	5,188
Rural Lands	1	3	0%	268	0%	0%	0	0
Recreation	1	122	16%	86,473	10%	0%	0	0
Residential Multi-Family	525	72	9%	158,785	19%	90%	142,906	189,711
Residential Suburban	112	39	5%	21,382	3%	50%	10,691	12,817
Residential Single Family	1,878	384	49%	479,326	58%	60%	287,596	354,371
Agriculture	1	79	10%	40,938	0%	0%	0	0
Subtotal	**2,554**	**783**	**100%**	**874,325**	**100%**	**-**	**518,584**	**626,173**
						County Service Areas	72,662	77,074
						Total Estimated Flow	**591,246**	**703,247**
						Measured Flow	559,673	559,673
						% Difference	**6%**	**26%**

NCSD-58 (cont'd)

Table 3-5 summarizes future flow estimates under both methods described above.

mkn

Table 3-5: Projected Future Sewer Flows (Not including Existing)								
Land Use	**No. of Sewered Parcels**	**Area (Ac)**	**% of Total**	**10-Yr Water Production (gpd)**	**% of Total**	**Return Factor (%)**	**Estimated Sewer Flow with Return Factor (gpd)**	**Estimated Sewer Flow with MP Sewer Factors (gpd)**
Commercial Retail	62	71	15%	94,133	21%	90%	84,720	75,544
Commercial Service	11	49	10%	21,883	5%	90%	19,695	12,838
Multi-Land Use Category	0	0	0%	0	0%	90%	0	0
Office and Professional	14	9	2%	5,576	1%	90%	5,018	1,755
Public Facility	2	12	2%	4,279	1%	65%	2,782	5,304
Rural Lands	0	0	0%	0	0%	0%	0	0
Recreation	0	0	0%	0	0%	0%	0	0
Residential Multi-Family	29	38	8%	83,775	13%	90%	75,398	100,092
Residential Suburban	91	132	28%	72,673	21%	50%	36,336	43,560
Residential Single Family	169	153	33%	191,222	37%	60%	114,733	141,372
Agriculture	0	0	0%	0	0%	0%	0	0
Subtotal	**378**	**464**	**100%**	**473,541**	**100%**	**-**	**338,681**	**380,465**
						Blacklake WRF[1]	58,000	58,000
						Future ADUs	26,161	26,161
						Total Flows	**422,842**	**464,626**

Notes:
1. Blacklake WRF will be decommissioned in the future with flows going to Southland WWTP instead. Future flow from the 2017 Blacklake Sewer Master Plan (MKN) was used.

NCSD-58 (cont'd)

Flow meter results were compared to estimated existing flows as shown in the following tables to calibrate the District's sewer model. Existing flows were estimated by applying the return factors to water billing records for each customer. The readings at FM01 and FM02, the largest sewersheds, were significantly closer to modeled AAF estimates than FM03 (3.4% and 0% compared to 28%). FM03 only represented 13% of the measured flow. Since the flow monitoring represented a limited period, but monthly flows at Southland WWTF do not vary significantly from AAF, the flow monitoring results indicate Method 1 and the assumed return factors are adequate for modeling sewer system flows in each sewershed.

Table 3-6: Estimated Sewer Flow for FM01 Basin

Existing							
Land Use	**No. of Sewered Parcels**	**Area (Ac)**	**% of Total**	**Water Usage (gpd)**	**% of Total**	**Reduction Factor (%)**	**Estimated Sewer Flow (gpd)**
Commercial Retail	3	5	2%	6,533	2%	90%	5,879
Commercial Service	9	8	3%	3,463	1%	90%	3,117
Multi-Land Use Category	1	3	1%	359	0%	90%	323
Public Facility	1	0	0%	0	0%	65%	-
Rural Lands	1	3	1%	271	0%	0%	-
Residential Multi-Family	317	43	17%	95,760	29%	90%	86,184
Residential Suburban	86	35	13%	19,181	6%	50%	9,591
Residential Single Family	777	166	63%	206,869	62%	60%	124,122
Subtotal	**1,195**	**262**	**100%**	**332,437**	**100%**	--	**229,216**
						County Service Areas	72,662
Total							301,877
						FM01-(FM02+FM03) Measured Flow (gpd)	**294,355**
						% Difference	**3.4%**

Table 3-7: Estimated Sewer Flow for FM02

Existing							
Land Use	**No. of Sewered Parcels**	**Area (Ac)**	**% of Total**	**Water Usage (gpd)**	**% of Total**	**Reduction Factor (%)**	**Estimated Sewer Flow (gpd)**
Commercial Retail	41	24	8%	31,648	12%	90%	28,484
Commercial Service	0	0	0%	0	0%	90%	0
Office and Professional	18	5	2%	2,993	1%	90%	2,693
Public Facility	4	12	4%	4,139	2%	65%	2,691
Residential Multi-Family	184	27	9%	59,391	22%	90%	53,452
Residential Suburban	26	4	1%	2,201	1%	50%	1,101
Residential Single Family	647	136	48%	170,477	63%	60%	102,286
Agriculture	1	79	28%	0	0%	0%	-
Total	**921**	**287**	**100%**	**270,850**	**100%**	--	**190,706**
						Measured Average Daily Flow (gpd)	**190,986**
						% Difference	**0.0%**

NCSD-58 (cont'd)

Table 3-8: Estimated Sewer Flow for FM03							
Existing							
Land Use	**No. of Sewered Parcels**	**Area (Ac)**	**% of Total**	**Water Usage (gpd)**	**% of Total**	**Reduction Factor (%)**	**Estimated Sewer Flow (gpd)**
Commercial Retail	24	29	12%	37,973	17%	90%	34,175
Office and Professional	0	0	0%	0	0%	90%	0
Public Facility	0	0	0%	0	0%	65%	0
Recreation	1	122	52%	86,473	38%	0%	-
Residential Multi-Family	24	2	1%	3,631	2%	90%	3,268
Residential Single Family	454	82	35%	101,986	44%	60%	61,192
Total	**503**	**234**	**100%**	**230,063**	**100%**	**--**	**98,635**
						Measured Average Daily Flow (gpd)	**74,332**
						% Difference	**28%**

Peaking factors for maximum month, peak day, and peak hour flow conditions were determined from historical flows at Southland WWTF between January 2019 and December 2020. Peak hour was determined from data collected between July 2018 and June 2020 for another study being conducted by the District. The following table summarizes these flows and the resulting peaking factors:

Table 3-9: Historical Southland WWTF Influent Flow			
Parameter	**Unit**	**Value**	**Calculated Peaking Factor (PF)**
AAF	MGD	0.50	--
MMF	MGD	0.51	1.02
PDF	MGD	0.57	1.14
PHF	MGD	1.3	2.6

NCSD-58 (cont'd)

3.1.3. Dana Reserve Wastewater Flow Projections

Approximate wastewater generation from the new development was calculated by the developers in the Dana Reserve Specific Plan totaling an average flow of 0.204 million gallons per day (MGD) and a Peak Hour Flow (assuming a peaking factor of 2.5) of 0.510 MGD. Residential wastewater generation factors were calculated as percentages of the average water demand, with single-family home parcels above 6000 square feet equaling 60% of the water demand, single-family home parcels between 4,000 to 6,000 square feet equaling 70%, and 90% for all other residential categories. Wastewater flow generation factors for commercial land uses were derived from the City of San Luis Obispo Infrastructure Renewal Strategy (Dec. 2015).

Table 3-10: Developer Provided Wastewater Generation Factor and Demand Projections (Table 5.2 from DRSP Update)				
Land Use Category	**Number of Units or Acres**	**Wastewater Generation Factor[3,4] (GPD)**	**Annual Demand (af/yr)**	**Daily Demand[2] (gpd)**
Residential				
Condos	173 units	103/unit	19.93	
Townhomes	210 units	116/unit	27.21	
Cluster	124 units	167/unit	23.21	
4,000-5,999 SF	463 units	130/unit	67.41	
6,000-7,000+ SF	225 units	180/unit	45.36	
Affordable	75 units	116/unit	9.72	
		Subtotal	*192.84[5]*	*172,245*
Commercial[1]				
Village Commercial	4.4 ac	100/k-sf	7.16	
Flex Commercial	14.5 ac	100/k-sf	23.58	
		Subtotal	*30.74*	*27,443*
Landscape				
Public Recreation	10.0 ac	0.50 af-ft/yr-acre	5.00	
Neighborhood Parks	15.0 ac	-	-	
Streetscape/Parkways	6.5 ac	-	-	
		Subtotal	*5.00*	*4,464*
		Project Total Average Day Flow:	*228.68 af/yr*	*204,152 gpd*
		Project Peak Flow (assumes 2.5 Peaking Factor):	*571.70 af/yr*	*510,381 gpd*

Notes:
1. Assumes 33% useable site area for buildings.
2. Conversion factor: 1 af/yr equals 892.742 gpd.
3. Wastewater flow generation factors for single family are a percentage of average water demand: 60% for 6,000+, 70% for 4,000-6,000, 90% for all others.
4. Wastewater flow generation factors for commercial: City of San Luis Obispo, Infrastructure Renewal Strategy (Dec. 2015).
5. Subtotal for Residential land use was identified as 192.94 in the draft table but calculated as 192.84.
6. Updated Table 5.2 provided in email dated September 23, 2020, from Robert Camacho, RRM Design Group.

NCSD-58 (cont'd)

In **Table 3-11**, flows estimated by the developer were compared to estimated wastewater flows developed using both methods (2007 Sewer Master Plan and water usage-based flow estimates) discussed in Section 3.1.2.

Table 3-11: Dana Reserve Wastewater Flow Projections using Water Production-Based and 2007 Sewer Master Plan-Based Methods							
Land Use	**Acres**	**10-Year Water Land-Use Factor (GPD/acre)**	**10-Year Water Production (GPD)**	**Sewer Flow Return Factor**	**Sewer Flow Rate Using Water Production and Return Factors (GPD)**	**2007 Sewer Master Plan Update Duty Factors (GPD/ acre)**	**Sewer Flow Rate Using District Duty Factors (GPD)**
Multi-Family	19.3	2205	42,557	90%	**38,301**	2,634	**50,836**
Cluster	16.2	2205	35,721	90%	**32,149**	2,634	**42,671**
4000 SF Lot	53.4	1250	66,750	60%	**40,050**	924	**49,342**
4800 SF Lot	26.7	1250	33,375	60%	**20,025**	924	**24,671**
6000 SF Lot	15.8	1250	19,750	60%	**11,850**	924	**14,599**
6000-7000 SF Lot	37.3	1250	46,625	60%	**27,975**	924	**34,465**
Affordable	4	2205	8,820	90%	**7,938**	2634	**10,536**
Subtotal	172.7	-	253,598	-	***178,288***	-	***227,120***
Flex Commercial	14.5	1326	19,227	90%	**17,304**	1064	**15,428**
Village Commercial	4.4	1326	5,834	90%	**5,251**	1064	**4,682**
Subtotal	*18.9*	-	*25,061*	-	***22,555***	-	***20,110***
Public Parks	10	357	3,570	65%	**2,321**	442	**4,420**
Neighborhood Parks	15	-	-	-	**-**	-	**-**
Streetscapes/park ways	6.5	-	-	-	**-**	-	**-**
Subtotal	*31.5*	-	*3,570*	-	***2,321***	*Subtotal*	***4,420***
Projected Average Day Flow (Rounded)					**203,000**		**252,000**

NCSD-58 (cont'd)

As shown, the projections provided by the developer closely match the projections using water production and return factors.

The following table summarizes peak flows from Dana Reserve using the peaking factors from **Table 3-9**.

Table 3-12: NCSD Dana Reserve Wastewater Flow Comparison				
Projection Method	**Average Annual Flow (MGD)**	**Maximum Month Flow (MGD)**	**Peak Day Flow (MGD)**	**Peak Hour Flow (MGD)**
Dana Reserve Proposed Peaking Factor	-			2.5 x AAF
Dana Reserve Specific Plan	0.204		--	0.51
Peaking Factor	-	1.02 x AAF	1.14xAAF	2.6 x AAF
2007 Sewer Master Plan Demand Factors	0.251	0.256	0.286	0.653
Water Usage / Return Flows	0.203	0.207	0.231	0.528

The following table summarizes existing District flows, future District projections, future ADU contributions, and Dana Reserve projections. These flows are the basis for evaluating capacity of District facilities and anticipating impact of the Dana Reserve development.

Table 3-13: Existing and Future Flows				
Flows	**Average Annual Flow (MGD)**	**Maximum Month Flow (MGD)**	**Peak Day Flow (MGD)**	**Peak Hour Flow (MGD)**
Existing District and County Service Area Flows	0.59	0.60	0.67	1.5
Future Blacklake Service Area	0.058	0.078	0.13	0.23
Future District Service Area Flows	0.34	0.35	0.39	0.88
ADU Contributions	0.026	0.027	0.030	0.068
Dana Reserve Projections	0.20	0.21	0.23	0.53
Total Future Flows	1.22	1.26	1.46	3.25
Notes: 1. Blacklake MMF, PDF, and PHF estimated using peaking factors of 1.34, 2.30, and 4.0 respectively from the 2017 Blacklake Sewer Master Plan.				

NCSD-58 (cont'd)

3.2 Collection System Facilities

3.2.1. Existing Facilities

The District wastewater system consists of ten (10) lift stations in the Town Sewer System, three (3) lift stations in the Blacklake Sewer System, gravity sewer mains, and the Blacklake WRF and Southland WWTF. Treatment facilities are discussed in Section 4 of this study.

As discussed previously in this section, the Blacklake Sewer System will ultimately be connected to the Town Sewer System through a new lift station and force main. In addition to the ten District Town System lift stations, the Town Sewer System receives flow from two County of San Luis Obispo lift stations (Galaxy and People's Self Help or PSH). Collection system pipeline sizes and lengths for the Town Sewer System are summarized in the table below:

Table 3-14: Existing Sewer Pipeline Statistics		
Diameter (inches)	**Length (feet)**	**% of Total**
6	6,038	3.85%
8	116,994	74.67%
10	2,030	1.30%
12	22,713	14.50%
15	3,462	2.21%
18	1,162	0.74%
21	3,152	2.01%
24	1,140	0.73%
Total	**157,000 (Rounded)**	**100%**

3.2.2. Proposed Master Plan Facilities

MKN reviewed the District's 2007 Water and Sewer Master Plan (Master Plan) for proposed improvements that may be necessary to support the development. The completed Frontage Road Trunk Sewer Project implemented Master Plan recommendations between Division Street and Southland WWTF, providing additional capacity downstream of the Dana Reserve Annexation. Of the proposed improvements, the following were identified:

- Replace existing 12-inch with 15-inch between Grande and Division
- Replace existing 10-inch with 15-inch sewer main between Hill Street and Grande Street
- Replace existing 10-inch with 12-inch sewer main between Juniper Street and Hill Street
- Install 8" between Camino Caballo and Juniper Street

NCSD-58 (cont'd)

3.2.3. Hydraulic Analysis Results and Recommendations

MKN utilized the District's current SewerCAD hydraulic model to evaluate the impact of the proposed Dana Reserve development on the existing District wastewater collection system based on existing and future projected demands. The focus area was along the Frontage Road trunk sewer, which would convey flow from Dana Reserve to Southland WWTF.

Flow meter data was used to validate existing flow scenarios in the model as described in Section 3.1.1.

For the purpose of this report, scenarios were modeled for both current and future conditions within the District's Town Sewer System. Model runs were performed under steady state conditions as described below:

- Scenario 1: Existing Average Annual Flow (AADF) conditions
- Scenario 2: Existing Peak Hour Flow (PHF)
- Scenario 3: PHF conditions with Blacklake Sewer Consolidation, future conditions, and Tefft Street lift station (LS) pumped flows
- Scenario 4: PHF conditions with Blacklake Sewer Consolidation, future conditions, Tefft Street LS pumped flows, and Dana Reserve
- Scenario 5: PHF conditions with Blacklake Sewer Consolidation, future conditions, Tefft Street LS pumped flows, Dana Reserve, and Frontage Road improvements per Blacklake Sewer System Consolidation Study

Unless otherwise stated, lift stations were modeled assuming pumped flow is equivalent to inflow. Most of the lift stations pump for only a few minutes every hour, serve small areas or cul-de-sacs, and assuming all pumps were activated at the same time under peak hour conditions resulted in capacity exceedances that were not representative of system observations. In Scenarios 3, 4, and 5, Tefft St Lift Station was modeled to pump at 636 gpm, which is near the design point of 600 gpm at 89.1 ft total dynamic head (TDH).

The scenarios were evaluated based on the following depth over diameter (d/D) criteria, in conjunction with the 2007 Sewer Master Plan Update:

- For pipelines 12-inches or less: d/D < 50%
- For pipelines 15-inches or greater: d/D < 75%

Table 3-15 provides results of the analysis for scenarios listed above on the Frontage Road trunk main. **Figure3-2** identifies the sewer mains included in the table. The mains that do not meet the d/D criteria are highlighted in red. Under existing conditions, without Tefft Street LS pumped flows, the sewer system meets d/D criteria. However, once Tefft Street pumped flows are included in the analysis, the smaller, upstream mains are too small to meet d/D criteria due to submerged downstream conditions.

Increasing the size of Frontage Road trunk mains beyond sizes recommended in the Master Plan kept d/D within recommended ranges. The following improvements are recommended:

1. Replace existing 10-inch with 3,500 LF 15-inch PVC sewer main and manholes between Juniper Street and Grande Avenue; and
2. Replace existing 12-inch with 1,170 LF 18-inch PVC sewer main and manholes between Grande Avenue and Division Street.

No sewer service is available near the development. The developer will be responsible for installing a lift station with force main, gravity sewer mains, or a combination to connect Dana Reserve to the District sewer system. This decision must be approved by District staff. Installing a lift station to convey all Dana Reserve flows could result in significant impacts to the District sewer system if variable frequency drives are not utilized to reduce instantaneous peak flows from pumps. District staff should revisit the hydraulic analysis for upsizing the existing Frontage Road Trunk sewer after preliminary design for the sewer connection is submitted by the developer.

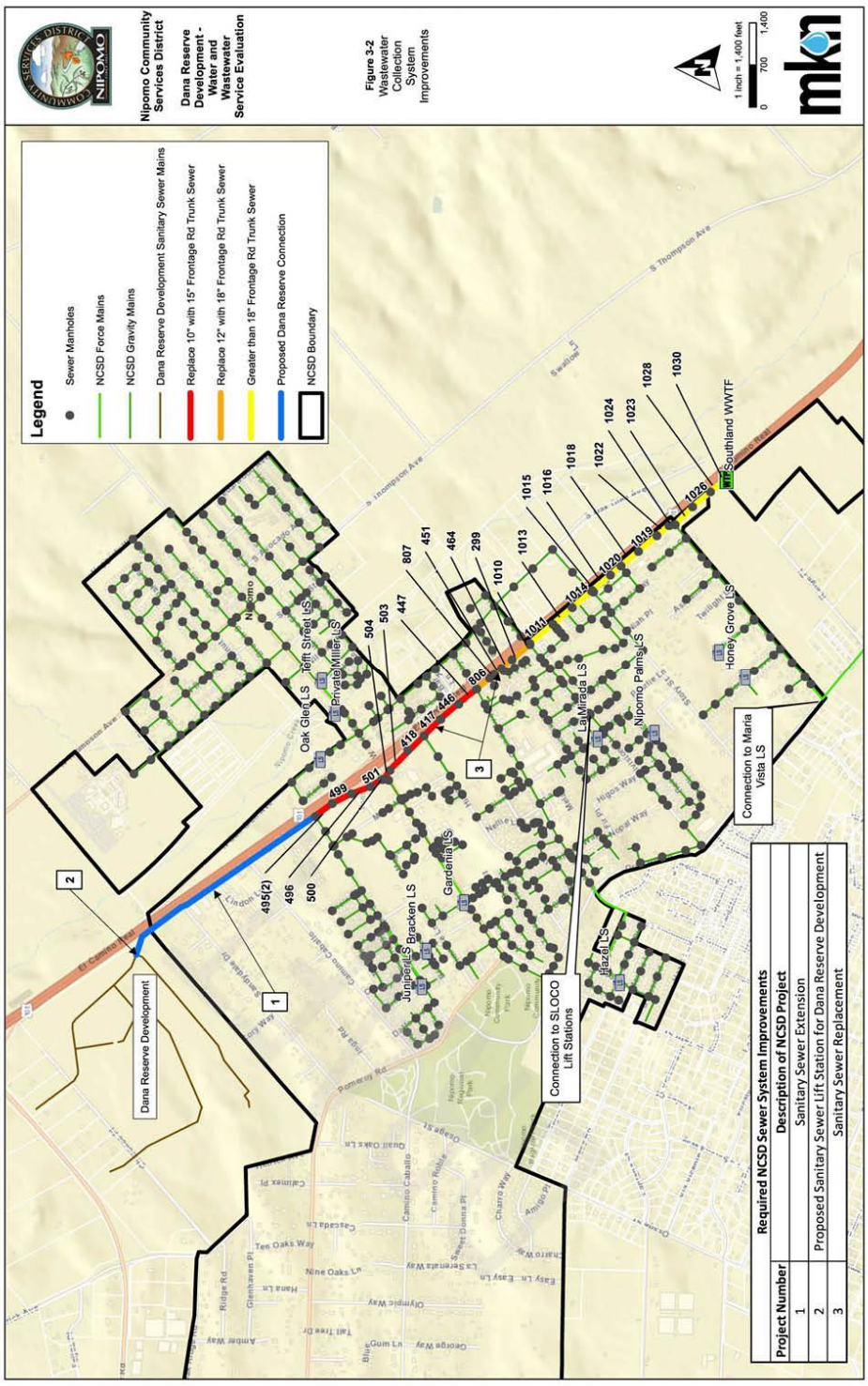
NCSD-58 (cont'd)

NCSD-58
(cont'd)

Table 3-15: Dana Reserve Sewer Model Results

Pipe ID From Sewer Model[1]	Existing Pipe Diameter (in)	Scenario 1: Existing ADF Condition (gpm)	Scenario 1: Existing ADF Condition (d/D)	Scenario 2: Existing PHF Condition (gpm)	Scenario 2: Existing PHF Condition (d/D)	Scenario 3: Future[2] PHF with Tefft St LS Pumped Flows (gpm)	Scenario 3: Future[2] PHF with Tefft St LS Pumped Flows (d/D)	Scenario 4: Future[2] PHF with Tefft St LS Pumped Flows and Dana Reserve (gpm)	Scenario 4: Future[2] PHF with Tefft St LS Pumped Flows and Dana Reserve (d/D)	Scenario 5: Future[2] PHF with Tefft St LS Pumped Flows, Dana Reserve, and Frontage Rd Improvements[3] (gpm)	Scenario 5: Future[2] PHF with Tefft St LS Pumped Flows, Dana Reserve, and Frontage Rd Improvements[3] (d/D)
495(2)	10	24	14.6%	62	23.3%	379	80.6%	746	100.0%	746	49.4%
499	10	24	14.8%	62	23.7%	379	100.0%	746	100.0%	746	50.4%
496	10	24	15.3%	62	24.6%	379	100.0%	746	100.0%	746	52.7%
501	10	24	17.1%	62	29.5%	379	100.0%	746	100.0%	746	56.8%
500	10	24	21.1%	62	36.2%	379	100.0%	746	100.0%	746	58.8%
504	10	60	23.2%	156	38.0%	579	100.0%	946	100.0%	946	56.9%
503	10	63	24.2%	165	39.8%	588	100.0%	955	100.0%	955	59.3%
418	10	63	22.8%	165	37.5%	588	83.1%	955	100.0%	955	56.7%
417	10	66	18.2%	171	29.6%	679	61.9%	1,046	100.0%	1,046	44.2%
446	10	66	17.9%	171	29.0%	679	60.3%	1,046	100.0%	1,046	48.9%
447	10	66	33.3%	171	55.1%	684	83.2%	1,051	100.0%	1,051	69.2%
806	12	131	30.7%	339	50.7%	994	100.0%	1,361	100.0%	1,361	59.3%
807	12	132	30.2%	342	49.2%	997	100.0%	1,364	100.0%	1,364	57.1%
451	12	132	31.6%	344	51.5%	999	100.0%	1,365	100.0%	1,365	59.3%
464	12	134	29.5%	349	49.9%	1,003	100.0%	1,370	100.0%	1,370	58.8%
299	12	134	29.8%	349	50.1%	1,003	82.0%	1,370	87.5%	1,370	57.9%
1010	21	235	15.0%	609	24.2%	1,305	35.9%	1,672	41.0%	1,672	41.0%
1011	21	235	15.1%	609	24.3%	1,305	36.0%	1,672	41.0%	1,672	41.0%
1013	21	238	13.6%	619	21.8%	1,315	32.0%	1,682	36.4%	1,682	36.4%
1014	21	238	16.7%	619	27.2%	1,315	40.2%	1,682	44.7%	1,682	44.7%
1015	21	373	18.7%	968	30.5%	2,075	45.3%	2,442	49.2%	2,442	49.2%
1016	21	384	18.2%	998	29.6%	2,120	43.9%	2,486	47.9%	2,486	47.9%
1020	21	384	18.9%	998	30.8%	2,120	45.5%	2,486	49.5%	2,486	49.5%
1018	21	386	18.5%	1,004	30.0%	2,125	44.5%	2,492	48.6%	2,492	48.6%
1019	21	386	18.5%	1,004	30.1%	2,125	44.6%	2,492	48.7%	2,492	48.7%
1022	21	386	18.5%	1,004	30.0%	2,125	44.5%	2,492	48.6%	2,492	48.6%
1024	21	386	17.2%	1,004	28.2%	2,125	42.1%	2,492	49.6%	2,492	49.6%
1023	21	386	20.2%	1,004	32.8%	2,125	49.5%	2,492	53.9%	2,492	53.9%
1025	24	411	19.3%	1,068	31.2%	2,358	48.0%	2,725	52.3%	2,725	52.3%
1026	24	411	19.4%	1,068	31.4%	2,358	48.4%	2,725	52.7%	2,725	52.7%
1028	24	411	17.8%	1,068	28.9%	2,358	44.0%	2,725	47.7%	2,725	47.7%
1030	24	411	15.1%	1,068	24.4%	2,358	36.6%	2,725	39.5%	2,725	39.5%

Notes:
1. Pipelines are in order from upstream to downstream
2. Future flows include parcels that will tie into the sewer system, potential ADUs developments, and Blacklake pumped flows
3. Frontage Rd pipeline improvements include increasing pipe diameters from 10-inch to 15-inch and from 12-inch to 18-inch



NCSD-58
(cont'd)

3.2.4. Recommended Offsite Improvements

The hydraulic analysis indicated that the Dana Reserve development will likely impact the District's wastewater collection system most significantly during PHF conditions. The District should consider implementing the following projects in Frontage Road:

1. Replace existing 10-inch with 3,500 LF 15-inch PVC sewer main and manholes between Juniper Street and Grande Avenue; and
2. Replace existing 12-inch with 1,170 LF 18-inch PVC sewer main and manholes between Grande Avenue and Division Street.
3. The developer will also need to extend sewer service to the Dana Reserve development from Juniper Street.

3.2.5. Evaluation of Proposed Onsite Improvements

The DRSP identifies a network of sewer mains conveying flow to the proposed connection along Frontage Road. Sizes are not identified but it is assumed all mains will be designed and constructed in accordance with District standards. Two lift stations are identified to convey flow from neighborhoods 8 and 9 (near Hetrick Avenue) to the onsite collection system. Not enough information was provided to evaluate capacity of these onsite improvements. It is recommended the developer and District evaluate onsite sewer design and the potential impact of the two lift stations on proposed offsite improvements after preliminary design proceeds.

NCSD-58
(cont'd)

4.0 WASTEWATER TREATMENT FACILITY

4.1 Influent Flow and Loading Analysis

4.1.1. District Projections

Historical water quality data was analyzed from the Southland WWTF between January 2019 and December 2020. Average annual and maximum monthly flows were calculated as described in Section 3.1.1 and were applied to this water quality data to calculate influent loading values for 5-day biological oxygen demand (BOD_5), total suspended solids (TSS) and Total Kjeldahl Nitrogen (TKN).

Through the Blacklake Sewer Consolidation Project, the Blacklake WRF will be decommissioned and all Blacklake flow will be sent to Southland WWTF as discussed in the previous section. In order to determine whether the Southland WWTF has the capacity to handle the added influent from the proposed Dana Reserve development, the combined existing influent flows and loading rates were analyzed.

As a result of the influent from Blacklake being transmitted through a force main and then being conveyed through a gravity sewer main, the rate of flow from Blacklake will likely be dampened to some extent before reaching the Southland WWTF. As such, using the same peak hour flowrates that were assumed for the Blacklake WRF to estimate the increased inflow to the Southland WWTF is a conservative analysis. Flow values shown in **Table 4-1** are a combination of existing flows to the Southland WWTF and anticipated flows from the Blacklake WRF.

Table 4-1: Existing and Projected Influent Flows and Loadings from District Service Area

Parameter	Unit	Existing
ADF	MGD	0.65
MMF	MGD	0.68
PHF	MGD	1.76
Average Annual BOD_5 Concentration	mg/L	403
Average Annual BOD_5 Load (Rounded)	ppd	2,170
Maximum Month BOD_5 Concentration	mg/L	537
Maximum Month BOD_5 Load (Rounded)	ppd	2,890
Average Annual TSS Concentration	mg/L	289
Average Annual TSS Load (Rounded)	ppd	1,560
Maximum Month TSS Concentration	mg/L	333
Maximum Month TSS Load (Rounded)	ppd	1,790

NCSD-58 (cont'd)

4.1.2. Dana Reserve Projections and Impact on Flows and Loadings at Southland WWTF

The projected flows and loading from the Dana Reserve development are summarized in **Table 4-2**. Since the District's sewer service area is primarily residential, it is assumed that the BOD and TSS concentrations in the wastewater from the development will be similar to what is currently observed at the Southland WWTF.

Table 4-2: Projected Influent Flows and Loadings from Dana Reserve Project

Parameter	Unit	Quantity
ADF	MGD	0.204
MMF	MGD	0.210
PHF	MGD	0.533
Average Annual BOD_5 Concentration	mg/L	403
Average Annual BOD_5 Load	ppd	686
Maximum Month BOD_5 Concentration	mg/L	537
Maximum Month BOD_5 Load	ppd	913
Average Annual TSS Concentration	mg/L	289
Average Annual TSS Load	ppd	492
Maximum Month TSS Concentration	mg/L	333
Maximum Month TSS Load	ppd	566

Flows from Dana Reserve will result in a 31% increase over existing District service area maximum month flows and loads. The projected flows and loads at Southland WWTF including the Dana Reserve Project are summarized in **Table 4-3**.

NCSD-58 (cont'd)

Table 4-3: Projected Influent Flows and Loadings from Dana Reserve Project and District Service Area

Parameter	Unit	Existing + Dana Reserve
ADF	MGD	0.85
MMF	MGD	0.89
PHF	MGD	2.30
Average Annual BOD_5 Concentration	mg/L	403
Average Annual BOD_5 Load (Rounded)	ppd	2,860
Maximum Monthly BOD_5 Concentration	mg/L	536
Maximum Monthly BOD_5 Load (Rounded)	ppd	3,800
Average Annual TSS Concentration	mg/L	289
Average Annual TSS Loading (Rounded)	ppd	2,050
Maximum Monthly TSS Concentration	mg/L	333
Maximum Monthly TSS Loading (Rounded)	ppd	2,360

4.2 Existing Facilities

Wastewater generated in and collected by the District is conveyed to Southland WWTF, a secondary wastewater treatment facility that uses an influent lift station with two (2) screw centrifugal pumps, two (2) fine screens, one (1) grit removal system with classifier, one (1) in-pond extended aeration system (Parkson Biolac®), two (2) secondary clarifiers, 10 percolation ponds. The WWTF also has an existing gravity belt thickener and twelve (12) concrete lined sludge drying beds for waste sludge dewatering. The District recently installed a dewatering screw press to assist in the waste sludge dewatering, particularly during wet weather. A 400 KVA generator provides backup power when needed.

4.3 Proposed Master Plan Facilities

The Southland WWTF site was planned to allow phased improvements as demand increases. The Phase I design included design and construction of the above listed facilities, replacing the previous treatment pond facility to maintain and improve treatment for increasing flows and loading.

Phases II and III were outlined in Southland WWTF Master Plan Amendment 1 (AECOM, 2010) to plan for anticipated increases in flow rate and loading at Southland WWTF. Equipment and processes were designed to be able to meet greater demands with additional equipment, such as additional aeration basins or sludge digesters; in a phased approach without requiring removal or replacement of previous improvements. Anticipated phases and major system components are summarized in the tables below. Planning "triggers", or flows, at which each phase should be implemented, are also included in **Table 4-4**. At the time the master plan was developed, the 90th percentile BOD_5 and TSS were both 300 mg/L for use in sizing facilities. The existing maximum month TSS is slightly lower (289 mg/L) whereas the BOD_5 is higher (333 mg/L). Therefore, the planning "triggers" should be reconsidered based on actual flows and loadings as compared to the Amendment 1 recommendations.

In the original Amendment 1, the District had planned to construct new aerobic sludge digesters in Phases I and III. However, during the Phase I design, the District opted to install a sludge thickening system instead and twelve (12) sludge drying beds were constructed to store sludge. The aerobic digesters were no longer needed. The sludge handling system was further improved by installing a new dewatering screw press as described above.

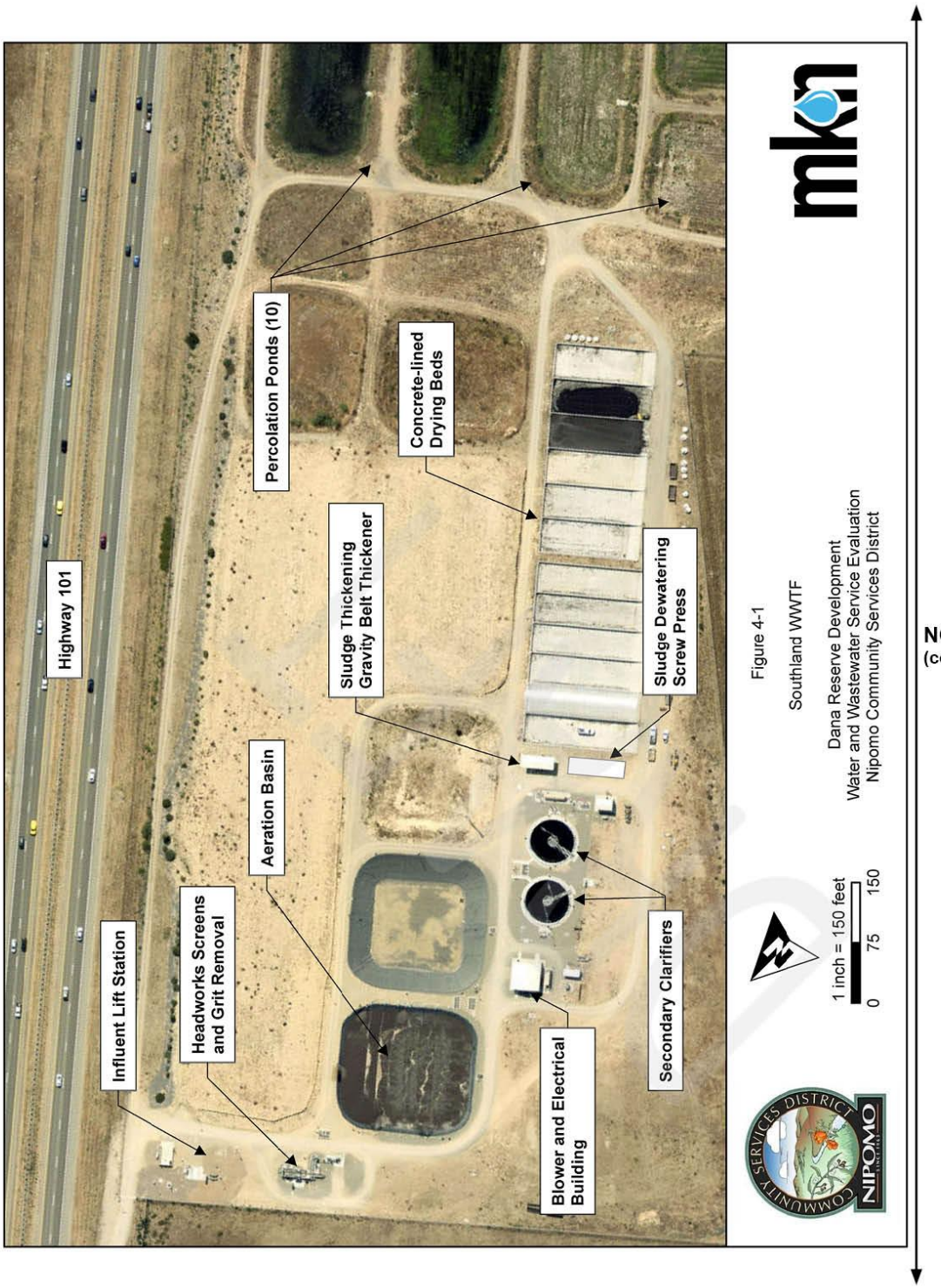
NCSD-58 (cont'd)

Table 4-4: Southland WWTF Phasing Plan

Project Phase	Capacity (MMF, MGD)	Planning Trigger (MMF, MGD)
Phase 1 – Existing Facilities	0.9	--
Phase 2	1.28	0.7
Phase 3	1.80	1.4

Phase II included a new pump and associated valves, piping, and controls; aeration system, and blower for Aeration Basin #2; a second clarifier; new concrete liners and decant system in one drying bed; and a new emergency generator. The secondary clarifier, twelve (12) concrete lined drying beds with decant system, and generator were installed as part of Phase I. A third blower was recently installed in the blower building.

Phase III included a second grit removal system and classifier; new Aeration Basin #3 with liner, air piping and headers, controls, and aeration equipment; third clarifier; and new concrete liners and decant system in one drying bed. As noted above, all lined drying beds were installed as part of Phase I. The existing plant is shown on **Figure 4-1**.


Highway 101
Influent Lift Station
Headworks Screens and Grit Removal
Aeration Basin
Percolation Ponds (10)
Concrete-lined Drying Beds
Sludge Thickening Gravity Belt Thickener
Sludge Dewatering Screw Press
Blower and Electrical Building
Secondary Clarifiers
1 inch = 150 feet
0 75 150
Figure 4-1
Southland WWTF
Dana Reserve Development
Water and Wastewater Service Evaluation
Nipomo Community Services District
mkn
NCSD-58
(cont'd)

4.4 Process Capacity Analysis

The process flow diagram and design parameters from the Southland WWTF Phase 1 Improvements plans are included as Appendix B. The ability of each process to handle the anticipated combined existing flows and loads was reviewed in the following sub-sections.

4.4.1. Influent Lift Station

The existing influent lift station at the Southland WWTF consists of two screw centrifugal pumps with 20 horsepower motors, and each with a capacity of 1,700 GPM (2.45 MGD) at 30 feet of total dynamic head (TDH). The pumps alternate operation, with one pump operating and the other remaining on standby to provide 100% redundancy.

The existing combined influent PHF is estimated to be 2.30 MGD, which leaves excess capacity of 0.15 MGD while maintaining one pump for standby.

Table 4-5: Influent Lift Station Capacity (One Pump Operating)

Flow Condition	Units	Design Capacity	Existing + Dana Reserve
Peak Hour Flow	MGD	2.45	2.30
Available Capacity	MGD	-	0.15

With two pumps operating and a third on standby, the estimated capacity is approximately 4.83 MGD as shown in **Table 4-6** below.

Table 4-6: Influent Lift Station Capacity (Two Pump Operating)

Flow Condition	Units	Design Capacity	Existing + Dana Reserve
Peak Hour Flow	MGD	4.83	2.30
Available Capacity	MGD	-	2.53

NCSD-58 (cont'd)

The 2012 Conceptual Design Report (CDR) for Southland WWTF identified the future installment of a third pump to handle increased flow in future phases. The wetwell was sized for this anticipated upgrade and piping was installed to accommodate a third similarly-sized pump to handle the increased influent PHF while maintaining one pump in standby mode. The District plans to install a third pump to provide additional required redundancy. This will also meet demands from Dana Reserve.

4.4.2. Influent Screens

Southland's existing headworks screen system consists of two shaftless screw screens designed for a peak flow of 4.83 MGD, with a maximum equipment capacity of 5.5 MGD.

With a rated equipment capacity of 5.5 MGD each, the headworks screens have the ability to handle anticipated combined existing and future peak hour flow rates.

4.4.3. Grit Removal

Southland WWTF's existing grit removal system consists of one vortex-type grit tank with a single self-priming grit pump. One grit tank was installed during the Phase I Improvements, with provisions to add a second in the future.

The grit tank was designed for a peak flow of 2.5 MGD. The combined existing influent PHF with Dana Reserve is estimated to be 2.30 MGD. Since existing flows with Dana Reserve will nearly meet capacity, a second grit removal system is required for redundancy. With the second grit removal system installed, the design capacity of 5.0 MGD will provide an estimated 2.7 MGD of additional capacity.

4.4.4. Extended Aeration System

Southland WWTF currently operates one extended aeration basin with a total volume of 1.41 million gallons (MG) and a design mixed liquor suspended solids (MLSS) concentration of 3,223 mg/L. The existing basin was designed for a solid retention time (SRT) of 60 to 70 days and a hydraulic retention time (HRT) of 1.63 days. The basin was sized based on a recommended range of BOD_5 loading to the aeration basin of 5 to 12 ppd per 1000 cubic feet of basin volume. The combined loads are compared with the design minimum and maximum capacity in the table below.

Table 4-7: Extended Aeration Basin Capacity (One Basin)

Condition	Units	Recommended Design Criteria (Min – Max)[3]	Existing + Dana Reserve
Average Annual BOD_5 Load	ppd	943 – 2,262	2,860
Maximum Month BOD_5 Load	ppd	943 – 2,262	3,800

The existing maximum month BOD_5 load with Dana Reserve exceeds the maximum design criteria by 1,538 ppd, indicating that a second aeration basin will be needed. In addition to the aeration basin, new diffusers, and supporting electrical, mechanical, and instrumentation will be required. A new blower, new blower building or expansion of the existing blower building will be necessary if aeration is not sufficient to meet projected demands.

NCSD-58 (cont'd)

4.4.5. Secondary Clarifiers

Two existing 55-foot diameter concrete circular secondary clarifiers are operating at Southland WWTF, each with a design overflow rate (OFR) of 240 gallons per day per square foot (gpd/ft^2) at ADF and 694 gpd/ft^2 at PHF. Industry standards[4] recommend overflow rates of 200 – 400 gpd/ft^2 for average flow conditions and 600 – 800 gpd/ft^2 at peak flow conditions. Each clarifier is designed for a solids loading of 0.95 pounds per square foot per hour ($lbs/ft^2/hr$) at average conditions and 1.67 $lbs/ft^2/hr$ at peak conditions. The design overflow rates and solids loading rates are compared with the anticipated existing combined flow and loading conditions in **Table 4-8**.

[3] Min = 5 ppd/1000 cf of basin volume. Max = 12 ppd/1000 cf of basin volume.
[4] Wastewater Engineering Treatment & Reuse, 4th Edition, Tchbanoglous, et. al.

Table 4-8: Secondary Clarifier Existing Capacity				
	Average Overflow Rate	**Peak Overflow Rate**	**Average Solids Loading Rate**	**Peak Solids Loading Rate**
Units	gpd/ft^2	gpd/ft^2	$lb/ft^2/hr$	$lb/ft^2/hr$
Design Value	240	694	0.95	1.67
Recommended Range	200 - 400	600 - 800	0.2 - 1.0	<1.4
1 Clarifier	358	967	1.00	2.71
2 Clarifiers	179	483	0.50	1.35

With one clarifier operating, the existing combined average OFR falls well within the recommended range outlined by Tchbanoglous, et al. (ibid.) However, the combined peak OFR exceeds the recommended maximum value by 167 gpd/ft^2 and the peak solids loading rate exceeds the maximum value by 1.31 $lb/ft^2/hr$.

With two clarifiers operating, both the existing combined average OFR and the peak OFR fall under the lower bound of the recommended range. However, this is not anticipated to be an issue as the District is successfully operating two clarifiers under existing conditions. The existing average solids loading rate falls within the recommended range for one clarifier and the peak solids loading rate is less than the maximum with two operating clarifiers. However, this leaves no redundancy in the event one clarifier is out of service. Therefore, a third clarifier is recommended to meet existing conditions with Dana Reserve's contribution.

NCSD-58 (cont'd)

The existing clarifiers have Return Activated Sludge (RAS) pump stations, consisting of two pumps, each with a capacity of 875 GPM. The Phase I Concept Design Report (CDR – AECOM, 2015) assumed RAS flowrates at 150% of the AAF and designed the RAS pumps to meet 150% of 0.84 MGD (approximately 1.2 MGD). The existing combined AAF is anticipated to be 0.85 MGD which is greater than the design range of the pumps. District staff can operate RAS pumps closer to 100% of AAF. However, it is recommended to upgrade RAS pumps to provide flexibility under increased flows from Dana.

4.4.6. Sludge Thickener

Southland WWTF currently conveys between 34,000 and 51,000 gallons of sludge per day to the existing gravity belt thickener. The waste sludge has a solids concentration between 0.35 and 0.5 percent total solids. The gravity belt thickener currently operates between 6 and 7 hours per day for approximately 35 hours per week. The annexation and Blacklake consolidation will increase the average annual flow, organic loads, and solids loads at the Southland WWTF by 44 percent, which will have a significant impact on the run time for the thickener. It is assumed sludge feed rates under the combined existing and Dana Reserve loading scenario will increase as a percentage based on average annual loading. This methodology yields an estimated sludge waste rate between 49,000 and 74,000 gallons per day for existing combined load conditions. It is anticipated that the sludge thickener may need to run for an additional 16 hours per week, between 9 and 11 hours per day, for a total of approximately 51 hours per week. This would require plant staff to work an additional two days per week to operate and observe the gravity belt thickener. An additional thickener is necessary for redundancy.

4.4.7. Sludge Dewatering Screw Press and Sludge Drying Beds

The District is completing installation of a new sludge dewatering screw press at the Southland WWTF. The sludge dewatering screw press will have a hydraulic capacity of 15 to 90 GPM and a solids capacity of 250 pounds per

hour (PPH). The design feed concentration ranges from 0.5% to 3% total solids and the dewatered sludge concentration is a minimum of 15% total solids. During normal operation, the screw press will receive thickened sludge from the gravity belt thickener, and, thus, will operate for the same durations as the thickener. Two days of operation will be added to accommodate Dana Reserve loads. A second press is necessary for redundancy.

In the event a screw press is taken out of service, the District has sludge drying beds that are utilized to store dewatered sludge. They can be used to temporarily store thickened sludge in case a screw press is out of service. The remaining screw press can also be operated for longer periods during the day to accommodate a short-term outage.

4.5 Future Water Quality Requirements

The Central Coast Regional Water Quality Control Board (RWQCB) recently adopted General Waste Discharge requirements for Discharges from Domestic Wastewater Systems with Flows Greater than 100,000 gallons per day (Order No. R3-2020-0020). RWQCB staff have indicated that the Southland WWTF will likely be enrolled under this General Order. However, the schedule for this is not known. The General Order contains stricter effluent limits, including a total nitrogen limit of 10 mg/L and varying limits for salts, depending on the underlying groundwater basin. The General Order includes a provision allowing 24 months to come into compliance for dischargers that are unable to meet the effluent requirements after enrollment under the Order. Additional time may be granted through a request for a time schedule order. The effluent limits anticipated for Southland WWTF under this General Order are summarized in the table below.

NCSD-58
(cont'd)

Table 4-9: General Order R3-2020-0020 Secondary Treatment Effluent Limits (Tables 5 and 6 of the Order)				
Constituent	**Units**	**30-day Average**	**7-day Average**	**Sample Maximum**
BOD_5	mg/L	30	45	NA
TSS	mg/L	30	45	NA
Settleable Solids	mg/L	0.1	0.3	0.5
pH	NA	6.5 – 8.4	NA	NA
Limits based on a 25-month rolling median, for the Lower Nipomo Mesa SubBasin (1)				
Total Nitrogen	mg/L	10	--	--
Total Dissolved Solids (TDS)	mg/L	710	--	--
Chloride	mg/L	95	--	--
Sulfate	mg/L	250	--	--
Boron	mg/L	0.16	--	--
Sodium	mg/L	90	--	--

Notes:
1. The General Order indicates dischargers have two options for meeting requirements for Total Nitrogen, TDS and the other salt constituents. The discharger may comply with the effluent limitations specified, or the discharger will be required to implement a groundwater monitoring program to demonstrate compliance.

NCSD-58 (cont'd)

Increasing use of Supplemental Water is anticipated to reduce discharge of TDS, chloride, and sodium from the WWTF. MKN reviewed historical effluent water quality to evaluate the existing WWTF performance regarding nitrogen reduction and ability to meet the future total nitrogen limit.

Total nitrogen in wastewater includes ammonia, nitrate, nitrite, and organic nitrogen. The Southland WWTF utilizes the Parkson Biolac® system, which when operated in the wave oxidation mode, has the ability to both nitrify (convert ammonia to nitrate) and denitrify (convert nitrate to nitrite and nitrogen gas). This will require operating the extended aeration basins at loading rates of 5 to 9 lb BOD_5/1000 cubic feet (cf), instead of the range of 5 to 12 lb BOD_5/1000 cf recommended for organics removal to meet current effluent limits.

The following table summarizes the anticipated loading of a two-basin system and the design criteria to meet this effluent nitrogen limit under current combined loading rates.

Table 4-10: Extended Aeration Basin Capacity for Denitrification via Wave Oxidation (Two Basins)			
Condition	**Units**	**System Design Criteria**	**Existing + Dana Reserve**
Average Annual BOD5 Load	lb/day	1,886 – 3,394	2,860
Maximum Month BOD5 Load	lb/day	1,886 – 3,394	3,800

As shown, a two-basin system meets the design criteria for denitrification under existing combined average annual loading but not under maximum month loading conditions.

A three-basin system was then evaluated and it was found that the capacity exceeds the requirements under each loading condition. The results of this analysis are shown in the table below.

Table 4-11: Extended Aeration Basin Capacity for Denitrification via Wave Oxidation (Three Basins)

Flow Condition	Units	Minimum System Design Criteria	Existing + Dana Reserve
Average Annual BOD5 Load	lb/day	2,829-5,091	2,860
Maximum Monthly BOD5 Load	lb/day	2,829-5,092	3,800

In summary, Aeration Basins #2 and #3 will be necessary to meet future permit requirements under existing conditions with Dana Reserve. In addition to the aeration basins, new diffusers, and supporting electrical, mechanical, and instrumentation will be required. A new blower building or expansion of the existing blower building will also be necessary.

4.6 Recommended Improvements

The following table summarizes the capacity assessment described in the previous sections.

Table 4-12: Summary of Southland WWTF Evaluation

Process	Summary of Findings	Recommendations to Meet Existing Demands with Dana Reserve
Influent Lift Station	Capacity is adequate for existing conditions.	Install a third pump, sized the same as existing
Influent Screen	Capacity is adequate for existing flowrates	–
Grit Removal	Capacity is adequate for existing conditions.	Install second grit system
Extended Aeration Basins	Additional basins required	Install Aeration Basin #2 to meet current capacity requirements. Install Aeration Basin #3 to meet anticipated permit requirements. Expand blower system as needed
Secondary Clarifiers	Overflow rate is adequate for existing conditions. Peak solids loading rate is exceeded at existing demands with Dana Reserve.	Install third clarifier for redundancy. Upgrade RAS pumping system.
Gravity Belt Thickener (GBT)	Additional operating hours will be necessary to meet existing demands with Dana Reserve. No redundancy is available if the single GBT fails.	Install second GBT
Dewatering Screw Press	Additional press required to meet combined loading.	Install second screw press

NCSD-58 (cont'd)

5.0 PROJECT COST OPINIONS

Appendix C includes assumptions and calculations used to develop conceptual project cost opinions. The opinions of probable project costs presented in this study were developed according to the AACE International Class 4 level cost estimate classification. The cost opinions incorporate the engineer's judgment as a design professional, are planning level budget estimates, and are supplied for the general guidance of the District.

Since MKN has no control over the cost of labor and materials, MKN does not guarantee the accuracy of such opinions as compared to contractor bids or actual cost to the District. It is recommended that an opinion of cost be developed and updated during project design. A construction contingency of 30% and allowance for engineering, construction management, and administration of 30% were applied to construction cost subtotals. All cost opinions were developed in September 2021 (ENR-LA = 13212.48).

5.1 Offsite Water Improvements

The following table summarizes project costs to connect the Dana Reserve water system as described in Section 3. Projects are identified on Figure 6-1. Costs for the developer to extend the waterline to the existing connection along Frontage Road are not included below.

Table 5-1: Water Transmission Main to Serve Dana Reserve

Project	Description	Cost
1,2,5	New 16" Main on North Oak Glen Drive and Tefft Street	$10,510,000
	Total	**$10,510,000**

Table 5-2 summarizes project costs for the end-of-line (EOL) looping at Willow Road and storage improvements at the Foothill Tank and Joshua Road sites.

NCSD-58 (cont'd)

Table 5-2: Water System Storage and Looping Improvements to Serve Dana Reserve

Project Number	Description	Cost
4	Willow Road EOL Project	$260,000
6	Foothill Tank Improvements	$3,920,000
7	Joshua Road Reservoir	$4,760,000
	Total	**$8,940,000**

5.2 Offsite Wastewater Collection and Treatment Improvements

The following table summarizes project costs to connect the Dana Reserve wastewater system as described in Sections 3 and 4. Costs for the developer to connect to the existing system are not included below.

Table 5-3: Wastewater Improvements to Serve Existing Conditions and Dana Reserve

Project	Description	Cost
1 – 3	Wastewater Collection Improvements	$3,630,000
4 – 9	Southland WWTF Improvements	$15,960,000
	Total	**$19,590,000**

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Water

The Dana Reserve Development will have a significant impact on District water and wastewater facilities. Groundwater and 2025 NSWP allocation are adequate to serve existing and future demands with Dana Reserve. However, pipeline and storage improvements will be needed. Figures 6-1 and 6-2 identify the projects described below.

Installing the Willow Road EOL Connection will address the District's looping requirements. Implementing the following project is recommended to convey NSWP water to Dana Reserve:

- Construction of new 16-inch pipeline on North Oak Glen Drive from Tefft Street to the Sandydale connection point.
- Replacement of the existing 10-inch AC pipeline from the Foothill Tanks to North Oak Glen Drive on Tefft Street with a new 16-inch PVC pipeline.

Storage improvements are also recommended to manage additional flow from NSWP and to meet emergency, fire flow, and operational needs. The recommended improvements for Foothill Tank site include a new 1.0 MG storage tank, chloramination improvements, and an automated valve station to improve storage and protect water quality. A new 500,000 gallon reservoir at Joshua Road Pump Station should be constructed to provide required redundancy for NSWP.

The following table summarizes the recommended improvements

NCSD-58 (cont'd)

Table 6-1: Recommendations for NCSD Water System Improvements

Project	Required Improvements
1, 2, 5	New 16" Main on North Oak Glen Drive and Tefft Street
3	Frontage Road Waterline Extension
4	Willow Road EOL Project
6	Foothill Tank Improvements
7	Joshua Road Reservoir

6.2 Wastewater

A new sewer connection from the development to Juniper Street is required which may involve a lift station and force main with sections of gravity sewer. Lift station peak flows should be managed with the use of variable frequency drives to reduce impact to receiving sewers. Improvements along Frontage Road will also be necessary to accommodate flow from the development under existing District demands. These project improvements are listed below and identified in Figures 6-3 and 6-4:

Table 6-2: Recommendations for NCSD Sewer System Improvements	
Project	**Required Improvements**
1	Connection to Dana Reserve collection area.
2	Potential sanitary sewer lift station for Dana Reserve Development
3	Replace existing 10-inch with 3,500 LF of 15-inch PVC sewer main and manholes between Juniper Street and Grande Avenue.
	Replace existing 12-inch with 1,170 LF 18-inch PVC sewer main and manholes between Grande Avenue and Division Street.

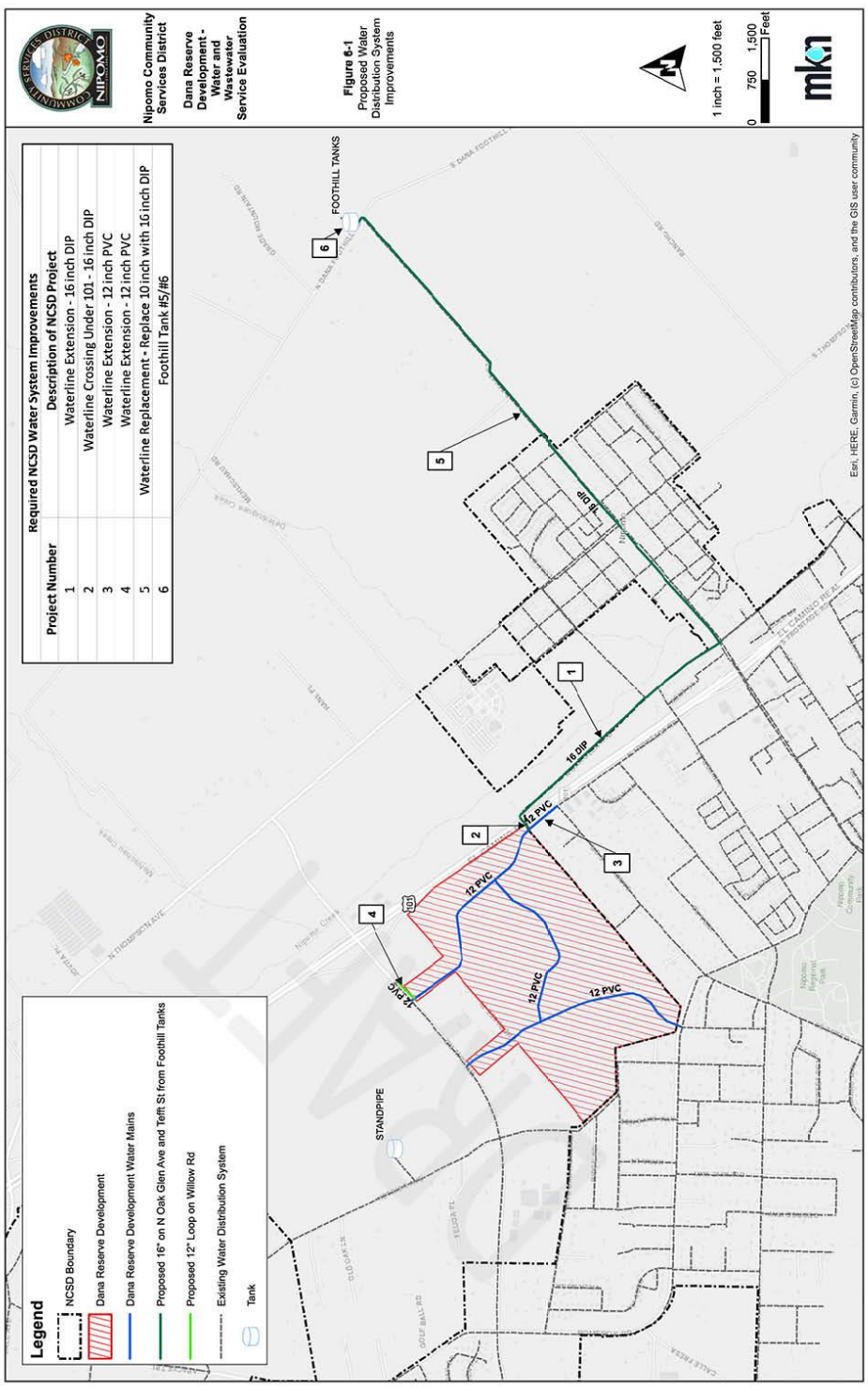
Southland WWTF will require significant improvements to meet existing demands with Dana Reserve and future demands. The table below summarizes improvements necessary to meet current Waste Discharge Requirements.

Table 6-3: Recommendations for Southland WWTF Improvements		
Project	**Process**	**Required Improvement**
4	Influent Lift Station	Install a third pump, sized the same as existing
5	Grit Removal	Install second grit system
6	Extended Aeration Basins	Install Aeration Basins #2 & #3 and expand aeration system
7	Secondary Clarifiers	Install third clarifier for redundancy. Upgrade RAS pumping system.
8	Gravity Belt Thickener (GBT)	Install second GBT
9	Dewatering Screw Press	Install second screw press

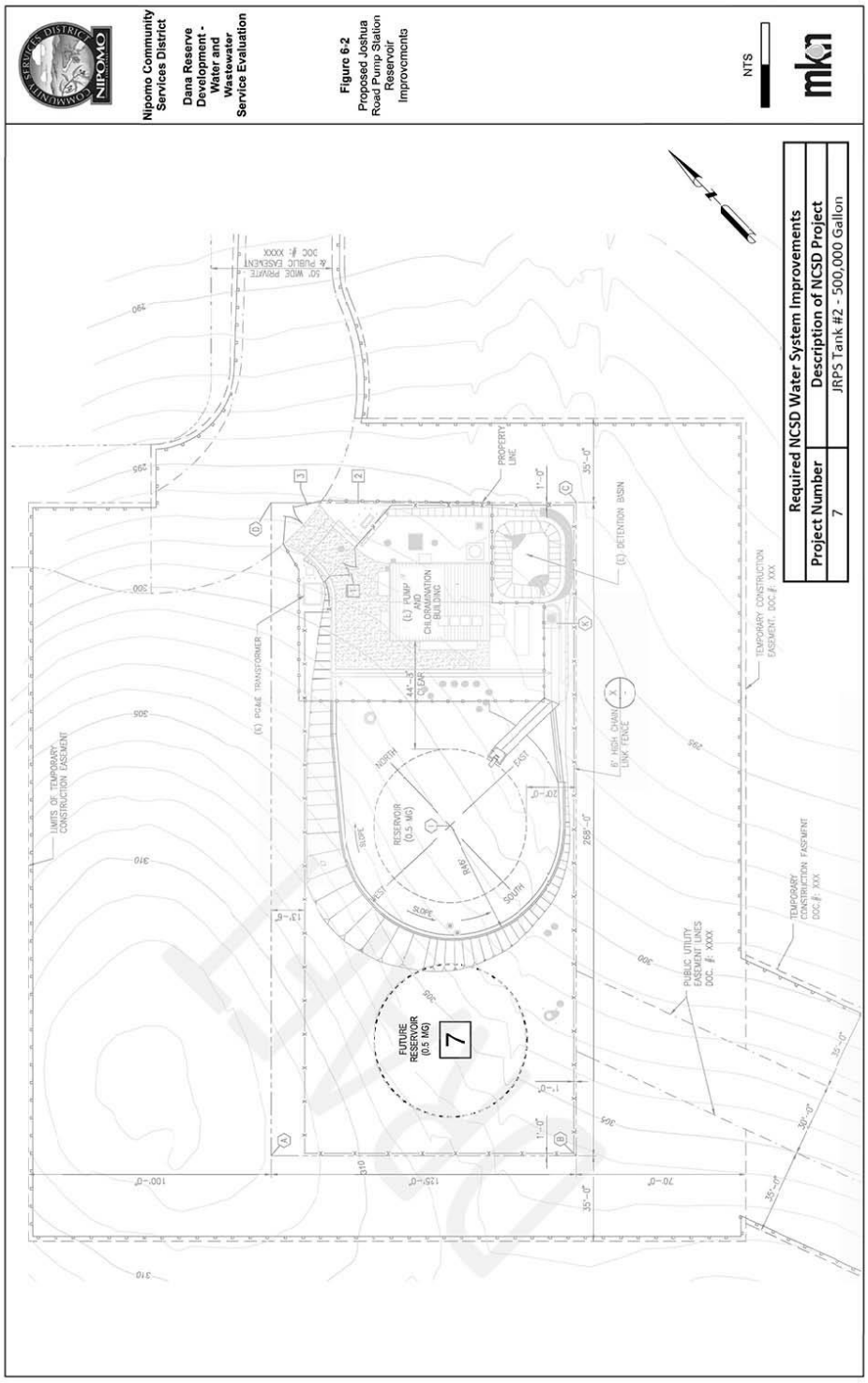
NCSD-58 (cont'd)

In addition to the aeration basins, new diffusers and supporting electrical, mechanical, and instrumentation will be required. A new blower building or expansion of the existing blower building will also be necessary.

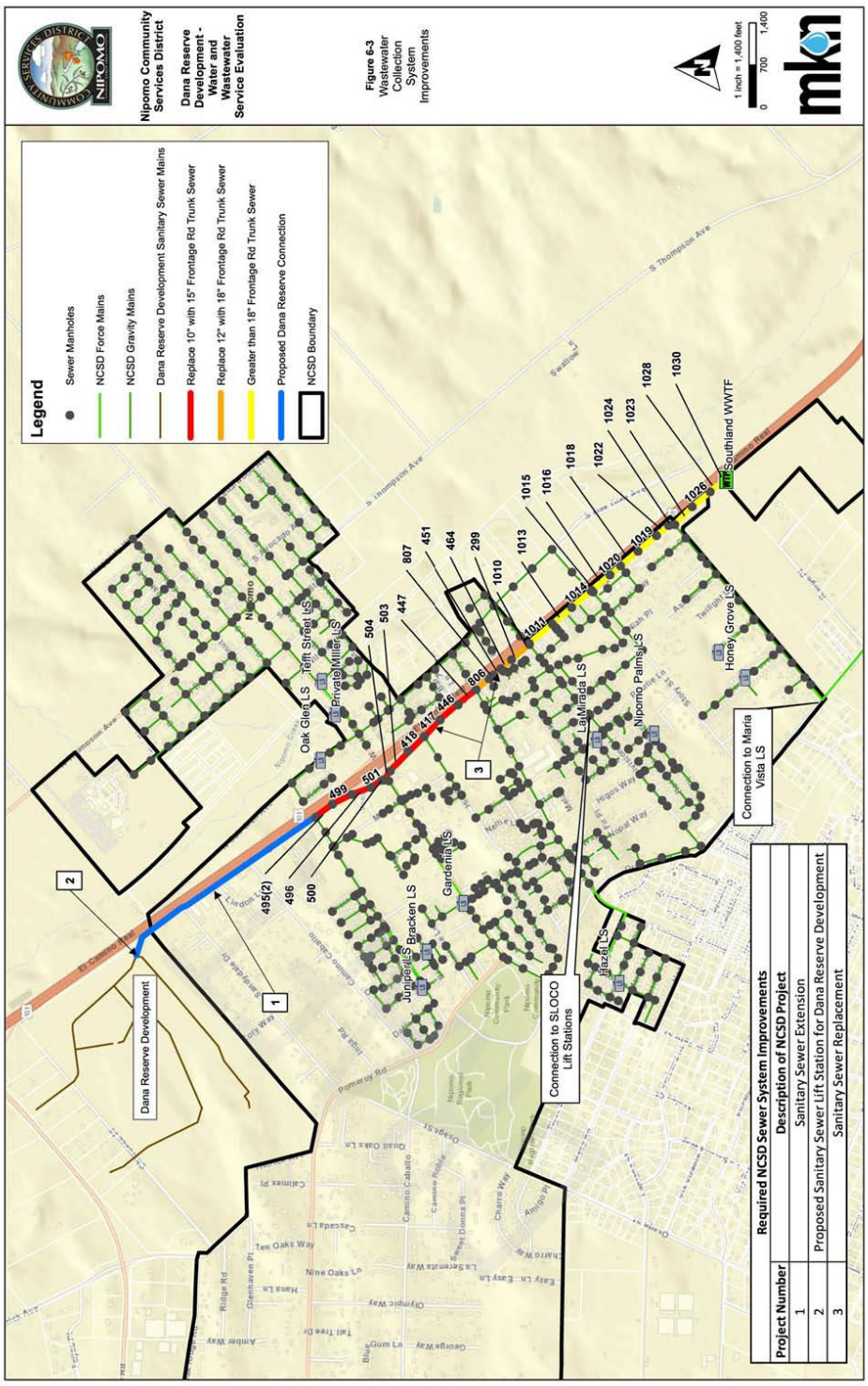
A summary of water and sewer improvement projects is illustrated in Figure 6-5.



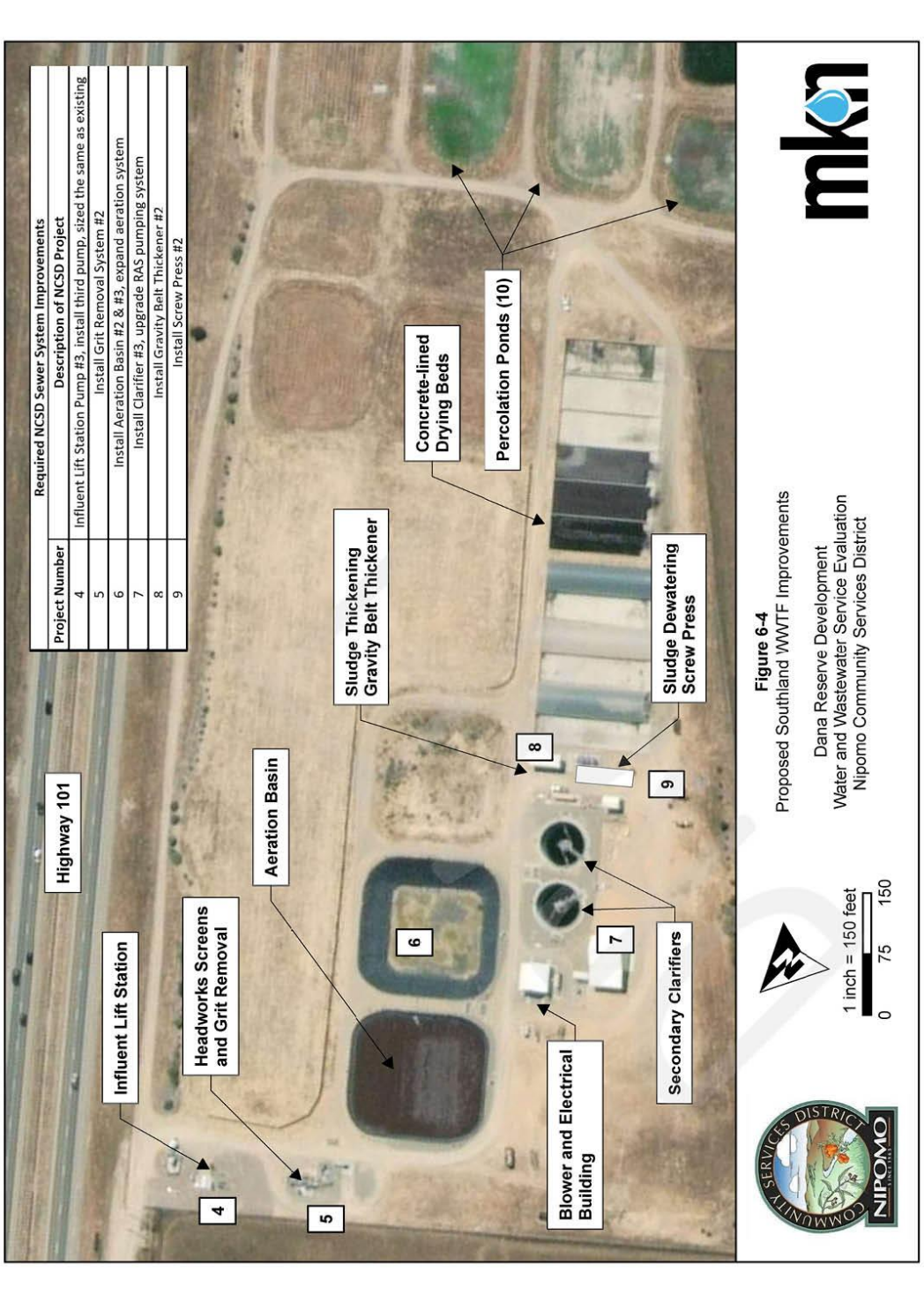
NCSD-58
(cont'd)



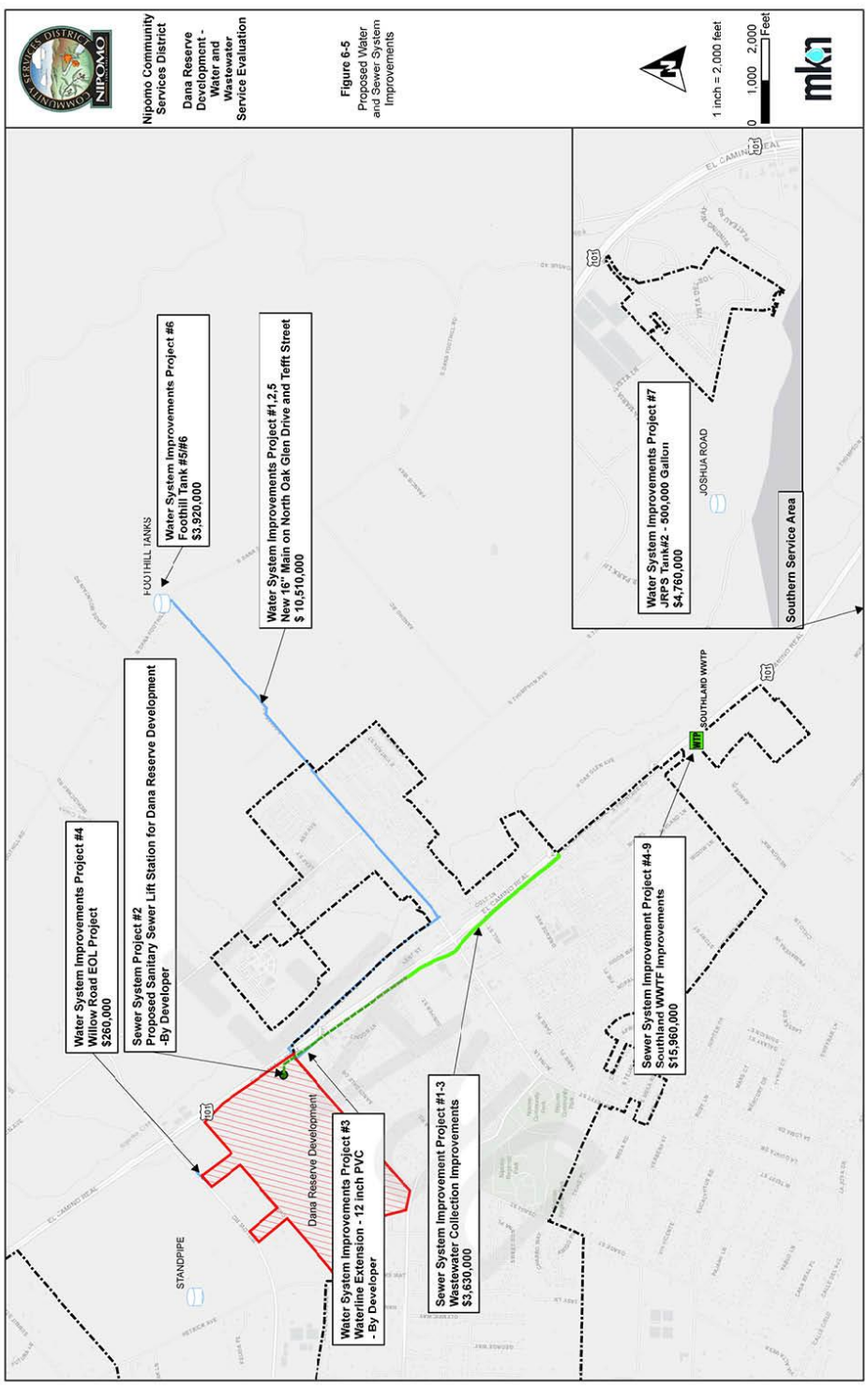
NCSD-58
(cont'd)



NCSD-58
(cont'd)



NCSD-58
(cont'd)



NCSD-58
(cont'd)

APPENDIX A

NCSD-58
(cont'd)

Sewer Flow Monitoring 2020 Nipomo, CA

October 23, 2020 – November 28, 2020

Final Report Submitted to **MKN & Associates, Inc.**
December 22, 2020

NCSD-58
(cont'd)

ADS ENVIRONMENTAL SERVICES

15201 Springdale Street
Huntington Beach, CA 92649

800-633-7246
www.adsenv.com

ADS ENVIRONMENTAL SERVICES®

December 22, 2020

Rob Lepore, GISP
Michael K. Nunley & Associates, Inc.
P.O. Box 1604
Arroyo Grande, CA 93421

SUBJECT: Sewer Flow Monitoring 2020, Nipomo, CA Final Report

Dear Mr. Lepore,

ADS is pleased to submit the report for the Nipomo, CA Sewer Flow Monitoring Study completed on behalf of MKN & Associates, Inc. The metering was conducted at three (3) locations. The study was conducted during the period of Friday, October 23, 2020 to Saturday, November 28, 2020.

The report contains depth, velocity, and quantity hydrographs as well as daily long tables for the metering period. An Excel file containing depth, quantity, and velocity entities for the monitoring location in 5-minute format was provided previously.

In addition, we would be happy to further explain any details about the report that may seem unclear. Should you have any questions or comments, you may contact the Project Manager, Paul Mitchell at 714-379.9778.

It has been our pleasure to be of service to you in the performance of this project. Thank you for choosing ADS products and services to meet your flow monitoring needs.

NCSD-58 (cont'd)

Sincerely,
ADS ENVIRONMENTAL SERVICES

Jackie Crutcher
Data Manager

ADS LLC
An IDEX Fluid & Metering Business
Accusonic
ADS Environmental
Services Hydra-Stop

ADS ENVIRONMENTAL SERVICES®

Sewer Flow Monitoring 2020
Nipomo, CA

Prepared For:

Rob Lepore, GISP
Michael K. Nunley & Associates, Inc.
P.O. Box 1604
Arroya Grande, CA 93421
p: 805.904.6530 Ext 104 m: 805.748.2106
w:mknassociates.us e:rlepore@mknassociates.us

Prepared By:

ADS, LLC
15201 Springdale Street
Huntington Beach, CA 92649

NCSD-58
(cont'd)

Table of Contents

Scope & Methodology 1
FM01altB 5
Site Commentary 5
Site Report 7
Hydrograph Report 8
Scattergraph Report 9
Daily Tabular Report 10
FM02 11
Site Commentary 11
Site Report 13
Hydrograph Report 14
Scattergraph Report 15
Daily Tabular Report 16
FM03 17
Site Commentary 17
Site Report 19
Hydrograph Report 20
Scattergraph Report 21
Daily Tabular Report 22

NCSD-58 (cont'd)

Scope and Methodology

Introduction

Michael K. Nunley & Associates, Inc. (mkn) entered into an agreement with ADS Environmental Services to conduct flow monitoring at (3) three locations in the Nipomo, CA Sanitary Collection System. The study was scheduled for a period of (30) thirty calendar days. Seven additional data days have been provided. Once in place, the flow monitoring equipment was be used to measure depth, velocity, and to quantify flows. The objective of this study was to confirm sanitary sewer flows in the monitored locations for planning purposes.

Project Scope

The scope of this study involved using flow monitors to quantify wastewater flow at the designated locations for the 37-day time period. Specifically, the study included the following key components.

- Investigate the proposed flow-monitoring site for adequate hydraulic conditions
- Flow monitor installation
- Flow monitor confirmations and data collections
- Flow data analysis

The monitoring period began on October 23, 2020 and was completed on November 28, 2020. Equipment was removed from the system on December 09, 2020.

Flow Monitoring Equipment

NCSD-58 (cont'd)

The ***ADS FlowShark Triton*** monitor was selected for this project. This flow monitor is an area velocity flow monitor that uses both the Continuity and Manning's equations to measure flow.

The ADS FlowShark Triton monitor consists of data acquisition sensors and a battery-powered microcomputer. The microcomputer includes a processor unit, data storage, and an on-board clock to control and synchronize the sensor recordings. The monitor was programmed to acquire and store depth of flow and velocity readings at 5-minute intervals.

The FS Triton monitor features cross-checking using multiple technologies in each sensor for continuous running of comparisons and tolerances. The FS Triton monitor can support two (2) sets of sensors. The sensor option used for this project was:

The Peak Combo Sensor installed at the bottom of the pipe includes three types of data acquisition technologies.

2

The ***up looking ultrasonic depth*** uses sound waves from two independent transceivers to measure the distance from the sensor upward toward the flow surface; applying the speed of sound in the water and the temperature measured by sensor to calculate depth.

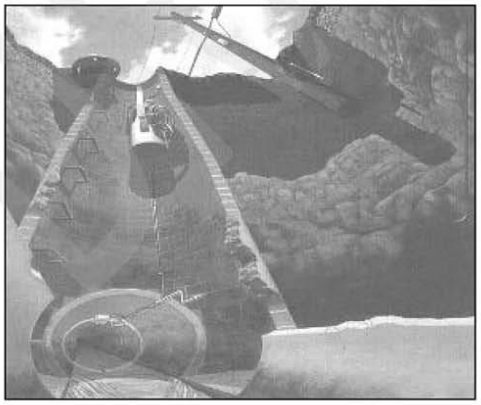
The ***pressure depth*** is calculated by using a piezo-resistive crystal to determine the difference between hydrostatic and atmospheric pressure. The pressure sensor is temperature compensated and vented to the atmosphere through a desiccant filled breather tube.

To obtain ***peak velocity,*** the sensor sends an ultrasonic signal at an angle upward through the widest cross-section of the oncoming flow. The signal is reflected by suspended particles, air bubbles, or organic matter with a frequency shift proportional to the velocity of the reflecting objects. The reflected signal is received by the sensor and processed using digital spectrum analysis to determine the peak flow velocity.

Installation

Installation of flow monitoring equipment typically proceeds in four steps. First, the site is investigated for safety and to determine physical and hydraulic suitability for the flow monitoring equipment. Second, the equipment is physically installed at the selected location. Third, the monitor is tested to assure proper operation of the velocity and depth of flow sensors and verify that the monitor clock is operational and synchronized to the master computer clock. Fourth, the depth and velocity sensors are confirmed and line confirmations are performed.

In pipes up to 42 inches in diameter, the sensors were mounted on expandable stainless-steel rings, inserted at least a foot upstream into influent pipes and tightened against the inside walls of the pipes. Influent pipe installations reduce the influences of turbulence and backwater often caused by changes in channel geometry in manholes.



NCSD-58
(cont'd)

3

Data Collection, Confirmation, and Quality Assurance

Data collects were done remotely via wireless connect on a weekly basis. As needed, during the monitoring period, field crews visit each monitoring location to verify proper monitor operation and document field conditions. The following quality assurance steps are taken to assure the integrity of the collected data:

Measure power supplies: monitors were powered by dry cell battery packs. Voltages were recorded and battery packs replaced, as necessary. Separate batteries provided back-up power to memory allowing primary batteries to be replaced without loss of data.

Clock synchronization: Field crews synchronized monitor clocks to master clocks.

Confirm depth and velocity readings: Field crews descended into meter manholes to manually measure depths and velocities and compare them meter readings to confirm that they agreed. They also measured silt levels, if any, in the inverts of the pipes. Silt areas were subtracted from flow areas to compute true areas of flow.

Confirm average velocities through cross-sectional velocity profiles: Since ADS velocity sensors measure peak velocity, field crews collected cross-sectional velocity profiles in order to develop a relationship between peak and average velocity in lines that meet the hydraulic criteria.

Upload and Review Data: Data collected from the monitors were uploaded and reviewed by a Data Analyst for completeness, outliers and deviations in the flow patterns, which indicate system anomalies or equipment failure.

NCSD-58
(cont'd)

Flow Quantification Methods

There are two main equations used to measure open channel flow: the ***Continuity Equation*** and the ***Manning Equation.*** The Continuity Equation, which is considered the most accurate, can be used if both depth of flow and velocity are available. In cases where velocity measurements are not available or not practical to obtain, the Manning Equation can be used to estimate velocity from the depth data based on certain physical characteristics of the pipe (i.e. the slope and roughness of the pipe being measured). However, the Manning equation assumes uniform, steady flow hydraulic conditions with non-varying roughness, which are typically invalid assumptions in most sanitary sewers. The Continuity Equation was used exclusively for this study.

Continuity Equation
The Continuity Equation states that the flow quantity (Q) is equal to the wetted area (A) multiplied by the average velocity (V) of the flow.

4

Q = A * V

This equation is applicable in a variety of conditions including backwater, surcharge, and reverse flow.

Data Analysis and Presentation

Data Analysis

A flow monitor is typically programmed to collect data at 5-minute intervals throughout the monitoring period. The monitor stores raw data consisting of (1) the ultrasonic depth, (2) the peak velocity and (3) the pressure depth. The data is imported into ADS's proprietary software and is examined by a data analyst to verify its integrity. The data analyst also reviews the daily field reports and site visit records to identify conditions that would affect the collected data.

Velocity profiles and the line confirmation data developed by the field personnel are reviewed by the data analyst to identify inconsistencies and verify data integrity. Velocity profiles are reviewed and an average to peak velocity ratio is calculated for the site. This ratio is used in converting the peak velocity measured by the sensor to the average velocity used in the Continuity equation. The data analyst selects which depth sensor entity will be used to calculate the final depth information. Silt levels present at each site visit are reviewed and representative silt levels established.

Occasionally the velocity sensor's performance may be compromised resulting in invalid readings sporadically during the monitoring period. This is generally caused by excessive debris (silt) blocking the sensor's crystals, shallow flows (~< 1") that may drop below the top of the sensor or very clear flows lacking the particles needed to measure rate. In order to use the Continuity equation to quantify the flow during these periods, a Data Analyst and/or Engineer will use the site's historical pipe curve (depth vs. velocity) data along with valid field confirmations to reconstitute and replace the false velocity recordings with expected velocity readings for a given historical depth along the curve.

Selections for the above parameters can be constant or can change during the monitoring period. While the data analysis process is described in a linear manner, it often requires an iterative approach to accurately complete.

NCSD-58
(cont'd)

Data Presentation

This type of flow monitoring project generates a large volume of data. To facilitate review of the data, results have been provided in graphical and tabular formats. The flow data is presented graphically in the form of scattergraphs and hydrographs. Hydrographs are based on 5-minute averaging. Tables are provided in daily average format. These tables show the flow rate for each day, along with the daily minimum and maximums, the times they were observed, the total daily flow, and total flow for the month (or monitoring period). The following explanation of terms may aid in interpretation of the flow data table and hydrograph.

DEPTH - Final calculated depth measurement (in inches)

QUANTITY - Final calculated flow rate (in MGD)

VELOCITY - Final calculated flow velocity (in feet per second)

REPORT TOTAL - Total volume of flow recorded for the indicated time period (in MG)

5

FM01altB

Site Commentary

SITE INFORMATION

Pipe	Round (23.38 in H)
Silt	0.00 (in)

OVERVIEW

FM01altB functioned under normal conditions during the period Friday, October 23, 2020 to Saturday, November 28, 2020. The flow pattern at this site exhibits frequent changes in both depth and velocity throughout the day. The saw-toothed like pattern indicates the influence of pump station activity. Review of the Scattergraph shows that free flow conditions were maintained throughout the monitoring period. No surcharge conditions were recorded. Flow in this line is subcritical.

Flow depth and velocity measurements recorded by the flow monitor are consistent with field confirmations conducted and support the relative accuracy of the flow monitor at this location.

Site FM01altB was positioned downstream of FM02 and FM03. A flow balancing check was completed, and no problems were noted. An average net flow of 0.295 mgd was reported for the study period.

OBSERVATIONS

Average flow depth, velocity, and quantity data observed during **Friday, October 23, 2020 to Saturday, November 28, 2020**, along with observed minimum and maximum data, are provided in the following table.

Observed Flow Conditions			
Item	**DFINAL (in)**	**VFINAL (ft/s)**	**QFINAL (MGD - Total MG)**
Average	4.75	1.87	0.560
Minimum	2.23	0.97	0.100
Maximum	7.11	2.68	1.261
Min Time	11/22/2020 05:10:00	10/23/2020 03:00:00	10/23/2020 03:00:00
Max Time	11/26/2020 11:00:00	11/24/2020 08:25:00	11/08/2020 10:20:00

Based upon the quality and consistency of the observed flow depth and velocity data, the Continuity equation was used to calculate flow rate and quantities during the monitoring period.

Values in the Observed Flow Conditions and data on the graphical reports are based on the five-minute average.

ADS ENVIRONMENTAL SERVICES®

NCSD-58 (cont'd)

6

DATA UPTIME

Data uptime observed during **Friday, October 23, 2020 to Saturday, November 28, 2020** is provided in the following table:

Percent Uptime	
DFINAL (in)	100
VFINAL (ft/s)	100
QFINAL (MGD - Total MG)	100

NCSD-58
(cont'd)

ADS ENVIRONMENTAL SERVICES® **ADS Site Report** **Quality Form**

Project Name:	Nipomo MKN TFM 2020	**City:** Nipomo	**Agency:** Nipomo	**FM Initials:** SK	
Site Name:	FM01	**Install Date:** 10/22/20	**Monitor Type**	Peak Doppler	
Address/Location:	509 Southland St (Located on Old Windmill Pl)		**Monitor Model**	Triton +	
			Data Acquisition	Manual/Wireless Collect	
			Manhole ID		
Access:	Drive	**Type of System:** Sanitary [X] Storm [ ] Combined [ ]	**Pipe Height:**	23.38 "	
			Pipe Width:	23.38 "	

Investigation Information:

Date/Time of Investigation:	10/22/20 @02:20pm
Site Hydraulics:	Good straight through flow
Upstream Input: (L/S, P/S)	--
Upstream Manhole:	Not Investigated
Downstream Manhole:	Not investigated
Depth of Flow:	4.75 " +/- 0.25"
Range (Air DOF):	+/-
Peak Velocity:	2.10 fps
Silt:	0.00 Inches

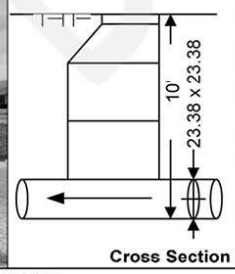
Manhole Information:

Manhole Depth:	10				
Manhole Material / Condition	Precast/Good				
Pipe Material / Condition:	VCP/Good				
Land Use:	Residential [ ]	Commercial [ ]	Industrial [X]	Trunk [ ]	
Oxygen: 20.9	**H2S:** 0	**LEL:** 0	**CO:** 0		

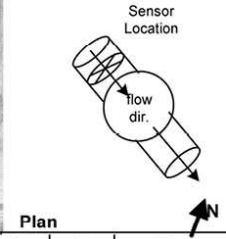
Safety Notes:
2 man crew required and one blower is to be operated at all times.

NCSD-58 (cont'd)

Other Information:



Cross Section

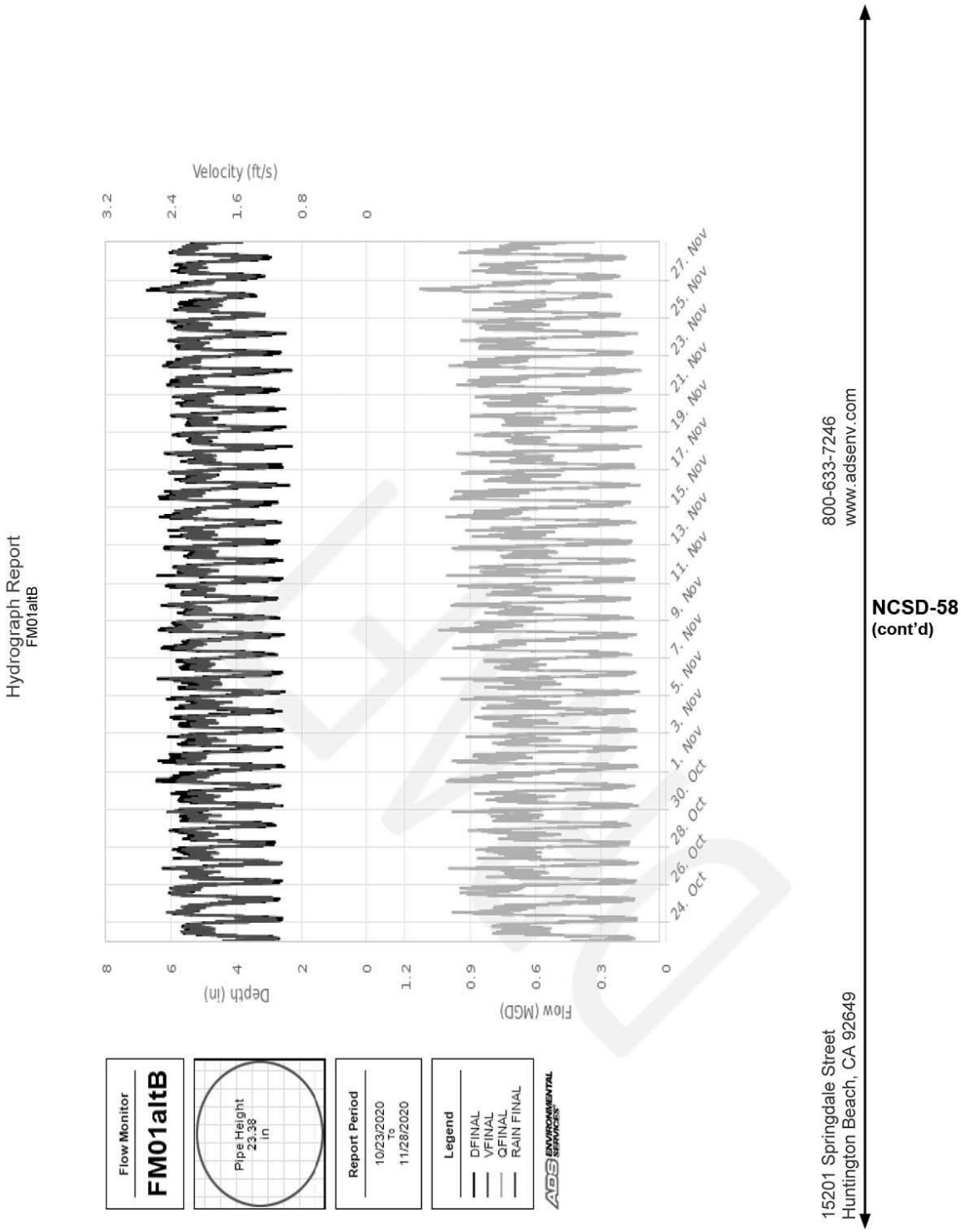


Plan

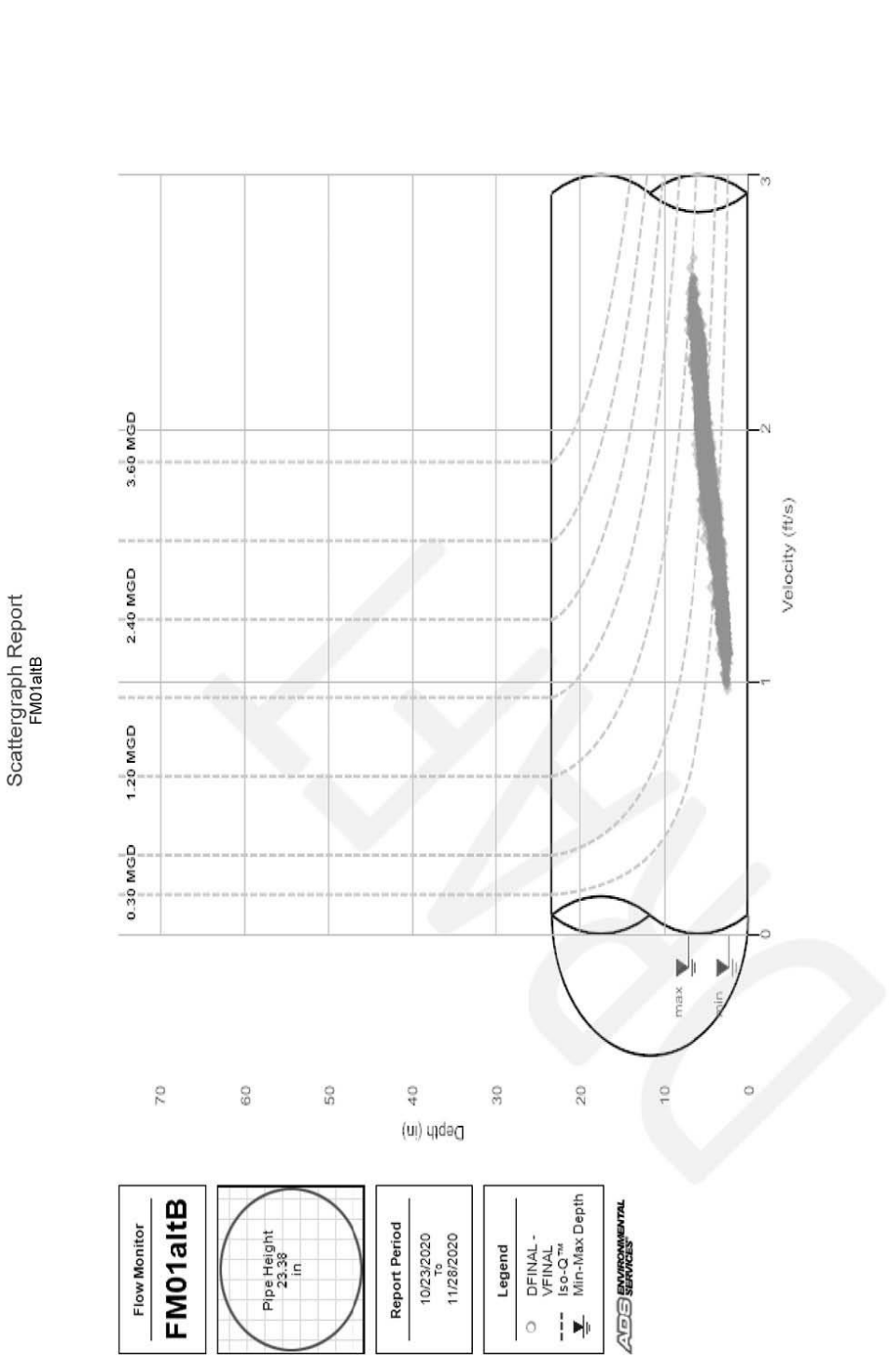
Installation Information		Backup	Yes	No	?	Distance
Installation Type:	Standard	Trunk	[ ]	[x]	[ ]	
Sensors Devices:	Ultrasonic/Velocity/Pressure	Lift / Pump Station	[ ]	[x]	[ ]	
Surcharge Height:	0	WWTP	[ ]	[x]	[ ]	
Rain Gauge Zone:		Other	[ ]	[X]	[ ]	

Additional Site Information / Comments:

Standard Traffic Control with No Safety Concerns



NCSD-58
(cont'd)



NCSD-58
(cont'd)

10

Daily Tabular Report

10/23/2020 00:00 - 11/28/2020 23:59
FM01altBPipe: Round (23.38 in H), Silt0.00 in

	DFINAL (in)					VFINAL (ft/s)					QFINAL (MGD - Total MG)						Rain (in)	RAIN FINAL (in)					
Date	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Total	Total						
10/23/2020	03:05	2.37	20:35	6.10	4.61	03:00	0.97	09:30	2.47	1.84	03:00	0.100	09:30	0.963	0.526	0.526	-	-	-	-	-	-	-
10/24/2020	05:15	2.50	12:05	6.46	4.64	01:55	1.08	13:55	2.50	1.88	01:55	0.122	12:05	1.081	0.552	0.552	-	-	-	-	-	-	-
10/25/2020	05:15	2.53	11:10	6.68	4.77	06:45	1.11	11:15	2.58	1.92	05:15	0.128	11:10	1.165	0.586	0.586	-	-	-	-	-	-	-
10/26/2020	04:15	2.52	20:20	6.58	4.66	01:50	1.11	20:20	2.54	1.87	04:15	0.124	20:20	1.129	0.544	0.544	-	-	-	-	-	-	-
10/27/2020	02:05	2.49	22:00	6.27	4.76	02:05	1.01	22:00	2.38	1.85	02:05	0.111	22:00	0.990	0.555	0.555	-	-	-	-	-	-	-
10/28/2020	03:05	2.62	21:25	6.43	4.74	03:05	1.17	21:25	2.44	1.87	03:05	0.138	21:25	1.052	0.554	0.554	-	-	-	-	-	-	-
10/29/2020	02:30	2.67	19:35	6.56	4.75	02:30	1.19	19:35	2.56	1.90	02:30	0.145	19:35	1.132	0.562	0.562	-	-	-	-	-	-	-
10/30/2020	03:40	2.46	19:20	6.78	4.77	03:40	1.00	19:20	2.52	1.80	03:40	0.108	19:20	1.169	0.540	0.540	-	-	-	-	-	-	-
10/31/2020	05:10	2.57	11:25	6.95	4.83	03:45	1.13	09:50	2.54	1.83	05:10	0.132	09:50	1.216	0.565	0.565	-	-	-	-	-	-	-
11/01/2020	05:30	2.39	12:30	6.67	4.84	06:40	1.05	12:30	2.47	1.85	05:25	0.114	12:30	1.118	0.576	0.576	-	-	-	-	-	-	-
11/02/2020	05:35	2.46	17:25	6.33	4.73	05:35	1.01	10:50	2.37	1.79	05:35	0.109	17:25	0.978	0.532	0.532	-	-	-	-	-	-	-
11/03/2020	04:00	2.45	18:25	6.52	4.75	02:40	1.08	18:25	2.38	1.83	02:40	0.117	18:25	1.047	0.546	0.546	-	-	-	-	-	-	-
11/04/2020	03:20	2.53	20:30	6.50	4.74	02:30	1.08	19:10	2.45	1.82	02:30	0.122	19:10	1.059	0.541	0.541	-	-	-	-	-	-	-
11/05/2020	04:00	2.41	20:30	6.72	4.70	04:20	1.00	10:00	2.47	1.82	04:20	0.109	20:30	1.117	0.535	0.535	-	-	-	-	-	-	-
11/06/2020	04:45	2.42	19:45	6.52	4.72	04:45	1.14	19:45	2.38	1.84	04:45	0.121	19:45	1.044	0.541	0.541	-	-	-	-	-	-	-
11/07/2020	03:10	2.60	13:45	6.71	4.82	03:40	1.16	11:45	2.40	1.88	03:10	0.138	13:45	1.033	0.573	0.573	-	-	-	-	-	-	-
11/08/2020	04:55	2.42	10:20	6.93	4.87	01:40	1.04	10:20	2.64	1.90	04:55	0.120	10:20	1.261	0.597	0.597	-	-	-	-	-	-	-
11/09/2020	04:20	2.51	18:45	6.80	4.79	01:50	1.17	20:05	2.55	1.88	04:20	0.130	20:05	1.172	0.568	0.568	-	-	-	-	-	-	-
11/10/2020	04:20	2.37	20:30	6.74	4.73	04:20	1.17	19:45	2.51	1.87	04:20	0.120	19:45	1.131	0.553	0.553	-	-	-	-	-	-	-
11/11/2020	04:55	2.48	08:35	6.66	4.73	03:05	1.12	19:25	2.58	1.89	04:50	0.131	19:25	1.149	0.561	0.561	-	-	-	-	-	-	-
11/12/2020	04:10	2.49	18:15	6.69	4.70	04:10	1.18	18:15	2.54	1.88	04:10	0.130	18:15	1.155	0.551	0.551	-	-	-	-	-	-	-
11/13/2020	04:45	2.55	18:35	6.57	4.71	00:55	1.14	10:30	2.45	1.88	04:45	0.132	18:35	1.071	0.550	0.550	-	-	-	-	-	-	-
11/14/2020	04:25	2.52	14:45	6.68	4.81	04:20	1.08	11:55	2.60	1.90	04:25	0.121	11:55	1.137	0.580	0.580	-	-	-	-	-	-	-
11/15/2020	06:25	2.57	12:10	6.85	4.83	06:00	1.19	11:00	2.59	1.93	06:30	0.142	12:10	1.166	0.597	0.597	-	-	-	-	-	-	-
11/16/2020	03:25	2.27	16:20	6.57	4.70	03:50	1.08	19:40	2.49	1.89	03:55	0.107	19:15	1.054	0.553	0.553	-	-	-	-	-	-	-
11/17/2020	04:20	2.52	20:40	6.56	4.66	02:10	1.17	20:40	2.55	1.88	02:10	0.133	20:40	1.132	0.546	0.546	-	-	-	-	-	-	-
11/18/2020	04:40	2.27	19:10	6.20	4.67	05:00	1.09	18:55	2.38	1.87	04:35	0.107	19:10	0.950	0.545	0.545	-	-	-	-	-	-	-
11/19/2020	05:10	2.40	18:25	6.50	4.69	03:05	1.13	18:25	2.54	1.89	05:10	0.122	18:25	1.111	0.551	0.551	-	-	-	-	-	-	-
11/20/2020	04:00	2.45	11:20	6.46	4.64	04:00	1.14	20:35	2.43	1.87	04:00	0.122	11:20	1.046	0.538	0.538	-	-	-	-	-	-	-
11/21/2020	04:40	2.51	09:15	6.47	4.72	05:45	1.19	09:15	2.59	1.90	05:45	0.134	09:15	1.125	0.569	0.569	-	-	-	-	-	-	-
11/22/2020	05:10	2.23	14:45	6.55	4.74	05:10	1.11	11:30	2.59	1.92	05:10	0.104	11:30	1.108	0.584	0.584	-	-	-	-	-	-	-
11/23/2020	04:10	2.58	17:45	6.42	4.69	03:50	1.18	19:40	2.54	1.91	02:45	0.140	19:40	1.078	0.562	0.562	-	-	-	-	-	-	-
11/24/2020	04:25	2.40	08:25	6.47	4.71	04:25	1.15	08:25	2.68	1.92	04:25	0.120	08:25	1.165	0.563	0.563	-	-	-	-	-	-	-
11/25/2020	02:30	3.14	11:40	6.36	4.84	04:55	1.15	10:20	2.47	1.82	04:55	0.182	18:10	1.009	0.548	0.548	-	-	-	-	-	-	-
11/26/2020	05:50	3.14	11:00	7.11	5.08	05:50	1.36	12:15	2.57	1.99	05:50	0.211	11:00	1.208	0.648	0.648	-	-	-	-	-	-	-
11/27/2020	04:50	2.99	10:55	6.45	4.83	04:50	1.31	10:55	2.45	1.90	04:50	0.189	10:55	1.062	0.573	0.573	-	-	-	-	-	-	-
11/28/2020	04:30	2.80	10:50	6.43	4.71	04:30	1.24	10:50	2.53	1.90	04:30	0.162	10:55	1.091	0.557	0.557	-	-	-	-	-	-	-

10/23/2020 00:00 - 11/28/2020 23:59

	DFINAL (in)	VFINAL (ft/s)	QFINAL (MGD - Total MG)	Rain (in)
Total			20.721	
Average	4.75	1.87	0.560	

NCSD-58 (cont'd)

FM02

Site Commentary

SITE INFORMATION

Pipe	Elliptical (12.5 in H x 12.75 in W)
Silt	0.00 (in)

OVERVIEW

FM02 functioned under normal conditions during the period Friday, October 23, 2020 to Saturday, November 28, 2020. The flow pattern at this site exhibits frequent changes in both depth and velocity throughout the day. The saw-toothed like pattern indicates the influence of pump station activity. Review of the Scattergraph shows that although this line was impacted by debris, free flow conditions were maintained throughout the monitoring period. No surcharge conditions were recorded. Flow in this line is subcritical.

Flow depth and velocity measurements recorded by the flow monitor are consistent with field confirmations conducted and support the relative accuracy of the flow monitor at this location.

Site FM02 along with FM03 was positioned upstream of FM01altB. (See FM01altB Site Commentary for Balancing Details).

OBSERVATIONS

Average flow depth, velocity, and quantity data observed during **Friday, October 23, 2020 to Saturday, November 28, 2020**, along with observed minimum and maximum data, are provided in the following table.

NCSD-58 (cont'd)

Observed Flow Conditions			
Item	**DFINAL (in)**	**VFINAL (ft/s)**	**QFINAL (MGD - Total MG)**
Average	2.95	1.42	0.191
Minimum	1.13	0.21	0.007
Maximum	6.74	3.00	0.926
Min Time	11/15/2020 04:40:00	11/26/2020 05:10:00	10/26/2020 03:55:00
Max Time	11/24/2020 08:05:00	11/24/2020 08:05:00	11/24/2020 08:05:00

Based upon the quality and consistency of the observed flow depth and velocity data, the Continuity equation was used to calculate flow rate and quantities during the monitoring period.

Values in the Observed Flow Conditions and data on the graphical reports are based on the five-minute average.

DATA UPTIME

Data uptime observed during **Friday, October 23, 2020 to Saturday, November 28, 2020** is provided in the following table:

Percent Uptime	
DFINAL (in)	100
VFINAL (ft/s)	100
QFINAL (MGD - Total MG)	100

NCSD-58
(cont'd)

ADS ENVIRONMENTAL SERVICES® **ADS Site Report** **Quality Form**

Project Name:	Nipomo MKN TFM 2020	**City:** Nipomo	**Agency:** Nipomo	**FM Initials:** SK	
Site Name:	FM02	**Install Date:** 10/22/20	**Monitor Type**	Peak Doppler	
Address/Location:	525 S Oak Glen		**Monitor Model**	Triton +	
			Data Acquisition	Manual/Wireless Collect	
			Manhole ID		
Access: Drive	**Type of System:** Sanitary [X]	Storm [ ]	Combined [ ]	**Pipe Height:**	12.50 "
				Pipe Width:	12.75 "

Investigation Information:

Date/Time of Investigation:	10/22/20 @03:35pm
Site Hydraulics:	Good straight through flow
Upstream Input: (L/S, P/S)	--
Upstream Manhole:	Not Investigated
Downstream Manhole:	Not investigated
Depth of Flow:	3.25 " +/- 0.25"
Range (Air DOF):	+/-
Peak Velocity:	2.10 fps
Silt:	0.00 Inches

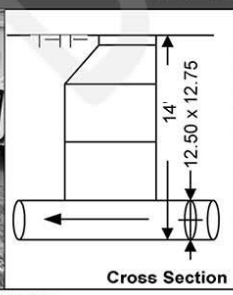
Manhole Information:

Manhole Depth:	14'				
Manhole Material / Condition	Precast/Good				
Pipe Material / Condition:	VCP/Good				
Land Use:	Residential [X]	Commercial [ ]	Industrial [ ]	Trunk [ ]	
Oxygen: 20.9	**H2S:** 0	**LEL:** 0	**CO:** 0		

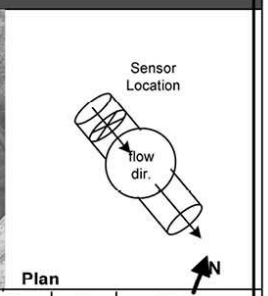
Safety Notes:
2 man crew required and one blower is to be operated at all times.

NCSD-58 (cont'd)

Other Information:



Cross Section



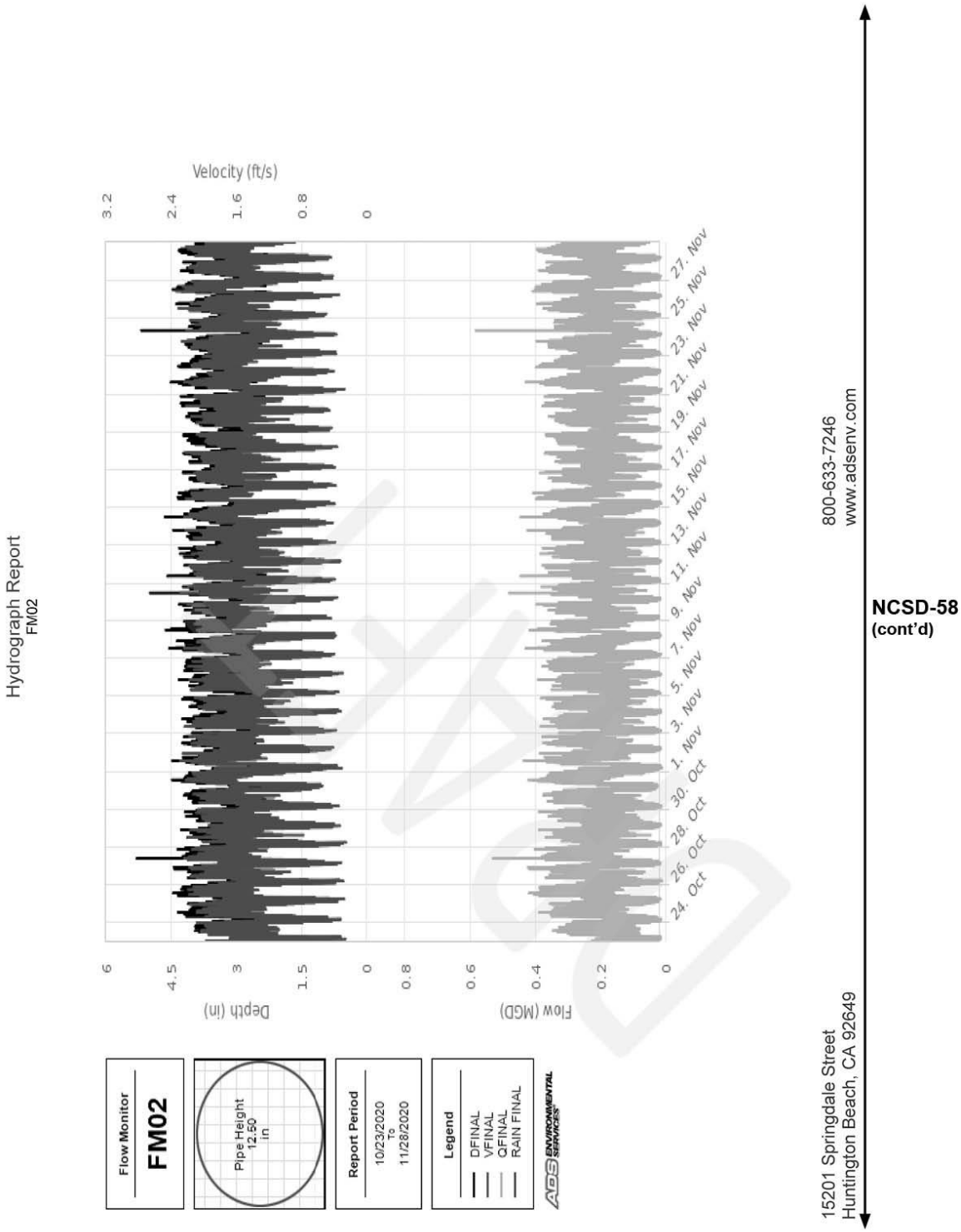
Plan

Installation Information		Backup	Yes	No	?	Distance
Installation Type:	Standard	Trunk	[ ]	[x]	[ ]	
Sensors Devices:	Ultrasonic/Velocity/Pressure	Lift / Pump Station	[ ]	[x]	[ ]	
Surcharge Height:	0	WWTP	[ ]	[x]	[ ]	
Rain Gauge Zone:		Other	[ ]	[X]	[ ]	

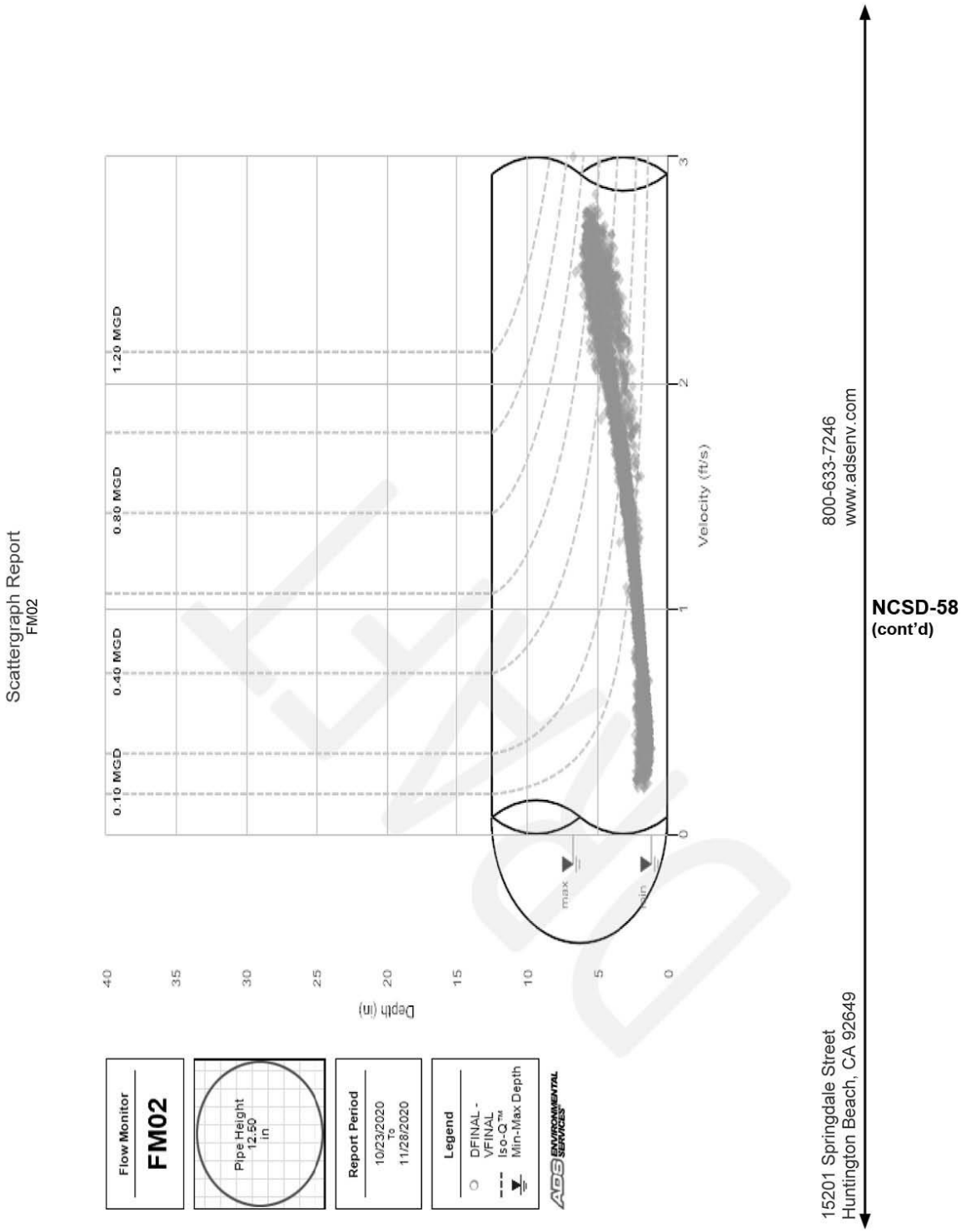
Additional Site Information / Comments:

Standard Traffic Control with No Safety Concerns

14



NCSD-58
(cont'd)



NCSD-58
(cont'd)

16

Daily Tabular Report

10/23/2020 00:00 - 11/28/2020 23:59
FM02Pipe: Elliptical (12.5 in H x 12.75 in W), Silt0.00 in

	DFINAL (in)					VFINAL (ft/s)					QFINAL (MGD - Total MG)						Rain (in)	RAIN FINAL (in)					
Date	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Total	Total						
10/23/2020	04:00	1.47	12:45	5.41	2.81	02:20	0.21	12:45	2.70	1.35	04:00	0.012	12:45	0.629	0.166	0.166	-	-	-	-	-	-	-
10/24/2020	01:25	1.41	13:35	5.97	3.00	04:00	0.23	12:55	2.71	1.38	03:55	0.009	13:35	0.689	0.192	0.192	-	-	-	-	-	-	-
10/25/2020	06:15	1.42	12:20	6.09	3.15	05:15	0.22	19:50	2.76	1.45	05:15	0.010	12:20	0.699	0.213	0.213	-	-	-	-	-	-	-
10/26/2020	04:05	1.27	19:40	6.04	2.98	03:55	0.23	18:45	2.76	1.40	03:55	0.007	18:45	0.705	0.194	0.194	-	-	-	-	-	-	-
10/27/2020	05:35	1.47	08:40	6.28	3.14	03:25	0.25	08:25	2.84	1.46	02:00	0.012	08:40	0.710	0.212	0.212	-	-	-	-	-	-	-
10/28/2020	02:30	1.38	20:10	5.82	2.99	05:10	0.21	11:00	2.70	1.38	02:30	0.009	20:10	0.644	0.189	0.189	-	-	-	-	-	-	-
10/29/2020	04:35	1.31	19:50	5.87	2.96	01:55	0.31	19:50	2.70	1.41	04:30	0.012	19:50	0.700	0.189	0.189	-	-	-	-	-	-	-
10/30/2020	02:35	1.27	20:55	5.93	2.90	03:10	0.31	18:40	2.75	1.38	03:05	0.010	20:55	0.694	0.184	0.184	-	-	-	-	-	-	-
10/31/2020	01:50	1.50	09:10	5.96	3.02	23:40	0.36	10:45	2.78	1.47	04:25	0.019	11:20	0.682	0.203	0.203	-	-	-	-	-	-	-
11/01/2020	04:55	1.31	10:05	5.93	2.93	03:30	0.29	08:05	2.74	1.42	03:30	0.009	13:45	0.672	0.192	0.192	-	-	-	-	-	-	-
11/02/2020	03:10	1.27	09:50	5.51	2.92	05:30	0.36	12:50	2.74	1.42	03:10	0.012	14:55	0.634	0.188	0.188	-	-	-	-	-	-	-
11/03/2020	03:20	1.24	18:05	6.04	2.88	03:35	0.35	08:05	2.67	1.40	03:25	0.011	18:05	0.703	0.184	0.184	-	-	-	-	-	-	-
11/04/2020	04:30	1.32	20:05	5.61	2.88	03:10	0.29	20:05	2.66	1.37	03:10	0.010	20:05	0.648	0.180	0.180	-	-	-	-	-	-	-
11/05/2020	02:30	1.30	13:10	5.53	2.91	04:00	0.28	08:10	2.59	1.36	02:30	0.010	19:50	0.609	0.177	0.177	-	-	-	-	-	-	-
11/06/2020	02:35	1.34	10:50	5.72	2.99	04:00	0.24	10:50	2.66	1.40	02:20	0.011	10:50	0.666	0.190	0.190	-	-	-	-	-	-	-
11/07/2020	03:15	1.28	09:25	5.86	3.09	03:20	0.31	11:35	2.72	1.45	03:15	0.010	12:50	0.672	0.204	0.204	-	-	-	-	-	-	-
11/08/2020	03:40	1.39	11:05	5.95	3.09	03:50	0.30	10:15	2.66	1.41	03:50	0.011	10:15	0.679	0.200	0.200	-	-	-	-	-	-	-
11/09/2020	05:15	1.34	18:10	5.81	3.00	01:25	0.35	11:40	2.62	1.47	05:10	0.014	18:10	0.658	0.195	0.195	-	-	-	-	-	-	-
11/10/2020	02:30	1.30	10:45	6.08	2.87	02:25	0.32	07:40	2.66	1.42	02:25	0.011	10:45	0.649	0.181	0.181	-	-	-	-	-	-	-
11/11/2020	01:50	1.25	08:20	5.97	2.92	03:00	0.33	17:50	2.76	1.44	03:00	0.011	17:50	0.690	0.191	0.191	-	-	-	-	-	-	-
11/12/2020	05:20	1.27	19:30	5.69	2.91	02:00	0.30	13:40	2.65	1.43	01:55	0.010	20:10	0.621	0.188	0.188	-	-	-	-	-	-	-
11/13/2020	03:25	1.19	18:30	5.59	2.91	03:20	0.34	18:30	2.75	1.43	03:25	0.009	18:30	0.669	0.187	0.187	-	-	-	-	-	-	-
11/14/2020	05:35	1.36	10:10	5.67	2.96	03:50	0.38	16:05	2.65	1.44	03:50	0.014	11:00	0.634	0.194	0.194	-	-	-	-	-	-	-
11/15/2020	04:40	1.13	17:30	5.86	3.00	05:00	0.30	17:30	2.76	1.46	04:30	0.010	17:30	0.713	0.201	0.201	-	-	-	-	-	-	-
11/16/2020	01:50	1.28	19:15	5.63	2.91	02:55	0.35	19:15	2.75	1.44	02:45	0.012	19:15	0.675	0.188	0.188	-	-	-	-	-	-	-
11/17/2020	03:25	1.26	08:10	5.64	2.92	02:25	0.36	19:25	2.66	1.43	02:25	0.011	19:25	0.633	0.185	0.185	-	-	-	-	-	-	-
11/18/2020	03:50	1.29	12:40	5.66	2.94	04:10	0.32	18:40	2.68	1.42	04:05	0.011	18:40	0.653	0.188	0.188	-	-	-	-	-	-	-
11/19/2020	03:00	1.29	20:05	5.65	2.89	04:25	0.37	11:20	2.63	1.38	03:25	0.013	20:05	0.618	0.178	0.178	-	-	-	-	-	-	-
11/20/2020	01:55	1.28	08:25	5.85	2.91	02:15	0.39	12:00	2.64	1.43	02:05	0.013	12:00	0.668	0.186	0.186	-	-	-	-	-	-	-
11/21/2020	04:05	1.28	12:05	5.79	2.90	05:25	0.25	16:50	2.69	1.41	05:20	0.010	12:05	0.668	0.185	0.185	-	-	-	-	-	-	-
11/22/2020	04:15	1.20	09:00	5.79	2.97	04:15	0.33	09:00	2.76	1.45	04:15	0.009	09:00	0.703	0.197	0.197	-	-	-	-	-	-	-
11/23/2020	02:10	1.37	17:35	5.46	2.94	05:00	0.34	11:10	2.70	1.44	02:10	0.012	17:35	0.611	0.189	0.189	-	-	-	-	-	-	-
11/24/2020	04:20	1.26	08:05	6.74	2.93	02:50	0.33	08:05	3.00	1.44	02:50	0.011	08:05	0.926	0.192	0.192	-	-	-	-	-	-	-
11/25/2020	02:00	1.31	08:55	5.83	2.93	05:10	0.45	08:55	2.74	1.46	05:10	0.014	08:55	0.705	0.194	0.194	-	-	-	-	-	-	-
11/26/2020	02:45	1.28	12:35	5.91	3.00	05:10	0.21	18:30	2.72	1.49	05:10	0.009	12:50	0.683	0.205	0.205	-	-	-	-	-	-	-
11/27/2020	05:05	1.25	12:15	5.90	2.88	01:35	0.27	17:40	2.73	1.42	05:00	0.011	12:15	0.706	0.187	0.187	-	-	-	-	-	-	-
11/28/2020	04:35	1.28	11:45	6.07	3.00	05:45	0.38	13:00	2.77	1.48	04:25	0.012	11:45	0.704	0.202	0.202	-	-	-	-	-	-	-

10/23/2020 00:00 - 11/28/2020 23:59

	DFINAL (in)	VFINAL (ft/s)	QFINAL (MGD - Total MG)	Rain (in)
Total			7.071	
Average	2.95	1.42	0.191	

NCSD-58 (cont'd)

15201 Springdale Street
Huntington Beach, CA 92649

800-633-7246
www.adsenv.com

FM03

Site Commentary

SITE INFORMATION

Pipe	Round (9.88 in H)
Silt	0.00 (in)

OVERVIEW

FM03 functioned under normal conditions during the period Friday, October 23, 2020 to Saturday, November 28, 2020. The flow pattern at this site exhibits frequent changes in both depth and velocity throughout the day. The saw-toothed like pattern indicates the influence of pump station activity. Review of the Scattergraph shows that free flow conditions were maintained throughout the monitoring period. No surcharge conditions were recorded. Flow in this line is subcritical.

Flow depth and velocity measurements recorded by the flow monitor are consistent with field confirmations conducted and support the relative accuracy of the flow monitor at this location.

Site FM03 along with FM02 was positioned upstream of FM01altB. (See FM01altB Site Commentary for Balancing Details).

OBSERVATIONS

Average flow depth, velocity, and quantity data observed during **Friday, October 23, 2020 to Saturday, November 28, 2020**, along with observed minimum and maximum data, are provided in the following table.

Observed Flow Conditions			
Item	**DFINAL (in)**	**VFINAL (ft/s)**	**QFINAL (MGD - Total MG)**
Average	2.25	1.14	0.074
Minimum	0.92	0.31	0.005
Maximum	4.12	1.83	0.248
Min Time	11/13/2020 05:15:00	11/05/2020 04:25:00	11/05/2020 04:25:00
Max Time	11/26/2020 09:55:00	11/26/2020 09:55:00	11/26/2020 09:55:00

Based upon the quality and consistency of the observed flow depth and velocity data, the Continuity equation was used to calculate flow rate and quantities during the monitoring period.

Values in the Observed Flow Conditions and data on the graphical reports are based on the five-minute average.

ADS ENVIRONMENTAL SERVICES®

NCSD-58 (cont'd)

18

DATA UPTIME

Data uptime observed during **Friday, October 23, 2020 to Saturday, November 28, 2020** is provided in the following table:

Percent Uptime	
DFINAL (in)	100
VFINAL (ft/s)	100
QFINAL (MGD - Total MG)	100

NCSD-58
(cont'd)

ADS ENVIRONMENTAL SERVICES® **ADS Site Report** **Quality Form**

Project Name:	Nipomo MKN TFM 2020	**City:** Nipomo	**Agency:** Nipomo	**FM Initials:** SK	
Site Name:	FM03	**Install Date:** 10/22/20	**Monitor Type**	Peak Doppler	
Address/Location:	Frontage Rd & Hill St		**Monitor Model**	Triton +	
			Data Acquisition	Manual/Wireless Collect	
			Manhole ID		
Access: Drive	**Type of System:** Sanitary [X]	Storm [ ]	Combined [ ]	**Pipe Height:**	10.88 "
				Pipe Width:	10.63 "

Investigation Information:

Date/Time of Investigation:	10/22/20 @04:40pm
Site Hydraulics:	Good straight through flow
Upstream Input: (L/S, P/S)	--
Upstream Manhole:	Not Investigated
Downstream Manhole:	Not investigated
Depth of Flow:	2.63 " +/- 0.25"
Range (Air DOF):	+/-
Peak Velocity:	1.54 fps
Silt:	0.00 Inches

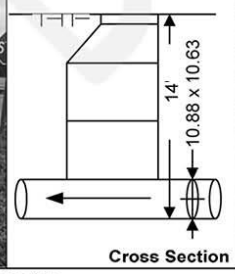
Manhole Information:

Manhole Depth:	14'				
Manhole Material / Condition	Precast/Good				
Pipe Material / Condition:	VCP/Good				
Land Use:	Residential [X]	Commercial [ ]	Industrial [ ]	Trunk [ ]	
Oxygen: 20.9	**H2S:** 0	**LEL:** 0	**CO:** 0		

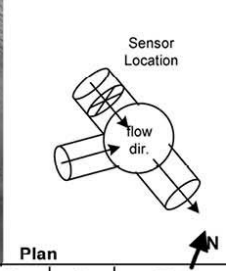
Safety Notes:
2 man crew required and one blower is to be operated at all times.

NCSD-58 (cont'd)

Other Information:



Cross Section



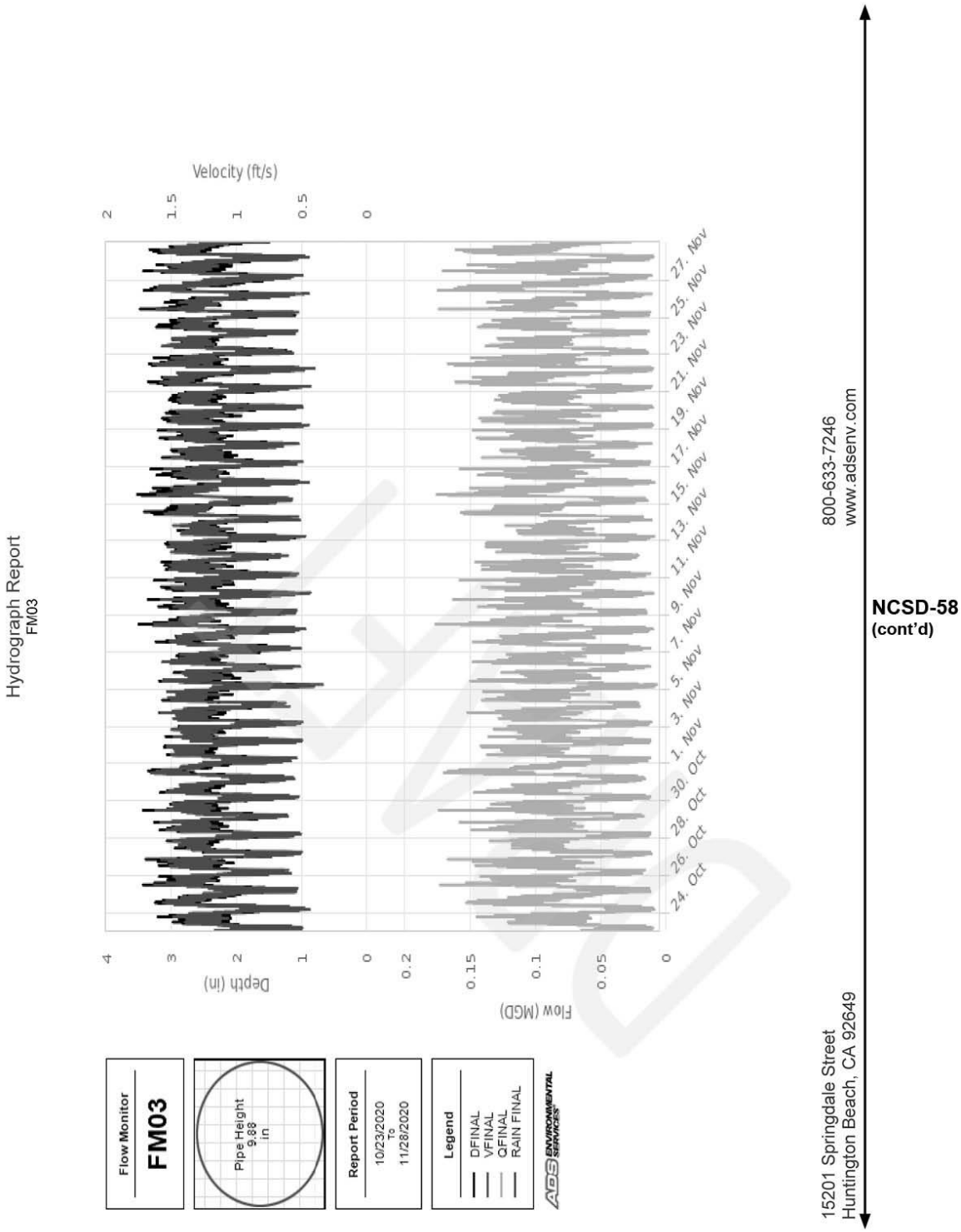
Plan

Installation Information		Backup	Yes	No	?	Distance
Installation Type:	Standard	Trunk	[ ]	[x]	[ ]	
Sensors Devices:	Ultrasonic/Velocity/Pressure	Lift / Pump Station	[ ]	[x]	[ ]	
Surcharge Height:	0	WWTP	[ ]	[x]	[ ]	
Rain Gauge Zone:		Other	[ ]	[X]	[ ]	

Additional Site Information / Comments:

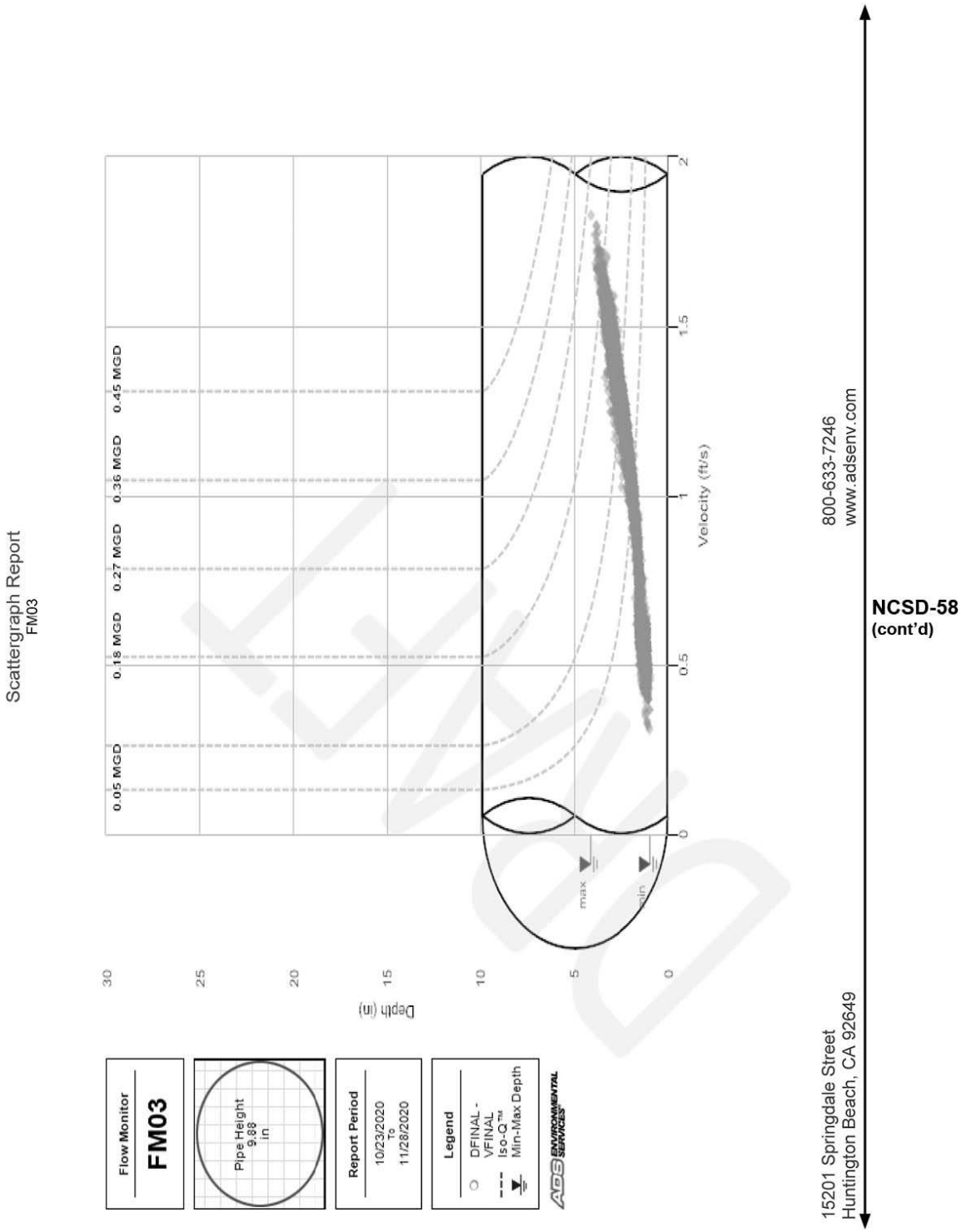
Standard Traffic Control with No Safety Concerns

20



NCSD-58
(cont'd)

21



NCSD-58
(cont'd)

22

Daily Tabular Report

10/23/2020 00:00 - 11/28/2020 23:59
FM03Pipe: Round (9.88 in H), Silt0.00 in

	DFINAL (in)					VFINAL (ft/s)					QFINAL (MGD - Total MG)						Rain (in)	RAIN FINAL (in)				
Date	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Time	Min	Time	Max	Avg	Total	Total					
10/23/2020	02:30	0.93	08:50	3.54	2.18	02:30	0.37	08:50	1.64	1.10	02:30	0.006	08:50	0.182	0.069	0.069	-	-	-	-	-	-
10/24/2020	02:50	0.99	13:15	3.71	2.21	02:45	0.42	13:15	1.70	1.12	02:25	0.008	13:15	0.201	0.073	0.073	-	-	-	-	-	-
10/25/2020	01:35	1.08	13:05	3.63	2.27	06:45	0.45	10:45	1.72	1.14	03:15	0.010	10:45	0.196	0.076	0.076	-	-	-	-	-	-
10/26/2020	06:10	1.18	19:50	3.83	2.29	23:40	0.54	19:50	1.75	1.16	06:10	0.013	19:50	0.216	0.076	0.076	-	-	-	-	-	-
10/27/2020	02:30	1.04	16:25	3.74	2.27	02:30	0.48	16:25	1.70	1.14	02:30	0.009	16:25	0.203	0.075	0.075	-	-	-	-	-	-
10/28/2020	05:35	1.07	19:30	3.63	2.25	04:30	0.48	19:30	1.72	1.16	05:35	0.010	19:30	0.197	0.075	0.075	-	-	-	-	-	-
10/29/2020	03:10	1.21	10:45	3.83	2.27	03:20	0.57	10:45	1.80	1.18	03:10	0.014	10:45	0.222	0.077	0.077	-	-	-	-	-	-
10/30/2020	02:15	1.08	10:55	3.55	2.23	02:10	0.50	10:55	1.65	1.15	02:15	0.010	10:55	0.184	0.074	0.074	-	-	-	-	-	-
10/31/2020	05:05	1.09	13:45	3.72	2.32	05:05	0.49	11:20	1.78	1.17	05:05	0.010	11:20	0.210	0.080	0.080	-	-	-	-	-	-
11/01/2020	02:35	1.08	10:45	3.67	2.29	06:20	0.51	16:40	1.63	1.17	02:25	0.011	10:45	0.188	0.078	0.078	-	-	-	-	-	-
11/02/2020	03:20	0.97	19:55	3.30	2.22	05:05	0.47	19:50	1.62	1.13	03:20	0.009	19:50	0.162	0.072	0.072	-	-	-	-	-	-
11/03/2020	04:30	1.04	16:45	3.41	2.21	02:30	0.44	16:45	1.66	1.14	02:25	0.009	16:45	0.174	0.072	0.072	-	-	-	-	-	-
11/04/2020	05:20	1.11	10:05	3.51	2.25	04:00	0.52	20:05	1.69	1.16	04:00	0.012	10:05	0.183	0.074	0.074	-	-	-	-	-	-
11/05/2020	04:20	0.96	09:35	3.54	2.16	04:25	0.31	09:35	1.68	1.11	04:25	0.005	09:35	0.186	0.069	0.069	-	-	-	-	-	-
11/06/2020	04:55	1.03	09:50	3.49	2.24	03:45	0.48	09:50	1.72	1.15	03:45	0.010	09:50	0.187	0.074	0.074	-	-	-	-	-	-
11/07/2020	03:30	1.13	09:55	3.58	2.24	03:45	0.47	09:55	1.72	1.15	03:30	0.011	09:55	0.194	0.074	0.074	-	-	-	-	-	-
11/08/2020	04:10	1.02	13:40	3.80	2.27	04:25	0.45	13:40	1.72	1.14	02:50	0.009	13:40	0.210	0.076	0.076	-	-	-	-	-	-
11/09/2020	00:30	1.04	19:30	3.55	2.24	04:00	0.43	19:30	1.65	1.13	04:00	0.009	19:30	0.183	0.072	0.072	-	-	-	-	-	-
11/10/2020	03:55	1.02	20:05	3.84	2.23	02:50	0.41	20:05	1.73	1.11	02:50	0.008	20:05	0.215	0.072	0.072	-	-	-	-	-	-
11/11/2020	04:15	1.05	19:40	3.91	2.25	05:15	0.51	19:40	1.77	1.13	05:00	0.010	19:40	0.224	0.074	0.074	-	-	-	-	-	-
11/12/2020	04:35	1.45	19:25	3.73	2.27	04:15	0.57	19:25	1.75	1.17	04:15	0.020	19:25	0.208	0.075	0.075	-	-	-	-	-	-
11/13/2020	05:10	0.92	07:40	3.27	2.17	05:20	0.43	07:40	1.71	1.12	05:10	0.007	07:40	0.170	0.069	0.069	-	-	-	-	-	-
11/14/2020	01:40	1.03	09:10	3.73	2.34	02:00	0.47	10:20	1.73	1.14	02:00	0.009	10:20	0.201	0.079	0.079	-	-	-	-	-	-
11/15/2020	02:35	1.10	11:50	3.87	2.36	02:40	0.55	11:50	1.69	1.14	02:35	0.012	11:50	0.211	0.080	0.080	-	-	-	-	-	-
11/16/2020	02:40	1.00	19:35	3.61	2.23	02:40	0.40	19:35	1.70	1.10	02:40	0.007	19:35	0.193	0.071	0.071	-	-	-	-	-	-
11/17/2020	05:05	1.04	10:20	3.50	2.19	04:55	0.46	10:20	1.64	1.11	04:55	0.009	10:20	0.179	0.070	0.070	-	-	-	-	-	-
11/18/2020	04:05	1.06	10:00	3.66	2.24	04:05	0.51	10:00	1.71	1.14	04:05	0.010	10:00	0.198	0.072	0.072	-	-	-	-	-	-
11/19/2020	02:40	1.02	08:55	3.51	2.25	04:30	0.43	19:55	1.64	1.14	02:40	0.009	08:55	0.179	0.075	0.075	-	-	-	-	-	-
11/20/2020	02:35	1.03	15:10	3.31	2.24	04:45	0.43	11:25	1.53	1.14	02:35	0.009	12:35	0.151	0.073	0.073	-	-	-	-	-	-
11/21/2020	04:05	1.06	15:40	3.84	2.28	06:20	0.42	15:40	1.80	1.17	06:25	0.009	15:40	0.222	0.078	0.078	-	-	-	-	-	-
11/22/2020	00:30	1.04	10:20	3.77	2.26	05:10	0.35	11:20	1.69	1.14	05:10	0.008	10:20	0.202	0.076	0.076	-	-	-	-	-	-
11/23/2020	00:10	1.10	09:45	3.28	2.20	00:40	0.47	09:45	1.70	1.15	00:10	0.010	09:45	0.169	0.072	0.072	-	-	-	-	-	-
11/24/2020	05:05	1.08	19:25	3.84	2.33	05:50	0.49	19:25	1.68	1.15	05:50	0.010	19:25	0.208	0.078	0.078	-	-	-	-	-	-
11/25/2020	02:25	1.05	09:50	3.77	2.33	02:30	0.50	09:50	1.64	1.15	02:30	0.010	09:50	0.198	0.078	0.078	-	-	-	-	-	-
11/26/2020	05:30	1.08	09:55	4.12	2.25	05:45	0.42	09:55	1.83	1.15	05:15	0.009	09:55	0.248	0.076	0.076	-	-	-	-	-	-
11/27/2020	00:00	1.04	19:00	3.56	2.22	04:55	0.46	19:00	1.65	1.14	04:55	0.009	19:00	0.184	0.073	0.073	-	-	-	-	-	-
11/28/2020	05:50	0.98	14:35	3.69	2.22	04:45	0.44	14:35	1.73	1.14	05:55	0.008	14:35	0.202	0.075	0.075	-	-	-	-	-	-

NCSD-58 (cont'd)

10/23/2020 00:00 - 11/28/2020 23:59

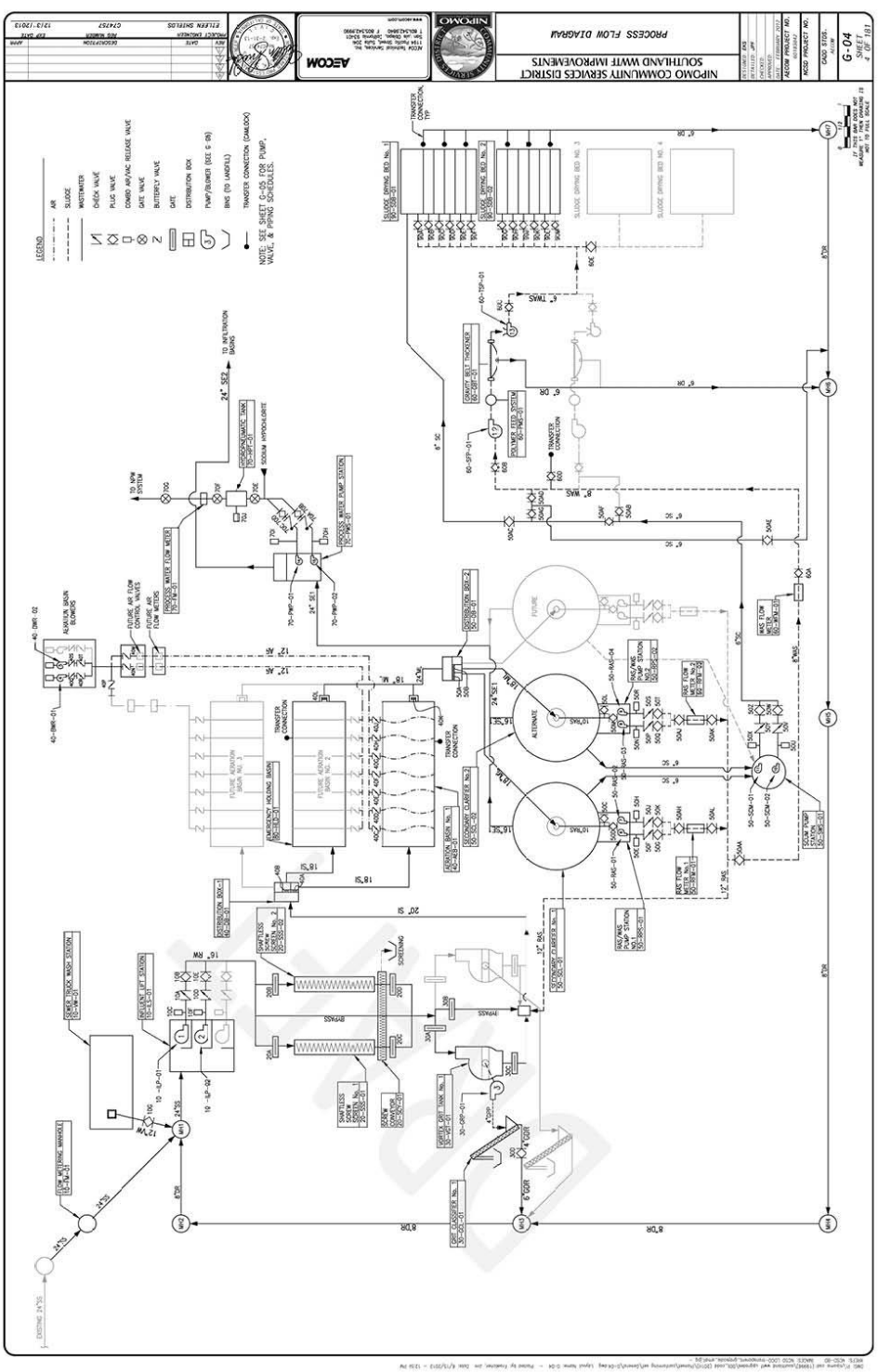
	DFINAL (in)	VFINAL (ft/s)	QFINAL (MGD - Total MG)	Rain (in)
Total			2.752	
Average	2.25	1.14	0.074	

15201 Springdale Street
Huntington Beach, CA 92649

800-633-7246
www.adsenv.com

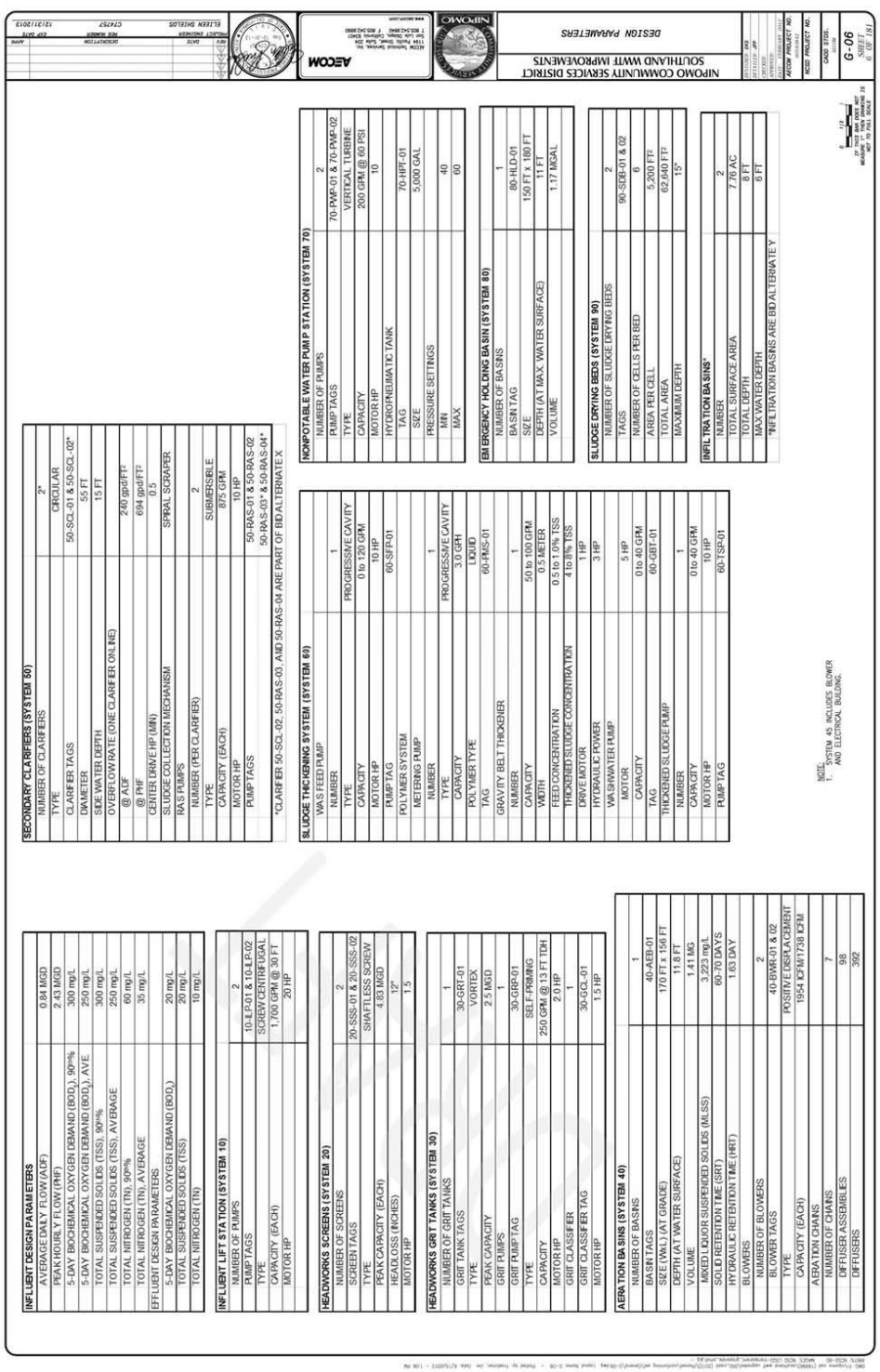
APPENDIX B

NCSD-58
(cont'd)



NCSD-58
(cont'd)

NCSD-58
(cont'd)



APPENDIX C

NCSD-58
(cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Recommended: New 16-Inch Main on North Oak Glen Drive and Tefft Street
OPINION OF PROBABLE PROJECT COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization/Demobilization	1	LS	$313,000	$313,000
2	Stormwater Pollution Prevention Plan	1	LS	$60,000	$60,000
3	Environmental mitigation measures and permits	1	LS	$40,000	$40,000
4	Traffic Control	14,900	LF	$10	$149,000
5	Furnish and install 16-inch diameter AWWA DIP pipe and appurtenances within paved streets	15,200	LF	$320	$4,864,000
6	Furnish and install 30-inch diameter steel casing pipe via trenchless installation with 16-inch diameter AWWA DIP pipe	300	LF	$1,800	$540,000
7	Pipe connections to existing system (valves and tee)	13	EA	$24,000	$312,000
8	Install service lateral and connect to existing water meters	38	EA	$4,000	$152,000
9	Install air release valve	9	EA	$5,000	$45,000
10	Install hydrant lateral and connect to existing hydrant	10	EA	$9,000	$90,000
				Subtotal	$6,565,000
	Administration, Engineering, and Construction Management			30%	$1,970,000
	Construction Contingency			30%	$1,970,000
	Estimated Total Project Cost (Rounded)				$10,510,000

Notes:
1. Pipeline installation costs include pavement removal/ restoration and pipeline disinfection.
2. Service replacement based on number of parcels along frontage of pipeline alignment. Final estimate to be determined during design
3. Number of hydrant laterals to be reconnected based on District GIS

MKN Associates, Inc. 1/10/2022 Page 1

NCSD-58
(cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Willow Road End of Line Connection
OPINION OF PROBABLE PROJECT COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization/Demobilization	1	LS	$8,000	$8,000
2	Traffic Control	500	LF	$10	$5,000
3	Furnish and install 12-inch diameter AWWA C900 PVC pipe and appurtenances within paved streets	500	LF	$250	$125,000
4	Pipe connections to existing system (valves and tee)	2	EA	$12,000	$24,000
				Subtotal	$162,000
	Administration, Engineering, and Construction Management			30%	$49,000
	Construction Contingency			30%	$49,000
				Estimated Total Project Cost	$260,000

Notes:
1. Pipeline installation costs include pavement removal/ restoration and pipeline disinfection.

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
New 1.0 MG Reservoir at Foothill Tank Site
OPINION OF PROBABLE PROJECT COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization (5%)	1	LS	$117,000	$117,000
2	Earthwork	1	LS	$100,000	$100,000
3	Demolition and Site Preparation	1	LS	$30,000	$30,000
4	New 1.0 MG Welded Steel Reservoir	1000000	Gal	$1.25	$1,250,000
5	Tank Foundation and Anchorage	1	LS	$250,000	$250,000
6	Disinfection Booster Facility	1	LS	$200,000	$200,000
7	Piping and Valves	1	LS	$300,000	$300,000
8	Electrical (Allowance)	1	LS	$100,000	$100,000
9	Instrumentation and Controls (Allowance)	1	LS	$100,000	$100,000
				Subtotal	$2,447,000
	Administration, Engineering, and Construction Management			30%	$735,000
	Construction Contingency			30%	$735,000
	Estimated Total Project Cost (Rounded)				$3,920,000

NCSD-58
(cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
New 0.5 MG Reservoir at Joshua Road Pumping Station
OPINION OF PROBABLE PROJECT COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	Amount
1	2016 Cost Estimate	1	LS	$2,500,000	$2,500,000
2	ENR Adjustment				$471,693
				Subtotal	$2,971,693
	Administration, Engineering, and Construction Management			30%	$892,000
	Construction Contingency			30%	$892,000
				Estimated Total Project Cost (Rounded)	$4,760,000

Notes:
1. Construction cost opinion was escalated from Jan 2016 estimate to September 2021 using the ENR-CCI LA cost index (Jan 2016 = 11,115.28 to Sep 2021 = 13,212.48).

NCSD-58
(cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Alternative: New 16-Inch Main from Foothill Tanks to Sandydale
OPINION OF PROBABLE PROJECT COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization/Demobilization	1	LS	$254,000	$254,000
2	Stormwater Pollution Prevention Plan	1	LS	$60,000	$60,000
3	Environmental mitigation measures and permits	1	LS	$40,000	$40,000
4	Traffic Control	13,200	LF	$10	$132,000
5	Furnish and install 16-inch diameter AWWA DIP pipe and appurtenances within paved streets	13,500	LF	$320	$4,320,000
6	Furnish and install 30-inch diameter steel casing pipe via trenchless installation with 16-inch diameter AWWA DIP pipe	300	LF	$1,800	$540,000
7	Pipe connections to existing system (valves and tee)	2	EA	$24,000	$48,000
8	Install air release valve	5	EA	$5,000	$25,000
				Subtotal	$5,419,000
				Administration, Engineering, and Construction Management 30%	$1,626,000
				Construction Contingency 30%	$1,626,000
				Estimated Total Project Cost (Rounded)	$8,680,000

Notes:
1. Pipeline installation costs include pavement removal/ restoration and pipeline disinfection.

NCSD-58
(cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Offsite Wastewater Collection System Improvements
OPINION OF PROBABLE CONSTRUCTION COST - PLANNING

Item	Description	Quantity	Unit	Unit Price	ENR Adjustment	Amount (Rounded)
1	Mobilization/Demobilization	1	LS	$93,920	1.09	$103,000
2	Stormwater Pollution Prevention Plan	1	LS	$60,000	1.09	$66,000
3	Environmental mitigation measures and permits	1	LS	$40,000	1.09	$44,000
	Upgrade Frontage Road 15-in Gravity Sewer Main					
4	15-in Gravity Sewer	3500	LF	$250	1.09	$955,000
5	Precast Manholes w/Coating	12	EA	$20,000	1.09	$262,000
6	Laterals	5	EA	$3,000	1.09	$17,000
7	Traffic Control/Regulation	3500	LF	$12	1.09	$46,000
8	Pavement Repair (Full Lane Width)	1	LS	$147,000	1.09	$161,000
9	Abandon Existing Sewerline & Manholes	3500	LF	$10	1.09	$39,000
	Upgrade Frontage Road 18-in Gravity Sewer Main					
10	18-in Gravity Sewer	1200	LF	$280	1.09	$367,000
11	Precast Manholes w/Coating	4	EA	$20,000	1.09	$88,000
12	Laterals	10	EA	$3,000	1.09	$33,000
13	Traffic Control/Regulation	1200	LF	$12	1.09	$16,000
14	Pavement Repair (Full Lane Width)	1	LS	$52,000	1.09	$57,000
15	Abandon Existing Sewerline & Appurtenances	1200	LF	$10	1.09	$14,000
				Subtotal		$2,268,000
	Administration, Engineering, and Construction Management			30%		$681,000
	Construction Contingency			30%		$681,000
	Estimated Total Project Cost (rounded)					$3,630,000

Notes:
1. Lateral replacement based on number of parcels along frontage of pipeline alignment. Final estimate to be determined during design.

2. Construction cost opinion was escalated from July 2019 Blacklake Consolidation Study Engineering Report (MKN) to September 2021 using the ENR-CCI LA cost index (June 2019 = 12113.16 to Sep 2021 = 13212.48).

NCSD-58 (cont'd)

MKN Associates, Inc. 1/10/2022 Page 6

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Wastewater Treatment Plant Improvements
Basis for Unit Process Costs (Planning-Level)

OPINION OF PROBABLE CAPITAL COST

Item	Description	Unit	Unit Price	Quantity	ENR Adjustment*	Amount
GRIT REMOVAL SYSTEM						
1	Grit Removal Equipment	EA	$162,000	1	1.28	$207,800
2	Civil	LS	$73,000	1	1.28	$93,600
3	Structural	LS	$97,000	1	1.28	$124,400
4	Electrical	LS	$9,000	1	1.28	$11,500
5	Instrumentation	LS	$4,000	1	1.28	$5,100
	Subtotal					$442,400
BIOLAC WAVE OXIDATION SYSTEM - BASIN						
1	BioLac Equipment	EA	$628,000	1	1.28	$805,600
2	Civil	LS	$86,000	1	1.28	$110,300
3	Structural	LS	$179,000	1	1.28	$229,600
4	Electrical	LS	$18,000	1	1.28	$23,100
5	Instrumentation	LS	$3,000	1	1.28	$3,800
	Subtotal					$1,172,400
BIOLAC WAVE OXIDATION SYSTEM - BASIN 3						
1	BioLac Equipment	EA	$628,000	1	1.28	$805,600
2	Civil	LS	$344,000	1	1.28	$441,300
3	Structural	LS	$179,000	1	1.28	$229,600
4	Electrical	LS	$18,000	1	1.28	$23,100
5	Instrumentation	LS	$3,000	1	1.28	$3,800
	Subtotal					$1,503,400
BLOWER BUILDING						
1	Civil	LS	$89,000	1	1.28	$114,200
2	Structural	LS	$267,000	1	1.28	$342,500
3	Electrical	LS	$286,000	1	1.28	$366,900
4	Instrumentation	LS	$140,000	1	1.28	$179,600
	Subtotal					$1,003,200
SECONDARY CLARIFIER						
1	Clarifier Equipment	EA	$203,000	1	1.28	$260,400
2	RAS/WAS Pump Equipment	EA	$33,000	2	1.28	$84,700
3	RAS/WAS Flow Meter	EA	$11,000	1	1.28	$14,100
4	Scum Pump Equipment	EA	$69,000	1	1.28	$88,500
5	Civil	LS	$440,000	1	1.28	$564,400
6	Structural	LS	$740,000	1	1.28	$949,200
7	Electrical	LS	$39,000	1	1.28	$50,000
8	Instrumentation	LS	$25,000	1	1.28	$32,100
	Subtotal					$2,043,400
SLUDGE THICKENING SYSTEM						
1	Sludge Thickening Equipment	EA	$255,000	1	1.28	$327,100
2	Flow Meter	LS	$9,000	1	1.28	$11,500
3	Civil	LS	$93,000	1	1.28	$119,300
4	Structural	LS	$77,000	1	1.28	$98,600
5	Electrical	LS	$28,000	1	1.28	$35,900
6	Instrumentation	LS	$16,000	1	1.28	$20,500
	Subtotal					$612,900

Cost opinions were estimated by averaging bids from the District's 2012 Southland Wastewater Treatment Improvements Project. Construction cost opinion was escalated from May 2012 to September 2021 using the ENR-CCI LA cost index. May 2012 (10300.05) and Sep 2021 (13212.48) values were used to escalate estimated cost to present value.

SLUDGE DEWATERING SCREW PRESS

1	Screw Press, Building, Structural, Mechanical, Electrical, and Instrumentation	EA	$1,037,022	1	1.10	$1,135,900

Cost opinions were estimated by averaging bids from the District's 2020 Southland Wastewater Treatment Facility Dewatering Screw Press Project. Constructior cost opinion was escalated from September 2020 to September 2021 using the ENR-CCI LA cost index. September 2020 (12062.34) and Sep 2021 (13212.48) values were used to escalate estimated cost to present value.

NCSD-58 (cont'd)

Nipomo Community Services District
Dana Reserve Water and Wastewater Evaluation
Wastewater Treatment Plant Improvements Under Future Permit Requirements
OPINION OF PROBABLE CONSTRUCTION COST - PLANNING

Planning Level Project Cost - Southland WWTF Improvements to Meet Existing Demands with Dana Reserve					
Item	**Description**	**Quantity**	**Unit**	**Unit Price**	**Amount (Rounded)**
1	Mobilization (5% of Items 2 through 9)	1	LS	$474,700	$475,000
2	General Site Grading and Paving (4% of Items 4 through 9)	1	LS	$293,172	$294,000
3	General Site Civil (10% of Items 4 through 9)	1	LS	$732,930	$733,000
4	Influent Lift Station Pump Improvements	1	LS	$50,000	$50,000
5	New Grit Chamber System	1	LS	$442,400	$443,000
6	New Aeration Basin #2 and #3	1	LS	$2,675,800	$2,676,000
7	New Blower Building and Blower System Improvements	1	LS	$1,504,800	$1,505,000
8	New Clarifier and RAS Pumping Improvements	1	LS	$2,043,400	$2,044,000
9	New Sludge Thickening System	1	LS	$612,900	$613,000
10	New Screw Press	1	LS	$1,135,900	$1,136,000
	Subtotal				$9,969,000
	Construction Contingency			30%	$2,991,000
	Engineering, Administrative, and Construction Management Allowance			30%	$2,991,000
				Total	***$15,960,000***

ENR (LA) September 2021 = 13212.48

NCSD-58
(cont'd)

9.2.10.1 Response to Letter from Nipomo Community Services District (via RWG Law)

Comment No.	Response
NCSD-1	The comment refers to ES-1 and states that the 22.3 acres shown for "Village and Flex Commercial" zones is not consistent with the 18.9 acres of commercial development evaluated in NCSD's Water and Wastewater Service Evaluation for the project dated March 30, 2022. The comment also clarifies that the NCSD's March 30, 2022 Water and Wastewater Service Evaluation superseded the February 7, 2022 version that was included in the Draft EIR as Appendix H. The most current March 30, 2022, Water and Wastewater Service Evaluation has been added to Appendix H.
NCSD-2	The comment recommends minor additions/revisions to the Project Objectives. These revisions have been incorporated for the stated project objectives in the *Executive Summary*; Chapter 2, *Project Description*; and Chapter 5, *Alternatives Analysis*, of the EIR.
NCSD-3	The comment requests Mitigation Measure AES/mm-3.1 be revised to refer to the to the numerical oak tree replacement ratios required in BIO/mm-18.2. Mitigation Measure AES/mm-3.1 has its own performance standard identified, which is that the planting must be sufficient to achieve a minimum of 50% visual screening. In addition, AES/mm-3.1 requires that all existing trees be preserved within the Visual Screening Zone, whereas BIO/mm-18.2 provides mitigation requirements for oaks to be removed or impacted. Therefore, BIO/mm-18.2 may not apply to oaks within the Visual Screening Zone. No changes to the EIR have been made in response to this comment.
NCSD-4	The comment notes that reclaimed water is not available from the NCSD and suggests minor edits to Mitigation Measure AQ/mm-3.2 to require the use of approved dust suppressants instead of water if feasible instead of requiring the contractor to "consider the use of an approved dust suppressant". The fact that reclaimed (recycled) water is not currently available from the NCSD is stated in 2.5.3.4.2 of the EIR. Mitigation Measure AQ/mm-3.2 has been revised to state "…the contractor or builder shall require the use of a San Luis Obispo Air Pollution Control District-approved dust suppressant where feasible to reduce the amount of water used for dust control." This revision has been incorporated in the *Executive Summary* and Section 4.3, Air Quality, in the EIR. In addition, Mitigation Measure AQ/mm-3.1 requires preparation of a Construction Activity Management Plan (CAMP), which is required to include a dust-control management plan and other requirements to maximize dust control.
NCSD-5	The comment suggests Mitigation Measure BIO/mm-1.1 be clarified to apply to both off-site improvements and the Specific Plan Area. Mitigation Measure BIO/mm-1.1 has been revised to clarify it would apply to both on-site and off-site improvement areas. This revision has been incorporated in the *Executive Summary* and Section 4.4, *Biological Resources*, in the EIR. Note that (1) the Specific Plan Area, (2) the off-site North Frontage Road Extension Parcel, and (3) the location of off-site transportation, water, and wastewater improvements were all evaluated under separate subheadings in the Biological Resources section of the EIR (Section 4.4). BIO/mm-1.1 is in a section evaluating potential impacts in the Specific Plan Area, but was also made a requirement for the off-site North Frontage Road Extension Parcel and the off-site transportation, water, and wastewater improvements through BIO Impact 10 (North Frontage Road Extension Parcel) and BIO Impact 11 (off-site transportation, water, and wastewater improvements). The *Executive Summary* also reflects BIO/mm-1.1 applying to the Specific Plan Area in Table ES-1, *Summary of Impacts and Mitigation Measures*. The reference to "BIO/mm 1" under the discussion of BIO Impact 11 has also been corrected to "BIO/mm-1.1".
NCSD-6	The comment asks whether the mitigation activities discussed under BIO Impacts 11-13 would require permits from CDFW and/or USFWS and, if so, suggests the measures should specify that requirement and that the applicant would be required to obtain them. BIO Impact 11 relates to monarch butterfly, sharp-shinned hawk, Cooper's hawk, white-tailed kite, and other nesting birds. Monarch butterfly is a federal candidate species; impacts to federal candidate species do not require a take permit from the USFWS. Monarch butterfly is not a state candidate species, it is only a CDFW Special Animal. Therefore, it would also not currently require a take permit from CDFW. However, if monarch butterfly are reclassified as a state candidate species in the future, a take permit would be required from CDFW in the event of potential take (CDFW requires take permits for candidate species, while USFWS does not). White-tailed kite is a fully protected species; you cannot take the species or get a permit allowing take of the species. White-tailed kite are unlikely to nest in the off-site improvement area; however, if they are found, the only remedy is to wait until they leave on their own accord. The other species discussed under this impact are watch species and only protected by the Migratory Bird Treaty Act (MBTA); therefore, no permit would be required from CDFW or USFWS.

Comment No.	Response
	BIO Impact 12 relates to California red-legged frog (CRLF), western pond turtle, and two-stiped gartersnake. CRLF is very unlikely to occur in this portion of Nipomo Creek or the other off-site improvement areas; therefore, the EIR did not identify the need for a take permit and it is not likely to be required. However, no protocol level surveys were conducted to conclusively rule out any potential for CRLF to occur in the project area; therefore, the EIR conservatively required pre-construction surveys and, in the event a CRLF is found, a requirement that all work cease and the USFWS be consulted. Mitigation Measure BIO/mm-12.1 has been revised to clarify that, in the unlikely event a permit is required from USFWS, the applicant would be required to obtain the permit. It should also be noted that the project will likely require a Lake and Streambed Alteration Agreement (LSAA) from CDFW for boring under Nipomo Creek; this requirement is noted in BIO/mm-17.2. The LSAA may include requirements to avoid impacts to CRLF. Western pond turtle and two-striped gartersnake are CDFW Species of Special Concern. The off-site areas provide only marginally suitable habitat for these species, but their potential to occur cannot be ruled out entirely. CDFW Species of Special Concern do not require a permit from CDFW; therefore, if found, these species can be relocated without a take permit. However, CDFW may require avoidance measures as a requirement of their LSAA. BIO Impact 13 relates to least Bell's vireo and southwestern willow flycatcher. Both species are state and federally protected but are highly unlikely to occur in the project area. If they are found nesting in the project area, CDFW and USFWS would need to be contacted. The requirement for a take permit would depend on the situation (how far away is the nest, what construction activities are occurring near it, etc.). Mitigation Measure BIO/mm-13.1 has also been clarified to reflect that the applicant, in coordination with the NCSD, would be responsible for facilitating any necessary coordination with CDFW or USFWS with regard to any state or federally listed species.
NCSD-7	The comment requests Mitigation Measures BIO/mm-12.1 and 13.1 be revised to provide that the studies, project biologist's work, relocation, nesting bird surveys, other mitigations and their costs, permit costs, and costs of avoidance are all the applicant's responsibility. The applicant and NCSD would need to negotiate the responsibility of compliance with mitigation measures at the time the offsite improvements are constructed. CEQA does not require mitigation measures to name the individual(s) responsible for that mitigation; however, minor clarifications have been made throughout the EIR to indicate that mitigation responsibilities for off-site water and wastewater improvements would be complied with by the applicant, in coordination with the NCSD. No other changes are required in response to this comment.
NCSD-8	The comment requests Mitigation Measures BIO/mm-16.1, 17.1, 17.2, 17.3, and 19.1 be revised to reflect that all compliance obligations would be made at the applicant's cost. Refer to Response to Comment NCSD-7.
NCSD-9	The comment requests that BIO/mm-17.1 and 17.2 be revised to clarify that all requirements listed for NCSD shall be the applicant's expense. Please refer to response to comment NCSD-7.
NCSD-10	The comment requests that Mitigation Measure CR/mm-1.1 and all Cultural Resource mitigation measures be revised to clarify that the applicant will responsible for all associated costs. Refer to Response to Comment NCSD-7.
NCSD-11	The comment requests that Mitigation Measures GEO/mm-8.1 through 8.3 be revised to reflect that the applicant will be responsible for all associated costs. Refer to Response to Comment NCSD-7.
NCSD-12	The comment refers to Mitigation Measure N/mm-1.1 and states that construction of off-site NCSD improvements may require night construction activities between the hours of 10 p.m. and 6 a.m. to avoid impacts to customers and systems associated with the connection of water and wastewater improvements to existing NCSD systems. The comment states that under County LUO Section 22.10.120(A)(7), the noise and construction hour limitations do not apply to NCSD's work on the maintenance or modification of its facilities. Noise Impact 2 in the EIR has been revised to clarify that construction of off-site NCSD improvements may require night construction activities between the hours of 10 p.m. and 6 a.m. to avoid impacts to customers and systems associated with the connection of water and wastewater improvements to existing NCSD systems. The discussion of County LUO Section 22.10.120(A)(7) in the EIR has been revised to clarify that the noise and construction hour limitations do not apply to NCSD's work on the maintenance or modification of its facilities. Mitigation Measure N/mm-1.1 has been revised to clarify nighttime work would be allowed pursuant to approval through County LUO Section 22.10.120(A)(7).
NCSD-13	The comment refers to the analysis under Noise Impact 2 and reiterates the applicability of the County's LUO to NCSD's maintenance activities. Please refer to response to comment NCSD-12.

Comment No.	Response
NCSD-14	The comment refers to Impact PS 1 and states Mitigation Measure PS/mm-1 should be labeled in the chart and suggests as drafted, the mitigation measure is inadequate to support the conclusion that the project's impact on the need for fire services will be mitigated. CEQA is focused on physical changes to the environment; therefore, this impact discussion focuses on the potential for adverse physical changes to the environment resulting from the construction of new or expanded facilities. PS/mm-1.1 has been labeled in the *Executive Summary*. Please see Master Response MR-2, Public Facilities Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.
NCSD-15	The comment refers to Mitigation Measure WF/mm-3.1 and states NCSD will require vehicular access for NCSD vehicles for all NCSD-maintained water and sewer improvements located in any easement or open space area. Mitigation Measure WF/mm-3.1 would not prohibit NCSD access to NCSD-maintained water and sewer improvements located in any easement or open space area. A reference to the Nipomo Community Services District has been added to WF/mm-3.1 to ensure the master HOA coordinates with the NCSD prior to adoption of the Covenants, Conditions, and Restrictions.
NCSD-16	The comment suggests Mitigation Measure USS/mm-3.1 should be revised to require the NCSD's "approval" rather than "affirmative concurrence" pursuant to the findings required under NCSD's annexation policy and standards for new water and wastewater services. Mitigation Measure USS/mm-3.1 has been revised to require the NCSD's "approval" rather than "affirmative concurrence". This revision has been incorporated in the *Executive Summary* and Section 4.19, Utilities and Service Systems, in the EIR.
NCSD-17	The comment requests that the "adequacy" of potable water supply be added to Section 6, *Areas of Controversy*, although NCSD's evaluation shows that there is sufficient water supply available to serve the project, as detailed in the correct version of Appendix H. Section 6, *Areas of Controversy*, in the *Executive Summary* has been revised to also include the adequacy of the potable water supply as an area of controversy.
NCSD-18	The comment suggests Alternative 5 may reduce impacts to public services, including water and wastewater, and refers to more detailed comments on the Alternatives Analysis later in the comment letter. As discussed in Chapter 5, *Alternatives Analysis*, impacts related to public services and utilities and service systems were determined to be similar to those identified for the proposed project. Although development and population growth would be marginally reduced by roughly 306 units and 700 people under Alternative 5 in comparison to the proposed project, including associated demands on water and wastewater services, this level of growth would still be substantial. Based on this population increase, this alternative would increase demand on public services and facilities in a manner that is generally consistent with the proposed project. Although, this alternative would result in less residential development, the scale and level of growth associated with this alternative would still be significant. As such, Alternative 5 would result in a slightly reduced, but similar increase in demand on water and wastewater services from the NCSD. No changes to the Draft EIR are required in response to this comment. This comment is noted and will be forwarded to County decision makers for review and consideration.
NCSD-19	The comment suggest minor edits to the description of off-site water and wastewater improvements in Section 2.2.1.2.2. These revisions have been incorporated in Chapter 2, Project Description, and Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-20	The comment suggest minor clarifications to the description of off-site wastewater system improvements. This revision has been incorporated into footnotes 3 and 6 in Chapter 2, *Project Description*, in the EIR.
NCSD-21	The comment refers to Section 2.5.2 and suggests revising the text to note that a responsible agency could also be required to make consistency determinations relating to this EIR, not just the County. This revision has been incorporated in Section 2.5.2 of Chapter 2, *Project Description*, in the EIR.
NCSD-22	The comment asks if ADU estimates are included in the number of units listed in Table 2-5 in Chapter 2, *Project Description*. As stated in footnote 3 for Table 2-5, Accessory Dwelling Units (ADUs) would be allowable and would not count towards lot coverage. Table 2-5 does not specify a specific number of units; ADUs are not included in the unit counts in Table 2-4.

Comment No.	Response
NCSD-23	The comment recommends minor additions to text in Section 2.5.3.4.3 and Figures 2-20, 2-21, and 2-22 to note that all water and sewer lines dedicated to, and accepted by, NCSD must be located within public streets or dedicated property. Section 2.5.3.4.3 has been revised to specify that all water and sewer lines dedicated to, and accepted by, NCSD must be located within public streets or dedicated property. No other changes to the EIR are necessary.
NCSD-24	The comment requests minor clarifications to Section 2.5.3.4.4, *Off-Site NCSD Improvements*, for item 2 under *Off-Site Wastewater System Improvements*. This revision has been incorporated in Chapter 2, *Project Description,* in the EIR.
NCSD-25	The comment identifies a clarification needed in Table 2-11. Table 2-11 has been revised to reflect a total of 198 units in NBD 9.
NCSD-26	The comment identifies minor clarifications needed in Table 2-11 to correctly reflect the total number of multi-family units in NBDs 1, 2, and 10 to be constructed.
NCSD-27	The comment identifies appropriate updates and corrections/additions to the status of the annexation process. Section 2.5.6 in Chapter 2, Project Description, in the EIR has been revised to incorporate this additional information.
NCSD-28	The comment requests a description of NCSD's District Code and Annexation Policy be added to the Environmental Setting section of the EIR. Section 3.2.1.10 has been revised to reference the NCSD District Code and its Annexation Policy in Chapter 3, Environmental Setting, in the EIR.
NCSD-29	The comment requests that all mitigation measures that may be applicable to off-site improvements or work done by or with NCSD in connection with the project should be revised as necessary to clarify that all work required by that measure will be at the applicant's expense. Please refer to response to comments NCSD-7 through NCSD-10.
NCSD-30	The comment reiterates comments pertaining to potential biological impacts of off-site improvements in the area of Nipomo Creek, including in Section 4.4.1.3.3, specifically the location of NCSD improvements in relation to Nipomo Creek. Please refer to response to comment NCSD-8, which requires a wetland delineation be prepared for work in proximity to potentially jurisdictional areas to facilitate avoidance of potential impacts.
NCSD-31	The comment suggests the wetland delineation for off-site improvements should be completed prior to certification of the EIR and that, at a minimum, the EIR should specify that the wetland delineation for the off-site improvements must be completed at the applicant's expense and prior to the NCSD's consideration of any annexation application. As discussed in Chapter 2, *Project Description*, off-site improvements have not been designed and their precise location is not currently known. However, all water system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Each of these improvements is evaluated at a programmatic level in the EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*. While a wetland delineation could be completed at this time, it is not necessary for the programmatic evaluation of the off-site improvements. Site conditions that inform the delineation (regulatory requirements, high water marks, vegetation types/locations, etc.) change over time; therefore, a delineation completed now may not be valid at the time future off-site improvements are constructed. It is assumed, based on the current understanding of needed off-site improvements, that jurisdictional areas could easily be avoided during future construction of off-site improvements. The wetland delineation is needed at the time of construction to identify more specifically the exact location of jurisdictional areas, so the NCSD can confirm construction techniques and location are designed to avoid any potential impacts. In the event jurisdictional areas can't be avoided for some reason, additional CEQA evaluation would be required per Section 2.5.2 of the EIR (Environmental Review of Subsequent Development Proposals). No additional changes are required to address this comment.
NCSD-32	The comment requests clarification regarding whether BIO/mm-1.1 includes off-site areas as well as the Specific Plan area. Please refer to Response to Comment NCSD-5, above.
NCSD-33	The comment refers to PS Impact 1 and states the EIR does not identify how the applicant's payment of the County's Public Facilities Fees over a significant period of time will guarantee that there is a fire station, firefighters, and equipment on-site when the impacts of this development begin to be experienced by the

Comment No.	Response
	residents of Nipomo. Please refer to Master Response MR-2 and the response to comment NCSD-14, above. Refer also to Chapter 10, Supplemental Analysis of the 2023 DRSP, which reflects a project change that would include an offer to donate an improved 2-acre site for a future fire station within the Specific Plan Area.
NCSD-34	Please refer to response to comment NCSD-14.
NCSD-35	The comment suggests minor edits to the description of existing groundwater conditions. These revisions have been incorporated in Section 4.19, Utilities and Service Systems, in the EIR.
NCSD-36	The comment recommends clarifications in Section 4.19.1.1.1, *Water Supply*, under *Purchased or Imported Water*. This revision has been incorporated in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-37	The comment suggests minor edits in Section 4.19.1.1.1, *Water Supply*, to update the number of annexations under review in in Tables 4.19-10, 4.19-10, and 4.19-12. This revision has been incorporated in Tables 4.9-10 and 4.9-11. The number of annexations under review identified in Table 4.19-12 is 176; therefore, no revisions to that table were necessary in response to this comment.
NCSD-38	The comment corrects data in Section 4.19.1.1.1, *Water Supply*, in Table 4.19-12. These revisions have been incorporated in Table 4.19-12 in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-39	The comment refers to Table 4.19-4 and states the peak hour flow line should be 1.5 mgd based on Table 3-13 of the MKN report. It appears this comment intended to refer to Table 4.19-14, not Table 4.19-4. The peak hour flow rate of 1.3 mgd is from Table 3-2, *Historical Southland WWTP Influent Flow and Loading (January 2019 – December 2020)*, in the NCSD Dana Reserve Development Water and Wastewater Evaluation prepared by MKN (2022). Therefore, this value is accurately represented in Table 4.19-14 and does not need to be revised.
NCSD-40	The comment refers to Table 4.19-16 in 4.19.1.1.1, *Wastewater*, under *NCSD Service Area Wastewater Projections*, and states the 10-year water production column should be revised to read 96,198 for residential suburban under the DR Evaluation. Table 4.19-16 has been revised accordingly in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-41	The comment states that the incorrect version of the water evaluation was included as Appendix H to the Draft EIR. The February 7, 2022, version of the report in Appendix H has been replaced with the updated Water and Wastewater Service Evaluation for the project dated March 30, 2022.
NCSD-42	The comment corrects background information about the IWMA in Section 4.19.1.1.4, *Solid Waste Disposal*, under *San Luis Obispo County Integrated Waste Management Authority*. These revisions have been incorporated into Section 4.19.1.1.4 in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-43	The comment requests Table 4.19-17 be updated to reflect the District Code and Annexation Policy. Table 4.19-17 has been revised accordingly.
NCSD-44	The comment is in reference to NCSD's potential need for night construction activities in USS Impact 1, under *Construction*, which are exempt County noise and construction limitations per County LUO Section 22.10.120(A)(7). Edits have been made in the *Construction* discussion under USS Impact 1. Please also refer to response to comment NCSD-12. These edits have also been incorporated in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-45	The comment reiterates the comments regarding the applicant's responsibility for the costs of mitigation. Please refer to response to comments NCSD-7, NCSD-8, and NCSD-31.
NCSD-46	The comment reiterates comment NCSD-41 regarding construction hours. Please refer to response to comment NCSD-12. These edits have also been incorporated in Section 4.19, *Utilities and Service Systems*, in the EIR.
NCSD-47	The comment reiterates a previous comment regarding Table ES-1. Table 4.19-19 is based on Table 2-5 of the NCSD's March 2022 Dana Reserve Development Water and Wastewater Service Evaluation (Appendix H). No changes to the EIR are required.

Comment No.	Response
NCSD-48	The comment states the discussion of peak flow conditions should refer to peak hour flow, not daily peak flows. This revision has been incorporated in the USS Impact 5 impact discussion in Section 4.19, Utilities and Service Systems, in the EIR.
NCSD-49	The comment clarifies peak flow in Table 4.19-21. The project total average daily flow is correctly identified as 228.86 in Table 4.19-21; therefore, no change is needed. Project peak flow has been clarified as “project peak hour flow”.
NCSD-50	The comment clarifies requirements for compost/green waste management per SB 1383. USS Impact 7 has been revised to include this information in Section 4.19, Utilities and Service Systems, in the EIR.
NCSD-51	The comment refers to Section 5.4.3 and states that Alternative 2 is alternately referred to as La Cañada Ranch or Cañada Ranch. Section 5.4.3 has been revised to only refer to La Cañada Ranch.
NCSD-52	The comment refers to the analysis of Alternative 3 in Section 5.4.4.3, particularly related to Utilities and Service Systems. Alternative 3 would allow for the construction of between 78-390 residential units, depending on whether or not the alternative could be serviced by the NCSD and the subdivision standards of the County LUO. The cost of expanding NCSD water and wastewater facilities to serve this reduced number of units would likely be prohibitively expensive. Therefore, this alternative generally evaluated both potential scenarios (service from NCSD and no service from NCSD). Assuming no NCSD utilities are provided, Alternative 3 would have to rely on on-site groundwater wells and septic systems. If annexation into the NCSD service area is unfeasible for Alternative 3, the alternative’s use of on-site wells and septic systems would increase potential impacts to the groundwater basin and potentially increase risk of water quality degradation. Therefore, potential impacts to Utilities and Service Systems would be increased, particularly in regard to threshold question (b), which asks whether the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. This is the basis for the increased impact to Utilities and Service Systems under Alternative 3. The impact assessment is conservative considering the Title 19 water conservation 1:1 offset fee charged at the time of building permit issuance for new structures. This section also correctly describes that if annexation were to be feasible, the off-site infrastructure improvements would be similar to those of the proposed project; similar connections and extensions of water and wastewater facilities would be needed to bring water to and receive wastewater from the site; therefore, similar physical effects to the environment would occur as a result of construction of those facilities. The statement that Alternative 3 may require “new and expanded utility infrastructure, and may include water storage tanks and septic systems” is in the third paragraph of Section 5.4.4.3.19, under the discussion of the Specific Plan Area, so it relates to the Specific Plan Area not off-site improvements. This paragraph ultimately concludes the potentially significant impacts related to the construction of these facilities could be reduced with implementation of mitigation and compliance with state and local requirements, similar to the proposed project; therefore, for this Alternative 3 project component, impacts would not be increased compared to the proposed project as indicated in the comment. There is no basis to believe these types of on-site facilities would result in increased physical adverse effects under the reduced project analyzed under Alternative 3. The increased impact under this alternative is limited to the potential need to serve the development through groundwater pumping from on-site wells, although the increased pumping would be offset 1:1 through the County’s Title 19 water conservation offset fee. It is noted that NCSD disfavors any development that would not take domestic water service from the NCSD. Lastly, the comment questions whether the County could legally approve such an alternative, that would rely on on-site groundwater wells as the domestic water supply source. There is no policy regulation prohibiting the County from approving land divisions outside the NCSD service area. All new structures using water from the Nipomo Mesa Water Conservation Area, which includes the project site, are required to offset increased water use at a 1:1 ratio through water conservation projects for existing development (County Code Section 19.07.042). No changes to the EIR are required in response to this comment.

Comment No.	Response
NCSD-53	The comment states that without further clarification of the impacts of Alternative 3, the conclusion that Alternative 3 is the Environmentally Superior Alternative is not supported by the text of the Draft EIR. Refer to Response to Comment NCSD-52, above. Although Alternative 3 would potentially increase impacts to water supply, this alternative would significantly reduce or avoid impacts to Biological Resources, Greenhouse Gas Emissions, Land Use and Planning, Population and Housing, and Public Services (refer to Table 5-3, *Comparison of Impacts Among Alternatives*, of the EIR). Alternative 2, La Cañada Ranch, and Alternative 3, Residential Rural Cluster Subdivision, were both determined to substantially reduce or avoid several significant and unavoidable impacts associated with the proposed project; however, Alternative 3 would meet more of the project's basic objectives than Alternative 2. Therefore, it is properly identified as the Environmentally Superior Alternative.
NCSD-54	The comment requests that NCSD's requested changes to mitigation measures be carried over into the MMRP. NCSD's requested revisions to mitigation measures have been incorporated into the MMRP.
NCSD-55	The comment requests that the lift station be labeled on page 3 of Appendix C. Page 3 in Appendix C has been revised to include a label for the proposed lift station. On-site lift station locations are also shown on Figure 2-22 in Chapter 2 of the EIR.
NCSD-56	The comment requests that page 4 of Appendix C be revised to indicate that approximately at the intersection of Camino Caballo and Frontage Road a transition from force main to gravity main may be required. Page 4 in Appendix C has been revised to indicate that a transition from force main to gravity main may be required.
NCSD-57	The comment notes that the sewer lines shown on pages 8, 9, and 10 of Appendix C are existing. The legends have been clarified to indicate that the "Greater than 18" Frontage Rd Trunk Sewer" lines shown on these pages in bright yellow are existing.
NCSD-58	The NCSD provided an updated version of the NCSD Dana Reserve Development Water and Wastewater Service Evaluation, dated March 30, 2022. Appendix H has been revised to include the updated Water and Wastewater Service Evaluation for the project dated March 30, 2022.

9.2.11 San Luis Obispo Council of Governments

SLOCOG
SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

CONNECTING COMMUNITIES
ARROYO GRANDE | ATASCADERO | GROVER BEACH
MORRO BAY | PASO ROBLES | PISMO BEACH
SAN LUIS OBISPO | SAN LUIS OBISPO COUNTY

August 1, 2022

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

Subject: Draft Environmental Impact Report for the Dana Reserve Specific Plan (PLN-1119, SUB2020-00047, LRP2020-00007, ED21-094)

Jennifer Guetschow:

The San Luis Obispo Council of Governments (SLOCOG) appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) for the Dana Reserve Specific Plan (*PLN-1119, SUB2020-00047, LRP2020-00007, ED21-094*). The State of California and Federal Highway Administration designate SLOCOG as the Regional Transportation Planning Agency (RTPA) and the Metropolitan Planning Organization (MPO), respectively, for the region. While SLOCOG does not have permit or regulatory authority for land use proposals, SLOCOG is responsible for planning the long-term viability of the regional surface transportation system, and for programming funds to achieve the objectives of the adopted Regional Transportation Plan and Sustainable Communities Strategy (2019 RTP). SLOCOG staff reviews land use projects, EIRs, and plans to ensure positive outcomes in transportation and land choices within and between our communities. After reviewing the DEIR, SLOCOG submits the following comments.

HOUSING

As stated in the 2019 RTP, SLOCOG supports the expansion of the region's supply of housing for renters, first-time homebuyers, and the broader workforce to maintain the vitality of the regional economy. In 2019, the eight jurisdictions and SLOCOG began to work collaboratively on solving our regional housing and infrastructure issues. This effort has led to a unanimously adopted regional compact, the inclusion of regional policies in all eight Housing Element updates, and the start of the Regional Housing and Infrastructure Plan. Two regional goals included in the County's Housing Element are to:

- Support policies, actions, and incentives that increase housing development of all types, available to people at all income levels.
- Encourage new development that helps to improve the balance of jobs and housing throughout the Region, providing more opportunities to residents to live and work in the same community.

SLOCOG-1

An action strategy of the 2019 RTP is to encourage local jurisdictions to approve a wide range of housing types in housing-deficient communities and support expanded employment opportunities in housing-rich communities to improve the existing jobs-housing imbalance. As stated on page 2-13, a primary objective of the Specific Plan is to "provide a diversity of housing types and opportunities for home ownership and rental, including affordable homes consistent with the goals and policies of the Housing Element of the General Plan, the County's Inclusionary Housing Ordinance, and regional housing needs." **SLOCOG is encouraged to see residential development that will help the County meet housing allocations established in the 2019 Regional Housing Needs Allocation (RHNA) Plan at various income levels. Additionally, SLOCOG is supportive of the mentioned local preference program for housing to be included in the Development Agreement.**

JOBS-HOUSING BALANCE

As stated on page 4.17-41 of the DEIR, "the first phase of development would include multi-family residential development (Neighborhoods 1, 2, 3, and 5), affordable housing (Neighborhood 10), commercial development (village commercial and flexible commercial), and a hotel and educational facility. Future development phases would

SLOCOG-2

include additional single-family residential development, a childcare center, a park, and extensions of the pedestrian and bicycle facilities to the larger network in Nipomo." The 2019 RTP supports residential development near existing employment centers. SLOCOG's 2019 RTP and 2019 RHNA both promote and identify improved jobs/housing balances within each of the subregions by distributing more homes, of all income levels, into the "jobs-rich" subregion. The 2019 RTP includes a future development pattern that promotes more jobs, along with necessary investments, into the "housing-rich" subregions (this includes the South County). This results in all subregions moving in the direction of a better jobs/housing ratio (2019 RHNA Plan, p.13), and lessens impacts of congestion on U.S. 101. The 2019 RTP identifies that the South County subregion has a Jobs to Housing ratio of 0.66 in 2015 and is projected to have a Jobs to Housing ratio of 0.69 in the 2035 Preferred Growth Scenario; indicating the need for more job opportunities. Since rural areas and smaller communities are not expected to offer 1:1 job for each home, the subregion (and the region) benefits when the incorporated cities' ratio is notably greater than 1:1. If imbalance in the South County subregion continues at 0.66 or worsens, one result will be increased congestion on our highways, primarily to enter the nearest major employment centers in San Luis Obispo and Santa Maria. **As stated in the DEIR, the residual impacts to the jobs-to-housing ratio would be significant and unavoidable (Class I) which is not consistent with the Jobs/Housing Balance Strategy of the 2019 RTP and the RHNA Plan.**

SLOCOG-2 (cont'd)

TRANSPORTATION

Increasing the connectivity of the regional transportation system is a goal of the 2019 RTP. SLOCOG is encouraged by Dana Reserve's Project Objectives to enhance circulation within the DRSP and existing community by continuing the existing public roadway network through the DRSP property to connect to Willow Road, providing a new Park and Ride lot to encourage carpooling, and creating new public transportation points of connection to facilitate public transit use and reduce single-occupant automobile use and to integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community (ES-4).

SLOCOG-3

Transportation Demand Management (TDM)

Providing various opportunities to use alternative transportation is important for reaching state and regional goals. SLOCOG has a long history of supporting Transportation Demand Management (TDM) activities through goals and strategies outlined in the 2019 RTP. Additionally, SLOCOG's Regional Rideshare division aims to increase sustainable travel choices through public outreach, education, and encouragement programs. The DEIR's TR Impact 3 is a Class I impact that includes mitigation though the implementation of a transportation demand management program or identification of transportation demand management strategies. **SLOCOG suggests working with SLO Regional Rideshare to incorporate TDM strategies to improve transportation access for residents and visitors since the project would result in Class I impacts to transportation and traffic.**

SLOCOG-4

Vehicle Miles Traveled (VMT)

According to the DEIR's Transportation Impact Study, "the project will have a significant and unavoidable impact to VMT." State and Local goals include both Vehicle Miles Traveled (VMT) and greenhouse gas emission reductions. A best practice is locating jobs and frequently used services close to where people live. By prioritizing commercial uses needed within Dana Reserve, vehicle trips can be reduced and or replaced with bike and walk trips. **Since buildout of the Specific Plan Area would exceed the County VMT thresholds, SLOCOG suggests the developer create a transportation demand management program to implement as part of the first development phase.**

SLOCOG-5

Transit

As stated in the DEIR, improved public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.) shall be implemented as part of AQ/mm-3.3 "if the project is located on an established transit route." Dana Reserve is not currently served by transit. Mitigation measure TR/mm-3.1 for TR Impact 3 includes improving or increasing access to transit as a protentional measure to reduce Vehicles Miles Traveled (VMT). Since these impacts are significant and unavoidable, **SLOCOG**

SLOCOG-6

suggests the developer work with the Regional Transit Authority (RTA) to include the new development as part of a served transit route. **SLOCOG-6 (cont'd)**

As stated in the DEIR, "the most effective TDM measures would be those related to reducing the cost of transit through commuter benefit programs (employers) and free or reduced-cost transit passes for new residents as part of the HOAs or other conglomeration." **SLOCOG is encouraged by this transit program.** **SLOCOG-7**

Park and Ride Lot
SLOCOG looks forward to working with the developer "to create, improve, or expand an on-site or nearby Park and Ride lot with car parking and bike lockers in proportion to the size of the project" (4.3-35). **SLOCOG-8**

Thank you again for the opportunity to provide input. We wish you and all parties involved continued success in moving the Dana Reserve Development forward. SLOCOG looks forward to continued coordination with the County and Developer to address the aforementioned transportation and land use comments. If there are any questions, please do not hesitate to contact me at (805) 781-8052 or ssanders@slocog.org.

Sincerely,

Sara Sanders

Sara Sanders, Transportation Planner
San Luis Obispo Council of Governments

Page 3 of 3

9.2.11.1 Response to Letter from San Luis Obispo Council of Governments

Comment No.	Response
SLOCOG-1	The comment expresses support for the residential development that will help the County meet housing allocations established in the 2019 Regional Housing Needs Allocation (RHNA) Plan and the local preference program for housing to be included in the Development Agreement. No changes to the environmental document are necessary in response to this comment.
SLOCOG-2	The comment refers to the jobs/housing balance and agrees with the Draft EIR conclusions that the residual impacts to the jobs-to-housing ratio would be significant and unavoidable (Class I), which is not consistent with the Jobs/Housing Balance Strategy of the 2019 RTP and the RHNA Plan. These policy inconsistencies are further discussed in Table 4.3-7. No changes to the environmental document are necessary in response to this comment.
SLOCOG-3	The comment states support for the project objectives to enhance circulation with the DRSP and existing community. No changes to the environmental document are necessary in response to this comment.
SLOCOG-4	The comment recommends working with SLO Regional Rideshare to incorporate TDM strategies to improve transportation access for residents and visitors. Mitigation Measure TR/mm-3.1 has been revised to specifically reference coordination with SLO Regional Rideshare in the development of TDM programs. No further changes to the environmental document are necessary in response to this comment.
SLOCOG-5	The comment suggests development of a transportation demand management program to implement as part of the first development phase to reduce VMT. As discussed in Section 4.17, *Transportation*, in the EIR, Mitigation Measure TR/mm-3.1 would require preparation and implementation of a transportation demand management program. No changes to the environmental document are necessary in response to this comment; however, Mitigation Measure TR/mm-3.1 has been clarified to reflect applicability to any future developer within the Specific Plan Area (as opposed to “each applicant”).
SLOCOG-6	The comment suggests the developer work with the Regional Transit Authority (RTA) to include the new development as part of a served transit route. As discussed in Chapter 2, *Project Description*, public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. Collector A has been designed to accommodate a future transit stop within the Village Commercial area just west of the roundabout and at the Park and Ride location along Collector A just south of Willow Road. San Luis Obispo County RTA is expected to provide service to and stops within these designated transit hub locations. A requirement that the project applicant and/or subsequent developers coordinate with the RTA to include the Specific Plan area as part of a serviced transit route has been added to Mitigation Measure TR/mm-3.1.
SLOCOG-7	The comment expresses support for TDM measures related to reducing the cost of transit through commuter benefit programs (employers) and free or reduced-cost transit passes for new residents. Mitigation Measure TR/mm-3.1 has been revised to specify a preference for these types of TDM measures. No other changes to the environmental document are necessary in response to this comment.
SLOCOG-8	The comment expresses support for the creation, improvement, or expansion of an on-site or nearby Park and Ride lot, consistent with the requirements of Mitigation Measure AQ/mm-3.3 (7). No changes to the environmental document are necessary in response to this comment.

9.2.12 San Luis Obispo Local Agency Formation Commission

San Luis Obispo Local Agency Formation Commission

TO: **JENNIFER GUETSCHOW, COUNTY OF SAN LUIS OBISPO**

FROM: **ROB FITZROY, EXECUTIVE OFFICER** RF

DATE: **AUGUST 1, 2022**

SUBJECT: **DRAFT EIR - DANA RESERVE SPECIFIC PLAN**

Thank you for the opportunity to provide comment on the Draft EIR for the Dana Reserve Specific Plan. Our July 21, 2021 Notice of Preparation letter identified various considerations for incorporation into the EIR. In addition, at the July 21, 2022 Study Session held by LAFCO, several legally required factors were presented and discussed, these can be found in the LAFCO Policy and Procedures document available on our website. These findings were also transmitted via email on January 11, 2022. LAFCO must make findings per government code section 56668 during its decision-making process, and as a Responsible Agency will rely, in part, on the information in the EIR to do so.

At the July 21, 2022 Study Session, the Commission expressed concern about the sustainability and ongoing availability of water for the project. It is understood Nipomo Community Services District (NCSD) would provide water to the site via its legal entitlements, infrastructure, and obligations to purchase water from the City of Santa Maria, as documented in the Draft EIR. However, what is not clear is the status of the water reliability of the source of the water from the City of Santa Maria and the Santa Maria Groundwater Basin itself. Presumably water would be sourced from the Santa Maria Groundwater Basin, but it is also possible the supply may come from other sources such as surface water from Twitchell Reservoir. The EIR should expand on this and discuss the reliability of the sources(s), and per factor in government code section 56668 (L) describe adequacy and availability of water supply for the project.

LAFCO-1

We look forward to ongoing coordination. Thank you.

9.2.12.1 Response to Letter from San Luis Obispo Local Agency Formation Commission

Comment No.	Response
LAFCO-1	The comment relates to the sustainability and ongoing availability of water for the project from the City of Santa Maria. Please see Master Response MR-1, Groundwater Water Management and Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.

9.2.13 California Department of Fish and Wildlife

DocuSign Envelope ID: 60DC3011-D7DF-4863-BA9B-15A26DAEA9DB

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

August 3, 2022

Jennifer Guetschow
Supervising Planner
County of San Luis Obispo Planning and Building Department
976 Osos Street, Room 200
San Luis Obispo, California 93408
jGuetschow@co.slo.ca.us

Subject: Dana Reserve Specific Plan (Project)
Draft Environmental Impact Report (DEIR)
SCH No.: 2021060558

Dear Ms. Guetschow:

The California Department of Fish and Wildlife (CDFW) received a draft Environmental Impact Report (DEIR) from the County of San Luis Obispo Planning and Building Department for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

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

CDFW-1

CDFW ROLE

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

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

Conserving California's Wildlife Since 1870

projects and related activities that have the potential to adversely affect fish and wildlife resources.

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

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

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

CDFW-1 (cont'd)

PROJECT DESCRIPTION SUMMARY

Proponent: Dana Reserve, LLC

Objective: The Project applicant, Dana Reserve, LLC, submitted a draft Specific Plan and Vesting Tentative Tract Map (VTTM) in June 2020 for the 288-acre Dana Ranch property (previously referred to as Cañada Ranch). The Dana Reserve Specific Plan (DRSP) is a primarily residential project with over 75% of the Specific Plan Area designated for residential uses, which would accommodate up to 1,289 single-family and multi-family residential units. However, it identifies a mix of land uses within the Specific Plan Area to serve the new neighborhoods and surrounding community. The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area.

Location: The Project area is located within the unincorporated area of San Luis Obispo County. The Specific Plan Area is located adjacent to the northern boundary of the Nipomo Urban Reserve Line (URL)/community of Nipomo, and directly west of U.S. Route 101 (US-101). The cross streets are Willow Road and Highway 101.

CDFW-2

- Longitude: 35° 2' 43.59"; Latitude: -120° 30' 1.73"
- Assessor's Parcel Numbers: 091-301-073; 091-301-031, and 091-301-030 – totaling approximately 288-acres. The main parcel is 091-301-073 (274.4 acres in size). The other parcels connect the main parcel to Willow Road. The project also includes the off-site dedication of an open space and conservation easement on a property known as Dana Ridge (APNs 090-031-003 and 090-031-004), located approximately 2.1 miles east/southeast of the project site.

CDFW-2 (cont'd)

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW previously commented on the Notice of Preparation (NOP) for the Project in a letter dated July 23, 2021. Our July 23, 2021 letter (attached) provided recommendations for listed plant and wildlife species, and concerns for Project impacts. CDFW recognizes that some of the recommendations from the letter were included in the DEIR for the Project. CDFW maintains the same recommendations for advised survey methods and mitigation measures be included in the DEIR. CDFW has the following comments and recommendations on specific mitigation measures to be included in the DEIR in regard to compliance with the California Endangered Species Act (CESA) and Fish and Game Code section 1600 *et seq*.

White-Tailed Kite (*Elanus leucurus*) (WTK)

The State fully protected WTK has the potential to nest and/or forage within the Project site and its vicinity (Biogeographic Information and Observation System (BIOS). Accessed July 7, 2022). Without appropriate mitigation measures, Project activities conducted within occupied territories have the potential to significantly impact this species. Potentially significant impacts that may result from Project activities include nest abandonment, loss of nest trees, and/or loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. The Project will involve noise, groundwork, and movement of workers that may occur directly adjacent to large trees and other features with potential to serve as nest sites. These activities have the potential to significantly impact fully protected raptor populations.

CDFW-3

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation to determine if the Project site or its vicinity (within ½ mile) contains suitable habitat for fully protected raptors. CDFW also recommends that focused surveys be conducted by experienced biologists at the Project site prior to Project implementation. To avoid impacts to these species, CDFW recommends conducting these surveys in accordance with protocols developed by CDFW. If Project activities are to take place during the typical bird breeding season (February 1 through September 15), CDFW recommends that additional pre-activity surveys for active nests

be conducted by a qualified biologist no more than 10 days prior to the start of Project activity.

In the event a WTK is found within ½ mile of the Project site, implementation of avoidance measures is warranted. CDFW recommends that a qualified wildlife biologist be on-site during all Project-related activities and that a ½-mile no-disturbance buffer be implemented. If the ½-mile no-disturbance buffer cannot feasibly be implemented, contacting CDFW for assistance with additional avoidance measures is recommended. Fully addressing potential impacts to the WTK and requiring measurable and enforceable mitigation in the DEIR is recommended.

CDFW-3 (cont'd)

Burrowing Owl (*Athene cunicularia*) (BUOW)

Due to the presence of suitable habitat (grassland and small mammal burrows) BUOW, a State species of special concern (SSC) that relies on burrows year-round, could be present in the Project area. No mitigation measures were included in the DEIR for this species due to no sightings of BUOW during surveys. However, BUOW could potentially be using the site between the time surveys were conducted and the time of the Project will be constructed. Potentially significant direct impacts from construction activities may result in burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

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

CDFW-4

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

No-disturbance buffers differ regarding time of year and level of disturbance, please refer to the table below.

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

* meters (m)

CDFW-4 (cont'd)

Western Spadefoot (*Spea hammondi*) (WESP)

WESP was not included in species that may be present at the Project site or area. WESP, an SSC, inhabit grassland habitats, breed in seasonal wetlands, and seek refuge in upland habitat where they occupy burrows outside of the breeding season (Thomson et al. 2016). Therefore, this species has the potential to be present. Habitat loss and fragmentation from agricultural and urban development is the primary threat to WESP. Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows. If WESP are observed on the Project site, CDFW recommends that Project activities in their immediate vicinity cease and individuals be allowed to leave the Project site on their own accord. Alternatively, a qualified biologist with appropriate take authorization can move them out of harm's way and to a suitable location.

CDFW-5

Coast Live Oak Woodland (*Quercus agrifolia/Adneostoma fasciculatum*) (CLO)

CEQA was amended to include Public Resources Code (PRC) Section 21083.4, which states that a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a county determines that there may be a significant effect to oak woodlands, the county shall require appropriate oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands. CDFW considers the removal of oaks in the Project area as significant and agrees with the County's significance determinations in the DEIR. However, CDFW recommends the county require oak mitigation as required by CEQA Section 21083.4 since the Project, as proposed, will remove high quality oak woodlands as part of this future development.

CDFW-6

In addition to the mitigation required by CEQA Section 21083.4, retaining large oak trees (greater than 12 inches in diameter as measured at breast height) on the Project site to the maximum extent possible is recommended during any construction activities. Large, acorn-bearing oak trees are a critical source of food for wintering deer and other wildlife, including migratory and resident birds. Location and routing of access roads, utility connections, septic systems and building sites where they will require the minimum amount of disturbance to large oak trees is advised.

CDFW-7

Per Project information, approximately 78.3 acres of the 288-acre Project area (27%) is CLO woodland, specifically, the *Quercus agrifolia/Adenostoma fasciculatum* - (*Salvia mellifera*) association, which is a Global and State ranked (G3/S3) sensitive community and identified as a biologically significant resource by the County. It provides important native habitat for plants and wildlife.

The proposed project will result in the permanent loss of 75.3 acres of available CLO woodland habitat, approximately 96% of the CLO woodland on the site. The vast majority of all species found during biological surveys were in this oak woodland area. Only three acres would be preserved on-site per Project information. Considering edge effects around this small preserve, it is reasonable to assume that this large oak woodland area and the majority of the species it supports will almost certainly be destroyed by the construction of the proposed Project.

CLO woodland and, in particular, this CLO woodland/Burton mesa chapparal association contributes significantly to the Project area and the region's overall biological diversity, directly supporting eight special-status plants (Pismo clarkia (*Clarkia speciosa*), mesa horkelia (*Horkelia cuneata* var. *Puberula*), Nipomo Mesa ceanothus (*Ceanothus impressus* var. *Nipomensis*), mesa manzanita (*Arctostaphylos rudis*), Michael's rein orchid (*Platanthera michaelii*), California spineflower (*Mucronea californica*), sand almond (*Prunus fasciculata punctata*), and sand buckbrush (*Ceanothus cuneatus*)) and four special-status nesting birds which include (Cooper's hawk (*Accipiter cooperii*), oak titmouse *(Baeolophus inornatus*), white-tailed kite, and Nuttall's woodpecker *(Dryobates nuttallii))*.

Sensitive reptiles such as Blainville's (coast) horned lizard (*Phrynosoma blainvillii (coronata)*) are also supported by this habitat. California's Central Coast contains 80% of the state's CLO woodlands (Gaman 2008). This habitat type is considered sensitive due to its biological diversity and presence of sensitive plant and animal species; therefore, impacts would be considered significant, and mitigation should be a requirement to reduce project impacts. However, mitigation may not be feasible per Project information, and the DEIR goes on to say that potential impacts would be significant and unavoidable. CDFW believes a Class 1 impact is not acceptable due to the richness of this habitat area and association of CLO woodland and Burton Mesa chaparral and that a Conditional Use Permit (CUP) should not be issued until feasible mitigation is both identified, encumbered, and protected.

CDFW-8

I. Editorial Comments and/or Suggestions

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

CDFW-9

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

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

CDFW-9 (cont'd)

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

CDFW-10

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be

CDFW-11

mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link:

https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

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

CDFW-11 (cont'd)

CONCLUSION

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

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Kelley Nelson, Environmental Scientist at (559) 580-3194 or Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Bob Stafford
5343A684FF02469...

for Julie A. Vance
Regional Manager

Attachments

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

Kelley Nelson
California Department of Fish and Wildlife

REFERENCES

California Burrowing Owl Consortium (CBOC). 1993. Burrowing owl survey protocol and mitigation guidelines. April 1993.

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game. March 7, 2012

CDFW. 2022. Biogeographic Information and Observation System (BIOS). https://www.wildlife.ca.gov/Data/BIOS. Accessed July 7, 2022.

Gaman. 2008. Oak Woodland Conservation Management Planning in Southern CA – Lessons Learned.

Thomson, R. C., A. N. Wright, and H. Bradley Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. California Department of Fish and Wildlife and University of California Press.

Attachment 1

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

PROJECT: Dana Reserve Specific Plan

SCH No.: 2021060558

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Before Disturbing Soil or Vegetation	
Mitigation Measure 1: BUOW Surveys	
Mitigation Measure 2: BUOW Passive Relocation and Mitigation	
Mitigation Measure 4: Western Spadefoot Surveys	
Mitigation Measure 6: Special-Status Species Habitat Assessment	
Mitigation Measure 8: Species-Specific Species Surveys	
Mitigation Measure 9: Special-Status Species Take Authorization	
During Construction	
Mitigation Measure 3: BUOW Avoidance	
Mitigation Measure 5: Western Spadefoot Avoidance	
Mitigation Measure 7: Special-Status Species Take Avoidance	

CDFW-12

DocuSign Envelope ID: 60DC3011-D7DF-4863-BA9B-15A26DAEA9DB

Attachment 2

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Governor's Office of Planning & Research

July 23 2021

STATE CLEARINGHOUSE

July 23, 2021

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

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

Dear Ms. Guetschow:

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

CDFW-13

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

CDFW ROLE

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

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

Conserving California's Wildlife Since 1870

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

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

PROJECT DESCRIPTION SUMMARY

Proponent: Dana Reserve, LLC

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

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

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

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

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

CDFW-13 (cont'd)

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

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

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

CDFW-13
(cont'd)

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

COMMENT 1: Monarch Butterfly

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

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

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

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

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

Recommended Mitigation Measure 1: Monarch Butterfly Habitat Assessment

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

Recommended Mitigation Measure 2: Monarch Butterfly Surveys

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

Recommended Mitigation Measure 3: Monarch Butterfly Take Avoidance

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

CDFW-13 (cont'd)

COMMENT 2: American Badger

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

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

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

Recommended Potentially Feasible Mitigation Measure(s):
To evaluate potential impacts to American badger associated with the Project, CDFW recommends conducting the following evaluation of the Project sites, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: American Badger Surveys

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

Recommended Mitigation Measure 5: American Badger Avoidance

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

CDFW-13 (cont'd)

COMMENT 3: California Red-Legged Frog (CRLF)

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

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

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

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

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

Recommended Mitigation Measure 6: CRLF Surveys

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

Recommended Mitigation Measure 7: CRLF Avoidance

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

CDFW-13 (cont'd)

COMMENT 4: Burrowing Owl (BUOW)

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

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

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

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

Recommended Mitigation Measure 8: BUOW Surveys

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

CDFW-13
(cont'd)

Recommended Mitigation Measure 9: BUOW Avoidance

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

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

* meters (m)

Recommended Mitigation Measure 10: BUOW Passive Relocation and Mitigation

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

COMMENT 5: Western spadefoot

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

CDFW-13 (cont'd)

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

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

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

Recommended Mitigation Measure 11: Western Spadefoot Surveys

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

Recommended Mitigation Measure 12: Western Spadefoot Avoidance

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

COMMENT 6: Other Special-Status Species

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

CDFW-13 (cont'd)

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

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

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

Recommended Mitigation Measure 13: Habitat Assessment

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

Recommended Mitigation Measure 14: Species-Specific Surveys

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

Recommended Mitigation Measure 15: Take Avoidance

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

Recommended Mitigation Measure 16: Take Authorization

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

CDFW-13 (cont'd)

COMMENT 7: Special-Status Plant Species

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

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

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

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

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

Recommended Mitigation Measure 17: Special-Status Plant Surveys

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

CDFW-13 (cont'd)

Recommended Mitigation Measure 18: Special-Status Plant Avoidance

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

Recommended Mitigation Measure 19: State-Listed Plant Take Authorization

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

II. Editorial Comments and/or Suggestions

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

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

CDFW-13 (cont'd)

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

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

ENVIRONMENTAL DATA

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

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

FILING FEES

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

CONCLUSION

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

CDFW-13
(cont'd)

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

Sincerely,

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

Attachments
A. MMMRP for CDFW Recommended Mitigation Measures

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

REFERENCES

California Burrowing Owl Consortium (CBOC). 1993. Burrowing owl survey protocol and mitigation guidelines. April 1993.

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game. March 7, 2012

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. California Department of Fish and Wildlife. March 20, 2018.

CDFW. 2021. Biogeographic Information and Observation System (BIOS). https://www.wildlife.ca.gov/Data/BIOS. Accessed July 19, 2021.

California Native Plant Society (CNPS), Rare Plant Program. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org. Accessed July 19, 2021.

Gervais, J.A., D.D. Rosenberg, and L.A. Comrack. Burrowing Owl (Athene cunicularia) in Shuford, W.D. and T. Gardali, editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento, California, USA.

Gittleman, J. L., S. M. Funk, D. MacDonald, and R. K. Wayne. 2001. Carnivore conservation. Cambridge University Press, Cambridge, United Kingdom.

Jepsen, S., D. F. Schweitzer, B. Young, N. Sears, M. Ormes, and S. H. Black. 2015. Conservation Status and Ecology of Monarchs in the United States. 36pp. NatureServe, Arlington, Virginia, and the Xerces Society for Invertebrate Conservation, Portland, Oregon.

Pelton, E., Jepsen, C. Schultz, C. Fallon, and S.H. Black. 2016. State of the Monarch Butterfly Overwintering Sites in California. 40+vi pp. Portland, Oregon: The Xerces Society for Invertebrate Conservation. www.xerces.org

Thomson, R. C., A. N. Wright, and H. Bradley Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. California Department of Fish and Wildlife and University of California Press.

United States Fish and Wildlife Service (USFWS). 2005. Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog. March 2005. 26 pp.

CDFW-13 (cont'd)

USFWS. 2017. Species Account for California Red-legged frog. March 2017. 1 pp.

USFWS. 2020. Monarch (Danaus plexippus) Species Status Assessment Report. V2.1 96 pp + appendices.

Zeiner, D. C., W. F. Laudenslayer, Jr, K. E. Mayer, and M. White. 1990. California's Wildlife Volume I-III. California Department of Fish and Game, editor. Sacramento, CA, USA.

CDFW-13
(cont'd)

Attachment 1

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

PROJECT: Dana Reserve Specific Plan

SCH No.: 2021060558

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

CDFW-13
(cont'd)

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

CDFW-13
(cont'd)

9.2.13.1 Response to Letter from California Department of Fish and Wildlife

Comment No.	Response
CDFW-1	The comment summarizes CDFW's role as a responsible agency and states CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. No changes to the Draft EIR are required in response to this comment.
CDFW-2	The comment provides a summary of the project description. No changes to the Draft EIR are required in response to this comment.
CDFW-3	The comment states that without appropriate mitigation measures, project activities conducted within occupied territories have the potential to significantly impact State fully protected white-tailed kite. CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation to determine if the project site or its vicinity contains suitable habitat for fully protected raptors. CDFW also recommends that focused surveys be conducted by experienced biologists prior to project implementation in accordance with protocols developed by CDFW. In the event this species is found within 1/2 mile of the project site, CDFW has recommended avoidance measures. Impacts to white-tailed kite are discussed under BIO Impact 7 in Section 4.4, *Biological Resources*, in the EIR. As discussed therein, special-status birds and raptors, such as white-tailed kite, may be adversely affected by the loss of nesting and foraging habitat in oak and chaparral habitats. Loss of grassland habitat could adversely affect foraging raptors and ground nesting birds. Incremental habitat loss on a regional scale may adversely affect special-status birds. The EIR requires protection of habitat off-site to minimize these impacts (see Mitigation Measures BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4). Mitigation Measure BIO/mm-7.1 has also been identified to require nesting bird preconstruction surveys and appropriate nest avoidance. BIO/mm-7.1 has been modified to incorporate the related protections identified by CDFW. With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-7.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to white-tailed kite would be less than significant with mitigation (Class II).
CDFW-4	The comment states that burrowing owl could be present in the project area between the time negative surveys were conducted and the time the project will be constructed and potentially significant impacts from construction could occur. CDFW recommends surveys be conducted by a qualified biologist following the California Burrowing Owl Consortium's Burrowing Owl Survey Protocol and Mitigation Guidelines and CDFW's Staff Report on Burrowing Owl Mitigation. CDFW recommends no-disturbance buffers. As stated in Section 4.4.1.1.7, *Special-Status Wildlife Species*, under *Burrowing Owl*, due to the presence of ground squirrel burrows and grazed perennial grassland in the project area, the site could support burrowing owls. Mitigation Measure BIO/mm-7.1 has been revised to clarify these requirements apply to burrowing owl.
CDFW-5	The comment states that western spadefoot was not included in the species that may be present at the project site or area but has the potential to be present. Appendix E to the EIR, Biological Resources Background Information, on page D-6 of the Biological Report for the Dana Reserve Specific Plan, analyzed the potential for western spadefoot to occur in the project area. The analysis determined there was no potential for this species to occur due to the absence of suitable habitat. Therefore, potential impacts to this species would not occur; no changes to the EIR are necessary in response to this comment.
CDFW-6	Please see Master Response MR-3, Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment. No changes to the environmental document are necessary in response to this comment; however, the comment will be made part of the administrative record and provided to local decision makers for their consideration.
CDFW-7	The comment states that in addition to the mitigation required by CEQA Section 21083.4, retaining large oak trees (greater than 12 inches in diameter as measured at breast height) on the project site to the maximum extent possible is recommended during any construction activities. Mitigation Measure BIO/mm-18.3 has been revised to clarify that large oak trees shall be protected to the greatest extent possible. In addition, minor project modifications have been made since circulation of the Draft EIR to avoid impacts to approximately 858 additional oak trees within the Specific Plan Area. These modifications are more fully described in Chapter 10. No additional changes to the EIR are necessary in response to this comment.
CDFW-8	Please see Master Response MR-3, Oak Tree, Oak Woodland, and Burton Mesa Chaparral Impacts, in Section 9.1, above. No additional revisions to the EIR are required in response to this comment.

Comment No.	Response
CDFW-9	The comment states that CDFW encourages that project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the project applicant is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections. Impacts to special-status birds, raptors, and nesting birds are discussed under BIO Impact 7 in Section 4.4, *Biological Resources*, in the EIR. As discussed therein, the proposed development would affect common and special-status nesting birds by removing coast live oak woodland, perennial grassland, and Burton Mesa chaparral. Loss of coast live oak woodland particularly affects cavity nesting species, such as woodpeckers, wrens, northern flicker (*Colaptes auratus*), and oak titmouse, as well as canopy nesting species, such as raptors, Hutton's vireo (*Vireo huttoni*), California scrub-jay (*Aphelocoma californica*), chestnut-backed chickadee (*Poecile rufescens*), western bluebird (*Sialia mexicana*), and tree swallow (*Tachycineta bicolor*). Two USFWS BCC identified in the project area could be adversely affected from oak woodland removal: Nuttall's woodpecker and oak titmouse. The potential for habitat removal to adversely affect nesting birds can be reduced. Measure BIO/mm-7.1 has also been identified to require nesting bird preconstruction surveys and appropriate nest avoidance for any construction activities taking place between February 1 and September 15, consistent with this comment. The requirement that these surveys take place within 1 week prior to ground disturbing activities has been revised to reflect 10 days, consistent with this comment. BIO/mm-7.1 has also been revised to include a requirement for surveying a sufficient buffer area to the extent feasible and that a 250-foot buffer for active nests be implemented unless the qualified biologist recommends a buffer decrease based on an identified set of performance criteria. With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-7.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to nesting birds would be less than significant with mitigation (Class II).
CDFW-10	The comment recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, monarch butterfly and CRLF, which were discussed in the previous comment letter for this project. The EIR has fully evaluated potential project impacts on federally listed species; however, the USFWS does not have regulatory jurisdiction over the project, since the project site does not support federally protected wildlife species. The County has had information conversations and a meeting with USFWS to discuss potential project impacts and will continue to evaluate potential impacts to federally listed species and will coordinate with all appropriate regulatory agencies. No changes to the EIR are required in response to this comment.
CDFW-11	The comment requests that any special-status species and natural communities detected during project surveys be reported to the California Natural Diversity Database (CNDDB). The comment states that the project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. These procedural requirements are noted. No changes to the environmental document are necessary in response to this comment.
CDFW-12	The comment includes the California Department of Fish and Wildlife Recommended Mitigation Monitoring and Reporting Program (MMRP) as Attachment 1. Refer to Responses to Comments CDFW-3, CDFW-4, and CDFW-5, above. No changes to the environmental document are necessary in response to this comment.
CDFW-13	The comment has included the CDFW comment letter provided in response to the NOP, dated July 23, 2021, as Attachment 2. These comments were reviewed and addressed as part of preparation of the Draft EIR, as indicated in page 3 of the comment letter. No changes to the environmental document are necessary in response to this comment.